

APPROVAL OF MINUTES

[2020-0443](#) September 15, 2020 Regular Meeting

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

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

Excused 1 - Reece

COMMUNICATIONS

There were no Communications presented.

PUBLIC COMMENT

Chairperson Brnabic opened Public Comment at 7:04 p.m. Seeing no one wishing to speak or in the Auditorium and no correspondence received, she closed Public Comment.

UNFINISHED BUSINESS

[2020-0361](#) Request for a Tree Removal Permit - City File No. 20-009 - for the removal and replacement of as many as 39 trees for Rochester Hills Surgery Center, a proposed 60,000 s.f. medical building on 3.34 acres, located on South Boulevard, west of Dequindre, zoned O-1 Office Business, Parcel No. 15-36-376-014, Brad Chojnacki, The Alan Group Constructors, LLC, Applicant *(Reference: Staff Report prepared by Kristen Kapelanski, dated November 11, 2020, Site Plans and Elevations had been placed on file and by reference became part of the record thereof).*

Present for the applicant were Brad Chojnacki, The Alan Group Constructors, 1800 Brinston Dr., Troy, MI 48083; Scott Bowers, Bowers + Associates, 2400 South Huron Parkway, Ann Arbor, MI 48104; and Paul Tulikangas and Brett Buchholz, Nowak & Fraus, 46777 Woodward Ave., Pontiac, MI 48342.

Ms. Kapelanski noted that the applicants had appeared before the Planning Commission at the September 15th meeting, at which time the matter was postponed. She summarized that they were proposing a 60,000 s.f. medical office employing about 60 people on South Boulevard. The site was zoned O-1, which permitted medical offices. The

applicant had indicated that the facility would be geared towards outpatient procedures and surgeries.

Ms. Kapelanski recalled that at the September meeting, there were a number of concerns raised by the Commissioners, which the applicants had addressed. 161 of the required 171 parking spaces were proposed to be constructed immediately, and 10 spaces would be landbanked. The previous plan was short one barrier-free space, and that had been added. The Planning Commission had asked the applicants to consider shifting the building farther away from South Boulevard, and it had been shifted five feet to the north. Additional landscaping had been added to soften the front façade, in the form of deciduous and ornamental trees, and some variation had been added to the front façade, including masonry insets and a projected glass element. With the added landscaping, the applicant now met the required right-of-way trees along South Boulevard. She advised that a Natural Features Setback Modification, a Wetland Use Permit Recommendation, a Tree Removal Permit and Site Plan approvals were being requested, and all staff reviews had recommended approval. She said that she would be happy to answer any questions.

Upon questioning by Chairperson Brnabic, Mr. Chojnacki said that he had nothing further to add, and he felt that Ms. Kapelanski had summed it up well. They had tried to address all the concerns from the Commissioners, and he felt that what had been submitted, because of the input of the Commission, was a better plan than they had previously brought before them.

Mr. Gaber thanked the applicants for incorporating most of the changes requested. He agreed that it was a better plan. He asked if there were renderings of the building. Mr. Bowers said that they had been provided. Ms. Kapelanski agreed that the renderings had been posted to the website. Mr. Gaber asked about the building materials. Mr. Bowers explained that there would be precast stone at the top, a grayish-white limestone brick at the third floor, red brick with precast, limestone accents, windows with silver metal around the tower and a silver panel at the entranceway.

Dr. Bowyer thanked the applicants for doing all the things the Commissioners had requested. She liked how the building was moved so that trees could be added. She did not really understand where the ten landbanked parking spaces would be, and she asked if they would be green space. Mr. Bowers advised that they would be in the northwest corner of the parking lot. They were dotted in as future spots. Dr. Bowyer

felt that everything looked beautiful.

Chairperson Brnabic asked Ms. Roediger and Ms. Gentry if there was anyone wishing to speak or any email communications. Both replied that there were none. She asked the projected timetable for the project. Mr. Chojnacki said that they hoped to start in the winter, and it would be a 12-14 month process to completion. Chairperson Brnabic had wanted to make sure that the EIS was updated to include that, and Mr. Chojnacki confirmed that it had been updated.

Mr. Kaltsounis remarked that the last meeting had been rough, and he appreciated the effort put forward. He thought that it was a better layout. He had not seen other tenants added to the second and third floors, so he looked forward to seeing how it all worked out. Hearing no further discussion, he moved the following motions, seconded by Mr. Hooper.

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-009 (Rochester Hills Surgery Center), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on October 16, 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 39 regulated trees replacing some onsite and paying the majority into the City's Tree Fund.*

Conditions

- 1. Tree protective, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.*
- 2. Payment into the City's Tree Fund of \$43,776.00 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 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

2020-0362 Request for a Wetland Use Permit Recommendation - City File No. 20-009 - for impacts up to 14,375 s.f. for construction activities associated with Rochester Hills Surgery Center, a proposed 60,000 s.f. medical building on 3.34 acres located on South Boulevard, west of Dequindre, zoned O-1 Office Business, Parcel No. 15-36-376-014, Brad Chojnacki, The Alan Group Constructors, LLC, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-009 (Rochester Hills Surgery Center), the Planning Commission recommends to City Council approval of a Wetland Use Permit to temporarily and permanently impact approximately 14,375 square feet for construction activities, based on plans dated received by the Planning Department on October 16, 2020 with the following two (2) findings and subject to the following four (4) conditions.

Findings

1. *Of the .33 acre of wetland area on site, the applicant is proposing to impact approximately .33 acre.*
2. *The wetland area is of low ecological quality and is only a semi-valuable natural resource, so 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 an 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 Hooper, that this matter be Recommended for Approval to the City Council Regular Meeting,. The motion carried by the following vote:

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

Excused 1 - Reece

2020-0363

Request for a Natural Features Setback Modification - City File No. 20-009 - for impacts to approximately 825 linear feet for construction activities associated with Rochester Hills Surgery Center, a proposed 60,000 s.f. medical building on 3.34 acres located on South Boulevard, west of Dequindre, zoned O-1 Office Business, Parcel No. 15-36-376-014, Brad Chojnacki, The Alan Group Constructors, LLC, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-009 (Rochester Hills Surgery Center), the Planning Commission **grants natural features setback modifications** for 825 linear permanent impacts for construction activities, based on plans dated received by the Planning and Economic Development Department on October 16, 2020 with the following two (2) findings and subject to the following two (2) 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 August 10, 2020, which also states that the areas are of low vegetative quality and function.*

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 Hooper, that this matter be Approved. The motion carried by the following vote:

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

Excused 1 - Reece

2020-0364

Request for Site Plan Approval - City File No. 20-009 - Rochester Hills Surgery

Center, a proposed 60,000 s.f. medical building on 3.34 acres, located on South Boulevard, west of Dequindre, zoned O-1 Office Business, Parcel No. 15-36-376-014, Brad Chojnacki, The Alan Group Constructors, LLC, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-009 (Rochester Hills Surgery Center), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on October 16, 2020, with the following four (4) findings and subject to the following three (3) 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 South Boulevard, 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 \$60,660, and posting of bond prior to temporary grade certification being issued by Engineering.*
3. *Payment into the City's Tree Fund of \$43,776.00 prior to temporary grade certification being issued by Engineering.*

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

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

Excused 1 - Reece