

**PLANNING COMMISSION  
A MEETING OF THE ST. CLAIR SHORES PLANNING COMMISSION  
HELD ON JANUARY 11, 2022 AT 7:00 P.M.,  
CITY HALL-CITY COUNCIL CHAMBERS**

**PRESENT**

Paul Doppke, Chairman  
Jeff Mazzenga  
Robert Hison  
James Kalich  
Patrick McKay  
Anthony Stonik  
Kathy Hanson  
Brandon Johnson  
Lou Schelosky

**ALSO, PRESENT**

Shantelle Hubbard, Recording Secretary  
Liz Koto, Planning  
Eric Shepherd, City Attorney

**ABSENT**

Ed Jones, Excused

**CALL TO ORDER**

Chairman Doppke called the meeting to order at 7:03 p.m.

Secretary Hanson called roll. Nine members were present.

**A motion was made by Secretary Hanson, and seconded by Commissioner Kalich, to excuse Commissioner Jones from tonight's meeting.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**MOTION: PASSED**

Chairman Doppke mentioned to the audience that Planning Commission case PPC220003 has been cancelled for tonight and will come before the board at the next available meeting. Everyone will be notified again as to when the meeting will take place.

**CASE NO. PPC220001:                   REQUEST FOR SITE PLAN APPROVAL –Request for site plan approval for a car wash facility at 24200 Harper**

**Avenue, represented by Keith Lutz, Architectural  
Planners Incorporated.**

The request is reviewed as follows:

\* \* \* \* \*

The applicant is requesting site plan approval for the demolition of the existing building, a former Pizza Hut, and the construction of a new 3,850 square foot single tunnel auto laundry at 24200 Harper. The site plan indicates the placement of the auto wash along Harper Avenue with the main drive approach on Stephens. The Harper Avenue drive approach is proposed to be eliminated, and an exit-only drive approach is proposed along Blackburn. Patrons will enter and exit from the Stephens drive approach, and there is ample room for two lanes of stacked vehicles. The exterior finish of the building is proposed to be a mixture of metal panels, glass, and concrete block. Eleven vacuum booms are proposed alongside most of the parking spaces. The main vacuum motor unit will be placed near the southwest corner of the lot closer to the intersection of Harper and Stephens and as far away from adjacent residents as possible. The car wash operates on a touchless system where a driver pays for their wash at an automated kiosk. A single employee is on shift at any given time. Landscaping, including underground irrigation, has been proposed throughout the site. A six foot wall already exists at the rear of the property.

\* \* \* \* \*

**Planning Commission Chairman** – Please read this statement into the record prior to reviewing the site plan to the petitioner.

The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC220001. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

\* \* \* \* \*

The request is reviewed as follows:

**\*1) Zoning**- The zoning of the parcel is B-3 General Business District. Auto Laundries are a principal permitted use when completely enclosed within a building.

**A variance to allow the vacuum booms outside of the building will be required from the ZBA.**

**2) Adequacy of Information** (Section 35.82, 5, a) –The information provided is adequate for this review.

**3) Site Design Characteristics** (Section 35.82, 5, b) – The applicant is requesting site plan approval for the demolition of the existing building, a former Pizza Hut, and the construction of a new 3,850 square foot single tunnel auto laundry at 24200 Harper. The site plan indicates the placement of the auto wash along Harper Avenue with the main drive approach on Stephens. The Harper Avenue drive approach is proposed to be eliminated, and an exit-only drive approach is proposed along Blackburn. Patrons will enter and exit from the Stephens drive approach, and there is ample room for two lanes of stacked vehicles. The exterior finish of the building is proposed to be a mixture of metal panels, glass, and concrete block. Eleven vacuum booms are proposed alongside most of the parking spaces. The main vacuum motor unit will be placed near the southwest corner of the lot closer to the intersection of Harper and Stephens and as far away from adjacent residents as possible. The car wash operates on a touchless system where a driver pays for their wash at an automated kiosk. A single employee is on shift at any given time. Landscaping, including underground irrigation, has been proposed throughout the site. A six foot wall already exists at the rear of the property.

**4) Preservation of Natural Areas** (Section 35.82, 5, c) – There are no natural areas to preserve.

**5) Privacy** (Section 35.82, 5, d) – A six foot screenwall exists at the rear of the property. The screenwall is not located on the property line. The original site plan approval for Pizza Hut from 1986 indicates the placement of the concrete wall approximately 1.75 feet west of the property line. The concrete screenwall is considered a legal non-conforming structure. Not changes or modifications are needed.

**6) Emergency Vehicle Access** (Section 35.82, 5, e) – Emergency vehicles can access the site via the drive approach on Stephens.

**7) Ingress and Egress** (Section 35.82, 5, f) – Ingress and egress to the site will be from the drive approach on Stephens. The drive approach along Harper Avenue will be eliminated, and the drive approach proposed along Blackburn will be an exit only approach.

**8) Pedestrian Circulation** (Section 35.82, 5, g) – Pedestrian circulation is adequate.

**9) Vehicular and Pedestrian Circulation Layout** (Section 35.82, 5, h) – Vehicles will enter the site from Stephens, travel along the east side of the property to the curve, pay at the kiosk, then turn and enter the car wash from the north side of the building. Then, vehicles will exit the south side of the building and exit the property via Stephens.

**10) Drainage** (Section 35.82, 5, i) – The site proposes all new concrete and concrete curbs on the property.

**\*11) Exterior Lighting** (Section 35.82, 5, j) – Exterior lighting has been indicated in the parking lot and on the building. The site plan indicates that the lighting will be shielded from residences and stop at the property line.

**The parking lot lights are required to be the city's Nautical Standard light.**

**12) Public Services** (Section 35.82, 5, k) – Public services will not be affected by the proposed use.

**13) Landscaping, Fences, and Walls** (Section 35.82, 5, l) – A landscape plan has been provided with the submittal, and it includes the installation of underground irrigation on site. No kneewall is required as the parking area is not immediately adjacent to the right of way.

**\*14) Exterior Building Treatment** (Section 35.82, 5, m) – The site plan indicates the building is proposed to be constructed of concrete block, metal panels, and glass. Some spandrel glass is proposed on the east (non-street side) elevation.

Concrete block is a prohibited exterior finish material for new construction. Brick or stone are the only masonry type permitted.

**Any areas of the building that are proposed as concrete block are required to be brick or stone. The petitioner may request a variance from the ZBA as long as hardship can be proven.**

**\*15) Waste Storage** (Section 35.82, 5, n) – A dumpster enclosure has been proposed at the southeast corner of the site.

**The dumpster enclosure cannot be constructed of concrete block. Staff recommends either brick embossed poured concrete to match the existing screenwall or brick or stone to match the building.**

**16) Mechanical Equipment** (Section 35.82, 5, o) – The Project Narrative indicates the parapets of the proposed building will screen any rooftop mechanical equipment. Additionally, the Narrative and the site plan indicate the placement of arborvitae around the vacuum motor unit.

**\*17) Parking** (Section 35.73, 12, a) – Auto laundries require 1 parking space per 2 employees plus reservoir parking equal to 30 spaces for the first lane and 20 for each additional. The parking breakdown is as follows:

Number of employees: 1

Number of lanes for washing: 1 (single tunnel building)

Required number of spaces: 31

Number of spaces provided: 18

**A 13 space parking variance will be required from the ZBA.**

**\*18) Setbacks** (Section 35.66) –

<b>SETBACK</b>	<b>PROPOSED</b>	<b>REQUIRED</b>
FRONT	62'	65'
REAR	54'	20'
SOUTH	40'	0'
NORTH	25'	0'

**A 3 foot front setback variance from the ZBA will be required.**

**19) Building Height** (Section 35.66) – The building is proposed to be 24 feet in height. The maximum height for the district is 30 feet.

**20) Transformer Pad** –No transformer is being proposed.

**21) Screening Wall** – See number 5.

**22) Signs** – Signage will be considered under a separate review.

**23) Loading** (Section 35.75) – Loading and unloading would occur within the parking area.

**24) Other** –

**ITEMS OF CONCERN –**

**Staff recommends approval of this proposal based on attention to the items listed above.**

Alan Hall, 5101 Williams Lake Rd., representative of Clean Hub Car Wash, introduced himself and explained this is an upscale look for a car wash. This will be a new construction of a new 3,850 square foot single tunnel auto laundry. There will be two lanes. There will be 11 vacuum booms on site which is proposed alongside most of the parking spaces. The membership would include wash and vacuum. The Harper Avenue drive approach is proposed to be eliminated, and an exit-only drive approach is proposed along Blackburn. Patrons will enter and exit from the Stephens drive approach, and there is ample room for two lanes of stacked vehicles. They will request the suggested variances, and they will use the nautical standard lights.

Commissioner Hison asked if this facility is membership only. Mr. Hall stated that this is a membership-based facility but if someone wants to get a car wash they can get a day pass. The daily prices range from \$6 - \$14. Members would use the express lane. The membership cost is \$19 per month and up depending on the package that they

purchase. The member will have a tag on the windshield and they can have as many car washes, they want per month.

Commissioner Hison asked about the noise of the central unit for the vacuums. Mr. Allan stated that there will be a central vacuum pump located near Harper, which will be hidden by arborvitaes. He further explained that they did a study at their Sterling Heights location and the vacuum noise is drowned out by the cars driving by. This is a new design that there is a minimum noise. They proposed the central vacuum unit to be located near the exit of the building to keep it away from adjacent residences. Additionally, there is a six-foot wall at the back of the property which will reduce the noise even more.

Their working hours are from 8:00 a.m. to 8:00 p.m. seven days a week.

Commissioner Hison stated that one of the materials being used is concrete block which is not allowed. He said that it would be better to make it brick. Mr. Alan stated that this is split face block and he said that he can see buildings on Harper that have the concrete block. Commissioner Hison stated that the Harper Overlay has changed a lot so many of the buildings on Harper were there before the ordinance was placed. Commissioner Hison stated that all the traffic is coming in from side streets and they have an outlet on Blackburn which is exit only. They will have cones there and a person that is not a member will have access to that exit should they choose not to get a car wash. He said that when existing out on to Blackburn he would like a "no right turn" sign. And when existing out onto Stephens he would like a "no left turn" sign. This will bring everything back to Harper. He mentioned about the parking variance which he will need to go to Zoning Board of Appeals. They do not have the amount of parking spaces required. For the circulation of the cars coming in and out their statistics showed that there will be about 80,000 cars that will go through there within a year.

Mrs. Koto confirmed that the vacuums are considered mechanical equipment. We have allowed landscaping to be used as a shield in the past. She would rather see landscaping than a vinyl fence.

Mr. Allan stated that the landscaping would buffer the noise and a fence would make the noise echo if it's that close to the equipment.

**A motion was made by Secretary Hanson and supported by Commissioner Hison, to approve the request for site plan approval for a car wash facility at 24200 Harper Avenue, represented by Keith Lutz, Architectural Planners Incorporated with the following items of concern; a variance to allow the vacuum booms outside of the building, the parking lot lights are required to be the city's Nautical Standard light, any areas of the building that are proposed as concrete block are required to be brick or stone unless a variance is obtained from the ZBA, staff recommends constructing the dumpster enclosure of either brick embossed poured concrete to match the existing screenwall or brick or stone to match the building instead of concrete block or obtain a variance from the ZBA, a 13 space parking variance will be required from the ZBA, and a 3 foot front setback variance from the ZBA will be required.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**



- Rezoning Request: Rezoning From RM-1 Multiple Family Low Rise to O-1-Office
- Requested by: Moiseev/Gordon Associates, Inc

**Planning Department Comments:**

Staff recommends approval of the rezoning request for the following reasons:

1. **In General:** The development of this parcel for an office building is similar, if not lower in intensity, than if this portion of the site were developed with multiple family low rise housing.
2. **Master Plan Designation:** The following language from the Master Plan describes the area: *“The Master Plan designates this area as being part of the South Lakefront District. The South Lakefront area is south of Nautical Mile and extends west to Marter Road. It is defined by small single-family neighborhoods, a large townhome community, shopping center, offices, the city of Grosse Pointe Woods lakefront park, two large churches, and a daycare facility. A shopping center at the intersection of Jefferson Avenue and Marter Road contains a grocer, pharmacy, bank, and other uses that serve the adjacent neighborhoods. Three single-family neighborhoods are located within this district. The existing development pattern of the Residential Lakefront neighborhoods should continue and include detached single-family, commercial, office and multiple-family/attached single-family.”* The proposed rezoning to office would be compatible with the intent of the future land use of the area.
3. **Consistency with Zoning Classifications In the General Area:** The requested rezoning of the parcel from RM-1 Multiple Family Low Rise of O-1 Office is consistent with the surrounding zoning because the parcels north of this one are zoned Office and Central Lakefront and the parcels south are also zoned O-1 Office.

The zoning to the north and south is O-1 Office, and the zoning to the west and east is residential. The proposed rezoning would create a transition zone from the higher intensity uses of office and multiple family to the single-family neighborhoods.

4. **Consistency and Compatibility with General Land Use Patterns in the Area:** The proposed rezoning is consistent and compatible with the surrounding land uses as there are office uses to the north and south, and residential uses to the east and west. A mixture of uses are located within this area, and another office development similar to what is nearby would be compatible in this area.
5. **Suitability of the Proposed Use in the Zoning District:** The proposed rezoning is suitable for the zoning district because the use is proposed to be a single-story office building.
6. **Adequacy of Public Services:** The proposed rezoning would not cause undue burden on public services such as transportation, sewage disposal, water supply, and public safety as these services already exist and are not at capacity.
7. **Traffic:** The rezoning of the parcel to O-1 Office will likely increase traffic in the area on a daily basis; however, the historical use on the property was a much larger traffic generator on the weekends and during church events.



8. **Consistency with Planning Recommendations:** Staff recommends the rezonings because they meet the criteria outlined in this plan review.
9. **Reasonable Use Under Current Zoning Classification:** The current zoning is RM-1 Multiple Family Low Rise Residential. A single-story office building would not be a reasonable use under the current zoning classification.
10. **Identifiable Public Need:** The proposed rezoning would meet the public need of providing a service to the residents in the surrounding neighborhood. The development could house a medical office use allowing nearby older residents who desire to remain independent but may not have the capability to travel long distances be able to maintain their health. Additionally, this parcel is located within walking district of a major shopping center and the Nautical Mile which compliments a development of this type.
11. **Spot Zoning:** The requested rezoning would not create a small zone of inconsistent use within a larger zone. In addition, the requested rezoning is consistent with the Master Plan's future land use map.
12. **Effect on Surrounding Property:** The proposed rezoning would not increase the traffic, noise, odor, light, air or other issue posed by the potential redevelopment of the parcel over what could be developed on the parcel if it were further developed into condominiums or apartment units.
13. **Mistake or Change of Conditions:** No mistakes or change of conditions occurred to require the rezoning.
14. **Diminution in Value:** The rezoning does not reduce the value of the property so as to be considered a taking.
15. **Citizen Opposition:** As of the composition of the rezoning review, no citizen opposition has been received.

Andrew Moiseev of 4351 Delemere Ct., Royal Oak, MI introduced himself along with the civil engineer Reid Cooksey. The petitioner wants to rezone this portion of the parcel from RM-1 to O-1 Office to accommodate a 6,967 square foot single-story office building and associated parking.

**Chairman Doppke opened the public hearing.**

Larry Anderson, Liberty St. was wondering if this is going to be a one-story office building. And can they decide to make it a two-story building later on. Ms. Koto stated that these questions are the for the site plan portion of the meeting, and portion of the meeting is just for the rezone.

Rick, Clairwood St., wants to confirm that this is zoned multifamily right now and they want it to be zoned office. This will be located between the Allergy building and the Forsyth Building.

**Chairman Doppke closed the public hearing.**

**A motion was made by Commission Hison and supported by Commissioner McKay, to approve the request for rezoning at 23415 Jefferson, Parcel Number 14-35-151-040,**



The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC220002B. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

\* \* \* \* \*

The request is reviewed as follows:

- 1) Zoning-** The zoning of the parcel is O-1 Office. The site plan proposes an office building which is compatible with the zoning of the parcel.
- 2) Adequacy of Information** (Section 35.82, 5, a) –The information provided is adequate for this review.
- 3) Site Design Characteristics** (Section 35.82, 5, b) – The petitioner is requesting site plan approval for a spec office building at 23415 Jefferson. The parcel was originally zoned RA-1 Single Family Residential, and it was a part of the parcel that housed a church for decades. In 2019, the petitioner obtained approval for a 6 building, 20-unit condominium complex, including a rezoning to the property to RM-1. The condominiums are currently under construction, and the petitioner has recognized that much of the property is underutilized, and an office building could compliment the new construction as well as the surrounding existing uses. The petitioner has split this parcel from its original parent parcel and rezoned this portion of the parcel from RM-1 to O-1 Office to accommodate a 6,967 square foot single-story office building and associated parking.  
  
The office building is proposed to be constructed of brick veneer and glass. The parking lot is proposed to be situation west of, or behind, the building. The main entrance is proposed along the parking lot; however, the design of the building compliments the Jefferson frontage with the use of floor to ceiling windows. Windows are amply proposed on all other elevations as well. The existing drive approach at the north end of the site will be removed.  
  
The removal of approximately 35,320 square feet from the parent parcel would not cause the condominium complex development to be out of compliance for setbacks or total lot coverage.
- 4) Preservation of Natural Areas** (Section 35.82, 5, c) – There are no natural areas to preserve.
- \*5) Privacy** (Section 35.82, 5, d) – A privacy screenwall is required, according to ordinance, along the south and west property lines.

Staff does NOT recommend the placement of a concrete screenwall on the south or west property lines. The landscaping provided by both the condominium site plan and the office building site plan are sufficient for the west side of the property, and the south side of the property abuts another parking lot. A screenwall along the south side of the property would not be necessary. A variance from the ZBA will be required.

**6) Emergency Vehicle Access** (Section 35.82, 5, e) – Emergency vehicle access is available from the existing curb cut along Jefferson.

**7) Ingress and Egress** (Section 35.82, 5, f) – Ingress and egress to the site would be from the access drive on Jefferson.

**8) Pedestrian Circulation** (Section 35.82, 5, g) – Pedestrian access would be obtained from the private sidewalk that connects with the sidewalk along Jefferson.

**9) Vehicular and Pedestrian Circulation Layout** (Section 35.82, 5, h) – Vehicular and Pedestrian circulation is adequate.

**\*10) Drainage** (Section 35.82, 5, i) – The plans indicate the installation of full depth asphalt in the parking lot surrounded by concrete curbs.

**The concrete curb proposed along the south side of the property shall extend east all the way to Jefferson.**

**11) Exterior Lighting** (Section 35.82, 5, j) – Exterior lighting has been proposed within the parking lot and on the south side of the building. A lighting plan has been submitted, and the light measurement meets the 0 foot candle requirement.

**12) Public Services** (Section 35.82, 5, k) – Public services will not be affected by the proposed use.

**13) Landscaping, Fences, and Walls** (Section 35.82, 5, l) – A landscape plan, complete with underground irrigation has been proposed.

**14) Exterior Building Treatment** (Section 35.82, 5, m) – The building is proposed to be constructed of brick and glass on all four sides with some cementitious paneling proposed on the south and west side of the building.

**15) Waste Storage** (Section 35.82, 5, n) – A wooden dumpster enclosure has been proposed at the northwest corner of the property.

**\*16) Mechanical Equipment** (Section 35.82, 5, o) – Mechanical Equipment has not been indicated on the plans.

**All mechanical equipment, whether placed at grade or on the roof of the structure, must be shielded on all visible sides.**

**17) Parking** (Section 35.73, 12, a) – The site plan proposes 55 parking spaces. A general office use would require 35 parking spaces, and a medical office user would require 58 parking spaces. Three additional parking spaces could be added to the lot if the user ends up being medical office in nature.

**18) Setbacks** (Section 35.66) –

<b>SETBACK</b>	<b>PROPOSED</b>	<b>REQUIRED</b>
FRONT	60 feet from the CL of Jefferson	60 feet from CL of Jefferson
REAR	240	20
EAST	10	0
WEST	10	0

**19) Building Height (Section 35.66)** – The maximum height for the O-1 District is 30 feet. The building is proposed to be less than 24 feet in height.

**20) Transformer Pad** –No transformer is being proposed.

**21) Screening Wall** –See number 5

**22) Signs** – Signage will be considered under a separate review.

**23) Loading** (Section 35.75) –A loading area has been proposed in the drive aisle near the rear entrance.

**24) Other** –

**ITEMS OF CONCERN – 5 10 16**

**Staff recommends approval of this proposal based on attention to the items listed above.**

Andrew Moiseev of 4351 Delemere Ct., Royal Oak, MI introduced himself and explained they are requesting site plan approval for a spec office building. The parking lot is proposed to be situated west of, or behind, the building. The main entrance is proposed along the parking lot. The existing drive approach at the north end of the site will be removed. The landscape plans will shield the townhouses to the west and will have underground irrigation. A lighting plan has been submitted, and the light measurement meets the 0-foot candle requirement.

Secretary Hanson stated that the plans indicate the installation of full depth asphalt in the parking lot surrounded by concrete curbs. They will extend the curb cut along the

south side of the property all the way to Jefferson. The staff does not recommend the concrete screen wall on the south or west property lines. Even if they mention it in the motion, they will still have to go to Zoning Board of Appeals for the concrete screen wall. All mechanical equipment must be screened. The petitioner agreed to all of the conditions.

Commissioner Hison asked about the nautical lighting. The civil engineer stated that all conditions will be met. He said that all lighting will be shielded. All properties will be guarded from the lighting. The lighting is not required to be nautical.

Commissioner Hison asked about the landscaping, The petitioner explained that the this will be a medical facility which will require additional spaces and they realize they may have to go to Zoning Board of Appeals for a parking variance if they can't find room for additional spaces. Mrs. Cooksey also stated that a portion of the building that may not be medical so it is not yet known of a variance will be needed.

Commissioner Hison stated that it will be a nice building which will be a compliment to that section.

**A motion was made by Secretary Hanson and supported by Vice-Chairman Schelosky, to approve the request for site plan approval for an office building at 23415 Jefferson, represented by Moiseev/Gordon Associates with the following conditions: a variance from the ZBA for a concrete screenwall on the south and west property lines, the concrete curb proposed along the south side of the property shall extend east all the way to Jefferson, and all mechanical equipment, whether placed at grade or on the roof of the structure, must be shielded on all visible sides.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**ABSENT: JONES**

**MOTION: PASSED**

**CASE NO. PPC: 220004**

**REQUEST FOR SITE PLAN APPROVAL – Request for site plan approval for exterior renovations and an outdoor seating area at 28911 Jefferson, The Blue Goose, represented by Stucky and Vitale Architects**

The request is reviewed as follows:

\* \* \* \* \*

The applicant is requesting site plan approval for exterior renovations and an outdoor seating area at the old Blue Goose restaurant. The site plan indicates the removal of the existing windows along Jefferson and replacement with larger and more aesthetically pleasing ones. The front entrance will be rebuilt to match the new outdoor seating

area. The existing awning sign will be removed, and the brick and siding on both floors will be painted a uniform blue color. Large accordion-style glass doors are proposed on the south side of the building that will open up on to a decorative stone and concrete covered patio. The west elevation will be painted to match, and the windows will be removed along the north elevation and both floors will also be painted to match. New landscaping has been proposed along the front of the building. Extensive interior renovations are also being proposed.

\* \* \* \* \*

**Planning Commission Chairman** – Please read this statement into the record prior to reviewing the site plan to the petitioner.

The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC220004. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

\* \* \* \* \*

The request is reviewed as follows:

**\*1) Zoning-** The zoning of the parcel is RA-1 Single Family Residential and P-1 Parking. The existing use is a legal non-conforming use of land. The outdoor seating area is an expansion of the non-conforming use. In December of 1965, a request was made to rezone the property to B-3 to bring it into conformance with the use. The request was denied by City Council citing spot zoning and the zone could allow a host of uses that would not be compatible with the surrounding residential character.

**Staff recommends requesting a use variance from the Zoning Board of Appeals to allow both the patio and any future renovations or expansions to the property. A use variance would also allow the property to be rebuilt in the event the structure is severely damaged or destroyed.**

**2) Adequacy of Information** (Section 35.82, 5, a) –The information provided is adequate for this review.

**3) Site Design Characteristics** (Section 35.82, 5, b) – The applicant is requesting site plan approval for exterior renovations and an outdoor seating area at the old Blue Goose restaurant. The site plan indicates the removal of the existing windows along Jefferson and replacement with larger and more aesthetically pleasing ones. The front entrance will be rebuilt to match the new outdoor seating area. The existing awning sign will be removed, and the brick and siding on both floors will be painted a uniform blue color. Large accordion-style glass doors are proposed on the south side of the building that will

open up on to a decorative stone and concrete covered patio. The west elevation will be painted to match, and the windows will be removed along the north elevation and both floors will also be painted to match. New landscaping has been proposed along the front of the building. Extensive interior renovations are also being proposed.

**4) Preservation of Natural Areas** (Section 35.82, 5, c) – There are no natural areas to preserve.

**5) Privacy** (Section 35.82, 5, d) – A screenwall exists at the rear of the property, and the plans indicate the placement of a concrete screenwall along the north side of the property.

**6) Emergency Vehicle Access** (Section 35.82, 5, e) – Emergency vehicle access will not change.

**7) Ingress and Egress** (Section 35.82, 5, f) – Ingress and Egress to the site will not change.

**8) Pedestrian Circulation** (Section 35.82, 5, g) –Pedestrian circulation will not change.

**9) Vehicular and Pedestrian Circulation Layout** (Section 35.82, 5, h) – The vehicular and pedestrian circulation layout will improve when the lot is striped.

**\*10) Drainage** (Section 35.82, 5, i) – The parking lot needs some repairs. There are cracks and deteriorated asphalt in various spots of the parking area.

**Parking lot plans including paving and drainage will be required. Concrete curbs will be required if the parking lot is replaced.**

**11) Exterior Lighting** (Section 35.82, 5, j) – Exterior lighting has been proposed on the plans, and a not on SP 1.1 indicates the proper number of footcandles will be present at the property line.

**12) Public Services** (Section 35.82, 5, k) – Public services will not be affected by the proposed use.

**13) Landscaping, Fences, and Walls** (Section 35.82, 5, l) – Landscaping is proposed along the front of the building. A hedgerow exists along the rear property line instead of the concrete wall step down. Chainlink fencing existing on either side of the drive approach on to L’Anse.

**Staff recommends removing the chainlink fencing on either side of the drive approach on L’Anse.**

**14) Exterior Building Treatment** (Section 35.82, 5, m) – The plans indicate the replacement of the windows on the east elevation, removal of windows on the north



elevation, addition of a concrete outdoor patio, and painting of the entire building to a uniform color. Additionally, the awning sign will be removed.

**15) Waste Storage** (Section 35.82, 5, n) – A concrete dumpster enclosure has been proposed on the plans.

**The grease trap will also be required to be enclosed on all visible sides.**

**16) Mechanical Equipment** (Section 35.82, 5, o) – No mechanical equipment has been indicated on the plans; however, there are units on the existing building.

**Mechanical equipment, whether at grade or on the roof, must be screened from view on all visible sides**

**17) Parking** (Section 35.73, 12, a) – The existing restaurant would require 73 parking spaces but it is a legal non conforming use. There are 69 parking spaces proposed. The outdoor patio does not require additional parking spaces per a 2021 Zoning Ordinance amendment. Parking is adequate for this review.

**18) Setbacks** (Section 35.66) – The setbacks for the parcel are those for the RA-1 Single Family Residential District and are as follows:

<b>SETBACK</b>	<b>PROPOSED</b>	<b>REQUIRED</b>
FRONT	33' from the CL of Jefferson	95' from the CL of Jefferson
REAR	111 feet	35 feet
NORTH	12 feet	4 feet
SOUTH	71 feet	10 feet

**A 66' front setback variance is required from the zoning board of appeals.**

**19) Building Height (Section 35.66)** – The covered outdoor seating area is proposed to be

**20) Transformer Pad** –No transformer is being proposed.

**\*21) Screening Wall** –A screenwall exists at the west end of the property. It is missing the step down; however, approval from the City Council was granted to terminate at the current location to maintain the front setback along L'Anse.

**The concrete screenwall along the north side of the property will be required to be extended west ward to the rear property line.**

**22) Signs** – Signage will be considered under a separate review.

**23) Loading** (Section 35.75) –Loading and unloading will occur at the rear of the building

during off peak hours.

#### **24) Other –**

##### **ITEMS OF CONCERN – 1 10 13 15 16 21**

**Staff recommends approval of this proposal based on attention to the items listed above.**

John Brast of Stucky & Vitale Architects explained that this is a historic landmark building. They are looking at redeveloping the exterior of the building to give it a modern look and to provide exterior patio seating. The original building is a little over 4,000 sq. ft. They are taking away part of the smoking area. They are not developing anymore of the site then what they are doing now.

Secretary Hanson stated that this is not spot zoning. They will have to request a use variance from the Zoning Board of Appeals to allow both the patio and any future renovations or expansions to the property. A use variance will also allow the property to be rebuilt in case the structure is severely damaged or destroyed. She asked to confirm that a concrete screen wall along the north side would be required to extend to the west to the rear property line. The mechanical equipment must be shielded. A concrete dumpster has been proposed and they have to have a grease trap. Secretary Hanson asked about the parking lot. Ms. Koto stated that if this has been resurfaced they will not have to redo the parking lot.

Commissioner Hison asked if the rendering will it look just like the finished product. The petitioner stated that it will look close to it. The grade will be a little different. They are repainting the whole entire building. He stated that the council will ask a lot of questions about the paint. The petitioner stated that they will use Sherwin Williams paint.

Ms. Koto stated that if they already resurfaced the parking lot they do not have to do concrete curbs.

Commissioner Hison confirm they have to go to Zoning Board of Appeals for the front setback. He mentioned that they will need a hold harmless agreement. Because they are making changes, they have to make everything current.

Commissioner Hison asked about the outdoor seating. The petitioner stated they will have approximately 26 to 30 seats.

Deda Paloka, the building and business owner, stated that they will have an entrance for the patio and they will have to go through the double doors. If they have a band then the patio doors will be closed. There will not be any TV's outside.

Commissioner Hison mentioned that because of the age of the building it could be historical. He said that it looks good as long as they meet all of the requirements.

Commissioner Kalich stated to the petitioner that the staff is requesting that they remove the chain link fence.

Mr. Paloka stated that as soon as everything is approved, he will start working on it right away.

**A motion was made by Vice-Chairman Schelosky and supported by Commissioner Mazzenga, to approve the request for site plan approval for exterior renovations and an outdoor seating area at 28911 Jefferson, The Blue Goose, represented by Stucky and Vitale Architects with attention to the following conditions: a use variance from the Zoning Board of Appeals is required to allow both the patio and any future renovations or expansions to the property; the grease dumpster will also be required to be enclosed on all visible sides; mechanical equipment, whether at grade or on the roof, must be screened from view on all visible sides; a 62' front setback variance is required from the zoning board of appeals; and the concrete screenwall along the north side of the property will be required to be extended west ward to the rear property line.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**ABSENT: JONES**

**MOTION: PASSED**

**CASE NO. PPC: 220005**

**REQUEST FOR SITE PLAN APPROVAL – Request for site plan approval for a polycarbonate awning to cover the existing outdoor produce display at 27900 Harper Avenue, Nino Salvaggio's, represented by Ron and Roman Architects.**

The request is reviewed as follows:

\* \* \* \* \*

The petitioner has submitted a series of exterior improvements to the existing store at 27900 Harper Avenue. Most of the proposed improvements fall within the sign ordinance; however, a polycarbonate canopy over the main entrance and along the south side of the building has been proposed that requires site plan approval. The awning over the door is proposed to be 10.8 feet wide by approximately 15.5 feet deep. The new "covered outdoor market" space is proposed to be covered by an 80 foot by 14.5 foot sloped polycarbonate awning as well. The slope of the polycarbonate portion of the awning is proposed to match the slope of the existing asphalt roof that currently covers a portion of the outdoor display. The canopy over the door measures 20 feet in height while the canopy over the outdoor market measures between 8 and 12 feet in height. Both canopies extend and encroach into the drive aisle of the existing parking

lot. A series of bollards have been proposed at each of the posts that will be supporting the canopy.

\* \* \* \* \*

**Planning Commission Chairman** – Please read this statement into the record prior to reviewing the site plan to the petitioner.

The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC220005. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

\* \* \* \* \*

The request is reviewed as follows:

- 1) **Zoning**- The zoning of the parcel is B-1. A general retail use is allowable within the district.
- 2) **Adequacy of Information** (Section 35.82, 5, a) –The information provided is adequate for this review.
- 3) **Site Design Characteristics** (Section 35.82, 5, b) – The petitioner has submitted a series of exterior improvements to the existing store at 27900 Harper Avenue. Most of the proposed improvements fall within the sign ordinance; however, a polycarbonate canopy over the main entrance and along the south side of the building has been proposed that requires site plan approval. The awning over the door is proposed to be 10.8 feet wide by approximately 15.5 feet deep. The new “covered outdoor market” space is proposed to be covered by an 80 foot by 14.5 foot sloped polycarbonate awning as well. The slope of the polycarbonate portion of the awning is proposed to match the slope of the existing asphalt roof that currently covers a portion of the outdoor display. The canopy over the door measures 20 feet in height while the canopy over the outdoor market measures between 8 and 12 feet in height. Both canopies extend and encroach into the drive aisle of the existing parking lot.
- 4) **Preservation of Natural Areas** (Section 35.82, 5, c) – There are no natural areas to preserve.
- 5) **Privacy** (Section 35.82, 5, d) – A screenwall exists at the rear of the site.
- 6) **Emergency Vehicle Access** (Section 35.82, 5, e) – Emergency vehicle access will not change.

**\*7) Ingress and Egress** (Section 35.82, 5, f) – Ingress and egress to the site will not be any more limited than the current configuration. Many of the outdoor displays currently encroach into the drive aisle of the parking area.

**Staff recommends installing DO NOT ENTER signs at the drive approach closest to the main entrance as the canopy will prevent vehicles from entering the site at that drive approach and it will prevent the maneuvering of two way traffic into and out of the parking lot.**

**8) Pedestrian Circulation** (Section 35.82, 5, g) –Pedestrian circulation will not change.

**9) Vehicular and Pedestrian Circulation Layout** (Section 35.82, 5, h) – The pedestrian and vehicular circulation layout will not change.

**10) Drainage** (Section 35.82, 5, i) – No changes are proposed.

**11) Exterior Lighting** (Section 35.82, 5, j) – Market lights are proposed under the new canopy and LED strip lights are also proposed under the canopy to line the columns supporting the polycarbonate.

**12) Public Services** (Section 35.82, 5, k) – Public services will not be affected by the proposed use.

**\*13) Landscaping, Fences, and Walls** (Section 35.82, 5, l) – No changes are proposed.

**One of the following is required along both the south and north parking lots:**

**Off-street parking areas shall be screened in one of the following manners when the measurement of the parking area adjacent to the right-of-way is greater than 40 contiguous feet in any section:**

- a. A brick wall with stone or precast cap shall be placed along the right-of-way line of off-street parking areas except in the location of access drives or walks; or
- b. Dense landscaping installed and maintained between 30” and 36”, providing sufficient yearlong screening, while not infringing onto the public sidewalk, and adhering to the requirements of the Macomb County Department of Roads and as approved by the Community Development Department; or
- c. A combination of landscaping and brick kneewall as approved by the Community Development Department; or
- d. The use of wrought iron or aesthetic equivalent fencing between stone or brick columns; or
- e. If the width of the area between the public sidewalk and the off-street parking area is greater than 4 feet and the parking area has a concrete curb, then no screening is required; however a grass or landscaped greenbelt shall be maintained.
- f. The height of landscaping, fences, and walls shall be between 30 and 36 inches in height measured from the grade of the adjacent sidewalk; or
- g. A variance from the Zoning Board of Appeals must be obtained.

**14) Exterior Building Treatment** (Section 35.82, 5, m) – No changes are proposed to the exterior of the existing building.

**15) Waste Storage** (Section 35.82, 5, n) – No changes are proposed.

**16) Mechanical Equipment** (Section 35.82, 5, o) – No changes are proposed.

**17) Parking** (Section 35.73, 12, a) –

**\*18) Setbacks** (Section 35.66) – The canopy setbacks are as follows:

SETBACK	PROPOSED	REQUIRED
FRONT	70' from CL of Jefferson	65 feet from CL of Jefferson
REAR	19 feet	20 feet
NORTH	N/A	0
SOUTH	310'	0

**The canopy shall be reduced by one foot to meet the 20 foot rear setback requirement.**

**19) Building Height (Section 35.66)** – The maximum height of the canopy is proposed to be 20 feet.

**20) Transformer Pad** –No transformer is being proposed.

**21) Screening Wall** – A screening wall exists at the rear of the building.

**22) Signs** – Signage will be considered under a separate review.

**23) Loading** (Section 35.75) – No changes are proposed.

**24) Other** –

**ITEMS OF CONCERN – 7, 13, 18**

**Staff recommends approval of this proposal based on attention to the items listed above.**

Roman Bonislowski of 275 E. Frank St., Birmingham, MI said that they are proposing a polycarbonate canopy over the main entrance and along the south side of the building. The slope of the canopy will match the slope of the existing asphalt roof that currently covers a portion of the outdoor display. They want to provide a better raincoat for the area outside. They want to make sure that they have enough room. They will back the canopy up to comply with the setbacks. It will be a nicer and more air-tight entrance.

Secretary Hanson stated that they have an exit only sign on the side. Ms. Koto stated that need to install DO NOT ENTER signs facing Harper at the drive approach closest to the main entrance as the canopy will prevent vehicles from entering the site at that drive approach and it will prevent the maneuvering of two-way traffic into and out of the parking lot.

Commissioner Hison stated that this has been a landmark.

Chairman Doppke stated that Nino Salvaggio's is always willing to help out the residents.

**A motion was made by Commissioner Hison and supported by Commissioner Stonik, to approve the site plan approval for a polycarbonate awning to cover the existing outdoor produce display at 27900 Harper Avenue, Nino Salvaggio's, represented by Ron and Roman Architects with attention to the following conditions: Installing DO NOT ENTER signs at the drive approach closest to the main entrance facing Harper, lot; a variance from the Zoning Board of Appeals must be obtained for the brick kneewall along the parking lots; and the canopy shall be reduced by one foot to meet the 20 foot rear setback requirement.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**ABSENT: JONES**

**MOTION: PASSED**

**CONFIRMATION OF OFFICERS**

**A motion was made by Commissioner Hison and supported by Commissioner Mazzenga, to confirm the following officers - Paul Doppke as Chairman, Lou Schelosky as Vice-Chairman and Kathy Hanson as Secretary.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**ABSENT: JONES**

**MOTION: PASSED**

**APPROVAL OF MINUTES FROM THE DECEMBER 14, 2021 PLANNING COMMISSION MEETING**

**A motion was made Secretary Hanson and supported by Commissioner Kalich, to approve the Planning Commission Meeting Minutes of December 14, 2021.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**  
**NAYS: NONE**  
**ABSENT: JONES**  
**MOTION: PASSED**

### **REPRESENTATIVE'S REPORT OF CITY COUNCIL MEETINGS**

Secretary Hanson stated that on December 10<sup>th</sup> meeting Detroit Finest Coney Island was approved no questions asked. Motioned by Ron Frederick and second by John Caron. Councilman Frederick moved Councilman Caron second. The DIA is applying for a \$20,000 grant for a mural. Mary Kotowski is retiring February 7th. Chris Rayes is retiring January 21<sup>st</sup>.

### **CITY PLANNER LIZ KOTO'S STAFF REPORT**

Ms. Koto stated that there are three cases. Popeye's wants to go where Rose's Family Restaurant was. Exterior renovation will be done for a day spa on Greater Mack.

Hanson asked about the pet store on Harper they have put in windows and paint without getting approval.

### **AUDIENCE PARTICIPATION:**

Larry Anderson, Clairwood, in regards to MHB if they decide to go higher will the residents be notified. Ms. Koto stated that they will not be. The people that are putting in the office building are the ones that are putting in the condos. He said that there is a mess in the area where the condos are being constructed and they are only half done.

### **ADJOURNMENT**

**A motion was made by Secretary Hanson, and supported by Commissioner Stonik, to adjourn the Planning Commission Meeting at 8:24 p.m.**

### **A ROLL CALL WAS TAKEN:**

**AYES: ALL**  
**NAYS: NONE**  
**ABSENT: JONES**  
**MOTION: PASSED**

[THE PRECEDING MINUTES ARE A SYNOPSIS OF A PLANNING COMMISSION MEETING AND DO NOT REPRESENT A VERBATIM RECORD.]