



MCKENNA

August 16, 2023

Zoning Board of Appeals
City of Grosse Pointe Woods
20025 Mack Plaza Dr
Grosse Pointe Woods, MI 48236

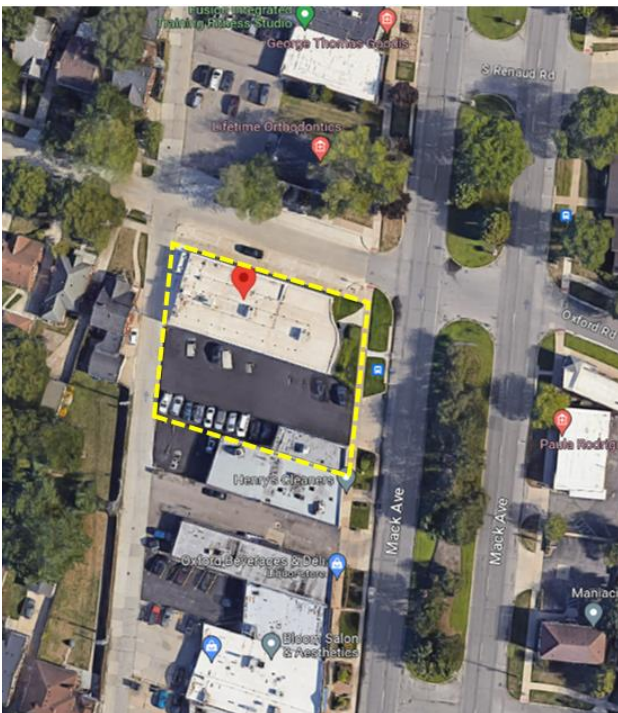
Subject: 20139 Mack Avenue (Ahee Jewelers) Variance Request
Parcel ID: 999-20-20139-00
Updated Site Plan Approved by Planning Commission July 25, 2023
Zoning: C - Commercial Business

Dear Board Members:

We have reviewed the site plan and application submitted on June 13, 2023 and the updated site plan submitted on July 25, 2023 by Stucky Vitale Architects on behalf of Peter Ahee of Ahee Jewelers (the "Applicant"). The Applicant requested to construct a one-story addition to the existing retail store at 20139 Mack Avenue, demolish an adjacent retail building, and relocate a parking lot. The addition is to accommodate a display from the Patek Philippe Collection.

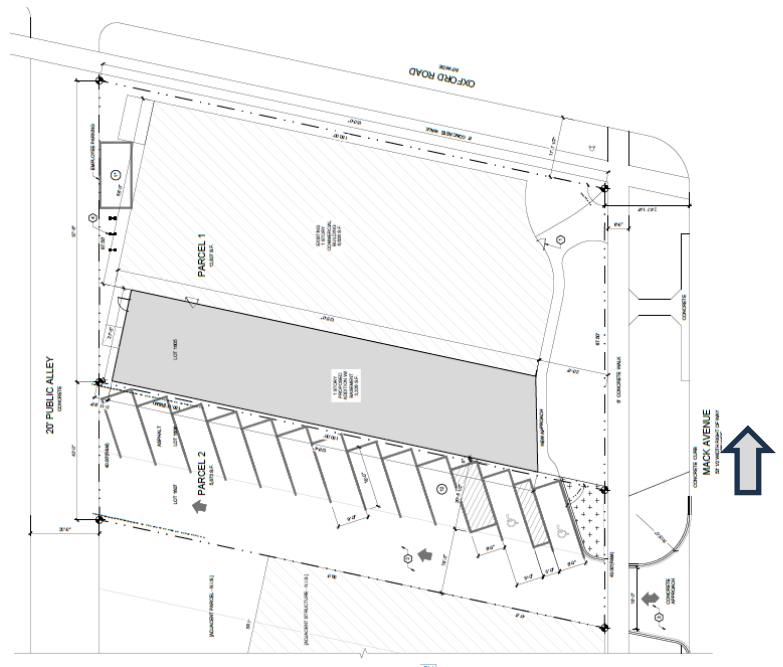
Planning Commission approved the updated site plan from July 25, 2023 (rendering seen below). This updated site plan addressed six (6) out of the seven (7) recommended changes made in the Planners Review letter from July 13, 2023. One change they were unable to accommodate was providing additional off-street parking spaces. Thus, a variance is needed to exempt the property from providing the required off-street parking as required by the Zoning Ordinance. Upon review of the proposed plan compared to the applicable ordinance standards, we offer the following comments and recommendation for your review.

Current Conditions (aerial view):



Northville, Michigan 48167 MCKA.COM

Proposed Layout (renderings from July 25 Site Plan):



Communities for real life.



VARIANCE REQUEST

The applicant requests a variance, pursuant to the following section of the Zoning Ordinance:

Section 50-5.3 Off-street parking requirements *In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, altered or extended after the effective date of the ordinance from which this chapter is derived shall be provided and maintained as prescribed in this section.*

50-5.3 (H) Required parking spaces. *The amount of required off-street parking space for new uses or buildings, additions thereto and additions to existing buildings as specified in this section shall be determined in accordance with the following table, and the space so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use:*

Table 50-5.3.H Off-street Parking Requirements	
Use	Minimum Number of Parking Spaces
O. Retail stores except as otherwise specified in this section	One for each 200 square feet of gross floor area.

Based on the size of the existing building and the proposed addition, the Ordinance requires 49 off-street parking spaces to be provided. However, the applicant is only able to accommodate 13 off-street parking spaces. There are an additional 5 parking spaces on-street parking spaces abutting the property that can service the building. However, based on the Ordinance, the proposed site plan is deficient by 36 parking spaces.

VARIANCE COMMENTS

A variation or modification is permitted for required off-street parking spaces, if, after investigation by the board, it is found that such variation is necessary to secure an appropriate development based on peculiar or existing conditions, or is of such size, shape or dimension, that it cannot be reasonably developed in accordance with the provisions of section. The variation must be consistent with the spirit and purpose of the Ordinance, with public safety and with substantial justice. A variance should be granted based on practical difficulty.

To prove practical difficulty, the petitioner must demonstrate that all of the following conditions are met:

- a. That strict compliance with the restrictions governing area, setbacks, frontage, height, bulk, density, and other similar items would unreasonably prevent the petitioner from using the property for a permitted purpose or would render conformity with said restrictions unnecessarily burdensome;
- b. That a variance would do substantial justice to the petitioner as well as to other petitioners in the zoning district; or whether a lesser relaxation of the restrictions would give substantial relief to the petitioner and be more consistent with justice to others (i.e., are there other more reasonable alternatives);
- c. That the plight of the petitioner is due to unique circumstances of the property;
- d. That the petitioner’s problem is not self-created;
- e. That the spirit of this chapter will be observed, public safety and welfare secured, and substantial justice done.

Given that the property is limited in its ability to expand based on occupied neighboring commercial and residential buildings or the strict amount of additional floor space the business needs to accommodate merchandise from the Patek Philippe Collection, there is viable practical difficulty for the Board to consider a variance.



CONCLUSION / RECOMMENDATION

It is found that the property owner cannot fulfil compliance with such provisions in pursuing the expansion of their business at this location. The reduction in parking from the standard of the Ordinance will not cause undue interference with the public use of the streets or alleys or imperil the public safety, and where such modification or exception will not be inconsistent with the purpose and spirit of this chapter.

Respectfully submitted,

McKENNA

Brigitte Smith, AICP



Site Plan Review

1. ZONING AND MASTER PLAN DESIGNATIONS

The following chart provides information on existing land use, current zoning, and future land use.

Location	Existing Land Use	Zoning District	Future Land Use Designation
Subject Site	General Commercial	C	General Business/Mixed Use
North	General commercial	C	General Business/Mixed Use
South	General commercial	C	General Business/Mixed Use
East (across Mack Ave)	Dental Office / Single-family residential	R-O1	City Center/Mixed Use
West	Single-family residential	R-1E	Single Family Medium Density

The 2006 Master Plan Future Land Use Map designates this site and the immediate surrounding area to the north and South as *General Mixed Use/Business*, described in the text of the Master Plan as, “retail, restaurant, and office establishments which are designed for the day-to-day needs of nearby residents”, and equating to “the City’s C Commercial Business zoning district...”, which is the zoning category that currently applies to the site. Complies.

2. DIMENSIONAL REQUIREMENTS

Standard	Requirement	Existing Conditions	Proposed Conditions of Addition	Proposed Compliance
<i>Minimum Front Setback</i>	0', no front yard permitted.	20'6"	20'6"	No
<i>Minimum Side Setback</i>	<i>No side yards are required along interior lot lines if walls abutting are fireproof and without windows/openings. Otherwise a side yard or outer court of no less than 5 feet per story must be provided. No side yard on street side of corner lots.</i>	0'	0' (North) 40' (South)	Yes
<i>Minimum Rear Setback (West)</i>	<i>No rear yard is required if walls are fireproof and without windows or openings. With windows and openings, except for emergency uses, a rear yard or outer court of no less than 5 feet for a one story building is required; measured to the centerline of the public alley.</i>	13'-21' from alley centerline	13'-21' from alley centerline	Yes
<i>Maximum Building Height</i>	Minimum front elevation 16', Maximum 28'	17'	17'-6"	Yes
<i>Lot Size</i>	None			
<i>Lot Coverage</i>	None			



Findings: The proposed addition complies with all dimensional requirements, except for the front yard setback from Mack Avenue. **Planning Commission should consider allowing the existing 20'6" front yard setback to continue as is for the new addition; Planning Commission may grant permission for this noncompliance.**

3. ARCHITECTURE AND BUILDING DESIGN (Sec. 50-373)

The purpose of these design standards is to promote a coordinated and complimentary use of design elements that result in a theme oriented, harmonious appearance and image for the commercial and high intensity residential areas of the city.

The elevations provided by the applicant show the new building will be composed of brick that will match that of the existing building. The front elevation illustrates a stone parapet, pre-finished metal coping stone near the top of the façade, limestone panels, a metal frame fabric awning, and a new champagne colored storefront window frame (to match the existing storefront window frame). Moreover, the side and rear elevations show shielded LED wall pack lighting. This architecture and building design is consistent with the ordinance and the City's design standards.

Per Section 50-6.1(G)(7) of the Zoning Ordinance, the applicant must bring samples of the material to be used on the building's exterior to the Planning Commission meeting.

4. PARKING AND LOADING

Per Section 50-5.3(H), retail stores require one off-street parking space for each 200 square feet of gross floor area. With the addition of the new building, the total building area will be 9,756 gross square feet (existing building area of 6,636 square feet + new building area of 3,171 square feet), and therefore 49 parking spaces are required. Provided on the site plan are 14 off-street parking spaces and 8 on-street parking spaces on Mack Avenue and Oxford Road that abut the property. **Since the proposed site plan only shows 14 parking spaces (one of which is handicapped accessible), it is deficient by 35 parking spaces. A variance from the City Council to reduce the required parking will be needed. However, modifications can be made to accommodate more off-street parking on site. One such modification is to reduce the building length in the rear yard of the proposed building addition by at least sixteen (16) feet to accommodate three (3) additional 9' by 19' parking spaces between the building addition and the alley to provide a total of 17 off-street parking spaces.**

Additionally, the off-street parking layout dimensional requirements in Table 50-5.3.U.1 of the Zoning Ordinance maintain that the maneuvering lane wide for parking spaces at a 90 degree angle must be at least 25 feet. However, **the applicant's proposed site plan shows parking spaces at a 90-degree angle and a maneuvering lane that is only 21 feet wide, which does not comply. Given that the distance between the proposed addition to Ahee and the adjacent existing building to the south is 40 feet, the applicant must slant the spaces at least 54 to 74 degrees with one-way traffic flow into the alley, which then only requires an 18-foot maneuvering lane. The combined parking and maneuvering space will then comply. Additionally, with the one-way traffic, the curb cut for vehicles to enter the parking lot from Mack Avenue can be reduced to 18 feet in width at the right-of-way line and then tapers out to the street.**

Additionally, Section 50-5.3(U) states that parking lots shall be provided with traffic lane markings to indicate entrances and exits, and to provide for the safe and orderly movement of vehicles. **These required traffic lane markings are not found on the applicant's proposed site plan and must be added, including the markings for one-way traffic.**

Additionally, a barrier at the property line in the parking lot and the public sidewalk must be added to prevent cars parked in the parking lot from encroaching upon the public sidewalk and contribute to pedestrian safety. (Section 50-5.3 N)

There is a sufficient loading/unloading area in the back alley.



5. SIGNS

Chapter 32 of the City's Code of Ordinance concerns signage. Four different provisions in that Chapter are particularly relevant to the signage the applicant is proposing. First, section 32.11(d) maintains that wall signs may not be more than eight inches thick and shall be constructed of a noncombustible material. Second, section 32-13(c) states that "wall signs upon building fronts containing up to 40 feet of building frontage shall not exceed three feet in height or a maximum of 30 square feet in size. Third, per section 32-29, signs must be comprised of no more than two styles of lettering, and there cannot be more than three sizes of lettering per sign. Moreover, a maximum of three complimentary, muted colors or shades of colors may be used for a sign. Fourth, under section 32-10, logos may not cover more than one-third of the surface area of a sign face.

The applicant proposes a wall sign on the front façade of the new building addition that reads "Patek Philippe Geneve" and includes a logo above the lettering. This proposed signage satisfies most of the above Ordinance requirements. The sign is only one inch thick and is constructed of a noncombustible material (bronze). The sign is comprised of only one style, and two sizes, of lettering. Also, the sign is only composed of two colors and the logo covers less than one-third of the surface area of the sign face. However, the size of the sign is an issue. Since the building addition is planned to have 26 feet of frontage along Mack Avenue, the sign cannot exceed three feet in height or a maximum of 30 square feet in size. **The applicant's proposed plan illustrates the new sign as 3 feet, 10 inches in height and 31.1 square feet in area, which does not comply. The sign should be reduced slightly to comply with the height and maximum square feet requirements.**

6. LIGHTING

Outside security lighting means any electrically operated light, except incandescent lights without a reflecting surface and not exceeding 150 watts, mounted or installed on the exterior of any building or on or upon any exterior object located upon a property or parcel of real estate within any residential district of the city.

Findings: All proposed lighting (consisting of individual fixtures above the front and rear doors, as well as 5 fixtures on the side of the building) are LED and shielded. **Specific information about the wattages of the fixtures should be provided to ensure it complies.** Can comply.