

site and on adjoining streets. Sidewalks have been incorporated to promote safety and convenience of pedestrian traffic.

3. *Adequate utilities are available to the site.*
4. *The preliminary and final plan represents a reasonable street and lot layout and orientation.*
5. *The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
6. *The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

Conditions

1. *Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.*
2. *Provide a landscape performance bond for replacement trees and landscaping in the amount of \$102,644, plus inspection fees, as adjusted as necessary by staff, prior to issuance of a Land Improvement Permit by Engineering.*
3. *Submittal of By-Laws, Master Deed and Exhibit B's for the condominium association prior to issuance of a Land Improvement Permit by Engineering.*
4. *Payment into the City's Tree Fund for 10 street trees at \$216.75 for a total of \$2,167.50, prior to issuance of a Land Improvement Permit.*
5. *Revise Environmental Impact Statement to correctly show number of trips per day per household, prior to the City Council meeting.*

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

Aye 8 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece and Schroeder

Excused 1 - Schultz

Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicant. Ms. Morita requested that the owner be present at the City Council meeting.

2019-0070 Public Hearing and request for Conditional Use Recommendation - City File No. 19-003 - to add a pharmacy with drive-through at the existing Meijer store located at the southeast corner of Auburn and Rochester Rds., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-35-100-056, Craig Armstrong, Elevatus Architecture, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated February 15, 2019 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Craig Armstrong, Elevatus Architecture, 111 E. Wayne St., Suite 555, Fort Wayne, IN 46802.

Ms. Kapelanski summarized that the applicant was proposing to add a pharmacy drive-through on the west side of the existing Meijer store at the southeast corner of Rochester and Auburn. Some façade modifications and other minor site changes, mainly to the entrances, were also proposed. She noted that the property was zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay. A portion of the garden center would be removed near the front of the building, and the drive-through area would be incorporated into that space. She advised that drive-throughs were a conditional use in the B-3 district, and the applicant was asking for Planning Commission recommendation of the conditional use and approval of the site plan and façade. Staff reviews all recommended approval, with the suggestion that the applicant considered adding landscape islands along the access drive in the front of the building.

Chairperson Brnabic asked Mr. Armstrong if he had anything to add, and he stated that he had nothing to add or any points of clarification to Planning's recommendations.

Chairperson Brnabic pointed out Sheet C-100, and said that it appeared that the pathway went from the parking lot across the main traffic aisle in the front and in between the stacking spaces at the pharmacy to enter the garden center. Also, as cars exited the drive-through, there was another pathway customers had to cross to continue into another section of the garden center. If that were correct, she was a little concerned about the safety issue. There would be customers not only crossing the main aisle to get to the store but also cutting through stacking spaces for the pharmacy to enter the garden center. She was concerned for pedestrians and vehicles. She did not think cars would stop at the pathway, but not even considering that, it was concerning. She asked why Meijer did not consider relocating the entrance to the west side of the building, as there was parking there.

Mr. Armstrong asked if she was referring to the entrance into the garden center being on the west side and not the main entry to the building. Chairperson Brnabic agreed, and said that she would prefer to see the

entrance on the west side, if the pharmacy was going in, so there were not customers walking through stacking spaces. She felt that there was plenty of parking available there.

Mr. Armstrong agreed about the parking, however, he indicated that when people shopped at the garden center, they did not necessarily limit their shopping to the garden center. They could go into the main store. He said that it was not the first time he had heard about the concern from a Planning Commission. He claimed that Meijer had several examples of the proposed method working. He understood the concern about the pedestrians crossing the vehicular traffic, however, he felt that the speeds in the area would not be as fast as on the drive in front of the building. He believed that they were providing the best protection they could for people waiting at the curb to cross with the fencing leading up to it as well as having stop signs and bars on both ends. The stacking requirement in Rochester Hills was three cars, which they were able to provide and show that they would not block the pedestrian walkway with cars. He commented that they could not control individual drivers as much as they would like. He understood that there might be a desire to exit from the west, but he said that a lot of people who visited Meijer were familiar with the front entries, and that was where Meijer would prefer to have the entry. He hoped that they had provided adequate safety measures for vehicles to stop at various points.

Chairperson Brnabic said that she was not even sure that three stacking spaces were enough. She acknowledged that it might be for a CVS or a Walgreen's, but she pointed out they did not have 200 people walking around their stores. She felt that there could very likely be more than three cars stacked.

Mr. Armstrong said that they showed the minimum of three, but they could actually get up to five, which exceeded the requirements in the Ordinance. He added that the reason why Meijer preferred to have the entrance in the front was because that was what customers were familiar with. Chairperson Brnabic felt that people would adjust. She knew that all people might not confine their shopping to the garden center, but some did. She stated that she would still prefer to see the entrance on the west side from a safety perspective.

Mr. Kaltsounis commented that he was totally confused. When he considered the proposal, having the drive-through on the west side of the store was not a problem; it was away from the residents, and they did not have to worry about a loud speaker. However, they would be getting rid of

a sidewalk, and they would be adding four slots to something that was not straight at the intersection. He did not agree about the speeds. After he went to Culver's, he went out to the Rochester Rd. exit to get to M-59, and he claimed that the drive to get there was an expressway. He reiterated that nothing lined up with the drive-through, and with the sharp turn to get into it, it would be difficult even for his Mazda, let alone his truck. Now they would be having pedestrians walk through it with no sidewalk. He asked how he would know that someone would not go right onto the sidewalk by the curb, because he could see that happening. He handled traffic at a festival each year, and he saw some very weird driving. If the opportunity was there, he could guarantee that someone would drive onto the sidewalk in front of the store. He was okay with the fascia items, but he could not see the drive-through as proposed.

Mr. Armstrong said that there was a pretty robust structural concrete column at the northwest corner of the canopy that would offer some protection to pedestrians and vehicles. Mr. Kaltsounis asked how someone would make the first turn coming from the east. Mr. Armstrong asked if he wondered how someone would get into the actual lane. He agreed that the north island would make it very difficult. He wondered if they could move the island south and reconfigure it to be more friendly and guide vehicular traffic. He asked if the Commission would see that as a remedy to the situation. Mr. Kaltsounis said that he would have to lean on staff, because he was not seeing that now. Someone could not make a turn in and out, and he questioned if there were fire truck requirements. Ms. Roediger said that it was not a requirement that a fire truck had to get through a drive-through lane. Mr. Kaltsounis remarked that if he could not make a left turn into the drive-through lane, he knew that his mom and grandma could not. He maintained that it was a fast area.

Mr. Armstrong said that his reference to the speed was actually for the outbound lane of the drive-through traffic - not necessarily the lane across the front of the store. He agreed that it was fast. Mr. Kaltsounis said that if everything was lined up correctly, it would be safer, because it was not a good intersection. He thought that moving the entrance to the west would be more reasonable. If he was coming south, he would have to cross the driveway twice. Coming from the west, someone would have to cross the drive-through, and he felt that there were a lot of loose ends to be resolved.

Mr. Armstrong asked if the entry into the drive-through was moved and the traffic flow was reversed, if Mr. Kaltsounis would feel that would

improve the situation. Mr. Kaltsounis said that it would be a better situation. He could see someone making a left turn into the drive-through, getting stuck and backing up into the main stretch and getting hit, but he was interested in hearing from other Commissioners.

Mr. Hooper cautioned the Commissioners that there was a similar situation at the Meijer on Adams Rd. Someone would come down the main drive and turn into the drive-through. The window was a little further to the south, so the stacking was more in the lane versus having a separate drive lane. He asked Mr. Armstrong if there would be bollards between the stacking lane and the drive lane, and Mr. Armstrong agreed. Mr. Hooper felt that would be a problem. He could see a large truck trying to navigate the turn and having a problem. He asked if Mr. Armstrong was considering moving the island directly west out of the way to the south so that there would be a more gradual entrance. Mr. Armstrong said that it could happen, but if they needed to reverse the flow of traffic, they would leave the island where it was. There would not be the turn-in issue from the west. Mr. Hooper said that he was talking about the separate standalone island west of the pharmacy turnaround. Mr. Armstrong said that if they made the adjustment to the island and configured it in a way to help the flow of traffic to get a recommendation of approval, they would be happy to do that. If the preference was to reverse the flow of traffic, and instead of going out the west it would come in from the west and out the front, the island would not necessarily have to move. There were a couple of options to entertain. Mr. Hooper asked if there was a separate communication device versus just talking right at the window, which Mr. Armstrong confirmed. Mr. Hooper asked if the pharmacy window could be moved further south. Mr. Armstrong was not sure it could not happen, but there were exit doors there, and if they moved it too far down, they would lose those, and it could put them in jeopardy of meeting egress requirements from the Building Dept. Also, the current pharmacy was located in the northwest corner. He did not think it would be too customer-friendly to move it. Mr. Hooper said that it depended on how big the pharmacy area was, and Mr. Armstrong advised that they were doubling the interior pharmacy footprint.

Mr. Hooper said that the entrance going east/west into the building was for shopping carts, not for the public to enter. Mr. Armstrong agreed, and said that the door opening to the west was for cart storage. He apologized if that was what Mr. Hooper was referring to, and Mr. Hooper said that it was made to look like a pedestrian walkway, which it was not. Mr. Armstrong said that people would have the option to cross there in case they parked in the overflow. They would cross to the island and then

cross the north/south traffic parallel to the west side of the building to get to some parking spaces. Mr. Hooper said that he did not see an issue as far as the pedestrian traffic. People would be able to navigate around the vehicles that were stacked just like at the Meijer on Adams. He said that the issue was getting vehicles in and out. He did not think by having bollards that a large truck would be able to make a turn without taking off a mirror. Mr. Armstrong said that when they laid out the drive-through lanes, it was done through MDOT standards for turning radii and large vehicles. According to the studies, large trucks would be able to make the turn. Mr. Hooper considered that the reality might be something different; when the Rochester Hills Library was built, they thought it would work, but it never did.

Mr. Morita could not understand from the plans where the window would be from the pharmacy to the drive-through. Mr. Armstrong said that the window was approximately 15 feet back from the northwest corner of the building. Mr. Morita said that would be about one-and-a-half car lengths. She agreed with other Commissioners that it was not far enough south. She went to the Meijer on Adams all the time, and she was familiar with that set up, which she felt was fine. Mr. Armstrong said that a left turn into the drive-through lane would not be permitted. Ms. Morita remarked that it would not stop people from turning left. She indicated that someone could turn right into there, and there still would not be enough room, and traffic would be blocked. There was property on the other side of the building that the owner of Meijer tried to have developed for a hotel. She asked if they had looked at moving the pharmacy to the other side. Mr. Armstrong stated that they had not. Ms. Morita agreed with Mr. Kaltsounis that it was a really busy parking lot with a lot of cut-through traffic, and the proposal would not make things any better. She thought that it could set up a potentially dangerous situation. She did not have a problem with the pedestrian traffic. If it was set up like the Meijer on Adams, and it was easy to walk through, it would be fine, but she did not think that there was enough stacking before the window. She reiterated that the corner was just too busy of an area.

Mr. Schroeder stated that for pure traffic movement, reversing the flow and having people enter at the other end would be a much better situation. They would have to move the window. He thought that it would increase the traffic storage a little bit to have more room. People would not have trouble making a sharp turn. He asked if many big trucks used the drive-through window. Mr. Armstrong said that every store's patrons were different. Sometimes, if people had large trucks, they knew they were not going through the drive-through. If the traffic flow was reversed,

the big truck would be taken out of the equation, because it would pull straight through an opening. He said that he understood the concerns raised.

Mr. Kaltsounis felt that the pharmacy drive-through at the Meijer on Adams was fine. The driveway was off to the side. If the flow was reversed for the proposed, there would still be the same awkward drive-through, but there would not be the "C." At the one on Adams, there was an "L." They would have to work through the stacking and resolve it, and there would be some decisions to make. He did not want to put the public at risk. Mr. Armstrong responded that Meijer did not want to, either.

Chairperson Brnabic opened the Public Hearing at 7:42 p.m.

Cheryl Kilborn, 3135 Primrose Dr., Rochester Hills, MI 48307 *Ms. Kilborn said that she shared the concern about added congestion. As someone who walked in the area frequently, she could state that it was more and more congested and dangerous to walk. She understood Meijer's point about having signage, but people would not pay attention to it. Distracted driving was increasing every day, and it was becoming more and more dangerous to walk in the parking lot. If the proposed setup would draw traffic behind the building, there would be more noise for the residents who lived behind Meijer. She asked for consideration about that. As Meijer continued to expand in the area, she wished to note that the neighbors had tried to be understanding of the need for them to grow, but there had been additional trash and a lack of concern by Meijer about taking care of the property. That had caused a lot of extra work for people who lived in the neighborhood. Meijer did not mow the lawn or pick up trash. She asked that as they continued to grow, they were good neighbors and took care of their side of the fence.*

John Przybysz, 3120 Primrose Dr., Rochester Hills, MI 48307 *Mr. Przybysz agreed that they were trying to wedge in a lot of car and pedestrian traffic in a small space with a shoe horn, and said it was like a puzzle that did not fit. He knew that recreational marijuana was being talked about, he asked if it would be dispensed from the pharmacy in the future. He apologized if he was off base, but it was a concern.*

Ms. Roediger advised that the City had opted out of allowing any type of dispensaries or sale of recreational marijuana. There would be no dispersal of recreational or medical from the pharmacy at this point.

Chairperson Brnabic mentioned Ms. Kilborn's comment about trash

Meijer did not take care of. Chairperson Brnabic hoped that Mr. Armstrong would take that point back with him. Mr. Armstrong noted that a couple of years ago, Meijer changed maintenance companies. The situation had improved, but they were not quite there. He said that he would be sure to take those concerns to his client and ask them to pay more attention to their grounds.

Chairperson Brnabic closed the Public Hearing at 7:47 p.m.

Mr. Kaltsounis indicated that there were two motions in the packet for which he would recommend postponement based upon the discussion. Ms. Roediger agreed that per the comments, staff could work with the applicant on a revised plan, and the applicant could come back.

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 19-003 (Meijer Pharmacy and Façade Renovations), the Planning Commission hereby ***postpones the recommendation to City Council for the Conditional Use and approval of the Site Plan*** to allow a drive-through at a proposed pharmacy on site at the Meijer at 3175 S. Rochester Rd., based on documents dated received by the Planning Department on January 7, 2019 until the applicant was ready to re-present.

Chairperson Brnabic asked Mr. Armstrong if he agreed to the postponement. Mr. Armstrong commented that he did not have a choice, so it was fine.

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

Aye 8 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece and Schroeder

Excused 1 - Schultz

Chairperson Brnabic stated for the record that the motion had passed unanimously. She hoped to see Mr. Armstrong back soon with a revised plan.

2019-0071

Request for Site Plan Approval - City File No. 19-003 - to add a drive-through pharmacy, update the facade, improve entries and the garden center at the existing Meijer located at the southeast corner of Auburn and Rochester Rds., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-35-100-056, Craig Armstrong, Elevatus Architecture, Applicant

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

Aye 8 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece and Schroeder

Excused 1 - Schultz

2019-0061

Request for Approval of the PUD Agreement for Brewster Village Condominiums, City File No. 18-015, a proposed 30-unit development on 7.3 acres, located north of Walton, on the west side of Brewster, zoned SP Special Purpose and R-1 and R-3 One Family Residential, Parcel Nos. 15-08-376-015 and 15-08-331-041, Robertson Brothers Homes, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated February 15, 2019 and PUD Agreement, site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Tim Loughrin, Robertson Brothers Homes, 6905 Telegraph Rd., Suite 200, Bloomfield Hills, MI 48301.

Ms. Kapelanski advised that the applicant was proposing to construct a 30-unit detached condominium development on the west side of Brewster north of Walton utilizing the Planned Unit Development (PUD) provisions. The property was currently split-zoned between single-family residential and special purpose. The Planning Commission recommended approval, and the City Council subsequently granted approval of the Preliminary PUD Plan on January 7, 2019. The plan had generally remained the same with some minor modifications. A major modification was that a left turn lane had been added to Brewster, which had been recommended by the Planning Commission. She noted that a Tree Removal Permit was required for the removal of 234 regulated trees, all of which would be replaced on site. A Natural Features Setback Modification was also required for 450 linear feet which was mostly occupied by mowed lawn area. She went over the four requests, and advised that staff reviews all recommended approval, as the development was generally in compliance with the approved Preliminary PUD Concept Plan and other Ordinance provisions.

Mr. Loughrin commented that they were excited to develop in Rochester Hills. After receiving approval, they provided Final Plans and addressed all comments. They had a signed agreement in place for shared detention with the Shadow Woods HOA. That would be recorded after the final approvals and prior to issuance of a Land Improvement Permit. There had been a condition of approval to work with the Shadow Woods' neighboring residents regarding an easement on their property for