

**PLANNING COMMISSION
A MEETING OF THE ST. CLAIR SHORES PLANNING COMMISSION
HELD ON JANUARY 25, 2022 AT 7:00 P.M.,
CITY HALL-CITY COUNCIL CHAMBERS**

PRESENT

Paul Doppke, Chairman
Jeff Mazzenga
Robert Hison
James Kalich
Brandon Johnson
Ed Jones

ALSO, PRESENT

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

ABSENT

Lou Schelosky, Excused
Patrick McKay, Excused
Kathy Hanson, Excused
Anthony Stonik, Excused

CALL TO ORDER

Chairman Doppke called the meeting to order at 7:09 p.m.

Commissioner Jones called roll. Six members were present.

A motion was made by Commissioner Jones, and seconded by Commissioner Hison, to excuse Secretary Hanson, Commissioner McKay, Vice-Chairman Schelosky and Commissioner Stonik from tonight's meeting.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

MOTION: PASSED

CASE NO. PPC220006:

REQUEST FOR SITE PLAN APPROVAL – 31301 Harper, request for site plan approval for a new drive-through and dine-in restaurant, Popeye's Chicken, represented by Tom Savoca, MRV Architects

The request is reviewed as follows:

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The petitioner is requesting site plan approval for a new Popeye's restaurant. The site plan indicates the restaurant interior dining area will seat up to 50 patrons, and there will be a drive-

thru at the rear of the site. An extensive landscape plan has been provided as well as a lighting plan. The site plan indicates the drive-thru stacking lanes will be able to hold the minimum number of cars required per ordinance. The dumpster will be located in the northwest corner of the property. A grease containment system will be located adjacent to the building near the drive-thru lanes. The exterior finish materials are proposed to be brick, fiber cement board, glass and metal canopies. The existing concrete wall will be removed and replaced with a new one, and the total height of the one store building is proposed to be 23 feet to the top parapet.

* * * * *

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 PPC220006. 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-2. A restaurant is an allowable use within the district; however, all food and beverage must be purchased and consumed within the interior.

A use variance to allow a drive-through restaurant within a B-2 district is required from the ZBA.

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

3) Site Design Characteristics (Section 35.82, 5, b) – The petitioner is requesting site plan approval for a new Popeye’s restaurant. The site plan indicates the restaurant interior dining area will seat up to 50 patrons, and there will be a drive-thru at the rear of the site. An extensive landscape plan has been provided as well as a lighting plan. The site plan indicates the drive-thru stacking lanes will be able to hold the minimum number of cars required per ordinance. The dumpster will be located in the northwest corner of the property. A grease containment system will be located adjacent to the building near the drive-thru lanes. The exterior finish materials are proposed to be brick, fiber cement board, glass and metal canopies. The existing concrete wall will be removed and replaced with a new one, and the total height of the one store building is proposed to be 23 feet to the top parapet.

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 new concrete screen wall is being proposed along the entire rear 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 be from the parking lot in front of the building or via the pedestrian crosswalk from the city sidewalk.

8) Pedestrian Circulation (Section 35.82, 5, g) – Pedestrian circulation will be improved with the installation of a crosswalk connecting to the public sidewalk.

9) Vehicular and Pedestrian Circulation Layout (Section 35.82, 5, h) –The circulation layout is adequate for this review.

***10) Drainage** (Section 35.82, 5, i) – A new parking lot is required.

Parking lot plans including paving and drainage are required as part of the building permit submittal.

***11) Exterior Lighting** (Section 35.82, 5, j) – Exterior lighting has indicated on the plans. Light have been proposed on all sides of the building, and light poles have been proposed in the parking lot. A lighting plan has been provided.

The lighting plan indicates a foot candle measurement exceeding 1.0 in many portions of the rear of the parking lot. All lighting must be shielded from adjacent residents and achieve 0-foot candles at the property line. Additionally, the Harper Avenue Overlay Zone requires the city's standard Nautical light pole to be used in the parking lot.

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) – An extensive landscaping plan has been provided for the site. Landscaping is proposed along the rear property line providing a buffer for the drive through lane. Landscaping has also been proposed along the north and south sides of the building, including screening the equipment near the drive-thru. Landscaping has also been proposed parallel to Harper, and the greenbelt created on the landscape plan exceeds the minimum width required by ordinance. No fences or knee walls would be required along the front parking area.

All landscaping requires underground irrigation. Please confirm with the petitioner that underground irrigation will be provided.

***14) Exterior Building Treatment** (Section 35.82, 5, m) –The site plan indicates the building will be constructed mostly of brick with fiber cement siding accents on one side of the building. Windows have been proposed on the east, west, and south sides. The windows and glass door on the front elevation comprise 154.6875 square feet of 2,112 square foot front façade. The Harper Overlay zone requires a minimum of 33% of window coverage on the elevation fronting Harper Avenue. The existing proposal only covers approximately 7% of the façade.

An additional 542 square feet of fenestration is required per the Harper Avenue Overlay Zone. Staff recommends replacing the faux louvered sections of the elevation with spandrel, tinted, or mirrored glass matching the size and shape of the window on the south end of the front elevation to meet the minimum requirement.

***15) Waste Storage** (Section 35.82, 5, n) – A trash enclosure is proposed at the northwest corner of the site. The enclosure is proposed to be constructed of CMU.

Concrete block or CMU is a prohibited finish material. The dumpster enclosure must be constructed of the same brick as the building or may be constructed from the same panel or poured in place concrete system as the rear concrete screen wall.

***16) Mechanical Equipment** (Section 35.82, 5, o) – Some mechanical equipment is shown on the north side of the building, and it is proposed to be screened by landscaping.

Mechanical equipment, whether placed at grade or on the roof of the structure, must be screened on all visible sides.

17) Parking (Section 35.73, 12, a) – The building is proposed to be 2,297 gross square feet, and service will be over a counter. The parking requirement is 1 space per 75 gross square feet for the restaurant plus 8 stacking lanes for the first drive-thru window and an additional 4 stacking space for each additional lane. A total of 31 parking spaces will be required plus a total of 14 stacking spaces. Thirty-eight parking spaces have been proposed, and the current configuration does allow for a total of 14 stacking spaces within the two drive through lanes.

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

SETBACK	PROPOSED	REQUIRED
FRONT	140' from CL of Harper	65' from the CL of Harper
REAR	60'	50'
SIDE	66'	0'
SIDE	45'	0'

A variance to allow a building to exceed the 65' front setback from the centerline of Harper Avenue is required.

***19) Building Height (Section 35.66)** – The height of the building is proposed to be 23 feet for a single-story building.

Single story buildings cannot exceed 20 feet in height with a flat roof according to the Harper Overlay Zone. A 3-foot height variance to allow the parapet to cover the rooftop equipment will be required from the ZBA.

20) Transformer Pad –No new transformers are proposed.

21) Screening Wall – A screen wall exists at the rear of the property but it will be replaced with a new concrete screen wall.

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

23) Loading (Section 35.75) – Loading can occur at the rear of the building without interfering with the drive-through lanes.

24) Other –

ITEMS OF CONCERN – 1 10 11 13 14 15 16 18 19

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

Tom Savoca from MRV Architects, Inc. introduced himself and explained that they are proposing a 2,300 sq. ft. Popeye's restaurant with a double drive-thru. They want to keep the existing access lanes that are on the site as it is. They are providing 38 parking spaces. They are

enclosing the trash enclosure in the rear yard as suggested. They will be removing the existing 6 foot wall and replacing it with a new six-foot height concrete wall to screen the residential area behind them.

The petitioner went over the items of concern. They have already applied to the Zoning Board of Appeals for the variances. The parking lot plans will be part of the civil drawings. They can provide screens for the lights to lower the foot candle in the rear. They were provided the light specs for the Nautical light pole. The petitioner asked if all of the lights have to be that spec or just along Harper Avenue. Ms. Koto stated that any lights at the building and forward have to be Nautical lights. So, the rear lights exceeding the foot candle don't have to be as long as long as they are shielded. They will be providing irrigation for all of the landscaping. They are short 542 sq. ft. of fenestration as required by the Harper Overlay. He said that the suggestion was to remove the shutters on the front elevation and replace it with spandrel glass. He noticed that the recommendation was to add the same kind of windows around the southwest elevation which only increases the total fenestration by 102 sq. ft. Ms. Koto stated that she recommends the same type but not necessarily the size. All three sets of the windows should look identical, and this is only applicable on the Harper side. She said that they can increase all three sets to make it even all the way across. They can be false windows. He will need to do what he can to hit the 33% mark in the front façade. Ms. Koto stated that he can still go for a variance if needed. And he can use the modified elevation and go for the variance at the Zoning Board of Appeals. The dumpster enclosure will be the same brick as the building. All the mechanical equipment will be on the roof screened by the parapets. The 23 feet in height is from the screening of the mechanical equipment. He will need a variance from the Zoning Board of Appeals. In regards to the front setback he said that this was probably missed because of all developed neighboring properties are all set back. He said that they went with the B-2 setback and missed the Harper Overlay setback. The petitioner also clarified that the existing building will be demolished.

Commissioner Hison asked if the building will be in the same foot print. The petitioner stated "yes".

Commissioner Hison asked about the hours of operation. The petitioner stated that they will be open seven days a week from 10:00 a.m. to 10:00 p.m. Sunday through Thursday. And Friday and Saturdays 10:00 am to 11:00 p.m. Deliveries and trash pick-ups are scheduled between 7:00 a.m. to 9:00 a.m. It will be a double ordering station so the concerns are the noise late at night. They will need to keep it at a decibel level that is by ordinance. The petitioner stated that the drive through equipment can be adjusted by the decibel level.

Commissioner Hison asked about the setback. Ms. Koto stated that when the Harper Overlay Zone was developed the idea was that all of the buildings were going to be pushed up upon the sidewalk and she does not think that we took into the consideration that the way the B-2 zone which is strip center development was really created. This is a situation to site this building right up on Harper where you have the McDonald's set back and the shopping center set back it would lose the continuity. This will be lined up with McDonald's.

Commissioner Hison stated that McDonald's added additional height to the rear screen wall because of the property level. Will this be the same for Popeyes? The petitioner stated that they will remove the existing wall because it did not meet the six-foot height requirement. The plans have not been developed yet but they plan on building the wall to match the properties next to them. Commissioner Hison stated that it will end up to be an 8-foot wall. McDonalds

had to add to their wall because the sound was not being blocked. So, they will have to check the wall height because the elevation is lower.

A motion was made by Commissioner Kalich and supported by Commissioner Johnson , to approve the request for site plan approval for a new drive-through and dine-in restaurant, Popeye’s Chicken, represented by Tom Savoca, MRV Architects with the attention of the following conditions: a use variance to allow a drive-through restaurant within a B-2 district is required from the ZBA; parking lot plans including paving and drainage are required as part of the building permit submittal; all lighting must be shielded from adjacent residents and achieve 0-foot candles at the property line; Nautical light poles shall be used in the parking lot; all landscaping requires underground irrigation; an additional 542 square feet of fenestration is required per the Harper Avenue Overlay Zone by replacing the faux louvered sections of the elevation with spandrel, tinted, or mirrored glass matching the shape of the window on the south end of the front elevation to meet the minimum requirement; the dumpster enclosure will be constructed of the same brick as the building or may be constructed from the same panel or poured in place concrete system as the rear concrete screen wall; mechanical equipment, whether placed at grade or on the roof of the structure, must be screened on all visible sides; a variance to allow a building to exceed the 65’ front setback from the centerline of Harper Avenue is required; and a 3-foot height variance to allow the parapet to cover the rooftop equipment will be required from the ZBA.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: JONES

MOTION: PASSED

CASE NO. PPC: 220007

REQUEST FOR SITE PLAN APPROVAL – 25225 Jefferson, request for site plan approval for a single-story multi-unit retail center with accessory structure, represented by Mark Fuga of Rondo Investment LLC.

The request is reviewed as follows:

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The site plan proposes an 11,400 square foot multi-tenant single story retail development and a 1,196 square foot single story four car garage on the former Gourmet House site. The building is proposed to front Jefferson Avenue and a large pedestrian plaza/outdoor seating area is proposed between the building and the public sidewalk. The parking lot is proposed behind the building, and a four-car garage is proposed to be located on the southwest corner of the site. The exterior elevations are proposed to be brick, stone, composite wood siding, and glass with metal canopies. Access to the parking lot is proposed from the two existing approaches along Jefferson Avenue. This review does NOT include the two parcels on the east side of Jefferson Avenue north and south of North Shore Valet Cleaners. Planters are proposed adjacent to the sidewalk in front of the building to divide the sidewalk from the plaza.

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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 PPC220007. 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.

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The request is reviewed as follows:

***1) Zoning**- The zoning of the parcel is Central Lakefront Development District. Retail centers are an allowable use within the district. Accessory structures are an allowable use within the Central Lakefront District. The survey indicates the right-of-way of Jefferson will be deeded to the city.

Accessory structures must be for an accessory use to the primary use on site. Storage of personal items/vehicles/equipment on a commercial property is prohibited.

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 site plan proposes an 11,400 square foot multi-tenant single story retail development and a 1,196 square foot single story four car garage on the former Gourmet House site. The building is proposed to front Jefferson Avenue and a large pedestrian plaza/outdoor seating area is proposed between the building and the public sidewalk. The parking lot is proposed behind the building, and a four-car garage is proposed to be located on the southwest corner of the site. The exterior elevations are proposed to be brick, stone, composite wood siding, and glass with metal canopies. Access to the parking lot is proposed from the two existing approaches along Jefferson Avenue. The front façade is comprised of at least 33% glass per the design guidelines of the Central Lakefront Development District. This review does NOT include the two parcels on the east side of Jefferson Avenue north and south of North Shore Valet Cleaners.

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 concrete wall is required on the west side of the site where the development abuts residential neighbors. Commercial uses exist on the north and south sides of the site.

A six-foot concrete screen wall is required along the entire west property line with a step down from 6 feet down to 2.5 feet over the last 25 feet on both the north and south ends. The screenwall must be brick embossed and constructed of 6-foot-tall panels or poured in place concrete.

6) Emergency Vehicle Access (Section 35.82, 5, e) – Emergency vehicle access will be from either drive approach on Jefferson.

7) Ingress and Egress (Section 35.82, 5, f) – Ingress and Egress to the site will be from Jefferson

8) Pedestrian Circulation (Section 35.82, 5, g) – Pedestrian circulation will be from the parking lot to the units or possibly from the sidewalk abutting Jefferson to the units.

9) Vehicular and Pedestrian Circulation Layout (Section 35.82, 5, h) – Vehicular and pedestrian layout is adequate for this review.

***10) Drainage** (Section 35.82, 5, i) – The site plan indicates a new parking lot behind the building.

Parking lot plans including paving and drainage are required as part of the building permit submittal.

***11) Exterior Lighting** (Section 35.82, 5, j) – No exterior lighting has been shown on the plans.

Should the petitioner choose to install lights in the parking lot, the use of the standard Nautical Light is required in the parking area. All lighting shall be shielded from residences and result in 0-foot candles 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) – An extensive landscape plan has been provided. Landscaping is proposed throughout the site. Underground irrigation has also been indicated. The length of the parking lot along Jefferson Avenue does not exceed

14) Exterior Building Treatment (Section 35.82, 5, m) – The development proposes the use of brick, stone, composite wood siding, and glass on all sides of the building. Metal canopies have also been proposed on the front elevation.

***15) Waste Storage** (Section 35.82, 5, n) – The site plan proposes a dumpster with enclosure at the rear of the site.

The dumpster shall be enclosed with the same concrete screenwall material used at the rear of the property. The screenwall must be brick embossed and can be constructed of 6-foot panels or poured in place concrete.

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

Mechanical equipment, whether placed at grade or on the roof of the structure shall be screened on all visible sides.

***17) Parking** (Section 35.73, 12, a) – The parking requirement for a general retail facility is 1 parking space per 200 gross square feet. The building is proposed to be 11,400 square feet in size resulting in 57 parking spaces being required. Fifty-seven parking spaces have been proposed.

Please note, should the petitioner find any tenant with a more intense parking requirement than general retail, then additional parking within 300 feet must be obtained or a variance requested from the ZBA. No drive-throughs are allowed within the Central Lakefront District.

18) Setbacks (Section 35.66) – The required and proposed setbacks are as follows:

SETBACK	PROPOSED	REQUIRED
FRONT (JEFFERSON)	60' from CL of Jefferson	60' from the CL of Jefferson
REAR	106'	20'
NORTH (MAPLE)	50.5'	10'
SOUTH (ROSEMARY)	61.8'	10'

Accessory structures are required to be a minimum of 2.5 feet off the side and rear property line, and they are required to be located in the rear yard. The garage is proposed to be 8' off the side property line and 7.6 feet off the rear property line.

***19) Building Height (Section 35.66)** – The complex is proposed to be 21' to the top of the parapet.

A single story flat roofed structure can be in the range of 16-20 feet. The accessory structure height is proposed at 17 feet.

The maximum height of the retail center cannot exceed 20 feet including the parapet. The height must be reduced by one foot.

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 indicated on the south side of the building.

24) Other –

ITEMS OF CONCERN – 1 5 10 11 15 16 17 19

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

John Vitale, Stucky Vitale Architects, 27172 Woodward, Royal Oak introduces himself and explains that this is a project going on the vacant parcel where the Gourmet House use to be. They are proposing a new retail building will be about 11,400 sq. ft. They did a project on Mack in Grosse Pte. Woods which is similar to this project. This will be a more of a contemporary look. They will comply with all of the items of concern.

Steve Bloink, Stucky Vitale Architects introduced himself and went over the materials they will be using. He explained that they try to change the materials to break up the tenant spaces. All the tenants are proposed to be retail. He went over the items of concern. The accessory structure that is near the back of the property will be used for this property to store maintenance vehicles and landscaping materials. There is a wood fence that divides the property they will be replacing that with the six-foot concrete wall. They will provide parking plans once they are completed. They will comply with the lighting. For the dumpster they will be using the same materials as the building. Mechanical equipment will be screened by the parapet. There will not be a drive through. They will lower the parapet height by one foot.

Commissioner Hison stated that the plans show the five separate units. Mark Fuga stated that they will offer a 4,000 sq. ft. option so there could be four or even fewer units.

Mr. Vitale stated that the façade was created for the opportunity to break it up. The structure will have flexibility of how many stores they will have. The structure allows for flexibility in the size of the units.

Commissioner Hison asked if any of the tenants will be medical. Because if it is medical, it will change the parking requirements. Mark Fuga stated that if they need additional parking it will be available across the street because they own the lots across the street. Commissioner Hison stated that they saw the plans for a new restaurant across the street so this becomes complicated. This is just a concern. Based on the square footage they meet the requirements as long as it is retail.

Commissioner Hison asked about the hours. Mark Fuga stated until they secure the tenants he will not know the hours. Commissioner Hison stated that this will make a difference if a tenant wants different hours. Ms. Koto stated that in case they want to be open 24 hours they will have to go to the Zoning Board of Appeals because it is written in the zoning ordinance as default hours of 6 a.m. to midnight so to get the extra midnight to 6 a.m. the zoning board will be granting that.

Commissioner Hison stated that there are five tenant spaces but the handicap spaces is only at the north end. The plans show handicap spaces in three places in the northern part of the first two sections. Mr. Hison asked why it isn't spread out for each unit. Ms. Koto stated that they need to provide spaces that are closest to the entrance but not necessarily to be closest to every entrance. He noticed that a lot of places have parking spaces far away from the door.

Mr. Vitale stated that he does not have a problem with splitting up the handicap spots.

Commissioner Hison stated the proposed location of the trash enclosure is probably convenient for trash haulers, but it could be situated elsewhere in a location that isn't so close to a house. Mr. Vitale stated that they can look at putting it next to the garage where it would be less intrusive to the neighborhood. They want the truck to have a lane to back right in. He said that they will look into it. They are right on the mark for the parking spaces. Mr. Vitale stated he will work with Ms. Koto.

A motion was made by Commissioner Hison and supported by Commissioner Mazzenga, to approve the request for a single-story multi-unit retail center with accessory structure, represented by Mark Fuga of Rondo investment LLC. With the attention of the following conditions: accessory structures must be for an accessory use to the primary use on site. Storage of personal items/vehicles/equipment on a commercial property is prohibited; a six-foot concrete screen wall is required along the entire west property line with a step down from 6 feet down to 2.5 feet over the last 25 feet on both the north and south ends. The screen wall must be brick embossed and constructed of 6-foot-tall panels or poured in place concrete; parking lot plans including paving and drainage are required as part of the building permit submittal; should the petitioner choose to install lights in the parking lot, the use of the standard Nautical Light is required in the parking area; all lighting shall be shielded from residences and result in 0-foot candles at the property line; the dumpster shall be enclosed with the same concrete screen wall material or same building material used in the plans; mechanical equipment, whether placed at grade or on the roof of the structure shall be

screened on all visible sides; should the petitioner find any tenant with a more intense parking requirement than general retail, then additional parking within 300 feet must be obtained or a variance requested from the ZBA ; no drive-throughs are allowed within the Central Lakefront District; the total height of the building must be reduced by one foot.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: HANSON, SCHELOSKY, STONIK, MCKAY

MOTION: PASSED

CASE NO. PPC: 220009

REQUEST FOR SITE PLAN APPROVAL – Request for site plan approval for exterior renovations at 22121 Greater Mack, Spa Perillo, represented by Kristina Perillo.

The request is reviewed as follows:

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The petitioner is requesting site plan approval for exterior renovations for a new day spa at 22121 Greater Mack. The plans indicate the removal of the existing mansard roof, removal of some windows on the front elevation, application of fiber cement board and stacked stone accents, and painting of the existing brick veneer. A new rear entrance is proposed from the parking lot, and a storage enclosure at the rear of the building has also been proposed.

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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 PPC220009. 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.

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The request is reviewed as follows:

- 1) **Zoning**- The zoning of the parcel is B-1. A day spa is an allowable use 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 plans indicate the removal of the existing mansard roof, removal of some windows on the front elevation, application of fiber cement board and stacked stone accents, and painting of the existing brick veneer. A new rear

entrance is proposed from the parking lot, and a storage enclosure at the rear of the building has also been proposed.

Exterior storage, even in a fenced in enclosure, is prohibited. A variance from the Zoning Board of Appeals is required for the exterior storage of anything other than trash containers.

The building is comprised of two parcels. The parcels will need to be combined prior to issuance of exterior building permit.

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 poured-in-place six-foot concrete wall exists at the west property line.

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 building will be from the new entrance doors at the rear of the building.

8) Pedestrian Circulation (Section 35.82, 5, g) – Pedestrian circulation will be from the parking lot behind the building. The rear entrance is also connected to the public sidewalk in the event a patron chooses to walk to the spa.

9) Vehicular and Pedestrian Circulation Layout (Section 35.82, 5, h) – Vehicular and pedestrian circulation is not anticipated to change.

***10) Drainage** (Section 35.82, 5, i) – The parking lot is constructed of asphalt and is cracking in many spots. The site plan indicates the lot will be leveled, resurfaced, and restriped.

Parking lot plans, including paving and drainage, are required in conjunction with the building permit submittal.

***11) Exterior Lighting** (Section 35.82, 5, j) – No lighting exists in the parking lot, and no lighting has been proposed on the plans.

Should the petitioner choose to add exterior lighting in the parking lot or on the building, the information shall be included on the plans for the building permit. All lighting shall be shielded from adjacent residences and die 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 beds have been included in the site plan, but they do not indicate underground irrigation or species.

A landscape plan including plant species and underground irrigation is required to be submitted for approval prior to issuance of a building permit.

***14) Exterior Building Treatment** (Section 35.82, 5, m) – The site plan proposes to remove the existing mansard roof and install fiber cement siding on the front and sides of the building as

well as on the rear elevation. Stacked stone is also proposed on three sides. The existing brick is proposed to be painted.

Please confirm with the petitioner whether the raised stone planting beds will remain or if they will be removed and new stone will be applied directly to the front façade.

15) Waste Storage (Section 35.82, 5, n) –Waste storage has been proposed in an enclosure at the rear of the building.

16) Mechanical Equipment (Section 35.82, 5, o) –The existing mechanical equipment is on the roof top, and it is screen from view by the existing parapet. The proposed plans indicate the parapet will remain.

17) Parking (Section 35.73, 12, a) – Parking is adequate for the use as the use was a day spa prior to the renovation.

18) Setbacks (Section 35.66) – The setbacks for the district are as follows.

SETBACK	PROPOSED	REQUIRED
FRONT	60' from the CL of Greater Mack	60' from the CL of Greater Mack
REAR	102 feet	20 feet
NORTH	0	0
SOUTH	0	0

19) Building Height (Section 35.66) –The maximum height in the district is 20 feet. The total height, including the parapet, measures 17 feet.

20) Transformer Pad –No transformer is being proposed.

21) Screening Wall –A screenwall exists at the rear of the property.

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

23) Loading (Section 35.75) –Loading will occur at the rear of the building.

24) Other –

ITEMS OF CONCERN – 3 10 11 13 14

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

George Bailey, Bailey Built PLLC, introduced himself and explained that he is here representing the clients. The development is an existing structure on two parcels. The property owner owns both buildings and parcels. They are going to combine the lots once they get approval. They will be combining the parcels and the buildings. It will be a day spa and massage. The current structure has existing brick and stone and an asphalt shingle roofing on the front. The primary access for customers is at the rear. They will be centralizing the entrance to the middle of the rear of the building. The Greater Mack façade will wrap new materials around from the front to the back and ties all facades together. The emergency egress door is towards the front. The

main material is a Nichiha fiber cement product. There will also be a flat seam metal panel with a commercial feel to it. They will leave the brick and add some new cultured stone bringing it all in together. The height will not change from the existing height of the mansard roof. They will be flushing out the parapet vertically 90 degrees. The marquis in between the two buildings will be left in place and give it new stone to keep it as a reference place.

He is addressing the items of concerns from an email from Ms. Koto. At the rear of the building, they are envisioning a wood screen to conceal the gas and electrical meters there and give it some depth behind it to store the trash carts behind there. They have the civil group working on the drainage plans. The business hours will be from 9:00 am to 6:00 pm and they are not intending to be open in the evenings so there will be no lights. They are working on the landscaping plans. There are some stone planters in the front facing Greater Mack and those will be removed. They plan to re-skin the front of the building at the base with new cultured stone infill in between.

Commissioner Kalich asked about the parking lot. Little Caesars's parking lot to the south does not connect. There will be one entry off of Gaukler. They will leave the existing curb cuts. Ms. Koto suggested to leave the curb cut so that at a later date if someone wants to have an entrance and an exit, she thinks it can be a little tough to add it back in later. They would need to leave those two spaces. Having them stripe there and then chain off the second entrance is acceptable. If they operate for a while and they need the traffic pattern to be more circular they can ask for a variance. Commissioner Kalich asked about the flat seam metal panel. The petitioner stated that it locks in like the old-style siding.

Commissioner Hison stated that the petitioner said there will be no lights. Commissioner Hison stated that during various times of the year they will need some lights back there for safety reasons.

Ms. Koto stated that the petitioner clarified that the storage area on the back of the building will screen the meters and store the city issued rolling trash containers in there. There is a staff door to the right. He does not have what days they will be opened.

Commissioner Hison asked about them painting parts of the building. The petitioner stated that the intention is to paint or stain the existing brick on the Gaukler side. The only reason for that is that they have existing windows along the Greater Mack side that they will be infilling. For the existing brick along Gaukler he can do a brick stain. Commissioner Hison stated that there are a lot of different materials that are very nice and to paint does not seem to fit what he is doing to the building. To have a nice change to the building and not address the brick. If they are going with painting or staining, they will ask about the warranty and color. The trash receptacle storage area will be a gray wood stain to match the tones that they are using on the other materials. The material behind that is exposed CMU so this will seal that as well.

Commissioner Hison asked about the mechanical equipment. They will bring the parapet to the side at the back area. Ms. Koto stated that as long as the mechanical equipment is not visible from the street which presently it is not, then they should be fine. It is set back and not visible from Greater Mack.

Commissioner Hison mentioned that he will need to verify and confirm the hours and days of the week.

A motion was made by Commissioner Mazzenga and supported by Commissioner Johnson, to approve the site plan for exterior renovations at 22121 Greater Mack, Spa Perillo, represented by Kristina Perillo, with attention of the following conditions: a variance from the Zoning Board of Appeals is required for the exterior storage of anything other than trash containers; the parcels shall be combined prior to issuance of exterior building permit; parking lot plans, including paving and drainage, are required in conjunction with the building permit submittal; should the petitioner choose to add exterior lighting in the parking lot or on the building, the information shall be included on the plans for the building permit; all lighting shall be shielded from adjacent residences and die at the property line; a landscape plan including plant species and underground irrigation is required to be submitted for approval prior to issuance of a building permit; and the raised stone planting beds will be removed and new stone will be applied directly to the front façade.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: HANSON, SCHELOSKY, STONIK, MCKAY

MOTION: PASSED

APPROVAL OF MINUTES FROM THE JANUARY 11, 2022 PLANNING COMMISSION MEETING

A motion was made Commissioner Hison and supported by Commissioner Jones, to approve the Planning Commission Meeting Minutes of January 11, 2022.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: HANSON, SCHELOSKY, STONIK, MCKAY

MOTION: PASSED

REPRESENTATIVE'S REPORT OF CITY COUNCIL MEETINGS

Ms. Koto stated that the car wash was denied because of the traffic on Stephens. A discussion took place regarding the different elements of the car wash plans that the City Council found to be issues, and the reasons for denying it.

Everything else was approved.

CITY PLANNER LIZ KOTO'S STAFF REPORT

Ms. Koto stated that they are still talking with the petitioners for the Jefferson condos. When they are ready to proceed, we will re-advertise and send out new notifications. So, we won't see it for several weeks. The cleaners on Jefferson will be staying because it is its own parcel number and ownership. Commissioner Hison stated that the cleaners put their wall up but if you look to the south there is a gate with a boat in the back yard and a garage. Depending on where the line is it may be a big problem. Ms. Koto stated that she thought of putting it in the plan review but we traditionally have not encouraged the use of the alley in that way for residents for traffic purposes and safety too. She is still trying to figure out an option with the gate. They are using an alley as a residential purpose not commercial purpose.

Commissioner Hison stated that the mechanic immediately south of where the car wash was suppose to go parks his cars in that lot.

AUDIENCE PARTICIPATION:

ADJOURNMENT

A motion was made by Commissioner Hison , and supported by Commissioner Kalich , to adjourn the Planning Commission Meeting at 8:10 p.m.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: HANSON, SCHELOSKY, STONIK, MCKAY

MOTION: PASSED

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

DRAFT