



Rochester Hills

Minutes - Draft

Planning Commission

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Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Ed Anzek, Gerard Dettloff, Nicholas O. Kaltsounis,
Stephanie Morita, David A. Reece, C. Neall Schroeder, Ryan Schultz

Wednesday, November 7, 2018

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Deborah Brnabic called the Special Meeting to order at 7:00 p.m. in the Auditorium.

ROLL CALL

Present 6 - Deborah Brnabic, Gerard Dettloff, Greg Hooper, Stephanie Morita, David Reece and C. Neall Schroeder

Absent 3 - Ed Anzek, Nicholas Kaltsounis and Ryan Schultz

Quorum present.

Also present: Sara Roediger, Director of Planning & Econ. Dev.
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

[2018-0450](#) October 16, 2018 Regular Meeting

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

Aye 6 - Brnabic, Dettloff, Hooper, Morita, Reece and Schroeder

Absent 3 - Anzek, Kaltsounis and Schultz

COMMUNICATIONS

A) Planning & News dated November 2018

NEW BUSINESS

[2018-0449](#) Public Hearing and request for Conditional Use Recommendation - City File No. 18-020 - for the sales and service of alcoholic beverages for consumption onsite at X-Golf Rochester Hills, 1134 S. Rochester Rd., located near the southwest corner of Rochester and Avon Roads in the Winchester shopping

plaza, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-226-019, Jared Vinson, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated November 2, 2018 and floor plan and location map had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Jason Vinson and Brad Townsend, 73550 McKay Rd., Bruce Township, MI 48065.

Ms. Roediger advised that the X-Golf facility, an indoor golf simulation operation, was occupying the former Old Navy space at the Winchester Mall. As part of their operation, the applicants were asking for the sale of alcoholic beverages. They had gone before the Building Department and received permits. The Ordinance required that the sale and service of alcoholic beverages for onsite consumption required a Conditional Use. She noted that the application had been reviewed by Planning, Fire and Building, all of which recommended approval. As part of a Conditional Use recommendation to City Council, a Public Hearing was required, and the Commission would consider the operation's use and impacts to the surrounding properties and the impact to the infrastructure of the community. Staff felt that it was in keeping with mixed entertainment within a shopping center. If it went well with the Planning Commission, the applicants would appear before the Liquor License Technical Review Committee the next day and on the City Council agenda of November 12, 2018, as the applicants wished to open soon. She said that she would be happy to answer any questions.

Chairperson Brnabic asked the applicants if they had anything to add. Mr. Vinson said that they were very appreciative of the opportunity to do business in Rochester Hills. They were excited about the business; they opened one in Shelby Township a year ago, and it did so well, that they had more people who wanted to use the facility than they had capacity, especially during the winter months. He commented that he was glad there were long winters in Michigan. They were excited to, hopefully, expand into Rochester Hills.

Chairperson Brnabic opened the Public Hearing at 7:06 p.m.

Paul Clark, 250 Meadow Bridge Dr., Rochester Hills, MI 48307 *Mr. Clark stated that he lived in Meadowfield Condominiums, which were immediately south of the shopping center where the facility was proposed. He said that he had no objection to it, however, his concern was with the amount of young mothers and small children that went to the mall's stores. There was a lot of foot traffic to and from cars near the proposed*

facility. Every week in either the Rochester Post or the Gazette, under Crime Watch, there were always articles about the police arresting people who drove drunk. It occurred to him that the golf scores at the facility might be a bit better if there were no alcoholic drinks in the first place. He stated that he was not a tee totaler, but he was concerned. Living within walking distance, and with the fact that people could be in there for some length of time, he was concerned about what responsibility the owners accepted in terms of the ability of the customers to be able to walk out the door and safely drive away a vehicle. That was his concern for his fellow citizens, in whom he was disappointed there were not more in attendance. They either did not see it or did not care or were indifferent. He wanted it on record that there was at least one citizen nearby that was concerned about yet another source of alcohol consumption within a short distance from where he lived. Half a mile the other way, and he was not sure how Rochester Hills approved it, someone could go into a place and buy gasoline and liquor at the same time and open the liquor and drive away drinking it in the car. He indicated that he missed protesting that one. He reiterated that he had a concern for the women and children coming and going and the ability of the patrons to successfully drive away.

Chairperson Brnabic closed the Public Hearing at 7:09 p.m.

Mr. Townsend responded that all of their employees were TIPS Certified, which was a requirement to work at the facility. They were required to go through legislative training with TIPS certification to be able to identify when someone had been over-served. They also had two managers onsite at all times to oversee the staff that served. He had one year of operation experience in Shelby, and they had not had any kind of issues with over-serving people. They worked very closely with the Shelby Township police force to enforce any types of activities that could happen. The police would patrol their parking lot, especially on the weekends when it was a little busier. He maintained that the environment of their store was very family-friendly. They had birthday parties and things of that nature. To that end, they did the best that they could to make sure they covered the bases and made sure people were not being over-served.

Mr. Dettloff asked if the license would be a transfer in. Mr. Vinson agreed, and said that they purchased the license off the market, and they were transferring it to their facility.

Ms. Morita said that she appreciated Mr. Park's concern for women and children in the community, but she felt that mothers could defend themselves and make good decisions. She did not see a problem with

the facility going in. There were a lot of establishments in their shopping centers that had mixed uses with liquor licenses, and they did not pose a problem. She did not see this any differently. She thanked the applicants for doing business in the City, and she moved the following:

MOTION by Morita, seconded by Dettloff, in the matter of City File No. 18-020 (X-Golf Rochester Hills) the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow alcoholic beverage consumption on site at 1134 S. Rochester Rd., based on documents dated received by the Planning Department on October 15, 2018, with the following six (6) findings.

Findings

1. *The use will promote the intent and purpose of the Zoning Ordinance.*
2. *The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.*
3. *The proposal will have a positive impact on the community as a whole and the surrounding area by further offering jobs and another entertainment option.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.*
5. *The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Mr. Hooper said that he did not believe there was another establishment in the shopping center that had a liquor license. Potentially, when the portion of the mall to the north was redeveloped, there could be a restaurant building pad in front of the Art Van. Beyond that, however, X-Golf would be the only one with a license. He felt that what they wanted

to do was fine.

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

Aye 6 - Brnabic, Dettloff, Hooper, Morita, Reece and Schroeder

Absent 3 - Anzek, Kaltsounis and Schultz

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.

DISCUSSION

2001-0160

Rochester College Townhomes, a proposed PUD development with 72 for-sale units on 7.9 acres located on the Rochester College campus on Avon, east of Livernois, Rochester College and Pulte Homes of Michigan, Applicants

(Reference: Plans and cover letters, prepared by Pulte Homes and Rochester College, had been placed on file and by reference became part of the record thereof).

Present for the applicant were Tom Rellinger, Rochester College, 800 W. Avon Rd., Rochester Hills, MI 48307 and Chris Plumb of Pulte Homes, 100 Bloomfield Hills Parkway, Suite 150, Bloomfield Hills, MI 48304.

Ms. Roediger noted that Rochester University, formerly Rochester College, was doing a lot of changes on campus. There was a new arena, and there had been discussions about new athletic fields. Staff talked with the University about the use of the subject property, which was always intended as a residential component of their Master Plan. They were introducing another party into the mix, and staff felt that it warranted bringing it before the Planning Commission to consider how the PUD would be amended to move the project forward. They wanted to give the Commissioners the chance to comment before it went too far down the line.

Mr. Plumb said that they appreciated the opportunity to be in front of the Planning Commission so early in the project. He noted that the Pulte Group had been pretty active in Rochester Hills over the last several years with Barrington Park and Woodland Park, which were almost sold out. He felt that it showed the desire of the buyers to be in Rochester Hills, in both attached townhomes and single-family homes. There was

an overarching PUD across the entire property, and the proposed development, attached townhomes, would be in the northeast quadrant. A road would be constructed to the entrance with future potential expansion to the west as the University continued its development. The subject site was to the north of the church parking lot. He said that they were very conscientious about walking paths, and they wanted to have connectivity to the campus and the surrounding streetscape. One community benefit, as well as a benefit for the residents, was a proposed footpath across the topography to the northwest down to the Clinton River. It was heavily wooded, and they would like to add it to the community to enhance the overall appeal and natural features.

Mr. Plumb advised that the homes would be for-sale, maintenance-free condos. The maintenance for the entire site and the building exteriors would all be part of the HOA where the owners would pay monthly dues. There would be a shared detention area to the west. It would be offsite, but it would be in close proximity for storm water detention and outlet. He showed the front elevations with front facing garages. He claimed that the topography of the site lent itself to one product: two-story, more conventional, as opposed to Barrington Park, with a heavy masonry focus. The rooflines would be varied with dormers and different gables. He showed the rear elevations. There would be potential structural options, and buyers could choose to bump out the back to provide some variation. There would be full brick wrap up to the first floor belt with a mixture of materials to create some architectural interest. The homes would be 1,850 s.f. with two-car garages, three bedrooms and two-and-a-half baths. If buyers were interested, the bump out could provide significant living space. They had found that the floor plans catered to a wide range of buyers, including millennials, young families and empty nesters.

Mr. Dettloff asked the price of the units. Mr. Plumb said that they would start in the low \$300k's and go to the mid-\$300k's. Mr. Dettloff asked if all maintenance would be Pulte's responsibility or handled by the University. Mr. Plumb advised that there would be a separate HOA. Pulte would subsidize it in the beginning, but as homes were sold, that would fund the HOA.

Mr. Schroeder asked if the homes would be for faculty. Mr. Rellinger agreed. They had several husband and wife teams that worked at the University, so having housing contiguous with the campus would be attractive. He thought that it would be good to help recruit new faculty members, as well. Mr. Schroeder clarified that the University would not

have any ownership or responsibility for the development. Mr. Rellinger said that was correct, except for the joint detention pond, which would remain on the University's property. Mr. Schroeder asked if maintenance of the road would be separate from the University. Mr. Rellinger said that the road going in would be the condo owners' responsibility. There would be a road that eventually continued as the University built out the campus. At that point, there would be joint accessibility to each side, but the HOA would maintain its side, and the University would maintain the other.

Ms. Morita pointed out that there was some City-owned green space property that connected to the Trail. She recommended that they looked at that with the City to make sure that the trail going to that property was appropriate. They should make sure that there were no restrictions. She asked if they were going to split a parcel from the property - kind of a keyhole parcel - where the University would have ownership of the roadway to Avon. Mr. Plumb said that was correct. She strongly suggested that they talked to Ms. Taylor in Assessing to make sure that it would be compliant and make sure she would approve a lot split. The City recently had an issue with a private roadway that had not been done properly and caused some problems. Otherwise, she commented that she liked it, and felt that it would be a great idea in the proposed location. She knew that the City did need some more diverse types of housing, although she would like to see something with a lower price point, especially if they were appealing to people working at the University or even students. She felt that \$300k would be a little much, but she understood what they were trying to do.

Ms. Roediger said that one of the reasons they wanted to bring it before the Commissioners was that the original PUD called for residential dorms. The request would be for a lot split, and it would be a separate entity from the University. They did talk about the road and the need to bring it up to public standards. It would not just be an internal drive. Ms. Morita said that she could not tell if it was 60 feet wide. They also needed to make sure that the adjacent parcels had necessary access so the split could be approved.

Mr. Reece asked if the parcel would be removed from the PUD. Ms. Roediger agreed. The proposal would be to amend the existing Rochester College PUD to take the parcel out and create a new PUD for the subject development. Mr. Reece asked why the new development would need a PUD. Ms. Roediger said that it was zoned Special Purpose, which was basically for a campus. Mr. Reece said that it

seemed as if it would work in the area, but he agreed about the price. The Commissioners kept hearing about the demand for low priced housing, and he did not think the mid-\$300's was in that range. He was not sure how even millennials would afford them, but that was for the applicants to figure out. He thought that the units that backed to Avon looked rather ugly. He would hate to see the back facing Avon without some added landscaping. He said that the fronts looked great, but the backs needed work. He felt that the density was acceptable.

Mr. Hooper noted that the site was part of the University's Master Plan, and he asked if it was surplus property. Mr. Rellinger said that it was surplus, but it always intended to be residential. Things had changed with their student base, and they did not need as much residential space. They had room on the campus to the west. They were finding that a lot of their students lived in the apartment complex across Avon. Mr. Hooper clarified that the need for onsite dorms had lessened. Mr. Rellinger agreed, but said that they had room to add two areas of dorms. Mr. Hooper asked if there would be the need for more classroom space beyond that. Mr. Rellinger said that they had plenty of room for classrooms. They were at 1,000 students, and they had room for another 1,000. The proposed site was the ideal space to let go. It was really a cash thing for them. Mr. Hooper considered that they were just selling an asset. He asked if the Tree Conservation and Wetlands Ordinance would apply separately. He believed that they would have to save 37% of a heavily wooded site, and that would affect the number of units. They would not get the density they desired, although having shared detention would help. He did not have an issue with the University using surplus property.

Ms. Roediger clarified that the 37% was for single-family homes only, not for multi-family. Mr. Hooper presumed that the City would want to preserve trees, noting that the City was updating the Tree Conservation Ordinance. Ms. Roediger agreed.

Ms. Morita asked the applicants if they had looked at what the increased traffic counts would be and whether or not it was time to explore a light in between Livernois and Rochester. They said that they had not, but they could look into it. Ms. Morita thought that they might want to explore that. One of the difficulties people would have was turning left during rush hour. She said that it would even be harder on a Saturday when people were trying to get to Home Depot.

Chairperson Brnabic indicated that the requirement for tree preservation

might not be 37%, but she thought that the City could request a certain percentage to be saved as part of the PUD. Ms. Roediger agreed that a PUD was a give and take negotiation. There should be a public benefit with a PUD, and they would be connecting a trail system to the River, but tree preservation in that area would be of utmost importance.

Mr. Rellinger reminded that they had already placed land in a conservation easement between the Trail and the River. They were trying to connect things in a natural flow, and they felt that the proposed development would connect nicely to the Trail. In the last six years, he stated that they had really opened the campus to make it so the community had a say so in what went on there. They tried to illustrate that they were happy with the progress, and the townhomes were another step in the evolution of what they were trying to accomplish to make sure the University stayed there for many years and was an asset to the community. Ms. Morita mentioned that she had recently been there for the Neighborhood House 5k, and she thanked them for allowing it to occur there. Mr. Rellinger said that they had over 200 community-oriented events each year on campus. They were going to build soccer and lacrosse fields using the funds from the sale of the land.

Chairperson Brnabic hoped that Pulte took note that the Commissioners would like to see some tree preservation. She added that they should consider the price point if at all possible.

Mr. Reece observed that the driveway by the church lined up with Home Depot's west entry. He agreed that a light there might be a great idea. Ms. Morita said it would just depend on whether it was far enough from the Avon/Rochester intersection, but she stated that it was definitely worth exploring with the increased activity on campus. Mr. Reece said that he was surprised to hear that there was not a high demand for dormitory housing. His company built a lot of that, and all they heard was that kids were making their decisions about which universities to attend based on housing. He recognized that Rochester University was not one of the larger ones, but he pointed out that Lawrence Tech was building dorms to shed that commuter college image.

Mr. Rellinger said that one of the things that was a little unique for Rochester University was that they were the lowest-priced private school in the State. That was done intentionally so they could draw students who could not afford other schools and why students commuted.

Mr. Dettloff said that he supported the concept. He concurred about the

pricing aspect and being sensitive to that. He asked if there were any amenities planned for the site. Mr. Plumb said that they would have passive type things, such as benches. They had talked about a footpath into Lifetime's property, but there would be no active amenities. Mr. Rellinger said that there was a preschool at the church which was run out of the University, and there were great programs there.

Mr. Schroeder cautioned that getting a traffic signal was always a difficult situation that took a long time. There was a half mile warrant, and if it could be close to that, it would make it a lot easier to meet the warrant and get a signal.

Chairperson Brnabic asked the applicants if they had any further questions. Hearing none, she said that it seemed as if the Planning Commission thought positively about the proposed development, and she wished them good luck moving forward.

Discussed

ANY OTHER BUSINESS

Ms. Roediger advised that the only thing potentially on the radar for the November 20th meeting (which was being cancelled) was another request from Cedar Valley. Mr. Reece asked if they had to allow them on the agenda. Ms. Morita said that if they were coming for the same request the Commission had already denied, they did not have to consider it. There was a one-year time limit before the same plan could be brought back. Ms. Roediger noted that they had acquired a new architectural firm. Ms. Morita requested having Mr. Staran present if they came back.

Ms. Roediger believed that Brewster Village, on Brewster north of Walton would be coming in December. Originally, it was going to be attached duplexes, but it was changed to detached units. They worked with the neighbors and would be doing regional storm water detention in the open space area. The Master Plan Public Hearing could potentially go that evening. If not, it could be at the joint Planning Commission/City Council meeting in 2019. That might be January 29, but she still needed to confirm with the Mayor and a few others.

NEXT MEETING DATE

Chairperson Brnabic announced to the Commissioners that there would not be a November 20, 2018 meeting, and that the next Regular Meeting would be held on December 18, 2018.

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Ms. Morita, seconded by Mr. Hooper, Chairperson Brnabic adjourned the Special Meeting at 7:46 p.m.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary