

**ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN**

**Tuesday, April 9, 2024
7:00 p.m.**

AGENDA

A. Call to Order

B. Approval of Minutes for March 12, 2024

C. Public Comment

D. New Business

- 1. Public Hearing – Rezoning from Mixed Use 2 to Planned Unit Development (PUD) & Preliminary Site Plan (SP 24-04-04)** to construct 3.5-story building with 42 multiple-family dwellings on site of former bank at **4704 Rochester Rd.** (parcel no. 25-03-201-023).

Trowbridge Homes Construction, LLC, Petitioners
Krieger-Klatt Architects, Inc., Architect
Rochester Trust, Owners
Plunkett Cooney, PC, Representative

- 2. SP 24-04-05 – Site Plan** to construct two-story outpatient medical clinic and medical office (Corewell Health) at **3828 W. 13 Mile Rd.** (parcel no. 25-06-455-021).

Corewell Health, Petitioner & Owner
PEA Group, Engineer
Hobbs + Black Architects, Architect

E. Other Business

- 1. SV 24-04-04 – Sign Variance** request to install wall sign at east rear entrance and restore nonconforming wall sign on west front façade for restaurant (Comet Burger) at **207 S. Main St.** (parcel no. 25-22-102-008) with sign variances to: (a) allow prohibited sign type (painted wall sign) at east rear entrance; (b) waive 265.20 sq. ft. from maximum permitted wall sign area of 29.47 sq. ft. for wall sign at east rear entrance; (c) waive 47.28 sq. ft. from maximum permitted wall sign area of 32.72 sq. ft. for wall sign on west front façade; (d) waive 13 in. from maximum permitted projection of wall sign from wall of 12 in. for wall sign on west front façade; and (e) allow wall sign on west front façade to have portion of copy area not parallel to building wall.

Galaxy Sign & Hoisting, LLC, Petitioner & Contractor
MIMA Michigan Properties, LLC, Owner

2. Non-Action Items

- a. RCOC Road Report
- b. Administrative Site Plan Approvals

F. Adjournment

Present

Ann Bueche
Sharlan Douglas, City Commissioner
Jim Ellison
Clyde Esbri
Michael Fournier, Mayor
Woody Gontina, Vice-Chairperson
Gary Quesada, Chairperson

Absent

None

Staff

Joshua Marcum, Assistant City Attorney
Joseph Murphy, Director of Planning

A. Call to Order

Chairperson Quesada called the April 9, 2024, regular meeting of the Royal Oak Planning Commission to order at 7:00 p.m.

B. Approval of Minutes for March 12, 2024

Moved by Mr. Esbri

Seconded by Mr. Gontina

To approve the minutes of the March 12, 2024, 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 planning related issues. After all 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 Mixed Use 2 to Planned Unit Development (PUD) & Preliminary Site Plan (SP 24-04-04)** to construct 3.5-story building with 42 multiple-family dwellings on site of former bank at **4704 Rochester Rd.** (parcel no. 25-03-201-023).

Trowbridge Homes Construction, LLC, Petitioners
Krieger-Klatt Architects, Inc., Architect
Rochester Trust, Owners
Plunkett Cooney, PC, Representative

The meeting was recessed at 8:48 p.m. Chairperson Quesada reconvened the meeting at 9:00 p.m. The meeting was recessed again at 9:41 p.m. Chairperson Quesada reconvened the meeting at 10:05 p.m. with the presence of the Royal Oak Police Department.

Moved by Mr. Esbri

To approve SP 24-03-02, a preliminary planned unit development (PUD) site plan to construct a three-and-a-half story multiple-family building with 42 multiple-family dwellings at **4704 Rochester Road** (parcel no. 25-03-201-023), with the following **contingencies**:

- a. The petitioner shall apply for review of a 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 correct lot area of 52,093 square shall be specified on all plan sheets.
 - 2) The correct minimum required lot area calculations shall be specified on the site plan.
 - 3) The cross-section detail of the existing screening wall along the east rear lot line shall be revised to reflect the modifications specified on the site plan.
 - 4) The height of all exterior light fixtures shall be specified on applicable plan sheets.
 - 5) The row of off-street parking spaces along the east rear lot line shall be removed and the adjacent greenbelt widened.
 - 6) A traffic island shall be installed within the driveway and approach to Genesee Avenue to direct vehicles exiting the site to Rochester Road and to prevent them from turning left onto Genesee Avenue.
- 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) No more than 42 multiple-family dwellings shall be permitted.
 - 2) Building heights of no more than 40 feet 6 inches for the west wing and 36 feet for the south wing shall be permitted.
 - 3) Primary entrances for each dwelling and height-to-width ratios for all sections of the building shall be as depicted on the plan sheets.
 - 4) No more than 65 off-street parking spaces shall be provided, including any barrier-free parking spaces.
 - 5) Landscaping and screening shall be as depicted on the plan sheets.
 - 6) Exterior light fixtures may have a height of no more than 20 feet.
- 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. 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 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 Michigan 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 fails for lack of support.

Moved by Commission Douglas

Seconded by Mr. Esbri

Be it resolved that the request to rezone **4704 Rochester Road** (parcel no. 25-03-201-023) from **"Mixed Use 2"** to **"Planned Unit Development" (PUD)** in order construct a three-and-a-half story multiple-family building with 42 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. The proposed building and multiple-family dwellings are consistent with the Master Plan including the future land use map.

Be it further resolved that SP 24-03-02, a final planned unit development (PUD) site plan to construct a three-and-a-half story multiple-family building with 42 multiple-family dwellings at 4704 Rochester Road (parcel no. 25-03-201-023), is hereby referred to the City Commission with a recommendation for approval with the following contingencies:

- a. The petitioner shall apply for review of a final PUD 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 plan shall be revised to include the following:
 - 1) The correct lot area of 52,093 square shall be specified on all plan sheets.
 - 2) The correct minimum required lot area calculations shall be specified on the site plan.
 - 3) The cross-section detail of the existing screening wall along the east rear lot line shall be revised to reflect the modifications specified on the site plan.
 - 4) The height of all exterior light fixtures shall be specified on applicable plan sheets.
 - 5) The row of off-street parking spaces along the east rear lot line shall be removed and the adjacent greenbelt widened.
 - 6) A traffic island shall be installed within the driveway and approach to Genesee Avenue to direct vehicles exiting the site to Rochester Road and to prevent them from turning left onto Genesee Avenue.
- 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) No more than 42 multiple-family dwellings shall be permitted.
 - 2) Building heights of no more than 40 feet 6 inches for the west wing and 36 feet for the south wing shall be permitted.
 - 3) Primary entrances for each dwelling and height-to-width ratios for all sections of the building shall be as depicted on the plan sheets.
 - 4) No fewer than 65 off-street parking spaces shall be provided, including any barrier-free parking spaces.
 - 5) Landscaping and screening shall be as depicted on the plan sheets.
 - 6) Exterior light fixtures may have a height of no more than 20 feet.
- 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. 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 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 Michigan 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: Commissioner Douglas, Mr. Ellison, Mr. Esbri, Mayor Fournier, Mr. Gontina, Mr. Quesada.
No: Ms. Bueche.

- 2. SP 24-04-05 – Site Plan** to construct two-story outpatient medical clinic and medical office (Corewell Health) at **3828 W. 13 Mile Rd.** (parcel no. 25-06-455-021).
Corewell Health, Petitioner & Owner
PEA Group, Engineer
Hobbs + Black Architects, Architect

Moved by Mr. Esbri

Seconded by Commissioner Douglas

To approve SP 24-04-05, a site plan to construct a two-story outpatient medical clinic and medical office (Corewell Health) at **3828 West 13 Mile Road** (parcel no. 25-06-455-021), with the following contingencies:

- a. The building's height-to-width ratios shall be as depicted on the plan sheets.
- b. A masonry screening wall shall be added to the proposed landscaping and screening depicted on the plan sheets between off-street parking lots and adjacent properties zoned "One-Family Residential" in accordance with § 770-90 D and E (2) of the Zoning Ordinance.
- c. Off-street parking shall not be placed along the north rear lot line in accordance with § 770-105 C of the Zoning Ordinance.
- d. The petitioner shall provide a joint access agreement with the property owner of 3600 West 13 Mile Road (parcel no. 25-06-455-014) to be reviewed and approved by the city attorney and recorded with the Oakland County Register of Deeds. The agreement shall state that the adjacent property owner agrees to the closing of their existing driveways to and from West 13 Mile Road, and that the petitioner agrees to provide a permanent access easement to that adjacent property through the petitioner's site. If the petitioner is unable to secure such an agreement, then the east driveway shall be relocated as directed by the city engineer.
- 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: (a) adding vehicle detection for the traffic signal at both new driveways; and (b) adding signal heads facing north to the traffic signal at the west driveway.
- f. 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.
- 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 Michigan Building Code and the Stormwater Detention Ordinance (Chapter 644), prior to issuance of any building or right-of-way permits.

Motion fails 1 to 6.

Yes: Mr. Quesada

No: Ms. Bueche, Commissioner Douglas, Mr. Ellison, Mr. Esbri, Mayor Fournier, Mr. Gontina.

Moved by Mayor Fournier

Seconded by Mr. Esbri

To postpone SP 24-04-05, a site plan to construct a two-story outpatient medical clinic and medical office (Corewell Health) at **3828 West 13 Mile Road** (parcel no. 25-06-455-021), until the May 14, 2024, regular meeting.

Motion adopted unanimously.

E. Other Business

1. **SV 24-04-04 – Sign Variance** request to install wall sign at east rear entrance and restore nonconforming wall sign on west front façade for restaurant (Comet Burger) at **207 S. Main St.** (parcel no. 25-22-102-008) with sign variances to: (a) allow prohibited sign type (painted wall sign) at east rear entrance; (b) waive 265.20 sq. ft. from maximum permitted wall sign area of 29.47 sq. ft. for wall sign at east rear entrance; (c) waive 47.28 sq. ft. from maximum permitted wall sign area of 32.72 sq. ft. for wall sign on west front façade; (d) waive 13 in. from maximum permitted projection of wall sign from wall of 12 in. for wall sign on west front façade; and (a) allow wall sign on west front façade to have portion of copy area not parallel to building wall.
Galaxy Sign & Hoisting, LLC, Petitioner & Contractor
MIMA Michigan Properties, LLC, Owner

Moved by Mr. Esbri

Seconded by Mayor Fournier

To grant the following **sign variances** for **SV 24-04-04**, a **sign variance** request to install a wall sign at the east rear entrance of a restaurant (Comet Burger) at **207 South Main Street** (parcel no. 25-22-102-008):

- a. Allow a prohibited sign type (a painted wall sign) at the east rear entrance; and
- b. Waive 265.20 square feet from the maximum permitted wall sign area of 29.47 square feet for a wall sign at the east rear entrance.

Motion fails 3 to 4.

Yes: Ms. Bueche, Mr. Esbri, Mayor Fournier.

No: Commissioner Douglas, Mr. Ellison, Mr. Gontina, Mr. Quesada.

Moved by Ms. Beuche

Seconded by Mr. Gontina

To grant the following **sign variances** for **SV 24-04-04**, a **sign variance** request to restore a nonconforming wall sign on the west front façade of a restaurant (Comet Burger) at **207 South Main Street** (parcel no. 25-22-102-008):

- c. Waive 47.28 square feet from the maximum permitted wall sign area of 32.72 square feet for a wall sign on the west front façade;
- d. Waive 13 inches from the maximum permitted projection of a wall sign from the wall of 12 inches for a wall sign on the west front façade; and
- e. Allow a wall sign on the west front façade to have a portion of its copy area not parallel to the building wall.

Motion adopted unanimously.

2. Non-Action Items

The following informational items were presented to the Planning Commission with no further action being taken: (a) the Road Commission for Oakland County's Road Report newsletter for the first quarter of 2024; and (b) a list of building permit applications and site plans administratively approved by the planning division during the first quarter of 2024.


F. Adjournment

Moved by Commissioner Douglas

Seconded by Mr. Esbri

To **adjourn** the April 9, 2024, regular meeting of the Royal Oak Planning Commission at 12:10 a.m.

Motion adopted unanimously.



Gary Quesada
Chairperson, Planning Commission



Joseph M. Murphy
Director of Planning