

make concessions in other communities and said he wished the Walgreen's proposed for Tienken and Rochester would have been an option for this site.

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 03-014 (Crooks & Auburn Development), the Planning Commission approves the removal of five trees along Crooks and Auburn Roads, based on plans dated received by the Planning Department on July 13, 2004, with the following four (4) findings and subject to the following three (3) conditions.

FINDINGS:

1. *The revised landscape plan demonstrates that all applicable requirements of the Zoning Ordinance can be met subject to the conditions noted below.*
2. *The revised landscape plan strikes a practical balance between adequate visibility and appropriate buffering for the pharmacy.*
3. *All but five of the original 293 proposed trees are to be planted on-site.*
4. *The applicant will continue to locate 188 replacement trees (i.e., 329 replacement tree credits) on-site.*

CONDITIONS:

1. *Five Green Spruce along the eastern property line be designated as ten-foot replacement trees.*
2. *The woodland replacement calculations be adjusted to reflect 329 replacement tree credits shown and 43 credits remaining.*
3. *The revised landscape plan be reviewed and approved for technical compliance by staff.*

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

Aye 8 - Hill, Hooper, Rosen, Ruggiero, Boswell, Kaiser, Kaltsounis and Hardenburg

Excused 1 - Brnabic

NEW BUSINESS

2004-0613 Site Plan Approval Request - Great Oaks Mall Redevelopment (City File No. 77-505.2/3), construction of a 14,820-square-foot pharmacy, a 41,100-square-foot multi-tenant retail establishment, and a 84,600-square-foot furniture store on approximately 15 acres, located north of Walton and east of Livernois, zoned B-2, General Business, known as Parcel Nos. 15-10-351-078 and 15-10-351-079, Frankel Associates, Inc. and Art Van Furniture, co-applicants.

(Reference: Staff Report prepared by Deborah Millhouse, dated July 16, 2004 had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Michael Rupert, Art Van Furniture and Jim Vogt, Great Oaks Management Co., L.L.C., applicants; Mark Drane, Rogvov Architects, 32500

Telegraph Road, Suite 250, Bingham Farms, MI 48025; and A. Orman, Nowak and Fraus, PLLC, 1310 N. Stephenson Hwy., Royal Oak, MI 48067, Civil Engineer.

Ms. Millhouse recalled that a request for a down-zoning from B-3, Shopping Center Business, to B-2, General Business was approved for this site last year. She stated that the applicants were before the Commission with a proposed Site Plan consisting of three facilities: a 15,000 square-foot pharmacy, a 41,000 square-foot multi-tenant retail establishment, and an Art Van store. She pointed out that even though this was one Site Plan, one motion and one set of conditions, it consisted of two separate parcels. Art Van purchased the eastern parcel from Jacobson's. Mr. Vogt recently purchased the other parcel from Mr. Stanley Frankel. The Site Plan was reviewed as if there were two parcels, that is, the setbacks and other requirements were independently reviewed. The Site Plan indicated a different division of the parcels than had previously been shown with new sidwell numbers. Staff had tried to anticipate the future needs for this area and requested that deferred parking be shown. She noted that the required parking for a furniture store was much less than that for a retail use, so Staff asked the applicant to show on-site deferred parking in the event a standard retail operation ever came in. She advised that there were several complaints regarding soil erosion, which were referenced in the Engineering Services memo, and that Mr. Rupert would address those. Relative to the requested Buffer Modification, she pointed out that the minimum width, the IVO and the six-foot opaque screen had been shown on the plan, but the reason for the request was because the six-foot opaque screen should occur on the property line. The applicants requested that it be located off the property line to provide greater visual obstruction. If a wall were to be constructed at the property line, all the existing vegetation would have to be lost, including mature trees.

Mr. Rupert said they were installing a decorative fence. Ms. Millhouse said that was correct, but that was not the opaque screening. There was currently a chain link fence, and Staff requested that a decorative fence would look nicer around the detention area. She said that the six-foot opaque screen would be handled with a berm and the existing and proposed vegetation.

Mr. Kaiser asked where the decorative fence would be installed. Ms. Millhouse answered that it would be very close to the north property line, and Mr. Rupert said it would replace the chain link fence, go around the detention pond and tie in with the screening on the east property line.

Mr. Drane pointed out the existing Bank on the corner of Walton and Livernois and said they wished to re-develop the rest of the site. He noted that Walgreen's proposed two drive-thrus between its building and the retail building. Retail Buildings A, B, C would be general retailers and were unknown at this point. The fronts and sides of the buildings would be substantially of brick, with synthetic stucco, with trimwork at the top and some reveals along the bottom to showcase the storefronts. They would all have mansard roofs with metal rooftop screening. He noted that the proposed Walgreen's would be the neighborhood prototype, with a simple gabled roof on the tower.

Mr. Kaiser felt the proposed north elevations were fairly plain, and noted there would be a lot of parking and people traveling in that area. He thought it would look a little uninspired from a marketing standpoint, and he asked if they gave any consideration to doing something extra for that side.

Mr. Drane said that they always considered each side of a building, taking into account the additional setbacks, landscaping, grade changes, and so on, and the theory was to keep it simple and to not draw attention to this side. Mr. Kaiser opened the public

comments.

Sharon Feerer, 1297 Oakwood Court, Rochester Hills, MI Ms. Feerer asked if there would be a screen on the roofs to obliterate the view of the rooftop mechanical, explaining there were two-story condos to the north. She asked if there were any parameters for the retail businesses or what they could expect to go in those stores.

Mr. Drane replied that they have always been able to raise the parapets to screen all the rooftop equipment. Mr. Rupert pointed out that even though there were two-story condos, the first level was approximately 11 feet below the berm, and the buildings were approximately 20 feet tall, which would put the proposed buildings well above the condos. He added there would be trees planted and that there would be very thorough screening. Mr. Kaiser asked if they had some idea of the businesses that would lease. Mr. Drane said they had been in discussions with tenants that would not commit until the project was well under construction. He thought perhaps specialty stores, like a specialty food market, or Pier One, would lease.

Mr. Kaltsounis asked about the sidewalk between Art Van and Retail building C, which showed a 90-degree turn. He said there would be no access from that sidewalk to the parking lot in the back, and suggested that on very busy days, people would use the back lot. Mr. Rupert said that the back parking lot would be for employees. Mr. Kaltsounis said the front lots could become full, and he wondered how someone would get to Retail building A from the back parking lot. He asked if the sidewalk could be extended so that employees could use it also. Mr. Rupert replied that there was a significant grade change there and he would be concerned about the steepness, but he agreed to look into that.

Mr. Kaltsounis said that since he had been on the Planning Commission, he had been very impressed with the premium developments submitted. He agreed with Mr. Kaiser about the rear of the buildings and was concerned about the painted blocks. He would like to see that dressed up, noting that in the wintertime they would be seen more.

Mr. Kaltsounis stated that his major concern was that the proposed Art Van looked like the typical store they had built for the last ten years. He had hoped it would look more upscale for an area like Rochester Hills, indicating that this development was a very good spot for a furniture store, but he was disappointed by what he saw.

Mr. Rupert responded that this would not look like any other Art Van that existed today. He pointed out that they would add corner windows and columns, and around the east side of the building, they added a window in the middle of the building and would break it up along the façade with columns and landscaping. There would be a green screen on the roof for the mechanical. The back of the building would be painted scored block. They felt that since it would be 300 feet from the property line, and with the grade differential, that the north elevation would not have to be considered that significantly. He indicated that if there was an issue with the scored block, they could make the north side similar to the rest of the building.

Mr. Kaltsounis suggested that would be a good idea, noting it could still be seen from 300 feet away. He did not feel the condo owners would want to see painted face block. The back parking area would not look like a fearful place to be then. Mr. Kaiser suggested they could add brick and some type of featuring. Mr. Rupert said they could very easily continue the brick pattern. Mr. Kaltsounis asked about the other buildings and Mr. Drane advised that he would do what Mr. Rupert did.

Mr. Rosen felt that Mr. Kaltsounis raised a very valid point, and if this center were very successful, especially at holiday time, people would park in the back and need a way to walk to the front of the buildings. Mr. Drane said they would be happy to make that change.

Mr. Rosen complimented Mr. Rupert on his idea for the Art Van's trash compactor. He said that the dumpsters for Walgreen's were located in a pretty good place, but he wanted to see a similar location for the dumpsters for Buildings A-C. Mr. Drane advised that if the Commission would accept a vertical compactor, they would be glad to add that, noting they had worked very well in other areas of the community. Mr. Rosen asked if they would be enclosed in the building and Mr. Drane said they would sit up against the outside of the building, with a gate.

Mr. Rosen asked if there was a table of proposed lighting values. He advised that the Commission tried to keep lighting at a good security level, but not make it too glaring for everyone. Mr. Rupert said they had redesigned the lighting and that presently, the worst level was shown below the lights in the front parking lot. The highest footcandle would be 11.8, and in the back, it would be 5.7 right below the light fixture. They would like to maintain a minimum of one footcandle at any one point and added more lights to lower the output.

Ms. Hill commented that the proposed Walgreen's finally had the right design. She agreed with adding brick on the north side of the buildings. She had the same concern about the lighting and dumpster locations and was concerned with the walkability into and around the site. She said that there would be a couple of areas to bring people in but that they would not be the closest. Coming south on Livernois, someone would have to go down to the second entrance to get onto the site because there was no crosswalk shown at the first, even at the back of the building. She indicated that it would not invite people to walk or bike to the site, only to drive there. She also would have liked to see the retail stores, other than Walgreen's, with the north and south sides open, as seen at the Village of Rochester Hills. She mentioned that the Commission liked to see all sides of a building look like the front. She noted the landscaped parking area and said she did not want visitors to this site to end up at the backside of the development where the dumpsters were.

Ms. Hill recalled that the Commissioners had discussed the need for fresh and new concepts for the City, as in utilizing all sides of a building while still allowing for deliveries, and she cited Somerset Mall as an example where stores had done that. She noted that Jacobson's had been a very nice looking building, with almost all sides having a front face. She realized this was something new and different, but noted there were quality homes in this area, and she did not want this to look like a regular strip mall. Although a lot of furniture would be delivered and the back, she felt that a little more could be done with the detail and the façade there, but was more concerned with the back of the other retail buildings. She questioned why a second entrance from Livernois was needed, noting there was not one before. She added that there were no benches or little pocket parks proposed, and referenced how nice like they looked at the Village of Rochester Hills. Mr. Rupert advised that they would have benches in the front of the Art Van store. Ms. Hill said she appreciated that, but she noted that some people came to browse rather than shop, and that the Commission liked to encourage a way to get places other than just using the automobile.

Mr. Kaiser addressed the crosswalk issue for people walking or bicycling in from Livernois. Ms. Hill said the southern drive would head to the front door of Walgreen's, but there was nothing for the northern drive so people could cross there. If left as it was, they

would just walk across the parking lot onto the sidewalk. Mr. Kaiser asked if there should be a crosswalk from the southern-most island to the Walgreen's sidewalk. Mr. Rupert said he would not have a problem with that. They discussed the number of parking spaces and how the crosswalk should be placed. Mr. Kaiser said they should only presume that people coming south on Livernois would be utilizing the northern entrance and the markings could be added there. Ms. Millhouse said they would lose one to two island trees from the deferred parking spaces if they added a pedestrian walkway at the northern-most driveway.

Ms. Hill noted that they would not be tearing down trees because they were only proposed for the deferred parking. Mr. Kaiser confirmed that the two trees affected could be moved.

Mr. Rosen questioned whether there would be one or two lights under most of the fixtures. Mr. Rupert said there would be two-headed lights. Mr. Rosen clarified that there would be two 400-watt bulbs. Mr. Drane said there would, but not for every location. Mr. Rosen said that the single bulbs would give hot spots around six and the doubles about twelve. It was his opinion that twelve was a little high. He wanted a condition added about the applicant working with Staff to reduce the hot spots to six or seven. Mr. Rupert said he did not want to have a sea of lightpoles, and that if the poles could be raised five feet it would greatly reduce the hotspots and give better distribution across the site. Mr. Rosen indicated the Commission had found that a hotspot of one was pretty adequate, as long as there were areas around the site that had a decent amount of light. He mentioned the lights in the City Hall parking lot, which had low spots but enough lighting. Mr. Rupert remarked that it was not a shopping center, however, and some of their stores would be open until 10:00 p.m. They reduced the lights behind the buildings because of the residences, but he noted it was still a concern. Mr. Rosen said the lighting level in the back was what they should be shooting for in the front. He requested that they make an attempt to get the peaks down, even if that meant knocking down the wattage a little. He asked whether the applicants would have to come back to the Planning Commission if they wished to use the land-anked parking. Ms. Millhouse advised that they would at least have to come back with a Revised Site Plan.

Mr. Kaltsounis noted that the deferred parking plan showed a sidewalk for use in the future, if needed. Mr. Drane said he preferred to deal with that issue now. Ms. Hill asked if they would add paint striping rather than stamped concrete or a brick path. Mr. Drane said that the Plan showed paint. She wondered if that could be enhanced a little. She recalled that the TCF Bank they approved for the Meijer site would be adding stamped concrete, and she felt that would be a nicer look.

Mr. Drane said they had used stamped asphalt in the past because they found stamped concrete to be slippery and dangerous, and aesthetically, they felt asphalt was the same. Ms. Ruggiero asked if Walgreen's staff had seen the Landscape Plan, and Mr. Drane confirmed they had. Ms. Ruggiero suggested that the situation looked similar to what the last applicant had with trees in front of the drugstore. Mr. Drane said he was familiar with that case, and he explained that the opacity rule was different in this instance because there was residentially-zoned property across the street.

Mr. Hooper said he took a tour of the site and noticed a pedestrian gate along Oakwood Drive, which could be used to enter the site. He asked if that would be eliminated. Mr. Drane said they would prefer not to have the gate. He noticed people parking in that area and walking to their units, and he added that it was not shown on the Plan. Mr. Hooper asked if the applicants would maintain the trees and grass that were on the property outside the fence. Mr. Rupert said that they would maintain their property. Mr. Hooper

clarified that it appeared that the mature trees on the other side were owned by the condo association, rather than by the mall developers.

Mr. Rosen asked Mr. Vogt if he had a problem with anything that had been requested. Mr. Vogt advised that he did not, and that he had also purchased property surrounding the Midland Mall from Mr. Frankel and had developed it in a manner acceptable to Mr. Frankel and the City of Midland. He also had been before the City prior to this.

MOTION by Hooper, seconded by Hardenburg, in the matter of City File Nos. 77-505.2 & .3 (Great Oaks Mall Redevelopment), the Planning Commission approves the Site Plan, based on plans dated received by the Planning Department on June 25, 2004, and photometric plan dated received June 22, 2004 with the following seven (7) findings and subject to the following eleven (11) 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 adjoining streets.
3. Automobile parking areas have been designed to avoid common traffic problems and promote safety. Further, landscaped parking spaces have been identified on-site for future consideration.
4. 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.
5. The proposed development does not have an unreasonably detrimental, nor an injurious effect upon the natural characteristics and features of the parcel being developed and the larger area of which the parcel is a part.
6. Landscaped setbacks along the common property line are not needed since both properties are being developed as a single project.
7. The sloped roof above the entrances is an architectural feature that is not incompatible or detrimental to surrounding properties or the character of the area.

CONDITIONS:

1. Addition of a note to the General Site Plan stating that an aggregate blanket or other method approved by Staff will cover the entire disturbed property as a means of soil erosion stabilization, within 14 days from July 21, 2004.
2. Appropriate approvals from the Road Commission for Oakland County and the Oakland County Drain Commissioner (if applicable) be obtained prior to issuance of a Land Improvement Permit for this project.
3. Provision of a cross access and joint parking agreement approved by the City prior to issuance of a Land Improvement Permit.

4. *Provision of the following performance guarantees: \$42,111 for the general landscaping, \$16,000 for the parking island landscaping, and \$107,366 for the buffer landscaping. Such guarantees, as adjusted if necessary by the City, are to be provided by the applicant prior to issuance of a Land Improvement Permit.*
5. *The applicant provide a combination of walkway, ramp and/or stair between Art Van and retail building C for access from the north parking lot to the south side of retail buildings A, B, & C.*
6. *The applicant install brick façade on the north sides of the buildings, with some featuring detail continuing from the other building elevations.*
7. *The dumpsters on the north side be deleted behind buildings A, B, & C and compactors be installed in a configuration approved by City Staff.*
8. *A sidewalk and crosswalk combination be shown and installed north of the northern-most drive in a configuration and of a material approved by City Staff to gain access to Walgreen's.*
9. *The plans show benches and/or seating areas on at least the south side of the Art Van store.*
10. *The correct name of the applicants be on the final approved plan.*
11. *The applicant makes all efforts to reduce lighting on the south side of the buildings, as approved by City Staff.*

Ms. Ruggiero asked if there would continue to be access to the proposal from the existing Bank One site. Mr. Drane confirmed there would be, and there also would be during construction. Mr. Hooper expressed that the soil erosion control was one of the worst he had ever seen in the City and he wondered who was responsible for that. Mr. Rupert said that Mr. Frankel had that system installed. They recently cleaned up the site and added a soil erosion fence and were looking at doing something further to keep the erosion and sand down. They were trying to decide if they wanted to use straw, mats or hydro-seeding. Mr. Hooper referred to condition one, about the aggregate blanket. Mr. Rupert said he and Ms. Millhouse discussed that and they were trying to figure out the most economical and practical way to go before they started construction and tore it up. Mr. Hooper wanted a timeline for a permanent soil erosion control institution and Ms. Millhouse suggested they do something immediately. At the suggestion of the applicant, they added a due date of two weeks from the meeting date.

Mr. Rupert thanked the Planning Staff for a great job. He remarked that he had worked in many communities, and that working with the fine, professional Staff in Rochester Hills had been a pleasure.

****Recess 9:00 to 9:08 p.m.****

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

Aye 8 - Hill, Hooper, Rosen, Ruggiero, Boswell, Kaiser, Kaltsounis and Hardenburg

Excused 1 - Brnabic

77-505.2/3).

MOTION by Hooper, seconded by Kaltosunis, in the matter of City File Nos. 77-505.2 & .3 (Great Oaks Mall Redevelopment), the Planning Commission grants a buffer modification to allow the required opaque screen to be located other than on the northern and northeasterly property lines, based on plans dated received by the Planning Department on June 25, 2004, with the following six (6) findings and subject to the following one (1) condition.

FINDINGS:

1. *The existing trees along the northern property line will be preserved.*
2. *The effectiveness of the visual screen along the northern property line will increase due to the topography of the site and adjacent property.*
3. *The segmented retaining wall on the backside of the detention basin will provide a greater visual screen than a six-foot wall located on the northeasterly property line.*
4. *The plan will protect the character of the existing residential neighborhood against negative impacts such as noise, glare, light, air pollution, trash and debris, and hazardous activities.*
5. *The development is compatible with and sensitive to the immediate environment of the site and neighborhood relative to location, architectural design, scale, bulk, building height, and orientation of buildings on the lot and visual integrity.*
6. *The plans offer screening consistent with the standards set forth in this Ordinance.*

CONDITION:

1. *The color and pattern of the segmented retaining wall to be compatible with the site, as approved by staff.*

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

Aye 8 - Hill, Hooper, Rosen, Ruggiero, Boswell, Kaiser, Kaltsounis and Hardenburg

Excused 1 - Brnabic

2004-0615 Site Plan Approval Request - Sto-Away Storage (City File No. 04-002), a proposed mini storage facility consisting of eleven buildings on approximately six acres, located south of Avon, on the east side of John R, zoned I-1, Light Industrial, known as Parcel No. 15-24-100-003, Twin Sisters LLC (Tammy Pierson, Agent), applicant.

(Reference: Staff Report prepared by Derek Delacourt, dated July 20, 2004 had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Tammy Pierson, Mack Investment Group, applicant, Michael Carpenter, Rowe Incorporated, 128 N. Saginaw St., Lapeer, MI, Engineer, Richard Freidly, property owner.

Mr. Delacourt stated that the applicant was proposing construction of a mini self- storage facility on property zoned I-1, Light Industrial, on John R south of Avon. He clarified that the City's current zoning map showed the parcel to be single-family residential in error.