

PUBLIC COMMENT

Dan Keifer, 719 Fieldstone Dr., thanked the City of Rochester Hills, the Mayor and his staff for their participation in the Clinton River Steelhead Outing on Saturday, March 31st, 2007. He stated there were over 115 people who participated in this event at Yates Park. He further stated this outing was the joint efforts of the Clinton River Watershed Council, the City of Rochester Hills, and the Metro Steelheaders Club. He noted the attendance of Councilmen Ambrozaitis and Yalamanchi at this event.

ORDINANCE FOR INTRODUCTION

2007-0024 Acceptance for First Reading - City File No. 04-037 (Oakville Estates PUD) - An Ordinance to Amend Chapter 138 of the Code of Ordinances to rezone approximate 25.7 acres, located north of School Road and east of John R, from R-3, One Family Residential, to PUD, Planned Unit Development, known as Parcel Nos. 15-24-100-018; 15-24-100-029; 15-24-100-028; 15-24-100-040; 15-24-100-037; 15-24-100-038; 15-24-100-009 and 15-24-100-010, Oakville Estates, LLC, applicant.

A motion was made by Ambrozaitis, seconded by Duistermars, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Resolved that an Ordinance to Amend Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to rezone 25.7± acres, known as Parcel Nos. 15-24-100-019, -018, -029, -028, -040, -037, -038, -009 and -010 from R-3, One Family Residential to PUD, Planned Unit Development is hereby accepted for first reading.

2006-0791 Acceptance for First Reading - City File No. 02-028 A (Crooks and South Boulevard Conditional Rezoning Request) - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, Parcel Nos. 15-33-351-008, -009, -018, and part of -019 from R-4, One Family Residential to O-1, Office Business, MJMS, LLC, applicant.

Mr. John Gaber, Williams, Williams, Ruby & Plunkett, PC, 380 North Old Woodward Avenue, Birmingham, Attorney for applicant, stated his appreciation of Council's consideration on this rezoning issue. He further stated he would answer any questions that the Council may have regarding the project.

Mr. Yalamanchi stated that since this parcel was an entry point to the City, he is requesting that the building to be constructed look very nice.

PUBLIC COMMENT

Ms. Melinda Hill, 1481 Mill Race, advised Council that the Master Land Use Technical Committee discussed this intersection at great length. She stated the following concerns she had with this project:

1) Concerned with the lots to the north and feels it is inappropriate to try and join the two

parcels together.

2) Doesn't see where the City gains anything by rezoning 3.28 acres of R4 property to Special Purpose.

3) The Master Land Use Technical Committee had extensive discussions regarding the Master Land Use Plan for these parcels, and it was determined they should be Residential not Special Purpose.

4) If the conditional requirements are met and the City rezones the parcels to Special Purpose, and then later it is determined that we do not need Senior Housing there, the City could possibly be involved in litigation.

5) The Master Land Use Technical Committee discovered the corner parcel was a priority #3 level as a natural feature for its wetland and woodlands, and this was not brought up either at the Planning Commission level nor the City Council workshops.

COUNCIL DISCUSSION

President Rosen asked **Mr. Staran**, City Attorney, if this property would have to be under the Elderly Housing Conditional Use.

Mr. Staran stated the approval of a Conditional Rezone does not. He further stated it is different than a Planned Unit Development (PUD) in that by approving a Conditional Rezone, the City is not waiving or modifying any other provisions in the Zoning Ordinance.

Mr. Yalamanchi inquired if the Conditional Rezoning goes along with the sale of the property, or if something were to change, would the developer have to come back to Council for approval.

Mr. Gaber answered yes.

Mr. Ambrozaitis stated concerns regarding the binding agreement the City would make to Conditionally Rezone the parcels, and questioned if there could be potential problems in the future.

Mr. Staran stated the agreement is consistent with the Conditional Rezoning Statute, which states that once the Conditional Rezoning is approved, the municipality cannot unilaterally modify the conditions. He further stated that the agreement binds not only the current City Council, but future Councils as well.

Mr. Ambrozaitis asked if there would be any issues with wetlands on the parcels.

Mr. Derek Delacourt, Deputy Director of Planning, stated there is a natural features inventory in the City that identifies a wetland that exists on the corner parcel of the site. He advised Council it was not a regulated wetland, but remained a site plan issue regardless of what Zone District the property was requested to be placed in.

Mr. Ambrozaitis asked **Mr. Gaber** if the information regarding the wetlands on the site would affect his proposal.

Mr. Gaber replied that the wetland area on the site is very small and that is why it is unregulated by the City and State. He stated that until the rezoning process was completed, the site would not be engineered to address the site characteristics and

features. He further stated that if conditions in the agreement could not be completed, they would come back to Council for an amendment to the conditions.

Ms. Raschke applauded the hard work of the Planning Commission and Zoning Board of Appeals (ZBA) regarding this issue. She further stated the proposed enhancement on the corner of Crooks and South Boulevard would be an asset to the City.

Mr. Hooper stated Conditional Rezoning for the corner of South Boulevard and Crooks Road was appropriate.

President Rosen stated two concerns he has with Conditional Rezoning:

1) It is not a normal site plan process. The Planning Commission and the developer go back and forth until they come up with a plan that is acceptable to both parties.

2) Does not want three story buildings for Elderly Housing; it is not a topic for discussion, the developer gets to choose if it is two or three stories.

Mr. Delacourt stated the City's Ordinance for Special Purpose in Senior Housing allows two or three stories under the Conditional Land Use standards. He further stated Council could discuss this issue with the applicant in regards to a site plan, the same way Council would if it was any other Special Purpose Zoned piece of property in the City. This Conditional Rezoning doesn't change the Planning Commission's, or the City Council's ability to negotiate site plan features.

President Rosen stated the City was not in a position to propose limiting the buildings to two stories.

Mr. Delacourt agreed with President Rosen as a restriction to two stories would be a lesser than allowed standard in the Ordinance.

Mr. Staran advised that after the site plan goes to the Planning Commission, it will then go to Council. At that time Council can deal with the site planning issues, dimensional and height issues. He stated that Council would be in a better position to make decisions once they had an actual proposal to look at.

Ms. Holder asked if this Conditional Rezoning was approved, and the developer does not develop the land and sells it, is the Conditional Rezoning null and void.

Mr. Staran answered no, it stays with the land.

Mr. Delacourt stated the conditions would apply to a new owner who wanted to put any development on the property.

Mr. Duistermars inquired if these conditions were granted and the developer was unable to develop the land, then the property was transitioned to a new owner, could the new owner request of Council to have all of the conditions removed.

Mr. Staran advised they could ask to have the conditions removed, but the decision would be at the discretion of the Council.

Mr. Ambrozaitis asked how this development would affect the City.

Mr. Joe Paluzzi, Principal, MJMS, LLC, 13400 Canal Rd., Sterling Heights, stated the

community would be affected in a very positive way. He further stated that based on all of the statistics he had provided in regard to the aging community and the population, that this is a project that will be very much in demand over the next 20 years. He commented he has kept the residents in the area informed of all the plans for this project and has listened to any concerns they have had. He advised he would keep the apartments affordable.

Mr. Gaber reminded Council that in 1999 the Master Plan at that time, for this site, was to have a Senior Housing Facility.

Mr. Yalamanchi called the question to end debate on the matter.

2006-0791

Call the Question to Close Debate on a Request for Acceptance for First Reading of Amendment to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone four parcels of at the northeast corner of Crooks and South Boulevard, from R-4, One Family Residential to O-1, Office Business, and to prescribe penalties for the violation there

A motion was made by Yalamanchi, seconded by Ambrozaitis, that this matter be Adopted by Resolution Call the Question The motion carried by the following vote:

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Resolved by the Rochester Hills City Council to hereby Call the Question to Close Debate on a Request for Acceptance for First Reading of an Amendment to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, from R-4, One Family Residential to O-1, Office Business, and to prescribe penalties for the violation thereof

2006-0791

Acceptance for First Reading - City File No. 02-028 A (Crooks and South Boulevard Conditional Rezoning Request) - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, Parcel Nos. 15-33-351-008, -009, -018, and part of -019 from R-4, One Family Residential to O-1, Office Business, MJMS, LLC, appli

A motion was made by Hooper, seconded by Raschke, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Resolved that an Ordinance to Amend Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone 1.62± acres known as Parcel Nos. 15-33-351-008, -009, -018 and part of -019 from R-4, One Family Residential to O-1, Office Business and to prescribe penalties for the violation thereof, hereby **accepted** for First Reading with the following conditions.

Conditions:

1. The size of the building on the Property shall not exceed 10,000 square feet, unless otherwise approved by City Council after recommendation from the Planning Commission.
2. The Property shall comply with the floor area ratio requirements of the Flexible Use 1 category of the City's Master Land Use Plan.
3. The orientation of the building on the Property shall be at approximately a 45 degree angle to the intersection of Crooks Road and South Boulevard, as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
4. The height of the building on the Property shall be a minimum of 16 feet and a maximum of 30 feet as provided in the building height requirements of the Flexible Use 1 category of the City's Master Land Use Plan, and as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
5. The elevations of the building on the Property shall substantially consist of brick or stone or similar materials approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
6. The architecture and surface materials of the buildings on the Property and the Adjacent Property shall be complimentary and compatible to each other as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.

7. The perimeter street frontage type C requirements of the Flexible Use 1 category of the City's Master Land Use Plan will be used for both the Crooks Road and the South Boulevard frontages of the Property, as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
8. There shall be only a single access drive from South Boulevard to both the Property and the Adjacent Property, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
9. There shall be a cross access drive(s) between the Property and the Adjacent Property for vehicular access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by City Council after recommendation from the Planning Commission.
10. There shall be a sidewalk(s) or other pathway(s) between the Property and the Adjacent Property for pedestrian access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by the Planning Commission, unless otherwise approved by City Council after recommendation from the Planning Commission.
11. There shall be cross easements granted for vehicular and pedestrian access between the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
12. A Level 1 Gateway sign shall be constructed at owner's expense at a location on the Property to be determined on the site plan for the Property approved by the Planning Commission, in accordance with the City of Rochester Hills Comprehensive Gateways Plan.
13. Either (i) a single site plan for the Property and the Adjacent Property shall be submitted for approval; or (ii) separate site plans for the Property and the Adjacent Property shall be submitted simultaneously for approval, provided that elevations and floor plans for the Adjacent Property may be submitted and approved by the Planning Commission at a later time, prior to the issuance of any building permits for the Adjacent Property. In the event that a single site plan is submitted, and the owner of either the Property or Adjacent Property desires to amend the site plan as it applies to such owner's parcel in the future, then such owner may apply for a site plan amendment or modification without the consent of the owner of the other parcel being required, provided that

requested amendment does not affect the approved site plan for the other parcel.

14. The landscaping for the Property and the Adjacent Property shall be complimentary and compatible, and the landscape materials and screening used to comply with the landscape screening and buffer requirements of Section 138-1216 of the City's Zoning Ordinance for the Property and the Adjacent Property shall be either substantially identical, or complimentary compatible, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property unless otherwise approved by City Council after recommendation from the Planning Commission.
15. The Property and the Adjacent Property shall share common storm water detention facilities to the extent permitted by the Oakland County Drain Commission, the City Engineer and any other applicable governmental authority with jurisdiction over the parcels, as approved by the Planning Commission as part of site plan review for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
16. Owners shall work with the City Engineer to investigate and consider the implementation of best storm water management practices and alternative storm water distribution and infiltration systems and methods that differ fit exceed the requirements of City Ordinances, provided, however, that own shall only be required to comply with the City Ordinance requirements and engineering design standards in effect at the time of such submittal.

2006-0790

Acceptance for First Reading - City File No. 02-028 B (Crooks and South Boulevard Conditional Rezoning Request) - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Conditionally Rezone six parcels of land totaling approximately 3.28 acres, located of South Boulevard, east of Crooks, known as Parcel Nos. 15-33-351-003, -004, -006, -007 and a portion of -019, from R-4, One Family Residential to SP, Special Purpose, MJMS, LLC, applicant

A motion was made by Hooper, seconded by Raschke, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 6 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke and Yalamanchi

Nay 1 - Rosen

Resolved, that an Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Conditionally Rezone six parcels of land totaling approximately 3.28 acres, located north of South Boulevard, east of Crooks, known as Parcel Nos. 15-33-351-003, -004, -005, -006, -007 and a portion

-019 from R-4, One Family Residential to SP, Special Purpose, and to prescribe penalties for the violation thereof, is hereby accepted for first reading with the following conditions.

Conditions:

1. The elevations of the building on the Property shall substantially consist of brick, stone or similar materials approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
2. The architecture and surface materials of the buildings on the Property and the Adjacent Property shall be complimentary and compatible to each other as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
3. There shall be only a single access drive from South Boulevard to both the Property and the Adjacent Property, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
4. There shall be a cross access drive(s) between the Property and the Adjacent Property for vehicular access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by City Council after recommendation from the Planning Commission.
5. There shall be a sidewalk(s) or other pathway(s) between the Property and the Adjacent Property for pedestrian access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by the Planning Commission, unless otherwise approved by City Council after recommendation from the Planning Commission.
6. There shall be cross easements granted for vehicular and pedestrian access between the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
7. Either (i) a single site plan for the Property and the Adjacent Property shall be submitted for approval; or (ii) separate site plans for the Property and the Adjacent Property shall be submitted simultaneously for approval, provided that elevations and floor plans for the Adjacent Property may be submitted

approved by the Planning Commission at a later time, prior to the issuance of any building permits for the Adjacent Property. In the event that a single site plan is submitted, and the owner of either the Property or Adjacent Property desires to amend the site plan as it applies to such owner's parcel in the future, then such owner may apply for a site plan amendment or modification with the consent of the owner of the other parcel being required, provided that the requested amendment does not affect the approved site plan for the other parcel.

8. The landscaping for the Property and the Adjacent Property shall be complimentary and compatible, and the landscape materials and screening used to comply with the landscape screening and buffer requirements of Section 138-1216 of the City's Zoning Ordinance for the Property and the Adjacent Property shall be either substantially identical, or complimentary compatible, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property unless otherwise approved by City Council after recommendation from the Planning Commission.
9. The Property and the Adjacent Property shall share common storm water detention facilities to the extent permitted by the Oakland County Drain Commission, the City Engineer and any other applicable governmental authority with jurisdiction over the parcels, as approved by the Planning Commission as part of site plan review for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
10. Owners shall work with the City Engineer to investigate and consider the implementation of best storm water management practices and alternative storm water distribution and infiltration systems and methods that differ from and exceed the requirements of City Ordinances, provided, however, that owners shall only be required to comply with the City Ordinance requirements and engineering design standards in effect at the time of such submittal.
11. The applicant and the City shall enter into the Conditional Zoning Agreement in the form presented, and the applicant shall record the Agreement at the Register of Deeds. This Conditional Rezoning Agreement shall be signed by the Mayor.

2006-0791

Reconsider the vote taken on the Acceptance for First Reading of an Amendment to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, from R-4, One Family Residential to O-1, Office Business, and to prescribe penalties for the violation thereof

A motion was made by Duistermars, seconded by Raschke, that this matter be Adopted by Resolution Reconsider Acceptance for First Reading The motion carried by the following vote:

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Resolved, to reconsider the vote taken on the Acceptance for First Reading of an Amendment to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone four parcels of at the northeast corner of Crooks and South Boulevard, from R-4, One Family Residential to O-1, Office Business, and to prescribe penalties for the violation there

2006-0791

Amendment to the Resolution for Acceptance of First Reading of an Amendment to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, from R-4, One Family Residential to O-1, Office Business, and to prescribe penalties for the violation thereof

A motion was made by Duistermars, seconded by Yalamanchi, that this matter be Adopted by Resolution Amendment to Acceptance for First Reading to add 17th Condition

The motion carried by the following vote:

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Resolved, to amend the Resolution for Acceptance of First Reading of an Amendment to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, from R-4, One Family Residential to O-1, Office Business, and to prescribe penalties for the violation thereof by adding the following condition:

17. The applicant and the City shall enter into the Conditional Zoning Agreement in the form presented, and the applicant shall record the Agreement at the Register of

Deeds. This Conditional Rezoning Agreement shall be signed by the Mayor.

2006-0791 Adoption of Amended Resolution to Accept for First Reading - City File No. 02-021 (Crooks and South Boulevard Conditional Rezoning Request) - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances to Conditionally Rezone four parcels of land at the northeast corner of Crooks and South Boulevard, Parcel Nos. 15-33-351-008, -009, -018, and part of -019 from R-4, One Family Residential to O-1, Office Business, MJMS, LLC, applicant

A motion was made by Hooper, seconded by Raschke, that this matter be Adopted by Resolution Re-adoption of Acceptance for First Reading with Amendment The motion carried by the following vote:

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Resolved that an Ordinance to Amend Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Conditionally Rezone 1.62± acres known as Parcel Nos. 15-33-351-008, -009, -018 and part of -019 from R-4, One Family Residential to O-1, Office Business and to prescribe penalties for the violation thereof, hereby **accepted** for First Reading with the following conditions.

Conditions:

1. The size of the building on the Property shall not exceed 10,000 square feet, unless otherwise approved by City Council after recommendation from the Planning Commission.
2. The Property shall comply with the floor area ratio requirements of the Flexible Use 1 category of the City's Master Land Use Plan.
3. The orientation of the building on the Property shall be at approximately a 45 degree angle to the intersection of Crooks Road and South Boulevard, as approved by the Planning Commission as part of site plan approval for the

Property, unless otherwise approved by City Council after recommendation from the Planning Commission.

4. The height of the building on the Property shall be a minimum of 16 feet and a maximum of 30 feet as provided in the building height requirements of the Flexible Use 1 category of the City's Master Land Use Plan, and as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission
5. The elevations of the building on the Property shall substantially consist of brick, stone or similar materials approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
6. The architecture and surface materials of the buildings on the Property and the Adjacent Property shall be complimentary and compatible to each other as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
7. The perimeter street frontage type C requirements of the Flexible Use 1 category of the City's Master Land Use Plan will be used for both the Crooks Road and the South Boulevard frontages of the Property, as approved by the Planning Commission as part of site plan approval for the Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
8. There shall be only a single access drive from South Boulevard to both the Property and the Adjacent Property, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
9. There shall be a cross access drive(s) between the Property and the Adjacent Property for vehicular access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by City Council after recommendation from the Planning Commission.
10. There shall be a sidewalk(s) or other pathway(s) between the Property and the Adjacent Property for pedestrian access, at a location(s) to be determined on the site plan for the Property and the site plan for the Adjacent Property approved by the Planning Commission, unless otherwise approved by City Council after recommendation from the Planning Commission.

Council after recommendation from the Planning Commission.

11. There shall be cross easements granted for vehicular and pedestrian access between the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
12. A Level 1 Gateway sign shall be constructed at owner's expense at a location on the Property to be determined on the site plan for the Property approved by the Planning Commission, in accordance with the City of Rochester Hills Comprehensive Gateways Plan.
13. Either (i) a single site plan for the Property and the Adjacent Property shall be submitted for approval; or (ii) separate site plans for the Property and the Adjacent Property shall be submitted simultaneously for approval, provided that elevations and floor plans for the Adjacent Property may be submitted and approved by the Planning Commission at a later time, prior to the issuance of any building permits for the Adjacent Property. In the event that a single site plan is submitted, and the owner of either the Property or Adjacent Property desires to amend the site plan as it applies to such owner's parcel in the future, then such owner may apply for a site plan amendment or modification with the consent of the owner of the other parcel being required, provided that such requested amendment does not affect the approved site plan for the other parcel.
14. The landscaping for the Property and the Adjacent Property shall be complimentary and compatible, and the landscape materials and screening used to comply with the landscape screening and buffer requirements of Section 138-1216 of the City's Zoning Ordinance for the Property and the Adjacent Property shall be either substantially identical, or complimentary and compatible, as approved by the Planning Commission as part of site plan approval for the Property and the Adjacent Property unless otherwise approved by City Council after recommendation from the Planning Commission.
15. The Property and the Adjacent Property shall share common storm water detention facilities to the extent permitted by the Oakland County Drain Commission, the City Engineer and any other applicable governmental authority with jurisdiction over the parcels, as approved by the Planning Commission as part of site plan review for the Property and the Adjacent Property, unless otherwise approved by City Council after recommendation from the Planning Commission.
16. Owners shall work with the City Engineer to investigate and consider the

implementation of best storm water management practices and alternative storm water distribution and infiltration systems and methods that differ from the requirements of City Ordinances, provided, however, that owners shall only be required to comply with the City Ordinance requirements and engineering design standards in effect at the time of such submittal.

17. The applicant and the City shall enter into the Conditional Zoning Agreement in the form presented, and the applicant shall record the Agreement at the Register of Deeds. This Conditional Rezoning Agreement shall be signed by the Mayor.

UNFINISHED BUSINESS

2006-0746 Request for Removal of Review Rights on 920 South Boulevard W. previously extended to July 18, 2007

Mr. Ambrozaitis requested this Resolution be reconsidered as he received new information.

Mr. Rosen agreed to the reconsideration of the Resolution also.

Mr. Yalamanchi called the question to end the debate on the matter.

Whereas, 920 South Boulevard W. is an identified Potential Historic District in the City of Rochester Hills; and

Whereas, an Intensive Level Survey conducted in 2002 by Dr. Jane Busch at the request of the City of Rochester Hills identified this property as needing "extensive survey and additional research" in order to provide contextual information before historical significance of the property could be evaluated; and

Whereas, the property owner had requested review and approval of a demolition permit for the structures on the subject site; and

Whereas, on October 18, 2006, City Council granted review rights regarding 920 South Boulevard W. (Parcel Identification Number 15-34-352-012) for a period not to exceed six (6) months; and

Whereas, since the review rights were granted, the Historic Districts Study Commission (HDSC) conducted extensive research regarding the architecture, family names and events associated with the property; and

Whereas, on April 25, 2007, Council granted an extension of the review rights through July 18, 2007; and

Whereas, at its June 14, 2007 meeting, the Rochester Hills HDSC, reviewed the research that had been conducted regarding the property, the architecture of the