

site because there were no wetlands, but for edification, he did not think it was a good idea to wait. He thought there could be a problem in the future with the fact that the detention would be pumped. It was his experience that pump systems were not maintained and after a year or so the area ended up with a visual water feature. It would not perform the function it should. He cautioned that pumps were a maintenance problem and they got plugged. He thought the pump should be looked at again, but if used, always maintained.

Ms. Brnabic referred to the EIS question about generating traffic. The applicant had answered that there were only two units being proposed so the traffic impact would be minor. She asked what they considered minor.

Mr. Wright said there would be about 15 people who met for a half an hour in the morning and after that, there would be three or four people at the building. There would be an occasional sales rep. His business had been in Rochester Hills for quite a while and that had been the case the whole time.

Ms. Brnabic said she agreed that the Commissioners needed to see better building design before the project moved forward.

Mr. Boswell stated for the record that the meeting had been postponed until the next available meeting. He reiterated the changes Commissioners wished implemented regarding colors, materials and HVAC equipment.

Mr. Schroeder questioned whether there was concern about getting the Tree Removal Permit sooner. Mr. Delacourt asked that the Tree Removal Permit be tied to an approved Site Plan. He did not want to see regulated trees removed and have potential problems with the Site Plan.

Mr. Boswell thanked the applicants.

2006-0346

Revised Site Plan Approval - City File No. 77-505.2 - The Boulevard Shops (part of Great Oaks Mall Redevelopment - formerly Art Van), an 80,575 square foot commercial/office development on 7.19 acres located at the northeast corner of Walton and Livernois, zoned B-2, General Business, Parcel No. 15-10-351-077, A. F. Jonna Development & Mgmt. Co., applicant.

(Reference: Staff Report prepared by Derek Delacourt, dated May 16, 2006, had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Arkan Jonna, A & F Development & Mgmt.

Co., 4036 Telegraph Rd., Suite 201, Bloomfield Hills, MI 48302, owner.

Mr. Delacourt recapped that the site had previously been before the Planning Commission for a rezoning and approval of a Site Plan, and had been approved for an 85,000 square foot Art Van store. The development was done in conjunction with a Site Plan for the parcel to the west, which resulted in the installation of a Walgreen's, along with associated buffering and landscaping throughout. He advised that since that time, the subject piece had been purchased by Mr. Jonna, who instead proposed a two-story, brick and masonry retail and medical office(s) building. He noted that the basic infrastructure of the Site Plan remained the same, and that the footprint, landscaping and parking had changed, but it was still intended that the sites would be done as a cohesive development, with cross connection. The applicant proposed to meet the requirements from the previous approval regarding screening, and noted that a Buffer Modification had been granted. Staff recommended approval of 49 landbanked parking spaces for the opportunity to reduce impervious surfaces. The retention on site had been sized for the parking, and the site met the ordinances for recommendation of approval.

Mr. Jonna stated that they would like to accomplish a two-story, mixed-use development. The retailers would face Walton Blvd. and there would be a large area of parking in the rear to service the second floor office/medical uses. He advised that the building would have a red-colored brick with limestone, and in the middle would be a monacatti-type, yellowish stone to break it up. The reddish brick would highlight the stone. The southern elevation, which would be the retail portion facing Walton, and the back of the building would have almost the same elevation. They had gone to great extent to screen the rear so it would be more inviting to the office users. He asked if there were questions.

Mr. Delacourt pointed out that there had been a late submission to the Site Plan, which showed variations in the elevations of the building. There had been some confusion regarding the height of the building and how the upper area would be utilized. The elevations in the packet showed the central portion of the building running about 38 feet tall. The height limit would be exceeded if that portion of the building were used for an atrium open to the lobby. Staff asked for a revised elevation. He noted that an applicant could exceed the height requirement for rooftop screening. Submission one showed the entire height reduced to 30 feet or below. There would have to be details for rooftop screening. The

second elevation was similar in appearance to the one in the packet, but on the east and west elevations, there was a run between the features. If the features were utilized for rooftop screening, the Planning Commission could choose to approve the additional eight feet.

Mr. Reece asked if that would be case with the first elevation and Mr. Delacourt deferred to Mr. Jonna.

Mr. Jonna responded that the second elevation definitely showed screening, which would follow the complete edge of the east and west portions of the building. They did not like having a bare look across the back of the whole building. Mr. Reece asked if he would take advantage of the extra volume within the footprint of that space. Mr. Jonna said it was an architectural feature above the roof and would be strictly for screening. There would be no penetration through the roof to the lower levels. Mr. Reece said if that were the case, the elevation submitted with the packet would be permitted. Mr. Delacourt agreed, and read the ordinance, "With Planning Commission approval, mechanical equipment, rooms and penthouses may be permitted to exceed the height limitation by up to 12 feet." He explained that if the screening was a room for mechanical equipment storage, the projection could go above 30 feet by 12 feet.

Mr. Reece said it was his opinion that the elevations submitted in the packet were much more appealing than those provided subsequent. Mr. Jonna thought it was a great location, especially being across the street from Crittenton, for something very upscale. There was a considerable amount of competition regarding leasing in the retail and office market. He thought that the extra flair they would provide would set it apart from everything else in the market.

Mr. Boswell referred to the second elevation and said the top would be 15 feet above the 30 feet allowed. Mr. Delacourt clarified that to the midline of the roof it would be eight feet, but he suggested that if there was a condition, that the feature not project above 12 feet. It should be measured to the mean height of the gable, but Staff would make sure the Building Department reviewed it. Mr. Reece asked if it would be averaged, which was confirmed. He advised that when the plans were submitted for construction review, Staff would ensure that the average grade to the measuring point did not exceed the limitations indicated on the elevations.

Mr. Dettloff thought that with the close promixity to Crittenton, it made sense to have an association with them. Mr. Jonna said they would like

to. Mr. Dettloff asked Mr. Jonna to comment on the perceived tenant mix for the retail, if possible.

Mr. Jonna believed the four corners of the property would be food users. The western corner would be a larger user, probably 4-6,000 square feet in size. Along the eastern end there would be a 3,000 square-foot user and the other two would total 4-5,000 square feet. The balance would be less parking-intensive users, such as dry cleaners.

Mr. Kaltsounis noted that he reviewed the walkability of the development, and said he would like to see sidewalks to the parking area, to keep people out of traffic. He pointed out that the walkway on the southwestern end, and from the middle of the building, went to a grass median. Mr. Jonna asked if he would like to see a walk path to the road, adding that he could create walkways. Mr. Kaltsounis suggested a path between the parking areas. He thought that would add to the development and be safer. Mr. Jonna said he thought people walking across Walton would want to do it at the light, and that was why they created a walkway on that side. He felt it would be redundant to have a walkway at the middle of the eastern end. Mr. Kaltsounis explained that the one for the middle would not be for people walking in from the street; it would be for the people walking to their cars. Mr. Jonna thought people would take the shortest path. Mr. Kaltsounis said he would like to see a nice sidewalk. He pointed out that on the landscape sheet, trees were shown on top of the sidewalk, and on Sheet SP it showed a sidewalk. He recommended the sidewalk. He would also like a walkway down the middle aisle to help people get to their cars, and he asked if that could be added as a condition.

Mr. Kaltsounis said he hoped the rendering showing the higher elevation could be accommodated. He thought it was much more impressive and he thought it would put the Walgreen's to shame. He liked the style put forth, and he hoped the features could be kept.

Mr. Schroeder urged Mr. Jonna to use green building in the construction. He added that there were a lot of things that could be done with roofing materials and with the site to preserve the environment.

Mr. Reece agreed with Mr. Kaltsounis regarding the elevations, stating that those in the packet would go a long way towards what should be developed in this location. He asked if the stone Mr. Jonna referred to would be natural or synthetic. He clarified that it was not E.F.I.S. Mr. Jonna said they had not decided, but he preferred natural because the

color and finish could be controlled. Mr. Reece confirmed that the color for the masonry would be similar to Federal Red. He asked about the asphalt shingles, and Mr. Jonna said they would have texture. Mr. Reece was undecided about the use of canvas awnings, and Mr. Jonna agreed that he would prefer metal if the colors were right. He agreed that canvas eventually became a maintenance item.

Mr. Boswell opened the public comments at 9:20 p.m.

Mr. Rick Burger, 1299 Oakwood Ct., Rochester Hills, MI 48307 Mr. Burger stated that he lived at Fairwood Villa, at the north end of the proposed mall. They met with Mr. Jonna a week ago and were very impressed with the design, compared with what was proposed for Art Van's. The only concern was the location of the trash compactor. He pointed out his drive and the proposed detention pond, and said that he would have to look up at the trash compactor, and said he would like to see it moved to the east side of the pond. It would then be next to a dumpster for the apartment complex next door. He mentioned that the condo association had been maintaining a section of land, now owned by Mr. Jonna, for 30 years. They would like to keep it cut and keep the trees healthy, and he wanted to know if they could get some assistance in that regard. Also, the developer of the Walgreen's left off a ten-foot section of fence by Livemais. It had been fenced all the way around, but they had two break-ins in the last few weeks, and they would appreciate it if the developer could put the fence back. He concluded that they were excited about the new development.

Mr. Boswell addressed the trash compactor. Mr. Jonna indicated that the trash compactor would be totally enclosed with a brick wall unit. The green area was the largest screening area he had to work with, at about 60-70 feet. He was not sure of the impact, but said he would look at it.

Mr. Boswell asked to whom Mr. Burger should report the fence. Mr. Anzek replied that he, the Mayor, and Mr. Moore of Engineering Services had a meeting with representatives from Fairwood Villas two weeks ago and that issue was discussed. The Sheriff's Office was contacted about the burglaries also. Mr. Anzek also recently met with the developer of Walgreen's, Mr. Vogt. He had not gone forward with the remainder of his development because he did not have tenants, but he now might have a possible user of the site. If so, he would come before the Planning Commission with a Revised Site Plan. The fence could be secured at that point, and they could discuss landscaping concerns.

Mr. Boswell clarified that Mr. Jonna would look at the location for the trash compactor. He asked if eight handicap parking spaces would be enough for a medical office complex, noting that some were in front by the retail. Mr. Jonna declared that was a good point and said that if needed, they would be more than happy to add it. Mr. Boswell commented that he was sure they had met the code, but recommended that especially with medical offices, people appreciated more handicap spaces.

Mr. Kaltsounis informed that moving the dumpster into the eastern position would make it closer to an existing building.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 77-505.2 (The Boulevard Shops), the Planning Commission **approves** the **Site Plan**, based on plans dated received by the Planning Department on May 5, 2006, with the following five (5) 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. 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.

Conditions:

1. *Prior to issuing the Land Improvement Permit the complete irrigation design documents must be submitted for review and approval.*
2. *In the cost estimate for SB buffer trees (Sheet L-2) the total unit cost should be \$2,480.00 in lieu of \$2,640.*
3. *The 42 Improved Red Spiraea and 33 Dwarf Arctic Willow indicated for planting along the retaining wall adjacent to the eastern limit of the development must be revised to evergreen shrubs to block headlight glare into the windows of adjacent condos. Cost and selection to be approved by City's Landscape Architect.*
4. *Prior to issuing the Land Improvement Permit for this development the Tree Protective Fencing (TPF) must be installed, inspected and approved.*
5. *Provision of the following performance guarantees: \$20,575.00 for the general landscaping, \$7,800.00 for the parking island landscaping, and \$48,815.00 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.*
6. *Indicate 3 land-banked parking spaces on southwest side of parking lot on Site Plan and Landscape Plan L-1.*
7. *Remove note about Tree Removal Permit from Sheet L-1.*
8. *Revise Sheet L-1 to show 49 landbanked parking spaces provided and Sheet SP to show 386 parking spaces provided.*
9. *The applicant shall receive a Land Improvement Permit from the City's Engineering Services Department prior to any construction.*
10. *Add walkable improvements the plan, noting the landscaping and sidewalk access to parking areas, as reviewed and approved by Staff. Correct discrepancies regarding sidewalk on east side of building on Sheets SP and L-1.*
11. *Awning material shall be metal.*

Ms. Hardenburg asked if there should be a condition regarding the height. Mr. Delacourt said they could add the wording they discussed previously, and state that height above 30 feet only be used for mechanical storage, penthouse or rooms, but he thought the applicant could simply clarify it on revised elevations and for building permits.

Mr. Boswell stated for the record that the motion had passed unanimously and thanked the applicant.

Mr. Jonna commented that he had developed centers all over southeast Michigan, and that it had been a long time since he had the pleasure of working with such a professional Staff. He thought that the process had been very smooth and that they ended up with a very nice product.

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

Aye 8 - Boswell, Brnabic, Dettloff, Hardenburg, Kaltsounis, Reece, Schroeder and Holder

ANY OTHER BUSINESS

2006-0371 Election of new Planning Commission Chairperson (and Vice Chairperson, if necessary) to fill remaining term until first meeting in April 2007, and election of Planning Commission representative to the Brownfield Redevelopment Authority until December 1, 2006.

Mr. Boswell recapped that former Chairperson Hooper had moved on to City Council and that it was the Commission's duty to elect a new Chair.

Upon nomination of Mr. Boswell and Mr. Kaltsounis, Mr. Boswell was elected to the post of Chairperson by a five to three vote and continued the meeting in this capacity.

Upon nomination by Hardenburg, Ms. Brnabic was unanimously elected to the post of Vice Chairperson.

Upon nomination by Brnabic, Ms. Hardenburg was unanimously elected as the Planning Commission representative to the Brownfield Redevelopment Authority.

NEXT MEETING DATE

The Chair reminded the Commissioners that the next regular meeting was scheduled for June 6, 2006.