



October 17, 2024

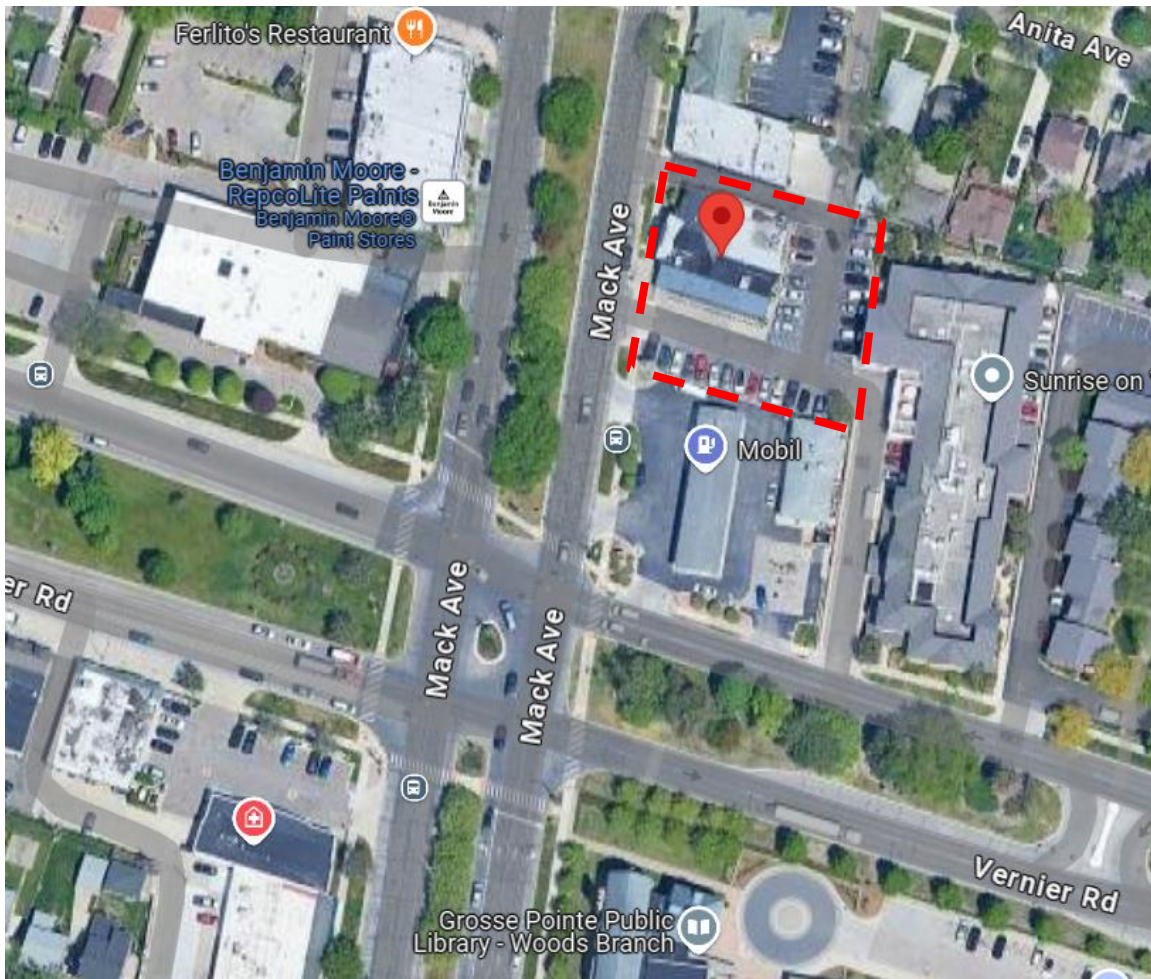
Planning Commission
City of Grosse Pointe Woods
20025 Mack Plaza Dr
Grosse Pointe Woods, MI 48236

Subject: 20710 Mack Ave (Daily Jam, LLC) Special Land Use Review
Parcel ID: 40-004-99-007-000
Zoning: C - Commercial Business

Dear Commissioners,

Following the Planning Commission's recommendation for approval of the special land use and approval of the site plan, Daily Jam GP, LLC (the "Applicant") requests special land use approval for a sit-down restaurant, serving liquor, at 20710 Mack Avenue (the "Site"). Restaurants serving alcohol (taverns) require special land use review within the C Commercial Business District, and it must be approved in accordance with the procedures set for a special land use approval.

Additionally, the applicant will be required to seek a variance if they continue to pursue the additional liquor license, Specially Designated Merchant (SDM), for sale of alcohol for consumption off-premises.



Special Land Use Review #1: 207610 Mack Avenue – October 17, 2024
City of Grosse Pointe Woods, MI



PROJECT SUMMARY

To prepare for the new business to occupy the space, the applicant has submitted a site plan to the Planning Commission to conduct aesthetic improvements to the exterior, such as a change in paint color and signage, and an interior renovation of the existing Big Boy restaurant facility. The interior renovation proposes keeping the existing kitchen and dining room layout while adding a new Bar in the center of the establishment and a new point-of-service area at the entrance. The parking lot with 31 off-street parking spaces, including 2 ADA spaces, is proposed to remain the same.

RECOMMENDATION

Special Land Use Consideration. As a special land use, there should be strict compliance with Ordinance regulations and Planning Commission may impose reasonable standards to offset negative impacts on surrounding properties based on their findings and comments brought forth during the public hearing. Following the required public hearing, we recommend the following motion of approval:

I move to recommend approval of the proposed special land use for a sit-down restaurant, including the sale of liquor at 20710 Mack Avenue (Parcel ID 44-004-99-007-00) to City Council based on the findings of compliance with the Future Land Use Map and Zoning Ordinance listed in the review.

Site Plan Consideration. Provided there is consensus on the Commission regarding the special land use review, we recommend the Planning Commission consider the following or a similar motion:

I move to approve the proposed site plan of a sit-down restaurant, including the sale of liquor at 20710 Mack Avenue (Parcel ID 44-004-99-007-00) with the following conditions:

- 1. The special land use for on-site sale and consumption of alcohol is approved by Council.*
- 2. The appropriate variances for the buffering requirements of an specially designated merchant (SDM) license, allowing the sale of alcohol for off-premise consumption, is granted by the Zoning Board of Appeals.*
- 3. The number of employees in the largest shift does not exceed 17, based on off-street parking requirements on site.*
- 4. A protective barrier between the length of the off-street parking space and the sidewalk along Mack Avenue is provided.*
- 5. Screening around the dumpster is provided, satisfying the requirements of the Planning Commission and the Ordinance.*

Respectfully submitted,

McKENNA

Brigitte Wolf, AICP
Associate Planner

Alicia Warren
Assistant Planner



Special Land Use Review

This project is reviewed against the Zoning Ordinance requirements for the sale and consumption of alcohol on site, also referred to as a tavern, according to Section 50-4.20, and the Master Plan for the City of Grosse Pointe Woods. We offer the following comments for your consideration; underlined items require additional discussion and/or identify outstanding items to be addressed.

1. HARMONY WITH MASTER PLAN (MI Zoning Enabling Act)

Similar to the conditions of rezoning request, is the proposal consistent with the goals, policies, and future land use map of the Master Plan? Or, has the applicant demonstrated that conditions have changed significantly since the Master Plan was developed, and request is demonstrably consistent with the development trends in the area?

Findings: The 2006 Master Plan Future Land Use Map designates this area as *City Center/Mixed Use, for the 'most intense' commercial uses*. The draft 2024 Master Plan Future Land Use Map designates this area as *Regional Business* described in the text of the Master Plan as, "the City's most intense commercial uses. These uses are clustered at the intersection of Mack Avenue and Vernier, and the City's southern boundary. These areas aim to include multi-story commercial, office, and/or residential uses. The C-2 High Intensity City Center zoning district corresponds to this land use classification." The proposal includes a commercial, food-service based business that is a more intensive use than the existing use. Additionally, this request aligns with other economic development initiatives, such as the Social District, established in 2024.

2. HAZARDOUS OR DISRUPTIVE SMOKE, FUME, GLARE, NOISE, VIBRATION OR ODOR POLLUTION (Sec. 50-4.11)

To promote such business development insofar as it is possible and appropriate in each area, uses are prohibited [in the C Commercial District] which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic or late hours of operation.

Findings: Based on the proposed business plan being the same use on site as before, it is not anticipated that it will be hazardous or disruptive. It seems that the use is primarily open for breakfast time. The restaurant aims to operate from 7am-3pm. We do not anticipate any hazards or disruptions beyond the existing use of the site.

3. CONSISTENT WITH INTENT OF THE ZONING ORDINANCE (Sec. 50-3.1)

The intent of the C Commercial Business district is to encourage the concentration of local business areas to the mutual advantage of both the consumers and merchants and thereby promote the best use of land at certain strategic locations and avoid the continuance of encouraging marginal strip business development along major streets.

Findings: The proposed commercial business provides a breakfast – brunch service to nearby residential areas, which is not already offered, and offers a space for gatherings. So long as the proposed business operates with enforcement of avoiding loud noises, vibration, smoke, glare, and late hours of operation, we find this proposed use as the best use of land and find that it services residents, invites visitors, and encourages business development along Mack Avenue.



Site Plan Review

Following the site plan standards explained in section 50-6.1, this review has been prepared for review and approval by Planning Commission.

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	Big Boy restaurant	C	City Center/Mixed Use ('06) Regional Business ('24)
North	General Commercial	C	City Center/Mixed Use ('06) Regional Business ('24)
South	Gas Station	C	City Center/Mixed Use ('06) Regional Business ('24)
East	Sunrise, Memory Care Living Facility for Seniors	C	City Center/Mixed Use ('06) Regional Business ('24)
West	General Commercial	C	City Center/Mixed Use ('06) Regional Business ('24)

Findings: The 2006 Master Plan Future Land Use Map designates this area as City Center/Mixed Use, for the 'most intense' commercial uses. The 2024 Master Plan Future Land Use Map designates this area as Regional Business described in the text of the Master Plan as, "the City's most intense commercial uses. These uses are clustered at the intersection of Mack Avenue and Vernier, and the City's southern boundary. This district aims to include multi-story commercial, office, and/or residential uses. The C-2 High Intensity City Center zoning district corresponds to this land use classification." The site itself contains an existing in-dine restaurant facility of approximately 5,800 square feet alongside an existing parking lot.

The site is currently zoned in the C Commercial Business district. Restaurant businesses are a permitted use; however, with the addition of the liquor license for sale and consumption of alcohol onsite, it must receive a special land use (Section 50-4.20) it must be approved in accordance with the procedures set for a special land use approval.

2. DIMENSIONAL REQUIREMENTS (Sec. 50-3.1.J)

Standard	Requirement	Existing Conditions	Proposed Conditions	Proposed Compliance
<i>Minimum Front Setback (West)</i>	0 feet	No Change	No Change	Complies
<i>Minimum Side Setback (North / South)</i>	<i>In C districts, side yards are not required along interior side lot lines if all walls abutting or facing such lot lines are of fireproof construction and wholly without windows or other openings...</i> <i>In C districts, no side yard is required on the street side of corner lots.</i>	No Change	No Change	Complies



<p><i>Minimum Rear Setback (East)</i></p>	<p><i>In C districts, rear yards are not required along interior rear lot lines for buildings or parts of buildings not used as dwellings, if all walls abutting or facing such lot lines are of fire-proof construction and wholly without windows or other openings...</i></p> <p><i>In C districts, on any lot running through from street to street, a rear yard shall be provided on the rear street conforming to the requirements for front yards on that street.</i></p>	<p>No Change</p>	<p>No Change</p>	<p>Complies</p>
<p><i>Maximum Building Height</i></p>	<p>2 stories, 28 feet</p>	<p>No Change</p>	<p>No Change</p>	<p>Complies</p>

Findings: Dimensional requirements are met and comply with the standards.

2. ARCHITECTURE AND BUILDING DESIGN (Sec. 50-5.18)

The Ordinance requires architectural and building design standards to “promote a 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”.

Findings: The existing building is composed of brick which the Applicant intends to maintain and paint white. A new trim and accent material is proposed made of composite faux wood paneling and a new parapet cap. Per Section 50-5.18 of the Zoning Ordinance, new construction, renovations, remodeling, or exterior building alterations in the C Commercial Business district shall be in conformance with approved design standards. The architectural design and current colors of the existing building conform to these standards. *Complies.*

3. PARKING AND LOADING (Sec. 50-5.3)

Findings:

Parking. The current site configuration includes twenty-nine (29) parking spaces and two (2) ADA spaces, which can be accessed via two egress/ingress drives off Mack Avenue. The applicant does not intend to modify the parking layout. Additionally, there are two on-street parking spaces along Mack Avenue and a shared parking agreement to support the business.

Per section 50-5.3(H), Establishments for sale and consumption on the premises of beverages, food, or refreshments, except as otherwise specified in section 50-5.3 (H) requires one space per 200 gross square feet of area, plus one for each employee during peak employment. The total building area is 5,800 gross square feet, which would require 29 parking spaces. However, given that this is an existing building, and the total area of the structure remains unchanged, the Ordinance only requires compliance with 50% of the requirements. Thus, fourteen (14) off-street parking spaces are required. Unless the Planning Commission finds substantial evidence to impose greater standards to offset anticipated negative impacts, as a special land use, the proposed business likely meets the parking requirements given the number of employees do not go beyond the number of parking spaces. **The applicant must provide the number of employees during peak time to ensure compliance.** *Likely Complies.*

Location	Required	Provided	Compliance
<p>20710 Mack</p>	<p>Square footage of gross floor area = 5,503 Number of Employees (largest shift) = # 50%(28) = 14 + Employees</p>	<p>31 off street parking + shared parking agreement = 40</p>	<p>Very likely complies pending information on employees in the largest shift.</p>



Loading. The site plans indicate the building as 5,800 square feet, which requires one loading space. The site plan does not indicate a dedicated loading and unloading zone. The applicant will need to give reason if a loading space is not needed, otherwise one must be added to the site.

Protective Barrier. The Ordinance requires that where a parking lot adjoins a public sidewalk, there shall a barrier so located as to prevent cars parked on such parking lot from extending over or encroaching upon such public sidewalk. **We recommend adding at least a two-foot masonry screening wall to prevent vehicles from extending over or encroaching on the sidewalk. If the applicant has substantial reasoning that a masonry screening cannot be accommodated in the space portrayed on the image below, in red, the Planning Commission may consider requiring a curb be added in place of the protective, screening wall barrier.**



4. SIGNS (Chapter 32 of the General Code)

Findings: The site plan indicates a new projecting sign. Chapter 32 of the City's Code of Ordinance concerns signage. This will be addressed administratively through the sign review application process. *Can comply.*

5. LIGHTING (Sec. 50-6.1)

The Ordinance states "Exterior lighting shall be designed so that it is shielded from adjacent properties and so that it does not impede the vision of traffic along adjacent streets."

Findings: The applicant has not proposed any new lighting on the exterior of the building. *Complies.*

6. LANDSCAPING and SCREENING (Sec. 50-6.1)

The site plan requirements include that "the site design shall provide reasonable visual and sound privacy for dwelling units located within the project and adjacent to the project. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the privacy of its occupants."

Findings:

Landscaping. There is existing landscaping on site that enhances the site. The applicant has proposed to preserve the landscaping at the front of the building and along the side of the building facing the parking lot. *Complies.*

Parking Lot Screening. Whenever a parking area adjoins residential property or a residential street, an ornamental masonry wall not less than two feet or more than four feet in height shall be erected and maintained between the required yard space and area to be used for parking, except for such portions as are used for entrances and exits. A screening wall along the eastern property line has been provided. *Complies.*

7. TRASH RECEPTALE (Sec. 50-6.1)

Trash Receptacle/Enclosure: The site plan indicates the new business will be utilizing the existing dumpster location; however, **information about the method of screening was not provided. This must be provided.**