

*six to seven months after groundbreaking, or around July 4th.*

**A motion was made by Yalamanchi, seconded by Klomp, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**Abstain** 1 - Hooper

**Resolved**, that the Rochester Hills City Council hereby approves the Site Plan for Holiday Inn Express & Suites, City File No. 12-011, a 45,981 square-foot hotel located south of M-59 and west of Adams on Marketplace Circle, on Parcel No. 15-30-176-007, zoned by Consent Judgment, based on plans dated received by the Planning and Economic Development Department on October 29, 2012, with the following conditions:

Conditions:

1. That the 22 trees required as part of the Right-of-Way Landscaping (Sec. 138-12.304) shall be relocated to the Adams Road median to locations determined by City Staff to ensure no visual conflicts with turning movements and to maintain appropriate line of sight clearance.
2. Prior to issuing the Land Improvement Permit for this development, the Tree Protective Fencing (TPF) must be installed, inspected and approved by the City Staff. The TPF would be placed to protect the existing trees in the access drive on the eastern portion of the site.
3. Prior to issuing the Land Improvement Permit for this development, the Performance Bonds must be posted in the amount of \$72,900. This amount is the estimated costs for all trees (including ROW requirement met with Adams Road plantings), landscape materials and \$10,000 for irrigation.
4. That any signs shown as part of this site plan submittal not be considered part of the site plan approval. Signs are governed under the Consent Judgment and the City's Sign Ordinance and issued under separate permit.
5. Address comments from the Building Department regarding slope and ADA accessibility concerns at Building Plan submittal.

**2012-0142**

Request for Approval to distribute 2012 Master Land Use Plan updates to adjacent communities for the review and comment period in accordance with State Law

*Jim Breuckman, Manager of Planning, stated that Council is requested to approve the distribution of proposed amendments to the Master Land Use Plan for review. He explained that there is a four or five-step process to updating the Plan, including distributing the proposed amendments to adjacent communities for their review and input, and holding a Public Hearing. He stated that the Planning Commission reviewed the amendments at a number of meetings and could be allowed to adopt them; however, Council can opt to review the amendments as well. Should Council not opt to review the amendments, the process would end when the Planning Commission adopts them. Council's right to review and adopt the Amendments was incorporated into State Law seven years ago.*

*He summarized the proposed updates, noting that the amendments incorporate*

*the results of the Rochester Road Access Management Plan, the M-59 Corridor Plan, a statement incorporating the Complete Street Policy, a statement about a potential amendment to the Tree Conservation Ordinance, and incorporating a change to two parcels on Old Orion Court to allow some flexibility in these parcels.*

**President Hooper** stated that he would hope Council would keep the right to approve the amendments.

**Mr. Yalamanchi** concurred, noting Council should retain this right. He questioned whether elements of the presentation on the Historic District given to Council last year would also be incorporated.

**Mr. Anzek** responded that the Historic District Study was done in conjunction with the Mayor's Advisory Committee on Winkler Mill and the Stoney Creek Historic Areas. He stated that the Administration could look to how the Zoning Ordinance could be amended to add flexibility in historic districts, noting that homes in those districts frequently do not meet any setback requirements.

**Mr. Yalamanchi** questioned the proposed change for Old Orion Court.

**Mr. Breuckman** responded that Business Flex 1 allows very limited retail, yet allows some uses other than residential.

**Mr. Yalamanchi** questioned whether a presentation of the M-59 Corridor Plan was made to Council.

**Mr. Anzek** responded that it had been presented to the Planning Commission and the Local Development Finance Authority; however, he was unsure if a presentation was made to Council. He mentioned that the Plan was discussed at a visioning session at the Oakland University INCubator.

**Mr. Yalamanchi** requested a summary of the M-59 Corridor Plan.

**Mr. Anzek** responded that the Plan prioritized projects with a goal of maximizing dollars in public/private partnerships. He mentioned a goal of "humanizing" the industrial parks by incorporating a sidewalk program.

**Mr. Kochenderfer** stated that as a new Council member, he would suggest that information on the studies performed prior to his coming onto Council be distributed for the benefit of the new Council members.

**Mr. Anzek** suggested that an overview could be given of these plans on an evening when Council has a light agenda.

**Mr. Rosen** questioned what changes would be considered for the Tree Ordinance, noting that it is not applied to properties platted before a date in 1988.

**Mr. Breuckman** responded that there are older plats in the city dating to the 1910s and 1920s which include five-acre lots that are currently exempt from the

*Tree Ordinance. He mentioned that one proposed development included four of these older platted lots of five acres each which were assembled for a development proposed at 40-plus units. Potential changes would include a way to apply the ordinance when these older platted lots are redeveloped.*

*Mr. Rosen questioned whether there is a way to distinguish between the older parcels and questioned whether parcel size would be considered.*

*Mr. Breuckman stated that the statement incorporated into the proposed Master Plan is broad and merely states that the City should consider amending the Tree Conservation Ordinance. He commented that the Administration does not have any plans to amend the Ordinance immediately.*

*Mr. Anzek noted that there is time to consider an Ordinance Amendment and commented that he would like to see a way to protect the trees on these large lots by law. He noted that there has been some discussion on ways to preserve stands of trees, noting that some stands of trees contain several generations of growth.*

*Mr. Klomp mentioned the future land use map incorporated into the Amendments, and noted that several months ago Council deliberated over changes to larger parcels located on Dequindre Road.*

*President Hooper commented that the Plan is a living document, and is not cast in stone.*

*Mr. Webber questioned when this item could return to Council.*

*Mr. Breuckman explained that there would be a 42-day comment period, which would end at the beginning of February. A Public Hearing would have to be noticed, which could be held at the March Planning Commission meeting. The item could return for Council consideration at the end of March or early April.*

**A motion was made by Yalamanchi, seconded by Kochenderfer, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye 7 -** Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**Resolved**, that the Rochester Hills City Council hereby approves the distribution of proposed Master Land Use Plan updates to adjacent communities for review and comment in accordance with State Law.

**Further Resolved**, that the Rochester Hills City Council hereby asserts the right to approve the proposed Master Land Use Plan amendments after the Planning Commission holds a Public Hearing on the matter and adopts the amendments.

2012-0438 Request to Authorize the Mayor and City Clerk to execute a three-year (FY2013-FY2015) agreement with the Oakland County Sheriff's Office for Law Enforcement

*Keith Sawdon, Director of Finance, noted that the current agreement with the Oakland County Sheriff's Office (OCSO) ends on December 31, 2012. Funding is available, and the Administration is ready to move forward with a three-year*