



Rochester Hills Minutes Planning Commission

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*William Boswell, Chairperson; Deborah Brnabic, Vice Chairperson; Gerard Dettloff,
Kathleen Hardenburg, Greg Hooper, Nicholas Kaltsounis
David Reece, C. Neall Schroeder, Emmet Yukon*

Tuesday, June 5, 2007

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson William Boswell called the regular Planning Commission to order at 7:33 P.M.

ROLL CALL

Present: William Boswell, Deborah Brnabic, Gerard Dettloff, Kathleen Hardenburg, Greg Hooper, Nicholas Kaltsounis, David Reece, C. Neall Schroeder and Emmet Yukon

APPROVAL OF MINUTES

2007-0376 May 15, 2007 Regular Meeting

A motion was made by **Schroeder**, seconded by **Kaltsounis**, that this matter be **Approved**. The motion carried by the following vote:

Approved

Aye: Boswell, Brnabic, Dettloff, Hardenburg, Hooper, Kaltsounis, Reece, Schroeder and Yukon

COMMUNICATIONS

- A) Zoning Map (May 2007)
- B) Letter from Sierra Club
- C) 2008-2013 CIP Book

Chairperson Boswell noted that there were two Public Hearings scheduled, and he asked people to fill out speaker cards prior to the Hearings if they wished to comment.

UNFINISHED BUSINESS

2007-0325 Request for Final Site Condominium Plan Recommendation (Postponed at May 15, 2007 Meeting) - City File No. 05-031 - The Legacy Site Condominiums, a proposed 11-unit development on five acres, located north of Hamlin, east of Livernois, zoned R-3, One Family Residential, Parcel No. 15-22-351-004, Paul Rosati, applicant.

(Reference: Memo prepared by Derek Delacourt, dated June 1, 2007 had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Paul and Marco Rosati, Rosati Construction, 790 West Hamlin Road, Rochester Hills, MI and David Richmond, Richmond Engineering, Inc., 11371 Fenton Rd., Fenton, MI 48430. They remained in the audience.

Chairperson Boswell advised that Mr. Shumejko, the City's Transportation Engineer, had been asked to the meeting to discuss the Hamlin Road improvements as they related to the Legacy project, which had been questioned at the previous meeting. He asked Mr. Shumejko to come forward to advise the Commissioners.

Mr. Shumejko related that he would talk about the background of the Legacy site and whether warrants were met. He advised that the City utilized the Oakland County Road Commission method for passing lane warrant requirements, in conjunction with the Institute of Transportation Engineers' Trip Generation. Based on the 11-site condo development proposed, the peak hour left turns were just over seven trips, which fell short of the minimum threshold. Based upon that information and because of the Federally funded project that had been approved to install a roundabout at Hamlin and Livernois, center turn lane improvements were proposed for east of the development. The project was scheduled for construction in late 2008 or early 2009, and that was the reason the warrants were not met and that the passing lane in front of the project was not required. Mr. Schroeder felt that answered the Commission's questions.

Mr. Kaltsounis asked if the 2008-2009 construction timeframe would really happen. Mr. Shumejko said that it looked as if it would, because for the last few years they had environmental assessment issues associated with the potential historic home on Livernois, but that had been approved recently. He noted that there would be a Public Hearing for the environmental assessment for the Hamlin Road widening project on June 26. They would begin acquiring the right-of-way in September 2007, and that would put them in line for 2008-09 construction.

Mr. Schroeder asked how many lanes the roundabout would be. Mr. Shumejko explained that there would be two entry and two departing lanes, and it would go down to a single lane in each direction. It would convert back to two lanes heading east on Hamlin and a center turn lane would be carried for approximately 1,000 feet east of the intersection. It would eventually be carried to Rochester Road.

Ms. Hardenburg asked how people who lived in that area would get out onto the roads during rush hour traffic. There would no longer be a light to stop the traffic, so it would be almost impossible for people to make a left turn, and they would have to be very quick to make a right turn.

Mr. Shumejko said he did not have the exact data, but advised that the consultant ran a software program for the roundabout during peak hours. He acknowledged that there would be times during the rush hour where it would be over-congested, but the roundabout would allow traffic to clear more quickly so the duration would be shorter than with a signalized intersection. Ms. Hardenburg surmised that instead of taking five minutes to make a left hand turn onto Livernois she would have to wait an hour and a half until rush hour was done, noting that there would be non-stop, consistent traffic. She reminded that people in Michigan tailgated, and that there was no room in between cars.

Mr. Shumejko suggested that further down the road, there would be additional intersection improvements at Rochester and Hamlin, which should increase the capacity through it during peak hours. Ms. Hardenburg said the software showed certain things, but she did not feel it was a realistic portrayal. She pointed out the roundabout at Stoney Creek High, and said that when school let out, it was very difficult to try to go the opposite way of the traffic and merge. Mr. Shumejko supposed that was a tradeoff with a roundabout; however, they had not had any complaints regarding the roundabout at Sheldon and Tienken, and traffic safety had improved. Ms. Hardenburg said she liked the safety aspect, but she would not like to see one in every corner of the City. She questioned whether it would be safer for people trying to make a left turn onto Livernois or Hamlin during rush hour.

Mr. Shumejko said that even with a signal, traffic was often backed up through driveways. Ms. Hardenburg expressed that people would generally let cars in if they were stopped, but without a signal, they probably never would be able. Chairperson Boswell commented that the discussion really did not have anything to do with Legacy. Mr. Shumejko reiterated that using the trip generation manual, and following the Road Commission's guidelines and using the City's standards and practices for trips making a left in to the Legacy, warrants came out beneath the threshold for requiring a passing lane.

Mr. Delacourt reminded that the Master Thoroughfare was under review, and that it would be before the Commission for review and approval. He indicated that he did not ask Mr. Shumejko to come to the meeting with information in relation to the roundabout, and advised that any questions about it could be directed to Mr. Shumejko so he could have information available for the Commission.

Mr. Kaltsounis thought that timeframe-wise, the road improvements would fit in with the building of the development. He did not think it would be as much of an issue now that they had more information. At the last meeting, they believed the improvements would be held off a lot longer. He referred to Oakland County trip data, and said that a few years ago, the Road Commission was gathering trip data right after July 4th, one of the slowest days of the year. He asked when the data was collected for Hamlin Road, and if it was done while school was in session.

Mr. Shumejko said that oftentimes, there were two different counting periods. The City did major roads, including those of other jurisdictions, between the months of February and May, while school was in session. The Road Commission sometimes was not able to do it during that time. The City had a good program in place and every other year, they did all the major roads, and the other years they did the local roads. They put in a 3% growth factor. Mr. Kaltsounis said the Commission looked at that because some developers brought in traffic studies done in the middle of summer.

Mr. Kaltsounis moved the following motion:

MOTION by Kaltsounis, seconded by Yukon, in the matter of File No. 05-031 (Legacy Site Condominiums), the Planning Commission recommends City Council **approve the Final Site Condominium Plan** based on plans dated received by the Department of Planning and Development on February 27, 2007, with the following four (4) findings and subject to the following three (3) conditions.

Findings:

1. All applicable requirements of the One-Family Residential Detached Condominiums Ordinance and Zoning Ordinance can be met.
2. Adequate public utilities are currently available to properly service the proposed development.
3. The Final Plan represents a reasonable and acceptable plan for developing the property.
4. The Final Plan is in conformance with the Preliminary Plan approved by City Council on May 3, 2006.

Conditions:

1. *The applicant submit a Performance Bond for proposed trees and landscaping of \$72,148.00, as adjusted if necessary by the City, prior to issuance of a Land Improvement Permit.*
2. *Tree protective fencing be installed, inspected and approved by the City's Landscape Architect prior to the issuance of the Land Improvement Permit for this development.*
3. *The applicant must post a bond for any monuments and irons not set, prior to issuance of the Land Improvement Permit.*

Mr. Hooper said he appreciated Ms. Hardenburg's comments about traffic, which they were all concerned about. He advised that the Hamlin Road improvements had been funded from Crooks to Livernois, and that the roundabout had been funded, but the improvements had not been funded for Livernois to Rochester Road, nor had the decision been made about what the traffic configuration would be because the Master Thoroughfare was currently underway. He did not want anyone to have a false impression, advising that they were studying the roads. Mr. Kaltsounis asked about the distance shown on the traffic plan. Mr. Hooper said that if it were part of the roundabout, it was approved. He added that he appreciated Mr. Shumejko coming to the meeting and explaining the situation to the Commission.

A motion was made by Kaltsounis, seconded by Yukon, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Recommended for Approval to the City Council Regular Meeting

Aye: Boswell, Brnabic, Dettloff, Hardenburg, Hooper, Kaltsounis, Reece, Schroeder and Yukon

Chairperson Boswell stated that the motion had passed unanimously, and he thanked Mr. Shumejko for clarifying the issue.

NEW BUSINESS

2007-0335 Conditional Land Use Recommendation (Public Hearing) - City File No. 95-004.4, PetSmart, to allow a veterinary clinic to operate in the PetSmart Store at 1116 S. Rochester Rd., south of Avon and west of Rochester Road, zoned B-3, Shopping Center Business, Parcel No. 15-22-226-019, PetSmart, Inc., applicant.

(Reference: Memo prepared by Ed Anzek, dated June 5, 2007 had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Gary R. Rentrop, Rentrop & Morrison,