

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously. She thanked the applicant noting that it has been a pleasure working with them and stated that she wishes them good luck in moving forward with this development in the future.

Mr. Batt thanked the Commission noting that it has been a pleasure working with the City thus far.

Mr. Hooper thanked the applicant for their investment in Rochester Hills.

Ms. Roediger noted that this item will move forward to City Council for their August 10, 2020 Council Meeting.

2020-0163

Public Hearing and request for recommendation of the PUD Agreement - City File No. 19-022 - Rochester University Townhomes PUD, a proposed 70-unit residential development on 7.9 acres located on the Rochester University campus on Avon, east of Livernois, zoned SP Special Purpose, Parcel No. 15-15-451-008, Pulte Homes of Michigan, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated July 15, 2020, Site Plans and Elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Mike Noles, The Umlor Group, 49287 West Road, Wixom, MI 48393 and Tom Rellinger and Jaymes Vettraino, Rochester University, 800 W. Avon Rd., Rochester Hills, MI 48307

Mr. Gaber recused himself, as he represented Rochester University generally in real estate matters and in the subject transaction.

Ms. Kapelanski stated that the applicant is proposing 70 for-sale residential townhomes on the campus of Rochester University. She noted that the Planning Commission recommended approval of the Preliminary Planned Unit Development (PUD) on February 18, 2020, and Council approved the Preliminary PUD on March 16, 2020 with several conditions. She noted that the plans submitted are in compliance with the Preliminary PUD and all applicable ordinances. She stated that staff is recommending approval of the Final PUD Agreement, Wetland Use Permit, Steep Slope Permit, and Final Site Plan, and recommends the granting of Natural Features Setback Modifications and a Tree Removal Permit.

She explained that the property will need to be split off from the Rochester University campus, which is a separate item, with staff recommending approval. She noted that Mr. Noles represents the applicant and has a brief presentation.

Mr. Noles stated that he is with the Umlor Group, representing Pulte Homes of Michigan. He provided a brief presentation for the Final PUD for The Groves, noting the following:

Seventy units are proposed on 7.9 acres. The PUD meets the preservation requirements for single-family developments as well as the replacement

requirements for multi-family developments. The PUD carves out an underutilized portion of the college property. The college plans to use the land sale funds to continue expanding the educational services and employment opportunities that they have offered the community for over 60 years.

The University currently operates at a level of 1,000 students. The retained approximate 70-acre education campus will allow Rochester University to double student body in the future. Tom Rellinger, the Executive Vice President of the University, expressed in a letter to the Commission that there is a need for this type of housing on campus for staff, faculty and the wider community.

Because the development is being processed as a new PUD, clear public benefits are a qualifying condition of approval. Benefits offered tonight are consistent with the concept PUD previously recommended for approval by the Commission and subsequently approved by City Council earlier this year. The public benefits include maintaining the benefits included in the 2006 PUD Agreement, such as the preservation of the historic farm buildings and silo, the right-of-way on West Avon Road, and the recorded 8.79 acre conservation easement along the Clinton River. The additional public benefits that The Groves provides include the nature path providing access to Clinton River and the City's landlocked green space property, a new 4.11 acre conservation easement, a new pedestrian connection to the Clinton River Trail, completion of missing pedestrian links along the college frontage, and there will be a reduced intensity of use compared with the fully vested 300 unit rental housing plan removed from the college PUD.

He stated that the Groves plan provides less tree impact, more tree replacement primarily on campus, less density, less impact on utilities, less impact on the steep slopes and less impervious area than the previously-approved PUD. At the end of the day, the dozen benefits itemized are wonderful aspects of plan, but the real benefit is providing a new diversified housing opportunity in the City of Rochester Hills, that is well-located with access to amenities and amazing views of preserved natural features.

Mr. Noles stated that staff and consultants performed a diligent and comprehensive review, and he commented that he is grateful to come before the Commission with a plan unanimously endorsed for approval by City professionals entrusted to review the plans on the City's behalf. In addition, the City's outside consultants have reviewed the geotechnical report and wetlands assessment; and they are also recommending approval of the wetlands permit, steep slope permit, and natural features components of the plan. Major findings reported by City staff after a thorough review include that the Final PUD is consistent with the intent and criteria of the PUD option, is consistent with the approved PUD Concept Plan, does not create unacceptable impacts on utilities, circulation systems, adjacent property or the environment, promotes the goals and objectives of the Master Plan, and provides an appropriate transition from adjacent land uses.

Mr. Noles reviewed the development challenges that were the primary topic of discussion at the previous PUD meetings. He stated that his team has worked out details on Final PUD presented this evening. He noted that double the

required parking has been provided, with an overflow parking easement that has been fully-executed as requested. He noted that the parcel split documentation has been reviewed several times and is in the final stages of approval, concurrent with this application. The bond will be delivered to Ms. Bopp tomorrow, and they have worked out the final review comment with Mr. Boughton earlier today. The emergency access has been detailed to ensure appropriate turning radii as well as the pedestrian access discussed at previous meetings. The life safety components have been reviewed and approved by the Fire Chief, including fire suppression systems in all six-unit type B buildings with basements. He noted that details pertaining to the site access easement have been worked out and include a rerouting of the pedestrian walkway to avoid disturbing the historic barn and silo. He stated that the challenging grading plan has been sufficiently detailed to warrant the recommendation for approval issued by Rochester Hills Engineering. The challenges have been worked out, including maintaining ADA requirements for sidewalk slopes as well as velocity control for the piped storm water system traversing the steep slope. Maintenance access and pedestrian trail locations have been relocated to provide pathways adjacent to the basin that run along the perimeter high ground outside of the wet areas of the pond. He noted that the EGLE wetland permit has also slowly progressed through the State approval process and is scheduled to be issued on July 27, 2020. The City's consultant, ASTI, recommends approval of the final PUD wetland permit.

He stated that the Groves will be an amazing place to live. The site will appeal to faculty, staff, families and empty nesters alike. He commented that they are very proud of the proposal before the Commission tonight and are indebted to amazing team of professionals who worked from home during these unusual times to bring this Final PUD forward. He requested the Commissioners' continued support.

Chairperson Brnabic expressed appreciation for the presentation and the information that addressed the Commission's previous concerns. She noted that page 4 of the proposed Final PUD Agreement states that to the extent that the developer requires minor modifications to the document, the City Building Official shall be permitted to approve such minor modifications administratively. She questioned what a minor modification would be.

Mr. Noles responded that the documents have been fairly well ferreted out. He commented that if the configuration of a deck or bump-out would be changed without necessarily encroaching on the setbacks any further than was allowed. He explained that Pulte has three different units that they provide buyers options that could slightly change the configuration. He noted that they are all the same square footage of 1,850 square feet, and all have an optional bump-out of 200 square feet and these have been included on the plans. From time to time Pulte will change floor plans or change unit names. He commented that they wish to ensure that they do not have to halt the job for several months to wait to schedule appearing before Planning Commission and/or Council for something minor. He stated that they do not foresee any significant changes coming.

Chairperson Brnabic noted that page 12 of PUD states that Pulte has the right to erect signage at entrance for sale of condominiums, and has an additional

right to erect a permanent sign at the entrance on Avon Road. She questioned whether the right to erect signage at entrance for sale would be temporary.

Mr. Noles responded that it would be. He commented that they wanted to put a permanent sign at the road; however, there is no room. He explained that the permanent monument sign will be installed at the point after traversing the ring road. He added that they still want to erect signage for directing potential customers to the site from Avon Road on a temporary basis.

Chairperson Brnabic questioned whether they would add the word temporary to the wording. She questioned the timeframe requested for a temporary sign.

Mr. Noles responded that he would have no problem clarifying that this is a temporary sign. He stated that as this PUD agreement runs for five years, they would want to have it the signage up for the whole sales period. He explained that a development of this nature should generate 35 sales per year, making this a two-year process; however, they would like to maintain the signage for the whole term of the PUD Agreement which is five years.

Chairperson Brnabic responded that five years is a long time, and noted that they do have the ability to install the permanent monument sign as the project gets going. She stated that she would rather have a much lower timeframe.

Mr. Noles stated that the permanent sign will be installed within six months; however it does not accomplish the same job as a sign on West Avon Road. He commented that they would really need to have that sign there over the entire sale period. He requested a compromise, for five years or until the sale period has ended which could be defined as the last unit has been sold. He stated that 35 units per year is what Pulte is targeting in their proformas, and if sales get down below 20 units, it is not considered a successful effort. With those numbers, Pulte would be looking at a timeframe of 3-1/2 years. He added that there would be changing signage noting coming soon, under development, final closeout or five units left; and stated that the signage will change as the development changes. He commented that it is a must-have for a public builder like this to be able to market their site. He requested they allow it to go for the entire agreement; however, it can be terminated earlier with the sales period if the last unit was sold.

Chairperson Brnabic commented that she thought that five years is a long time; however, she would see what the other Commissioners would think. She stated that the PUD contract requires a timeframe for commencement and completion of development, and noted that she did not see that information. She questioned whether the start would be when all needed permits were obtained and the completion would be a given timeframe such as five years.

Mr. Noles responded yes, stating that this would be the outside date. He commented that he believed, relative to the inside date, if they were approved at City Council in August, they would begin development immediately following, subject to all of their permits being issued and the construction documents completed and bonds posted. He noted that if they do start in August, the roads would be paved before Thanksgiving. He stated that the development will go

quickly in terms of the physical site improvements, and a model will be built for spring. There would be a few site improvements left to complete in the spring. Once the sales period begins, they could theoretically be out of there in two years. He commented that the inside date is 2-1/2 years, and the outside date is five years. He added that they can never predict the market forces, so they would like to keep five years if possible.

Chairperson Brnabic stated that the start date would be when all required permits are granted, with completion within five years. She noted that they do need to include this in the PUD Agreement, as it is a requirement of the ordinance 138-7.107.F, and would be included as an addition to the PUD contract.

Mr. Kaltsounis questioned how Chairperson Brnabic would word that inclusion.

Chairperson Brnabic stated that the applicant does not have a commencement and completion date which is required for a PUD contract. She stated that their start will be when they have all the required permits and their completion will be within five years of that date.

Mr. Kaltsounis stated that he would make that when they have staff approval before City Council.

Mr. Skore stated that the start is generally the time in which they receive all permits; however he commented that there is a little gray area with certain developments relative to the Indiana bat and the northern long eared bat species, and sometimes there are tree clearing restrictions that come into play. He pointed out that there is a possibility that they could be delayed even if they have all of their permits. He commented that they need to be careful when a commencement date is listed, as in a rare circumstance they may not be able to commence development of the property even after obtaining all permits.

Chairperson Brnabic stated that if there were extenuating circumstances, the City would be totally understanding. She noted that it is an ordinance requirement is to state a commencement start date and completion date. She stated that whatever way they would be comfortable with including that.

Mr. Skore stated that Pulte will start immediately which is their absolute goal in every development; however there are rare circumstances or weather that could influence. He noted that if permits are obtained in December or January, they may be precluded from doing everything as commencement would be weather-related.

Chairperson Brnabic questioned how the applicant would like to see this worded.

Mr. Noles responded that there are things at play including weather and market forces. He pointed out that their outside date is twice as long as the inside date. He added that the City has a site improvement permit that is not issued until the silt fence and tree fence is up. He noted that the only way to put up the silt and tree fence is to clear a path to allow that to be installed. If the site improvement permit has bat restrictions, it would mean that the big trees would need to be

cleared in October. He commented that if there are restrictions on the permit and clearing and grading cannot be done until October, underground would be installed during the winter, and paving undertaken in spring which would be in June. If they open for sale in 2021, with 70 units they would still have four years remaining.

Mr. Skore stated that he would be comfortable with all permits and within ten days from the preconstruction meeting.

Ms. Kapelanski stated that as there are a lot of mitigating factors, staff would be happy to sit down with the applicant prior to the Council Meeting to come up with something to convey the intent of the Planning Commission to put a five year limit on this.

Mr. Kaltsounis stated that he would make the motion such that it would capture that intent.

Mr. Reece suggested relative to the sales duration, a compromise be three years and after 36 months the situation would be revisited. If an extension is warranted and the condition of the sign is being maintained in good shape, it would be extended. If the project were completed after three years, the sign would be taken down. He questioned where the permanent sign was delineated on the plans.

Mr. Noles responded that it should be within the first ten pages, and noted that the landscape plan was updated and attached.

Mr. Reece questioned whether it was intended to be at the Eagles Wing entry.

Mr. Noles responded that it is.

Ms. Kapelanski stated that on L-2, there is a very small line where it is called out on the corner plan.

Mr. Reece questioned whether there was no rendering or elevation of the sign.

Ms. Kapelanski responded that it would be reviewed under a sign permit and a specific rendering is not included.

Mr. Noles stated that it does require a building permit.

Mr. Reece commented that he would like to see a better delineation of where the sign is going.

Mr. Noles responded that they could tighten up that note.

Ms. Neubauer stated that she would propose possible language suggesting pursuant to reasonable industry standards and conditions post-permits. She stated that it would provide a start point consistent with industry standards and conditions and would give enough language to provide a start point and the end point has already been discussed. She added that 36 months is acceptable for

the sign.

Mr. Weaver concurred, stating that he liked the idea of a re-evaluation period for the sign. He commented that he understands the importance of a sign near the road; and he likes the idea that after a certain period of time, whether it is 24 months or 36 months, a review of whether it is needed or to what extent it is needed. He noted a note on L-2 citing a pier with sign, and questioned whether that was where the permanent sign would be located.

Mr. Noles confirmed that was correct.

Mr. Weaver commented that he would also like to see a rendering of what the sign looks like.

Mr. Kaltsounis stated that he is aware that there will be a public hearing, and wished to discuss the conditions to be added to the motions. He stated that for the PUD, the conditions would include that the applicant add initiation and completion dates, for Staff approval and updates must be made before Council approval. He commented that he thought it was fair for the Pulte team to work with the university to come up with the dates considering bats or whatever might be in the way for the building of the property next to the river. For the sign, he noted that he agreed with his colleagues that there should be a date on it. He stated that he liked the idea of a 36-month review; however, he would also like to make it upon the sale of all of the units. He stated that he did not want it to be a revolving-door where changes could be made if there was a unit open. He commented that with Zillow and everything else on-line, he did not even see the need for a sign. He stated that many people are drawn to Pulte's properties because of their name. He noted that he would like to propose that a temporary sign be allowed on Avon Road to be removed at the end of the sale of all of the units or after a 36 month review of the condition and current purpose of the sign. He stated that it cannot be longer than the PUD agreement of five years.

Mike Noles stated that this would be fair. He noted that he would like to clarify that the start date as the start of sales, the end date as 36 months, and the outside date as five years.

Chairperson Brnabic stated that in her opinion, she would like to see that temporary sign as of right now for the contract purpose limited to three years with the option of an extension which would require a review. She noted that that way, if that timeframe was coming up, they would be obligated before the three-year period to request the review and would be able to provide an update on sales. She stated that she would be more comfortable with three years and then up for extension rather than agreeing to five years as of now. She noted that from what she is hearing, three years seems to be the consensus between the Commissioners that have spoken tonight.

Mr. Kaltsounis stated that he was in agreement with Chairperson Brnabic's recommendation and questioned whether Mr. Noles would concur.

Mr. Noles responded that he would like to have a coming soon sign. He stated that the five-year period is fine and could begin right now. He commented that

the three-year period is also fine, as long as they still do not have units to sell. He noted that if the job is slow, they do not want to take tools out of the salespeoples' toolbox. He stated that he would be fine with a re-evaluation; however, if there are still units to sell and they are taking down the sign, that would cripple the development.

Chairperson Brnabic stated that the developer would not let it get to that point; and if they felt that they would need an extension due to circumstances of the development not being sold out, they would be requesting a review and an extension to the three years. She stated that she wants a more definite answer on how long the sign will be there as temporary.

Mr. Noles commented that it appears everyone is saying the same thing, and that the Commission wants an opportunity for a discussion at three years. He stressed that he did not want to be left without a sales tool of a marketing sign. He stated that to not have a sign at the major thoroughfare directing people in would be a major detriment to sales. He noted that if the Commission is saying that they could start having a sign now, and after three years it would be reviewed and extended up to the point of the five-year PUD Agreement.

Chairperson Brnabic stated that she is not saying that if an extension is requested it would automatically go to five years.

Mr. Noles stated that he would not be asking for an extension past the last unit which is the reason he was requesting that it be for the term of the PUD Agreement or when the last unit was sold, whichever is sooner.

Chairperson Brnabic stated that she wanted to be clear that the applicant does not have the impression that they will have a temporary sign for three years and automatically get an extension for another two; but they would have the option depending on the circumstances.

Mr. Kaltsounis suggested that a temporary sign be allowed on Avon Road to start after Council approval of the PUD to be removed at the end of the sale of the initial units or 36 months. The Applicant can return to Planning Commission for an option for more years that are not to exceed five years.

Mr. Noles thanked the Commissioners for working with them as it is such a critical item. He stated that he understood the Commission not wanting to have the sign there forever.

Chairperson Brnabic also noted that the word "temporary" would be added to page 12, section 3 Signage, to read "have the right to erect temporary signage".

Chairperson Brnabic opened the public hearing for the PUD Agreement and called for public comment at 8:37 p.m.

Ms. Pachla indicated that there were no email communications.

Ms. Roediger noted that there was no one online or in attendance wishing to comment.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-022 (Rochester University Townhomes PUD), the Planning Commission recommends that City Council approves the PUD Agreement dated received April 15, 2020 by the Planning and Economic Development Department with the following findings and subject to the following conditions.

Findings:

1. *The proposed Final PUD is consistent with the proposed intent and criteria of the PUD option.*
2. *The proposed Final PUD is consistent with the approved PUD Concept Plan.*
3. *The PUD will not create an unacceptable impact on public utility and circulation systems, surrounding properties, or the environment.*
4. *The proposed PUD promotes the goals and objectives of the Master Plan as they relate to providing varied housing for the residents of the City.*
5. *The proposed plan provides appropriate transition between the existing land uses surrounding the property.*

Conditions:

1. *City Council approval of the PUD Agreement.*
2. *The appropriate sheets from the approved final plan set shall be attached to the PUD Agreement as exhibits, including the building elevations.*
3. *All other conditions specifically listed in the agreement shall be met prior to final approval by city staff.*
4. *Applicant to update the PUD Agreement to add initiation and completion dates for this development for staff approval. Updates must be made before Council approval.*
5. *The PUD Agreement must be updated to address the temporary sign wording that the sign be allowed on Avon Road to start after council approval of the PUD, to be removed at the end of the sale of all units or 36 months. The applicant can return to the Planning Commission for an option for more years, not to exceed a total of five years.*

A motion was made by Kaltsounis, seconded by Reece, that this matter be Recommended for Approval. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

Abstain 1 - Gaber

2020-0164 Public Hearing and request for recommendation of a Wetland Use Permit - City File No. 19-022 - The Groves PUD (aka Rochester University Townhomes) for impacts up to approximately 3,175 s.f. for development activities associated with construction of a 70-unit townhome development on 7.9 acres located on the Rochester University campus on Avon, east of Livernois, zoned SP Special Purpose, Parcel No. 15-15-451-008, Pulte Homes of Michigan, Applicant *Chairperson Brnabic opened the public hearing for the Wetland Use Permit and called for public comment at 8:40 p.m.*

Ms. Pachla indicated that there were no email communications.

Ms. Roediger noted that there was no one online or in attendance wishing to comment.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission recommends to City Council approval of a Wetland Use Permit to permanently impact approximately 3,175 square feet to construct and grade access roads, based on plans dated received by the Planning and Economic Development Department on June 8, 2020 with the following findings and subject to the following conditions.

Findings:

- 1. Of the 5,227 s.f. of wetland area on site, the applicant is proposing to impact approximately 3,175 s.f.*
- 2. Because the wetland areas are mostly low quality and the small, higher quality wetland will be minimally impacted, the City's Wetland consultant, ASTI, recommends approval.*

Conditions:

- 1. City Council approval of the Wetland Use Permit.*
- 2. If required, that the applicant receives and applicable EGLE Part 303 Permit prior to issuance of a Land Improvement Permit.*
- 3. That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to issuance of a Land Improvement Permit.*
- 4. That any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City approved wetland seed mix where possible and implement best management practices, prior to final approval by staff.*

A motion was made by Kaltsounis, seconded by Reece, that this matter be Recommended for Approval. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

Abstain 1 - Gaber

2020-0165

Request for Natural Features Setback Modifications - City File No. 19-022 - for impacts of up to 400 linear feet for construction activities associated with The Groves PUD (aka Rochester University Townhomes), a proposed 70-unit residential development on 7.9 acres located on the Rochester University campus on Avon, east of Livernois, zoned SP Special Purpose, Parcel No. 15-15-451-008, Pulte Homes of Michigan, Applicant

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission grants natural features setback modifications for approximately 400 linear feet for permanent impacts for construction activities, based on plans dated received by the Planning and Economic Development Department on June 8, 2020 with the following findings and conditions:

Findings:

1. *The impact to the Natural Features Setback area is necessary for construction activities.*
2. *The proposed construction activity qualifies for an exception to the Natural Features Setback per the ASTI Environmental letter dated July 9, 2020, which also states that the areas are of low ecological quality and function and offer little buffer quality.*

Conditions:

1. *Work to be conducted using best management practices to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted.*
2. *Site must be graded with onsite soils and seeded with City approved seed mix.*

A motion was made by Kaltsounis, seconded by Reece, that this matter be Granted. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

Abstain 1 - Gaber

2020-0166

Request for approval of a Tree Removal Permit - City File No. 19-022 - for the removal and replacement of as many as 737 trees for The Groves PUD (aka Rochester University Townhomes), a proposed 70-unit townhome development

on 7.9 acres located on the Rochester University campus on Avon, east of Livernois, zoned SP Special Purpose, Parcel No. 15-15-451-008, Pulte Homes of Michigan, Applicant

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning and Economic Development Department on June 8, 2020 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 remove up to 737 trees on site and replace in the development area and in areas around the Rochester University Campus.

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 at a rate of \$304 per tree.

A motion was made by Kaltsounis, seconded by Reece, that this matter be Granted. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

Abstain 1 - Gaber

2020-0167

Public Hearing and request for recommendation of a Steep Slope Permit - City File No. 19-022 - for regulated steep slope impacts of approximately 23,100 s.f. and regulated steep slope setback impacts of approximately 61,600 s.f. for The Groves PUD (aka Rochester University Townhomes PUD), a proposed 70-unit residential development on 7.9 acres located on the Rochester University campus on Avon, east of Livernois, zoned SP Special Purpose, Parcel No. 15-15-451-008, Pulte Homes of Michigan, applicant.

Chairperson Brnabic opened the public hearing for the Steep Slope Permit and called for public comment at 8:45 p.m.

Ms. Pachla indicated that there were no email communications.

Ms. Roediger noted that there was no one online or in attendance wishing to comment.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No.

19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission recommends to City Council approval of a Steep Slope Permit to impact approximately 84,700 s.f., of steep slopes and steep slope setbacks based on plans dated received by the Planning Department on June 8, 2020 with the following findings and subject to the following conditions.

Findings:

1. The proposed activity and the manner in which it is to be accomplished are in accordance with the findings and purpose set forth in Section 138-9.200.
2. The proposed activity and the manner in which it is to be accomplished can be completed without increasing the possibility of creep or sudden slope failure and will minimize erosion to the maximum extent practicable.
3. The proposed activity and the manner in which it is to be accomplished will not adversely affect the preservation and protection of existing wetlands, water bodies, watercourses and floodplains.
4. The proposed activity and the manner in which it is to be accomplished will not adversely affect adjacent property.
5. The proposed activity and the manner in which it is to be accomplished can be completed in such a way so as not to adversely affect any threatened or endangered species of flora or fauna.
6. The proposed activity is compatible with the public health and welfare.
7. The proposed regulated activity cannot practicably be relocated on the site or reduced in size so as to eliminate or reduce the disturbance of the steep slope area.
8. The applicant has demonstrated compliance with the requirements of Article 9, Chapter 2, Steep Slopes.

Conditions:

1. City Council approval of the Steep Slope Permit.

A motion was made by Kaltsounis, seconded by Reece, that this matter be Recommended for Approval. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

Abstain 1 - Gaber

2020-0257 Request for recommendation of approval of the Final Site Plans - City File No. 19-022 - The Groves PUD (aka Rochester University Townhomes), a proposed 70-unit, for sale development on 7.9 acres located on the Rochester University

campus on Avon, east of Livernois, zoned SP Special Purpose, currently part of Parcel 15-15-451-008, Pulte Homes of Michigan, Applicant

Mr. Kaltsounis stated that this is a final recommendation for a Final Site Plan. He commented that this has been debated many times before, and he would thank the applicant for the hard work put into this at this point.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-022 (The Groves/Rochester University Townhomes PUD), the Planning Commission recommends that City Council approves the Final Site Plan, dated received June 8, 2020 by the Planning and Economic Development Department, 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 location and design of the driveway providing vehicular ingress to and egress from the site will promote safety and convenience of both vehicular and pedestrian traffic both within the site and on adjoining streets.*
- 3. There will be a satisfactory and harmonious relationship between the development on the site and the existing and prospective development of contiguous land and adjacent development.*
- 4. The proposed development does not have an unreasonably detrimental, nor an injurious, effect upon the natural characteristics and features of the parcels being developed and the larger area of which the parcels are a part.*
- 5. The proposed Final Plan promotes the goals and objectives of the Master Plan by providing an alternative housing option.*

Conditions:

- 1. City Council approval of the Final Site Plans.*
- 2. Provide landscape bond in the amount of \$131,885.00, plus inspection fees, for landscaping and provide irrigation plan and its cost estimate, as adjusted as necessary by the City, prior to the preconstruction meeting with Engineering Services.*
- 3. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.*
- 4. Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.*
- 5. Details of the permanent sign to be added to the plan to be reviewed and approved by staff.*

A motion was made by Kaltsounis, seconded by Reece, that this matter be Recommended for Approval. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

Abstain 1 - Gaber

2020-0261 Public Hearing and request for recommendation of the First Amendment to the PUD Agreement between Rochester University and the City of Rochester Hills - City File No. 94-426.10 - to allow the 7.9-acre development of The Groves (aka Rochester University Townhomes) PUD, a 70-unit development on 7.9 acres on the Rochester University campus on Avon, east of Livernois, Rochester University, Applicant

Chairperson Brnabic opened the public hearing for the First Amendment to the PUD Agreement and called for public comment at 8:49 p.m.

Ms. Pachla indicated that there were no email communications.

Ms. Roediger noted that there was no one online or in attendance wishing to comment.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 94-426.10 (The First Amendment to the Rochester University PUD), the Planning Commission recommends that City Council approves the First Amendment dated received April 13, 2020 by the Planning and Economic Development Department with the following findings and subject to the following conditions.

Findings:

- 1. The proposed amended PUD Agreement is consistent with the proposed intent and criteria of the PUD option.*
- 2. A new PUD Agreement between Pulte Homes and the City of Rochester Hills requires removal of 7.9 acres of land on the campus to be sold for a 70-unit townhome development.*
- 3. The proposed amended PUD Agreement is consistent with the approved Final PUD plan for The Groves/Rochester University Townhomes.*
- 4. The proposed amended PUD Agreement will not create an unacceptable impact on the public utility systems, surrounding properties or the environment.*
- 5. The proposed amended PUD agreement promotes the goals and objectives of the Rochester University Master Plan and the City's Master Plan as they relate to providing varied housing for the residents of the City.*