ROyal Oak Planning Commission  
City of Royal Oak, Michigan  

Tuesday, February 12, 2019  
7:00 p.m.  

AGENDA  

A. Call to Order  

B. Approval of Minutes for January 8, 2019  

C. Public Comment on Non-Agenda Items  

D. New Business  

1. Public Hearing – Rezoning from Mixed Use 2 to Planned Unit Development (PUD) & Preliminary Site Plan (SP 19-02-03) to construct four-story multiple-family building with 48 upper-level dwelling units and underground and ground-level off-street parking on site of former jewelry store (Chinn Jewelry) at 1003 S. Washington Ave. (parcel no. 25-21-431-024)  
Duke & Duke, LLC, Petitioners & Owners  
Berkley Realty Group, Representative  

2. Public Hearing – Rezoning from Neighborhood Business to Planned Unit Development (PUD) & Preliminary Site Plan (SP 19-02-04) to demolish former automobile filling station and construct five-story mixed-use building with ground-level office space and 60 multiple-family dwelling units at 1005 N. Main St. (25-16-282-014)  
Anthony Yezbick, Petitioner  
HR Architecture, Architect  
Dimosthenis Joannidis Trust, Owner of Record  

3. SP 19-02-05 – Site Plan to demolish motel (Saranay Motel) and construct automobile parts retail store (AutoZone) at 28202 Woodward Ave. (parcel no. 25-17-278-002)  
AutoZone Development, LLC, Petitioner  
Spartan Engineering Solutions, LLC, Engineer  
28202 Woodward, LLC, Owner  

4. SP 19-02-06 – Site Plan to expand one-story office building with second level and mezzanine (Siporin & Associates) and construct four-level automated parking structure at 26026 Woodward Ave. (parcel no. 25-21-252-014)  
511 Design, LLC, Petitioner  
Siporin & Associates, Inc., Owner  

E. Other Business  

1. SV 19-02-01 – Sign Variance request to install three wall signs for mixed-use building at 424 E. 4th St. (parcel no. 25-22-110-021) with variance to allow four wall signs on north front façade.  
Ideation Signs & Communications, Petitioner & Contractor  
Kinetic Holdings, LLC, Owner  

2. Capital Improvements Program for 2019-20 Fiscal Year  

3. Election of Officers  

F. Adjournment
A. Call to Order

Chairperson Vaara called the February 12, 2019 regular meeting of the Royal Oak Planning Commission to order at 7:00 p.m.

Commissioner Douglas requested that a discussion on required zoning ordinance standards for multiple-family dwelling units be added to the agenda under other business.

B. Approval of Minutes for January 8, 2019

Moved by Mr. Godek
Supported by Ms. Bueche

To approve the minutes of the January 8, 2019 regular meeting of the Royal Oak Planning Commission as presented.

Motion adopted unanimously.

C. Public Comment on Non-Agenda Items

Chairperson Vaara invited members of the audience to comment on any issues that were not part of the meeting's agenda. As no members of the audience came forward Chairperson Vaara closed the public comment portion of the agenda.

D. New Business

1. Public Hearing – Rezoning from Mixed Use 2 to Planned Unit Development (PUD) & Preliminary Site Plan (SP 19-02-03) to construct four-story multiple-family building with 48 upper-level multiple-family dwelling units and underground and ground-level off-street parking on site of former jewelry store (Chinn Jewelry) at 1003 S. Washington Ave. (parcel no. 25-21-431-024)

Duke & Duke, LLC, Petitioners & Owners
Berkley Realty Group, Representative

Moved by Commissioner Douglas
Supported by Mr. Klooster

To approve SP 19-02-03, a preliminary planned unit development (PUD) site plan to construct a four-story multiple-family building with 48 upper-level dwelling units and underground and ground-level off-street parking on the site of a former jewelry store (Chinn Jewelry) at 1003 South Washington Avenue (parcel no. 25-21-431-024), with the following contingencies:
a. The petitioner shall apply for review of the final PUD plan by the planning commission within six months, including all fees and information required under § 770-99 C of the zoning ordinance.

b. Prior to review by the planning commission, the final PUD plan shall be revised to include the following:

1) The width of the public alley shall be correctly identified as 18 feet on all applicable plan sheets.
2) Off-street parking as required under the zoning ordinance shall be correctly identified on the architectural site plan (sheet AS00) – two spaces for every dwelling unit. Data specifying parking spaces on each level or the number of spaces provided per dwelling unit shall be included in a separate table.
3) References to a retail use on the ground level shall be removed from all applicable plan sheets.
4) Where provided, setbacks for all levels of the building shall be specified on the applicable plan sheets.
5) The building footprint shall be reduced so that balconies do not project into the South Washington Avenue and West Hudson Avenue rights-of-way.
6) Cross sections for all off-street parking levels shall be provided including floor-to-ceiling heights to verify proposed slopes are adequate for vehicles to maneuver safely, and that parking spaces will function properly on each slope.
7) Required right-of-way and streetscape improvements – sidewalks, street trees, street lamps, curbs, on-street parking lanes, driveway approaches to adjacent properties, etc. – shall be added to the architectural site plan (sheet AS00), main level plan (sheet A101), and landscape plan (sheet L101) according to the engineering division’s required standards.
8) Data on the proposed stormwater detention system shall be provided to verify it will function properly and comply with the city’s stormwater detention ordinance.

c. The final PUD plan shall comply with the zoning ordinance (chapter 770), as well as all other applicable codes and ordinances, except for the following:

1) A driveway with a width of no more than 22 feet shall be permitted as partial ground-level street frontage along South Washington Avenue. No more than eight off-street spaces shall be permitted as partial ground-level street frontage along West Hudson Avenue.
2) A density of no more than 48 multiple-family dwelling units shall be permitted.
3) A building height of no more than 43 feet shall be permitted.
4) Building setbacks of less than 10 feet shall be permitted from all parcel boundaries.
5) Triangular setbacks for corner vision clearance of less than 10 feet shall be permitted at the intersection of South Washington Avenue and West Hudson Avenue, the intersection of West Hudson Avenue and the public alley, or the intersection of the driveway and South Washington Avenue.
6) No less than 63 off-street parking spaces shall be required, including required barrier-free parking spaces.
7) Height-to-width ratios greater than one-to-three shall be permitted for the north and south façade elevations.
8) Interior landscaping equaling less than 10% of the lot area shall be permitted.
9) No screening in the form of a six-foot landscaped buffer, masonry wall, and/or fence shall be required along either the east rear lot line or the east right-of-way line of the public alley.

d. 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, the following:

1) Installation of a stormwater detention system;
2) Installation and/or restoration of the streetscape for South Washington Avenue and West Hudson Avenue according to established plans and design patterns, including the planting of street trees; and
3) Replacement and/or reconfiguration of the existing driveway approach on West Hudson Avenue.

e. Exterior lighting fixtures shall comply with § 770-96 B of the zoning ordinance and other city codes and ordinances.

f. Signage shall comply with the sign ordinance (chapter 607) or receive necessary variances from the planning commission.

g. Performance bonds shall be posted in amounts to be determined by the building official.

h. The final PUD plan shall meet all other code and ordinance requirements, as determined by the building official, fire marshal, and city engineer, including, but not limited to, the state building code, the city’s fire prevention ordinance (chapter 340), and the city’s stormwater detention ordinance (chapter 644), prior to the issuance of any building or right-of-way permits.

Motion adopted 5 to 1
Yes: Ms. Buechce, Commissioner Douglas, Mr. Klooster, Mr. Quesada, Ms. Vaara
No: Mr. Godek

2. Public Hearing – Rezoning from Neighborhood Business to Planned Unit Development (PUD) & Preliminary Site Plan (SP 19-02-04) to demolish former automobile filling station and construct five-story mixed-use building with ground-level office space and 60 multiple-family dwelling units at 1005 N. Main St. (25-16-282-014)
Anthony Yezbick, Petitioner
HR Architecture, Architect
Dimosthenis Ioannidis Trust, Owner of Record

Moved by Mr. Godek
Supported by Ms. Buechce

To deny SP 19-02-04, a preliminary planned unit development (PUD) site plan to demolish a former automobile filling station and construct a five-story mixed-use building with 11,000 square feet of ground-level office space and 60 multiple-family dwelling units at 1005 North Main Street (25-16-282-014). Denial of the preliminary PUD site plan is based upon the following:

a. Granting of the PUD will not result in a recognizable and material benefit to the ultimate users of the project or the community. Any claimed benefit could be feasible or likely achieved by developing the property under its current “neighborhood business” zoning. The proposed uses of office space and upper-level dwelling units are already allowed under the property’s current “neighborhood business” zoning.

b. The proposed scale and density of the project would result in an unreasonable increase in the burden upon nearby public streets and the adjacent municipal off-street parking lot. The proposed number of dwelling units would generate (1) too many vehicle trips that could reasonably be accommodated by surrounding streets and intersections, and (2) too much demand for off-street parking within the adjacent municipal parking lot.

c. The proposed development is not consistent with the public health, safety and welfare of the city. The size and scale of the proposed building is too large, and the proposed number of dwelling units is excessive.

d. The proposed development could result in an unreasonable negative economic impact upon surrounding properties. The over-reliance on the adjacent municipal parking lot by the proposed project could deprive nearby property owners of their ability to expand their buildings and possibly their vested rights from variances previously granted by the zoning board of appeals.
e. The proposed development is not consistent with the goals and policies of the City of Royal Oak Master Plan. The size and scale of the project are too large and inconsistent with the surrounding built environment, and the density is too great and incompatible with adjacent and nearby land uses.

Motion adopted 4 to 2  
Yes: Ms. Buechce, Mr. Godek, Mr. Klooster, Ms. Vaara  
No: Commissioner Douglas, Mr. Quesada

3. **SP 19-02-05 – Site Plan** to demolish motel (Saranay Motel) and construct automobile parts retail store (AutoZone) at **28202 Woodward Avenue** (parcel no. 25-17-278-002)  
AutoZone Development, LLC, Petitioner  
Spartan Engineering Solutions, LLC, Engineer  
28202 Woodward, LLC, Owner

Moved by Commissioner Douglas  
Supported by Mr. Godek

To approve SP 19-02-05, a site plan to demolish a motel (Saranay Motel) and construct an automobile parts retail store (AutoZone) at **28202 Woodward Avenue** (parcel no. 25-17-278-002), with the following **contingencies**:

a. The zoning board of appeals shall grant all necessary variances, i.e., the maximum permitted building height, etc.

b. All loading and unloading shall take place within the public alley or off-street parking lot. Loading and unloading shall be prohibited from Bassett Road and Woodward Avenue.

c. Servicing and/or repair of vehicles shall be prohibited within the off-street parking lot, any adjacent on-street parking spaces, and the public alley.

d. Temporary and transient outdoor sales, and any outdoor storage or display of merchandise or similar materials, shall be prohibited.

e. 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, the following:

   1) On-street parking spaces and all other asphalt paving within the Woodward Avenue right-of-way shall be removed and replaced with topsoil, sod, and trees.

   2) A new concrete driveway approach shall be provided in the Woodward Avenue right-of-way.

   3) New sidewalks shall be installed in the Woodward Avenue and Bassett Road rights-of-way.

   4) The public alley along the entire northeast rear lot line shall be reconstructed as indicated on the site plan.

   5) Written approval from the Michigan Department of Transportation (MDOT), including their right-of-way permit, shall be submitted to the engineering division prior to connecting to the catch basin on the northwest side of Bassett Road. Connection to the catch basin shall be at a straight or 90° angle.

f. All exterior light 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) 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 state 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.**

4. **SP 19-02-06 – Site Plan** to expand one-story office building with second level and mezzanine (Siporin & Associates) and construct four-level automated parking structure at **26026 Woodward Ave.** (parcel no. 25-21-252-014)

511 Design, LLC, Petitioner
Siporin & Associates, Inc., Owner

**Moved** by Commissioner Douglas

**Supported** by Mr. Klooster

**To postpone SP 19-02-06, a site plan** to expand a one-story office building with a second level and a mezzanine (Siporin & Associates) and construct a four-level automated parking structure at **26026 Woodward Avenue** (parcel no. 25-21-252-014) until the next regular meeting to allow the petitioner an opportunity to revise their plans to address all unresolved and incomplete site and landscaping issues identified by staff.

Commissioner Douglas withdrew her motion and Mr. Klooster withdrew his support of the motion.

**Moved** by Mr. Godek

**Supported** by Commissioner Douglas

**To approve SP 19-02-06, a site plan** to expand a one-story office building with a second level and a mezzanine (Siporin & Associates) and construct a four-level automated parking structure at **26026 Woodward Avenue** (parcel no. 25-21-252-014), with the following **contingencies**:

a. The zoning board of appeals shall grant all necessary variances, i.e., the maximum permitted building height; minimum required number of off-street parking spaces; minimum required dimensions for spaces within the automated parking structure; and allowing parked vehicles to maneuver over a public sidewalk.

b. Prior to review by the zoning board of appeals, the petitioner shall submit a revised site plan for review and approval by the planning division to addresses the following:

   1) A landscaping plan shall be submitted in accordance with § 770-90 C of the zoning ordinance. Cross sections and details for all trees, landscaping, and screening walls shall be included on the landscaping plan.

   2) Trees shall be planted on the site and within adjacent rights-of-way in accordance with § 770-90 F and K (4) of the zoning ordinance.

   3) A south façade elevation showing the accessible side of the automated parking structure shall be included with one of the façade elevations.

   4) The waste receptacle enclosure shall be reconfigured so that its gate does not open into the Hendrie Boulevard sidewalk or right-of-way.

   5) Cross sections, details, and illumination levels for all ground-mounted exterior light fixtures shall be provided.

c. Construction of the automated parking structure shall be completed prior to any building permits being issued for the additions to the existing building for the second level and mezzanine.

d. 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, the following:
1) Installation of a stormwater detention system;
2) Planting of street trees within Woodward Avenue and Hendrie Boulevard; and
3) Reconfiguration of the driveway to Hendrie Boulevard.

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 (0.1 foot-candles along Hendrie Boulevard; 0.5 foot-candles along Woodward Avenue and the north side lot line; and 10 foot-candles at any point within the site).

f. All signage shall comply with the sign ordinance (chapter 607) 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 state 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 19-02-01 - Sign Variance request to install three wall signs for mixed-use building at 424 E. 4th St. (parcel no. 25-22-110-021) with variance to allow four wall signs on north front façade.

   Ideation Signs & Communications, Petitioner & Contractor
   Kinetic Holdings, LLC, Owner

   Moved by Mr. Godek
   Supported by Mr. Klooster

   To grant SV 19-02-01, a sign variance request to install three wall signs for a mixed-use building at 424 East 4th Street (parcel no. 25-22-110-021) with a variance to allow four wall signs on the north front façade.

   Motion adopted unanimously.

2. Capital Improvements Program for 2019-20 Fiscal Year

   A draft copy of the capital improvements program for the 2019-20 fiscal year was presented. The planning commission was notified that a public hearing would be held on the program at the next regular meeting. No further action was taken.

3. Election of Officers

   Moved by Mr. Godek
   Supported by Commissioner Douglas

   To elect Anne Vaara as chairperson.

   Motion adopted unanimously.

   Moved by Commissioner Douglas
   Supported by Mr. Klooster
To elect Dan Godek as vice-chairperson.

Motion adopted unanimously.

4. Zoning Ordinance Standards for Multiple-Family Dwelling Units

Moved by Commissioner Douglas
Supported by Mr. Godek

To direct staff to prepare a report for the next regular meeting on potential zoning ordinance text amendments to required density, off-street parking, and other standards for multiple-family dwellings that could potentially reduce the number of planned unit development and conditional rezoning applications for projects with multiple-family dwellings.

Motion adopted unanimously.

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F. Adjournment

Moved by Commissioner Douglas
Supported by Mr. Quesada

To adjourn the February 12, 2019 regular meeting of the Royal Oak Planning Commission at 10:55 p.m.

Motion adopted unanimously.

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Anne Vaara
Chairperson, Planning Commission

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Douglas A. Hedges, AICP, PCP
City Planner II