



Rochester Hills

Minutes - Draft

Planning Commission

1000 Rochester Hills Dr
Rochester Hills, MI
48309
(248) 656-4600
Home Page:
www.rochesterhills.org

Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Susan Bowyer, Gerard Dettloff, John Gaber, Marvie Neubauer,
Nicholas O. Kaltsounis, David A. Reece, and Ben Weaver

Tuesday, May 19, 2020

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Brnabic called the Regular Meeting of the Planning Commission to order at 7:00 p.m. She outlined the procedure for the meeting and explained Governor Whitmer's Executive Orders 2020-21 and 2020-75 allowing the public meeting to be held virtually.

ROLL CALL

Present 9 - Deborah Brnabic, Gerard Dettloff, John Gaber, Greg Hooper, Nicholas Kaltsounis, David Reece, Susan M. Bowyer, Ben Weaver and Marvie Neubauer

Quorum present.

Also present: Sara Roediger, Director of Planning and Economic Dev.
Kristen Kapelanski, Manager of Planning
Jason Boughton, DPS/Engineering Services Utilities Mgr.
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

[2020-0196](#) April 21, 2020 Regular Meeting

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

COMMUNICATIONS

There were no Communications presented.

PUBLIC COMMENT

Chairperson Brnabic opened Public Comment at 7:03 p.m. Seeing no one wishing to speak or in the Auditorium and that no emails had been

submitted, she closed Public Comment.

UNFINISHED BUSINESS

2020-0132

Request for a Tree Removal Permit - City File No. 19-026 - for the removal and replacement of as many as 171 trees for Hamlin Outdoor Storage, a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin, between John R and Dequindre, zoned I Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated May 13, 2020, Site plans and landscape plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Michael Klieman, Wiegand Development, 37580 Mound Rd., Sterling Heights, MI 48310 and Lori Shink, Shink Engineering, 4146 Pine Grove Rd., Fort Gratiot, MI 48059.

Mr. Klieman felt that they received some great input from the Commissioners at the last meeting. They revised the plans per the comments to raise the berm, add a berm between Hamlin and the detention pond with 22 trees for additional screening, to provide line of site drawings of the views driving by and to provide gate details.

Ms. Kapelanski noted that the site was zoned Industrial, which permitted recreational vehicle storage. In order to meet the required screening, the applicant was showing a berm and landscaping surrounding the storage area. The Commission had postponed the subject requests at the last meeting for a number of reasons. As they had requested, line of site drawings had been provided which showed appropriate screening along Hamlin. The berm had been raised by two feet. A detail of the gate had also been provided. The vertical and horizontal scales had been adjusted to match, and plantings had been added by the detention pond. She summarized that a Wetland Use Permit, Natural Features Setback Modification, Tree Removal Permit and Site Plan Approval were being requested, which were recommended for approval by staff, subject to some minor modifications to be addressed prior to final staff approval.

Chairperson Brnabic confirmed with Ms. Roediger and Ms. Gentry that there was no one wishing to speak and no emails received.

Chairperson Brnabic mentioned that there had been a recommendation to reduce the number of Douglas Firs on the berm and replace them with other species of spruces/firs, because they had a low survival rate in the City. She wondered if the applicants had taken note of that.

Mr. Klieman stated that they had. He would be contracting with Wiegand Nursery for their expertise. Chairperson Brnabic clarified that they had no idea at that point what the replacements would be. Mr. Klieman said that it would be with something in the same family, and they would take the nursery's recommendation as to what would do best. Chairperson Brnabic asked if, before the matter moved to City Council, they would revise the landscape plan, sheet 10 with the plantings they were going to use so that it was stated correctly rather than showing 31 Douglas Firs. Mr. Klieman agreed to eliminate the Douglas Firs.

Mr. Gaber thanked Mr. Klieman for making the accommodations the Commission had requested. He asked Mr. Klieman to explain the changes to the berm and plantings from what had been originally proposed.

Mr. Klieman said that the berm along Hamlin had been eight feet from the roadside. Inside of the parking area, it was four feet. They raised the total height by two feet, so there would be ten feet on the Hamlin Rd. side and six feet on the parking side. The plantings would also be raised two feet. They were adding a berm in front of the detention pond and 22 additional plantings between the berm and the road.

Mr. Gaber had observed that the road was a little more elevated than the pathway. He was not sure how thick the trees would be to begin with, and he wondered whether the applicants could add a drive aisle on the inside of the berm and park vehicles 20 feet behind the berm.

Mr. Klieman said that if he did that, he would lose the whole first row of parking, and they had already lost quite a bit of parking with the detention pond. Mr. Gaber asked if those spaces could be filled last. Mr. Klieman suggested that no vehicles taller than ten feet would be parked there, noting that the line of site drawings were for 12-foot vehicles. Mr. Gaber said that it would be appreciated. He did not want anything to negatively affect their business. Mr. Klieman added that their research showed that 80% of RVs were 10.5 feet and smaller.

Mr. Hooper felt that there had been great revisions to the plan, and he liked the project. He asked about the fence materials, assuming they would be putting a fence back on top of the berm. Ms. Shink advised that the berm would be behind the fence, and it would not be taken down at all.

Mr. Weaver also felt that they had done a great job responding to the

Commissioners' comments. He thought that the gate looked very nice, and he appreciated the addition of trees. He thought that the site line diagrams really helped. He asked about the spacing of the trees, and Ms. Shink pointed out Sheet 10 under Buffer Notes where that information was shown.

Mr. Kaltsounis thought the applicants had done a great job with the plans, and he thanked them for bringing resolutions to the meeting. Hearing no further comments, he moved the following motions:

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-026 (Hamlin Outdoor Storage), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on May 4, 2020 with the following two (2) findings and subject to the following two (2) 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 171 regulated trees replacing some onsite and paying into the City's Tree Fund for the remainder.*

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. Payment into the City's Tree Fund of \$45,600.00 prior to temporary grade being issued by Engineering.*

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

2020-0133 Request for a Wetland Use Permit Recommendation - City File No. 19-026 - for impacts up to approximately 5,471 s.f. for construction activities associated with Hamlin Outdoor Storage, a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin between John R and Dequindre, zoned I Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-026 (Hamlin Outdoor Storage), the Planning Commission recommends to City Council approval of a Wetland Use Permit to temporarily and permanently impact approximately 5,471 square feet to construct the parking area and to install a storm sewer pipe based on plans dated received by the Planning Department on May 4, 2020 with the following two (2) findings and subject to the following four (4) conditions.

Findings

1. *Of the 41,557 s.f. of wetland area on site, the applicant is proposing to impact approximately 5,471 s.f.*
2. *Because the wetland areas are of low ecological quality and are not a vital natural resource to the City, 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 to the City Council Regular Meeting. The motion carried by the following vote:

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

2020-0134

Request for a Natural Features Setback Modification - City File No. 19-026 - for impacts up to 424 linear feet associated with construction activities for Hamlin Outdoor Storage, a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin between John R and Dequindre, zoned I

Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-026 (Hamlin Outdoor Storage), the Planning Commission **grants natural features setback modifications** for 424 linear feet for temporary and permanent impacts to construct the parking lot, install a storm water sewer line and to install tree protection associated with the Ladd Drain, based on plans dated received by the Planning and Economic Development Department on May 4, 2020 with the following two (2) findings and subject to the following three (3) conditions:

Findings

1. The temporary 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 March 4, 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.
3. Show natural features setback areas in linear feet, not square feet, prior to final approval by staff.

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

2020-0135

Request for Site Plan Approval - City File No. 19-026 - Hamlin Outdoor Storage, a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin between John R and Dequindre, zoned I Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-026 (Hamlin Outdoor Storage), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on May 4, 2020, with the following four (4) 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 proposed project will be accessed from Hamlin Rd. thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.*
3. *The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
4. *The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

Conditions

1. *Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.*
2. *Provide a landscape bond for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$195,482.00, and posting of bond prior to temporary grade certification being issued by Engineering.*
3. *Payment into the City's Tree Fund of \$45,600.00 prior to temporary grade certification being issued by Engineering.*
4. *The applicant shall submit a revised landscape plan prior to going to City Council eliminating the Douglas Firs and replacing with another combination of spruce/fir species.*
5. *No trailers/ccampers higher than ten feet shall be parked in the first row of parking closest to the street.*

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously. She commented that the applicants had done a great job with the plans, and she congratulated them on moving forward. Ms. Roediger noted that the Wetland Use Permit request would go to City Council on June 8th.

NEW BUSINESS

2020-0195

Request for a Tree Removal Permit - City File No. 19-038.2 - for the removal and replacement of as many as seven trees for a new Speedway gas station and convenience store located at the southwest corner of Avon and Rochester Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-226-022, Robert Sweet, McBride Dale Clarion, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated May 13, 2020, Site Plans and Elevations had been placed on file and by reference became part of the record thereof).

Present for the applicant were Rob Sweet, McBride Dale Clarion, 5721 Dragon Way, Suite 300 Cincinnati, OH 45227, Jacob Miller, Speedway, 500 Speedway Dr., Enon, OH 45323 and Erika Randolph, SSOE, 1001 Madison Ave., Toledo, OH 43604.

Ms. Kapelanski stated that the applicant was proposing a redevelopment of the existing Speedway gas station at the southwest corner of Rochester and Avon Roads. She reminded that the Planning Commission had recommended, and City Council approved, a rezoning for a .25 acre portion of land from the property to the south to add to the development. She noted that the proposed convenience store would be 4,600 s.f., and there would be a 4,700 canopy over 14 dispensers. The two existing drives closest to the intersection would be closed. She advised that the plan was generally in compliance with ordinance requirements for gas stations in the B-5 district with a few exceptions. The applicant was requesting a waiver for the maximum lighting intensity. The under canopy lighting was slightly over the allowable 20 footcandles, and the lighting levels at the right-of-way at the west property line exceeded the maximum intensity. The applicant had indicated that the additional lighting was required for security and operational purposes, and the Planning Commission could modify those standards if it chose. The applicant was also requesting a modification of the required parking, noting that many store patrons come from cars using the gas pumps. It was a waiver that had been commonly granted for gas stations in the past. Finally, the applicant was requesting several landscaping waivers. The

size of the site and the need for visibility had prevented the applicant from planting the required trees, and instead, additional grasses and shrubbery had been proposed. She noted that it was also a waiver that had been granted to gas stations in the past. She noted that a Tree Removal Permit was being requested for the removal of seven trees. She concluded that all staff were recommending approval, subject to some minor plan modifications.

Mr. Sweet thanked staff for giving them some good guidance throughout. He advised that they had shifted two driveways as far as they could from the intersection (and, as mentioned, eliminated two). They widened the sidewalks and added pedestrian paths on site. They had a shared driveway and a shared access drive to the Winchester District. They felt that it was a good development and a key piece on the corner, and that it would complement the Winchester District nicely. They also felt that the redevelopment would improve safety and aesthetics, and he indicated that they looked forward to an approval.

Chairperson Brnabic asked Mr. Sweet why Speedway had not moved forward with the land division for the property that was rezoned. Mr. Sweet said that the documents had been prepared; they were just waiting to sign the purchase agreement. Chairperson Brnabic asked if that would be done prior to going to City Council. Mr. Sweet said that it was a good possibility.

Mr. Gaber said that it was his experience that an applicant would not want a land division to be effective until they closed and acquired the property. If, for some reason, the deal did not go through, they would not want the land division in place. Mr. Gaber said that he had no real issues with the modifications requested, because he felt that they were minor and due to site constraints. He asked if the entire access drive would be within the boundaries of their property, which Mr. Sweet confirmed. Mr. Gaber asked if they would be constructing the entire cross access with the curb cuts to the south and west. Mr. Sweet believed that the curbing to the south was already there, and they would just add the connection into it. He believed that it was already there to the west, and it would be a matter of cleaning up the pavement. Mr. Gaber asked if cross access easements were in place with the properties to the south and west. Mr. Sweet said that they were working on those currently. They wanted to get through Planning Commission to make sure they were ready to finalize all the agreements. Mr. Gaber asked Mr. Sweet if he would object to a condition requiring proper cross access easements for the properties to the south and west. Mr. Miller said that it was part of their land purchase

with Burger King, so he had no problem with it. Mr. Gaber thanked the applicants for bringing the project forward. He felt that they were doing what they could with the landscaping, and that it would be a much improved corner, and they were looking forward to it.

Dr. Bowyer thought that the plans looked great. She liked that they were removing the access points closest to the intersection. She indicated that the proposed building looked much better than the one that was there. She understood about the trees and limiting site lines, and she was glad they were adding shrubs. She had noticed that a bike rack had been crossed out on the plans, but she said that she liked the idea of a bike rack, and she pointed out that people would ride their bikes to the store.

Mr. Sweet said that he was not aware that it had been crossed out, and he was sure that they could add one if needed. He was glad to hear that they liked the design, and Dr. Bowyer thanked them for a great job.

Mr. Reece agreed with the comments about the plans and the elevations. He asked the color of the shingles on the roof. Mr. Sweet believed that it was called Architectural Gray, which was a darker/blackish gray. Mr. Reece asked if there was an air pump shown. Ms. Randolph explained that it was shown on Rochester Rd. in the center of the site. Mr. Reece remarked that the air pump at the station at Tienken and Rochester was in the most inconvenient place it could be, and he wondered if the proposed location was similar. Mr. Sweet said that it was located at the third dispenser in from the shared access drive. Mr. Reece asked if the distance between the pumps and the curb was different than the one on Tienken. Mr. Sweet said that he was not familiar with the Tienken station. Mr. Reece said that it was unsafe for someone trying to fill a tire and having cars pull in and out under the canopies. Mr. Sweet offered that they could look at relocating it. Mr. Reece said that he would like to see it in a different location from the standpoint that it would be in the major thoroughfare. Mr. Sweet asked if he had another suggestion, and Mr. Reece asked if staff would take another look at it. Otherwise, he had no issues with the requested modifications, and he thought that it was a great plan and a great site.

Mr. Kaltsounis pointed out that the proposed air pump was about 40 feet from the bend by the intersection as opposed to the Tienken site, which was right at the bend. Mr. Reece agreed, but he still wished staff would take a look at it, and if it was already at the best place, it was at the best place.

Mr. Weaver also thought that it would be a much needed upgrade at the corner. He really liked that they were removing the driveways closest to the intersection. He felt that the larger building would better fit the area. He liked the pass through connection. He did not have an issue with the landscaping, and he felt that what they had done had been admirable to make up for the difference.

Mr. Hooper gave kudos to the developer of Winchester when he offered the property for Speedway to purchase to help improve the redevelopment of a worn out gas station and convenience store. He supported it way back when the idea was proposed, and he was glad they were following through. He felt that redevelopment of the corner was long overdue. He recalled that they had looked at doing something years ago, but there was not enough land. He said that he really had no issues. He wished that they could do a little more with traffic improvements, but he saw that other than widening the decel lane coming in, there was not much they could do.

Mr. Dettloff wondered if the proposed convenience store would be comparable with the one at Tienken and Rochester, but the applicants were unfamiliar with that site. He asked if they had, in light of the virus, given any thought to installing some type of sanitation devices at the pumps. Mr. Sweet said that he was not aware of any improvements of that nature, and he was not sure if there were plans in the future. Mr. Miller added that they were utilizing temporary programs, but he did not know if there were any long term plans or solutions. He claimed that they were taking proper precautions in their stores.

In response to Mr. Dettloff's question about the size of both stations, Mr. Sweet said that the one on Tienken was a prototype done before the subject store, and it was about 3,900 s.f. Mr. Dettloff thanked him, and also thanked them all for the reinvestment in Rochester Hills, and he wished them continued success.

Ms. Neubauer thanked them for the plan and commented that it looked really good. She was excited that there would be a new building. Regarding the handicap space, she asked if it would be at the same elevation as the sidewalk or if a curb cut would be added. Ms. Randolph said that it would be at the same elevation, and there would be no curb cut. They would match the finished floor at the building, and the pavement would be flush. Ms. Neubauer agreed with Mr. Dettloff that it would be a great idea to have some kind of sanitizing stations at the pumps.

Mr. Kaltsounis had observed that the brick columns at the Tienken Rd. station went all the way to the top, and he wondered why they did not at the proposed site.

Mr. Sweet responded that the coverings currently at Tienken were not technically brick - they were a CMU product. The proposed brick was more of a Quik-Brick that looked like brick. He believed that the canopy was a little different style and a little more dressed up. They felt that given the size of the site and the canopy that if they put in a structure like the one at Tienken, that they would lose the detail of the building, and it would look massive and block the view of the building.

Mr. Kaltsounis went over some additional conditions for the motion, including having cross access easements and a land division in place. He asked if the applicants were okay with those, which they were. Another condition was about the bike rack that had been crossed out and he asked if they would be putting that back. Mr. Sweet asked if they could work with staff on a location, and Mr. Kaltsounis agreed that was going to be his suggestion. The last condition was about reconsidering the location of the air pump "based on lessons learned from other Speedway locations in the area," and to work with staff on a possible location. Ms. Kapelanski advised that the items did not have to go to City Council.

Chairperson Brnabic asked Ms. Roediger if there was anyone who wished to speak or in the Auditorium to speak. Ms. Roediger had not seen anyone wishing to speak, but she had received an email over the weekend from someone stating that they believed that the development would be a nice improvement to the corner. Ms. Gentry confirmed that no emails had been received. Ms. Randolph mentioned that regarding the bike rack, it was shown on a standard detail sheet, but plans for the site had never included a bike rack, which she did not believe was a requirement of the Ordinance.

Hearing no further discussion, Mr. Kaltsounis moved the following motions:

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-038.2 (Speedway Gas Station and Convenience Store Remodel), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on March 26, 2020, with the following two (2) findings and subject to the following two (2) 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 7 regulated trees and replace on site. Any trees not able to fit on site will be paid into the tree fund.*

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 \$216.75 per tree.*

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

2020-0169

Request for Site Plan Approval - City File No. 19-038.2 - for a new 4,600 s.f. convenience store with canopy and gas station dispensers for Speedway, located at the southwest corner of Avon and Rochester Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-226-022, Robert Sweet, McBride Dale Clarion, Applicant

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-038.2 (*Speedway Gas Station and Convenience Store Remodel*), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on March 26, 2020, with the following nine (9) findings and subject to the following seven (7) 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 proposed project will be accessed from Avon or Rochester Rd. or*

the shopping center to the west, thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.

- 3. The off-street parking area has been designed to avoid common traffic problems and promote customer safety.*
- 4. The Planning Commission modifies the number of parking spaces, finding that there will be sufficient parking including spaces at the pumps.*
- 5. The Planning Commission modifies the rear yard setback, finding that the proposed setback will allow for better development and not be incompatible with the adjacent property.*
- 6. The Planning Commission modifies the lighting requirements, finding that the higher intensity is needed for customer and employee safety.*
- 7. The Planning Commission waives the right-of-way landscaping, buffer requirements and screening requirements for the perimeters, finding that there is not sufficient space to plant the total number of plantings and that the proposed shrubbery meets the intent of the Ordinance.*
- 8. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
- 9. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

Conditions

- 1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.*
- 2. Provide a bond for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$31,546.00, prior to temporary grade certification being issued by Engineering.*
- 3. Payment of \$2,600.00 into the City's Tree Fund, prior to temporary*

grade certification being issued by Engineering.

4. *That cross access agreements be in place with the properties to the south and west, prior to the plans being stamped approved.*
5. *That a land division document shall be applied for and under review with the City prior to the plans being stamped approved.*
6. *Applicant to work with staff on a location for a bike rack, prior to final approval by staff.*
7. *Applicant to work with staff to consider the relocation of the air pump based on lessons learned from other Speedway sites in the City, prior to final approval by staff.*

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously. She said that she was looking forward to the redevelopment, and agreed that the plans looked good. Mr. Hooper thanked the applicants for their reinvestment in the community.

ANY OTHER BUSINESS

Mr. Kaltsounis asked staff what they had heard about the other proposed developments in the City. Mr. Roediger claimed that everything was moving ahead, and there had been no cancellations. New projects would be coming before the Planning Commission shortly, and staff had a concept meeting for a new project the next day. They received updates from the Assessing Department regularly, and people still wanted to be in Rochester Hills, and values were holding. Mr. Kaltsounis asked about the Legacy and Rochester Hills Trio projects. Ms. Roediger advised that they were done with Planning, and they were going through construction. Mr. Boughton added that Trio had construction plan approval, and they were working on the retaining wall that bordered the northeast property line. Once that was completed, they would have a pre-construction meeting and move forward. The Legacy project had been on hold due to the Executive Orders, but he had not heard that they were not moving forward. None of the other projects under review were being delayed or held back that he knew.

NEXT MEETING DATE

Chairperson Brnabic reminded the Commissioners that the next Special Meeting was scheduled for June 2, 2020.

ADJOURNMENT

Hearing no further business to come before the Commissioners and upon motion by Mr. Kaltsounis, seconded by Mr. Reece, Chairperson Brnabic adjourned the Regular Meeting at 8:04 p.m.

ROLL CALL VOTE:

All ayes

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary