

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

Aye 7 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Schroeder and Yukon

Nay 1 - Reece

Absent 1 - Boswell

Vice Chairperson Brnabic stated that the motion had passed 7-1, and she thanked the applicants.

NEW BUSINESS

2016-0002 Request for Final Planned Unit Development Agreement Recommendation - City File No. 15-001 - Brampton Parc Condominiums PUD, a proposed 12-unit residential development on 2.93 acres, located on the east side of John R between Hamlin and School Rds., zoned R-4, One Family Residential, Parcel No. 15-24-301-052, 1459 John R, LLC, Applicant

(Reference: Staff Report prepared by Sara Roediger, dated January 15, 2016, PUD Agreement and site plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Jim Polyzois, 1459 John R, LLC, 14955 Technology Dr., Shelby Twp, MI 48315 and Ralph Nunez, Design Team Plus, 955 E. Maple Rd., Suite 210, Birmingham, MI 48009.

Ms. Roediger noted that the applicants were in front of the Planning Commission in October 2015 for the first part of the two part PUD process (Concept Plan). The matter went to City Council on November 9, 2015 where it was unanimously approved. She stated that the Final PUD Plan was essentially the same as the Concept. The key change was in response to the neighbor's concerns about screening, for which the applicant added 15 evergreen trees and enhanced plantings on the eastern property line. That was done in coordination with staff and the property owners to create the desired buffer along that property line. Ms. Roediger also noted that a Wetland Use Permit Recommendation was being requested. The site contained .026 acre of wetlands which had been reviewed by ASTI Environmental. The wetlands were determined to be of low quality. A small Natural Features Setback Modification (675 linear feet) was being requested for grading around the cul-de-sac area. All reviews had recommended approval, and there was a copy of the draft PUD Agreement included, which was reviewed and approved by City Attorney Staran. She said that she would be happy to answer any questions.

Mr. Kaltsounis indicated that he would like to have the existing zoning concept plan removed from the plans. He thought that it was confusing and was not necessary. It did not bring the wetlands into the equation, and he did not see why it should be part of the Final Plans. Ms. Roediger said that it was included as part of the Concept Plan and was showing what could be alternatively

developed. She did not think it had to be included as part of the Final Plans. Mr. Kaltsounis noted that it was sheet SP-1.1, but it was not something he wished to approve.

Mr. Schroeder pointed out that typical condos never had enough parking, and most of the spots were private in the driveways and garages. At four spaces, he said that there would not be much available for the visitors to the 12 units, and he thought that street parking would be difficult. He noted that it was just a general comment about condo planning. Mr. Nunez explained that there were seven spaces, and three were in the cul-de-sac.

Upon questioning by Vice Chairperson Brnabic, Mr. Nunez responded that Ms. Roediger had done a great job of outlining the project. He advised that the applicants did have a conversation with the neighbors after the last Planning Commission meeting. There had also been a subsequent call from one of the neighbors to Mr. Polyzois. That neighbor wanted the detention basin put on her side and to have a house moved, and it was explained that it was being put in the low area where detention had to go.

Vice Chairperson Brnabic thanked the applicants for providing a very well written PUD Agreement. She announced that she had not received any speaker cards.

Mr. Kaltsounis realized that the applicants had been before the Commission before, but for members in the audience, he explained that the review of a Final PUD was to make sure it conformed with the Concept Plan approval. He stated that the Final PUD was what they had agreed to previously, and he moved the following, seconded by Mr. Schroeder:

MOTION by Kaltsounis seconded by Schroeder, in the matter of City File No. 15-001 (Brampton Parc Condominiums PUD), the Planning Commission **recommends** that City Council **approves** the PUD Agreement dated received January 5, 2016 with the following five (5) findings and subject to the following three (3) 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.*

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

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

Absent 1 - Boswell

2015-0551

Request for a Wetland Use Permit Recommendation - City File No. 15-001 - for permanent impacts to approximately 1,128 square feet of wetland area for Brampton Parc Condominiums PUD, a proposed 12-unit residential development on 2.93 acres, located on the east side of John R, between Hamlin and School, zoned R-4, One Family Residential, Parcel No. 15-24-301-052, 1459 John R, LLC, Applicant

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 15-001 (Brampton Parc Condominiums PUD), the Planning Commission **recommends** City Council **approves** a **Wetland Use Permit** to impact approximately 1,128 square feet for the construction of the storm water detention basin, based on plans dated received by the Planning Department on December 22, 2015, with the following two (2) findings and subject to the following four (4) conditions.

Findings

1. *Of the approximately 0.02 acre of City-regulated wetlands on site, the applicant is proposing to impact approximately the same amount of wetlands.*
2. *The wetland areas are of low quality, both in functional value and floristic diversity and should not be considered a vital natural resource to the City.*

Conditions

1. *City Council approval of the Wetland Use Permit.*
2. *That the applicant receives all applicable DEQ permits 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 ASTI verifies that condition 2.a from its September 17, 2015 letter is addressed, prior to final approval by city staff.*

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

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

Absent 1 - Boswell

2016-0013

Request for Natural Features Setback Modification - City File No. 15-001 - for impacts to approximately 675 linear feet associated with the construction of the detention basin for Brampton Parc, a 12-unit residential development on approximately three acres on the east side of John R, between School and Hamlin, 1459 John R LLC, Applicant

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 15-001 (Brampton Parc Condominiums PUD), the Planning Commission **grants Natural Features Setback Modifications** for the permanent impacts to as much as 675 linear feet of natural features setbacks associated with the construction and grading of units and the cul-de-sac Hampshire Ct., based on plans dated received by the Planning Department on December 22, 2015, with the following two (2) findings and subject to the following one (1) condition.

Findings

1. Natural Features Setback Modifications are needed to construct several units and a portion of the cul-de-sac Hampshire Ct.
2. The Natural Features Setbacks are of low ecological quality and the City's Wetland Consultant, ASTI, recommends approval.

Condition

1. Add a note indicating that Best Management Practices will be strictly followed during construction to minimize the impacts on the Natural Features Setbacks.

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

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

Absent 1 - Boswell

2015-0392

Request for Final Planned Unit Development Site Plan Recommendation - City File No. 15-001 - Brampton Parc Condominiums PUD, a proposed 12-unit residential development on 2.93 acres, located on the east side of John R between Hamlin and School Rds., zoned R-4, One Family Residential, Parcel No. 15-24-301-052, 1459 John R, LLC, Applicant

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 15-001 (Brampton Parc Condominiums PUD), the Planning Commission **recommends that City Council approves the Site Plan**, dated received

December 22, 2015 by the Planning and Development Department, with the following five (5) findings and subject to the following five (5) 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 driveways 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 the adjoining street.*
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 neighborhoods.*
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.*

Conditions

1. *City Council approval of the Final PUD Plans.*
2. *Provision of a performance guarantee in the amount of \$49,810.00 plus inspection fees, as adjusted if necessary by the City, to ensure the proper installation of trees and landscaping. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.*
3. *Payment of \$200 per lot into the City's Tree Fund (\$2,400.00).*
4. *Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.*
5. *The existing concept plan zoning site plan, Sheet SP-1.1 shall be removed from the subject plans, prior to final approval by staff.*

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

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

Absent 1 - Boswell

After each motion, Vice Chairperson Brnabic stated for the record that the

motion had passed unanimously, and she thanked the applicants.

ANY OTHER BUSINESS

Mr. Anzek mentioned that he had talked about the February 26th project deadline for the 2017-2022 Capital Improvement Plan. and he asked for two Planning Commission members to volunteer to serve on the CIP Policy Team. Mr. Schroeder said that he would like to continue. Mr. Hooper said that he would also like to volunteer.

MOTION by Kaltsounis, seconded by Dettloff, that the Rochester Hills Planning Commission hereby appoints C. Neall Schroeder and Greg Hooper to serve on the CIP Policy Team for the 2017-2022 Capital Improvement Plan review.

Voice Vote: All Ayes

MOTION CARRIED

Ms. Roediger pointed to the overhead screen that showed the survey for the Parks and Recreation Master Plan, which she advised was available on the City's website. The Commissioners had received notice that on January 25, 2016, there would be a presentation at Council for the Riverbend Park Strategic Framework Plan. There would be an open house before the Council meeting between 4-6:30 p.m. in the hallway outside of the Auditorium, and she invited anyone who was interested in seeing the final recommendations for the Park to attend. She noted that about 400 people had taken the survey so far, which she felt was amazing for an online survey as part of a Parks and Rec. Master Plan. She added that there would be a Public Hearing for the Plan at the February 16th Planning Commission meeting. She and Mr. Anzek had been assisting the Parks & Forestry Dept. with the update, and it would also go to Council in February for approval.

NEXT MEETING DATE

Vice Chairperson Brnabic reminded the Commissioners that the next Regular Meeting was scheduled for February 16, 2016.

ADJOURNMENT

Hearing no further business to come before the Planning Commission, and upon motion by Mr. Kaltsounis, Vice Chairperson Brnabic adjourned the Regular Meeting at 9:08 p.m.

Deborah Brnabic, Vice Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary