

ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN

Tuesday, January 8, 2019
7:00 p.m.

AGENDA

A. Call to Order

B. Approval of Minutes for December 11, 2018

C. Public Comment on Non-Agenda Items

D. New Business

1. **Public Hearing – Conditional Rezoning from One Family Residential to Multiple Family Residential** and associated **Site Plan (SP 19-01-01)** to construct 10 multiple-family dwelling units within two buildings at **414 Oakland Ave.** (parcel no. 25-16-477-018)
Jeff Dawkins Architect, LLC, Petitioner
Robert Colburn, Owner
2. **Public Hearing – Special Land Use & Site Plan (SP 19-01-02)** to connect restaurant with alcoholic beverage service (Inn Season Café) at **500 E. 4th St.** (parcel nos. 25-22-133-001) into adjacent office and storage space at **502 E. 4th St.** (parcel nos. 25-22-133-002)
Inn Season's Properties, LLC, Petitioner & Owner
Schneider + Smith Architects, Architect

E. Other Business

1. **2018 Annual Report**
2. **Administrative Site Plan Approvals**

F. Adjournment

Present

Ann Bueche
Sharlan Douglas, City Commissioner
Dan Godek
Gary Quesada
Anne Vaara, Chairperson

Absent

Michael Fournier, Mayor
Eric Klooster

Staff

Tim Thwing, Director of Community Development
David Gillam, City Attorney

A. Call to Order

Chairperson Vaara called the January 8, 2019 regular meeting of the Royal Oak Planning Commission to order at 7:00 p.m.

B. Approval of Minutes for December 11, 2018

Moved by Ms. Bueche

Supported by Commissioner Douglas

To approve the minutes of the December 11, 2018 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 – Conditional Rezoning from One Family Residential to Multiple Family Residential** and associated **Site Plan (SP 19-01-01)** to construct 10 multiple-family dwelling units within two buildings at **414 Oakland Ave.** (parcel no. 25-16-477-018)

Jeff Dawkins Architect, LLC, Petitioner
Robert Colburn, Owner

Moved by Commissioner Douglas

Supported by Mr. Godek

Be it resolved that the request to conditionally rezone **414 Oakland Avenue** (parcel no. 25-16-477-018) from **one family residential to multiple family residential** in order to construct ten multiple-family dwelling units within two three-story buildings is hereby referred to the city commission with a **recommendation for approval**, based upon the following:

- a. Although the requested "multiple family residential" zone is not consistent with the site's planned use of "single family residential – medium density" on the master plan's future land use map, adjacent properties are zoned "multiple family residential" and others are developed with multiple-family dwelling units that are defined as conforming uses within the "one family residential overlay district."
- b. The site's physical and environmental features are compatible with multiple-family dwelling units.
- c. The proposed number of multiple-family dwelling units is compatible with surrounding uses and zoning in terms of land suitability, density, traffic volumes, aesthetics, infrastructure, and potential influence on property values.
- d. The street system is capable of safely and efficiently accommodating expected traffic volumes generated by multiple-family dwelling units.
- e. The capacity of public utilities and services is sufficient to accommodate multiple-family dwelling units without compromising the city's health, safety and welfare.
- f. There is an apparent demand in the city for multiple-family dwelling units in relation to the amount of land in the city currently zoned and available to accommodate the demand.
- g. The requested "multiple family residential" zone does not create an isolated and unplanned spot zone as adjacent properties to the south and east are zoned "multiple family residential" and there are surrounding multiple-family uses within the "one family residential overlay district."

Be it further resolved, that **SP 19-01-01**, a site plan to construct to construct ten multiple-family dwelling units within two three-story buildings at **414 Oakland Avenue** (parcel no. 25-16-477-018) is hereby referred to the city commission with a **recommendation for approval** with the following contingencies:

- a. Prior to review of the conditional zoning by the city commission, the petitioner shall submit a revised site plan for review and approval by the planning division containing all required information including the following:
 - 1) The height of each building shall be specified as 31 feet on all applicable sheets.
 - 2) Fourteen deciduous trees shall be consistently identified along the east side lot line on all applicable sheets.
 - 3) The requested waivers to required zoning ordinance standards on sheet 5 shall be revised and corrected, i.e., lot coverage, trash and recycling, etc.
- b. The site plan shall comply with the zoning ordinance (chapter 770), as well as all other applicable codes and ordinances, except for the following:
 - 1) Ten dwelling units shall be permitted.
 - 2) A building height of 31 feet to the roof line of each building shall be permitted.
 - 3) A west side yard setback of 18 feet and an east side yard setback of 8 feet 4 inches shall be permitted for both buildings.
 - 4) A north rear yard setback of 24 feet 8 inches shall be permitted for the rear building.
 - 5) A distance of 10 feet shall be permitted between buildings.
 - 6) Screening in the form of (a) 14 deciduous trees with a minimum d.b.h. of 2.5 inches, and (b) a six-foot decorative masonry screening wall from the north rear lot line to the northwest corner of the off-street parking lot on 406 Oakland Avenue (25-16-477-019), shall be required along the east side lot line.
 - 7) A two-way maneuvering aisle width of 18 feet shall be permitted.
- c. 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.
- d. Any exterior lighting fixtures shall comply with § 770-96 B of the zoning ordinance and other city codes and ordinances.
- e. Signage shall comply with the sign ordinance (chapter 607) or receive 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, 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 issuance of any building or right-of-way permits.

Motion adopted unanimously.

2. **Public Hearing – Special Land Use & Site Plan (SP 19-01-02)** to connect restaurant with alcoholic beverage service (Inn Season Café) at **500 E. 4th St.** (parcel nos. 25-22-133-001) into adjacent office and storage space at **502 E. 4th St.** (parcel nos. 25-22-133-002)
Inn Season's Properties, LLC, Petitioner & Owner
Schneider + Smith Architects, Architect

Moved by Mr. Quesada
Supported by Commissioner Douglas

To approve a special land use permit to connect a restaurant with alcoholic beverage service (Inn Season Café) at **500 East 4th Street** (parcel nos. 25-22-133-001) into an adjacent office and storage space at **502 East 4th Street** (parcel nos. 25-22-133-002), with permission to seek variances from the zoning board of appeals for the minimum required number of off-street parking spaces and expansion or alteration of a nonconforming use.

Motion adopted unanimously.

Moved by Mr. Quesada

Supported by Commissioner Douglas

To approve SP 19-01-02, a site plan to connect a restaurant with alcoholic beverage service (Inn Season Café) at **500 East 4th Street** (parcel nos. 25-22-133-001) into an adjacent office and storage space at **502 East 4th Street** (parcel nos. 25-22-133-002), 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; expansion or alteration of a nonconforming use; etc.
- b. The petitioner shall comply with all Michigan Liquor Control Commission rules and regulations, and the plan of operation as approved or amended by the city commission.
- c. The petitioner shall apply for a license agreement from the city commission for any landscaping, picnic tables and benches within the East 4th Street and Knowles Street rights-of-way.
- d. Both properties shall be combined into a single parcel.
- e. All waste receptacles including recycling containers shall be contained within the required enclosure. The enclosure shall be equipped with a hose bib and spigot for cleaning. Waste receptacles or recycling containers shall not be left in the alley or outside of the enclosure except when being serviced or emptied.
- f. 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, (a) paving of the public alley adjacent to each property, and (b) reconstruction of the public alley's driveway approach to Knowles Street.
- g. All exterior lighting fixtures shall comply with § 770-96 B of the zoning ordinance and other city codes and ordinances.
- h. All signage shall comply with the sign ordinance (chapter 607) or receive the necessary variances from the planning commission.
- i. A performance bond shall be posted in an amount to be determined by the building official.
- j. 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. 2018 Annual Report

The planning commission's annual report for 2018 was presented. No further action was taken.

2. Administrative Site Plan Approvals

A list of building permit applications and site plans administratively approved by the planning division October 1, 2018 through December 21, 2018 was presented. No further action was taken.

F Adjournment

Moved by Mr. Godek
Supported by Ms. Bueche

To **adjourn** the January 8, 2019 regular meeting of the Royal Oak Planning Commission at 8:00 p.m.

Motion adopted unanimously.



Anne Vaara
Chairperson, Planning Commission



Timothy E. Thwing
Director of Community Development