



Rochester Hills

Minutes - Draft

Planning Commission

1000 Rochester Hills Dr
Rochester Hills, MI
48309
(248) 656-4600
Home Page:
www.rochesterhills.org

Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Susan Bowyer, Gerard Dettloff, John Gaber, Marvie Neubauer,
Nicholas O. Kaltsounis, David A. Reece, and Ben Weaver

Tuesday, April 21, 2020

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Deborah Brnabic called the Regular Meeting to order at 7:00 p.m. via Zoom video conferencing. She outlined the procedure for speaking during the virtual meeting and explained the Governor's Executive Order.

ROLL CALL

Present 8 - Deborah Brnabic, Gerard Dettloff, John Gaber, Greg Hooper, Nicholas Kaltsounis, Susan M. Bowyer, Ben Weaver and Marvie Neubauer
Excused 1 - David Reece

APPROVAL OF MINUTES

[2020-0084](#) February 18, 2020 Regular Meeting

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer
Excused 1 - Reece

COMMUNICATIONS

There were no Communications presented. Chairperson Brnabic thanked Neall Schroeder for his service on the Planning Commission, noting that he had been a dedicated member of the community, and that he was a very knowledgeable member on the Commission for many years. She stated that it had been a pleasure to work with Neall, and that he would certainly be missed. She also took the opportunity to welcome Marvie Neubauer, the newly appointed member to the Planning Commission. She hoped that the members would be able to meet in person in the not too distant future.

PUBLIC COMMENT

Chairperson Brnabic opened Public Comment at 7:05 p.m. Seeing no one wishing to speak online or in the Auditorium, and confirming that no correspondence had been received, she closed Public Comment.

UNFINISHED BUSINESS

2020-0039 Request for Preliminary Planned Unit Development Concept Plan Recommendation - City File No. 18-021 - Rochester Hills Research Park, a proposed campus addition (to five buildings) at the EEI Global site on 25 acres located at 1400 S. Livernois, south of Avon, zoned REC-W Regional Employment Center - Workplace, Parcel No. 15-21-276-013, Designhaus Architecture, Applicant.

(Reference: Staff Report prepared by Kristen Kapelanski, dated March 13, 2020, PUD plans and associated documents had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Peter Stuhlreyer, Joe Latozas, Greg Ezzo and Francesca Schovers, Designhaus Architecture, 301 Walnut, Rochester, MI 48307 and Derek Gentile, EEI Global, 1400 S. Livernois, Rochester Hills, MI 48307.

Ms. Kapelanski advised that the applicant was proposing a five building office campus at the existing EEI Global site on Livernois, south of Avon. There were two existing buildings, with one to have an addition and three new and an interconnected roadway system and pedestrian network. She noted that the property was zoned REC-W, which anticipated the office campus use. A PUD was proposed to facilitate the development. As part of the public benefit of the PUD, the applicant was proposing two public connections to the Clinton River Trail, the details of which would be worked out in conjunction with the Friends of the Clinton River Trail at Final PUD review and consideration. Open space had been provided throughout the site. The applicant would also be providing a road connection between Rochester Industrial Dr. and Horizon Ct. to create an intersection and ring road looping around to Livernois at Drexelgate.

Ms. Kapelanski noted that the matter had been postponed at the February 18th meeting for a number of reasons, which had been addressed. The first condition was that there should be no trailers visible from Livernois. A note had been added to the plans, but she suggested that if the Commission wished, it could be addressed with onsite signage as part of the Final PUD. Another condition stated that new development should not be located nearer to the Trail than the existing pavement edge and that the view from the Trail should remain natural. The applicant had included a Trail view as part of the new submission showing that Building

5 would not be easily visible from the Trail. Another condition was that trees and shrubs should be planted in the 40-foot setback between Building 5 and the property line, which could also be addressed on the Final PUD. The applicant was also asked to consider landbanked parking, which would be addressed as part of the presentation. The initial phase was to include the improvements at Horizon Ct. and Rochester Industrial Dr. and the road and landscape improvements at Livernois. She said that it could be clearly spelled out in the Final PUD should the matter move forward. Finally, the applicant was asked to consider improvements on Livernois. The City's Traffic Engineer, Paul Shumejko had provided a memo outlining possible improvements, and she suggested that the applicant could address those during the presentation. Mr. Shumejko was present to answer any questions about traffic, and Mr. Jason Boughton of Engineering was present to answer stormwater or utility questions. She concluded that all staff had recommended approval of the Preliminary PUD.

Mr. Stuhldreier stated that it was a 25-acre site, and they hoped to maximize its potential. They believed that it was meant for high bay, high-tech companies. Along with the campus, there would be some reorganizing of streets into a more logical traffic pattern to help disperse the traffic. His team had received some questions earlier in the day from Commissioner Gaber which he wished to address. The first regarded trucks being visible from Livernois. He said that they could work with the City, and that it could perhaps be a regulation in the PUD Agreement that would not allow parked trailers to be visible. He felt that they had to be careful with language about trucks being visible, because there could be trucks visible that were not parked and detached. There could be some visible because of the location of the loading bays. Regarding landbanking, they felt that it was important to have a significant amount of green space and pedestrian walkways. They used their own experience to calculate the ratio between high bay and office parking. They did have green space that could be turned into about 100 parking spaces should it be needed. He reminded that they were not seeking to add highly dense, office-only buildings, and they really did not think that they needed a lot of parking to accommodate that. They agreed with having the initial phase include the roadway and utilities. The sequencing of the project would be laid out in the PUD Agreement. They had every intention of creating the loop road with the utilities in it. Regarding the architecture, they had softened it with brick and wood accents for Buildings 2-5. They felt that it was a good look that would fit the area. They realized that if new tenants caused a significant change, it would have to go through the approval process again. The last question was about the improvements Mr.

Shumejko had suggested. Their traffic study had shown that the roads would be viable as constructed and work, and they were not 100% on board with providing significant upgrades. All the intersections had bypass and dedicated right and left turn lanes. Their traffic analysis said they the development would not cause traffic problems. They believed that 3c. was the condition of an old standard being upgraded to a new one along Livernois traveling north and south. He claimed that their development would have nothing to do with causing noncompliance, and it would be a very expensive undertaking for them. 3a. and b. were rather minor, but he reiterated that the roads would not be negatively impacted according to their traffic analysis. He had skipped over question two, and he turned it over to Ms. Schovers.

Ms. Schovers said that they had looked at the existing trees between Building 5 and the swale, and she went over the species. They were proposing 11 trees to close the gap with the existing. She maintained that Building 5 was quite hidden by existing landscaping and said that she would be happy to answer any landscaping questions. Mr. Stuhlreyer felt that it was important to note that the landscaping in the Trail location had a very thick buffer.

Chairperson Brnabic asked Ms. Gentry if there had been any communication received for this item, and she advised that two emails from member of the Friends of the Clinton River Trail had come earlier in the day with questions about development along the Trail. The emails had been forwarded to the Commissioners prior to the meeting. Ms. Roediger advised that she saw no one wishing to speak and no one in the Auditorium wishing to speak.

Mr. Kaltsounis thanked the applicants for coming back and for providing renderings. He felt that they had made a big difference in how the buildings could be viewed. He went over some conditions he wished to consider with the motions: That the applicant consider an alternative location for trucks viewed from Livernois prior to Final approval; that the applicant submitted a plan for landbanked parking prior to Final approval; and that the applicant shall put a phased building plan in the PUD Agreement that must include all infrastructure improvements in phase one. He brought up the traffic issue, and he asked Mr. Shumejko if he would go over the recommendations in his memo. Mr. Kaltsounis indicated that he wanted everyone to be on the same page as far as what was being agreed to or not.

Mr. Shumejko advised that the project was reviewed in conjunction with

the Road Commission for Oakland County (RCOC), because Livernois was a County road. They also utilized the applicant's traffic study methodology for determining any type of site improvements for roadwork. Based on the traffic study, warrants were not met to have to do full lane improvements. Staff had initially required driveway improvements off of Rochester Industrial Dr. and some pedestrian signal improvements at Drexelgate and Livernois. The rest of the items referenced in 3a.b.and c. did not technically meet the warrants in the guidelines outlined from MDOT or the RCOC. The question was raised at the last meeting that considering the project was a PUD, if there were there any amenities that the applicant could include to alleviate potential traffic concerns that were not identified in the traffic study. He had suggested some potential improvements; the first was fairly minor and the last two were equal in scale and scope. They were just items that the Planning Commission might consider, because it had a little more latitude with a PUD. He stated that based upon the traffic study, however, no major improvements were warranted.

Mr. Kaltsounis asked the applicant what the Commission might add as a condition with regards to traffic improvements based on Mr. Shumejko's memo. Mr. Stuhlreyer did not think that 3a. would be a big deal. He did not think that the traffic counts would justify the improvements to Horizon, although he acknowledged that they would not be hard to do. It was the Livernois improvements he questioned. Mr. Kaltsounis asked if they had agreed to 2a. and 2b. Mr. Stuhlreyer felt that they were just suggestions, not something the City was looking for them to do. Ms. Roediger agreed that they were explained as being cost prohibitive. Mr. Kaltsounis asked about adding a condition to discuss the improvements 3a.,3b. and 3c. so it was not off the table, and Ms. Roediger suggested hearing from other Commissioners.

Mr. Gaber said that he appreciated the project, and felt that it had a lot of potential. He thought that it was a very beautiful project, and that the renderings were very helpful. He brought up the traffic, noting that he drove Livernois a lot. Coming north to Horizon Ct., he said that perhaps two cars could turn left before it started backing up. He thought that it would be risky to not have improvements there with the two new developments proposed (the proposed and one later on the agenda). He wondered if the improvements in 3c. Mr. Shumejko had mentioned were RCOC requirements. Mr. Stuhlreyer had said that they were new requirements that would be required if the development was being constructed from scratch, but that at the time, they had not been required.

Mr. Gaber said that he agreed with the landscaping adjacent to the Trail. He asked the applicants if they could add landscaping in front of Building 4, which he noted was a plain office building. He asked if they could add some shrubs to break up the expanse and soften it. He questioned whether they had received the emails from the Friends of the Clinton River Trail, which Mr. Stuhlreyer confirmed. Mr. Stuhlreyer said that they had no problem working with them to develop a transition from the crushed asphalt and the concrete and clearing the underbrush for the 25-foot clear vision angles. Mr. Gaber thought that the two biggest things the Friends had asked about was whether Mr. Gentile would allow the public to park along the Trail entrance where there were about eight spaces, and whether he would give an easement to the property to the south to use the Trail.

Mr. Gentile responded that the issue with public parking was that there could be a general liability issue. As mentioned at the last meeting, he would gladly help with charitable activities that went on with the Trail and offer his parking lot on a Saturday morning. However, to turn it into a known public parking place would "open a can of worms." He asked Mr. Gaber to explain the second request. Mr. Gaber noted that the Commissioners would be considering a site plan for the parcel to the south later in the meeting, and EEI had a second access to the Trail at the south. He wondered if Mr. Gentile would share access to the Trail so there would be fewer accesses. Mr. Gentile said that he would agree to that, but he suggested that if it worked better the other way, he could close his access and share with theirs.

Mr. Gaber felt that the road improvements were important. He thought that 3c. was important given the geometry of the road. They were going from a potential of 150 cars per day to 600. He would like that added as a condition in the motion. He asked Mr. Shumejko how deficient the road was currently according to RCOC requirements. Mr. Shumejko believed they were off about 50 feet between the taper and the actual length. Mr. Gaber asked what the improvements would do to traffic flow in the area, if done. Mr. Shumejko said that someone going southbound on Livernois would be able to enter the decel lane sooner. Mr. Gaber said that he was more concerned about the northbound entrances where he said there would only be room for about two cars to stack before traffic would be blocked. He added that the passing lane at Horizon Ct. was very short. He would like it looked into by staff. He agreed with the applicant that the dollars would not be insignificant so he would like to understand what type of impact the improvements would have on the traffic flow - how much or how little - to see if the improvements were worth pursuing.

Mr. Shumejko said that to have the information, the existing traffic study would have to be amended to include those recommendations. Mr. Gentile questioned what that meant and where Mr. Gaber was trying to go with the study, which Mr. Gentile stated had already been done. Mr. Gaber said that the traffic study did not recommend any improvements, and he was trying to understand what the difference would be with the recommended improvements and whether they would be justified or not. Mr. Shumejko said that he would have to research it further.

Mr. Hooper commented that he loved the project, and he knew that there had been a proven need for larger industrial buildings in the community. The only issue he had was with the traffic study. The Commissioners had seen the consultant the applicants had used with other projects. The first thing he looked at in a traffic study was background conditions versus future conditions. If a study said that a development was going to add significant traffic and parking and the traffic would improve from the background to the future, he immediately discounted the whole study. He did not believe that significant traffic could be added by a project, and that the traffic would improve. He understood that the warrants were not met per the RCOC standard, but he still felt that it was reasonable to make minor road improvements that would be better for the community, whether that included 3a., b. and c. or a combination. He stated that he would prefer all three, but Mr. Shumejko could do research to help determine what would be reasonable. He concluded that he was supportive of the project with some additional road considerations on Livernois.

Mr. Weaver said that he felt that the renderings were great, and that they had done a good job with the landscaping, especially along the Trail. He was happy to hear that they would talk with the Friends of the Clinton River Trail. He asked if the brush around the detention basin extended beyond Building 5, because he had not observed any strategic plantings around the back side of the basin. Ms. Schovers said that the brush did extend, but they would be happy to add plantings on the westerly edge. Mr. Weaver was not as concerned about the view from the parking lot, but he would like the view consistent from the Trail. He agreed that it was a great project, and he affirmed that the renderings had been very helpful.

Dr. Bowyer also thanked the applicants for the colored renderings, and she agreed that it was a beautiful project, and she loved everything about it. She thanked them for the view of Building 5 from the Trail. She agreed with Mr. Gaber that they would not want a lot of access points to the Trail, and she thought that it would be great if they could work with the business

to the south regarding that. She also agreed that the left turn passing lane would need to be extended, noting that Livernois already got backed up. She thought that the project was great, and she thanked the applicants.

Mr. Dettloff asked for clarification that the applicants were willing to do 3a. and b. and that 3c. was still to be looked at. Mr. Gentile agreed to doing 3a. and a good portion of 3b., because they made sense, and they would want the entrances to look right and function properly. He acknowledged that the expense associated with 3c. would be a challenge, and he suggested that perhaps the other project under consideration might share some of the expense, as it would add more congestion. He said that he agreed with others about the project, but he felt that they needed further clarification from Mr. Shumejko so they could move it forward.

Mr. Kaltsounis went over some added conditions prior to moving the motion below. He said that he concurred with Mr. Hooper about traffic studies. Mr. Kaltsounis said that he had been on the Commission since 2002, and he had yet to see a traffic study that was against a developer who had paid for it.

MOTION by Kaltsounis, seconded by Hooper, in the matter of 18-021 (Rochester Hills Research Park PUD), the Planning Commission **recommends that City Council approves the PUD Concept plans dated received March 11, 2020, with the following seven (7) findings and subject to the following fourteen (14) conditions.**

Findings

1. *The proposed PUD Concept Plan meets the criteria for use of the PUD option.*
2. *The proposed PUD Concept Plan meets the submittal requirements for a PUD concept plan.*
3. *The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
4. *The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

5. *The proposed development is consistent with the Master Land Use Plan to provide research and development operations.*
6. *The Planning Commission modifies the parking requirements, as justified by the applicant.*
7. *The Planning Commission modifies the right-of-way landscaping for Livernois, finding that existing vegetation meets the Ordinance requirements and modifies the required minimum parking spaces.*

Conditions

1. *Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.*
2. *The site plans, including but not limited to landscaping, engineering, tree removal and setback modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.*
3. *The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.*
4. *Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.*
5. *Obtain a Tree Removal Permit at Final PUD Review.*
6. *Provide landscape and irrigation bond in the amount of \$281,225.00, plus inspection fees, as adjusted as necessary, prior to issuance of a Land Improvement Permit.*
7. *Address comments from applicable City Staff memos, prior to Final PUD submittal.*
8. *That the applicant work with staff on the best plan, and/or documentation in the PUD Agreement, to*

limit the view of trucks from Livernois, prior to Final approval.

9. *That the applicant submits a plan for landbanked parking prior to Final Approval.*

10. *That a phased building plan be added to the PUD Agreement including that all general infrastructure improvements be included in Phase One, prior to Final approval.*

11. *Prior to Final approval, the applicant shall provide a plan for traffic improvements as discussed at the meeting that would include 3a. and 3b. per P. Shumejko's memo dated March 9, 2020 and submit amended traffic study to Engineering that includes 3c. improvements to show what impacts those improvements would have on traffic flow.*

12. *The plan shall show more landscape material in front of Building 4 to break up the building elevation, prior to Final approval.*

13. *The applicant shall work with staff to submit a plan prior to Final approval of a revised transition from the Clinton River Trail to the property and to work with staff on an alternative entrance to the Trail between the development and its neighbor to the south to limit the amount of access points to the Trail.*

14. *That the plan shall show additional landscaping to the western side of the retention pond, prior to Final approval.*

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants on moving forward.

Mr. Hooper thanked Mr. Gentile for his investment in the City.

NEW BUSINESS

2020-0088

Request for a Tree Removal Permit - City File No. 19-047 - for the removal and replacement of as many as one regulated tree for Tienken Traillofts, a proposed 12-unit townhome development on .785 acre on the north side of Tienken, west of Rochester, zoned O-1 Office Business with an FB Flexible Business Overlay, Parcel No. 15-03-451-031, Roger Berent, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated March 12, 2020, Site Plans and Elevations had been placed on file and by reference became part of the record thereof).

Present for the applicant were Roger Berent, 6 on 24, LLC, 6435 Apple Orchard Lane, Rochester Hills, MI 48306 and John McCann, Steve Dumont and Luke Beach, partners in the project.

Ms. Kapelanski stated that the applicant was proposing to develop a 12-unit, loft-style development in three buildings on the north side of Tienken just east of Cliffview. She noted that the property was zoned O-1 with an FB Overlay. Multiple-family dwellings were allowed in FB, and the applicant was using those standards to develop. She advised that an outdoor amenity space for residents was proposed in the rear of the property, and there was a bench and bike station out in front on Tienken. The plan was generally in compliance, but the applicant was requesting a few modifications. The principal entrance for unit five faced Tienken rather than the required side or rear yard; offstreet parking was located in the side yard instead of the rear, although parking in the rear would have severely limited development; and waivers for the rear yard perimeter setback and the minimum ground floor transparency were also being requested. She noted that a Tree Removal Permit was being requested for the removal of one regulated tree. All staff had recommended approval with minor conditions to be addressed on the final plan set.

Mr. Berent thanked everyone for their availability. He stated that he had been a registered architect for 15 years, and he had lived in Rochester Hills for over five years. He was the architect of record for the Winchester District (including Art Van, ABC Warehouse and Edge Fitness). He said that they had been working on the project with staff since last September, and it had gone through several revisions.

Mr. Berent noted that the units would be 950 s.f. for rent, loft-type apartments. All would have separate front and rear entrances. Each unit

would have a 20-foot ceiling with large glass windows to provide daylight. As Ms. Kapelanski mentioned, they would be providing bike repair with a bench and also a community garden in the rear for the residents. There would be covered parking for ten spots to the west. There would be secure mail and digital package lockers for each unit. The buildings did not have common doors or entrances, so each unit would live as its own house. He had provided site diagrams illustrating the unique issues with the site. There was an existing, common driveway that connected to the dental office to the west and an existing ingress/egress easement. To the west was a ten-foot landscape easement. Parking was necessitated by the easements and the Fire Dept. requirements for turnaround. They believed that the proposal was the highest and best use of the site, and that the 12 units fit comfortably on the site. They would be providing 24 new trees, and they would have a total of 58 trees on the site and 71 shrubs and perennials throughout the site. They loved the site being off of Tienken and its adjacency to the Paint Creek Trail. They were also offering a covered, vertical bike rack on the side of the building. He said that they would be happy to answer any questions.

Ms. Roediger reminded Mr. Berent to mention notifying the neighbors. Mr. Berent agreed that they mailed a letter and the plans to the neighbors to the south inviting them to a meeting, and no one attended.

Chairperson Brnabic asked Ms. Gentry if she had received any email correspondence. One email had been received before the March meeting was cancelled, which had been provided in the packet. Ms. Roediger saw no one in the Auditorium and no one wishing to speak.

Mr. Gaber observed that the site was very small and constrained, and he said that the applicants had been very creative in coming up with a potential design for the site. He asked Ms. Kapelanski if she had used the gross or net acreage for the site, the first being .785 acre and the latter, without the road right-of-way being .569 acre. Ms. Kapelanski asked if he was asking with regards to the open space amenity, which he confirmed. She said that typically, the road was not included, but the numbers were provided by the applicant, and she deferred to Mr. Berent, who confirmed that the right-of-way was included.

Mr. Gaber asked if the clearance between the two east-west buildings was ten feet, which Mr. Berent confirmed. Mr. Gaber indicated that it was a very tight site, and he believed that the intent of the FB district was meant for larger sites. He considered that larger sites had room to have parking in the rear and more room between buildings, which did not necessitate

requesting modifications. He did not think that the purpose of the FB district and its requirements and the site really meshed, so he had some difficulties with the project. He had a hard time shoehorning the FB criteria into a half-acre site. He did give them a lot of credit for being creative with the design.

Mr. Kaltsounis asked if, given the lesser acreage, it would require a smaller development than proposed. Ms. Kapelanski explained that the FB district did not require a prescribed density or minimum site size. Mr. Kaltsounis asked Mr. Berent if he was aware of some of the issues the City was having with apartment complexes and parking, and Mr. Berent said that he was not. Mr. Kaltsounis said that there were 19 parking spaces proposed for 12 units, two were handicap and one sort of hung into the driveway and would be hard to be considered a space. He agreed with Mr. Gaber about having only ten feet between two, two-story buildings. He thought that the parking proposed would hurt Mr. Berent's investment, and he suggested that the project should be less dense. He could not recall another development where so much was packed into it.

Mr. Berent responded that the requirements called for 18 spots, and they were providing 19. Regarding the space between the buildings, they were trying to differentiate themselves and have something different than regular apartments with a long hallway. They had massaged the project a lot since last September, and they were confident that it would be a good development. He said that he understood that parking was an issue, but they did meet the Ordinance. He felt that in ten years with autonomous vehicles, ride sharing and working from home that the demand for parking would be less. He said that it would be a 50-100 year building and over time, the City might ask for more landscaping than parking because it was not used as much. Mr. Kaltsounis felt that they would need two spots per unit and without that, he thought that their sales would be hurt.

Mr. Berent pointed out that the FB Overlay encouraged denser developments. Mr. Kaltsounis considered the request for a rear yard setback modification, and said that there was too much development on the site. It was the tightest he had seen anything packed into a property. He understood that they met the Ordinance for parking, but he felt that it would be an issue that the City had to deal with in the future, because people would be inappropriately parking at the neighbors.

Mr. Berent noted the rear yard setback and façade transparency, and said that he did not believe that they were issues. He thought that they had met those requirements. The north property line abutted FB zoning. He

had also supplied a transparency diagram that showed they were at 28% for the entire first floor. Ms. Kapelanski said that she would check them.

Ms. Kapelanski recalled talking with Mr. Berent about potential shared parking with the office next door, and she asked if he had considered that. Mr. Berent said that they were open to that, but they were concerned about having the other site tied to theirs in the future. They would like their site to be completely independent, but the off hours parking might work, and it would definitely be something they would be willing to do.

Mr. Weaver said that he tended to agree with fellow Commissioners about the site being a little over developed. He thought that people walking between the buildings, with only ten feet in between, would be walking in the dark. However, he liked the look and the landscaping and how the buildings were being screened from Tienken. He questioned some of the plant choices, and mentioned one he did not think would grow between two buildings with so much shade. He thought that they had done a nice job working creatively with the parking lot. He did not think parking would be as much of an issue, but he agreed that it was a little too dense.

Ms. Neubauer did not think that a one-bedroom unit would necessarily promote family living, so she also did not think that parking would be as big of an issue. However, the ten-foot separation and small walkway gave her pause. She did not think a 950 s.f. unit with one bedroom would have mom and dad and maybe kids driving. She thought that if there was a way to cooperate with the office and have shared parking that it could help resolve the issue.

Mr. Gaber commented that there would be two-story windows looking out to a building ten feet away. Mr. Berent said that they had emphasized the landscaping on the west side of the east building. Mr. Gaber asked if there was the same type of landscaping on the south side of the northerly building. Mr. Berent said that those units would face north, but there would be some landscaping in the back.

Mr. Gaber still did not feel that the proposal was the intended use for FB-1. He felt that the Commissioners should be focusing more on the modifications being requested than how the project met the Ordinance.

Ms. Kapelanski clarified that Mr. Berent was correct that the two modifications (rear yard setback and transparency) had been met. The modifications being requested were to allow parking in the side yard and to allow unit five's principal entrance to face Tienken (required to face side

or rear yard). Mr. Berent said that it would be easy to relocate the door of unit five. They had it face Tienken as a design element to give it a more residential feel, but it could easily be moved back to the alleyway.

Mr. Hooper went over the findings, noting that number four could be removed if the entrance was moved. He asked if there were planters hanging off the window ledge, as shown on the architectural plan A100. Mr. Berent said that they were awnings over the top of the doors. He said that there were planters on the ground in the alleyway of the eastern building. On the east face of the western building there were awnings over the large windows. Mr. Kaltsounis suggested looking at A300, which showed black lines over the glass panels which were awnings held by two rods.

Mr. Hooper mentioned that his home was seven-and-a-half feet from his neighbor's property, who had a two-story home, and there was no sunlight between their homes, and no grass grew there. Noting that the units would be for rent, he asked Mr. Berent if he would be the property manager. Mr. Berent said that at this point, he would be, and he lived only a half-mile from the site. Mr. Hooper asked what the rental price would be, and Mr. Berent advised that it would be \$1900-2000 per month. The appraisal they had done agreed with the rates.

To Mr. Gaber's point, Mr. Hooper said that if the project were to be denied, it would be due to the parking in the side yard, as the applicant had met all the other Ordinance requirements. Ms. Roediger agreed with Mr. Berent that staff had met with him many times and gone through many iterations. They realized that some Commissioners might be concerned about the parking. Regarding FB, there were larger sites that were redeveloped using those standards, such as along Rochester Rd., but there were a lot of smaller sites, such as those along Auburn Rd. The intent of FB was not to limit density; it was to develop based on form. The recent Master Plan wanted to create new types of housing that was missing. She stated that the proposed project was definitely more of an urban project that they had not seen. Staff considered the location, surrounded by multiple-family and non-residential uses and the proximity to the Trail, and they felt that the project could make sense there. She thought that the development was what FB intended, and that the proposal would fit the area.

Mr. Hooper asked if Building two was not on the property line because of water service. Mr. Berent said that the water service was the result of the building being off. It was off the property line because if AT&T ever sold,

a development could have a zero lot line, so they wanted to leave a buffer. Mr. Hooper pointed out that Building three was on the lot line. Mr. Berent said that there were no windows on the east side, and they felt comfortable with it. Mr. Hooper considered that there were rear entrances, so the building could not be put against the property line, so seven feet was the minimum it could be pushed away from the property line.

Mr. Hooper said that it would definitely be an urban setting for a millennial or empty nester. He did not think that seniors would want a second story. He thought that one-and-a-half spots per unit would probably be okay. He indicated that he would have to find another legal reason besides it being not harmonious and compatible to not approve the development. He did feel that the buildings were attractive.

Mr. Gaber asked if the Ordinance required a minimum distance between multi-family residential buildings. Ms. Kapelanski said that there were not in the FB districts. Mr. Gaber asked about Building Code requirements. Ms. Kapelanski noted that Building had reviewed the plan and recommended approval. Mr. Gaber said that he did not think that the project fit under the FB classification, noting the entry facing Tienken. He did not think that the Overlay applied to such small sites; everywhere in the City it covered a much broader area. He felt that the intent was to cover larger developments and larger sites.

Dr. Bowyer felt that it was a beautiful-looking plan, and she liked the architecture. As the City got more populated, they heard that people wanted to live, work and play in the same place, and she felt that the proposal was ideally suited to not need a car and to bike to the store and to the Trail. She asked if there would be assigned parking for each unit. Mr. Berent agreed that each unit would be assigned one parking space. Dr. Bowyer thought that if he moved the door to the side from Tienken that it would make the building look odd, so she did not have an issue with that door. She was concerned about the middle where there would not be enough light to grow trees. She wondered if the windows could be flipped around to the parking lot side where trees could be added, so those people did not just look at other people ten feet away. She questioned whether, especially with a potential recession, they would get those price points for rent. Her main concern was the people in the west building looking at a big brick wall.

Mr. Kaltsounis said that he loved the glass, the brick and the look of the buildings, which were top notch. He indicated that the applicants had done a good job of pushing the limits. He had a saying, "Just because

there was an example did not mean it was a good one.” He said that the development would either work or not work, because it was too dense, and it could be a basis for changing the parking ordinance and looking at the other items the applicants were asking for waivers to get more density. He gave examples of other dense developments in Auburn Hills and Troy. He was worried that the way the parking ordinance was, that people would end up parking in bad places.

Hearing nor further discussion, he moved the following.

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 19-047 (Tienken Traillofts), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on January 29, 2020, 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 remove 1 regulated tree and replace 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 at a rate of \$304.00 per tree.

Chairperson Brnabic stated that she had a concern that the density was too high for the property and that there were not enough parking spaces provided. She indicated that the suggestion to use shared parking with an office was a little much, because the units were townhouses, which, to her, should always have dedicated parking. She also liked the building design, but there was too much for the property, and she agreed with Mr. Gaber about it not meeting the intent of FB.

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

Aye 6 - Dettloff, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Nay 2 - Brnabic and Gaber

Excused 1 - Reece

[2020-0089](#)

Request for Site Plan Approval - City File No. 19-047 - Tienken Traillofts, a proposed 12-unit townhome development on .785 acre located on the north side of Tienken, west of Rochester, zoned O-1 Office Business with an FB-1 Flexible Business Overlay, Parcel No. 15-03-451-031, Roger Berent, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-047 (Tienken Traillofts), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on January 29, 2020, with the following six (6) findings and subject to the following four (4) 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 Tienken Rd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.*
3. *The off-street parking area has been designed to avoid common traffic problems and promote customer safety.*
4. *The Planning Commission modifies the location of the off-street parking to be located in the side yard, finding that it meets the intent of the FB Ordinance for innovative design and will not make future adjacent development impractical.*
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 cost estimate for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$39,220.00, and posting of bond prior to temporary grade certification being issued by Engineering.*
3. *That the entrance of unit five that currently faces Tienken be turned to the west side of the building to face the alley, prior to final approval by staff.*
4. *Staff to review the plantings in the alleyway and by the building to the north to recommend a species more feasible to growing in the shade, prior to final approval.*

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

Aye 6 - Dettloff, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Nay 2 - Brnabic and Gaber

Excused 1 - Reece

After each motion, Chairperson Brnabic stated for the record that the motion had passed six to two. Mr. Berent thanked the Commissioners, and said that they listened to the concerns. They wanted the project to succeed more than anyone. He would look into the landscaping; they were working with Don Westphal, who would work with staff. Mr. Dettloff thanked them for their investment.

2020-0133

Public Hearing and request for a Wetland Use Permit Recommendation - City File No. 19-026 - for impacts up to approximately 5,471 s.f. for construction activities associated with Hamlin Outdoor Storage, a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin between John R and Dequindre, zoned I Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated April 16, 2020, Site plans and landscape plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Michael Klieman, Wiegand Development,

37580 Mound Rd., Sterling Heights, MI 48310 and Lori Shink, Shink Engineering, 4146 Pine Grove Rd., Fort Gratiot, MI 48059.

Ms. Kapelanski advised that the applicant was proposing an outdoor storage facility for recreational vehicles on Hamlin east of John R. There were no structures proposed. The site was zoned Industrial, which permitted the intended use. In order to provide the required screening, the applicant had shown a berm surrounding the parking area along with associated landscaping. The site was subject to the previous version of the Tree Conservation Ordinance, and 171 trees were being removed and replaced on site and with payment into the City's Tree Fund. She noted that there were three wetlands on site, and a Wetland Use Permit was required for impacts. The areas to be impacted were of low ecological value, and approval of the Permit and a Natural Features Setback Modification was recommended by the City's environmental consultant, ASTI. All staff recommended approval, subject to some minor modifications.

Mr. Klieman introduced himself and said that Wiegand was a family business that had been in business since 1969. They had owned the subject site for quite a while, and it was somewhat of a challenge to find a suitable use for it, especially since there was a landfill directly to the north. They decided on the storage facility, and felt that it would be good for the area. He said that they were available for questions.

Mr. Hooper asked what type of vehicles would be stored. Mr. Klieman said that it would vary from boats to campers. Mr. Hooper asked the maximum height of a vehicle, and Mr. Klieman said he believed that nothing would be over 13.5 feet. Mr. Hooper believed that was a little high and that it would be closer to 12 feet. He said that screening would be needed for 12 feet, and Ms. Kapelanski agreed that there was a berm and plantings. Mr. Hooper had reviewed the cross section for the berm provided, and it appeared that the berm was measured from the inside, which showed a four-foot, four-inch berm screening. He had observed that they would be adding about three feet of fill over the entire site, and with the 4.4 foot berm with plantings, that would not provide an opaque screen. Even though they were adding ten-foot evergreens, it would be seven to eight years before they filled in to make an opaque screen. He suggested that they would either have to add a lot more trees or raise the berm. He indicated that he was not concerned about screening from the landfill to the north. He pointed out that for the 280-foot berm on the south, there were only 30 or 32 trees proposed, and with only a four-foot berm, everything parked would be able to be seen.

Mr. Klieman thought that the plans showed a six-foot berm, although he could make it as tall as they would like. He suggested that there were a lot of plantings by the landfill that they could move to the front. Ms. Kapelanski suggested that Ms. Shink could explain more about the berm cross section.

Ms. Shink said that the cross section showed an average height of six feet for the berm. It was 4.27 feet on the parking lot side and 7.73 on the external portion. Ms. Kapelanski asked if the taller portion of the berm would face Hamlin Rd., which Ms. Shink confirmed. Mr. Hooper reiterated that with the site raised and the berm and plantings proposed, people would be able to see the vehicles when driving down the road. Ms. Shink suggested that she could do some line of site drawings to see if they should make the berm taller. She maintained that they could not lower the site.

Dr. Bowyer asked if there would be an irrigation plan for the berm, and if there would be a plan for replacing trees if they died. She indicated that trees planted on berms died a lot of times. Mr. Klieman believed that there was a note on the plan about an irrigation system, and he assured that if a tree died that it would be replaced.

Mr. Kaltsounis noted that the berm was about 45 feet wide. Ms. Shink said that there was a one-on-three slope required. Mr. Gaber pointed out that there were details of the berm on the landscape plan. Ms. Shink said that there was a four-foot top on the berm. Mr. Kaltsounis said that he agreed with Mr. Hooper that if they were raising the site, the screening would need to be higher. He asked the size of the root ball of the trees to be installed, and Ms. Shink advised that they would be 24-inches. Mr. Kaltsounis said that he would like the cross section revised and made to scale. Ms. Shink explained that for a vertical scale, one-inch equaled 4 feet, and the horizontal scale was one-inch equaled 40 feet. She asked if he wanted a one-on-one.

Mr. Gaber said that he agreed with Mr. Hooper that a taller screen would be needed, whether it was a taller berm or denser landscape plantings on top. He thought that the matter should be postponed so that line of sight drawings could be submitted showing what the screening would look like on all sides to someone driving or walking by.

Mr. Dettloff also agreed with the screening comments. He had noticed that there would be two employees on site, which would be accessible

24/7. He asked what the employees' roles would be. Mr. Klieman said that they would be his children, and they would act as operators of the site. There would be a key card or biometric entrance through the gate for 24-hour availability. Mr. Dettloff asked if there would be cameras, which Mr. Klieman confirmed, and he added that the site would be lit. He mentioned that the storage facility a few lots down had a six-foot fence, and half of the vehicles could be seen. He agreed that the berm could be raised, although he did not want it to look too out of place.

Mr. Weaver also believed that additional screening would be needed, although he did not think it would be as bad as people thought. He pointed out that there were trees by the walkway closer to the road, as well. He said that he would rather see larger plant material on the berm rather than making the berm taller. It would dry out quicker the higher out of the ground it was. An irrigation system would help, but not during the chilling winds of winter. He suggested larger plant stock, at least along the southern edge and around the corners a bit. He felt that would help more than increasing the height of the berm. He agreed with Mr. Kaltsounis that the sketch on the landscape plan did not match the cross section provided, mainly because the three-on-one and one-on-three were flipped, so he would also like to see a revised drawing showing a one-on-one vertical scale to match the horizontal scale. He asked if any landscaping was proposed around the detention pond.

Mr. Klieman said that there was a lot of existing foliage they were not planning to cut, and it was very full from the roadway to the walking path. He offered that they could add plantings or extend the berm in front of the basin. Mr. Weaver asked how far the berm was from the edge of Hamlin Rd. Mr. Klieman said that the berm was on the other side of the fence, which was relatively new (the fence). He suggested that it could be painted black - there would be no slats put in it. Mr. Weaver asked the grade difference from the walking path to the roadway. Ms. Shink said that it was pretty flat there. Mr. Klieman said that it was a minimum of 60 feet from the road to the fence. Ms. Kapelanski agreed that some plantings could be added between the basin and Hamlin.

Hearing no further discussion, Mr. Hooper moved to postpone.

MOTION by Hooper, seconded by Kaltsounis, in the matter of City File No. 19-026 (Hamlin Outdoor Storage), the Planning Commission hereby postpones until the next available meeting the requests for a Wetland Use Permit, Tree Removal Permit, Natural Features Setback Modification and Site Plan Approval until the applicant can provide line of

site drawings from either direction on Hamlin showing the parked, typical 12-foot RV vehicles with additional landscaping or the berm raised to form an appropriate opaque screen on the southern western and eastern sides; provide gate details at the entrance and how it would look on either end of the berm; provide berm details that show the horizontal and vertical scales matching; provide detention pond plantings between the basin and Hamlin; and provide photos of the existing screening.

Chairperson Brnabic opened the Public Hearing for the Wetland Use Permit at 9:44 p.m. Seeing no one wishing to speak and confirming that no correspondence had been received and no one was present in the Auditorium, she closed the Public Hearing.

Mr. Kaltsounis suggested getting Forestry involved to make sure that the trees would work on the berm. He clarified that the irrigation plan would be submitted prior to final approval. Ms. Shink stated that they did follow the City's Ordinance for landscaping, and the number of trees proposed were in compliance with the Ordinance.

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

2020-0132

Request for a Tree Removal Permit - City File No. 19-026 - for the removal and replacement of as many as 171 trees for Hamlin Outdoor Storage, a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin, between John R and Dequindre, zoned I Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

Postponed

2020-0134

Request for a Natural Features Setback Modification - City File No. 19-026 - for impacts up to 424 linear feet associated with construction activities for Hamlin Outdoor Storage, a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin between John R and Dequindre, zoned I Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

Postponed

2020-0135

Request for Site Plan Approval - City File No. 19-026 - Hamlin Outdoor Storage,

a proposed recreational vehicle storage facility on 9.7 acres located on the north side of Hamlin between John R and Dequindre, zoned I Industrial, Parcel No. 15-24-326-004, Michael Klieman, Wiegand Development, Applicant

Postponed

2020-0129

Request for a Tree Removal Permit - City File No. 20-003 - for the removal and replacement of as many as 51 trees for Auburn Pharmaceuticals, a proposed 65,000 s.f. office/warehouse facility on 9.6 acres located west of Livernois, south of Avon, zoned REC-W Regional Employment Center, Parcel No. 15-21-276-014, Teresa Bruce, General Development, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated March 12, 2020, Site Plans and Elevations had been placed on file and by reference became part of the record thereof).

Present for the applicant were Teresa Bruce and Bruce Brickman, General Development, Two Towne Square, Suite 850, Southfield, MI 48076.

Mr. Brickman stated that they were present seeing approval for Auburn Pharmaceuticals, a 65,000 s.f. pharmaceutical distribution company off of Rochester Industrial Dr. He said that the project had been approved by all staff, and they had met all zoning, planning and engineering requirements, and they were present to get approval.

Ms. Kapelanski added that the site was zoned REC-W, and the proposed use was permitted in the district. As Mr. Brickman had mentioned, she agreed that the plans were in compliance with the Zoning Ordinance requirements. She noted that the applicant was requesting a waiver to use the existing vegetation along the northern property line for the buffer, which staff supported. She had recommended minimal use of the metal panels on the façade and perhaps some introduction of more color variation, noting that the elevations did meet the architectural guidelines. There were existing wetlands on site that would not be affected, but the applicant was requesting a Natural Features Setback Modification, for which ASTI had recommended approval. The site was under the new Tree Conservation Ordinance, and the applicant had met the required standards for the removal and replacement of 51 trees. She mentioned that staff and the Planning Commission had received emails from the Friends of the Clinton River Trail posing several questions regarding the development. A connection to the Trail had not been proposed, and the applicant was maintaining the buffer along the Trail. The plans indicated a gravel access drive for detention basin maintenance between the proposed basins near the Trail, but the access drive would not connect to

the Trail. The required plantings had been provided around the basins. She said that Mr. Boughton was available to answer any questions about the storm water and basins. She concluded that all staff had recommended approval subject to some minor plan modifications.

Chairperson Brnabic asked Ms. Gentry if there had been any email communications received. Ms. Gentry said that nothing in addition to what Ms. Kapelanski had acknowledged from the Friends of the Clinton River Trail had been received. Ms. Roediger had not received any requests to speak and no one had come to the Auditorium to speak.

Mr. Kaltsounis said that he agreed with staff about the colors being too much the same. He noted that the applicants had submitted a photo of the building materials, which he felt would be nice to have for all projects. He wondered if there would be a way to break up some of the metal features and perhaps have some different panel colors.

Mr. Brickman pointed out that there were three different materials, so there was dimension. The split face masonry had a very rough finish, and the aluminum panel on the front of the building was very smooth, and there was a different vertical metal panel on the rear warehouse. He said that they were the colors that Auburn Pharmaceutical chose for the building.

Mr. Weaver wondered if the applicants had spoken with EEI Global about the loop road they were intending. He thought that it could affect the entrance to the subject development coming off of Livernois. Mr. Brickman said that they would have no access to Livernois. Their access was to Rochester Industrial Dr. Mr. Weaver asked staff if there was a concern that there would be additional impact to the road when the infrastructure went in. Ms. Kapelanski explained that Auburn Pharma would have access to Rochester Industrial, and when EEI completed the roadway on Rochester Industrial, its users would also have access to that road. Staff was not concerned.

Dr. Bowyer observed that there would be a lot of plantings between the proposed building and the Trail. She wanted to make sure that someone on the Trail would not be able to see the building - she would like an idea of what the building would look like from the Trail. Mr. Brickman responded that there was a line of existing trees along the property line that they were leaving in place. They would also be adding a number of trees between the rear parking lot and the property line.

Dr. Bowyer asked if they would be interested in having access to the Trail through EEI Global's access. Mr. Brickman said that part of the problem was that the proposal was for a secured pharmaceutical building that had to meet FDA standards, so that was why they did not want to have a direct pathway to the Trail. He mentioned that there was also a grade problem there. Dr. Bowyer just wanted to make sure that they would not come back later and ask for access.

Mr. Gaber noted that the building would be set back 88 feet from the property line, and there were a lot of trees and the detention basin, so there would be a lot of coverage. Based on Mr. Brickman's concerns about security, he asked him if a fence was proposed for around the site. Mr. Brickman advised that there was not.

Mr. Kaltsounis commented that the development had been the most straight-forward they had during the evening, and hearing no further discussion, he moved the following:

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-003 (Auburn Pharmaceuticals), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on March 11, 2020 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 remove 51 regulated trees and replace on site with 45 credits.*

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 at a rate of \$304 per tree.*

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

2020-0130

Request for Natural Features Setback Modification - City File No. 20-003 - for temporary impacts to as many as 125 linear feet for Auburn Pharmaceuticals, a proposed 65,000 s.f. office/warehouse facility on 9.6 acres located west of Livernois, south of Avon, zoned REC-W Regional Employment Center, Parcel No. 15-21-276-014, Teresa Bruce, General Development, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-003 (Auburn Pharmaceuticals), the Planning Commission **grants natural features setback modifications** for 125 linear feet for temporary impacts to construct a storm water outlet and install tree fencing, based on plans dated received by the Planning and Economic Development Department on March 11, 2020 with the following two (2) findings and subject to the following (3) conditions:

Findings

1. *The temporary impact to the Natural Features Setback area is necessary for construction activities.*
2. *The proposed construction activity qualifies for an exception to the Natural Features Setback per the ASTI Environmental letter dated March 19, 2020, which also states that the areas are of medium ecological quality and the impacts will be temporary.*

Conditions

1. *Work to be conducted using best management practices to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted.*
2. *Site must be graded with onsite soils and seeded with City approved seed mix.*
3. *Show natural features setback areas correctly named and in linear feet, prior to final approval by staff.*

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

2020-0131

Request for Site Plan Approval - City File No. 20-003 - Auburn Pharmaceuticals, a proposed 65,000 s.f. office/warehouse facility on 9.6 acres located west of

Livernois, south of Avon, zoned REC-W Regional Employment Center, Parcel No. 15-21-276-014, Teresa Bruce, General Development, Applicant

***MOTION** by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-003 (Auburn Pharmaceuticals), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on March 11, 2020, with the following six (6) findings and subject to the following two (2) 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 Rochester Industrial Dr. thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.*
3. *Off-street parking areas have been designed to avoid common traffic problems and promote customer safety.*
4. *The Planning Commission waives the buffer requirements on the north property line finding that the existing vegetation meets the intent of the Ordinance.*
5. *The proposed improvements will utilize vacant land and 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 cost estimate for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$64,185.00, and posting of bond prior to temporary grade certification*

being issued by Engineering.

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants on moving forward with the project.

ANY OTHER BUSINESS

2020-0114

Request for Election of Officers - Chairperson, Vice Chairperson and Secretary for a one-year term to expire the first meeting in April 2021.

MOTION by Kaltsounis, seconded by Hooper, the Rochester Hills Planning Commission hereby appoints Deborah Brnabic to serve as its Chairperson for a one-year term to expire the first meeting in April 2021.

MOTION by Kaltsounis, seconded by Dettloff, the Rochester Hills Planning Commission hereby appoints Greg Hooper to serve as its Vice Chairperson for a one-year term to expire the first meeting in April 2021.

MOTION by Hooper, seconded by Dettloff, the Rochester Hills Planning Commission hereby appoints Nicholas Kaltsounis to serve as its Secretary for a one-year term to expire the first meeting in April 2021.

A motion was made that this matter be Approved. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

2020-0085

Request for recommendation of a Planning Commission representative to the Zoning Board of Appeals for a one year term to expire March 31, 2021.

MOTION by Kaltsounis, seconded by Hooper, the Rochester Hills Planning Commission hereby recommends that Deborah Brnabic shall serve as its Planning Commission representative to the Zoning Board of Appeals for a one year term to expire March 31, 2021.

A motion was made by Kaltsounis, seconded by Hooper, that this matter be recommended for approval to the City Council. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

ANY FURTHER BUSINESS

Mr. Kaltsounis brought up parking and townhouses, and said that he would like to see a minimum of two parking spots per unit required. He felt that they would be backing themselves into a corner the way the current Ordinance read and be putting stress on the rest of the City.

Mr. Gaber was surprised that there was nothing in the Ordinance that prohibited buildings being really close together (as seen with the Tienken Traillofts project). He felt that with developers trying to fit things on every infill piece left in the City that the issue would arise again in the future, and he suggested that they should have something in the Ordinance to deal with that concept. He pointed out that there would be two-story glass windows looking out over the back of a building ten feet away. He recalled bringing up needing a change to lot averaging at a past meeting, and he asked if that was being addressed.

Ms. Roediger advised that staff had a long list of Ordinance amendments that were supposed to have been brought forward at the March meeting. They were not deemed essential currently. Regarding Mr. Kaltsounis' comments about parking, she felt that there might be some differences of opinion, and they would do some research to see what the trends were for the future. The parking needs might be different for loft-style, townhouse units compared with what they had seen in the past. She commented that if the virus had not been going on, they would have already seen some of the amendments. She reminded that the FB district was intended to be compact and walkable with zero lot lines. She realized that was a little different in how Rochester Hills had historically developed, and said that they could look at it again.

Dr. Bowyer asked if having more green space in developments had made it onto the list, which Ms. Roediger confirmed. Mr. Kaltsounis said that since everyone had to be home now, it would be a good time to take some pictures to see the stress people were putting on the parking lots.

Mr. Gaber agreed that people were home, but no one was having a lot of

guests or parties. Mr. Weaver thought that it would be good to look at it, but he felt that it would become a case-by-case basis. Regarding the Traillofts, he did not believe that a person living in a 950 s.f. loft would need more than one car. He agreed that a two-bedroom development would need at least two spaces.

Mr. Hooper suggested having a proclamation for Neall Schroeder, the long-time City employee and Planning Commission member Chairperson Brnabic mentioned had retired from the Commission recently. Mr. Hooper and others congratulated staff on having an excellent, first virtual meeting.

NEXT MEETING DATE

Chairperson Brnabic reminded the Commissioners that the next Special Meeting was scheduled for May 5, 2020 (subsequently cancelled).

ADJOURNMENT

Hearing no further business to come before the Commissioners and upon motion by Mr. Kaltsounis, seconded by Mr. Weaver, Chairperson Brnabic adjourned the Regular Meeting at 10:24 p.m.

Roll Call Vote: All ayes, Mr. Reece absent

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary