



## Department of Planning and Economic Development

Staff Report to the Planning Commission December 15, 2017

Premier Academy	
<b>REQUEST</b>	Conditional Use Recommendation Tree Removal Permit Site Plan Approval
<b>APPLICANT</b>	Jeff Schmitz JS Capitol Group 155 Romeo Rd. Rochester, MI 48307
<b>LOCATION</b>	Southeast Corner of Adams and Tienken Rds.
<b>FILE NO.</b>	17-018
<b>PARCEL NOS.</b>	15-08-100-021, -022 and a portion of -004
<b>ZONING</b>	R-1 One Family Residential
<b>STAFF</b>	Kristen Kapelanski, AICP, Manager of Planning

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### **Background**

The applicant first appeared before the Planning Commission on August 29, 2017. At that time the matter was postponed to allow for additional study and coordination with the Road Commission for Oakland County and City regarding traffic patterns on the site and the adjacent roadways. The following changes have been made to the plan in response to the concerns expressed at the August Planning Commission meeting:

- a. The Adams Road drive has been changed from an emergency access only to a two-way public access with a right-in/right-out only on Adams Road. The applicant was able to accommodate the needed extra width of the drive by purchasing 7.5 feet of additional land along the southern property line and widening the drive in question to 24 feet.

- b. The northbound Adams Road right turn lane is proposed to be extended 130 feet, with an additional 75 foot entrance taper.
- c. The size of the building has been reduced from 15,078 sq. ft. to 14,911 sq. ft.
- d. The size of the outdoor play area has been reduced from 2,775 sq. ft. to 2,164 sq. ft.
- e. An additional stacking space has been added to the drop-off area.
- f. Additional landscaping has been added to the southern property line to screen the proposed drive.

The most recent Planning review memo dated December 5, 2017 (attached) included the following statement: *“Additionally, the applicant has met with the Road Commission for Oakland County and provided correspondence noting the County’s approval of the proposed improvements on Adams Road and the limitations they would place on any improvements on Tienken Road. The applicant should continue to work with the Road Commission to extend the left turn lane on Tienken Road and the outcome of those efforts should be reflected on the plan set.”*

The applicant has since submitted an updated plan sheet showing the extension of the Tienken Road left turn lane to allow for 150 feet of storage. See the updated Sheet C3 in the civil engineering plan set. All other plan sheets will be updated with the next required submittal. The applicant has now complied with all traffic improvement recommendations from the Road Commission for Oakland County to ensure safe access to and from the site.

## Summary

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The applicant is proposing to construct a two-story, 14,911 square-foot private school for early childhood education for 162 students on land totaling approximately 1.6 acres. As a childcare center and therefore a conditional use in the R-1 District, the development will have to follow the regulations under Section 138-4.423 of the Zoning Ordinance, which outlines additional criteria for approval of a childcare center. Please see the memo from Planning dated December 5, 2017 for the requirements and compliance. The site is located at the southeast corner of Tienken and Adams. The center will be accessed from Tienken and Adams, with an appropriate drop off area. Hours of operation will be 7:00 a.m. to 6:30 p.m. The building façade is composed of materials similar to those found in the surrounding residential neighborhoods. The general design also complements the residential character of the area. This request includes a Conditional Use Recommendation to City Council, Site Plan Approval and approval of a Tree Removal Permit.

To address traffic concerns noted prior to the August Planning Commission meeting, and to provide additional insight on required parking, the applicant conducted parking counts in 15 minute increments at their existing childcare center location in Oakland Township. This was completed for both drop-off’s and pickup’s. It is important to note that the Oakland Township location is significantly larger than the proposed Rochester Hills location, equipped to handle 207 students on a daily basis (versus 162 students proposed at the subject site). The parking data showed that at no time (even with a larger school facility) were there more than 36 cars in the parking area and drop-off area.

In an attempt to provide as much information as possible and get input from the community, the applicants mailed out an invite to an open house at their current location in Oakland Township which was held on December 11, 2017. The applicant will discuss the results of the open house at the PC meeting.

The PED Department has received numerous emails, both for and against the project since the last meeting. Please see the summary on the following page of the correspondence we have received as of the end of the business day Thursday, December 14, 2017, which are included in the packet. Staff will provide an update on the total number of emails received by the end of the business day on Tuesday, December 19, 2017 for the Planning Commission meeting.

<b>Correspondence from August Planning Commission Meeting</b>	
32 against	0 for
<b>Correspondence since August Planning Commission Meeting</b>	
13 against (2 duplicates)	114 for as follows (5 duplicates): 51 residents 31 business owners 32 parents/other

### ***Adjacent Land Uses and Zoning***

The site is zoned R-1 One Family Residential which permits childcare centers as a Conditional Use. The site is surrounded by residential zoning developed with homes. To the northwest is Adams High School. The site is master planned Residential 3.

### **General Requirements for Conditional Uses**

Per Section 138-2.302 of the zoning ordinance, there are five areas of consideration for the Planning Commission to regard in the discretionary decision of a conditional use. The Planning Commission shall find that the conditional land use will:

1. *Will promote the intent and purpose of (the ordinance).* The addition of the proposed childcare center will take a presently underutilized parcel and use it to create a desirable schooling option on the site that blends in with the residential character in the area.
2. *Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.* The applicant has designed the building and site with high quality materials to blend in with the character of the surrounding community. Impacts to on-site natural features are fairly minimal, appropriate screening will be in place and regulated trees will be replaced on site.
3. *Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.* The space is currently served adequately by all City services, and the establishment of a childcare center will not create the need for an additional level of service beyond what is currently available and provided to the area. Road improvements proportional to the impact of the planned use have been proposed on both Adams and Tienken Roads. Adams Road improvements include an extension of the right turn lane and the addition of a 75 foot entrance taper. Ingress and egress left turns will be prohibited on Adams. Tienken Road improvements include an extension of the left turn lane. Per the memo from the Road Commission for Oakland County these measures, "...are satisfactory measures to provide safe and reasonable access for the traffic entering and leaving the development."
4. *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.* There will be no detrimental, hazardous or disturbing activity to the existing or future neighboring uses, persons, property or to the public welfare. There has been some concern about an increase in area traffic as a result of the proposed use, with particular unease about the operation of the Adams/Tienken intersection. Based on the information provided by the applicant in their response materials, a large portion of the students are expected to come from a three mile radius of the site, as is currently the case at their existing Oakland Township location. These will most likely be vehicles that are already traveling through the intersection. The remaining students coming from outside this area should not substantially

impact the operation of the surrounding thoroughfares.

5. *Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.* There will be no additional requirements at a public cost for public facilities and services that would be detrimental to the economic welfare of the community.

## Site Plan Review Considerations

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1. **Site Layout.** The proposed development is in compliance with all setback, area and building requirements of the R-1 district. Per State of Michigan regulations, a minimum play area of 1,200 s.f. is required and 2,164 s.f. is proposed. Other site requirements related to parking and drop-off have been met.
2. **Parking/Access.** The number of spaces required for employee and student parking is 38 (one space for every 10 students and one for each employee), plus five stacking spaces. 37 spaces are shown, plus six stacking; the stacking spaces must be clearly indicated. The Planning Commission may modify the parking requirement based on the evidence submitted by the applicant that another standard would be more reasonable because of the level of current or future employment or customer traffic. The applicant's data and response to parking are also included. A sidewalk has been provided into the site from Tienken, and staff recommends the addition of bike racks for non-motorized access. All parking setbacks are in compliance.
3. **Tree Removal.** The Tree Conservation Ordinance applies to this development. The requested tree removal permit is for 12 regulated trees, which will be replaced with 12 tree credits on site.
4. **Lighting.** The exterior lighting proposed is in compliance with all regulations. Please see the Planning memo for details.
5. **Natural Features.** The site does not contain any impacts to natural features setbacks or wetland areas.
6. **Landscaping.** The proposed landscaping is in compliance with the requirements of Section 138-12.100-308. Please refer to 9. Landscaping in the Planning memo dated December 5, 2017 for the requirements. A beige vinyl screen fence is proposed along the south property line. A privacy fence is indicated along the eastern property line but detail must be provided. Staff is also requesting the addition of four ornamental trees along Tienken Rd. A landscape bond in the amount of \$29,400 will need to be posted prior to grade certification by Engineering.
7. **Architectural Design.** The proposed building will consist mainly of brick and cast stone with a standing seam metal roof. Cast stone accents wrap the building, and a decorative cupola has been provided. As required, the building is generally residential in character to match other residences in the area. Please see the colored attached renderings, and staff has requested that the applicant bring samples of colors and materials to the meeting.
8. **Other Reviews.** The plans have received a recommendation of approval from the City's building department with one minor comment, and the engineering, forestry and fire comments can be handled during construction plan approval and prior to final plan submittal. Please refer to the appropriate attached reviews.

## Site Plan Summary

As part of the technical review for this project, the plans and supplemental documentation have been reviewed by all applicable city departments and consultants. Based on the review comments included in this report or contained within the enclosed information, and if the Planning Commission agrees that the development areas will be harmonious and compatible in appearance with the existing development, staff recommends approval of the following motions relative to City File No. 17-018 (Premier Academy).

## Motion to Recommend Conditional Use Approval

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 17-018 (Premier Academy) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow a childcare center in the R-1 district, based on plans dated received by the Planning Department on November

16, 2017, with the following findings.

### **Findings**

1. The proposed building and other necessary site improvements meet or exceed the standards of the zoning ordinance.
2. The expanded use will promote the intent and purpose of the zoning ordinance.
3. The proposed building 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 general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another schooling option.
5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
7. 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.

### **Motion to Approve a Tree Removal Permit**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 17-018 (Premier Academy), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on November 16, 2017, with the following findings and subject to the following conditions.

### **Findings**

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to replace up to 12 regulated trees with 12 tree credits on site.

### **Conditions**

1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.
2. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund.

### **Motion to Approve Site Plan**

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 17-018 (Premier Academy), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on November 16, 2017, with the following findings and subject to the following conditions.

### **Findings**

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from Tienken Rd. and Adams, thereby promoting the safe flow of vehicular traffic both within the site and on adjoining streets. Paths have been incorporated to promote the

safety and convenience of pedestrian traffic.

3. The Planning Commission has determined that the proposed parking is adequate based on evidence submitted by the applicant that this standard would be more reasonable because of the level of current or future employment or customer traffic.
4. Off-street parking areas have been designed to avoid common traffic problems and promote safety for the school visitors.
5. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
6. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
7. The proposed development will offer a diversified schooling opportunity for the community.

### **Conditions**

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
2. Provide a landscape bond in the amount of \$29,400.00 for landscaping, trees and irrigation, as adjusted by staff as necessary, plus inspection fees, prior to grade certification being issued by Engineering.

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Reference: Plans dated received by the Planning Department November 16, 2017 prepared by Krieger Klatt Architects and NF Engineers.

Attachments: Assessing Department memo dated 12/13/17; Building Department memo dated 11/17/17; Fire Department memo dated 11/21/17; Parks & Forestry memo dated 11/26/17; Legal memo dated 12/7/17; DPS/Engineering Department memo dated 12/6/17 and Letter from Road Commission dated 12/4/17; Planning Department Memos dated 12/5/17 and 12-15-17; Letter Gaber 11/16.17; Parking Modification Request; EIS, PC Minutes 8-29-17

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