

**PLANNING COMMISSION
A MEETING OF THE ST. CLAIR SHORES PLANNING COMMISSION
HELD ON FEBRUARY 14, 2023, AT 7:00 P.M.,
CITY HALL-CITY COUNCIL CHAMBERS**

PRESENT

Paul Doppke, Chairman
Kathy Hanson, Secretary
Lou Schelosky, Vice-Chairman
Robert Hison
Anthony Stonik
Jeff Mazzenga
Patrick McKay
Ed Jones
James Kalich

ALSO, PRESENT

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

ABSENT

CALL TO ORDER

Chairman Doppke called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said.

Secretary Hanson called roll call. Nine members were present.

CASE NO. PPC220002B: REQUEST FOR CONSIDERATION OF EXTENDING SITE PLAN APPROVAL – 23415 Jefferson, Request for consideration of extending site plan approval for twelve months.

Ms. Koto explained the request is for an extension to the site plan approval that was obtained in early 2022. They obtained a rezoning and site plan approval to put an office in front of the condos on Jefferson south of Nine Mile. The site plan approval is set to expire within the next couple of weeks. The developer has the idea of scrapping the office proposal and returning to the board to extend the condos into that space. They are not sure yet so they would like an extension of the office site plan approval while they contemplate their options.

A motion was made by Secretary Hanson and supported by Commissioner Jones, to approve the request to extend the site plan approval for twelve months for 23415 Jefferson.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: NONE
MOTION: PASSED

PUBLIC COMMENT FOR CASE NO. PPC220015A.

Eric Shepherd, city attorney, stated how the planning commission works. The planning commission is a recommending body. They will either recommend approval or denial to the city council; however, the city council has the final say.

Chairman Doppke addressed the audience on their conduct of the meeting. He mentioned there were eight letters received at the last meeting and they also received an additional seven for tonight's meeting. Some were for the project and some of them were opposed.

Rick Zaremski, 22711 Ridgeway, he is against the location of the project. A five story 40-unit condo with rooftop social area that will border a quiet residential subdivision is not acceptable. He stated that this is 40 units which would be 40 houses on that parcel. Two story 20-unit condos would make more sense. All of the high-rise buildings on Jefferson do not border residential properties. It would be like Leisure Manor and the Shores Club high rise tower which is 1,000 feet from Jefferson along the lake. His view will be blocked if they build these condos. He stated that there is vacant lakefront property which is owned by the city south of the Memorial Park. He stated that the land is three times larger than the proposed lot on Ridgeway, Stephens and Jefferson. Why not use that lot?

Katie Maynard, 22824 Ridgeway, she lives across the street from the proposed project. She opposes this project. The audience was larger at the last meeting and everyone was opposed to the project. She will be looking at a five story building which they will be able to see in her house and her backyard. She does not see that they will rent all of the condos.

Paula Zaremski, 22711 Ridgeway, she is five houses from this condo project. She wants to know who is responsible for the property right now. There was a snow emergency declared that she shoveled the snow. The snow around the lot was not shoveled so it was a sheet of ice. In 15 years, she has not seen the lot taken care of. She enjoys her yard and does not want the people in the condos looking into her yard. If it was on the lake then it would be okay. She is opposed to it. There is not enough parking for this project.

David Maynard, 22824 Ridgeway, he is opposed to this project. He stated that the building is a fireball. The only masonry is the elevator shaft and the stairwells which are inside of the building. He stated that they will need to repair this property in about 15 years with the product that they use. He talked about the traffic study. He stated that the traffic study was less than 24 hours. He said that there will be piles of stuff on the property. He stated that the height is too tall.

Earl Hawkins, 147 Windwood Pointe, he does not think we are prepared for this meeting. He believes that we are in violation of the disability act. He said that this is a public meeting. He stated the traffic study does not show that this project will have no effect on traffic. He had visuals to show the board. All of the driveway access will exit onto Stephens. He said that this project is on the 1.4-acre site and put the back of it on Jefferson side. There is insufficient parking that will spill onto Stephens. Exit onto Stephen is in violation of Article 8, Section 227 2C of the City Charter. High rise buildings are not allowed to exit onto a residential street.

Steve Taflinger, 119 Windwood Pte., he opposes the project. He stated that the traffic study was done. He suggests the study be done by an independent source. The 63-page environmental study does not mention EGLE or the EPA nor does it mention the remediation of a situation that happened in 2012.

Sandra Giraud, 22716 Ridgeway, she is opposed to this project. She is concerned with the parking situation. Off-site parking is going to be on Ridgeway. She believes that the traffic study was not adequate. It is way too big. There is not another 5 story building in St. Clair Shores.

CASE NO. PPC220015A: REQUEST FOR SITE PLAN APPROVAL – 24101 Jefferson, request for site plan approval for a 40-unit, five story multi-family complex with a pool, rooftop common area, indoor and outdoor fitness/yoga center, barbecue, and a fire pit, represented by Rani Sheena, Jefferson Plaza LLC

The request is reviewed as follows:

* * * * *

The applicant is requesting Site Plan Approval for a new 40-unit, five story multiple family residential building on Jefferson between Ridgeway and Stephens. The plan proposes 10 units on each story, and the fifth story is proposed to include indoor and outdoor roof-top fitness facilities, a rooftop clubhouse, rooftop barbecue facilities, and a rooftop fire pit. In addition to the residential units inside the building, the site plan proposes a pet washroom, an elevator, and an exterior in-ground private pool. The building fronts Jefferson with parking on the south side of the building and in the rear. There are 36 2-bedroom units and 4 1-bedroom units proposed with each unit including one bathroom, a living room, a kitchen, eating area, and at least one bedroom.

The exterior of the building proposes a mix of brick, composite siding, and composite cedar shake on all four sides. Landscaping is proposed along the entire perimeter of the building and the site. A gazebo is proposed on the south end of the site, and a sidewalk is provided to create a pedestrian connection to the public sidewalk.

This site plan was revised after Special Land Use Approval was obtained in mid-2022 to reflect the comments received from both the Planning Commission and members of the public. The following changes were made to the plans to better conform to the zoning ordinance and public comment:

- The number of units were reduced from 46 to 40.
- The number of parking spaces were increased from 79 to 92.
- The drive approach onto Ridgeway was eliminated. Traffic is now directed onto Jefferson.
- The proposal is considered a multi-family development, not attached townhomes.
- All parking and maneuvering lanes are a minimum of 15 feet from first floor dwelling unit, entryway, or doorway.
- Dumpsters were moved to a parking island farther away from adjacent residences.
- After review and confirmation on historical zoning maps, the zoning of the parcel formerly known as 22806 Stephens is Central Lakefront District and does not need to be rezoned.
- The building can now be accessed from the front service walk leading to Jefferson

Avenue as well as from the parking lot.

- A loading/unloading zone has been added at the rear entrance.
- The shape of the pool has been modified.
- A traffic study has been provided.
- Environmental paperwork related to the property has been provided.

* * * * *

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 PPC220015A. 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 CLDD – Central Lakefront Development District. The zoning is appropriate for a multi-family residential building. Special Land Use approval was obtained in 2022 for a building that would exceed 2 stories in height.

2) Adequacy of Information (Section 48-560, 5, a) –The information provided is adequate for this review.

3) Site Design Characteristics– (Section 48-560, 5, b) -- The applicant is requesting Site Plan Approval for a new 40-unit, five story multiple family residential building on Jefferson between Ridgeway and Stephens. The plan proposes 10 units on each story, and the fifth story is proposed to include indoor and outdoor roof-top fitness facilities, a rooftop clubhouse, rooftop barbecue facilities, and a rooftop fire pit. In addition to the residential units inside the building, the site plan proposes a pet washroom, an elevator, and an exterior in-ground private pool. The building fronts Jefferson with parking on the south side of the building and in the rear. There are 36 2-bedroom units and 4 1-bedroom units proposed with each unit including one bathroom, a living room, a kitchen, eating area, and at least one bedroom.

The exterior of the building proposes a mix of brick, composite siding, and composite cedar shake on all four sides. Landscaping is proposed along the entire perimeter of the building and the site. A gazebo is proposed on the south end of the site, and a sidewalk is provided to create a pedestrian connection to the public sidewalk.

This site plan was revised after Special Land Use Approval was obtained in mid-2022 to reflect the comments received by both the Planning Commission and members of the public. The following changes were made to the plans to better conform to the zoning ordinance and public comment:

- The number of units were reduced from 46 to 40.
- The number of parking spaces were increased from 79 to 92.
- The drive approach onto Ridgeway was eliminated. Traffic is now directed onto Jefferson.
- The proposal is considered a multi-family development, not attached townhomes.

- All parking and maneuvering lanes are a minimum of 15 feet from first floor dwelling unit, entryway, or doorway.
- Dumpsters were moved to a parking island farther away from adjacent residences.
- After review and confirmation on historical zoning maps, the zoning of the parcel formerly known as 22806 Stephens is Central Lakefront District and does not need to be rezoned.
- The building can now be accessed from the front service walk leading to Jefferson Avenue as well as from the parking lot.
- A loading/unloading zone has been added at the rear entrance.
- The shape of the pool has been modified.

4) Preservation of Natural Areas (Section 48-560, 5, c) – There are no natural areas to preserve.

***5) Privacy** (Section 35.82, 5, d) – The site is adjacent to single-family residential properties along the rear property line. On the south side, the property is across the side street from an office and one residential building. On the north side, the property is across the side street from a restaurant use. A six-foot concrete obscuring wall is required where a residential zone abuts a commercial/office zone. A brick screen wall has been proposed along the rear property line. A decorative fence is also proposed around the pool and along the south side of the property

The six-foot brick wall must step down from 6 feet to 4 feet to 2 feet over the last 25 feet on the north and south side of the development.

6) Emergency Vehicle Access – (Section 48-560, 5, e) After the Special Land Use Approval in 2022, staff submitted the revised plans to the Fire Chief and Police Chief for their review. Both the Police and Fire Departments are satisfied with the drive approach onto Jefferson and drive approach onto Stephens.

***7) Ingress and Egress**– (Section 48-560, 5, f) Ingress and egress to the site is proposed from a drive approach on Stephens and a new approach onto Jefferson Avenue. The Stephens approach is proposed to allow right-turn-only when vehicles exit. The width of the approach onto Jefferson is 27 feet and onto Stephens is 23 feet. The width of the drive approaches is sufficient for this review.

Staff recommends the placement of a “Right Turn Only” sign at the Stephens drive approach.

***8) Pedestrian Circulation** (Section 48-560, 5, g) – The existing public sidewalk provides pedestrian circulation around the perimeter of the development. Within the development, a concrete walk borders the building and attaches to the public sidewalk on the north and south sides. Additionally, a paver walk on the south side extends from the building to a gazebo and connects to the public sidewalk.

The ordinance also requires the provision of pedestrian-scaled features inviting activity at the building front using central landscape plazas or sitting areas. The gazebo on the south end of the development provides pedestrian connections to the public sidewalk and provides a sitting area along Jefferson.

A building permit will be required for the gazebo. The gazebo shall not exceed 15 feet in height with 9-foot walls, and it shall not exceed 1,024 square feet in size.

9) Vehicular and Pedestrian Circulation Layout (Section 48-560, 5, h) – The site plan proposes a

parking lot at the rear of the building that wraps around the south side of the development as well. Access to the parking lot will likely be from the rear entry doors to the building.

***10) Drainage** (Section 48-560, 5, i) – The site plan indicates a new asphalt parking lot with concrete curbs.

Engineered parking lot plans including drainage and paving are required for submittal in conjunction with construction documents. The site is 1.43 acres in size, and therefore will require compliance with the city's stormwater ordinance for retention and detention of stormwater.

***11) Exterior Lighting** (Section 48-560, 5, j) – Exterior lighting has not been proposed on the plan.

All lighting must be shielded from adjacent residences.

12) Public Services (Section 48-560, 5, k) – Public services will not be affected by the proposed use.

***13) Landscaping, Fences, and Walls** (Section 48-560, 5, l) – A landscape plan consisting of a mix of evergreen and deciduous trees as well as shrubs, perennials and annuals has been provided. A four-foot wrought iron fence has been proposed along the south side of the property along Ridgeway.

The use of buckthorn is prohibited. Buckthorn is a highly invasive, fast growing, weedy species that is not recommended for landscaping use. Staff recommends installing boxwoods along the south side of the property to provide a year-round buffer. All landscaping shall be provided with underground irrigation. Staff recommends matching the proposed fence around the pool with the fence along Ridgeway.

14) Exterior Building Treatment– (Section 48-560 5, l) The site plan and color renderings indicate the exterior building materials will consist of an even mix of brick and cementitious siding. The facades are varied in their design and elevation. According to the Central Lakefront Development district, the Planning Commission can recommend approval if the design meets the intent of the ordinance. Staff believes the proposed project does meet the intent of the ordinance.

15) Waste Storage (Section 48-560, 5, n) – Waste storage is provided in an island in the parking lot. The dumpster enclosure is constructed of 8" CMU on the interior with 4" brick to match the building. Vinyl slats are proposed for the privacy fence.

***16) Mechanical Equipment** (Section 48-560, 5, o) – No mechanical units have been proposed on the plans.

Mechanical equipment, whether placed at grade or on the roof of the structure, must be screened on all visible sides including air conditioners. Air conditioners are required to be placed at the rear of the building.

17) Parking (Section 48-955) – The parking requirement is 2.25 spaces per unit. Forty units are being proposed resulting in 90 required spaces. A total of 92 parking spaces have been provided. Three spaces are currently designated as guest spaces.

18) Setbacks (Section 48-405) – The required and proposed setback are as follows:

SETBACK	PROPOSED	REQUIRED
FRONT (JEFFERSON)	65' from CL of Jefferson	60' from the CL of Jefferson
REAR	67'	20'
NORTH (STEPHENS)	10'	10'
SOUTH (RIDGEWAY)	55'	10'

19) Building Height (Section 48-958) – The maximum height of a building within the Central Lakefront District cannot exceed 60 feet. Buildings within the Central Lakefront District can exceed 2 stories. The site plan indicates the proposed building will be a total of 5 stories and 59.755 feet.

***20) Transformer Pad** –A transformer pad has not been proposed on the plans.

Any transformers must be screened from view.

21) Screening Wall – See number 5 Privacy.

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

23) Loading (Section 35.75) – A loading area has been provided at the rear of the building.

***24) Other – TRAFFIC STUDY AND ENVIRONMENTAL REPORTS-**

TRAFFIC STUDY

The petitioner was asked to provide the city with a traffic study for the proposed use at this location. The traffic study was completed and received, and a copy of it is available on the city's website here: <https://www.scsmi.net/DocumentCenter/View/8322/Fair-Winds-Cove-Traffic-Study-PDF?bidId=>

The traffic study indicates that a multi-family development of this size would add less than 20 average daily trips per peak travel time in the morning and afternoon, which is less than a retail center, restaurant, or gas station.

ENVIRONMENTAL REPORTS

The petitioner was asked to provide the city with environmental reports indicating that the site was cleared of any contamination from its prior uses as a gas station and vehicle repair shop.

The petitioner provided environmental information, and it is available here:

<https://www.scsmi.net/DocumentCenter/View/8320/Fair-Winds-Cove-Environmental-Paperwork-PDF?bidId=>

The environmental paperwork is incomplete. The city, to date, has not received any closure reports or environmental clearances that definitively demonstrate that all underground storage tanks have been removed and any pollutants have been effectively mitigated. Should the property still contain underground storage tanks and/or contaminated soil, then the petitioner may apply to the city's Brownfield Board to obtain financial assistance for pollution mitigation and clean-up. If closure reports from the state of Michigan are provided, and said reports indicate the site is clean, then no further action is needed.

Staff recommends requiring the petitioner to remediate any pollution, obtain the proper certifications from the state of Michigan, and submit them to the city within 6 months of final

approval at City Council, regardless of whether the development occurs. A Brownfield Plan must be approved or closure reports submitted to the city prior to the submittal of construction documents.

ITEMS OF CONCERN – 5 7 8 10 11 13 16 20 24

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

Joe Vaglica, Gateway Architects, he stated that since last summer he has been to several meetings. They took the comments and they redesigned some of the project. They closed down the exit onto Ridgeway. There will be exits/access onto Jefferson and a “right turn only” onto Stephens. The people will not be able to go to the residential street. They reduced to 40 units. The number of spaces required is 90, and he has 92 parking spaces. They reduced the footprint and increased landscaping. He stated that the main entrance is onto Jefferson. It will be good for pedestrian traffic. They allow some temporary parking spaces for deliveries. They ordered a traffic study. Traffic study is for the 5th generation. If you do 40 units it will generate 293 trips a day. If they do a 10,000 sq. ft. shopping center it will generate 635 trips a day. A restaurant will generate 561. A gas station would generate 1643 trips per day. The traffic impact will be least for the stated uses. They were able to get ahold of the contractor that removed the underground storage tanks. They have a letter from the fire department that witnessed the removal of some of the tanks at that time. They have hired Greatlakes GPR to conduct ground penetrating radar for the site to see if anything else is there. They will do several borings to make sure that is natural soil. They redesigned the building. The units are bigger. He believes that they addressed what planning commission had requested. They are not looking for any variances at this time. On the rooftop they are concentrating the activity in the center of the roof. There is no way to look down. They are creating an open zone. He believes this would attract 50 and up.

Commissioner Mazzenga asked about the underground storage tanks. The petitioner handed him a letter that the contractor removed the tanks. They hired GPR, which is an underground sonar company, and they will be able to go six feet down. If there is anything in the ground, they will be able to detect that. Ms. Koto stated that we have not received any communication from the State of Michigan. They are the regulating body, and until they receive the final report that it’s all clean from them then we can’t consider it mitigated. They would like to see that as a recommendation should the planning commission choose. Ms. Koto stated that if it turns out that there are tanks in the ground or if there is pollution on the site, they can apply for Brownfield credit to assist in the cleanup. We would not issue permits until we have those final clearance reports.

Commissioner Stonik asked Ms. Koto about the restrictions on the flow of traffic onto residential streets, and if that ordinance applies here. Ms Koto stated the reference to an exit out on to a major thoroughfare occurs within the RM-1 zoning district. Since this is the Central Lakefront District there is no requirement to exit onto a major thoroughfare.

Vice-Chairman Schelosky stated that the petitioner has changed a lot of issues that they had before.

Ms. Koto stated that they will wait for the issuance of a clearance report.

The petitioner stated they will have to check if there are any other utilities that are buried underground.

Ms. Pike stated that when they met with the Chief Allen and Lieutenant Conrad of the traffic division, they did not express any concerns. They likened the location of the approach on Jefferson to others along Jefferson in that area. They felt that coming onto Stephens with a "right turn only" across from Waves would lessen any impact on the residential district. When she met with Chief Piper from the fire department, he did not have any concerns with the fire hydrant in the parking lot. They did not have any concerns with the project.

A resident stated that there will be electrical problems outside. It needs to be addressed.

Commissioner Stonik stated that would be determined with the power company and same as with the fire pits, all the plans have to go through the city. The fire department has to look over the plans and determine that the fire pits on the roof is ok. That is not a decision that the planning commission makes.

Commissioner Hison asked what the room is next to the elevator. Petitioner stated in the event that they will not do a basement that is where the elevator machinery and the electrical will go depending on the type of elevator. There are elevators out there that need the elevator room. There will be one elevator and two staircases. Petitioners stated that there will be generators. That is something that the electrical engineer will look at, and maybe they can put them on the roof top. Commissioner Hison is concerned about only a single set of elevators.

Commissioner Hison stated that Leisure Manor 1 had one elevator for three stories. When they built the building next to the elevator, they built it in the elevator shaft. They built another elevator to use when the one is not operating as well.

Commissioner Hison stated that the petitioner has addressed many of the concerns. He stated 1-1/2 acre piece of property and to achieve the parking on this site whether than leasing it they have squeezed out majority of the green space. The petitioner stated that from the square footage stand point they had the opening on Ridgeway. That is now landscape and they had to remove the landscaping on Jefferson to have access onto Jefferson. They made the swimming pool smaller. They added a knee wall for the car lights.

Commissioner Hison stated that if this project were in the right place it would be great. He stated that putting that size on the property is a problem. For snow removal they almost have to take it off of the site. The maintenance will need to be taken care of. There is an ordinance for snow removal and it is probably the city's fault for not enforcing it. He said that there is land on the lake that would be great place for people to live. There may be an oil tank. It is the soil that the state has to clear before any building will go up. The petitioner stated that they need to sample the soil. If not, they will have to come up with remediation to get this taken care of.

Secretary Hanson stated that the petitioner owns this property and he wants to build these condos on it and he pay the taxes on it. So, he can do what he wants to do with this property. This will help the businesses and the social aspect of it of the Nautical Mile and the Nine Mack area. They have done everything that the city and residents asked for. They moved the dumpster to a different area. Nautical lights will need to be done. They said some of the landscaping included buckthorn that is not allowed in the city so the landscaping will have to be a different material. They changed the exit/entrance off of Ridgeway and Stephens right onto Jefferson. Not all 40 condos will be leaving or coming in at the same time. There are issues everywhere they go. Traffic is an issue all over.

Secretary Hanson mentioned the items of concern. She said that the petitioner has done everything possible for the project and continue to do.

Ms. Koto stated there is going to be a six-foot step down that is required on the rear concrete wall from 6 ft. to 4 ft. to 2 ½ ft over the 25 feet to the sidewalk. A permit will be required for the gazebo and it can't be more than 14 ft. with 8ft. walls and 1000 sq. ft. They will need engineered parking lot plans. They will need to conform to our stormwater ordinance which is separate from the county's. The transformer was proposed on the north west corner needs to be screened from view.

A motion was made by Vice-Chairman Schelosky, and supported by Secretary Hanson, to approve the request for site plan approval for a 40-unit, five story multi-family complex with a pool, rooftop common area, indoor and outdoor fitness/yoga center, barbecue, and a fire pit, represented by Rani Sheena, Jefferson Plaza LLC, with items of concern: the six-foot brick wall must step down from 6 feet to 4 feet to 2 feet over the last 25 feet on the north and south side of the development; installation a "Right Turn Only" sign at the Stephens drive approach; a building permit will be required for the gazebo. The gazebo shall not exceed 15 feet in height with 9-foot walls, and it shall not exceed 1,024 square feet in size; engineered parking lot plans including drainage and paving are required for submittal in conjunction with construction documents; compliance with the city's stormwater ordinance for retention and detention of stormwater; all lighting must be shielded from adjacent residences; the use of buckthorn is prohibited and installing boxwoods along the south side of the property to provide a year-round buffer shall be used; all landscaping shall be provided with underground irrigation; the proposed fence around the pool shall match the fence along Ridgeway; mechanical equipment, whether placed at grade or on the roof of the structure, must be screened on all visible sides including air conditioners; air conditioners are required to be placed at the rear of the building; any transformers must be screened from view; all pollution shall be remediated; obtain the proper certifications and clearance reports from the state of Michigan, and submit them to the city within 6 months of final approval at City Council, regardless of whether the development occurs; a Brownfield Plan must be approved or closure reports submitted to the city prior to the submittal of construction documents.

A ROLL CALL WAS TAKEN:

AYES: SCHELOSKY, HANSON, JONES, MAZZENGA, KALICH, MCKAY, DOPPKE

NAYS: HISON, STONIK

ABSENT: NONE

MOTION: PASSED

CASE NO. PPC23001: REQUEST FOR SITE PLAN APPROVAL – 25225 Jefferson, request for site plan approval for a single-story restaurant with outdoor seating and rooftop dining, represented by John Vitale of Stucky and Vitale Architects.

The request is reviewed as follows:

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Please note, this review does not include a proposed one-story drive-thru that is indicated on the north side of the site. Should the petitioner find a permanent occupant for the drive-thru location, then site plan approval can be sought at that time.

The site plan indicates a 5,546 square foot single story restaurant with a 1,000 square foot outdoor seating area and a 2,990 square foot rooftop dining area. The site plan indicates the use of brick, corrugated metal, prefinished metal, and a “green wall” system on the exterior. Glass overhead doors are proposed along the front of the building to access the outdoor seating area. A private banquet room is proposed on the south side of the building, and the private room will open onto the outdoor seating area via a foldable curtainwall system. The rooftop dining area is proposed to be covered by a steel structure to provide shade. The parking lot at the northeast corner of Maple and Jefferson will also be improved and dedicated to this development.

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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 PPC23001. 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 Central Lakefront Development District. Restaurants are 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) – Please note, this review does not include a proposed one-story drive-thru that is indicated on the north side of the site. Should the petitioner find a permanent occupant for the drive-thru location, then site plan approval can be sought at that time.

The site plan indicates a 5,546 square foot single story restaurant with a 1,000 square foot outdoor seating area and a 2,990 square foot rooftop dining area. The site plan indicates the use of brick, corrugated metal, prefinished metal, and a “green wall” system on the exterior. Glass overhead doors are proposed along the front of the building to access the outdoor seating area. A private banquet room is proposed on the south side of the building, and the private room will open onto the outdoor seating area via a foldable curtainwall system. The rooftop dining area is proposed to be covered by a steel structure to provide shade. The parking lot at the northeast corner of Maple and Jefferson will also be improved and dedicated to this development. Access to the main parking lot is proposed onto Rosemary, Maple, and Jefferson. The front façade is comprised of at least 33% glass per the design guidelines of the Central Lakefront Development District.

Revised parking lot plans shall be submitted to the City Planner should the drive-thru development not obtain site plan approval prior to the submittal of construction documents for the restaurant.

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 has been proposed 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.

6) Emergency Vehicle Access (Section 35.82, 5, e) – Emergency vehicle access will be from any of the drive approaches.

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

8) Pedestrian Circulation (Section 35.82, 5, g) – Pedestrian circulation will be from the parking lot to the restaurant.

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. Stormwater retention and/or detention may be required per city and county ordinances.

***11) Exterior Lighting** (Section 35.82, 5, j) – A lighting plan has been submitted.

The use of the standard Nautical Light is required in the parking area.

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.

14) Exterior Building Treatment (Section 35.82, 5, m) – The development proposes the use of brick, corrugated metal, a green wall system, and glass. A metal cover has also been proposed over the outdoor seating area and the rooftop dining area.

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

16) Mechanical Equipment (Section 35.82, 5, o) – Mechanical equipment has not been indicated on the roof of the restaurant. The roof top units are screened from view with a parapet wall that separates the outdoor dining area from the rest of the roof.

17) Parking (Section 35.73, 12, a) – The parking requirement for a restaurant with service at the table is 1 per 55 gross square feet. Seasonal outdoor seating is not included in the parking calculation per ordinance. The total number of parking spaces required is $5,000/55= 91$. Sixty-six parking spaces have been proposed in the main parking lot, and an additional 23 spaces are

proposed in the auxiliary lot, totaling 89 spaces. An estimated 10 additional spaces would be available in the area where the drive-thru is currently proposed. Should the petitioner request site plan approval for the drive-thru, then a parking variance will be necessary at that time.

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	130'	20'
NORTH (MAPLE)	125'	10'
SOUTH (ROSEMARY)	10'	10'

19) Building Height (Section 35.66) – The restaurant is proposed to be 26' to the top of the parapet.

A two-story flat roofed structure can be in the range of 25-30 feet.

20) Transformer Pad –A transformer has been proposed at the northwest corner of the site. The landscape plan indicates the placement of dense landscaping around the transformer to screen it from view on all sides.

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 within the parking lot.

24) Other – The plans indicate the petitioner will dedicate the east 17 feet of the property to the city to maintain the 60 foot right of way of Jefferson.

ITEMS OF CONCERN – 3 10 11

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

John Vitale from Stucky Vitale Architects for 25225 Jefferson, stated that they are presenting a new project on Jefferson Ave. They are proposing a new restaurant with outdoor seating on the first and second floor. It will be an upscale type restaurant with a bar on the 1st and 2nd floor. They have a charred wood accent panels on the exterior of the building. They will have a feature like garage doors that they can open. The outdoor seating is the main feature.

There is an out lot that they will propose later. Commissioner Stonik stated the items of concern. Vice-Chairman Schelosky stated to shield the nautical lighting from the residents.

Secretary Hanson stated that if they do a drive-thru they will have to come in front of the board again for that.

Mr. Mancini mentioned he owns restaurants in Detroit, Madison Heights, and Chesterfield. This will be more of pub theme restaurant. He wants it to be the first one in St. Clair Shores.

Commissioner Kalich asked about an elevator. Mr. Vitale stated that everything that is provided on the first floor will be provided on the second floor.

Commissioner Hison asked about the height. The height they proposed will be 26 feet. He believes that the maximum height is 35 ft. He stated that some of the screening of the mechanical equipment may be over the 26' height. Ms. Koto stated that the maximum height is 30 feet. The parapet will be within the 30 feet for a flat roof building. The outdoor dining is themed as what we want on the Nautical Mile.

Ms. Koto stated that if they don't get a drive thru user then they don't have to come back. If they do get a user, they will need to come back for site plan approval for just that portion. They may need a parking variance unless they use the parking across the street.

Mr. Vitale stated with no drive thru they have adequate parking spaces.

A motion was made by Commissioner Hison and supported by Commissioner Kalich, to approve request for site plan approval for a single-story restaurant with outdoor seating and rooftop dining, represented by John Vitale of Stucky and Vitale Architects, with items of concern: revised parking lot plans shall be submitted to the City Planner should the drive-thru development not obtain site plan approval prior to the submittal of construction documents for the restaurant; parking lot plans including paving and drainage are required as part of the building permit submittal. Stormwater retention and/or detention may be required per city and county ordinances; the use of the standard Nautical Light is required in the parking area for 25225 Jefferson.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: NONE

MOTION: PASSED

CASE NO. PPC23002: REQUEST FOR SITE PLAN APPROVAL – 23230 Greater Mack -- Request for site plan approval for exterior renovations and the conversion of an existing two-story retail building into a mixed-use retail and 7-unit multi-family complex, represented by John Vitale of Stucky and Vitale Architects.

The request is reviewed as follows:

* * * * *

The petitioner is requesting to renovate the first and second story exterior and the interior of the second floor of Connie's Children's Shop. The interior of the first floor will remain the same, a commercial store front; however, the site plan indicates converting the second story of the building into 7 one-bedroom units. The plan also proposes exterior renovations to the first and second story facade including window replacement, the addition of wood trim around the windows and along the parapet, painting the brick exterior, and adding wall sconces.

* * * * *

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 PPC23002. 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. Commercial Retail is an allowable use within the district; however residential uses are prohibited.

A Use Variance from the Zoning Board of Appeals will be required to allow a residential use within a B-3 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 is requesting to renovate the first and second story exterior and the interior of the second floor of Connie’s Children’s Shop. The interior of the first floor will remain the same, a commercial store front; however, the site plan indicates converting the second story of the building into 7 one-bedroom units. The plan also proposes exterior renovations to the first and second story facade including window replacement, the addition of wood trim around the windows and along the parapet, painting the brick exterior, and adding wall sconces.

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

5) Privacy (Section 35.82, 5, d) – The building is adjacent to a parking lot on the east side and commercial properties on the north, south, and west sides. A wall or fence is not required.

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 be to the front door along Greater Mack to access the store, and on the north side of the building to access the residential units.

9) Vehicular and Pedestrian Circulation Layout (Section 35.82, 5, h) – No changes are proposed.

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

11) Exterior Lighting (Section 35.82, 5, j) – Sconces have been proposed on the front of the building.

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.

14) Exterior Building Treatment (Section 35.82, 5, m) – The plan proposes exterior renovations to the first and second story facade including window replacement, the addition of wood trim around the windows and along the parapet, painting the brick exterior, and adding wall sconces.

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

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

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

***17) Parking** (Section 35.73, 12, a) – Thirty-one parking spaces are dedicated to this building within the parking lot fronting Nine Mack Drive. The on-street parking in front of the building is owned by the city and cannot be used toward satisfy the parking requirement. The parking requirement for commercial retail is 1 parking space per 200 gross square feet, and residential uses require 2.25 parking spaces per unit. The proposal would require 16 parking spaces for the residential use and 28 spaces for the existing commercial use. Forty-four parking spaces are required, and 31 are provided.

A thirteen-space parking variance is required from the ZBA.

18) Setbacks (Section 35.66) –

SETBACK	PROPOSED	REQUIRED
FRONT	No Change	60' from CL of Greater Mack
REAR	No Change	20'
NORTH	No Change	10'
SOUTH	No Change	0'

19) Building Height (Section 35.66) – No changes are proposed to the height. The maximum height for the B-3 District is 30 feet. The existing building is 26' total.

20) Transformer Pad –No transformer is being proposed.

21) Screening Wall – No screen wall is required.

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

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

John Vitale of Stucky Vitale Architects for 23230 Greater Mack, explained the project. This will be an asset to downtown St. Clair Shores. They are taking the old Connie's and making retail on the first floor. They convert the office space to apartments. They will reface and redo the entire exterior of the building. They are adding a lot of windows. The mixed use is a great path in downtown St. Clair Shores. They are proposing seven residential units on the second floor.

Commissioner Mazzenga mentioned the items of concern.

Mr. Vitale stated that most of the units are not large footprint units. He thinks that they will not

overflow the parking.

Secretary Hanson mentioned the mechanical equipment.

Commissioner Hison stated that we have the DDA. And that we should have restaurants and lofts in downtown St. Clair Shores. He mentioned the shortage of parking based on how much property they have. Mr. Vitale stated that they will be using a stain product in lieu of paint for that brick. Commissioner Hison stated that he wants to make sure that it will be long-lasting. There will be two entrances. They are not changing the infrastructure.

A motion was made by Commissioner Hison and supported by Commissioner Kalich, to approve the request for site plan approval for exterior renovations and the conversion of an existing two-story retail building into a mixed use retail and 7 unit multi-family complex, represented by John Vitale of Stucky and Vitale Architects with items of concern: A Use Variance from the Zoning Board of Appeals will be required to allow a residential use within a B-3 District; mechanical equipment, whether placed at grade or on the roof of the structure, must be screened from view on all sides; a thirteen-space parking variance is required from the ZBA for 23230 Greater Mack.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: NONE

MOTION: PASSED

APPROVAL OF MINUTES FROM THE OCTOBER 25, 2022 PLANNING COMMISSION MEETING.

A motion was made Secretary Hanson and supported by Commissioner Hison, to approve the Planning Commission Meeting Minutes of October 25, 2022 Planning Commission Meeting.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: NONE

MOTION: PASSED

REPRESENTATIVE'S REPORT OF CITY COUNCIL MEETINGS

Secretary Hanson stated that the parking at Greater Mack which was all taken care of. There was one "nay" on that. The golf course was approved. The gas station was approved. Pleasant office building was approved. The carry out restaurant was approved. The Masonic and Jefferson vacant lot deal fell through.

Ms. Koto stated that there was a letter of intent from the new buyer for the parcel on Jefferson and Masonic.

LIZ KOTO'S STAFF REPORT

Ms. Koto stated that Tony J's is going to come in front of the board but not for a month or two. They poured a pad in front of the building. They want to have outdoor seating and they are going to turn the party store into a restaurant. Popeye's project deal fell through. Ms. Pike stated that it is not owned by them they sold it to someone else.

Ms. Koto stated that Gabe's is on the search for a general contractor. It will be at 13 Mile and Harper (Kroger).

They asked about the property on Nine Mile west of the Kroger's gas station which was approved for a medical building. They secured a grant through the county for environmental work.

AUDIENCE PARTICIPATION: None

ADJOURNMENT

A motion was made by Secretary Hanson, and supported by Commissioner Hison, to adjourn the Planning Commission Meeting at 8:40 p.m.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: NONE

MOTION: PASSED

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