



City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

Site Plan Review and Regular Planning Commission Meeting
Tuesday, July 15, 2014

Members of the Planning Commission, and Residents: This shall serve as your official notification of the Site Plan Review and Regular Meeting of the Planning Commission to be held Tuesday, July 15, 2014, 7:00 P.M., in the City Commission Chambers, 23925 Woodward Avenue, Pleasant Ridge, Michigan 48069. The following items are on the Agenda for your consideration:

SITE PLAN REVIEW AND REGULAR PLANNING COMMISSION MEETING-7:00 P.M.

1. Meeting Called to Order.
2. Roll Call.
3. Consideration of the following minutes:
 - a. Regular Planning Commission Meeting held Monday, June 23, 2014.
4. PUBLIC DISCUSSION – Items not on the Agenda.
5. **PUBLIC HEARING** – Solicitation of public comments on the outdoor dining proposal by Cork, 23810 Woodward Avenue, Pleasant Ridge, Michigan.
6. Consideration of the outdoor dining proposal submitted by Cork, 23810 Woodward Avenue, Pleasant Ridge, Michigan.
7. Consideration of the City of Pleasant Ridge Master Plan.
8. Consideration of the following updates:
 - a. ADU Ordinance
9. City Managers Report.
10. Other Business.
11. Adjournment.

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the City at least seventy-two (72) hours in advance of the meeting, if requesting accommodations.



City of Pleasant Ridge

Staff Report to the Planning Commission

July 10, 2014

Cork Outdoor Patio

REQUEST	Site Plan and Special Land Use Approval
APPLICANT	Detroit Celtic Entertainment, Inc.
PROPERTY OWNER	Walsh Realty, LLC
LOCATION	23810 Woodward
PARCEL ID	25-27-156-002
ZONING	Commercial (C)
STAFF	Jim Breuckman, AICP, City Manager

In this Report:

Summary 1

General Requirements for Special Land Uses (Section 26-13.5) 1

Site Plan Review Considerations 2

Special Land Use and Site Plan Approval Motion 4

Special Land Use and Site Plan Denial Motion 5

Summary

The applicant is proposing to add a 24-seat patio in front of the existing Cork restaurant. The patio would be located in the landscape area currently located in front of the building, between the building and the Woodward right-of-way. The patio will be located on private property, and will not encroach on the existing sidewalk. The patio is proposed to be located in front of the building, and does not wrap around the south side of the building.

General Requirements for Special Land Uses (Section 26-13.5)

There are 11 criteria for consideration by the Planning Commission when considering a special land use request. The proposed special land use must satisfy the 11 criteria in order to be approved by the Planning Commission.

1. The use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
2. The use shall not inappropriately change the essential character of the surrounding area.
3. The establishment of the special land use will not impede the normal and orderly development and improvements of the surrounding property for uses permitted in the district.

4. The use shall not interfere with the general enjoyment of adjacent property.
5. The use shall represent an improvement to the use or character of the property under consideration and the surrounding area in general, yet is also in keeping with the natural environment of the site.
6. The use shall not be hazardous to adjacent properties, or involve uses, activities, materials, or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes, glare, or dust.
7. Adequate utilities, access roads, drainage, parking, lighting, storage, refuse removal, easements, play areas, open space, landscaping and snow removal and all necessary facilities as determined by the City have been or are being provided.
8. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
9. The use shall not place demands on public services and facilities in excess of current capacity.
10. The use shall meet the provisions of the zoning district provisions in which said special land use is located and other applicable standards contained in provisions of this or other applicable ordinances or laws.

Site Plan Review Considerations

1. **Specific Standards for Special Land Use.** Section 26-13.5(q) sets forth specific requirements for accessory outdoor dining areas. Those specific standards are addressed in this review.
2. **Patio Location.** The patio is proposed along Woodward, directly in front of the building. The patio does not wrap around the corner, and so this patio location has the least potential for impact on neighboring residential uses.
3. **Parking.**
 - a. General Considerations. Parking for seasonal outdoor patios can be handled in one of two ways: 1) the standard parking requirements that are applicable for indoor dining space can be applied to the patio, or 2) the patio can be considered an accessory use if it is clearly subordinate to the primary indoor dining use and can be exempted from the parking requirements.

Both methods are used by other communities across the region. Our nearby neighbors of Ferndale consider outdoor patios to be accessory uses and do not apply parking requirements, while Royal Oak does apply minimum parking requirements to outdoor patios.

In my experience, outdoor patios that are clearly subordinate to the principal use do not generate noticeable additional traffic volumes. Due to their seasonal nature they tend to not generate additional customer traffic, but rather shift customers from inside seating to outside seating. Of course, there will be certain times when the inside of the restaurant and the patio will both be full, increasing the overall capacity of the restaurant and thus the overall parking generation. But requiring parking for this situation is akin to designing for the worst-case scenario, like parking requirements that are designed to handle the day after thanksgiving. This creates a situation where excess parking spaces are rarely used, which is inefficient.

In the situation of Cork, there are many off-street parking spaces available along Woodward that can serve to absorb overflow parking during peak usage times for the restaurant. These peak usage times for the restaurant do not coincide with peak usage times for the predominantly office and service uses that are located nearby, so it is reasonable to expect that the Woodward on-street parking spaces can accommodate the occasional peak parking generation events.

Finally, outdoor patios in our climate are used just 4-6 months out of the year. Requiring parking spaces for outdoor patios means that we will be requiring parking spaces that will presumably sit empty for 6-8 months of the year. This is an inefficient use of land in a developed area like our business district, and it is an anti-business requirement.

- b. Ordinance Justification. The language in the Zoning Ordinance is sufficiently open that there is room for interpretation whether or not patio seating would be subject to parking requirements. Section 26-13.3 reads "There shall be provided in all districts **at the time of erection of any main building or structure**, automobile off-street parking space..." An accessory outdoor patio is not a main building or structure, and therefore the ordinance can be interpreted to not apply to accessory patios that are clearly subordinate to the primary dining use.

Further, the parking requirement for restaurants is based on floor area. One space is required per 100 square feet of usable floor area. The ordinance definition for usable floor area is:

That area used for, or intended to be used for, the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area, which is used, or intended to be used principally for the storage or processing of merchandise, hallways, or for utilities or sanitary facilities, shall be excluded from this computation of "usable floor area."

Measurement of usable floor area shall be the sum of horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

- c. Recommendation. For the above reasons, it is staff's recommendation that accessory outdoor dining areas that are clearly subordinate to an indoor restaurant use not be subject to minimum parking requirements. Should parking become an issue, the City can explore enforcement and parking management programs to minimize the impact of overflow parking on residential streets.

Further, the patio permit must be renewed each year and there is a provision in Section 13.5(q) of the Zoning Ordinance that the special use permit can be forwarded to the Planning Commission for re-review after one year due to violations or if other unforeseen conditions exist. If the patio creates undue parking impacts such as intolerable parking on residential streets that cannot be handled through parking management techniques, this item would be sent back to the Planning Commission for evaluation when the patio permit is up for renewal.

4. **Operation Agreement.** Staff recommends that the operation agreement between Cork and the City be updated to reflect the applicant's operation plan for the patio and any applicable Planning Commission conditions of special use approval. Specifically, the operation agreement should include the following conditions:

- a. Location. The patio shall be designed and constructed and may operate in the area shown on the approved site plan.

- b. Hours of operation. The outdoor patio may only operate until __pm Sunday through Thursday nights and __pm on Friday and Saturday nights.
pursuant to special land use general requirements a, d, and g
- c. Dates of operation. Outdoor dining is permitted between April 15 and October 31. All furniture and fixtures must be removed immediately after October 31.
pursuant to Section 13.5(q)(3)
- d. Disposal of wine bottles. Wine bottles will not be disposed of in an outdoor trash or recycling bin between the hours of 10pm and 9am.
pursuant to special land use general requirements a, d, and g
- e. Outdoor music. There shall be no live or recorded music played outdoors on the patio.
pursuant to special land use general requirements a, d, and g
- f. Patio permit renewal. If the patio creates a large volume of resident complaints due to the impacts of its operation, City Staff will place the patio item on a Planning Commission agenda for re-consideration of the special land use permit prior to renewal of the outdoor dining license.
pursuant to Section 13.5(q)(2)
- g. Compliance with City Ordinances. The outdoor patio shall comply with all requirements of City Code Chapter 18, Article II, Division 1 - Accessory Outdoor Dining Areas; and City Code Section 26-13.5(q), Accessory Outdoor Dining Areas.
- h. Any Other Conditions. Add any other applicable conditions identified by the Planning Commission.

Site Plan Summary

As part of the technical review for this project, the plans and supplemental documentation have been reviewed by City Staff and are technically compliant with Zoning Ordinance requirements for site plan and special use approval. Following are sample motions for your use should the Planning Commission find that the proposed development also meets the criteria for conditional land use approval.

Special Land Use and Site Plan Approval Motion

MOTION by _____, seconded by _____, in the matter of the Cork Outdoor Dining proposal, the Planning Commission approves the special land use and site plan to permit an outdoor dining patio with 24 seats as shown on site plans received by the City dated May 27, 2014, with the following findings.

Findings

1. The traffic generated by the proposed patio is not expected to substantially increase traffic counts over existing levels, and so the proposal should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
2. The proposed patio meets the standards of the Zoning Ordinance for special land use approval set forth in Section 26-13.5.
3. The proposed patio has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the restaurant, the general vicinity, adjacent uses of land, the natural environment, and the capacity of public services and facilities affected by the land use.

4. The proposed use is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
5. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.
6. The site plan is technically compliant with all applicable zoning requirements.

Conditions

The special land use approval can be made subject to the following conditions. The Planning Commission may remove or modify any of the following conditions, or add new conditions based on your review of the proposal

1. Location. The patio shall be designed and constructed and may operate in the area shown on the approved site plan.
2. Hours of operation. The outdoor patio may only operate until __pm Sunday through Thursday nights and __pm on Friday and Saturday nights.
3. Dates of operation. Outdoor dining is permitted between April 15 and October 31. All furniture and fixtures must be removed immediately after October 31.
4. Disposal of wine bottles. Wine bottles will not be disposed of in an outdoor trash or recycling bin between the hours of 10pm and 9am.
5. Outdoor music. There shall be no live or recorded music played outdoors on the patio.
6. Patio permit renewal. If the patio creates a large volume of resident complaints due to the impacts of its operation, City Staff will place the patio item on a Planning Commission agenda for re-consideration of the special land use permit prior to renewal of the outdoor dining license.
7. Compliance with City Ordinances. The outdoor patio shall comply with all requirements of City Code Chapter 18, Article II, Division 1 – Accessory Outdoor Dining Areas; and City Code Section 26-13.5(q), Accessory Outdoor Dining Areas.
8. Revised Operational Agreement. The conditions of special land use approval shall be made part of an updated operational agreement to be updated and prepared by the applicant and approved and signed by the appropriate parties prior to commencement of patio operations.

Special Land Use and Site Plan Denial Motion

MOTION by _____, seconded by _____, in the matter of the Cork Outdoor Dining proposal, the Planning Commission denies the special land use and site plan for the proposed outdoor dining patio with 24 seats as shown on site plans received by the City dated May 27, 2014, with the following findings.

Findings

1. The traffic generated by the proposed patio is expected to substantially increase traffic counts over existing levels, and so the proposal should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
2. The proposed patio does not meet the standards of the Zoning Ordinance for special land use approval set forth in Section 26-13.5.

3. The proposed patio is proposed to be constructed, operated, maintained, and managed in a way that will not be compatible, harmonious, and appropriate in appearance with the existing and planned character of the restaurant, the general vicinity, adjacent uses of land, the natural environment, and the capacity of public services and facilities affected by the land use.
4. It cannot be conclusively determined that the proposed patio use can be adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
5. It cannot be conclusively determined that the proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.



SITE PLAN REVIEW CHECKLIST

Case # _____
Date Received _____

Applicant Name Detroit Celtic Entertainment, Inc

Property Owner Name: Walsh Realty LLC

Subject Property Address 23810 Woodward, Pleasant Ridge, MI #
48069

Subdivision and Lot Number (If Applicable) _____

Tax Parcel Number: _____

~~Proposed Use of Property:~~ _____

Proposed Number of Employees: _____

	Basic Information	Yes	No	N/A	Comments
1	Proposed site location map		X		
2	Appropriate scale	X			
3	Date, North Arrow, Street Names (including existing and proposed rights-of-way)	X			
4	Name, Address and Contact Information for person preparing the drawings (must be licensed Architect, Professional Engineer, or Landscape Architect)	X			
5	Property line dimensions	X			



SITE PLAN REVIEW CHECKLIST

Basic Zoning Information		Yes	No	N/A	Comments
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6 Zoning setback lines (Front, both sides, and rear)

X

7 Distance between buildings

X

Basic Zoning Information		Yes	No	N/A	Comments
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8 Location of new buildings or additions with applicable floor plans

X

9 Proposed building elevations (to scale) with height and stories noted

X

10 All existing structures within 100 feet of the perimeter of the subject property.

X

11 Surrounding zoning (properties immediate to the subject property)

X

12 The gross and net acreage of all parcels in the project.

X

13 Lot coverage of proposed building and if applicable, lot coverage of buildings on the site

X

Site Plan Information		Yes	No	N/A	Comments
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14 Existing topography

X

15 Access drives and width

X

16 Loading / unloading areas

X

17 Sidewalks and paths

X

18 Acceleration and deceleration lanes

X

19 Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas

X



SITE PLAN REVIEW CHECKLIST

(including indication of all spaces and method of surfacing), and fire lanes.

- | | | | | | |
|----|--|---|--|---|--|
| 20 | Landscaping plan. If irrigation is used please submit an irrigation plan with water source location. | X | | | |
| 21 | Dumpster location and construction details. | | | X | |

Site Plan Information		Yes	No	N/A	Comments
22	Location of existing or proposed easements.			X	
23	Location of water supply lines and/or wells, including fire hydrants and shut off valves, and the location and design of storm sewers, retention or detention ponds, waste water lines, cleanout locations, connection points and treatment systems, including septic systems if applicable.			X	
24	Storm water management plan			X	
25	Soil sedimentation plan			X	
26	Location of outdoor lights including type, pole height (if applicable), and product information, and luminary shielding.		X		
27	Location of sign(s). Dimensioned with message text.			X	
28	Location and type of significant existing vegetation as determined by a registered landscape architect.			X	
29	Proposed location of accessory structures, including but not limited to, all flagpoles, storage sheds, transformers, air conditioners, generators and similar equipment, and the method of screening where applicable			X	
30	Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.			X	



SITE PLAN REVIEW CHECKLIST

Applicant Signature:

The Applicant understands that the City of Pleasant Ridge prior to consideration by the Planning Commission may require additional information. In addition, the Applicant will pay to the City of Pleasant Ridge site plan review, special land use, and rezoning application fees prior to consideration by the Planning Commission.

Dated:



**SITE PLAN REQUIREMENTS
PLEASANT RIDGE PLANNING COMMISSION**
City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, MI 48069

DIRECTIONS TO APPLICANT

The following items are needed to comply with the site plan requirements of the City of Pleasant Ridge Zoning Ordinance. All items must be submitted to the City Manager of the City of Pleasant Ridge at least **21 calendar days prior** to the Planning Commission meeting in order to be heard at the Planning Commission meeting the following month. (Regular meeting date is the fourth Monday of each month.)

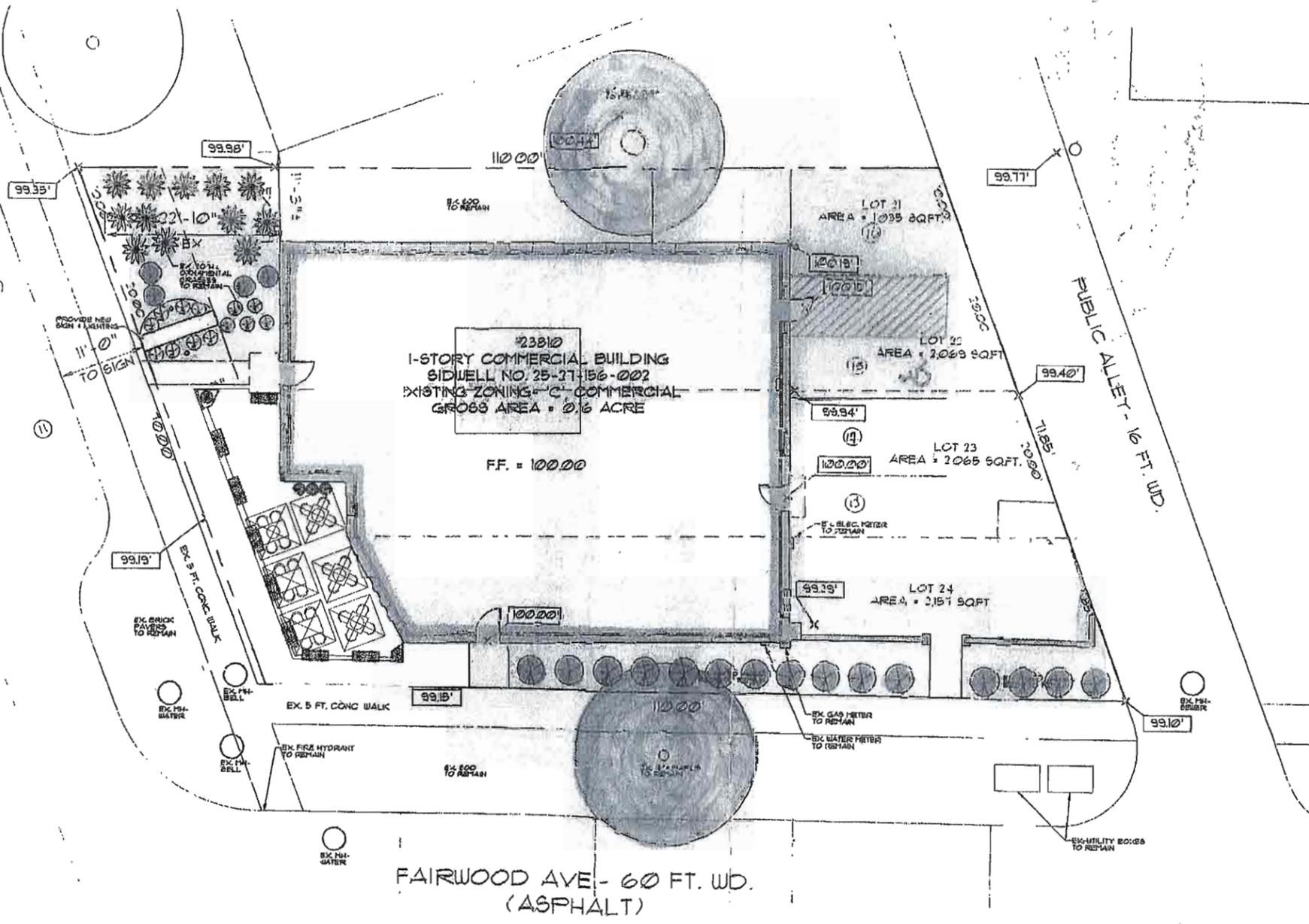
1. Site Plan Review Check List in accordance with Section 26-13.6 Site Plan Review. Applicable agency reviews as required.
2. Site Plans - (2) full sized and twelve (12) reduced size (maximum 11"x17") copies of all maps or graphics. Digital format in AutoCAD Version 2000 or higher including data layers are required for all submittals.

RESPONSIBILITY OF THE APPLICANT

The Applicant understands that the City of Pleasant Ridge prior to consideration by the Planning Commission may require additional information. In addition, the Applicant will pay to the City of Pleasant Ridge site plan review, special land use, and rezoning application fees prior to consideration by the Planning Commission.

The Applicant will be required to deposit an escrow amount to cover ALL costs (consultant and legal reviews, postage for property owner notices, and public notices in a newspaper of general circulation) associated with the review and processing of the site plan. The escrow amount will be determined by the City Manager based on the scope and size of the site plan review. The Applicant will be provided an accounting of the costs at the conclusion of the process.

WOODWARD AVE. (11' TYPICAL ASPHALT)



23810
1-STORY COMMERCIAL BUILDING
SIDWELL NO. 25-27456-002
EXISTING ZONING - C-1 COMMERCIAL
GROSS AREA = 0.6 ACRE

FF. = 100.00

LOT 21
AREA = 1,095 SQFT.

LOT 22
AREA = 2,069 SQFT.

LOT 23
AREA = 2,065 SQFT.

LOT 24
AREA = 2,157 SQFT.

FAIRWOOD AVE - 60 FT. WD.
(ASPHALT)

SITE PLAN
NO SCALE



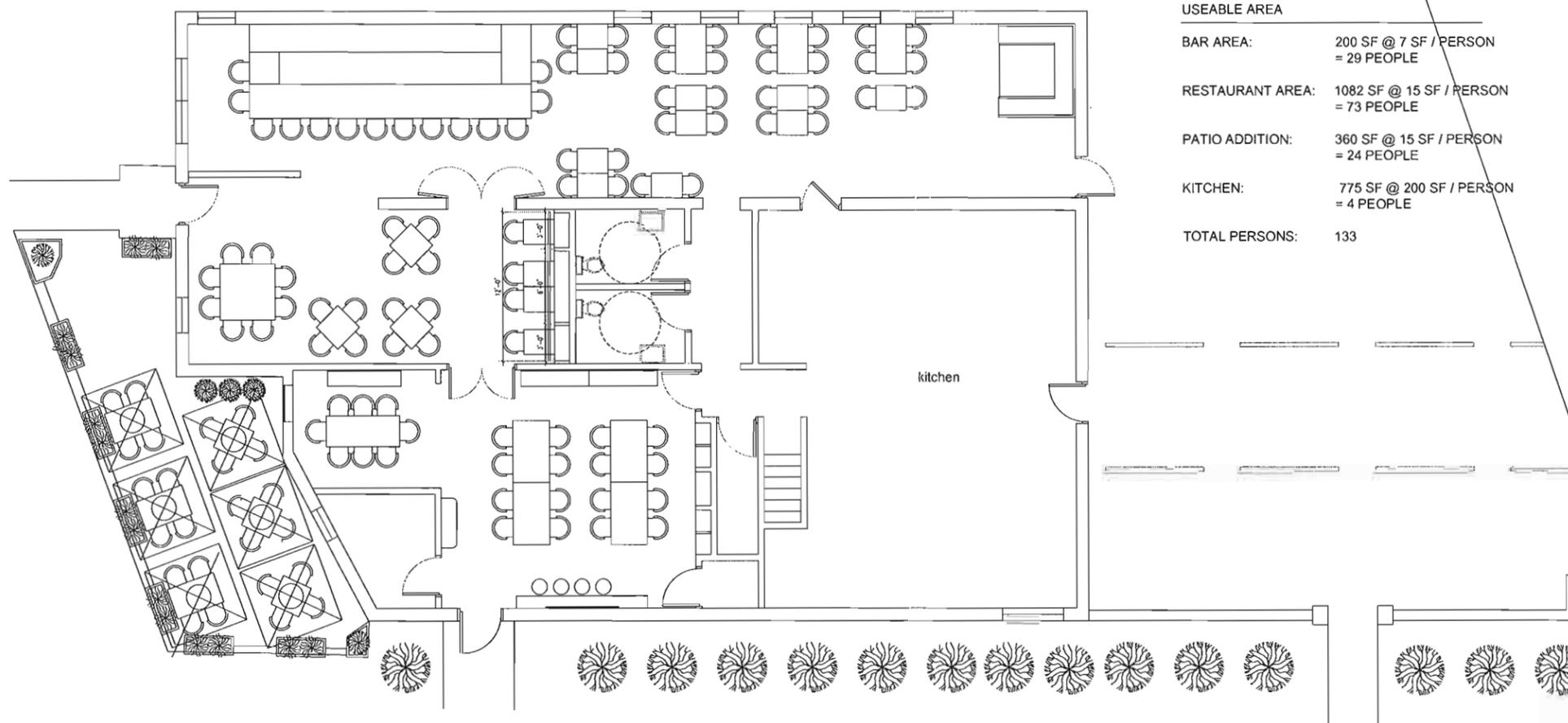
Brian V. Hurtienne - Architect
1401 Bagley Street
Detroit, Michigan 48216
Telephone 313-850-6689
e-mail bvharch@gmail.com

PROJECT / LOCATION:
CORK WINE PUB - OUTDOOR SEATING
23810 Woodward Avenue
Pleasant Ridge, Michigan 48069

SHEET DESCRIPTION:
SITE PLAN

PRELIMINARY	05-22-14
FINAL DESIGN	
CONSTRUCTION DOCUMENTS	
DRAWING	05-22-14
PERMIT	
REVISION	
DRAWN BY	
APPROVED BY	

JOB NO. 1313
SHEET SITE



USEABLE AREA

BAR AREA: 200 SF @ 7 SF / PERSON
= 29 PEOPLE

RESTAURANT AREA: 1082 SF @ 15 SF / PERSON
= 73 PEOPLE

PATIO ADDITION: 360 SF @ 15 SF / PERSON
= 24 PEOPLE

KITCHEN: 775 SF @ 200 SF / PERSON
= 4 PEOPLE

TOTAL PERSONS: 133

FLOOR PLAN
3/16" = 1'-0"



Brian V. Hurtleme - Architect
1401 Bagley Street
Detroit, Michigan 48216
Telephone: 313-850-6689
e-mail: bvharct@gmail.com

PROJECT / LOCATION:
CORK WINE PUB - OUTDOOR SEATING
23810 Woodward Avenue
Pleasant Ridge, Michigan 48069

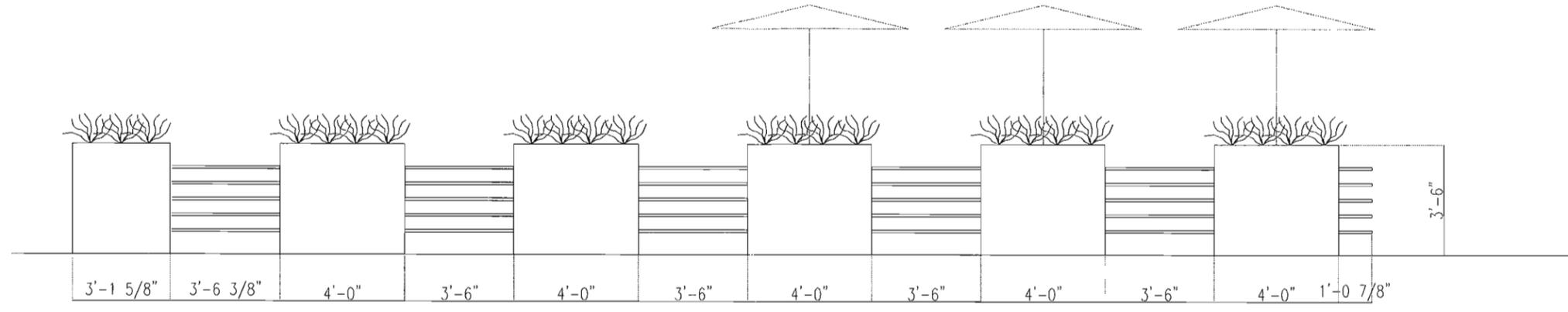
SHEET DESCRIPTION:
FLOOR PLAN

02-27-14
02-27-14

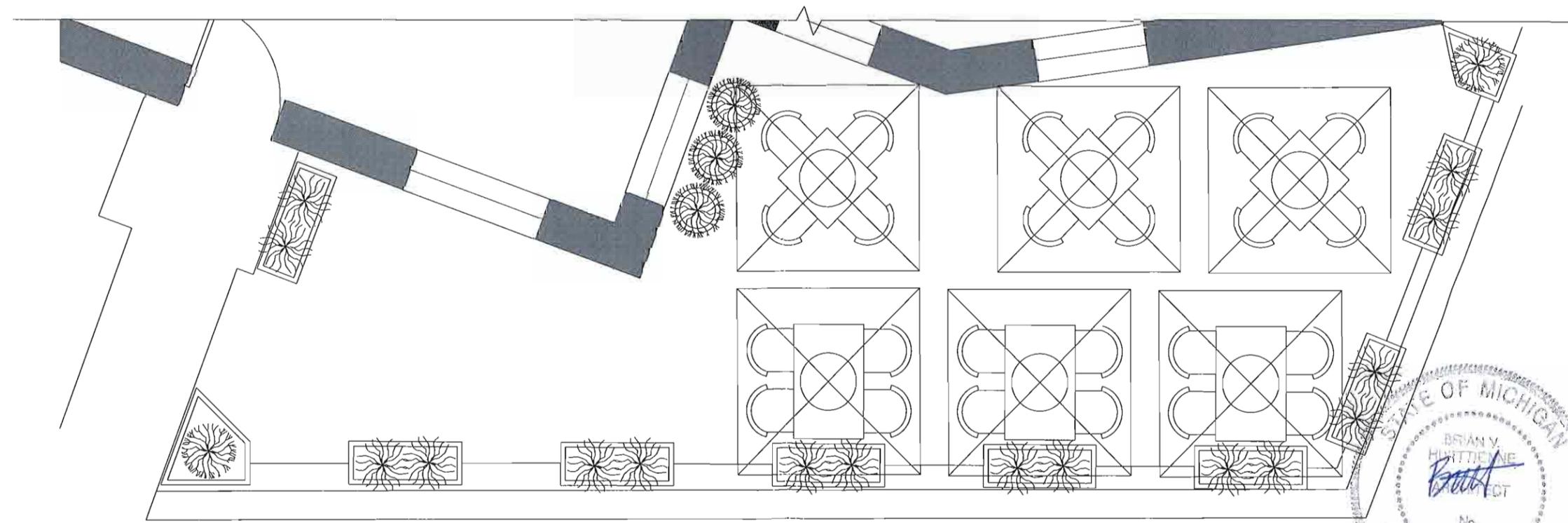
PRELIMINARY
FINAL DESIGN
CONSTRUCTION DOCUMENTS
BIDDING
PERMIT
REVISION

DRAWN: JB
APPROVED: BH

JOB NO. 1313
SHEET A-1



ELEVATION - PRIVACY FENCE
1/2" = 1'-0" NORTH



OUTDOOR FLOOR PLAN
1/2" = 1'-0" NORTH

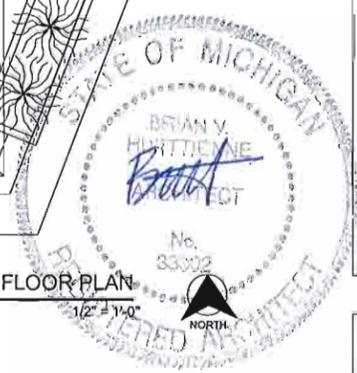
Brian V. Hurlienne - Architect
1401 Bagley Street
Detroit, Michigan 48216
Telephone: 313-850-6689
e-mail: bvharich@gmail.com

PROJECT / LOCATION:
CORK WINE PUB - OUTDOOR SEATING
23810 Woodward Avenue
Pleasant Ridge, Michigan 48069

SHEET DESCRIPTION:
OUTDOOR FLOOR PLAN

05-27-14
05-27-14
05-27-14

□ PRELIMINARY
□ FINAL DESIGN
□ CONSTRUCTION DOCUMENTS
□ BIDDING
□ PERMIT
□ REVISION
DRAWN: BH
APPROVED: BH



JOB NO. 1313
SHEET A-2



CORK WINE PUB
FURNITURE/PLANTER DIRECTION



June 26, 2014

James Breuckman
City Manager
City of Pleasant Ridge

RE: Cork Proposal for expansion

To Whom it May Concern:

In my opinion, being the 3rd house from Woodward on Fairwood, the area will still suffer an impact from conversational noise traveling to our homes, the sound of crashing wine bottles in the dumpster, and the additional parking spaces required. The aura created from the outdoor seating is not one of peacefulness and being a resident for over 25 years, I can tell you that living close to Woodward has become noisier every year. Don't need patrons laughing and carrying on when I already cannot hear my television at night when the windows are open and cars are drag racing on Woodward. Really, I don't see how one can drink and consume expensive food while cars are screeching and emitting fumes just feet in front of you!

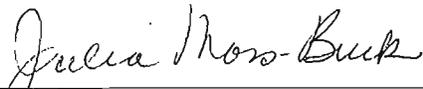
Additionally, it looks like tables are to the south of the entrance, actually all of them? Hard to distinguish from the drawing, since it's so small. Nevertheless, if all the tables are to the south of the entrance, that most certainly guarantees the noise will just roll right up Fairwood. Why are they not spaced evenly on either side of the entrance, they would have to replace their signage, but even distribution would result in the sound breaking up better.

When Cork was originally proposed, concerns were made about patron parking and alley blockage. The alley is blocked multiple times per month from truck deliveries, happened just in the last 10 days by the Del Bene Produce truck. Parking can be a problem on Fairwood if you have visitors to your home. The other evening, we witnessed a woman in an SUV go over the easement lawn at the home next to the alley on the south side of Fairwood, pull in to a parking space in front of Six Fairwood, and then almost hit the car in front of her as she then hurried into the restaurant. There seems to be no respect for the fact that people live in the homes closest to the restaurant.

We are all working class people seeking rest and relaxation in our homes we have worked hard for, and now we have another accommodation proposed to add to those we are already making. I really don't believe our protestations will matter, but I would like to go on record as saying the entire community east of Woodward should have been included, 300 feet does not encompass a broad area at all. We are all paying taxes and chose to live in Pleasant Ridge for particular and yet similar reasons, and therefore, all should have had a say.

While we appreciate the extra spaces behind the building not coming to fruition, I only hope that if this proposal passes, (and it probably will), that no one sitting outside ever experiences what we have seen over the years. A car bounced the curb right in front of the entrance to the building a few years ago. Then quite a number of years ago, a car rammed into the east side of the building. Let's hope that for the sake of a few dollars more, no one is ever injured.

Our best wishes to everyone concerned, we don't mind the presence of the restaurant as it stands. However, there are many, many nights that the parking lot is empty well before closing. So it is quite puzzling to try and understand where the demand for more patron accommodation is justified.



Julia Moss-Buck
5 Fairwood Blvd.
Pleasant Ridge, MI 48069

From: Marie Haener-Patt [mailto:marie@duganbuilding.com]

Sent: Monday, July 7, 2014 5:25 PM

To: James Breuckman

Cc: Ann Perry; corkwinepub@outlook.com

Subject: Cork outdoor seating plan review

I saw the proposed site plan for the outdoor seating at Cork and I would like to voice my support for this plan. Placing the seating on Woodward Avenue is much better than in the rear or side of the building and will have less impact on the residents of nearby streets.

I do however want to let you know, if you and the plan commission do not already know, that the plans may need to be approved by MDOT (the plan does not delineate the actual right-of-way boundaries) and the Liquor Control Commission as an expansion of the liquor license. As the architect for the first project to actually have legal outdoor seating on Woodward Avenue, Howe's Bayou, we put the framework in place for this to be possible and are familiar with the requirements and process.

I urge the plan commission to approve this outdoor seating plan, with the required contingent approvals from MDOT and LLC.

Marie Haener-Patt

12 Norwich Road

Pleasant Ridge, MI 48069

248.761.4999

From: Craig Bentley [mailto:craigbentley21@yahoo.com]
Sent: Thursday, June 26, 2014 11:45 AM
To: James Breuckman
Subject: Re: Proposed Cork Patio

Thank you, James.

I will review the proposal with my partner Frank, and let you know if we have any concerns or questions. At 1 Fairwood, we are the closest neighbors to Cork, which is why we had many concerns about the proposed rear patio, which would've been right next to our house. I am happy to hear that they have decided to go ahead with a patio at the front of the restaurant instead.

Thanks,
Craig

From: James Breuckman <citymanager@cityofpleasantridge.org>
To: James Breuckman <citymanager@cityofpleasantridge.org>
Sent: Thursday, June 26, 2014 11:30 AM
Subject: Proposed Cork Patio

Good morning,

As concerned citizens who provided the City with comment when Cork was proposing the patio in the rear of their property last year, I am writing to provide you with a copy of the currently proposed plan for a patio at Cork. As you can see from the plans, the patio is now proposed in front of the building, along Woodward.

The Planning Commission will be holding a public hearing to review the proposed plan on July 15 at City Hall, 7pm. You should have already received notice of the public hearing if you live within 300 feet of the site.

If you have any comments, questions, or concerns about the proposed plans, please do not hesitate to contact me. If you cannot attend the public hearing you can submit a letter to the Planning Commission voicing your opinion on the matter. You can provide such letters to me or the City Clerk.

Best,
Jim

James Breuckman
City Manager
City of Pleasant Ridge
citymanager@cityofpleasantridge.org



City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
To: Planning Commission
Date: July 9, 2014
Re: Master Plan Recommendation to City Commission

The next step in the Master Plan process is for the Planning Commission to recommend to the City Commission the distribution draft of the Master Plan. The City Commission may then approve the draft for distribution, beginning the 63 day review process for adjacent communities and other regional governmental bodies.

Should the Planning Commission find the current draft acceptable for distribution for comment, you may use the following motion to recommend it forward to the City Commission:

MOTION by _____, seconded by _____ that the Planning Commission recommend to City Commission the distribution draft of the Master Plan as presented at the Planning Commission meeting on July 15, 2014.

Approval of the foregoing motion would only authorize distribution of the current draft for comment, beginning the 63-day comment period. We can continue to work on the plan and can make revisions or adjustments during the comment period should they be necessary.



City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
 To: Planning Commission
 Date: July 10, 2014
 Re: Accessory Dwelling Units

As we work through the accessory dwelling unit question, I believe it would be productive to reset the process by first discussing the broad policy questions with the entire Planning Commission. I believe it is important for the entire group to first determine our policy objectives, and then we can proceed in one of a couple different ways to work out the details of the proposed ordinance changes based on the agreed-upon broad policy objectives.

I have identified a few policy questions that I would like to discuss with the Planning Commission, along with some pros and cons of each policy.

1. **ADU's – Permit or Not?** The first question which we must address is: do we want to allow for accessory dwelling units? If the answer is yes, then we can place further limitations on the occupancy of the ADU, and the approval process for it.

For reference, here is how other nearby communities handle ADUs:

- a. Birmingham – No.
- b. Ferndale – No.
- c. Huntington Woods – No.
- d. Royal Oak – Yes, only for elderly relatives with deed restrictions. The ADU must be within or attached to the principal structure. Refer to Royal Oak zoning ordinance section 770-71 (attached).

Some pros and cons of ADUs:

Pros	Cons
<ul style="list-style-type: none"> • Increases housing choice for elderly or one-person households • Responsive to changing household demographics • Potential source of additional income for property owner • Increased tax revenue for City 	<ul style="list-style-type: none"> • Privacy for neighbors • Increased parking and traffic • Neighborhood character/neighbor objections • Enforcement

2. **Utilities.** If the decision is to not allow ADUs, we may want to consider prohibiting a combination of utilities being run to a detached accessory building that would allow for the easy conversion of the space to an ADU. Royal Oak has this provision in place in Section 770-22 of their Zoning Ordinance (attached).
3. **Building Height.** The building height provision of our ordinance currently sets the maximum height of accessory buildings at one story or 18 feet. The “or” in that sentence means that there is functionally no one story limitation – as long as the garage is no higher than 18 feet it can have 2 stories.

Per the Ordinance definition of building height, the 18 foot height limit is measured to the midpoint of the roof, which is halfway between the eaves and the peak. This means that the actual height to the peak of a garage can be as high as 26-27 feet. This is very high for a garage, and can have impacts on neighboring properties when a massive garage is built in a back yard.

For reference, here are how other nearby communities regulate maximum building height for accessory buildings:

- a. Royal Oak: 13 feet, measured to the midpoint (can go to 15 feet if one additional foot of setback is provided for each additional foot of height). (770-22)
- b. Ferndale: 16 feet, measured to the midpoint.
- c. Huntington Woods: 16 feet, measured to peak.
- d. Birmingham: 14.5-15.5 feet to midpoint, depending on district.

I believe our current method allowing 18-foot tall accessory buildings measured to the midpoint allows too large of accessory structures – this is the tallest accessory building height limit I have seen. It would be my recommendation to lower the maximum height permitted for accessory buildings to not more than 15 feet, measured to the midpoint if accessory dwelling units are not permitted. This will still allow enough height for usable upper floor space within a garage, but will reduce the maximum height to peak of roof for garages to about 21-22 feet.

If accessory dwelling units are permitted, then a maximum building height of 16 feet, measured to midpoint, may be appropriate.

I would also suggest adding a provision that states that the peak of roof of an accessory structure may not exceed the peak roof elevation of the principal structure, and that the roof slope of the garage may not exceed that of the principal structure.

I look forward to discussing these items with you on the 15th.

- B. Transient or seasonal sales shall not occupy or obstruct the use of any fire lane, required off-street parking or landscaped area required to meet the requirements of Article IX or Subsection A or create a traffic or safety hazard.
- C. Off-street parking and maneuvering lanes shall meet minimum ordinance requirements for the retail use based upon the area designated for display and storage of products as determined by the Zoning Administrator. All loading and unloading areas and off-street parking and maneuvering lanes shall be located within the boundaries of the site.
- D. All such sales shall be conducted in a manner so as not to create a nuisance to neighboring properties through adequate on-site parking and ingress and egress to the site.
- E. Upon discontinuance of the seasonal use, any temporary structures shall be removed within 48 hours.
- F. Signs shall conform to the provisions of the district in which the seasonal use is located.

§ 770-70. Outdoor cafe service.

An outdoor cafe service operated by a restaurant or other food establishment which sells food for immediate consumption may be permitted, on private property of the principal use, subject to the following conditions:

- A. An outdoor cafe shall be allowed only during normal operating hours of the establishment.
- B. All food preparation shall take place inside the establishment.
- C. If alcoholic beverages are to be served, the current Liquor Control Commission Rules and Regulations shall apply.
- D. The gross area of the cafe shall be included in the required parking calculation.
- E. No music, intercom or other noise shall be permitted that impacts adjacent properties.
- F. Appropriate screening and/or fencing shall be provided as determined to be necessary and advisable by the Plan Commission in the course of its site plan review process.
- G. Cafe service areas shall comply with all regulations and provisions required for the establishment/building.

> § 770-71. Senior accessory housing.

A single-family dwelling unit may be converted to allow the incorporation (within or attached to an existing dwelling) of one additional dwelling unit for an elderly related person in a residential district subject to the following conditions:

- A. The dwelling shall be owner-occupied during the duration of the special use permit. The special use permit shall be reviewed by the City every two years from the date of occupancy to determine compliance with all related provisions. The City shall require proof that an elderly family member continues to occupy the additional dwelling unit. This may include but is not limited to a state identification card and/or mail addressed to the individual from federal, state or local agencies or a physician's office. If it is determined by the Zoning Administrator that the permit is in violation of any of the provisions of the Zoning Ordinance or of any other ordinances or regulations of the City, the special land use permit may be suspended or revoked pursuant to § 770-11D, Duration, voiding and extensions of permit.
- B. The additional dwelling unit shall not exceed 600 square feet of floor area, unless such parts of an existing dwelling are otherwise arranged or designed to be reasonably, conveniently and safely transformed into a slightly larger one-bedroom unit.

- C. A dedicated off-street parking space shall be provided for the senior accessory unit.
- D. All residential zoning district bulk and setback requirements shall apply to the site.
- E. The property owner shall record with the Oakland County Register of Deeds that the property was used under the provisions of § 770-71, Senior accessory housing, contained within the City of Royal Oak Zoning Ordinance and may not be continued as a two-family land use.

§ 770-72. Senior housing, adult foster care congregate facility and convalescent centers.

A. Intent. These provisions are intended to permit the development of senior housing, adult foster care congregate facility and convalescent centers upon site plan approval by the Plan Commission. The location, size, design, and operating characteristics of the use will be compatible with the character of the surrounding neighborhood, with consideration given to the scale, bulk, coverage, and density of development; to the availability of services and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impacts of the use.

B. Senior housing, adult foster care congregate facility and convalescent centers shall be subject to the following conditions:

(1) Perimeter setbacks. The minimum yard setbacks from the perimeter property boundaries shall be no less than 25 feet from any public road right-of-way, 50 feet from any adjacent property zoned for single-family residential, and 25 feet from all other property lines. These requirements shall apply in all zoning districts with the exception of the Central Business District; however, the Plan Commission may approve modified perimeter setbacks under the following conditions:

(a) Landscape screening is provided in accordance with the requirements of § 770-90, Landscaping, greenbelts, buffers and screening.

(b) The scale and size of the building is complementary to the adjacent residentially zoned land.

(2) Internal spacing.

(a) Minimum spacing between buildings shall be in accordance with the following requirements:

Building Orientation	Distance Between Buildings (feet)
Side/side orientation	20
Side/front, side/rear orientation	20
Front/front, front/rear orientation	30

(b) The Plan Commission, in its sole discretion, may reduce building spacing requirements where enclosed, heated walkways are provided and applicable building and fire code requirements are met.

(3) Minimum floor area. Each unit shall comply with the following minimum floor area requirements. In order to provide variation in the size of units offered to prospective residents, at least 25% of the units in each category of room offered (i.e., one- or two-person rooms) shall be 10% larger than the minimum.

- (1) Every building erected, altered, or moved shall be located on a lot of record as defined herein.
 - (2) There shall be only one single-family dwelling permitted per lot, unless otherwise permitted elsewhere in this chapter. Where there is more than one single-family dwelling located on a lot of record at the time of adoption of this chapter, said lot shall not be divided except in conformity with the requirements of this chapter.
- F. The location and number of buildings within a site condominium shall be subject to the standards set forth in § **770-14**, Site condominium project regulations.

> § **770-22. Accessory buildings.**

A. Requirements applicable to accessory buildings within residential districts.

- (1) No accessory building shall be built upon a lot or parcel unless and until a principal building is erected, and shall not exceed two accessory structure(s) per lot.
- (2) Accessory buildings shall only be located within the side or rear yards. Accessory buildings not located entirely within the rear yard shall comply with all setbacks required for the principal building.
- (3) The accessory building may extend beyond the first floor of the front building line by no more than seven feet, provided it does not encroach into the required front yard setback.
- (4) Accessory buildings shall be located a minimum of three feet from the adjacent rear lot line and a minimum of three feet from the side lot line when located entirely within the rear yard.
- (5) The sum total floor area of all accessory buildings shall not exceed 10% of the lot area, provided that in no instance shall the total ground floor area of all accessory buildings exceed 800 square feet.
- (6) Accessory buildings shall be included in the total lot coverage limitations.
- (7) Accessory buildings shall not exceed 13 feet in height. Additional height may be permitted of up to 15 feet, provided one additional foot of setback is provided beyond the minimum required setback for each additional one foot in height.
- (8) The width of an accessory building shall not be greater than 50% of the total width of the principal building's primary facade as determined by the Zoning Administrator.
- (9) Where a corner lot adjoins the side boundary of a lot in a residential zone, no part of any accessory building within 25 feet of the common lot line shall be nearer the street bounding the front lot line than the required front yard setback along such street.
- (10) Where a public alley lies to the rear of the lot and a garage is entered at right angles to a public alley, it shall be setback no less than 10 feet from the rear lot line. Accessory buildings shall comply with § **770-29**, Visibility at intersections.
- (11) An accessory building does not include a combination of services, which makes it easily convertible to habitable space. The combination of services may include water, sewer, gas, electric, telephone, and/or cable as determined by the Zoning Administrator.
- (12) All accessory buildings shall have either a mansard, hip, gambrel or gable roof and shall be compatible with the principal structure.

B. Requirements applicable to accessory buildings within all other zones. Accessory buildings shall be subject to the same placement, coverage and height requirements as principal buildings in the zone district in which it is located.