

ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN

Tuesday, March 14, 2023
6:00 p.m.

AGENDA

Master Plan Work Session

- A. Call to Order
- B. Results from Neighborhood Meetings & Roundtable Discussions
- C. Review of Upcoming Charrette
- D. Public Comment
- E. Adjournment of Master Plan Work Session

Regular Meeting

- A. Call to Order
- B. Approval of Minutes for February 14, 2023
- C. Public Comment on Non-Agenda Items
- D. New Business
 - 1. **Public Hearing – Rezoning from Multiple-Family Residential to Planned Unit Development (PUD) & Final Site Plan (SP 23-01-01)** to construct 44-ft. multiple-family building with 27 dwellings at **503 S. Troy St.** (parcel no. 25-22-153-026)
Carbon on Troy, LLC, Petitioner & Owner
Krieger-Klatt Architects, Inc., Architect
Plunkett Cooney, PC, Representative
 - 2. **SP 23-03-04 – Site Plan** to renovate and expand office building for architectural firm (Krieger-Klatt Architects, Inc.) at **400 E. Lincoln Ave.** (parcel no. 25-22-302-033)
Krieger-Klatt Architects, Inc., Petitioner & Architect
Management 10 Lincoln, LLC, Owner
 - 3. **SP 23-03-05 – Site Plan** to construct accessory off-street parking lot at **115 N. West St.** (parcel no. 25-16-464-008)
Ayoub Real Estate, LLC, Petitioner & Owner
Horizon Engineering, LLC, Engineer
- E. Adjournment of Regular Meeting

Brownfield Redevelopment Authority

- A. Call to Order
- B. Public Comment

C. New Business

- 1. Brownfield Plan & Reimbursement Agreement** to demolish office building and construct four-level multiple-family building with 32 dwellings (The Delaware) at **230 E. Harrison Ave.** (parcel no. 25-22-305-018)
Harrison Delaware, LLC, Developer & Owner
PM Environmental, Inc., Consultant

D. Adjournment of Brownfield Redevelopment Authority

Master Plan Work Session

Present

Ann Bueche
Sharlan Douglas, City Commissioner
Michael Fournier, Mayor (at 6:53 p.m.)
Woody Gontina
Gary Quesada, Chairperson

Absent

Jim Ellison

Staff

Joseph Murphy, Director of Planning
Tim Thwing, Director of Community Development

Also Present

Matthew Lambert, DPZ Co-Design (by remote video connection)
Paul Urbiel, McKenna

A. Call to Order

Chairperson Quesada called the Master Plan Work Session of the Royal Oak Planning Commission for March 14, 2023, to order at 6:00 p.m.

B. Results from Neighborhood Meetings & Roundtable Discussions

The planning commission discussed the neighborhood meetings and roundtable discussions held on February 24 and 25, 2023, with Mr. Lambert and Mr. Urbiel. No formal action was taken.

C. Review of Upcoming Charrette

Mr. Lambert and Mr. Urbiel reviewed the upcoming design charrette with the planning commission. (Mayor Fournier arrived at 6:53 p.m.) No formal action was taken.

D. Public Comment

Chairperson Quesada invited members of the audience to comment on any planning related issues. After all interested members of the audience came forward Chairperson Quesada closed the public comment portion of the agenda.

E. Adjournment

Chairperson Quesada adjourned the Master Plan Work Session of the Royal Oak Planning Commission for March 14, 2023, at 7:32 p.m.

Regular Meeting

Present

Sharlan Douglas, City Commissioner
Ann Bueche
Michael Fournier, Mayor
Woody Gontina
Gary Quesada, Chairperson

Absent

Jim Ellison

Staff

Nick Grochowski, Assistant City Attorney
Tim Thwing, Director of Community Development

A. Call to Order

Chairperson Quesada called the March 14, 2023, regular meeting of the Royal Oak Planning Commission to order at 7:35 p.m.

B. Approval of Minutes for February 14, 2023

Moved by Mr. Gontina
Supported by Ms. Bueche

To approve the minutes of the February 14, 2023, regular meeting of the Royal Oak Planning Commission as presented.

Motion adopted unanimously.

C. Public Comment on Non-Agenda Items

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

D. New Business

1. Public Hearing – Rezoning from Multiple-Family Residential to Planned Unit Development (PUD) & Final Site Plan (SP 23-01-01) to construct 44-ft. multiple-family building with 27 dwellings at 503 S. Troy St. (parcel no. 25-22-153-026)

Carbon on Troy, LLC, Petitioner & Owner
Krieger-Klatt Architects, Inc., Architect

Moved by Ms. Bueche

Supported by Mr. Quesada

Be it resolved that the request to rezone **503 South Troy Street** (parcel no. 25-22-153-026) from **“Multiple-Family Residential”** to **“Planned Unit Development” (PUD)** in order construct a 44-foot multiple-family building with 27 dwellings is hereby referred to the city commission with a **recommendation for denial**, based upon the following:

- a. Granting of the PUD will not result in recognizable and material benefits to the ultimate users of the project and to the community, and any such benefits could be feasible or likely achieved without application of the PUD regulations.
- b. The proposed type and density of multiple-family dwellings would result in an unreasonable increase in the need for or burden upon public services, facilities, streets, and utilities.
- c. The proposed building and multiple-family dwellings are not consistent with the public health, safety, and welfare of the city.
- d. The proposed building and multiple-family dwellings would result in an unreasonable negative economic impact upon surrounding properties.
- e. The proposed building and multiple-family dwellings are not consistent with the city's master plan.

Motion fails 2 to 3.

Yes: Ms. Bueche, Mr. Quesada.

No: Commissioner Douglas, Mayor Fournier, Mr. Gontina.

Moved by Commissioner Douglas

Supported by Mr. Gontina

Be it resolved that the request to rezone **503 South Troy Street** (parcel no. 25-22-153-026) from **“Multiple-Family Residential”** to **“Planned Unit Development” (PUD)** in order construct a 44-foot multiple-family building with 27 dwellings is hereby referred to the city commission with a **recommendation for approval**, based upon the following:

- a. Granting of the PUD will result in recognizable and material benefits to the ultimate users of the project and to the community, where such benefits would otherwise be unfeasible or unlikely to be achieved without application of the PUD regulations.
- b. The proposed type and density of multiple-family dwellings will not result in an unreasonable increase in the need for or burden upon public services, facilities, streets, and utilities.
- c. The proposed building and multiple-family dwellings are consistent with the public health, safety, and welfare of the city.
- d. The proposed building and multiple-family dwellings will not result in an unreasonable negative economic impact upon surrounding properties.

- e. The proposed building and multiple-family dwellings will be under single ownership and/or control such that there is a single entity having responsibility for completing the project in conformity with the zoning ordinance.
- f. Although not consistent with the future land use map of the city's master plan, the proposed building and multiple-family dwellings are compatible with other surrounding buildings and uses as well as consistent with recent development trends.

Be it further resolved that SP 23-01-01, a final planned unit development (PUD) site plan to construct a 44-foot multiple-family building with 27 multiple-family dwellings at 503 South Troy Street (parcel no. 25-22-153-026), is hereby referred to the city commission with a recommendation for approval with the following contingencies:

- a. The petitioner shall apply for review of the final PUD site plan, rezoning, and development agreement by the city commission, including all fees and information required under § 770-99 C of the zoning ordinance.
- b. Prior to review by the city commission, the final PUD site plan shall be revised so that illumination levels along the south side and east rear lot lines are no greater than 0.1 foot-candles in accordance with § 770-96 B of the zoning ordinance.
- c. The final PUD site plan 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 27 multiple-family dwellings shall be permitted, and any dwellings reserved for affordable or workforce housing shall be a mixture of studio and one-bedroom dwellings.
 - 2) A building height of 44 feet to the roof line shall be permitted as depicted on the plan sheets.
 - 3) Building setbacks shall be as depicted on the plan sheets, including at the southeast corner of South Troy Street and East 5th Street, and at the intersections of both driveways and public streets.
 - 4) No fewer than 27 off-street parking spaces shall be permitted, including any barrier-free parking spaces. Parking spaces may be placed as depicted on the plan sheets.
 - 5) Landscaping and screening shall be as depicted on the plan sheets.
- d. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the city engineer. All electrical, telephone, and similar utilities shall be placed underground.
- e. All exterior lighting 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 site 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 3 to 2.

Yes: Commissioner Douglas, Mayor Fournier, Mr. Gontina.

No: Ms. Bueche, Mr. Quesada.

- 2. **SP 23-03-04 – Site Plan** to renovate and expand office building for architectural firm (Krieger-Klatt Architects, Inc.) at **400 E. Lincoln Ave.** (parcel no. 25-22-302-033)
Krieger-Klatt Architects, Inc., Petitioner & Architect

Management 10 Lincoln, LLC, Owner

Moved by Mr. Gontina
Supported by Ms. Bueche

To approve SP 23-03-04, a **site plan** to renovate and expand an office building for an architectural firm (Krieger-Klatt Architects, Inc.) at **400 East Lincoln Avenue** (parcel no. 25-22-302-033), with the following **contingencies**:

- a. The zoning board of appeals shall grant all required variances, i.e., the minimum required number of off-street parking spaces, etc.
- b. Landscaping and screening shall be as depicted on the plan sheets.
- c. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the city engineer.
- d. All exterior lighting fixtures shall comply with § 770-96 B of the zoning ordinance and other city codes and ordinances.
- e. All signage shall comply with the sign ordinance (Chapter 607) 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 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.

3. **SP 23-03-05 – Site Plan** to construct accessory off-street parking lot at **115 N. West St.** (parcel no. 25-16-464-008)
Ayoub Real Estate, LLC, Petitioner & Owner
Horizon Engineering, LLC, Engineer

Moved by Commissioner Douglas
Supported by Mr. Gontina

To approve SP 23-03-05, a **site plan** to construct an accessory off-street parking lot at **115 North West Street** (parcel no. 25-16-464-008), with the following **contingencies**:

- a. Off-street parking may be placed within the front yard setbacks from Sherman Drive and West Street as depicted on the plan sheets.
- b. Landscaping and screening shall be as depicted on the plan sheets.
- c. Stormwater shall be detained on site as much as practical.
- d. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the city engineer.
- e. Any exterior lighting fixtures shall comply with § 770-96 B of the zoning ordinance and other city codes and ordinances.
- f. Any 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

There were no other business items.

F. Adjournment

Moved by Commissioner Douglas
Supported by Mr. Gontina

To **adjourn** the March 14, 2023, regular meeting of the Royal Oak Planning Commission at 9:00 p.m.

Motion adopted unanimously.

Brownfield Redevelopment Authority

Present

Ann Bueche
Sharlan Douglas, City Commissioner
Michael Fournier, Mayor
Woody Gontina
Gary Quesada, Chairperson

Absent

Jim Ellison

Staff

Nick Grochowski, Assistant City Attorney
Tim Thwing, Director of Community Development

A. Call to Order

Chairperson Quesada called the March 14, 2023, meeting of the Royal Oak Brownfield Redevelopment Authority to order at 9:00 p.m.

B. Public Comment

Chairperson Quesada invited members of the audience to comment on any planning related issues. As no members of the audience came forward Chairperson Quesada closed the public comment portion of the agenda.

C. New Business

1. **Brownfield Plan & Reimbursement Agreement** to demolish office building and construct four-level multiple-family building with 32 dwellings (The Delaware) at **230 E. Harrison Ave.** (parcel no. 25-22-305-018)

Harrison Delaware, LLC, Developer & Owner
PM Environmental, Inc., Consultant

Moved by Mr. Gontina
Supported by Ms. Bueche

To recommend approval by the **city commission** of a **brownfield plan** for Harrison Delaware, LLC, at **230 East Harrison Avenue** (parcel no. 25-22-305-018), and request that the city commission set a public hearing for the plan, provided it has a maximum duration of no more than 13 years beginning in 2025 with total costs eligible for reimbursement not to exceed \$ 737,063 for the following activities:

Workplan Exempt Activities	\$ 22,700
Department Specific Activities	\$ 575,750
Building Demolition	\$ 25,000
Brownfield Plan & Act 381 Work Plan	\$ 23,500
Cost of Eligible Activities Subtotal	\$ 646,950
15% Contingency (only applies to department specific activities & demolition)	\$ 90,113
TOTAL COSTS OF ELIGIBLE ACTIVITIES	\$ 737,063

Motion adopted unanimously.

Moved by Mr. Gontina
Supported by Commissioner Douglas

To approve a brownfield plan reimbursement agreement for Harrison Delaware, LLC, at **230 East Harrison Avenue** (parcel no. 25-22-305-018) as amended for a reimbursement period of 13 years, with an applicable annual interest rate of 0.75% on costs eligible for reimbursement, up to a maximum total amount of interest of \$ 30,760, contingent upon approval of the associated brownfield plan by the city commission; and **to authorize** the board's executive director to sign the amended reimbursement agreement.

Motion adopted unanimously.

D. Adjournment

Moved by Commissioner Douglas
Supported by Mr. Gontina

To **adjourn** the March 14, 2023, meeting of the Royal Oak Brownfield Redevelopment Authority at 9:28 p.m.

Motion adopted unanimously.



Gary Quesada
Chairperson, Planning Commission



Timothy E. Thwing
Director of Community Development