



# Rochester Hills

## Minutes - Draft

### Planning Commission

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Rochester Hills, MI  
48309  
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Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

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

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Tuesday, September 20, 2016

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

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

## ROLL CALL

**Present** 9 - Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, Stephanie Morita, David Reece, C. Neall Schroeder, Ryan Schultz and Emmet Yukon

Quorum present.

Also present: Ed Anzek, Director of Planning and Economic Dev.  
Sara Roediger, Manager of Planning  
Maureen Gentry, Recording Secretary

## APPROVAL OF MINUTES

2016-0360 August 16, 2016 Regular Meeting

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

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

## COMMUNICATIONS

A). *Ordinance Amendment No. 181*

## NEW BUSINESS

**2015-0181** Request for Planned Unit Development (PUD) Agreement Recommendation - City File No. 89-114.2 - Sanctuary in the Hills East Condominiums PUD, a proposed 14-unit residential development on 4.57 acres, located north of South Boulevard, east of Sanctuary Blvd., zoned R-4 One Family Residential, Parcel Nos. 15-32-476-001, -002, -005, -006, -009, 15-32-477-009, and -016, Dan

MacLeish, MacLeish Building, Inc., Applicant

*(Reference: Staff Report prepared by Sara Roediger, dated September 16, 2016, PUD Agreement and Site Plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Daniel MacLeish, Sr. and Daniel MacLeish, Jr., MacLeish Building, 650 E. Big Beaver, Suite F, Troy, MI 48083 and Jeff Rizzo, Fenn & Associates, Inc., 14933 Commercial Dr., Shelby Twp., MI 48315.*

*Ms. Roediger advised that the project had been before the Planning Commission in May 2016 for a Conceptual PUD Plan review. It was recommended for approval and approved by City Council in June. They were back for the second step in the process requesting review and approval of the PUD Agreement, Wetland Use Permit and Final Site Plan Recommendation and a Natural Features Setback Modification. There were seven buildings with two units each for a total of 14 units on 4.5 acres on the east side of Sanctuary Blvd. north of South Boulevard. Ms. Roediger noted that the project was designed as an extension of the existing Sanctuary in the Hills condos to the west. There had been a few outstanding items from the Conceptual Plan review that had been addressed. The access drive to the detention basin coming off of Sanctuary Blvd. was eliminated due to some concerns of the neighbors and also ASTI, because it was near the higher quality wetlands. The applicants had been asked to work with Engineering to find an alternative location for the access drive. Since that time, it was decided that the applicant would set aside funds in an escrow so that if and when in the future maintenance was needed for the basin, something could be temporarily developed with the least impact. There was a small modification for the Natural Features Setback being requested, and a boulder wall would be added along the wetlands per ASTI's recommendation. The addition of a sidewalk along the southern edge of the road to connect to a trail had been requested. When the matter went to Council, there was not support from the majority of Council for the sidewalk because of the lack of connectable area and the project's small nature and isolation. The applicant continued to ask that the sidewalk not be required on that side of the street. Ms. Roediger stated that staff recommended approval, and she noted that since her review memo was drafted, the applicant had submitted the required tree survey, and they were working on a landscape plan to take to Council. She said that she would be happy to answer any questions.*

*Chairperson Brnabic asked the applicants if they had anything to add, but they did not.*

*Mr. Kaltsounis indicated that the final review was more of a formality for the Commissioners, to make sure that the items previously agreed upon were addressed, and that what they approved now was very similar to what was approved in May. Hearing no further discussion, he moved the following, seconded by Mr. Schroeder.*

**MOTION** by Kaltsounis, seconded by Schroeder, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **recommends** that City Council **approves the PUD Agreement** dated received June 10, 2016 with the following five (5) findings and subject to

the following six (6) 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. *All other conditions specifically listed in the agreement shall be met prior to final approval by City staff.*
4. *Add a timeframe of five years for commencement and completion of improvements associated with the development to the PUD Agreement, prior to City Council approval.*
5. *The applicant shall enter into a Hold Harmless Agreement with the City regarding the road vacation, prior to City Council approval.*
6. *In conjunction with the final approvals from City Council, the property owner shall obtain the vacation of the City's interest in the paper streets. (4,5 and 6 added after following discussion):*

*Chairperson Brnabic asked the projected timeframe for the project. Mr. MacLeish indicated that they would move ahead as soon as they had all approvals. Chairperson Brnabic pointed out that the PUD Ordinance required that a timeframe be listed in the PUD Agreement. She read Section 138-7.108 F.: "A timeframe for commencement and completion of improvements associated with the PUD, including both public infrastructure improvements and internal site improvements, along with the means of insuring that all public improvements are constructed and maintained." She did not see a timeframe included in the PUD Agreement.*

Mr. MacLeish said that he thought he had put in three years, but he would have to research it. Unless something unforeseen happened, he expected to move ahead. Chairperson Brnabic asked if the timeframe would be three years. Mr. MacLeish said that he only put that long, because things could happen. For instance, trees were prohibited from being cut down until September 30th. If they ran into some type of difficulties and they could not get into the project until next June, they would also be prohibited from cutting the trees because it was after May 30th. Those were the only things that would hold them up. He remarked that his men were also somewhat out of work.

Chairperson Brnabic stated that she did not see it in the actual Agreement, and she wondered what time frame they would like to include, which should then be included in the Agreement. Mr. MacLeish, Jr. asked if it would be from a start to finish date, to which Chairperson Brnabic agreed. Mr. MacLeish said that it would depend on the market. If there were no sales, it could not continue. He mentioned that it was also an election year, and that things did happen. He recalled the recession in the Building industry where they went from 50,000 homes a year in Michigan to 1,000. He was President of the State of Michigan Builder's Association, and they kept track of that. The market just disappeared, and development stopped. They were back to about 40% of where they were in 2005. They gave the timeframe of three years, because they did not know what would happen in the market. If every one of the units sold immediately, he would give a year's timeframe, but he put in three years because of the marketplace.

Chairperson Brnabic believed that under those types of circumstances, the City had been very understanding in working with developers and giving extensions. She stated that the timeframe was a requirement in the Ordinance. She suggested that if he wanted to put five years, and there was a situation like 2007, it would be considered. Mr. MacLeish agreed with five years.

Ms. Morita thanked the applicants for bringing the project before the Planning Commission. She mentioned that at the last meeting, she had asked how the applicants would deal with the paper streets they would be building over. She saw the letter from Phil Seaver (Seaver Title Agency) that said that it would not be a problem from the title company's perspective; however, she was concerned about it from the City's perspective. She asked how discussions were going with City Attorney John Staran about drafting the Hold Harmless Agreement she had requested.

Mr. MacLeish said that he had not heard anything from Mr. Staran regarding that. Ms. Morita reminded that one of the conditions of approval was that either the roads had to be vacated by the applicant, which according to Mr. Seaver's letter, that did not look necessary or that Mr. MacLeish and the City would reach a Hold Harmless Agreement in case there was ever an issue.

Mr. MacLeish explained that Mr. Seaver did not think that was necessary, because the City dedicated the streets to the public as a whole and not to the individual lot owners. Therefore, it was not something for which they would be endangered. There was also a six-foot easement for public utilities, but that was

*granted by the City. He stated that it was the City's responsibility to vacate both the street and the easement.*

*Ms. Morita said that she understood that. She maintained that the City could only vacate the public's interest in those roadways; it could not vacate any interest the lot holders in the plat might have in those streets. She indicated that if it was really not an issue, as Mr. Seaver suggested, then she felt that there should not be a problem entering into a Hold Harmless Agreement with the City. She would just like to see that little added protection for the City. She pointed out that if it was not really an issue, then it was just another piece of paper.*

*Mr. MacLeish said that he would be concerned that someone could get an attorney and stop everything if the City did not take the responsibility to vacate the street and stand behind it, and he would be at risk because of that. He would worry that someone could shut the project down.*

*Ms. Morita explained that she was asking for a Hold Harmless Agreement to be entered into with the City that provided that when everything was said and done, if one of the other homeowners in the plat came back and said that the road was improperly vacated, Mr. MacLeish would be agreeing to defend the City. She emphasized that she was not saying that the City would not vacate its interest, but that the City could only vacate the interest that was conveyed to them by the plat.*

*Mr. MacLeish said that he was not an attorney, so he could not answer that. He commented that he had to rely upon those "in the know." He was told that there was no responsibility in regards to the individual lot owners, because it was dedicated to the public.*

*Ms. Morita asked Mr. MacLeish to assume that was all true. She stated that if they could assume there was no responsibility at all, then there should be no problem entering into a Hold Harmless Agreement. Mr. MacLeish said that he would have to talk to an attorney first. Ms. Morita pointed out again that it was a condition of approval that was passed the last time Mr. MacLeish was before the Planning Commission, so she needed to know if it was something he was still willing to do.*

*Mr. MacLeish reiterated that he had not heard from Mr. Staran regarding the road issue. He had sent Mr. Staran emails but had not heard anything, so he could not answer. Ms. Morita asked if staff could do something to assist Mr. Staran in getting back with Mr. MacLeish.*

*Mr. Anzek said that it was his understanding that Mr. Staran and Mr. MacLeish met early on after the condition was established. He did not think they had met recently, and he was not sure if the ball was in Mr. Staran's court or in Mr. MacLeish's, but staff would find out.*

*Mr. Schroeder thanked the applicants for adding trees on the boulevard. He asked if the maintenance easement would be where the storm water crossing was, which Mr. MacLeish confirmed.*

Chairperson Brnabic opened the Public Hearing at 7:23 p.m.

**John Bailey, 3612 Winding Brook Circle, Rochester Hills, MI 48309** Mr. Bailey noted that they had a community meeting last Thursday, and the homeowners asked him to mention several things. They would prefer that the service drive not be on Sanctuary Blvd. They would like to see no more adjustment in the future to the floodplain on the east or west side of Sanctuary Blvd. so that nothing else would be built there. They hoped that there would be no construction traffic in the original Sanctuary in the Hills and that perhaps a "No ConstructionTraffic" sign could be considered in a couple of places. There were still some construction vehicles in their community, but they were trying to get away from that, and after ten or eleven years, they felt it was time.

**Chris Kittides, 3812 Winding Brook Circle, Rochester Hills, MI 48309** Mr. Kittides commended the Planning Commission and said that years ago, he was the Chairman of the Detroit Planning Commission. He mentioned the access drive shown the last time from Sanctuary Blvd, and he reiterated that they really did not want that. He did not see another access to service the detention. He was also a member of Mr. Bailey's committee, and he said that they were fearful that once a PUD was established, it could be extended. They wanted to make sure that 14 units would be it, and that there would be no southward extension. He knew there were wetlands, but he claimed that there were ways to get around wetlands.

Mr. Anzek felt that the access road had been well discussed, and it was not going in at this point in time. The applicant had made provisions to make that accommodation should it ever be necessary. He felt that matter had been resolved. The comment about binding other areas of land for non-development that someone did not control was not an action of the PUD. Both gentlemen had asked that no other developments took place elsewhere. Mr. Anzek thought that would be highly unlikely because of the wetland to the south, but the PUD could not be used as a means to block development on property not owned or controlled.

Chairperson Brnabic closed the Public Hearing at 7:28 p.m.

Ms. Morita suggested another condition to the motion, and number six was added above with Mr. Kaltsounis' and Mr. Schroeder's concurrence.

With regards to the Hold Harmless Agreement, Chairperson Brnabic considered that there would be another discussion with Mr. Staran. If Mr. Staran determined that one was not necessary, she questioned if that would fulfill the condition. She asked Ms. Morita if that was satisfactory.

Ms. Morita said that she would like Mr. Staran to draft a Hold Harmless Agreement that was acceptable to him in relation to building over the paper streets. In addition, the property owner would need to go forward with having the City's interest in the paper streets vacated, which would be done at a City Council meeting - it would need to be done contemporaneously.

**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** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

**2016-0362** Public Hearing and request for a Wetland Use Permit Recommendation - City File No. 89-114.2 - Sanctuary in the Hills East Condominiums PUD, for permanent and temporary impacts to approximately 2,400 square feet associated with a proposed 14-unit residential development on 4.57 acres, located north of South Boulevard, East of Sanctuary Blvd., zoned R-4 One Family Residential, Parcel Nos. 15-32-476-001, -002, -005, -006, -009, 15-32-477-009, and -016, Dan MacLeish, MacLeish Building, Inc., Applicant ***MOTION*** by Kaltsounis, seconded by Schroeder, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **recommends** City Council **approves a Wetland Use Permit** to temporarily and permanently impact approximately 2,400 square feet for the construction of the road, culverts and retaining wall, based on plans dated received by the Planning and Economic Department on July 25, 2016, with the following two (2) findings and subject to the following three (3) conditions.

Findings

1. *Of the approximately 1.7 acre of City-regulated wetlands on site, the applicant is proposing to impact approximately .05 acre.*
2. *The wetland area will be protected by the retaining wall and by minimizing the road crossing.*

Conditions

1. *City Council approval of the Wetland Use Permit.*
2. *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 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** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

**2016-0363** Request for Natural Features Setback Modification - City File No. 89-114.2 - Sanctuary in the Hills East Condominiums PUD, for impacts to approximately 775 linear feet associated with a proposed 14-unit residential development on 4.57 acres, located north of South Boulevard, east of Sanctuary Blvd., zoned R-4 One Family Residential, Parcel Nos. 15-32-476-001, -002, -005, -006, -009,

15-32-477-009, and -016, Dan MacLeish, MacLeish Building, Inc., Applicant  
***MOTION*** by Kaltsounis, seconded by Yukon, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **grants Natural Features Setback Modifications** for the permanent impacts to as much as 775 linear feet of natural features setbacks associated with the construction and grading of units and the cul-de-sac, based on plans dated received by the Planning and Economic Development Department on July 25, 2016, with the following two (2) findings and subject to the following one (1) condition.

Findings

1. *Natural Features Setback Modifications are needed to construct several units and a portion of the cul-de-sac.*
2. *The Natural Features Setbacks are of low ecological quality and the City's Wetland Consultant, ASTI, recommends approval.*

Condition

1. *Best Management Practices shall be strictly followed during construction to ensure flow and circulation patterns and chemical and biological characteristics of the wetlands and any temporary impact areas shall be restored to original grade with original soils or equivalent soils and seeded with a City-approved wetland seed mix.*

**A motion was made by Kaltsounis, seconded by Yukon, that this matter be Granted. The motion carried by the following vote:**

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

**2016-0361** Request for Final Planned Unit Development (PUD) Site Plan Recommendation - City File No. 89-114.2 - Sanctuary in the Hills East Condominiums PUD, a proposed 14-unit residential development on 4.57 acres, located north of South Boulevard, east of Sanctuary Blvd., zoned R-4 One Family Residential, Parcel Nos. 15-32-476-001, -002, -005, -006, -009, 15-32-477-009, and -016, Dan MacLeish, MacLeish Building, Inc., Applicant

***MOTION*** by Kaltsounis, seconded by Reece, in the matter of City File No. 89-114.2 (Sanctuary in the Hills East Condominiums PUD), the Planning Commission **recommends that City Council approves the Site Plan**, dated received July 25, 2016 by the Planning and Economic Development Department, with the following five (5) findings and 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 driveways 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 the adjoining street.*

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 alternative housing.*

Conditions

1. *City Council approval of the Final PUD Plans.*
2. *Provide landscape and irrigation cost estimates plus inspection fees, as adjusted if necessary by the City to ensure the proper installation of trees and landscaping. Such guarantee to be provided by the applicant prior to commencement of infrastructure construction as approved by Engineering.*
3. *Payment of \$10,000 in an escrow account in the home owners association for the purpose of providing access to the detention pond when maintenance is needed.*
4. *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.*
5. *Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.*

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

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

*After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously, and she thanked the applicants.*

2016-0032

Request for Final Site Condominium Plan Recommendation- City File No. 15-006 - Bloomer Woods, a proposed 30-unit development on 12.8 acres, located on the east side of John R, north of Avon, zoned R-3, One Family Residential with an MR Mixed Residential Overlay, Parcel No. 15-13-301-058,

Lombardo Homes, Applicant

*(Reference: Memo prepared by Sara Roediger, dated September 16, 2016 and Final Site Condo Plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant was Larry Miller, Lombardo Homes, 51237 Danview Technology Ct., Shelby Township, MI 48315.*

*Ms. Roediger noted that the proposed development had been before the Planning Commission in February of 2016 when a Tree Removal Permit and Natural Features Setback Modification were granted and a Wetland Use Permit and Preliminary Site Condominium Plan were recommended for approval. The requests were ultimately approved by City Council in March of 2016. She summarized that the project had 30 single-family homes on 12.8 acres near the northeast corner of Avon and John R. She advised that the Final Plan was essentially the same as the Preliminary, and staff recommended approval, as the plan met all applicable regulations.*

*Chairperson Brnabic asked Mr. Miller if he had anything to add, and he declined, and said that he was present to answer any questions.*

*Mr. Kaltsounis stated that as with the previous item, the request was for a Final review, and the task of the Planning Commission was a formality to compare the Preliminary with the Final and establish that they were the same. Hearing no further discussion, he moved the following, seconded by Mr. Yukon.*

**MOTION** *by Kaltsounis, seconded by Yukon, in the matter of City File No. 15-006 (Bloomer Woods Site Condominiums), the Planning Commission recommends that City Council approves the Final One-Family Residential Detached Condominium plan based on plans dated received by the Planning Department on August 4, 2016, with the following five (5) findings and subject to the following six (6) conditions.*

**Findings**

- 1. Upon compliance with the following conditions, the proposed final condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.*
- 2. Adequate utilities are available to properly serve the proposed development.*
- 3. The final plan represents a reasonable and acceptable plan for developing the property.*
- 4. The applicants have worked diligently with the neighbors to provide acceptable screening from the development.*
- 5. The final plan is in conformance with the preliminary plan approved by City Council on March 14, 2016.*

**Conditions**

1. *Provide all off-site easements, on-site conservation easement and agreements for approval by the City prior to construction plan approval.*
2. *Provide landscape bond in the amount of \$60,604.42 plus inspection fees, prior to commencement of infrastructure construction as approved by Engineering.*
3. *Payment of \$6,000 into the tree fund for street trees prior to commencement of infrastructure construction as approved by Engineering.*
4. *Approval of all required permits and approvals from outside agencies, prior to Engineering Department issuing Preliminary Acceptance of any site improvements.*
5. *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.*
6. *Compliance with applicable staff memos, prior to Final Site Condo Plan Approval.*

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

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

**2016-0364**

Public notice and request for a Tree Removal Permit - City File No. 16-011 - for the removal and replacement of as many as 189 trees for a proposed recreation area for Holy Family Regional School on approximately five acres located on the east side of John R, south of Hamlin (south of the school), zoned R-4 One Family Residential, Parcel No. 15-25-302-007, Tony Gallo, Holy Family Regional School, Applicant

*(Reference: Memo prepared by Sara Roediger, dated September 16, 2016 and Site Plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Tony Gallo and Mario Izzzi, Holy Family Regional Schools, 2633 John R Rd., Rochester Hills, MI 48307; Andy Wakeland, Giffels Webster Engineers, 28 W. Adams St., Suite 1200, Detroit, MI 48226; and John Meyers, Principal of Holy Family School.*

*Ms. Roediger noted that there were two actions requested for approval - Tree Removal Permit and Site Plan. When the project initially came, she thought it might be handled administratively, because there were no structures being built, and it was an accessory use. The Tree Removal Permit had to come before the Planning Commission, however, and she thought the Site Plan should be reviewed as well, because they would be bringing activity to a site that had none previously. She explained that the use was for recreation fields, and there would be no improvement to the site such as lighting. It would essentially be graded*

and seeded, and there would be tree removal to accommodate the fields. They would be removing 189 trees and replacing them with an on-site buffer. Because it abutted single-family homes, a buffer was not required, but it would be nice to screen the fields from the homes. Staff recommended approval as it met applicable regulations. She had questioned the parking for the site, but she determined that there was ample parking, and they would be scheduling the use of the fields outside the use of the school. She had asked for a shared parking agreement in case one of the properties was to be sold in the future. She said that she would be happy to answer any questions.

Chairperson Brnabic asked Mr. Gallo if he had anything to add. Mr. Gallo said that the project would be contiguous to the south campus school, and it would enable the children to have a recreational area. He agreed that currently, there were no structural elements proposed, and they would just do tree removal, land balancing and seeding. They had read the recommendations and findings from staff and concurred, and they hoped for an approval. He said that he would be happy to answer any questions.

Mr. Reece disclosed that he had been the Chairperson of both St. Mary's of the Hills Church's and Holy Family Regional Schools' projects, but he no longer had any affiliation with the Church or the Schools.

Mr. Hooper felt that the project was straight forward. He noticed that the staff report listed 188 tree credits, but the motion was for 189. Ms. Roediger explained that the plan had been short one, and they knew they needed to add one more tree. Mr. Hooper thought it would be an excellent addition for the school to promote recreation opportunities for the children, and he moved the following, seconded by Mr. Schroeder.

**MOTION** by Hooper, seconded by Schroeder in the matter of City File No. 16-011 (Holy Family Schools Recreation Area), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on August 30, 2016, with the following two (2) findings and subject to the following two (2) conditions.

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to replace 189 regulated trees with 189 tree credits on site.

Conditions

1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.
2. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund.

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

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

**2016-0365**

Request for Site Plan Approval - City File No. 16-011 - Holy Family Regional Schools Recreation Area, a recreation area (field) proposed on approximately five acres south of the Holy Family Regional School, on the east side of John R, south of Hamlin, zoned R-4 One Family Residential, Parcel No. 15-25-302-007, Tony Gallo, Holy Family Regional Schools, Applicant

*Chairperson Brnabic had received one speaker card.*

**Lisa Winarski, 194 Bedlington, Rochester Hills, MI 48307.** *Ms. Winarski wished to express her support for the project. She felt that it was a good use of space for the Holy Family children and the School. She noted that the kids currently had a small space to play, but it was not sufficient. She said that it would be a good addition to the School and for the surrounding community.*

**MOTION** *by Hooper, seconded by Schroeder, in the matter of City File No. 16-011 (Holy Family Schools Recreation Area), the Planning Commission approves the **Site Plan**, based on plans dated received by the Planning Department on August 30, 2016, with the following six (6) findings and subject to the following three (3) 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 proposed project will be accessed from John R, thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Paths have been incorporated to promote safety and convenience of pedestrian traffic.*
- 3. Off-street parking areas have been designed to avoid common traffic problems and promote safety for the school visitors.*
- 4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
- 5. 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. *A shared parking agreement is provided in accordance with Section 138-11.201 unless the lot is combined with the school and church site north and west of the site.*
2. *Provide a landscape cost estimate for replacement trees and irrigation, plus inspection fees, as adjusted as necessary by staff, prior to temporary grade certification being issued by Engineering.*
3. *Address all applicable comments from other 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 Approved. The motion carried by the following vote:**

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

*After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously. Mr. Gallo thanked the Planning Commission and staff on behalf of Holy Family Schools. He remarked that they would not let the City down.*

**2000-0269**

Public Notice and request for a Tree Removal Permit - City File No. 00-001.3, for the removal and replacement of as many as 70 trees associated with a 25,448 square-foot building expansion at the existing Audi Dealership on approximately six acres at 45441 Dequindre Rd., located on the southwest corner of Dequindre Rd. and Melville Dr. zoned B-3, Shopping Center Business with an FB 2 Flex Business Overlay, Parcel No. 15-36-426-006, Eitel Dahm Properties, LLC applicant.

*(Reference Memo prepared by Sara Roediger, dated September 16, 2016 and Site Plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Chris Consiglio, Audi of Rochester Hills, 45441 Dequindre Rd., Shelby Township, MI 48317; and Kevin Cook and David Hanoute, CHMP, Inc., 6188 Territorial Rd., Grand Blanc, MI 49439.*

*Ms. Roediger stated that the request was again for a Tree Removal Permit and Site Plan Approval. She noted that in the recent past, the dealership had been before the Planning Commission with a request to develop a used car display area on the north side of Melville Dr. At that time, they alluded to the fact that they would be coming forward to expand their new car facility. They would be almost doubling the building with a 25,448 square-foot addition for a total new building of just under 45,000 square feet. She advised that the property was zoned B-3 Shopping Center Business and had been used as a dealership for many years, and the proposed plans met Ordinance requirements. They would be removing 70 trees, many of which were planted by the dealership when it was first constructed. They would replace five of those on site and pay the remaining balance into the City's Tree Fund. The site was already well landscaped meeting buffer and parking lot requirements, and additional*

landscaping would be installed. There would be a sidewalk constructed on the south side of Melville Dr., which she stated was important for the condo complex to the west, because there was a school bus route, and people currently had to walk in the road. She said that she would be happy to answer any questions.

Chairperson Brnabic mentioned that in the staff report under existing land use, to the east across Dequindre, it said that there was a Mobil gas station, but she pointed out that it was a Marathon. There was also a BMW of Rochester Hills dealership by the Marathon. She realized that it was in Shelby Township, but it was another dealership.

Chairperson Brnabic asked the applicants if they had anything to add. Mr. Consiglio advised that the addition was a requirement by Audi of America. They had to increase the size of the facility to meet operating standards for the volume of business they now did. They opened the facility in 2001 with 17 employees, and they now had approximately 50 and would add another five to ten with the renovation. They hoped that in another five years, they would have close to 75 employees. He maintained that it was a necessary need for them to continue to function as an Audi dealership in the City.

Mr. Yukon asked how customers on site would be accommodated during the renovation. He asked what steps would be taken, assuming they would be open during the renovation. Mr. Consiglio responded that they had yet to determine the exact order of phasing. As far as customers, they anticipated having some trailers to conduct business so customers would not be in the construction area. Some of the enhancement would be off to the back in the shop, and the showroom would be extended closer to M-59. They felt that there would be ample room to have the trailers.

Mr. Yukon asked if the addition would include more showroom space or office space. Mr. Consiglio said that currently, the show room had six cars, and they would expand that to hold 15 cars. They had ten work bays in the service area, and they would be doubling that to 20. The Parts Department square footage would double. There was a mezzanine with offices on the second floor that would be enlarged, and the customer waiting area would triple where they would have access to IT equipment and a lounge area.

Mr. Hooper noticed that there were three barrier free required parking spots. He reviewed the location of the handicap spots, and one was in the front, which he assumed was for customers, and there were two in the back by the dumpsters. He asked if they were for the employees.

Mr. Hanoute said that was correct. They were proportioned relative to the number of employees and customers. Mr. Hooper asked if there would predominately be employee cars, which Mr. Hanoute confirmed. He added that there were 13 customer spaces and 58 employee spaces.

Ms. Roediger clarified that in the staff report she requested an additional handicap space, so she thought it could be added in the front for customers. Mr. Hooper agreed. Mr. Hanoute said that it would be added on the revised

plans.

Mr. Hooper said that he had been on the Planning Commission when Audi was first approved. He felt bad that the signage could not be seen. He observed that something more visible was proposed. Mr. Hanoute agreed that there would be a new monument sign on Dequindre.

Mr. Kaltsounis asked about the handicap spaces by the dumpster. He thought that there should be a special walkway or something to help guide people to the nearest door. Ms. Roediger noted that the Building Dept. reviewed details for ADA compliance. She believed that they would flag that before issuing a permit. Mr. Kaltsounis stated for the record that it would be reviewed by staff whether it was in the motion as a condition, and he moved the following, seconded by Mr. Yukon.

**MOTION** by Kaltsounis, seconded by Yukon, in the matter of City File No. 00-001.3 (Audi Dealership Building Expansion), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on August 11, 2016, with the following two (2) findings and subject to the following three (2) conditions.

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to replace 70 regulated trees with five trees on site and pay the balance (\$13,357.50) into the City's Tree Fund.

Conditions

1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.
2. Should the number of replacement tree credits on site change, the balance shall be paid into the City's Tree Fund.

**A motion was made by Kaltsounis, seconded by Yukon, that this matter be Granted. The motion carried by the following vote:**

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

2000-0268

Request for Site Plan Approval - City File No. 00-001.3, for a 25,448 square-foot building expansion at the existing Audi Dealership on approximately six acres at 45441 Dequindre Rd., located on the southwest corner of Dequindre Rd. and Melville Dr. zoned B-3, Shopping Center Business with an FB 2 Flex Business Overlay, Parcel No. 15-36-426-006, Eitel Dahm Properties, LLC applicant.

**MOTION** by Kaltsounis, seconded by Schroeder, in the matter of City File No. 00-001.3 (Audi Dealership Building Expansion), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on August 11, 2016, with the following five (5) findings and subject

to the following three (3) 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 proposed project will be accessed from Melville, a private drive, thereby promoting safety and convenience of vehicular traffic both within the site and Dequindre. Walkways have been incorporated to promote safety and convenience of pedestrian traffic.*
3. *Off-street parking areas have been designed to avoid common traffic problems and promote safety.*
4. *The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
5. *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. *Provide a landscape bond for replacement trees, landscaping plantings and irrigation in the amount of \$20,893.00 plus inspection fees, as adjusted as necessary by staff, prior to temporary grade certification being issued by Engineering.*
2. *Address all applicable comments from other City departments and outside agency review letters, prior to construction plan approval, building permit review and final approval by staff.*
3. *Add a handicap space to the front of the building per staff approval.*

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

**Aye** 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Yukon

*Chairperson Brnabic stated for the record that the motions had passed unanimously, and Mr. Hooper thanked the applicants for their continued investment in Rochester Hills.*

## DISCUSSION

[2016-0378](#) Request to discuss a proposed residential development - City File No. 16-018 -

Cedar Valley Apartments, two, two-story buildings with 86 units on 3.57 acres located east of Rochester Rd., north of Eddington Blvd., zoned R-4 One Family Residential with an FB 2 Flex Business Overlay, Parcel No. 15-23-152-022, Bret Russell, Michigan Income Fund 2, LLC, Applicant

*(Reference: Letter and Site Plan prepared by Peter Stuhlreyer, dated September 13, 2016 had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Peter Stuhlreyer and Francesca Aragona, Designhaus Architecture, 301 Walnut Blvd., Rochester, MI 48307, and Matt Johnson, owner-representative of Michigan Income Fund 2, LLC, the applicant.*

*Ms. Roediger noted that the subject site was approximately 3.5 acres on the east side of Rochester Rd. behind the Fifth Third Bank, north of Eddington Blvd. The property was zoned R-4 One Family Residential with an FB 2 Flex Business Overlay. The applicants were proposing a two-story, 86-unit luxury apartment in two buildings. They met with staff about a month ago and asked staff's thoughts on the project. Staff felt that because it was for apartment buildings on property that historically had a PUD that had been part of a larger project, they felt it would be a good idea to bring it before the Planning Commission to get input before the applicants made an official submittal.*

*Mr. Stuhlreyer advised that the subject land had a steady grade, between 5 and 8% all the way from the Fifth Third to the back where there were some wetlands in the corner. There was a power line running along the south side. The land abutted a parking lot for a medical office building to the north; Fifth Third Bank to the west; to the east it backed up to some single-family residential and some unbuildable land with wetlands; and to the south it was residential. They looked at the property as multi-family residential on a reasonably small scale with two buildings that could work contextually. They were proposing two stories and because of the grade, they could have a walkout basement level that would be half of each story on the east side of the structures. They were proposing buildings that matched single-family residential materials such as stone, brick and wood siding. The parking would be interspersed around the property. They would provide an emergency lane to connect to the medical office building to the north through a gated access. He noted that there was not a lot of high visibility from Rochester Rd., but there was some, and there was a nice boulevard entrance to the site. They would like it to be a natural, wooded site and to not have visibility from the single-family residences. The building setbacks would be 100 feet away from any residential zone. He wanted to see if the Planning Commission agreed that the property could be used for apartments.*

*Chairperson Brnabic called the first speaker at 8:09 p.m.*

**Lisa Winarski, 194 Bedlington, Rochester Hills, MI 48307** *Ms. Winarski had some concerns regarding the design. She did not think it meshed with anything around it. To her, the wood, brick and cinder block did not look luxurious. She was also concerned about the power lines, and she added that there was a major Sunoco pipeline that ran south of the trees. She felt that ITC would have a huge problem with the conifer trees proposed, since they had a strict agricultural policy. She asked Mr. Johnson if his company was a non-profit*

organization through the LLC. She asked if it had only been an LLC for a little over a year and if they had built any other sites. She noted the 86 units being proposed, and she stated that the traffic volume from those would be doubled. She strongly suggested that a traffic impact study for Rochester Rd. be done. The area already had many collisions by the dealerships, and she thought that impacting it with another 200 vehicles would be a significant danger to the area.

**Lorraine McGoldrick, 709 Essex Dr., Rochester Hills, MI 48307** Ms.

McGoldrick said that as far as the design and use of the property, she felt that it had been the only thing that had been consistent over the last 20 years with some type of multiple living. Her concern was also the traffic. She stated that accidents could be mitigated by a traffic signal at Yorktowne and Meadowfield to the north. There had been some approvals for signage out in front, which was delayed because of the recapping of Rochester Rd. to try to make the area safer. She was glad to hear they would be using the boulevard entrance to the site, and that it would not be putting more pressure on the Yorktowne neighborhood. Another concern was the drainage and the wetlands. She claimed that there had been a lot of wetlands mitigated in the area, and there was flooding in Eddington during rain events going up to the porches and beyond. There was a little piece of property east of the site that went to the County because taxes were not paid. There was a detention pond that was supposed to be maintained by the Homeowner's Association for Eddington Woods, but it was not added to the Deeds and Restrictions. If that was going to be used, she felt that there should be something done to make sure it was maintained. To date, the 19 homeowners in Eddington Woods had refused to create a Homeowner's Association and take responsibility for the detention. The proposal was written as two stories, but it appeared to her that the height qualified as three stories. She was concerned about the determination of low quality wetlands being filled in that area. She concluded that there had been near fatal accidents in the area, and adding to the traffic was a concern.

Seeing no one else come forward, Chairperson Brnabic asked Mr. Stuhlreyer to address the questions and concerns raised.

Mr. Stuhlreyer responded that they had flagged the wetlands, and they had no intention of encroaching whatsoever or mitigating any wetlands. On-site water retention was their goal, and the City's goal, so in terms of increasing flooding in the neighborhood, they did not think that was a scenario on which they would be putting pressure. Regarding the height, if they were to fill the site and put a two-story building on the plateaus, the buildings would be the same height. The walkout basement level would happen because of the natural grade of the land, and he thought it would be fair to take advantage of that in terms of usable space. It would not qualify as a third story in the building code. He was sure they would do a traffic study, and that measures would be taken. He stated that residential would be the least impactful use in terms of traffic. He wondered if he could address the height with staff and see whether or not they could qualify for a third story and take away the walkout basement. They would have to go to three stories to make it economically feasible if they took out the basement. He knew that FB zoning allowed three stories if they had 100 feet of frontage. He wondered if the overall parcel would qualify or if it would be seen as a flag lot.

*Mr. Anzek advised that he spoke with Mr. Staran the day before. He determined that it did not qualify for 100 feet of frontage. If the PUD were still in play, it probably would, but since it was a stand alone piece, it did not have 100 feet of frontage on Rochester Rd., so they would be limited to two stories.*

*Chairperson Brnabic mentioned the question about a non-profit organization. Mr. Johnson said that it was a closely held for profit corporation. Chairperson Brnabic asked if he had built other developments. Mr. Johnson agreed that they had. Historically, as a good business practice, each property had its own LLC. In downtown Rochester, they were just finishing the First Street Lofts, which would all be common ownership. He maintained that they had quite a bit of experience in multi-family.*

*Ms. Morita thanked the applicants for bringing the project before the Planning Commission. She said that she liked the look, which she felt was unique and somewhat modern. She appreciated the fact that they were trying to keep the buildings as far away from the residences as possible. One concern she had was the placement of the trash enclosure. It was in the upper right hand side, and she suggested that it might be moved more to the west and away from the residences, because with 86 units, she remarked that it would not be pleasant when the wind blew. One of the Council members was very interested in walkability and trying to encourage connectivity with other properties. She did not see any sidewalks or pathways in the plan that went to other properties - not even a connecting sidewalk between the proposed development and the bank. If someone wanted to walk to the bank, they would have to go onto the street to get there. She recommended exploring the provision of more pedestrian and bike connectivity with some of the neighboring property owners, which she felt would be looked at favorably.*

*Mr. Kaltsounis indicated that he understood it was a concept review. He said that he would rather see two stories with a walkout basement than going any higher. He understood that it would not be allowed to go to three stories. He agreed with Ms. Morita, and said that he liked how the buildings were pushed away from the residents. He noted that a question had come up about using concrete building materials. He had observed a dark brown split block and a limestone material and asked if that was correct.*

*Mr. Stuhlreyer said that it would be a stone veneer and a cedar siding. Mr. Kaltsounis asked if the dark brown was wood, and Mr. Stuhlreyer said that it would either be wood or a synthetic wood, but not a vinyl synthetic wood. It would be a "no maintenance" product. He suggested that it was kind of a Seattle-Portland mix of contemporary that would be nestled in a little valley surrounded by trees. He agreed that it was unique and somewhat modern, but he maintained that it would be soft and natural. There would be no cement block. Mr. Kaltsounis asked Mr. Stuhlreyer if he felt that would be high end, and he replied that it absolutely would be. Mr. Stuhlreyer did not know if the sketches provided really showed that, but he felt it was very high end for the zip code. Mr. Kaltsounis asked if the property was still owned by G&V, which was confirmed.*

*Mr. Johnson said that it would be a whole different group of people, and there*

was a purchase agreement on the table. Mr. Kaltsounis said that since he had been on the Planning Commission, he could not count the number of times the subject site had been before them. He had seen everything from an initial concept of a beautiful bricked streetscape with store fronts and homes on top and in the back to an absolutely horrible, siding monster apartment complex. He wanted to stay away from a siding monster development; that was why he was critical of the materials and what looked luxurious. He had been disappointed with a lot of proposals he had seen for the property. He understood that there would be a lot of details that had to be worked out, but if the project came back before them, he asked that they made sure the trees in the renderings were shown as they would look on day one. He wanted to know the actual height of the trees, and he questioned it when he saw evergreen trees as high as a building. He asked them to present renderings with a comparable scale as things would look on day one. He did not think he would be against the development, but there were a few things he would want to be sure about. The materials should stay high-end. He would like to see something happen, but he had been disappointed in the past.

Mr. Dettloff indicated that he was not opposed to the concept. He had interacted with a lot of developers, and he had heard that there was a shortage of luxury apartments. He thought it was probably the right concept at the right time. He asked if any amenities were planned for the site.

Mr. Stuhlreyer noted that Ms. Morita had mentioned walkability. One idea was to provide a full perimeter walking path which would be about a ¼ mile stroll. He agreed that being close to the commercial district and being able to walk onto Rochester Rd. would be a key amenity. The project would not be that big, so he did not think they could add much in the way of amenities. He commented that if someone wanted a health club, there was Lifetime nearby.

Mr. Dettloff noticed that there were two different sized apartments - 700 and 1,250 square feet. Mr. Stuhlreyer agreed, but added that there would not be a lot of repetitive units. There would be a good blend, but there would not be three and four bedrooms. Mr. Dettloff asked if the rent structure had been determined. Mr. Stuhlreyer thought it would be \$2.00 to \$2.50 per square foot per month. Mr. Dettloff thought that the development would fit well. He said that he was sensitive to the traffic issue, and that would have to be studied. Overall, he felt that it was a potentially good looking project.

Mr. Schroeder noticed that a 25-foot natural features setback was shown, but there were parking spots and a trash enclosure in the setback. It was his understanding that nothing was to be constructed or placed in a natural features setback. Ms. Roediger explained that a Natural Features Setback Modification would be required if they proposed anything in the setbacks. Generally, ASTI claimed that as long as a boulder wall was constructed or some type of wall to separate the drainage, it would serve the same purpose as a 25-foot setback. She pointed out that it would be reviewed by ASTI if it came forward.

Mr. Schroeder asked if the storm water would drain into the wetlands and if any improved drainage for that would be proposed. Mr. Stuhlreyer assumed it would go into the wetlands through the process of filtration. Mr. Schroeder considered

*that there would have to be a pump or something appropriate.*

*Mr. Reece asked what the roofing material would be. It looked like there would be a flat, sloped roof system. Mr. Stuhlreyer said that it would be EPDM. Mr. Reece asked if it would be black, and Mr. Stuhlreyer said that typically, they liked to go with white and potentially PVC. In terms of the illustration, he was not sure the shapes were more than a representation from a computer model. What someone would see from below would be the rooflines and the slopes and pitches. He would not call the model provided a roof plan, and added that he preferred white.*

*Mr. Reece felt that Mr. Schroeder's comment about the natural features setback was a good one. He suggested that they might want to take a look at how much intrusion there would be from the dumpster and some parking spaces. He wondered if the site plan could be slightly modified. He stated that he liked the architecture, and he felt that the material selection included good quality products. He liked to see the use of a lot of stone and cement board siding. He felt that the price point would put it in the higher end from a rent structure, and he said that it would be interesting to see how it came back.*

*Mr. Yukon said that all his questions had been answered, but he had one regarding the roof design. It looked to him like the roof was sloping towards the center of the building. He wondered what would happen if there was a big snowfall. He was sure that would be taken into consideration during the final design, but currently, everything looked sloped toward the center. He asked if they had considered that, or if it was not the final design for the roof.*

*Mr. Stuhlreyer agreed it was not final. The architecture as it looked from the ground was their goal. How the roofs translated from the computer modeling program into that gave it the indication that there was a lot more of the flat sloping pieces than there really would be. The roof would be a conventional, flat roof coming up to a series of six to eight different roof drains scattered throughout the project. Snow drift load would be taken into account, as well as overflow drainage.*

*Mr. Hooper agreed that there had been many iterations for the property. The subject site had always been multi-family, including an apartment complex, so the proposal fit in line with that. He stated that he liked it, and he felt that it would be a good addition, provided it was high end. He asked the chances of getting a cross access agreement with the property to the north.*

*Mr. Stuhlreyer did not think it would be a problem because it would be locked. They might ask for a couple of parking spaces to be striped as no parking so that emergency personnel could unlock the gate and enter or exit the site. Mr. Hooper clarified that it would not be for every day use; it would be for emergency access only. Mr. Stuhlreyer agreed that was what they were looking for currently. If it could be a full cross access, he thought it would be to their benefit, and they would look into it. Mr. Hooper said that he supported the concept.*

*Chairperson Brnabic asked the applicants if they had any further questions for*

*the Planning Commission. Mr. Stuhlreyer thought that they had gotten great feedback, and he thanked the members. He said that he had never seen anything submitted for the subject site, so he, at least, was coming in with no previous knowledge.*

*Chairperson Brnabic thanked the applicants.*

## **ANY OTHER BUSINESS**

*Mr. Kaltsounis asked if there was any news about the former K-Mart site. Mr. Anzek said that there were just rumors out there, and the owners had been very quiet. After they bought the property, they met with the Mayor, Ms. Roediger and him and introduced themselves. He had known Mr. Singer, one of the owners, who was involved with the Summit, although he was not the primary owner of the former K-Mart site. The owners were still working on ideas. They received a lot of calls from people who wanted to go there, but based on what they paid for it, they would have to go with high-end tenants. It was his opinion that the existing building was obsolete. He did not think it would work for anyone. It had been poorly constructed, and the heating bills were horrendous. There was poor insulation and leaks, and he thought it would be torn down. The owners had been working on concepts from a lifestyle center to other tenants, but there had been no further discussions. There had been rumors that a Costco would go there, but they were just rumors.*

*Mr. Dettloff mentioned that he was at an economic development event last week, and there were a couple of brokers who noted that Art Van was looking at the site. He did not know if there was any merit to that. He remembered that Art Van was previously going into the Boulevard Shoppes (Walton and Livernois) some years ago, but they abandoned that project. Mr. Anzek had also heard that Art Van had been looking at several sites in town, so he commented that he would not be surprised.*

*Mr. Kaltsounis remarked that it was interesting to hear that a big box store in the City was obsolete. Mr. Anzek said that the former K-Mart building had a low ceiling. Newer buildings were at least six feet higher. Mr. Kaltsounis observed that there were plenty of lights in the building.*

*Mr. Schultz asked that if the people who spoke could state their addresses out loud for the record. He realized that people wrote it on the card they turned in, but it would give the members some context as to from where their views or objections came. Mr. Anzek recalled that there had been an issue at Council about giving addresses and privacy, although it did not go anywhere. He said that people usually did state their addresses for the record, so it was not the usual scenario for this Planning Commission meeting.*

## **NEXT MEETING DATE**

Chairperson Brnabic reminded the Commissioners that a Special Joint Work Session with City Council was scheduled for September 27, 2016.

## ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Mr. Kaltsounis, Chairperson Brnabic adjourned the Regular Meeting at 8:40 p.m.

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Deborah Brnabic, Chairperson  
Rochester Hills Planning Commission

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Nicholas O. Kaltsounis, Secretary