CITY COUNCIL ACTION REPORT

August 10, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian Murphy, Assistant City Manager/ Economic Development Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Request for outdoor seating area in excess of 20 seats
Mitchell's Ocean Club – 2915 Coolidge (proposed address)

Background:

- We have received an application from Don Waller, representing Mitchell's Ocean Club Restaurant, for approval for an outdoor seating area for 80 seats as part of the construction of a new restaurant at the southwest corner of Big Beaver Road and Coolidge. This property is in the O-S-C (Office Service Commercial) Zoning District. Section 26.30.03 of the Zoning Ordinance allows outdoor seating in conjunction with restaurant uses in the O-S-C district subject to Special Use Approval before City Council (in place of the Planning Commission).

- The indoor seating proposed at the restaurant is 300. They propose to add another 80 seats outside. The Planning Commission, at their meeting of June 26, 2007, as part of the Special Use Approval for the freestanding restaurant, considered the total seating capacity for this facility and found that the parking spaces dedicated for this use within the overall parking lot for the office development was sufficient per Section 40.20.12. A copy of their minutes is enclosed for your reference. The outdoor dining area is proposed to be enclosed by a railing system as indicated on the plans and is intended to be accessed only by going through the restaurant.

Financial Considerations:

- There are no financial considerations regarding this matter.

Legal Considerations:

- Public hearing notices for the special use approval were sent as required by the Troy Zoning Ordinance and the State of Michigan Municipal Planning Act.

Policy Considerations:

- Enhance the livability and safety of the Community (Goal I)
- Retain and attract investment while encouraging redevelopment (Goal III).

Options:

- City Council can approve the request.
- City Council can deny the request.
- City Council can approve the request with conditions.

OUTDOOR DINING APPLICATION

RECEIVED
JUL 24 2007
BUILDING DEPT.

Applications shall be accompanied by fully dimensioned plans indicating the location of the proposed seating area within the subject site, the layout of the proposed outside seating, and information as to any proposed building or site alterations, seating area enclosure elements, etc.

Setbacks for outside seating area involving the construction of "structures" as defined by the Building Code shall be at least equal to those required for conventional buildings within the applicable zoning district.

Outside seating areas shall not occupy required sidewalk areas or required landscape areas.

In their consideration for outside seating, the City Council, when involved, may require modification or rearrangement of inside and outside seating areas in order to assure that adequate parking is available.

Restaurants and food service establishments selling or serving alcoholic beverages shall further be subject to the requirements of the Michigan Liquor Control Commission.

NAME OF BUSINESS: MITCHELL'S OCEAN CLUB

ADDRESS OF BUSINESS: SW CORNER OF BIG BEAVER & COOLIDGE ROAD

NAME OF APPLICANT: CAMERON MITCHELL RESTAURANTS / DON WALLER

ADDRESS: 515 PARK ST COLUMBUS, OH 43215

PHONE: 614.621.3663 / 614.621.1037

NUMBER OF SEATS: Existing Inside 300

Proposed Outside: 80

NUMBER OF AVILABLE PARKING SPACES: 228

WILL INSIDE SEATS BE ASSIGNED FOR OUTDOORS? Yes _____ No ✓

Signature: Don Waller

Date: 7/16/07

OUTDOOR DINING APPLICATION

OWNER AFFIDAVIT

I TROY PLACE I ASSOCIATES as owner/representative
(name)

of the property located at 3001 WEST BIG BEAVER ROAD

do approve of MITCHELL'S OCEAN CLUB
(business)

providing 80 seats for outdoor dining.

RECEIVED
JUL 24 2007
BUILDING DEPT.

Signature: [signature]

Date: 7-23-07

****

DO NOT FILL IN - FOR USE BY BUILDING DEPARTMENT

OUTDOOR DINING CERTIFICATE OF APPROVAL

NAME OF BUSINESS: _____

ADDRESS: _____

OWNER/MANAGER: _____

NUMBER OF SEATS _____

DATE APPROVED: _____

BY: _____
City of Troy, Building Department

FIRE DEPARTMENT NOTE

THE FOUR (4) INCH STEAMER CPAS ON ALL HYDRANTS WILL BE PAINTED ACCORDING TO THE FOLLOWING:

WHITE ON 4.00 INCH MAINS
RED ON 6.00 INCH MAINS
ORANGE ON 8.00 INCH MAINS
GREEN ON 12.00 INCH MAINS
BLUE ON 16.00 INCH OR LARGER MAINS

NO PARKING SHALL BE PERMITTED AND/OR NO OBSTRUCTIONS SHALL BE PLACE OR CONSTRUCTED WITHIN FIFTEEN (15) FEET OF ANY FIRE HYDRANT OR FIRE DEPARTMENT CONNECTION, PUBLIC OR PRIVATE.

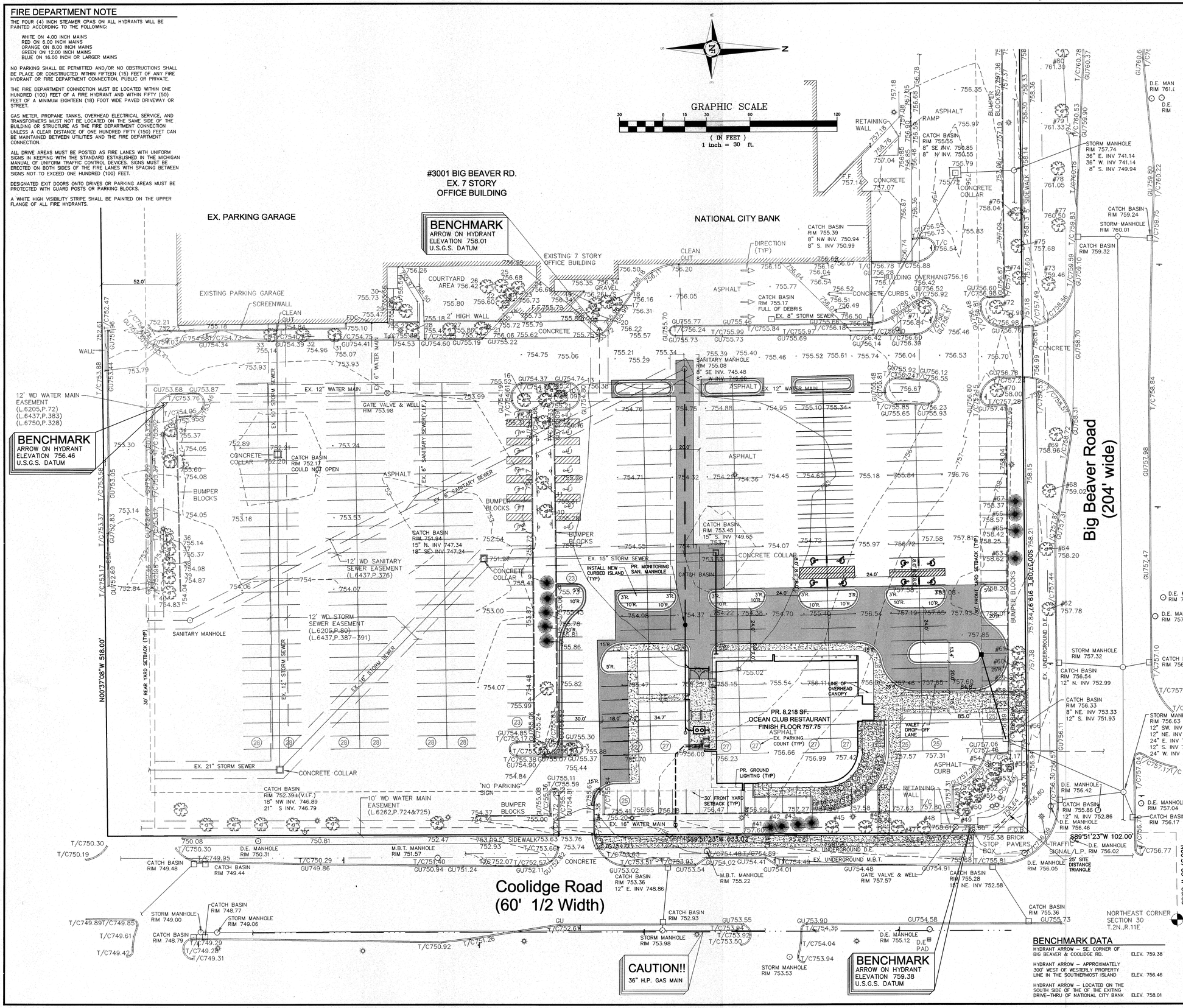
THE FIRE DEPARTMENT CONNECTION MUST BE LOCATED WITHIN ONE HUNDRED (100) FEET OF A FIRE HYDRANT AND WITHIN FIFTY (50) FEET OF A MINIMUM EIGHTEEN (18) FOOT WIDE PAVED DRIVEWAY OR STREET.

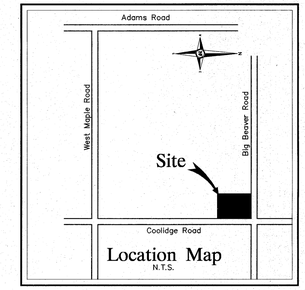
GAS METER, PROPANE TANKS, OVERHEAD ELECTRICAL SERVICE, AND TRANSFORMERS MUST NOT BE LOCATED ON THE SAME SIDE OF THE BUILDING OR STRUCTURE AS THE FIRE DEPARTMENT CONNECTION UNLESS A CLEAR DISTANCE OF ONE HUNDRED FIFTY (150) FEET CAN BE MAINTAINED BETWEEN UTILITIES AND THE FIRE DEPARTMENT CONNECTION.

ALL DRIVE AREAS MUST BE POSTED AS FIRE LANES WITH UNIFORM SIGNS IN KEEPING WITH THE STANDARD ESTABLISHED IN THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. SIGNS MUST BE ERECTED ON BOTH SIDES OF THE FIRE LANES WITH SPACING BETWEEN SIGNS NOT TO EXCEED ONE HUNDRED (100) FEET.

DESIGNATED EXIT DOORS ONTO DRIVES OR PARKING AREAS MUST BE PROTECTED WITH GUARD POSTS OR PARKING BLOCKS.

A WHITE HIGH VISIBILITY STRIPE SHALL BE PAINTED ON THE UPPER FLANGE OF ALL FIRE HYDRANTS.





LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 30, T.2N.,R.11E. CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30, THENCE N89°16'03"W 60.00 FEET ALONG THE NORTH LINE OF SECTION 30 THENCE S01°12' 28"W 102.00 FEET ALONG THE WEST LINE OF COOLIDGE ROAD TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF COOLIDGE ROAD, S01°12'28"W 633.02 FEET; THENCE N89°16'03"W 518.00 FEET; THENCE N00°43'57"E 240.00 FEET; THENCE N89°16'03"W 364.00 FEET; THENCE N00°43'57"E 116.22 FEET; THENCE N89°16'03"W 32.42 FEET; THENCE N00°49'07"E 276.78 FEET; THENCE S89°16'03"E 919.97 FEET TO THE POINT OF BEGINNING. CONTAINING 481,523.28 SF. OR 11.05 ACRES OF LAND.

PROPOSED USE NOTE

REMOVE & REPLACE EX. PAVEMENT AND RESTRIPE EX. PARKING AS NOTE FOR CONSTRUCTION OF PROPOSED MITCHELL'S OCEAN GRILL RESTAURANT.

PARKING DATA

PARKING EXISTING:	PER THE VARIANCE RECEIVED IN 1997, A TOTAL OF 3,000 SPACES WERE REQUIRED. THERE ARE 3,010 SPACES CURRENTLY EXISTING ON SITE.
REQUIRED RESTAURANT PARKING:	1 SPACE/ 2 SEATS PLUS 1 SPACE/ EACH 10 SEATS OF CAPACITY OR 1/35 SF. OF DINING AREA WHICHEVER IS GREATER
	380 SEATS/ 2 = 190 + 380/ 10 = 38 = 228 OR 4,026 SF DINING AREA / 35 = 115
	TOTAL REQUIRED FOR RESTAURANT = 228
EXISTING PARKING:	142 NET SPACES LOST DUE TO RESTAURANT DEVELOPMENT
TROY PLACE PARKING SUMMARY:	3,228 TOTAL SPACES REQUIRED 2,871 SPACES PROVIDED 357 SPACES NOT PROVIDED

SITE DATA

SITE AREA
GROSS/NET: 481,523.28 SFT. OR 11.05 ACRES

ZONING
EXISTING: O-S-C (OFFICE-SERVICE-COMMERCIAL)

SITE AREA	481,523.28 SFT.	100.0%
OFFICE BLDG. FOOTPRINT	67,500.73 SFT.	14.0%
RESTAURANT FOOTPRINT	8,218.00 SFT.	1.7%
PARKING & DRIVES	344,374.45 SFT.	71.5%
OPEN SPACE	61,430.10 SFT.	12.6%

SETBACK REQUIREMENTS	REQUIRED	PROVIDED
FRONT (NORTH):	30.0'(NORTH)	85.0'(NORTH)
FRONT (EAST):	30.0'(EAST)	30.2'(EAST)
REAR (SOUTH):	30.0'(SOUTH)	52.0'(SOUTH)
REAR (WEST):	30.0'(WEST)	30.0'(WEST)

BENCHMARK DATA

HYDRANT ARROW – SE. CORNER OF BIG BEAVER & COOLIDGE RD.	ELEV. 759.38
HYDRANT ARROW – APPROXIMATELY 300' WEST OF WESTERLY PROPERTY LINE IN THE SOUTHERMOST ISLAND	ELEV. 756.46
HYDRANT ARROW – LOCATED ON THE SOUTH SIDE OF THE OF THE EXITING DRIVE-THRU OF NATIONAL CITY BANK	ELEV. 758.01

LEGEND

- EXISTING SANITARY SEWER
- SAN. CLEAN OUT
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EX. R. Y. CATCH BASIN
- EXISTING BURIED CABLES
- OVERHEAD LINES
- LIGHT POLE
- SIGN
- EXISTING GAS MAIN
- PR. SANITARY SEWER
- PR. WATER MAIN
- PR. STORM SEWER
- PR. R. Y. CATCH BASIN
- SAND BACKFILL (95 % DENSITY)
- PROPOSED LIGHT POLE

NOWAK & FRAUS

Consulting Engineers
Land Surveyors
Land Planners

1310 N. Stephenson Highway
Royal Oak, MI 48067-1508

Tel. (248) 399-0886
Fax. (248) 399-0805

SEAL

STATE OF MICHIGAN
TIMOTHY L. GERMAIN
ENGINEER NO. 42595
LICENSED PROFESSIONAL ENGINEER

PROJECT
Mitchell's Ocean Club Restaurant

CLIENT
Cameron Mitchell Restaurants
515 N. Park Street
Columbus, OH 43215
Contact: Mr. Don Waller
614.621.1037 Phone
614.280.8020 Fax

PROJECT LOCATION
Part of the N.E 1/4 of Section 30
T. 2 North, R. 11 East
City of Troy,
Oakland County, Michigan

SHEET
Stringer Dimension Plan

72 HOURS (3 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG 1-800-482-7171 (TOLL FREE)

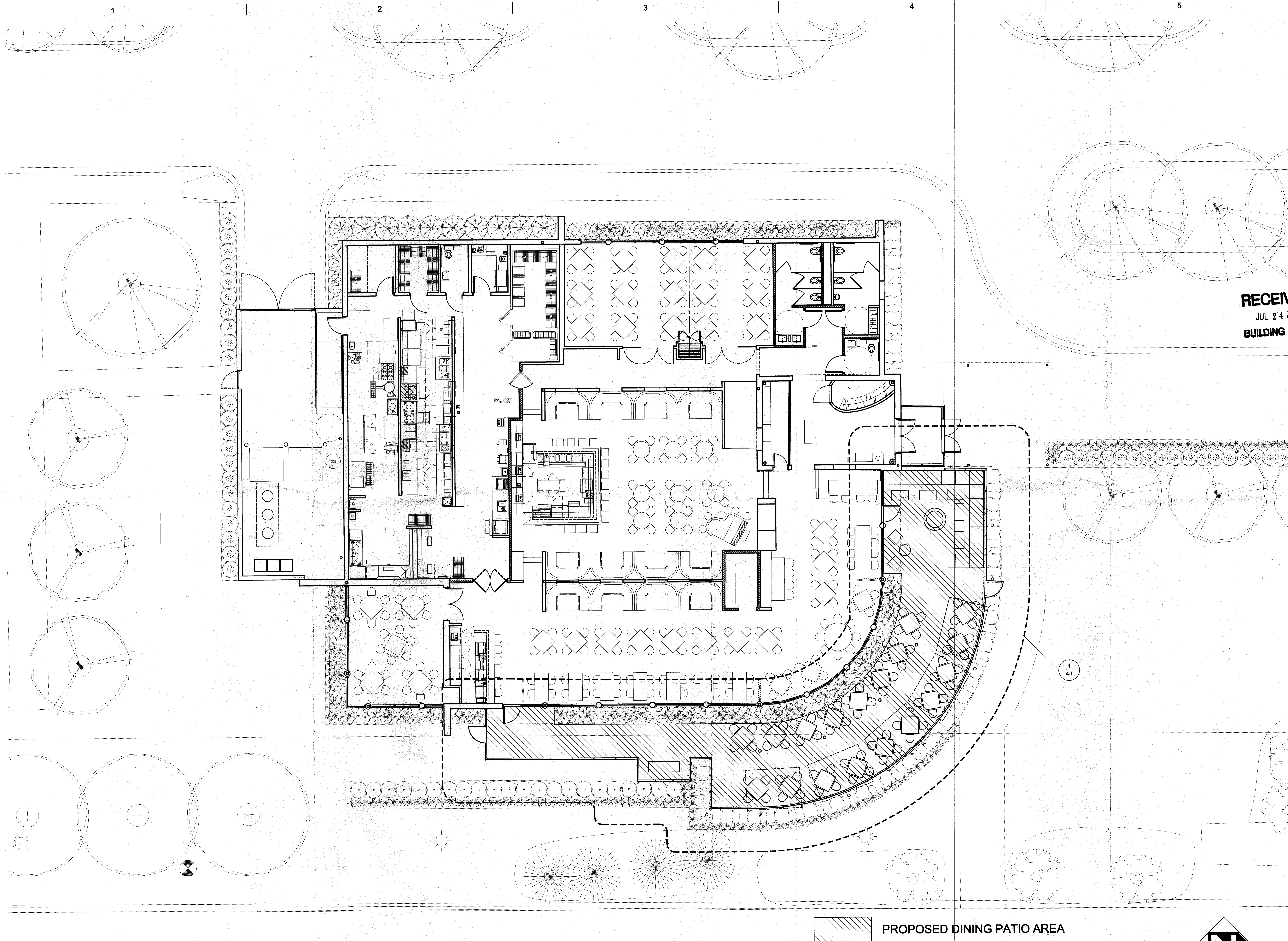
DATE/ REVISION
07/18/07 ISSUED FOR ENGINEERING REVIEW

RECEIVED
JUL 20 2007
BUILDING DEPT.

DRAWN BY: R. Johnson
DESIGNED BY: B. Brickel
APPROVED BY: T. Germain
DATE: July 18, 2007
SCALE: 1"=30'

N/F JOB NO. D145.01
SHEET NO. C3

S:\2779-MOC TROY\DRAWINGS\SHEETS\RAIL_PATIO SETS\SP-1.DWG JAKE STAWICKI --- OCE TDS600.PC3 KNAUER AEC STANDARD.STB 1" = 1'_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF 07/19/2007 17:01:04



SITE PLAN
SCALE: 1/8"=1'-0"

KNAUER

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Deerfield, IL 60015
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design
direction

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(614) 621.1020 FAX
DON WALLER
dwaller@cameronmitchell.com

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LARRY NEMER
lnemer@nemergroup.com

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ERIKA BOLGER
ebolger@klaucens.com

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Ryan Johnson

STATE OF MICHIGAN
DANILO D. YANONG
ARCHITECT
No. 33030
LICENSED ARCHITECT

LICENSE EXPIRES: 11-30-08

I HEREBY CERTIFY THAT THESE DRAWINGS WERE PREPARED UNDER MY SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE REQUIREMENTS OF THE LOCAL AND STATE ORDINANCES

DANILO D. YANONG, AIA 7/19/07

MARK	DATE	DESCRIPTION
	07/19/07	ISSUED FOR DINING PATIO PERMIT

ISSUED

OCEAN CLUB

TROY
MICHIGAN

PROJECT NO:	2779
CAD DWG FILE:	xxxxx
DRAWN BY:	JS
CHK'D BY:	MM
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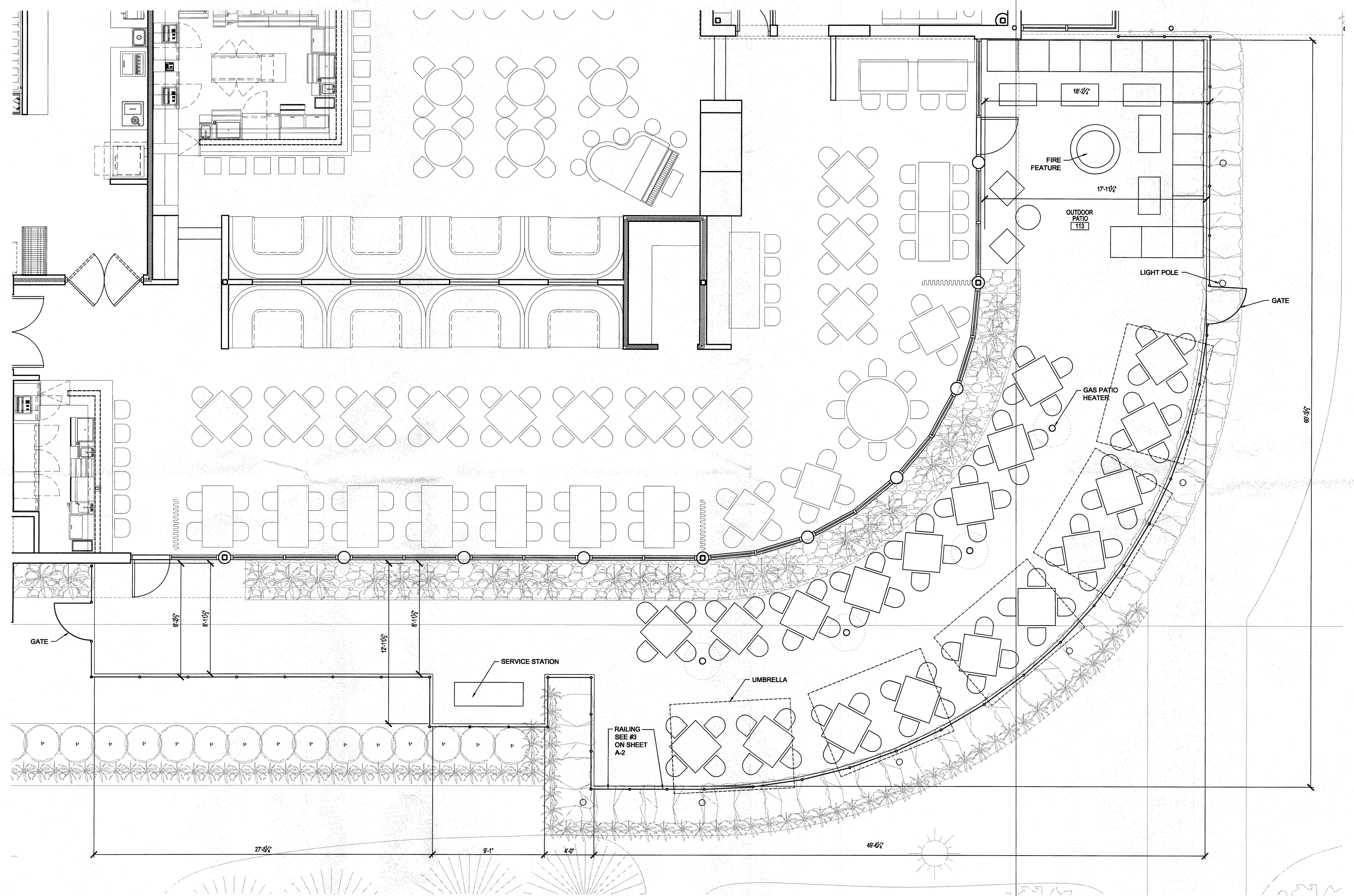
SHEET TITLE

SITE PLAN

SP-1



PATIO PLAN
SCALE: 1/4"=1'-0"

1 / A-2

2 / A-2

N

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DANILO D. YANONG, AIA 7/19/07

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ISSUED

OCEAN CLUB

TROY
MICHIGAN

PROJECT NO:	2779
CAD DWG FILE:	xxxxx
DRAWN BY:	JS
CHK'D BY:	MM
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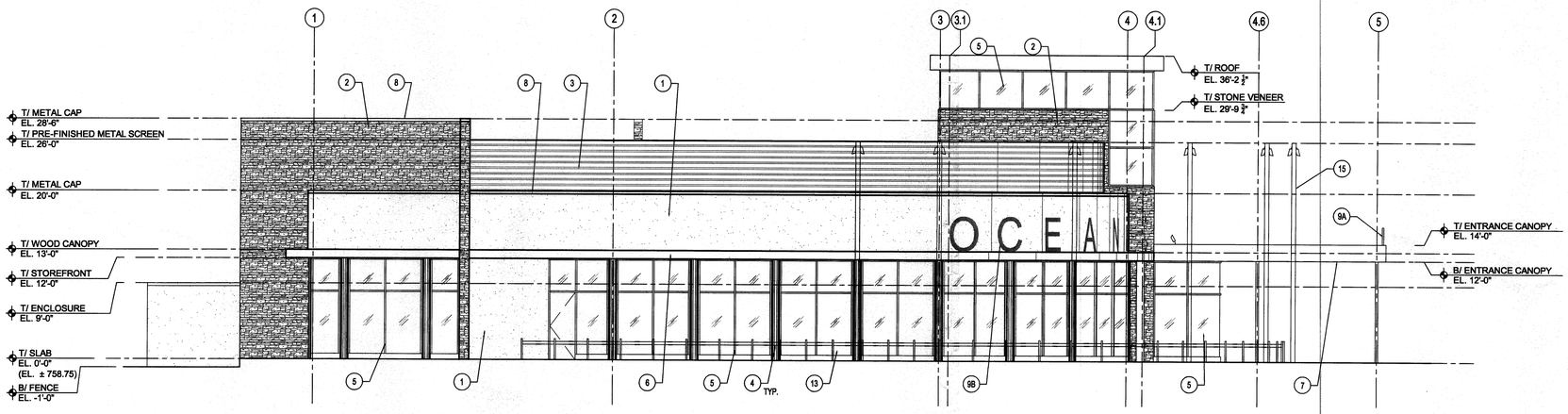
SHEET TITLE

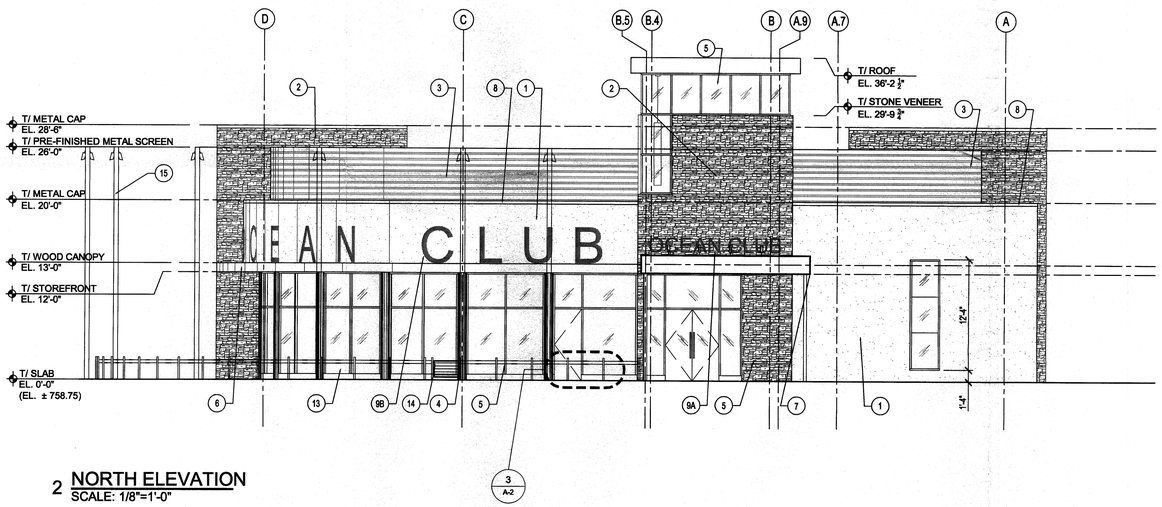
PATIO PLAN

A-1

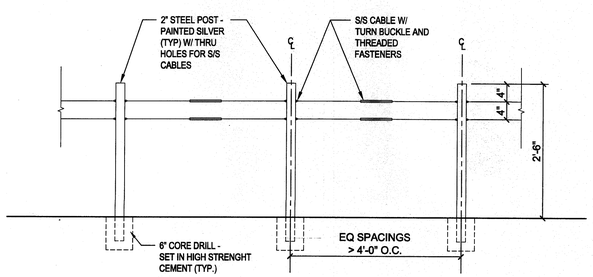
S:\2779-MOC TROY\DRAWINGS\SHEETS\RAIL_PATIO SET\SP-1.DWG JAKE STAWICKI — OCE TDS600.PC3 KNAUER AEC STANDARD.STB 1" = 1'_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF 07/19/2007 17:01:17



1 EAST ELEVATION
SCALE: 1/8"=1'-0"



2 NORTH ELEVATION
SCALE: 1/8"=1'-0"



3 FENCE DETAIL
SCALE: 3/4"=1'-0"

MATERIAL LEGEND

1- EFIS, COLOR : CHINA WHITE #310 - SANDPEBBLE
2- DRY STACK STONE VENEER CULTURED STONE - MOJAVE PRO FIT LEDGE STONE PF-8014
3- PRE-FINISHED METAL SCREENING - PAINT TO MATCH WOOD
4- COLUMN COVERS - PAINT TO MATCH EIFS COLOR
5- BLACK ANODIZED ALUMINUM STOREFRONT
6- WOOD CANOPY
7- ALUMINUM ENTRANCE CANOPY
8- PRE-FINISHED METAL CAP (COLOR TO MATCH EIFS)
9A- SILVER STAND UP LETTERS
9B- SILVER STAND UP LETTERS
9C- SILVER REVERSE CHANNEL LETTERS
9D- SILVER LETTERS EMBEDED IN WOOD LOUVER
10- WOOD LOUVERS
11- ROOF GUTTER AND DOWNSPOUT
12- THRU WALL SCUPPER
13- PATIO FENCE
14- PATIO FENCE GATE
15- LIGHT POLE

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7/19/07
DANILO D. YANONG, AIA

MARK	DATE	DESCRIPTION
	07/19/07	ISSUED FOR DINING PATIO PERMIT

ISSUED

OCEAN CLUB

TROY
MICHIGAN

PROJECT NO:	2779
CAD DWG FILE:	xxxxx
DRAWN BY:	JS
CHK'D BY:	MM

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SHEET TITLE

ELEVATIONS

A-2

S:\2779-MOC TROY\DRAWINGS\SHEETS\RAL_PATIO SET\SPK1.DWG JAKE STAWICKI — OCE TD58003\PC3 KNAUER A4C-5 STANDARD.STB 1" = 1"_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF_XREF 07/19/2007 11:14:57

Mr. Miller reported on the Smart Growth Readiness Assessment Tool (SGRAT) Workshop held on June 21, 2007, as part of the public input efforts for the Master Plan.

POSTPONED ITEM

8. SPECIAL USE REQUEST (SU 351) – Proposed Mitchell's Ocean Club Restaurant, Southwest corner of Big Beaver and Coolidge, Section 30, Zoned O-S-C (Office-Service-Commercial) District

Mr. Miller summarized the changes made to the site plan since the June 12, 2007 Regular meeting.

Larry Nemer, 4559 Raune Drive, Bloomfield Hills, described the project.

Mark Knauer, Project Architect, Knauer, Inc., 720 N. Waukegan Road, Deerfield, IL, described the project and presented building materials.

General discussion followed.

Resolution # PC-2007-06-111
Moved by: Wright
Seconded by: Littman

RESOLVED, That the Planning Commission hereby approves a reduction in the total number of required parking spaces to 2,871 when a total of 3,228 spaces are required on the site based on the off-street parking space requirements for offices and restaurants, as per Article XL. This 357 space reduction meets the standards of Article 40.20.12 given the parking demands of the restaurant and office complex.

BE IT FURTHER RESOLVED, That Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 26.30.05 of the Zoning Ordinance, as requested for the proposed Ocean Club Restaurant, located on the southwest corner of Big Beaver and Coolidge, in Section 30, within the O-S-C zoning district, is hereby granted.

Yes: All present (7)
No: None
Absent: Strat, Vleck

MOTION CARRIED

Ms. Kerwin noted that the applicant was very responsive and did a great job addressing Planning Commission concerns.

RECEIVED
AUG 0 8 2007
BUILDING DEPT.

TO: CITY COUNCIL

Please register my **approval** [ ] **objection** [X] to the request described on the reverse side.

My reason for this ~~approval~~ [ ] **objection** [X] is:

Another restaurant Not Needed.

More Traffic Not Needed.

More noise, drinking, partying in an office building parking lot is Not Needed and unnecessary.

Heavy supply trucks who create more noise and exhaust (DIESEL) FUMES is not needed.

QUIET, PEACE, SERENITY, cleanliness — This is what we need.

NAME: BRUCE J. SAGE

ADDRESS OR PROPERTY DESCRIPTION

BRUCE J SAGE ESQUIRE
3155 WEST BIG BEAVER ROAD
SUITE 108
TROY MI 48084

RECEIVED
AUG 06 2007
BUILDING DEPT.

TO: CITY COUNCIL

Please register my **approval** [X] **objection** [ ] to the request described on the reverse side.

My reason for this **approval** [X] **objection** [ ] is:

We are in favor of approving this request (like the idea of a nice restaurant on the corner with outdoor dining).

NAME: Mary Ann Durham (Bush Seyferth Kothledge + Paige)

ADDRESS OR PROPERTY DESCRIPTION 3001 W. Big Beaver (Troy Place) Suite 600 Troy, MI

RECEIVED
AUG 06 2007
BUILDING DEPT.

TO: CITY COUNCIL

Please register my **approval** [X] **objection** [ ] to the request described on the reverse side.

My reason for this **approval** [ ] **objection** [ ] is:

NAME: POWERS CHAPMAN BY: L. Jean DeAgostino

ADDRESS OR PROPERTY DESCRIPTION TENANT in Ste 704 @ 3001 W. Big Beaver Rd. Troy, Mi. 48084