

restaurant with outdoor seating and 11,856 s.f. of office on the second floor, located at the northwest corner of Rochester and South Blvd., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-34-477-015, Gateway Properties - Rochester Hills, LLC, Applicant

NEW BUSINESS

- 2018-0089** Public Hearing and request for Conditional Use Recommendation - City File No. 17-050 - for the sales and service for consumption of alcoholic beverages on site at RH House, a proposed redeveloped 4,411 s.f. restaurant on 2.19 acres at 2630 Crooks, on the west side of Crooks, south of M-59, zoned REC-I Regional Employment Center - Interchange, Parcel No. 15-29-427-037, Mike Pizzola, Designhaus Architecture, Applicant
- 2018-0090** Request for Site Plan Approval - City File No. 17-050 - RH House, a proposed 4,411 s.f. restaurant on 2.19 acres located on the west side of Crooks, south of M-59, zoned REC-I Regional Employment Center - Interchange, Parcel No. 15-29-427-037, Mike Pizzola, Designhaus Architecture, Applicant
- 2018-0048** Request for a Tree Removal Permit - City File No. 17-044 - for the removal and replacement of as many as 14 regulated trees in conjunction with the development of an 89-room Candlewood Hotel proposed for an outlot on the east side of the Meijer property at Rochester and Auburn Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-35-100-056, Rochester Hills Property, LLC, Applicant
- 2018-0049** Request for Site Plan Approval - City File No. 17-044 - Candlewood Hotel, a proposed four-story, 89-room hotel proposed for an outlot on the east side of the Meijer property located at Rochester and Auburn Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-35-100-056, Rochester Hills Property, LLC, Applicant
- 2018-0092** Request for Planned Unit Development Agreement Recommendation - City File No. 17-013 - Crestwyk Estates PUD, a proposed 16-unit attached and detached condominium development on 4.4 acres, located on the east side of John R between School and Hamlin roads, zoned R-4 One Family Residential, Parcel Nos. 15-24-301-077 to -081, M2J1, LLC, Applicant
- (Reference: Staff Report prepared by Kristen Kapelanski, dated March 16, 2018 and site plans and elevations had been placed on file and by reference became part of the record thereof.)*

Present for the applicant were Jim Polyzois, M2J1, LLC, 14955 Technology Dr., Shelby Township, MI 48315 and Ralph Nunez, Nunez Design, 249 Park St., Troy, MI 48083.

Mr. Kaltsounis recused himself, stating that Mr. Polyzois was under contract with his father for property outside of Rochester Hills, and he was on the board for that property.

Ms. Kapelanski went over the requests. She noted that the property was zoned R-4 One Family Residential, and that the applicant had proposed a mix of 16 attached and detached units. The Preliminary PUD had been approved by City Council on December 11, 2017. Staff recommended approval of the Final PUD with minor conditions, as the project met applicable regulations. There were two wetlands that ran through the center of the site. The applicant had made significant efforts to preserve as much of Wetland A, the higher quality wetland, as possible. Wetland B, which was a low quality wetland, would be filled. ASTI Environmental reviewed the proposal, and had indicated that the impacts had been minimized and recommended approval of the Wetland Use Permit. Ms. Kapelanski said that she was available for any questions.

Chairperson Brnabic asked the applicants if they wished to add anything. Mr. Nunez felt that the City staff had done a great job. He thanked all the departments for working with them and their consultants to make sure that the project met and exceeded the City's expectations. He said that they would be happy to answer any questions.

Chairperson Brnabic referenced the PUD Agreement, page 3, number 2 b., last line and she read, "Notwithstanding anything to the contrary herein, the developer shall have no obligation to further develop all or any portion of the property." She did not have a problem with the developer not having an obligation to start the development, but she objected to the wording "any portion of" the property. The Agreement stated that a residential family project would be developed, consisting of four buildings, each containing two attached residential units and eight detached residential units for a total of 16. If there had been a problem with marketing or the economy, and the applicant was showing good faith, the City would work with the applicant, so she felt that was covered. There was a completion timeframe - three years from the date that Building permits were issued, so the Agreement stated a commencement and finish date.

Mr. Polyzois suggested that he could remove the section. Chairperson

Brnabic asked if "any portion of" the property would be removed, and Mr. Polyzois agreed.

Mr. Reece asked if there were any changes to the Final versus the Preliminary from December. Ms. Kapelanski said that unit seven was shifted slightly to the rear of the property to accommodate some utilities and required landscaping. That was discovered as the applicant began to work through the engineering details. It was shifted five feet closer to units eight and nine. Mr. Reece asked the distance between seven and eight, and Mr. Nunez advised that it was 15 feet. He said that there had also been concerns with site line visibility for the pathway and vehicular traffic. They did not want to lose plant material. They also added a side entry to the duplex units. That changed the elevation slightly for units eight, eleven, fourteen and three.

Hearing no further discussion, Mr. Hooper moved the following, seconded by Mr. Dettloff.

MOTION by Hooper, seconded by Dettloff, in the matter of City File No. 17-013 (Crestwyk Estates PUD), the Planning Commission **recommends** that City Council **approves** the PUD Agreement dated received December 18, 2017 with the following five (5) findings and subject to the following four (4) conditions.

Findings

1. The proposed Final PUD is consistent with the proposed intent and criteria of the PUD option.
2. The proposed Final PUD is consistent with the approved PUD Concept Plan.
3. The PUD will not create an unacceptable impact on public utility and circulation systems, surrounding properties, or the environment.
4. The proposed PUD promotes the goals and objectives of the Master Plan as they relate to providing varied housing for the residents of the City.
5. The proposed plan provides appropriate transition between the existing land uses surrounding the property.

Conditions

1. City Council approval of the PUD Agreement.
2. The appropriate sheets from the approved Final Plan set shall be attached to the PUD Agreement as exhibits, including the building elevations.
3. Page 3, 2b. last sentence, remove "any portion of" the property, for City Attorney review and approval, prior to going to City Council.
4. All other conditions specifically listed in the Agreement shall be met prior to final approval by staff.

A motion was made by Hooper, seconded by Dettloff, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Aye 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Schultz

Abstain 1 - Kaltsounis

Excused 1 - Anzek

2018-0093

Public Hearing and request for a Wetland Use Permit Recommendation - City File No. 17-013 - Crestwyk Estates PUD, for impacts up to approximately 12,000 s.f. for a proposed 16-unit condominium development on 4.4 acres, located on the east side of John R between School and Hamlin Roads, zoned R-4 One Family Residential, Parcel Nos. 15-24-301-077 to -080., M2J1, LLC, Applicant

Chairperson Brnabic opened the Public Hearing at 9:39 p.m. Seeing no one come forward she closed the Public Hearing.

MOTION by Hooper, seconded by Schroeder, in the matter of City File No. 17-013 (Crestwyk Estates PUD), the Planning Commission **recommends** that City Council **approves** a **Wetland Use Permit** to impact approximately 12,000 square feet for the construction of several units, a portion of Crestwyk Lane and the detention pond, based on plans dated received by the Planning Department on January 30, 2018, with the following two (2) findings and subject to the following three (3) conditions.

Findings

1. Of the approximately 18,000 s.f of City-regulated wetlands on site, the applicant is proposing to impact approximately 12,000 s.f., which is mostly for Wetland B.

2. *Wetland B is of low quality and function, and should not be considered a vital natural resource to the City.*

Conditions

1. *City Council approval of the Wetland Use Permit.*
2. *If required, that the applicant receives all applicable DEQ permits 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.*

A motion was made by Hooper, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Aye 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Schultz

Abstain 1 - Kaltsounis

Excused 1 - Anzek

2018-0094

Request for Natural Features Setback Modifications - City File No. 17-013 - Crestwyk Estates, for impacts to approximately 1,552 linear feet for a proposed 16-unit condominium development on 4.4 acres, located on the east side of John R between School and Hamlin Roads, zoned R-4 One Family Residential, Parcel Nos. 15-24-301-077 to -080, M2J1, LLC, Applicant

MOTION by Hooper, seconded by Schroeder, in the matter of City File No. 17-013 (Crestwyk Estates PUD), the Planning Commission **grants Natural Features Setback Modifications** for the permanent impacts to as much as 1,552 linear feet of natural features setbacks associated with the construction activities around Wetlands A and B, based on plans dated received by the Planning Department on January 30, 2018, with the following two (2) findings and subject to the following one (1) condition.

Findings

1. *Natural Features Setback Modifications are needed for construction activities around Wetlands A and B.*
2. *The Planning Commission has the ability to waive the natural features setback modifications as a part of accepting the site being developed as a PUD.*

Condition

1. *Add a note indicating that Best Management Practices will be strictly followed during construction to minimize the impacts on the Natural Features Setbacks.*

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

Aye 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Schultz

Abstain 1 - Kaltsounis

Excused 1 - Anzek

2017-0521

Request for Final Planned Unit Development (PUD) Site Plan Recommendation - City File No. 17-013 - Crestwyk Estates, a proposed 16-unit attached and detached condominium development on 4.4 acres located on the east side of John R between School and Hamlin Roads, zoned R-4 One Family Residential; Jim Polyzois, M2J1, LLC, Applicant

MOTION by Hooper, seconded by Schroeder, in the matter of City File No. 17-013 (Crestwyk Estates PUD), the Planning Commission **recommends that City Council approves the Site Plan**, dated received January 30, 2018 by the Planning and Economic Development Department with the following five (5) 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 location and design of the driveway 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. *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.*
4. *The proposed development does not have an unreasonably*

detrimental, nor an injurious, effect upon the natural characteristics and features of the parcels being developed and the larger area of which the parcels are a part.

5. The proposed Final Plan promotes the goals and objectives of the Master Plan by providing an alternative housing option.

Conditions

- 1. City Council approval of the Final Site Plans.*
- 2. Provide a landscape bond in the amount of \$119,029.00, plus inspection fees, for landscaping and irrigation, as adjusted as necessary by the City, prior to issuance of a Land Improvement Permit by Engineering.*
- 3. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.*
- 4. Payment of \$3,200 into the tree fund for street trees prior to issuance of a Land Improvement Permit by Engineering.*
- 5. Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.*

A motion was made by Hooper, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting,. The motion carried by the following vote:

Aye 7 - Brnabic, Dettloff, Hooper, Morita, Reece, Schroeder and Schultz

Abstain 1 - Kaltsounis

Excused 1 - Anzek

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants. Mr. Hooper thanked the applicants for their investment in Rochester Hills.

2017-0322

Request for approval of a Revised Tree Removal Permit - City File No. 17-020 - for the removal and replacement of as many as 35 trees for Oakridge Dental Center, a proposed 3,000 square-foot dental office on 2.2 acres located at the northeast corner of Hamlin and Livernois, zoned O-1, Office Business, Parcel No. 15-22-351-002, Christian Unverzagt, M1/DTW, Applicant