

ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN

Tuesday, September 12, 2023
7:00 p.m.

A. Call to Order

B. Approval of Minutes for August 15, 2023

C. Public Comment on Non-Agenda Items

D. Unfinished Business

1. **Rezoning from Multiple-Family Residential to Planned Unit Development (PUD) & Preliminary Site Plan (SP 23-08-11)** to construct two-story building with 10 multiple-family dwellings at **vacant lot on east side of Greenfield Rd. south of W. 13 Mile Rd.** (parcel no. 25-07-101-027).

Baker Properties, LLC / Kashat Construction, Petitioners
GAV Associates, Inc., Architect
Plunkett Cooney, PC, Representative
M. Bisbikis, Owner

E. New Business

1. **Public Hearing – Conditional Rezoning from Neighborhood Business to Multiple-Family Residential & Site Plan (SP 23-09-13)** to construct four-story building with 27 multiple-family dwellings at **600 E. 11 Mile Rd.** (parcel no. 25-22-127-001).

Stonegate Property Group, LLC, Petitioner
ADG Design Studio, Inc., Architect
Hawkins Harland Royal Oak Properties, LLC, Owners of Record

2. **SP 23-09-14 – Site Plan** to construct 6,757-sq. ft. warehouse addition for stone countertop contractor at **5061 Delemere Ave.** (parcel no. 20-32-327-006).

PMG Investments, LLC, Petitioner & Owner
Gateway Engineering & Surveying, Inc., Engineer

3. **SP 23-09-15 – Site Plan** to renovate dental office (Royal Oak Orthodontics) and expand off-street parking lot at **3107 Rochester Rd.** (parcel nos. 25-10-104-022 & 25-10-104-023).

North Oaks Dental, Petitioner & Owner
MGA Architects, Inc., Architect

F. Other Business

1. **Review of Revised Master Plan Direction**

G. Adjournment

Present

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

Absent

Clyde Esbri

Staff

Nic Grochowski, City Attorney
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 September 12, 2023, regular meeting of the Royal Oak Planning Commission to order at 7:00 p.m.

B. Approval of Minutes for August 15, 2023

Moved by Ms. Bueche
Seconded by Mr. Ellison

To approve the minutes of the August 15, 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 meeting's agenda. After all interested members of the audience came forward Chairperson Quesada closed the public comment portion of the agenda.

D. Unfinished Business

1. Rezoning from Multiple-Family Residential to Planned Unit Development (PUD) & Preliminary Site Plan (SP 23-08-11) to construct two-story building with 10 multiple-family dwellings at vacant lot on east side of Greenfield Rd. south of W. 13 Mile Rd. (parcel no. 25-07-101-027).

Baker Properties, LLC / Kashat Construction, Petitioners
GAV Associates, Inc., Architect
Plunkett Cooney, PC, Representative
M. Bisbikis, Owner

Moved by Mayor Fournier
Seconded by Mr. Ellison

To re-open the public hearing for the request to rezone a **vacant lot on the east side of Greenfield Road south of West 13 Mile Road** (parcel no. 25-07-101-027) from **“Multiple-Family Residential”** to **“Planned Unit Development” (PUD)**, and **SP 23-08-11**, a **preliminary planned unit development (PUD) site plan** to construct a two-story building with 10 multiple-family dwellings.

Motion adopted unanimously.

Moved by Ms. Bueche
Seconded by Mr. Gontina

Be it resolved that the request to rezone a **vacant lot on the east side of Greenfield Road south of West 13 Mile Road** (parcel no. 25-07-101-027) from **“Multiple-Family Residential”** to **“Planned Unit Development” (PUD)** in order construct a two-story building with 10 multiple-family 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 a recognizable and material benefit to the ultimate users of the project and to the community, and any such benefit could be feasible or likely achieved without application of the PUD regulations.
- b. The proposed building with multiple-family dwellings could result in an unreasonable increase in the need for or burden upon public services, facilities, streets, and utilities.
- c. The proposed building with multiple-family dwellings is not consistent with the public health, safety, and welfare of the city.
- d. The proposed building with multiple-family dwellings could result in an unreasonable negative economic impact upon surrounding properties.
- e. The proposed building with multiple-family dwellings is not consistent with the goals and policies of the city’s master plan.

Motion fails 3 to 3.

Yes: Ms. Bueche, Mr. Ellison, Mr. Gontina.

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

Moved by Commissioner Douglas
Seconded by Mayor Fournier

Be it resolved that the request to rezone a **vacant lot on the east side of Greenfield Road south of West 13 Mile Road** (parcel no. 25-07-101-027) from **“Multiple-Family Residential”** to **“Planned Unit Development” (PUD)** in order construct a two-story building with 10 multiple-family 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 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 building with 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 with multiple-family dwellings is consistent with the public health, safety, and welfare of the city.
- d. The proposed building with multiple-family dwellings will not result in an unreasonable negative economic impact upon surrounding properties.
- e. The proposed building with 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 with multiple-family dwellings is consistent with the goals, policies, and future land use map of the city’s master plan.

Be it further resolved that **SP 23-08-11**, a **final planned unit development (PUD) site plan** to construct a two-story building with 10 multiple-family dwellings at a **vacant lot on the east side of Greenfield Road south of West 13 Mile Road** (parcel no. 25-07-101-027), 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. Prior to review by the city commission, the final PUD plan shall be revised to address the following:
 - 1) Either the building width or the side yard setbacks shall be modified to be consistent with the existing lot width.
 - 2) The minimum required lot area for 10 dwellings shall be corrected to 33,000 square feet in the "Site Requirements" table on sheet SP.101.
 - 3) The ratio of off-street parking spaces to dwellings shall be corrected to 1.6 spaces per dwellings in the "Project Data" table on sheet SP.101.
 - 4) The total surface area of all roof-mounted solar panels shall be specified on sheet A.201.
 - 5) The total approximate landscape area on sheet SP.101 shall be verified and corrected if necessary.
- 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 10 multiple-family dwellings shall be permitted.
 - 2) Building setbacks shall be as depicted on the plan sheets unless modified to address the discrepancy between building dimensions and the lot width.
 - 3) No fewer than 16 off-street parking spaces shall be provided.
 - 4) Dimensions of off-street parking spaces, maneuvering aisles, and driveways shall be as depicted on the plan sheets.
 - 5) Landscaping, screening, and open spaces 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. 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. A performance bond shall be posted in an amount 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 fails 3 to 3.

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

No: Ms. Bueche, Mr. Ellison, Mr. Gontina.

Moved by Mr. Ellison

Seconded by Ms. Bueche

Be it resolved that the request to rezone a **vacant lot on the east side of Greenfield Road south of West 13 Mile Road** (parcel no. 25-07-101-027) from **“Multiple-Family Residential”** to **“Planned Unit Development” (PUD)**, and **SP 23-08-11**, a **final planned unit development (PUD) site plan** to construct a two-story building with 10 multiple-family dwellings, is hereby referred to the city commission without a formal recommendation.

Motion adopted unanimously.

E. New Business

- 1. Public Hearing – Conditional Rezoning from Neighborhood Business to Multiple-Family Residential & Site Plan (SP 23-09-13)** to construct four-story building with 27 multiple-family dwellings at **600 E. 11 Mile Rd.** (parcel no. 25-22-127-001).

Stonegate Property Group, LLC, Petitioner
ADG Design Studio, Inc., Architect
Hawkins Harland Royal Oak Properties, LLC, Owners of Record

Moved by Mr. Gontina

Seconded by Commissioner Douglas

To postpone the request to conditionally rezone **600 East 11 Mile Road** (parcel no. 25-22-127-001) from **“Neighborhood Business”** to **“Multiple-Family Residential,”** and **SP 23-09-13**, a **site plan** to construct a four-story building with 27 multiple-family dwellings, until the next available regular meeting to allow the petitioner an opportunity to revise their plans and submit additional information.

Motion adopted unanimously.

- 2. SP 23-09-14 – Site Plan** to construct 6,757-sq. ft. warehouse addition for stone countertop contractor at **5061 Delemere Ave.** (parcel no. 20-32-327-006).

PMG Investments, LLC, Petitioner & Owner
Gateway Engineering & Surveying, Inc., Engineer

Moved by Commissioner Douglas

Seconded by Mr. Gontina

To approve SP 23-09-14, a **site plan** to construct a 6,757-square foot warehouse addition for a stone countertop contractor at **5061 Delemere Avenue** (parcel no. 20-32-327-006), 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, etc.
- b. All 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 23-09-15 – Site Plan** to renovate dental office (Royal Oak Orthodontics) and expand off-street parking lot at **3107 Rochester Rd.** (parcel nos. 25-10-104-022 & 25-10-104-023).
North Oaks Dental, Petitioner & Owner
MGA Architects, Inc., Architect

Moved by Commissioner Douglas

Seconded by Mr. Ellison

To approve SP 23-09-15, a site plan to renovate a dental office (Royal Oak Orthodontics) and expand an off-street parking lot at **3107 Rochester Road** (parcel nos. 25-10-104-022 and 25-10-104-023), with the following **contingencies**:

- a. Screening and landscaping shall be as depicted on the plan sheets.
- 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.

F. Other Business

1. Review of Revised Master Plan Direction

Moved by Mayor Fournier

Seconded by Commissioner Douglas

Be it resolved that the Royal Oak Planning Commission hereby directs staff to work with DPZ CoDesign to develop and distribute a survey to obtain public input on the suggested direction forward for the Master Plan and to present the results of the survey at a future meeting.

Motion adopted unanimously.

G. Adjournment

Moved by Mr. Ellison

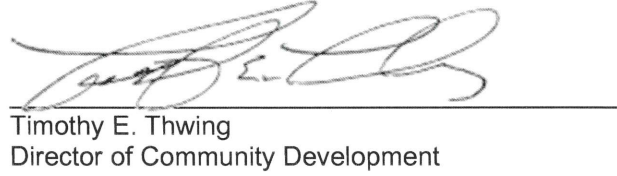
Seconded by Commissioner Douglas

To **adjourn** the September 12, 2023, regular meeting of the Royal Oak Planning Commission at 1:08 a.m.

Motion adopted unanimously.



Gary Quesada
Chairperson, Planning Commission



Timothy E. Thwing
Director of Community Development