



PCU2024-0003 / PSP2024-0005
Site Plan / Conditional Use
The Gerald

REQUESTS	Site Plan Conditional Use Recommendation
APPLICANT	Mike Chaudhary DMC Consultants, Inc. 13500 Foley St. Detroit, MI 48227
LOCATION	1760 E. Auburn Rd., located at the southwest corner of Auburn Rd. and Gerald Ave. in the Brooklands
FILE NO.	J2024-0040, PCU2024-0003, PSP2024-0005
PARCEL NOS.	Parcel No. 15-36-226-068
ZONING	BD Brooklands District
STAFF	Chris McLeod, AICP, Planning Manager



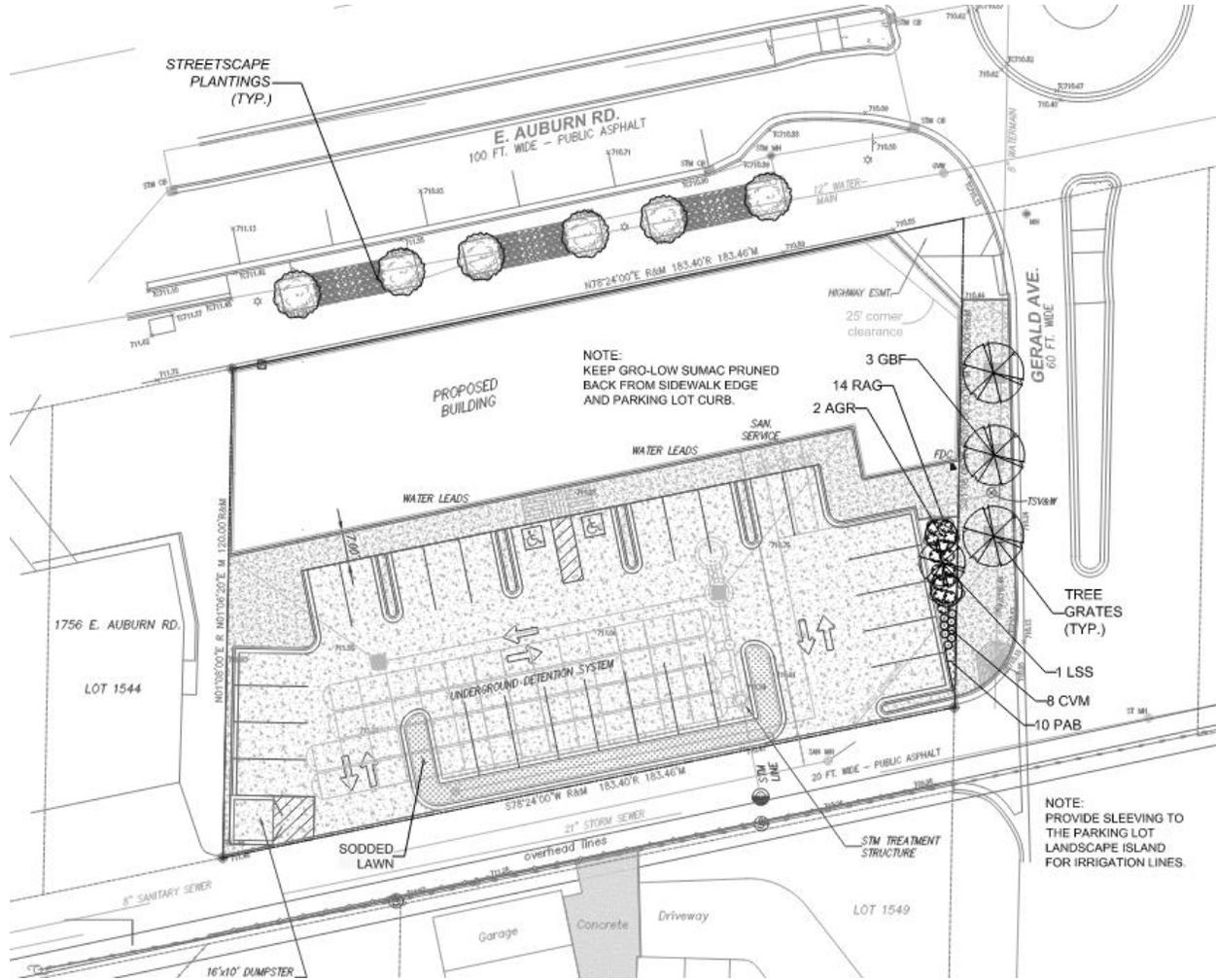
Site Context

The applicant is proposing to construct a 33,692 square foot, three (3) story mixed use building within the City's Brooklands District. The first floor is proposed to provide approximately 8,395 square feet of retail use, while the 2nd and 3rd floors will include a total of 10 residential units. The site will provide onsite parking for the residential uses and the parking for nonresidential uses will be serviced by street parking along with the parking that is provided in the City's recently completed Eastern Ave. parking lots. The subject property is approximately 0.49 acres and is zoned BD Brooklands District which allows for a number of nonresidential and mixed uses.

The site plan and conditional use were previously approved (recommended) for approval by the Planning Commission at their February 2021 meeting. The City Council granted conditional use approval at their February 22, 2021 meeting. However, these approvals have expired since construction did not proceed per the requirements of Sec. 138-2.207. It is necessary to have expirations on site plans in order to provide the opportunity for the City to reassess approvals after the passage of time, since amendments to the zoning ordinance may have been made that would impact how the site develops, site and surrounding conditions may have changed that would impact the decision-making process, and other factors. Expiration dates, required timelines, and the requirements for financial sureties provide an incentive for projects and construction to be completed and to not be left unfinished.

The current plans remain largely unchanged from the plans approved in 2021. Based on new reviews of the plans submitted, the two (2) largest changes appear to be: 1.) a modification to the façade materials of the upper stories of the building (composite panel systems instead of brick veneer); and 2.) the addition of a fire hydrant onsite along the front of the building (Auburn Road) frontage, which is required based on the square footage of the building. In speaking with the development team for the Gerald, they are willing to provide additional brick material on the building's façade, similar to what was approved originally. Staff suggests that the Planning Commission provide direction to the applicant regarding the need to provide the additional brick material.

In addition, since the original approval the plans had progressed through the City's Land Improvement Permit/Engineering process as well as the City's Building Permit process. Both permits are near completion at this time.



Site Context

	Zoning	Existing Land Use	Future Land Use
Site	BD Brooklands District	Vacant	Commercial Residential Flex 2
North (Across Auburn)	BD Brooklands District	Gas Station	Commercial Residential Flex 2
South	R-4 One Family Residential	Single Family Residential	Residential 4
East (Across Gerald)	BD Brooklands District	Pizza, Insurance Office, Coffee Shop, etc.	Commercial Residential Flex 2
West	BD Brooklands District	Tax Service	Commercial Residential Flex 2

General Requirements for Conditional Uses

Per *Section 138-2.302* of the Zoning Ordinance, there are five (5) areas of consideration for the Planning Commission for the discretionary decision of a conditional use. Each of the criterion are listed below in italics, followed by staff comments on the proposed conditional use's compliance with each.

Criterion:	Staff Comment:
1 <i>Will promote the intent and purpose of (the Ordinance).</i>	The BD Brooklands District does support and promote this type of development
2 <i>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.</i>	<p>The subject site is being proposed consistent with the requirements of the City's Brooklands District. The proposed building is separated from the abutting single family residential uses by the existing alley and the six (6) foot tall privacy fence that was installed as a part of the overall Auburn Road improvements. In addition, the building is designed in a manner that "steps" the building back from both the front and back property lines for the 3rd floor (the floor requiring the conditional use approval).</p> <p>As an additional consideration for providing buffering to the residential sites to the south, the Planning Commission can determine whether additional tree plantings should be provided within the landscape island along the alley. While the island does not extend the full length of the building, plantings in this location could provide additional buffering over the long term.</p>
3 <i>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.</i>	The site plan has been reviewed by the City's Fire Department along with all other applicant reviewing departments. The site will be serviced adequately by the appropriate facilities, services and roadways. As noted, the Fire Department has determined that an additional fire hydrant is required along the Auburn Road frontage of the building. The applicant has agreed to install the hydrant as a condition of approval.

4	<i>Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.</i>	In regard to the proposed use, there should be no detrimental, hazardous or disturbing activity to the existing or future neighboring uses, persons, surrounding properties, or to the public welfare. As noted, the proposed building will be separated from the abutting single family residential home to the south by the existing alley and the privacy fence that has been installed along the south side of the alley. In addition, the building is designed in a manner that “steps” the building back from both the front and back property lines for the 3 rd floor (the floor requiring the conditional use approval).
5	<i>Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.</i>	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.

Staff Conditional Use Recommendations

The conditional use was noticed for a public hearing. Staff has not received any written comments regarding the proposed use and received one phone inquiry. Based on the application provided, staff recommends approval of the proposed conditional use request and conditional approval of the site plan. If the Planning Commission agrees that allowing the Gerald development as proposed will be harmonious and compatible with the surroundings, below are motions for consideration:

Staff Site Plan Recommendations

Department	Comments & Waivers/Modifications	Recommendation
Planning	Acceptance/Revision of the 2 nd and 3 rd Floor Building Materials	Approval
Engineering	Land Improvement Permit is required Utility easements being shown appropriately Storm sewer maintenance agreement	Approval
Fire	Provide an additional fire hydrant along Auburn Road	Denial
Building		Approval
Forestry		Approval
Assessing		Approval

Motion to Recommend Approval of a Conditional Use

MOTION by _____, seconded by _____, in the matter of File No. PCU2024-0003 (The Gerald), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow the proposed development of a three (3) story building within the BD Brooklands District, based on documents received by the Planning Department on March 1, 2024 with the following findings and subject to the following conditions:

Findings

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The proposed building and proposed conditional use have been designed and is proposed to be 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.
3. The proposed mixed use development building should have a positive impact on the community as a whole and the surrounding area by providing additional shopping opportunities and residential housing options within the Brooklands District.
4. The proposed development and proposed uses are served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal, subject to the conditions noted below.
5. The proposed mixed use development should not be detrimental, hazardous, or disturbing to the existing or future neighboring land uses, persons, property, or the public welfare as the use is fully compliant with all zoning ordinance requirements, meets the intended development and use patterns as outlined in the City of Rochester Hills Auburn Road Corridor Plan, is separated from the abutting residential uses to the south by the existing alley and privacy fence.
6. 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.

Conditions

1. City Council approval of the Conditional Use.
2. The applicant must provide the additional fire hydrant as required by the City's Fire Department. All original comments from City departments on the reviewed site plans, this staff report, and outside agency review letters, remain applicable.
3. The applicant must provide additional brick on the facades of the building as discussed during the public hearing of April 16, 2024, specifically to add brick on the second and third floors as depicted with the beige color on the renderings discussed and as previously shown in the 2021 approved plans.
4. Additional tree plantings must be provided within the landscape island along the alley to provide buffering to the residential properties to the south, as approved by Staff in regard to location, species and height.

Motion to Approve Site Plan

MOTION by _____, seconded by _____, in the matter of City File No. PSP2024-0005 (The Gerald), the Planning Commission **approves** the proposed **Site Plan**, based on plans received by the Planning Department on March 1, 2024, 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 the public ally along the south side of the building and providing access to Gerald Ave. and Eastern Ave., thereby promoting current and future safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas for the residential uses have been provided onsite and the nonresidential uses will have access to dedicated onstreet parking spaces and the newly constructed Eastern Ave. parking lots thereby avoiding common traffic problems and promoting customer safety.
4. The proposed development and associated improvements should have a satisfactory and harmonious relationship between the development on-site, the existing development in the adjacent vicinity, and the overall vision of the Brooklands District.
5. The proposed development will not have an unreasonably detrimental or injurious effect upon the existing characteristics and features on the site or those of the surrounding area.

Conditions

1. The applicant must provide the required additional fire hydrant as required by the City's Fire Department.
2. All original comments from City departments on the reviewed site plans, this staff report, and outside agency review letters, remain applicable.
3. The applicant must provide additional brick on the facades of the building as discussed during the public hearing of April 16, 2024, specifically to add brick on the second and third floors as depicted with the beige color on the renderings discussed and as previously shown in the 2021 approved plans.
4. Additional tree plantings must be provided within the landscape island along the alley to provide buffering to the residential properties to the south, as approved by Staff in regard to location, species and height.
5. Provide a landscape bond in the amount of the landscape installation cost estimation shown on the site plan, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering. This bond must include additional costs for additional tree plantings noted in #4 above, if required by the Planning Commission.