

ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN

Tuesday, May 14, 2019
7:00 p.m.

AGENDA

A. Call to Order

B. Approval of Minutes for April 9, 2019

C. Public Comment on Non-Agenda Items

D. New Business

1. **Public Hearing – Rezoning from Mixed Use 2 to Planned Unit Development (PUD) & Final 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
HF Architecture, Architect
Berkley Realty Group, Representative
2. **Public Hearing – Special Land Use & Site Plan (SP 19-05-11)** to convert former automobile dealership into multiple-tenant building for fitness centers / training studios and medical offices at **2605 W. 14 Mile Rd.** (parcel no. 25-05-127-016)
BRIO Development LLC, Petitioner
ETS Investment Co., LC, Owner
DRN & Associates, PC, Architect
3. **Public Hearing – Special Land Use & Site Plan (SP 19-05-12)** to construct two-story, 560-sq. ft. addition to single-family dwelling in Central Business District at **418 E. 3rd St.** (parcel no. 25-22-107-011)
Richard Vian, Petitioner & Owner
Sergio Guberti Architectural Services, Architect
4. **SP 19-05-13 – Site Plan** to install billboard with electronic message center on site of furniture manufacturer (Vogue Furniture Co.) at **2720 W. 14 Mile Rd.** (parcel no. 20-32-301-023)
Lockridge Outdoor Advertising, Petitioner
Boss Engineering, Surveyor
Jonathon Clay Properties, LLC, Owner

E. Other Business

1. **SV 19-05-04 – Sign Variance** request for restaurant (Pinky's) at **100 S. Main St.** (parcel no. 25-21-231-012) to install wall sign on east front and north side façades of upper level with following variances: (a) allow two wall signs on east front and north side façades; and (b) allow wall sign extending beyond vertical ends of east and north wall surfaces of upper level.
Royal Oak Good Times Food & Drink, Inc., Petitioner
Ron and Roman Architects et. al., Architect
Royal Oak Fox III, LLC, Owner
2. **SV 19-05-05 – Sign Variance** request for retail store (CBD Hemp Store) at **32206 Woodward Ave.** (parcel no. 25-06-252-007) to re-use nonconforming free-standing sign with variance to waive 7 ft. from maximum permitted 16-ft. free-standing sign height.
Mother Earth Natural Health, Petitioner
Framco, LLC, Owner
3. **SV 19-05-06 – Sign Variance** request for grocery store (Holiday Market) at **1203 S. Main St.** (parcel no. 25-06-252-007) to re-use nonconforming free-standing sign and install electronic

message center with following variances: (a) waive 7 ft. from maximum permitted 16-ft. free-standing sign height; (b) waive 183 sq. ft. from maximum permitted 42-sq. ft. free-standing sign area; (c) waive 35.79 sq. ft. from maximum permitted 21-sq. ft. electronic message center area; and (d) waive 0.65 from maximum 1.78 electronic message center aspect ratio.

Metro Detroit Signs, Petitioner
Holiday Food Center, Inc., Owner

F. Adjournment

Present

Ann Bueche
Sharlan Douglas, City Commissioner
Michael Fournier, Mayor
Dan Godek, Vice-Chairperson
Eric Klooster
Gary Quesada
Anne Vaara, Chairperson

Absent

None

Staff

Doug Hedges, City Planner
Mark Liss, Assistant City Attorney

A. Call to Order

Chairperson Vaara called the May 14, 2019 regular meeting of the Royal Oak Planning Commission to order at 7:00 p.m.

B. Approval of Minutes for April 9, 2019

Moved by Commissioner Douglas
Supported by Mr. Godek

To approve the minutes of the April 9, 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) & Final 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

HF Architecture, Architect
Berkley Realty Group, Representative

Moved by Commissioner Douglas
Supported by Mr. Quesada

Be it resolved, that the request to rezone **1003 South Washington Avenue** (parcel no. 25-21-431-024) from **mixed use 2** to **planned unit development (PUD)** in order 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) is hereby referred to the city commission with a **recommendation for approval**, based upon the following:

- a. Granting of the PUD will result in a recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the PUD regulations.
- b. The proposed type and density of multiple-family dwelling units will not result in an unreasonable increase in the need for or burden upon public services, facilities, streets, and utilities.
- c. The proposed multiple-family building is consistent with the public health, safety, and welfare of the city.
- d. The proposed multiple-family building will not result in an unreasonable negative economic impact upon surrounding properties.
- e. The proposed development is 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. The proposed multiple-family building is consistent with the goals, policies, and future land use map of the city's master plan.

Be it further resolved, that **SP 19-02-03**, a **final 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), 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 rezoning, final PUD plan, and development agreement by the city commission and submit all information required under § 770-99 C of the zoning ordinance.
- b. 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 as depicted on the plan sheets. No more than eight off-street spaces shall be permitted as partial ground-level street frontage along West Hudson Avenue as depicted on the plan sheets.
 - 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 as depicted on the plan sheets.
 - 5) Triangular setbacks for corner vision clearance of less than 10 feet shall be permitted as depicted on the plan sheets at the intersection of South Washington Avenue and West Hudson Avenue, the intersection of West Hudson Avenue and the public alley, and 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 as depicted on the plan sheets.
 - 8) Interior landscaping equaling less than 10% of the lot area shall be permitted as depicted on the plan sheets.
 - 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.
- c. Prior to review by the city commission, the final PUD plan shall be revised to include the following:
- 1) 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. Required improvements shall be added to the specified plan sheets instead of notes stating that required standards shall be met.
- d. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the city engineer and included on the final PUD plan, 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 shall be as depicted on the final PUD plan, and any additional 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. 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 6 to 1.

Yes: Ms. Bueche, Commissioner Douglas, Mayor Fournier, Mr. Klooster, Mr. Quesada, Ms. Vaara.

No: Mr. Godek.

2. **Public Hearing – Special Land Use & Site Plan (SP 19-05-11)** to convert former automobile dealership into multiple-tenant building for fitness centers / training studios and medical offices at **2605 W. 14 Mile Rd.** (parcel no. 25-05-127-016)
BRIO Development LLC, Petitioner
ETS Investment Co., LC, Owner
DRN & Associates, PC, Architect

Moved by Mr. Godek

Supported by Mr. Klooster

To approve a special land use permit to convert a former automobile dealership into a multiple-tenant building for fitness centers / training studios and medical offices at **2605 West 14 Mile Road** (parcel

no. 25-05-127-016), with permission to seek variances from the zoning board of appeals for providing massage therapy that is not associated with a medical office, and for the minimum required amount of off-street parking.

Motion adopted unanimously.

Moved by M.r Quesada

Supported by Mr. Godek

To approve SP 19-05-11, a site plan to convert a former automobile dealership into a multiple-tenant building for fitness centers / training studios and medical offices at **2605 West 14 Mile Road** (parcel no. 25-05-127-016), with the following **contingencies**:

- a. The zoning board of appeals shall grant all necessary variances, i.e., the minimum required number of off-street parking spaces, allowing massage therapy that is not associated with a medical office; etc.
- b. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the city engineer.
- c. 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.
- d. All signage shall comply with the sign ordinance (chapter 607) or receive the necessary variances from the planning commission.
- e. A performance bond shall be posted in an amount to be determined by the building official.
- f. 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. **Public Hearing – Special Land Use & Site Plan (SP 19-05-12)** to construct two-story, 560-sq. ft. addition to single-family dwelling in Central Business District at **418 E. 3rd St.** (parcel no. 25-22-107-011)

Richard Vlan, Petitioner & Owner
Sergio Guberti Architectural Services, Architect

Moved by Ms. Bueche

Supported by Mr. Quesada

To approve a special land use permit to construct a two-story, 560-square foot addition to a single-family dwelling in the Central Business District at **418 East 3rd Street** (parcel no. 25-22-107-011).

Motion adopted unanimously.

Moved by Mr. Quesada

Supported by Mr. Klooster

To approve SP 19-05-12, a site plan to construct a two-story, 560-square foot addition to a single-family dwelling in the Central Business District at **418 East 3rd Street** (parcel no. 25-22-107-011), with the following **contingencies**:

- a. All paving, utilities, 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.
- c. All signage shall comply with the sign ordinance (chapter 607) or receive the necessary variances from the planning commission.
- d. A performance bond shall be posted in an amount to be determined by the building official.
- e. The site plan shall meet all other code and ordinance requirements, as determined by the building official, including, but not limited to, the state residential code, prior to issuance of any building permits.

Motion adopted unanimously.

4. **SP 19-05-13 – Site Plan** to install billboard with electronic message center on site of furniture manufacturer (Vogue Furniture Co.) at **2720 W. 14 Mile Rd.** (parcel no. 20-32-301-023)
Lockridge Outdoor Advertising, Petitioner
Boss Engineering, Surveyor
Jonathon Clay Properties, LLC, Owner

Moved by Mr. Quesada

Supported by Commissioner Douglas

To approve SP 19-05-13, a site plan to install a billboard with an electronic message center on the site of a furniture manufacturer (Vogue Furniture Co.) at **2720 West 14 Mile Road** (parcel no. 20-32-301-023), with the following **contingencies**:

- a. The electronic message center shall comply with all required standards in § 770-57 E (2) of the zoning ordinance, i.e., static or still images only, no special effects, minimum duration of 30 seconds, no sequential messaging, etc.
- b. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the city engineer.
- 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, including, but not limited to, the state building code, prior to issuance of any building permits.

Motion adopted 6 to 1.

Yes: Ms. Bueche, Commissioner Douglas, Mayor Fournier, Mr. Klooster, Mr. Quesada, Ms. Vaara.

No: Mr. Godek.

E. Other Business

1. **SV 19-05-04 – Sign Variance** request for restaurant (Pinky's) at **100 S. Main St.** (parcel no. 25-21-231-012) to install wall sign on east front and north side façades of upper level with following variances: (a) allow two wall signs on east front and north side façades; and (b) allow wall sign extending beyond vertical ends of east and north wall surfaces of upper level.
Royal Oak Good Times Food & Drink, Inc., Petitioner
Ron and Roman Architects et. al., Architect
Royal Oak Fox III, LLC, Owner

Moved by Mr. Godek
Supported by Mr. Quesada

To grant SV 19-05-04, a sign variance request for a restaurant (Pinky's) at **100 South Main Street** (parcel no. 25-21-231-012) to install a wall sign on the east front and north side façades of the upper level of the building with the following variances: (a) allow two wall signs on the east front and north side façades; and (b) allow a wall sign extending beyond the vertical ends of the east and north wall surfaces of the upper level.

Motion adopted unanimously.

2. **SV 19-05-05 – Sign Variance** request for retail store (CBD Hemp Store) at **32206 Woodward Ave.** (parcel no. 25-06-252-007) to re-use nonconforming free-standing sign with variance to waive 7 ft. from maximum permitted 16-ft. free-standing sign height.
Mother Earth Natural Health, Petitioner
Framco, LLC, Owner

Moved by Mr. Godek
Supported by Commissioner Douglas

To grant SV 19-05-05, a sign variance request for a retail store (CBD Hemp Store) at **32206 Woodward Avenue** (parcel no. 25-06-252-007) to re-use a nonconforming free-standing sign with a variance to waive three feet from the maximum permitted 16-foot free-standing sign height provided the pole is lowered to the resulting 19-foot height of the sign cabinet.

Motion adopted 5 to 2.

Yes: Ms. Bueche, Commissioner Douglas, Mayor Fournier, Mr. Godek, Ms. Vaara.

No: Mr. Klooster, Mr. Quesada.

3. **SV 19-05-06 – Sign Variance** request for grocery store (Holiday Market) at **1203 S. Main St. Ave.** (parcel no. 25-06-252-007) to re-use nonconforming free-standing sign and install electronic message center with following variances: (a) waive 7 ft. from maximum permitted 16-ft. free-standing sign height; (b) waive 183 sq. ft. from maximum permitted 42-sq. ft. free-standing sign area; (c) waive 35.79 sq. ft. from maximum permitted 21-sq. ft. electronic message center area; and (d) waive 0.65 from maximum 1.78 electronic message center aspect ratio.
Metro Detroit Signs, Petitioner
Holiday Food Center, Inc., Owner

Moved by Mr. Godek
Supported by Mr. Quesada

To postpone SV 19-05-06, a sign variance request for a grocery store (Holiday Market) at **1203 South Main Street** (parcel no. 25-06-252-007) to re-use a nonconforming free-standing sign and install an electronic message center until the June 11, 2019 regular meeting.

Motion adopted unanimously.

4. **Duration of Electronic Messages on Signs and Billboards.**

Moved by Commissioner Douglas
Supported by Mr. Godek

To direct staff to prepare a report for the next regular meeting on raising the minimum required duration of electronic messages on signs and billboards from 30 seconds to one hour.

Motion adopted unanimously.

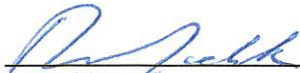
F. Adjournment

Moved by Mr. Godek

Supported by Ms. Bueche

To **adjourn** the May 14, 2019 regular meeting of the Royal Oak Planning Commission at 9:10 p.m.

Motion adopted unanimously.



Anne Vaara
Chairperson, Planning Commission



Douglas A. Hedges, AICP, PCP
City Planner II