



Rochester Hills

Minutes - Draft

Planning Commission

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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, August 18, 2020

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Brnabic called the Regular Meeting of the Planning Commission to order at 7:00 p.m. She outlined the procedure for the virtual meeting as allowed by the Governor's Executive Orders 2020-21 and 2020-154.

ROLL CALL

Present 9 - Deborah Brnabic, Gerard Dettloff, John Gaber, Greg Hooper, Nicholas Kaltsounis, David Reece, Susan M. Bowyer, Ben Weaver and Marvie Neubauer

Quorum present.

Also present: Sara Roediger, Director of Planning and Economic Dev.
Kristen Kapelanski, Manager of Planning
Jason Boughton, DPS/Engerinning Services Utilities Mgr.

APPROVAL OF MINUTES

[2020-0328](#) July 21, 2020 Regular Meeting

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

COMMUNICATIONS

A) *Planning & Zoning News dated August 2020*

PUBLIC COMMENT

Chairperson Brnabic opened Public Comment at 7:03 p.m. Seeing no one wishing to speak and no communications received, she closed Public Comment.

NEW BUSINESS

2020-0229

Request for a Tree Removal Permit - City File No. 19-033 - for the removal and replacement of as many as 55 trees for Cambridge Knoll, a proposed 16-unit site condo development on 4.72 acres located on the north side of Avon, east of Rochester Rd., zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-14-351-020 and -058, Cambridge Knoll, Applicant

(Reference: Staff Report, prepared by Kristen Kapelanski dated August 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 Jim Polyzois and Mark Gesuale, Cambridge Knoll, 14955 Technology Dr., Shelby Township, MI 48315 and Ralph Nunez, Nunez Design, 249 Park St., Troy, MI 48083.

Mr. Gaber recused himself, stating that he represented the developer in other matters and, therefore, had a conflict of interest.

Mr. Polyzois advised that they had combined two parcels totaling almost five acres, and they had been working on the project for about four years. He stated that they had put a lot of time and thought into the project on different options and had elected to proceed with detached condos with open space, pathways, and amenities to develop a lifestyle community.

Ms. Kapelanski summarized that the applicants were proposing a 16-unit site condo development, to be developed using the MR Mixed Residential Overlay. The site was subject to the previous Tree Conversation Ordinance, and was in compliance. She turned it over to Mr. Nunez to present a power point.

Mr. Nunez noted that he was a Landscape Architect, Urban Designer and Principal of Nunez Design with 36 years in private practice and about three dozen assignments in Rochester Hills. From 2015 on, he had the privilege of being in charge of the design and visioning for Innovation Hills. He had worked with Mr. Polyzois and Mr. Gesuale for over eight years, and he showed locations of the six recent projects they had done in Rochester Hills.

Mr. Nunez said that the zoning for the site and the surrounding zoning was R-3 or R-3 with an MR Overlay. He noted that the properties to the north and east were zoned R-3 and developed under the open space option, which allowed the reduction of the lots from 12,000 s.f. to 9,600 s.f. He

advised that there were no wetlands, natural features or steep slopes, but there were woodlands.

Mr. Nunez went over their process for site development, including looking at the City's Ordinances and Master Plan, existing conditions, environmental factors and adjacent properties. They researched healthy living and a parkette design and prepared preliminary plans and the engineering design. They reviewed the woodland impacts for preservation. They met with staff several times throughout the review process. They went through three thorough planning reviews. Mr. Polyzois had reached out to the neighbors to introduce the project and discuss any concerns they might have. They revised the plan for the fourth time to address the neighbors' concerns and move the building envelopes for units 12-16 further away from the east property line. The rear setbacks changed from 20 feet to 33 feet for lots 13 through 16, and 30 feet for the side setback for unit 12. The rear yard setbacks on the north were 60 feet, and unit nine on the west had a side yard setback of 20 feet. Units five to eight on the west had a rear yard setback of 33 feet, and the rear yard setbacks for units one and two were 58 feet to the west property line.

Mr. Nunez said that their goals were to design a new community to meet the growing demand for ranch-style homes with first floor master suites, provide housing ownership without the burden of lawn and snow maintenance, create an active parkette and exercise station with an internal walking path, have access to the City's main pathway systems and connections to retail, and the parks and trail system, maximize the open space, preserve as many trees as reasonably possible, promote healthy living and to provide housing for existing residents to be able to remain in the City. There would also be extensive landscaping.

Mr. Nunez showed the two home designs (one would just be slightly wider). They were required to meet the architectural design standards, and there would be upgraded building materials, recessed entries, gables, front porches and architectural piers and posts. He showed the floor plans. There would be two-car garages. He noted that the landscape plantings on the east property line from units 12 to 16 would have larger evergreen trees, as would the east end of Arsenal Ct. Between units 13 and 16, they had changed the shrub requirements to arbor vitae with a hedge row to separate the neighbors from the development. They had created over two acres of open space for the association. They met the storm water detention basin requirements. The water ran from the site onto a drainage ditch along the east

properties, which did not have rear yard storm drains installed when developed. Their plan would take all the storm water and divert it to the detention basin, an issue the neighbors had raised.

Mr. Nunez showed the parkette, noting that the revised plan allowed separation between units four and five for an extra access point to the pathway and exercise equipment. They kept a long strip for the parkette which preserved a lot of the natural trees on the west, and it would be augmented with additional plantings. People would have the ability to do a loop in the development that equaled ¼ mile. The active open space required was 10,280 s.f., and they were proposing 17,027 s.f. There would be benches, a 14-foot holiday tree, pergola and trellis, birdhouses and a rain garden in the parkette.

Mr. Nunez referenced a comparison site plan using the R-3 Open Space standards, which would provide for unrestricted back yards and larger footprints. The road would go to the end of the property, and the detention basin would be located on the west side. They felt that this plan would have a greater impact on the existing homes. The homes could be two stories with three-car garages. They did not feel that it would meet the intent of the Master Plan or the client's goals.

Several neighbors were concerned that the proposed homes would be too close to the existing homes. Mr. Nunez indicated that no one liked to see (his or her) backyard change. Also, storm water and headlights were brought up. Their response was to increase the setbacks and open space by moving the units further to the west. They intensified the landscape buffers with evergreen trees adjacent to the east property line. The storm water detention had been designed to capture the water from the subject site, which would cause a reduction going to the adjacent properties. They provided more open space than a conventional development would and created an active recreational space and amenities.

Mr. Nunez felt that they had done a great job of developing a number of projects, but the inspiration for Cambridge Knoll came from the City's Master Plan and Future Land Use Plan. They designed higher quality developments by utilizing design flexibility in lot size and configuration and building types within the density allowed by the Master Plan and zoning. They had created a better buffer from the thoroughfare and the adjacent residential. Under the Future Land Use Plan, they provided connectivity between adjacent and future developments. The development was tied to the overall density in terms of unit per net buildable acreage rather than minimum lot size. They complied by

permitting greater flexibility in design, redeveloping land and by allowing the opportunity for a park and other types of neighborhood features without a reduction in potential yield of any particular property.

There were two outstanding conditions from the fourth review from Engineering, but everything else met with approval. Engineering requested a sidewalk to be adjusted to provide a separation, and they wanted to know the walkway material. Mr. Nunez said that it would meet ADA requirements, and it would be noted on the plans. He concluded that they were requesting approval of a Tree Removal Permit and the Site Condo Plan, and that they would be happy to answer any questions.

Chairperson Brnabic confirmed that the applicants had received the letter from the neighbor in the packet. There was an email from Jeff Glaser, 844 Hadley. He was concerned about the setbacks for the homes closest to Hadley and with the density of the project. Chairperson Brnabic believed that staff had answered those questions previous to the meeting. Ms. Kapelanski agreed, and added that staff had been corresponding with Mr. Glaser and addressed his questions. Chairperson Brnabic had also received a letter from Anita Pugliesi, an Attorney representing Ms. DiAnn Ralston, at 180 E. Avon Rd. They were requesting that the entrance driveway be relocated to the west. Ms. Ralston's concerns were that Avon was busy, she had a difficult time entering and exiting her driveway, that school busses stopped at all of the homes, and that headlights from cars exiting the development would shine into her home. Chairperson Brnabic asked Mr. Polyzois if he had contact with Ms. Ralston previously. Mr. Polyzois said that he had met with her twice; the last time was the previous Friday. They had a lengthy discussion as a follow up to the letter he received from her Attorney. He explained that shifting the road west was not doable - in fact, it would create more impact to her. During the conversation, he had offered to plant pine trees or any landscape that Ms. Ralston deemed necessary to feel comfortable. She requested a fence, and he said that he would be willing to do that subject to Planning and Engineering approval. He was willing to work with Ms. Ralston, and he would leave it up to her and the City to decide which direction he should proceed.

Chairperson Brnabic referred to the letter Mr. Polyzois had sent to the neighbors in the packet. She asked if they were mailed. Mr. Polyzois agreed, and said that he and Mr. Gesuale went door to door and met with as many neighbors as they could. They missed one or two, but they left a packet for each. For the most part, he did not have direct resistance. He explained that they were creating a site plan that would have a detention

pond along the east side, and there would be a 60-foot setback on the north property line. Subsequent to that, they met with the City about shifting the road and creating a larger setback for the units on the east.

Chairperson Brnabic mentioned an email supporting the proposed development from Mr. Kim from the Korean Baptist Church. She asked Ms. Gentry if she had received any emails. She had received two, which she read into the record (on file with the City for reference), one from Terry and DiAnn Ralston, 180 E. Avon and one from Daniel Luca, 160 E. Avon. Ms. Ralston's concerns had been outlined previously, and Mr. Luca was concerned about traffic, headlights and drainage. Chairperson Brnabic asked Mr. Polyzois to respond.

Mr. Polyzois reiterated that he had met with Ms. Ralston, and he left that meeting with the understanding that she was fine with a fence. He said that whether it was the proposed development or a traditional, single-family development, their hope was to develop the property in some capacity. He stated that he would continue to work with the neighbors and provide additional screening if desired, but he did not know what more he could do.

Chairperson Brnabic mentioned the comment about not having a ditch and drainage issues. Mr. Gesuale said that in working with Engineering, anything that shed off the proposed development had to be maintained onsite and routed through the detention basin out to the catch basin and drainage system further downstream. If anything, he stated that it would improve the drainage issues. Mr. Boughton said that the proposed development sheeted from the northwest to the southeast onto the rear yards of homes on Hadley. The proposed development would capture that rain water, collect it in the detention pond and discharge it to the Rewold Drain that was installed in the early 2000's and was owned and maintained by the Water Resources Commission. Chairperson Brnabic asked Ms. Kapelanski if there was anyone wishing to speak.

Jeff Glaser, 844 Hadley noted that they lived just east of the proposed unit 12. They had two main concerns: the setback, which he appreciated the developers' addressing, and the water retention and runoff. In the drawing, it showed that there was a drain along their property line, and his concern was that even though the properties to the north would run directly onto the new condos and be picked up by the basin, for his lot and the one next door, some of the runoff would end up in their yards, which flooded on a regular basis. He was concerned about how that could be addressed so they did not end up with a giant pond in the spring and fall.

Tim Keighron, 888 Hadley indicated that he was one of the neighbors who had not spoken with the developers. He had some of the information, but he had concerns. He had owned his property for 19 years, and a big draw for purchasing and starting a family was the fact that they had an open space behind them, not a back porch. They felt at ease spending time on their back deck and having privacy. That had always been a big draw, and he felt that people looking for houses would want that. He felt proud to have that perk. With the proposed development, they would lose that opportunity. He said that he could not picture how the development would look, and he was concerned as an owner.

Guy Williams, 386 Dalton said that his home backed to the development on the north. If the project were to move forward, he asked the timeframe for development, when it would begin and how long it would take until the homes were built. He stated that he would not be staying. He said that he had the same concerns as the last person, in that his home backed to an open field, which was quite beautiful and had a certain value to him and to someone who purchased his home.

Ryan Deel, 866 Hadley, said that his home was in between Mr. Glaser and Mr. Keighron. He advised that he was the City Council representative for District 4. He said that his purpose for coming was to take the opportunity to thank Mr. Polyzois and Mr. Nunez for meeting with him personally. Initially, he had some concerns, and they addressed those. One of his issues had been the distance between his house and the proposed houses, and they moved the setback 13 feet. He had concerns about the drainage, and the pond would alleviate some of the issues. He wanted to make sure that the documentation reflected that. When he and his wife purchased the property 17 years ago, it had a lovely view, and they had been able to enjoy it. When they moved in, they were under no illusions that the bucolic splendor would necessarily be maintained forever. But for buying the property, it would be the only way they could guarantee that it would maintain that same character. He was familiar with Mr. Polyzois' other projects in the City, and he appreciated that he worked with the neighbors. He felt that Mr. Polyzois had met his concerns.

Chairperson Brnabic said that Mr. Glaser had mentioned that his lot sloped down and up, and he was concerned because his yard flooded currently. Mr. Polyzois said that it was his understanding that a lot of the water flowed from west of the Korean Church east, and it flowed from the north to south, and it all gathered behind some of the homes on the

eastern side of his property. They had to capture that water and reroute it to the pond. He maintained that it would only improve the situation for the neighbors. Chairperson Brnabic said that Mr. Williams had asked about the timeframe. Mr. Polyzois said that they hoped to tear the existing homes down next year and start. They felt good about the location, and he said that there was no reason to sit on the project. He said that it would tie in with what they were doing at Crestwyk. That would be paved soon, and the proposed project would be a nice follow-up. He hoped that in 12-14 months, they would see some activity, and it would take about two years to finish.

Ms. Neubauer thanked the applicants for the presentation. She asked if they would be willing to meet with the neighbors that did not have a chance initially to go over their concerns. Mr. Polyzois stated that he absolutely would. He suggested that they could coordinate a meeting through the Planning office, and he would be happy to accommodate.

Mr. Kaltsounis said that he used to have a house that backed up to a beautiful lot. He used to enjoy the sunset. He explained that the Commissioners had to go by the book, and that meant giving people the right to develop their land within the confines of the Ordinances. A lot of people came before them with the same concerns, but there were rules the Commissioners had to follow. He said that he was impressed with the parkette design and trying to utilize the space they had. The Commissioners had been using a give and take to get better developments, and he felt that the density issue was dealt with well. He liked the park with its amenities, and he hoped that it could become a standard for future developments. He asked about adding a condition to the motion about the developers working with the neighbors across Avon on a screening plan. He said that there were other developments where there was an issue with headlights, even 15 years ago, so he suggested that there were examples they could use that had been successful. He pointed out the trees at the end of Arsenal Ct. and asked how large they were (PG-4 and PG-2) and how they would screen the neighbors.

Mr. Nunez advised that they were White Spruces, and they were required by Ordinance to be 10 feet high at planting with a five-foot spread. Mr. Kaltsounis asked what CE-1 was and how well it would screen vehicle lights turning into the house. Mr. Nunez said that it was a Hackberry tree. Mr. Nunez said that there was also a Gypsum tree to the east of that on the adjacent property. There were four more evergreens in that row. Mr. Kaltsounis asked if they could replace CE-1 with an evergreen that did not lose leaves in the winter. Mr. Nunez agreed that it could be adjusted.

The Ordinance required a certain number of deciduous, evergreen and ornamental trees. They could move some of the other evergreens and move the deciduous somewhere else. Mr. Kaltsounis asked if that could be made a condition of approval to swap the deciduous trees for evergreens on a revised landscape plan. Mr. Nunez said that it would not be a problem.

Chairperson Brnabic said that it seemed as if there were three homes that could be affected by headlights on Avon. She asked Mr. Polyzois if he had spoken with the other neighbors, but he had not. When the City sent the first notice, Ms. Ralston was the only one that had responded. He said that he would meet with the others to see if they needed any additional landscaping. Chairperson Brnabic said that she would like to have more clarification about what exactly was being proposed - landscaping or a fence - or if he would work with either option. Mr. Polyzois said that he could work with either. He felt that landscaping (pine trees) would be a better option than a fence, but he told Ms. Ralston that he would accommodate either way, and it would be subject to the City's approval.

Chairperson Brnabic asked Ms. Kapelanski if staff was willing to work with the developer and the neighbors to come to a reasonable consensus. Ms. Kapelanski said that she would be happy to facilitate that. She mentioned a project that backed to Gravel Ridge where they met with the applicants and neighbors and worked out a solution. She cautioned that there was a height limit for a fence, which she believed was three feet. Chairperson Brnabic questioned whether a three-foot fence would serve its purpose. She asked Mr. Polyzois if they would use pine trees to screen, which he confirmed.

Mr. Nunez said that the home south of the church had a large berm that blocked lights, and the house to the east of that had a smaller berm, but there were a number of evergreen trees. Ms. Ralston's home had an existing row of burning bush hedges that appeared on the right-of-way, and then the property dropped off to the south. He believed that evergreen trees would work best for that property because of the slope. Chairperson Brnabic asked if he felt that one of the homes did not need any additional landscaping. Mr. Nunez did not believe that there would be room to place any on the other two homes. The third home would be in front of the church property, so he did not think headlights would come from their development. He said that they would look at the homes again.

Mr. Gesuale said that he confirmed in the field that as someone drove out

of the proposed sub, the headlights would shine strictly on 180 E. Avon, but more on the garage and current landscaping. He did not think that the two other homes would be impacted.

Ms. Kapelanski recommended that if neighbors were interested in meeting with staff and/or the developer that they should send an email to the Planning Department email.

Mr. Hooper had pulled up google maps. He agreed with the comments about the other two homes. 130 E. Avon was across from the church, and there would be no impact from the proposed development. 160 E. Avon was very well screened currently. It would be a challenge to add anything on the property (he noted that it could not be placed in the right-of-way). However, if the developer was willing to work with the resident, and there was something that could be done, he agreed it should be in the condition. Regarding 180 E. Avon, there was no room. They had a four-car wide driveway and a hedgerow in the ditch, which was in the right-of-way, and there was a large, deciduous tree on the property. If the applicants were agreeable, and there was a solution, he had no issue making it a condition. He did not see it as an easy solution with the challenges of the front yards, right-of-way and existing landscaping.

Mr. Hooper noted the Landscape Concept Plan, LA1.0 and Landscape Planting Plan, LA1.1, and he wondered which plan was correct. The Concept Plan showed 40 evergreen trees, and the Planting Plan showed 31, so there appeared to be a discrepancy between the two. Mr. Nunez believed that they had to use the Concept Plan, which met the buffer requirements, but he would double check. Mr. Hooper said that the description at the top described the types and quantities, but it was not translated onto the drawing, and trees were missing. If additional evergreen trees could be added to the plan, focused on the east and north property lines, he felt that it would go a long way towards resolving some of the residents' concerns. Mr. Nunez agreed that more could be placed in those locations.

Mr. Hooper brought up the comments, which the Commissioners had heard before, about losing a nice view. He had been a member for 22 years, and every time there was a development, they heard that neighbors had bought property, and no one told them there would be development behind them. They enjoyed looking at the property behind them. They did not own the property, but they wanted to deny the person who did own it property rights. It was the balance that Planning Commission and City Council has had to make for decades - the balance

between private property owners exercising their rights versus the existing residents to provide a harmonious community as best as possible. It had always been a challenge, and he stated that it would never go away. He recalled that the Commissioners required more screening for some of the applicants' other developments to help shield the impact. He felt that ranch homes were hot in the market, and he did not think that they would have any problem selling them in Rochester Hills.

Dr. Bowyer said that she really appreciated that Mr. Polyzois and Mr. Gesuale would work with the residents, especially with the headlight issue. She asked if there were any plans to widen Avon with a center lane, because she agreed that there could be traffic problems. She remarked that Mr. Nunez did an awesome job, and that he was a great designer to bring in the idea of community to such a small development, which would allow the residents to get out and enjoy their neighborhood and stay healthy. She asked where the pergola would go. It appeared that there was no egress to the backyards, which meant that people would not be able to have a patio or deck. She asked if, because someone would only own the house, not the land, someone could not put a patio set or chairs in the backyard.

Mr. Polyzois said that the homes would have access to the rear, and there would be patios in the rear. He was looking at doing modifications to the internal floor plan which would reduce the living square-footage but add a partially covered, outdoor deck concept. People could use part of the backyard. Regarding Avon Rd., Mr. Gesuale said that they had been working with the Road Commission and the City's Traffic Engineer. They were still in talks about whether they were going to add a center lane or decel lane to make sure that traffic flowed well.

Mr. Nunez said that the pergola would go by the walkway by the northwest corner of the detention basin. Dr. Bowyer felt that the community gathering space was in a great location, and she thought that all developments needed an area for community. She loved all the outdoor elements proposed, and said that the birdhouse was awesome. Mr. Nunez said that the design was done pre-Covid, before they knew how much people would enjoy getting out, and they were looking at making it standard in their developments.

Mr. Weaver said that he was really impressed with the grading plan, and he thought that it would alleviate a lot of the drainage problems on the neighbors' properties. It looked like all the water that previously ran to their backyards would be captured, and he felt that it was a nice effort. He

thought that the elevations looked very nice and very fitting for Rochester Hills. He asked what the spacing would be for the evergreens at the end of Arsenal Ct. Mr. Nunez said that the Forestry Dept. would like them spaced further apart, but they were placing them closer together to get an earlier screening. Mr. Weaver said that it looked as if there would be some gaps in between them, and if they were only going to be five or six feet wide at planting and planted 12 feet on center, it would take many years to fill in. He asked if there was an opportunity to plant larger trees or plant them closer together. He suggested that for not necessarily in that location, but for around the property to provide more of an immediate impact to the neighbors. Mr. Nunez responded that the problem would be that after a while, they would grow into each other and have problems with the root systems. He said that they would work with Forestry to come up with a solution Forestry could live with and adjust the trees accordingly. Mr. Weaver said that he appreciated the applicants' willingness to work with the neighbors across Avon. He asked if they had done a traffic study to see about impacts to traffic for those residents. Mr. Polyzois said that they had not done a study, but there was a letter from the Road Commission, and Engineering used that in their review of the plans. Mr. Weaver asked if there was a recommendation for a center turn lane.

Mr. Boughton said that there was talk about it, but it was decided that a center turn lane for 16 units, most likely empty nesters, was not warranted. It was strongly looked at, but the threshold was not met. Mr. Weaver said that he agreed with the pergola amenity. He saw a lot of benches proposed around the site, but he did not notice any picnic tables. He asked if there were plans to add them or something similar under the pergola. Mr. Nunez said that they had not proposed them; they were primarily looking at getting people out to walk around. They did not plan for people to eat or socialize for any length of time. Mr. Weaver had observed a long row of arbor vitae running along the top of the swale on the east side, and his only concern was that he would hate for them to drown. That was where the water was directed. Mr. Nunez said that they would have to work with the engineers to see how that drainage system would work. There was not a lot of evergreen material that would take a lot of water, and they hoped that the storm system they were providing would pick up a lot of the rear yard drainage from the proposed units and then the ditch on the adjacent property would only be taking what was coming off the mound. They hoped that it would be a drier location. Mr. Weaver thought that the applicants had done a good job of laying the site out and of meeting with the neighbors to address concerns, and he encouraged them to keep working with the neighbors across Avon to help screen headlights.

Chairperson Brnabic clarified that no email communications had been received and that no one wished to speak.

Mr. Nunez said that Mr. Hooper had asked about the discrepancy with the evergreens. Mr. Nunez said that the number was correct, but on LA 1.1, 14 trees were required, but there were 10 existing evergreens that were being counted for the buffer requirements. 31 evergreens were proposed. He reiterated that they could convert some deciduous to evergreens.

Mr. Kaltsounis said that as he had mentioned, he appreciated the amenities proposed and how the development was handled. He pointed out that it was not a postage stamp, and he felt that it could be used as an example of what could be done rather than jamming in too many houses. He thought that it was a very good integration, and he thanked the developers for bringing it forward. Hearing no further discussion, he moved the following:

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 19-033 (Cambridge Knoll Site Condominiums), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on July 14, 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 55 regulated trees and replace with 12 tree credits on site and the balance paid 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 applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund at \$216.75 per tree.*

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

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

Abstain 1 - Gaber

2020-0230

Public Hearing and request for Preliminary Site Condo Plan Recommendation - City File No. 19-033 - Cambridge Knoll, a proposed 16-unit site condo development on 4.72 acres located on the north side of Avon, east of Rochester Rd., zoned R-3, One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-14-351-020 and -058, Cambridge Knoll, Applicant

Chairperson Brnabic opened the Public Hearing for the Preliminary Site Condo Plan at 8:40 p.m. Seeing no one wishing to speak or in the Auditorium and no communications received, she closed the Public Hearing.

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 19-033 (Cambridge Knoll Site Condominiums, the Planning Commission **recommends approval of the Preliminary Site Condominium Plan**, based on plans dated received by the Planning Department on July 14, 2020, with the following seven (7) findings and subject to the following seven (7) conditions.

Findings

1. *The site condo 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 Avon, thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Sidewalks have been incorporated to promote safety and convenience of pedestrian traffic.*
3. *The Planning Commission waives the MR requirement of ten acres, finding that the proposed development is in keeping with the standards of Section 138-2.302.*
4. *Adequate utilities are available to the site.*
5. *The preliminary plan represents a reasonable street and lot layout and orientation.*
6. *The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
7. *The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the*

site or those of the surrounding area.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
2. Provide a landscape performance bond for replacement trees and landscaping in the amount of \$81,072.00, plus inspection fees, as adjusted as necessary by staff, prior to issuance of a Land Improvement Permit by Engineering.
3. Payment into the City's Tree Fund of \$9,320.25 for replacement trees, prior to issuance of a Land Improvement Permit by Engineering.
4. Submittal of By-Laws and Master Deed for the condominium association along with submittal of Final Preliminary Site Condo Plans.
5. Developer shall work with neighbors on Avon to develop a screening plan with evergreen trees, as approved by staff prior to final approval.
6. Provide a screening plan for Arsenal Ct. to supply evergreen trees in place of deciduous trees for more screening for the neighbors, prior to final approval by staff.
7. Per the meeting Minutes, work with staff to review the landscape plan and compare it with the concept plan for discrepancies with the number of evergreen trees and update it prior to final approval by staff.

Mr. Kaltsounis said that with the progression of the plan and listening to the neighbors, he suggested speaking to the neighbors Mr. Polyzois had not had a chance to yet. He thanked the applicants for doing the extra homework before coming before the Commissioners.

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

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

Abstain 1 - Gaber

Chairperson Brnabic stated for the record that the motions had passed unanimously. She congratulated the applicants, indicating that they had a reputation for building some very nice developments in Rochester Hills. She felt that they had an excellent work ethic and were always willing to work with the neighbors, which she appreciated. It came to mind that it was always a pleasure working with them.

Mr. Hooper thanked the applicants for their investment in Rochester Hills. Ms. Roediger noted that the Preliminary Site Condo Planr would move to

City Council on September 14, 2020. She reminded that it would also come back before both the Planning Commission and City Council for Final Site Condo consideration.

2020-0329

Request for a Tree Removal Permit - City File 19-040 - for the removal and replacement of as many as 236 trees for Hillside Rochester Hills, a proposed 150,000 s.f., three-story office building on nine acres located on Hamlin, west of Adams, zoned ORT Office Research Technology, Parcel No. 15-30-103-004, David Hardin, Hillside Investments, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated August 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 David Hardin, Hillside Investments, 39475 Thirteen Mile Rd., Novi, MI 48377; Jim Butler and Greg Bono, PEA, 2430 Rochester Ct., Suite 100, Troy, MI 48083; and Brian Liming, Faudie Architects, 26261 Evergreen, Suite 123, Southfield, MI 48076.

Ms. Kapelanski advised that the applicant proposed to construct a 150,000 s.f., three-story office building between Hamlin and M-59, west of Adams Rd. The site was zoned and master planned for the proposed use. The applicant had proposed an optional underground parking area, which would only be constructed if a tenant indicated that additional parking was needed. Should that parking be constructed, she explained that it would put the parking count over the allowable number, and a parking modification had been requested to accommodate that. A height modification had also been requested to allow for a 45-foot building rather than the allowable 40-foot. The applicant was seeking approval of a Tree Removal Permit and Site Plan, and all staff reviews had recommended approval of both.

Mr. Hardin noted that the subject site was approximately nine acres. They had not identified a final user for the building, but they had three proposals with very reputable, exciting, global companies looking to locate in Rochester Hills. The building floor-to-floor heights were just short of 15 feet each, which brought the total building height to 45 feet. They understood that it was slightly above the 40-foot maximum allowed, but they were requesting a modification because in recent years, there had been a massive talent shortage. Companies were looking for any and all ways to attract the best and brightest to come to work for them. The increased height would help to provide the best and coolest work spaces with open ceilings and trendy light fixtures. He maintained that it was not a request that would save them any money; in fact, it was quite the

opposite and would cost significantly more to provide those types of spaces. He commented that it was actually some of the best money they could spend, because it would ensure that their buildings would never be vacant, and the City would have 150,000 square feet of occupied office space for many years to come. He mentioned the landbanked parking. They did not know what the final parking need would be, but at least one of the three companies did need more parking than could be accommodated through surface parking. He stated that the approval for the overage was absolutely essential for them. He assured that they would not construct the spaces unless absolutely necessary for a tenant, and they hoped that they did not need to construct them. It would cost about \$50,000 per space. They did want to have the flexibility to be able to "cast the biggest net out in the marketplace" to attract the best companies. Regarding the building materials, there would be several selections. Some areas would have a darker gray/brown brick as well as two colors of ACM panel, horizontal panel siding, and there would be a healthy amount of glass to bring in natural light. They were trying to create a high image building that people would remember driving by. He introduced his team, and said that they would be happy to answer any questions.

Chairperson Brnabic mentioned the question about a surveyed boundary to be removed from the parcel. She asked the status of that, and if the agreement with the neighbor had been finalized. Mr. Hardin said that it had been verbally finalized, but they had not signed documents. He talked with them on a weekly basis, and assuming that everything went okay to move forward, it would be executed immediately.

Chairperson Brnabic said that she saw colored renderings for the north and south elevations but not for the east and west. She asked if that was available. Mr. Hardin said that he did not have them, but they would be very similar. The north and south elevations had a portion that showed what the west elevation would look like. The west and east would be a continued version of the other facades wrapped around the corner. Chairperson Brnabic pointed out that generally, colored renderings were required for all four elevations. Mr. Hardin offered that there were elevations in the packet (three of the four sides), but they were not in color.

Mr. Gaber thought that it was a nice project, and that the building materials had a nice look. He had no problems with the height modification being requested. He thought that there was already an incredible number of parking spaces proposed onsite (487) without the

potential for another 126 if the landbanked parking was added. The building was surrounded by parking and went all the way to Hamlin, and he wondered if the parking was in the setback. On the south side, the parking went right up to the setback. He asked if there was parking between the other buildings along the corridor and M-59 - he did not think so.

Mr. Gaber was concerned about the aesthetic look of having parking that close to M-59. If the applicants needed that much parking, he wondered if they could work on some variations of the numbers. He wondered if there was a way to remove the row of parking closest to M-59 (about 60 spaces). They would then be at the minimum. If they got approved for the landbanked parking, they would be near the maximum. It seemed to him that the site was crowded with parking, and he supposed that they could justify the need, but he was not seeing it in light of the spaces in other office buildings along the corridor. That was his major concern. He thought that the parking field was too close to M-59, and he would like to see the most southerly row removed, if possible.

Mr. Kaltsounis pulled up an aerial. The property to the west did have similar parking in the rear all the way to the setback. The Molex building to the east did not - the building went up to the setback. Ms. Kapelanski showed her screen. She said that if the landbanked parking was not included, the applicants did meet the parking maximum. The modification was for the underground parking. Mr. Gaber said that he would like to have landbanked parking and not have as much surface parking installed. He asked if the other buildings had parking go as far north as the proposed project. Ms. Kapelanski said that it appeared that the parking on the west was up to the setback with a ten-foot landscape buffer. Mr. Gaber said that he would like the applicant to justify the need for the quantity of parking being requested over the maximum with the potential landbanked spaces.

Mr. Hardin responded that they had met with three tenants, and they were basing the parking counts and the overage with the underground per the request of one of the tenants. They were balancing the Ordinance requirement and the 125% maximum versus what the tenant was asking for based on its needs. He reiterated that they hoped to not have to build all the spaces, but to be able to market the site, he needed to be able to show the flexibility and potential to offer all of those spaces. He noted that it was a company that wanted to consolidate a couple of locations, and they would need 575 to 600 spaces. The other two did not need that many.

Mr. Gaber said that they were requesting potentially 613 spaces over the maximum of 536. They were asking for 487 plus 126, so that would be about 77 spaces over the maximum. He asked if there was any way the applicant could agree to landbanked spaces if they got a tenant that did not need as many. With that, he asked if they could take a row or two of parking along the setbacks and landbank that parking. Mr. Hardin said that if they were over the required maximum, they would not landbank spaces beyond that. The landbanking option was only to accommodate one tenant. If a tenant came in and said that they needed 550, they would build that. Mr. Gaber asked about a tenant that needed less. Mr. Hardin said that they would build what they needed, whether it was 550 or 613. Mr. Gaber asked if they could build 429 spaces on the surface and landbank the 126 and the additional between the minimum and the maximum. He wondered if there could be some type of mechanism where the spaces were not built if not needed so there was more green space. He indicated that he was not trying to inhibit the development. Mr. Hardin thought that there might be a way the motion could state that they should only build the maximum required per the tenant, whether it was the maximum they were asking for or some version less than that.

Ms. Roediger clarified that if the applicant went with a lesser parking demand besides the underground, any surface parking that was not needed would not be constructed. If so many hundred were needed, she wondered if the northern row or southern row could be eliminated. She asked where it would not be built. Mr. Hardin said that reason the road was on the M-59 side was for a fire access. He said that they could take out parking along Hamlin and be strategic and take spaces out as needed throughout the rest of the site. Mr. Gaber suggested that it could be a condition to work with staff, and if they had the ability to do so, and tenant demand for parking was not as great, they could landbank up to the tenant demand. Either the Hamlin or the M-59 rows would be preferable to landbank. Mr. Hardin agreed.

Dr. Bowyer commented that it was an impressive building. She really liked the way it looked, and people on M-59 or Hamlin would really notice it. She did not have an issue with the 45-foot height. She noted the patio, and with the idea of having more green space or an area to walk, she thought that it would be nice if there could be a seating area close to a trail and a nature area. With the patio where it was proposed, it was right next to the entrance to the garage. Anyone sitting there could hear the cars and breathe the fumes. Aesthetically, she would not want to sit in an outdoor patio right next to a garage entrance. She suggested moving it

somewhere where there was access to green areas and a trail for exercise.

Chairperson Brnabic asked Mr. Hardin what he thought. Mr. Hardin said that they were certainly open, and they looked for any opportunity in all of their developments to provide those types of spaces. It was similar to the extra ceiling height. Their tenants wanted a space where their employees could get out and stretch their legs. They met with Molex several times, and it would be similar to their basketball net and other amenities. There were opportunities in the corners of the lot by M-59 where they could do something like that.

Mr. Kaltsounis remarked that the applicants had a truth in rendering violation. He did not see a lovely green patch on the rendering - there were cars. He asked if that was correct. Mr. Liming explained that the renderings were done before they incorporated the drive all the way around the building. Mr. Hardin said that the site plan changed a little, but the building had not.

Mr. Kaltsounis referred to the parking and said that he agreed with Mr. Gaber that if there was a chance to landbank based upon a tenant's requirements that they should. Mr. Kaltsounis said that he liked the sidewalk added to draw people to the front door. The west of the building had a slope and a corner but no sidewalk. The sidewalk ended to the west, and someone would have to go through the parking lot, around the island and down a hill to access a parking spot. He thought that needed to be addressed. He asked if something had changed. Mr. Hardin agreed that the parking would come out of that corner if they did the landbanked spaces. He thought that there was an easy opportunity to add a sidewalk between the building and the drive aisle. Mr. Kaltsounis said that he would add it as a condition.

Mr. Kaltsounis pointed out that they were going into different times, especially with office buildings. He was not even allowed in one because of the issues. Dr. Bowyer's comments about amenities were true; people would want to get out and get fresh air, so the more opportunities they could provide for that the better.

Mr. Dettloff echoed Dr. Bowyer's comment that it was a great looking building and a perfect location. He thanked them for their consideration to build in Rochester Hills. He confirmed that a specific tenant had not been identified, but he asked if they were looking for one or multiple tenants. Mr. Hardin said that they planned for it to be a single tenant

building. Mr. Dettloff asked if financing was all “locked and loaded,” and Mr. Hardin agreed, and added that they did a lot of similar projects around metro Detroit. They had no problem with financing. Mr. Dettloff said that he was somewhat familiar with the commercial side of things, and he asked Mr. Harding what they were hearing about office space given the current conditions they all had gone through in the last five months. He asked if he thought that more people would be working from home and if so, how it could potentially impact office buildings in the future. Mr. Hardin said that they were seeing a lot of demand for new office space to attract the best talent. A lot of companies were making horizontal shifts to new spaces. One of the tenants did not fit with them before, because they needed 200 to 225k s.f. but were considering a work from home policy prior to Covid. Covid hit, and now 150k s.f. was perfect for them. Companies were downsizing to work from home. There were also companies where people did not function well working from home, and they needed to be in an office space. They needed more room per person to accommodate that, so some were adding space. He thought that things were moving both ways. Mr. Dettloff thanked them for building in Rochester Hills, and he thought that it would be a great asset to the community.

Mr. Weaver said that he also shared concerns about whether companies needed such large spaces in the future, and he appreciated Mr. Hardin’s input. He was happy to hear that they would not build parking if it was not needed. He wondered if some of the islands within the parking could be enlarged to reduce some of the spaces. He recognized that it was nice to shorten the overall length of the parking lot, too, but he thought that it would be nice to create larger islands and make it feel less like a sea of asphalt. They could possibly expand it to the east by the pie-shaped area. Overall, he thought that it was a neat project, and it would be something nice to look at driving by. It would attract talent, and having a cool building was something he looked for when he recently changed jobs. He expressed that they had done a good job.

Hearing no further discussion, Mr. Kaltsounis moved the following:

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-040 (Hillside Rochester Hills), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on July 24, 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 236 regulated trees and replace on site with 95 tree credits and pay 129 credits 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 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 \$216.75 per tree.*

Chairperson Brnabic confirmed with Ms. Kapelanski that there was no one wishing to speak and with Ms. Gentry that there was no one in the Auditorium and no communications received.

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

2020-0331

Request for Site Plan Approval - City File No. 19-040 - Hillside Rochester Hills, a proposed 150,000 s.f., three-story office building on nine acres located on Hamlin, west of Adams, zoned ORT Office Research Technology, Parcel No. 15-30-103-004, David Hardin, Hillside Investments, Applicant

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 19-040 (Hillside Rochester Hills), the Planning Commission ***approves the Site Plan***, based on plans dated received by the Planning Department on July 24, 2020, with the following eight (8) findings and subject to the following 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 proposed project will be accessed from Hamlin 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 loading space requirement, finding that per the applicant, the proposed office use will not require loading space.*
5. *The Planning Commission modifies the parking, finding that the applicant's request for more parking is reasonable.*
6. *The Planning Commission modifies the height of the building by five feet, finding that per the justification by the applicant, the extra room will provide less confining spaces.*
7. *The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
8. *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 bond for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$266,307.00, and post bond prior to temporary grade certification being issued by Engineering.*
3. *Payment of \$27,961.00 into the City's Tree Fund prior to temporary grade certification being issued by Engineering.*
4. *Revise the landbank parking plan based on tenant demand, prior to final approval by staff.*
5. *Add a sidewalk on the west side of the building, prior to final approval by staff.*

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

Aye 9 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

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

DISCUSSION

2020-0231 Potential Zoning Ordinance Amendments

(Reference: Memos prepared by Kristen Kapelanski and Giffels Webster, dated August 3 and 10, 2020 and draft Ordinance Amendments had been placed on file and by reference became part of the record thereof).

Present for the discussion was Eric Fazzini, Giffels Webster, 1025 E. Maple, Suite 100, Birmingham, MI 48009.

Ms. Kapelanski noted that it was the first round of draft amendments presented by staff at the last meeting that had been generally agreed upon by the Commissioners to move forward. The next round would require a little more research by staff. The City Attorney and various City departments had reviewed the amendments and had expressed no major concerns. There were some minor language tweaks that might be made before they were brought forward for final consideration. They were seeking any feedback from the Planning Commission. She advised that Giffels Webster was present to address their continued analysis of multiple-family parking. She asked if anyone had any comments about the text of the amendments.

Mr. Gaber noticed that if a right-of-way was less than 120 feet, a five-foot sidewalk was required to be installed for projects rather than an eight-foot pathway. He asked if that was correct, which Ms. Kapelanski confirmed. She said that pathways were required along the major roads, and a five-foot sidewalk would generally codify what staff had been asking developers to add in new site condo developments, in industrial parks and for other commercial and residential developments. Mr. Gaber had thought that it was already in the Ordinance.

Mr. Gaber had a concern about pavement striping, and he did not agree with the proposal to eliminate double striping. Since the last meeting, he had visited some large shopping centers where there was double striped parking, and he felt that it was a very nice addition and made it easier to maneuver within the lanes. People did not park on top of one another as much. He did not know why they would want to eliminate it. He thought

that they would want the ability to waive it when brought to their attention by staff. He did not favor getting rid of that requirement, and he did not think that it benefitted the City to do so. He thought that they might want to keep it intact, because it was a nice feature to have, particularly in large parking lots. He asked if they might reconsider it.

Mr. Hooper asked how often they saw double striping. Ms. Kapelanski said that there were not many developments in the City that currently had double striping. It had not necessarily been enforced, and it became a bit of an issue when people wanted to restripe their lots or do pavement maintenance, because it was only called for in very specific districts. Staff thought it would be best to be consistent and have single striping throughout the City. Additionally, there was a concern about reducing paved areas, and when there was double striping, it reduced the number of spots an applicant could fit in an area. Mr. Hooper said that in his line of business, everything had single striping. He understood Mr. Gaber's point, but if someone was required to double stripe and create more asphalt surface area, they were not reducing parking, so it was somewhat of a quandary. Mr. Gaber asked if there would have to be a ten-foot wide spot to do that rather than a nine. Ms. Kapelanski said that ten feet were required, although most communities required nine. In the drawing, ten feet was X'd out and there was an additional two feet needed to accommodate double striping. Eleven feet would be needed for each space. Mr. Gaber agreed that it was a quandary. He felt that ten-foot spaces were much better than nine-foot, which was very tight, especially for large SUV's and pickups. He understood what they were trying to accomplish, but it seemed that it was handled very well the way the Ordinance was currently structured.

Ms. Roediger thought that staff's concern was that it had not been consistently enforced, and it appeared to be an oversight that it had been added when the FB Overlay came about. She mentioned that the Village had it, and the Meijer center had it, but Hampton Village and Winchester did not. She believed that Costco and Sam's Clubs typically had it because of the large carts, but it was not seen with smaller sites. She said that they could start enforcing it, but 95% of the sites in the City did not have it. It had not been an issue, because it had not been consistently required. Mr. Gaber was not sure how it would apply to existing sites. Ms. Roediger said it would apply when someone came it to get a lot restriped. Mr. Gaber noted that the CVS center across from Bordine's had double striping.

Mr. Kaltsounis asked if it was something staff wanted to get rid of. He

reminded that it was an option they had, and if it was gone, he asked if they would regret losing it. Ms. Kapelanski said that it was currently written as a requirement. The Planning Commission could waive that requirement, but all plans in certain districts (FB, REC-M and O-1) would be required to put it in unless it was waived. Mr. Kaltsounis wondered which way they wanted to go. Ms. Kapelanski did not think that they wanted to have something that had to be continually waived. If that happened, they would look at an amendment.

Mr. Hooper felt that it was more important to have ten-foot wide spaces. They talked about it eight or ten years ago, and there was a lot of discussion. Mr. Gaber agreed, but he asked if they waived that sometimes as well. Mr. Hooper said that some developments asked for a mixture, for example, because there were smaller cars. Chairperson Brnabic added that nine-foot spaces were used for employee parking. Mr. Gaber concluded that he could live without it.

Mr. Fazzini brought up continuing the discussion for required parking for multiple-family developments. At the July meeting, it was expressed that there was a preference to increase the requirement to two spaces per unit. Following that meeting, staff provided Giffels Webster with several existing developments to consider as reference points. Based on the existing developments they had observed, they recommended increasing the visitor parking requirement. They believed that a perceived lack of parking might be directly related to how visitor parking was required and provided rather than the broad parking ratio. To indicate that, they provided a comparison of the Tisbury Square development in Troy and the North Row FB development proposed on Old Orion Ct., which had some common features. He referred to the table at the bottom of page one, which showed that the North Row development was half as dense as Tisbury Square, and that the parking for both exceeded the requirements. In the case of Tisbury Square, the amount provided was double. The visitor parking spaces for both developments exceeded the current requirements for multiple-family developments. For Tisbury Square, a primary concern was that with the development on paper, it provided double the Troy parking requirement by using the garage and driveway spaces with each unit. However, 172 of the 187 total spaces, including garage and driveway spaces, were effectively owned by condo units and not open to all visitors. They believed that in general, for dense, multiple-family developments, a shortfall for visitor parking could occur when parking was provided primarily as private garage and driveway spaces. They believed that it could be corrected with an increased requirement for visitor spaces, which would not count garage or

driveway spaces owned by certain units. For Rochester Hills, amending the Zoning Ordinance to increase the parking requirement specifically for visitor spaces, which FB did not currently require would be for developments that did not exceed the minimum requirement.

Mr. Fazzini referred to page three, which had an outline of what zoning amendments could occur. The first deleted the unique, reduced FB requirements, which would make the multiple-family requirement the effective ratio. The second would increase the ratio with the provision that prohibited garage or driveway spaces from being counted as required visitor parking. They had provided a sample ratio for consideration that would increase the visitor ratio from .2 to .5, which would be an increase to two total spaces per unit for units with two or fewer bedrooms. Third, as part of any future consideration, the Planning Commission could consider a waiver process for the FB district. Lastly was a cleanup amendment for tandem parking standards to clarify that it was permitted for single and multiple-family.

Mr. Hooper said that he liked the direction with visitor parking. He remarked that people had to get along with their neighbors to use their driveways for parking. He was not sure if .5 was the right number, but he liked that garages and driveways would not be counted, and that a neighbor having a party could not use someone's driveway for visitors to park.

Chairperson Brnabic said that she did not know how garages or driveways ever got to be counted for visitor parking. She said that she would not like to see garages counted for parking at all. She liked what was proposed better, but she did not think that they were all the way there yet.

Mr. Gaber said that he would like to see how it would work for the recent projects approved. There had been some multi-family projects approved that did not have garages or a driveway, such as the Trio project or Tienken Trailoffs. He would like to understand what the implications of those projects would have been if the proposed requirements had been implemented. He was having a hard time visualizing how it would affect an overall project. The ratios were not really helpful to him. He asked Mr. Fazzini if he could provide that information to help understand things better. He did not have any problems with what was being recommended, but he needed to see how it would impact a whole development before he could sign off.

Mr. Fazzini said that for the North Row Development on Old Orion Ct.,

more parking had been provided than required. The two spaces per unit would not have changed, because they exceeded the requirements of FB. For Tienken Trailofts, the parking was right at the minimum FB requirements. They would have to provide more parking with the increased visitor ratio. There was not a requirement to build garages, carports or driveway spaces. A lot of the other multi-family developments they observed, such as Barrington Park and Kings Cove, were more suburban-style where parking was more open. If the ratios were increased, it could require certain developments to have small, off-street parking spaces for visitors if garages and driveways were excluded from the count. He agreed that they would provide more information as to what that would look like.

Mr. Gaber asked if North Row met the requirements if the driveway spaces were not counted. He thought that was where the visitor parking was. Mr. Fazzini said that there was no visitor parking requirement in the FB district. Mr. Gaber reiterated that he would like to see how the amendment would apply to the recently approved developments. Mr. Fazzini believed that it would be an improvement and something generally lacking in Zoning Ordinances in other communities - specific attention to visitor parking for multiple-family.

Chairperson Brnabic asked what would happen if there was no room to provide visitor parking. Part of the problem was higher density developments which did not have enough parking for the development, let alone for visitors. They were hearing that developments had provided parking over the requirements, because they were using two spaces in the garage and two in the driveway. She mentioned the Rochester University Townhomes. The applicants kept telling them that due to the layout of the development, street parking was not viable or it was sparse. They did have an option for shared parking with the church, but she did not think that was ideal. She did not believe that Redwood had offered street parking for visitors. She maintained that 1.5 spaces, which did not include visitor parking, was not enough for a development. She liked the idea that spaces in garages and driveways should not be counted toward required visitor spaces.

Mr. Fazzini said that their thinking was that if the requirements were increased to 2 or 3 or 4 spaces per unit and visitor parking was not addressed, they might not be solving the problems. The question was if they exponentially increased what was required as a total, if they would be solving a problem. He explained that they would delete the FB requirement and only have the multiple-family requirement, including

requiring extra visitor parking. The 1.5 would go away. Chairperson Brnabic questioned using the new number for North Row, since Mr. Fazzini said that it would not accomplish anything. Mr. Fazzini said that it was just with North Row, because it compared well with Tisbury Square and was half as dense with comparable acreage. He indicated that with more suburban style multiple-family, there would not be significant changes as the code currently stood or with the revised code, other than requiring small parking areas. They were more spread out and had more space. The Tienken Trailofts project would have changed, since they were at the minimum. They would have had to provide more parking. He was not sure that there were a lot of multi-family developments in FB to look at for further examples, but they could work with staff to look for more examples to present at the next meeting (under the proposed ratios). Chairperson Brnabic suggested that there might need to be more of a requirement for highly dense developments. Mr. Fazzini agreed that there might need to be a bigger discussion for the FB district and areas surrounding them to see if a lack of a density cap and other things were appropriate.

Mr. Kaltsounis said that for Tisbury Square, the signed visitor parking spots actually cut in and only gave a lane-and-a-half to the two lane road. He would not even consider their 15 spots, because when he did a windshield drive-through of that property, he could not make a turn with his truck in areas. He did not think that Tisbury Square even had 15 visitor spaces. He thought that the ½ visitor space per unit was good, but some places might not have two people living there. He thought that they had to count spaces in the garage as a ratio of one-half with a two-car garage. He suggested that they should keep the 1.5, change the visitor parking requirement to one-half per unit and count garage spaces as one-half. He thought that was a fair consideration. People living in those developments had no extra space for bikes or other things, so they would put things in the garages. The people living in Tisbury had a little patio in the back but not a real backyard.

Ms. Roediger recalled at the last meeting that the idea had been discussed. They talked about it internally with the consultants and other staff. They were a little uncomfortable with not counting garage spaces as a parking space, because that was exactly what they were intended to be. Just as with a three-bedroom home, some people did not use one of the bedrooms to sleep; they might use it for an office or some other purpose. They had to assume that a space was being used for its intended purpose. She felt that it was a slippery slope approach to say that a garage did not count for a parking space.

Mr. Kaltsounis said that at the same time, they considered a ratio of 1.5 when homes had two bedrooms. He asked if there should there be a space per bedroom. He was just trying to strike a balance, but he would leave it up for debate.

Chairperson Brnabic asked if people were in agreement that spaces in garages and driveways should not be counted towards visitor parking, which seemed to be the consensus. She felt that was a good suggestion, but she thought that they had a little more work in other areas. Mr. Fazzini said that they could provide the draft Ordinance for the next meeting with some additional information about the development comparisons and work on tweaking the language. He felt that it might make more sense to see the full parking requirements text.

ANY OTHER BUSINESS

Ms. Roediger advised that she and Ms. Kapelanski had been approached about a project that would require some Ordinance tweaking. They wanted to see if there was an appetite to go that direction. Staff had been talking about it for a year or so, and with Covid hitting, they thought that it was rather timely. They had a request about a six-acre property on a major road that was residentially zoned to do some kind of agri-business. That was sort of a rural, country-type business, such as a cider mill or gardening with a small retail component. Historically, the City had been hesitant about introducing retail into residential areas. She asked if the Planning Commission would be amenable to looking into it further if there were specific conditions, such as having to be on a busy road, a minimum acreage, substantial screening, and that non-residential uses would have to be accessory. The use could include people making things from the earth or selling goods on their properties with a farm stand kind of feel. A PUD did not seem right, because there would not be a public benefit. They just wanted to know if the Planning Commission would consider allowing those uses in various, specific locations.

Mr. Dettloff asked what major road was involved, and Ms. Roediger said that it was Avon. Mr. Dettloff asked which roads it was between, and Ms. Roediger acknowledged that it was at the former Shades of Green Nursery, between Rochester and John R. It was sold to Schramm's Mead, a local meadery. Mead was an alcoholic beverage similar to wine. The owners currently had a retail shop and manufacturing facility in Ferndale and on Avon, they were currently growing the fruit. They were

looking to consolidate operations and would like to have a small meadery on Avon. The site had always been used for a non-residential purpose. It would be a small scale, high-end project. Staff did not want to take the owners down a path if the Commission was not interested.

Mr. Gaber said that he did not see it as the type of business that would take off in the community. Looking at property values, he had a hard time believing that it would be the highest and best use for the residentially zoned properties in that area. It was over five acres, which could be converted into a cluster development or small sub. They were talking about customizing the Ordinance for one user, and he did not know if that was a road they wanted to go down. He could barely see it being used anywhere else in the City, because of the economics.

Mr. Reece said that he was not overly enamored with the idea, either. Mr. Hooper said that Shades of Green was not that intense. He asked if it would be like the Adams Apple on Adams where the traffic backed up. He did not think that a Farmer's Market would fly, but he guessed that it would depend on the intensity.

Chairperson Brnabic said that she tended to agree with Mr. Gaber about changing the Ordinance to fit certain things. She would not feel comfortable with that.

Mr. Kaltsounis considered that it would be somewhat like spot zoning. He thought that if it was on Rochester Rd. as part of Bordines, for example, where people could walk to it, it would not stick out like a sore thumb like on Avon.

Mr. Dettloff thought that it was a seasonal operation. Ms. Roediger believed that it would be year-round. She noted that the owners were farming the property currently, and agriculture was permitted in residential zoning. Staff just wanted to find it if it was something the Commissioners even wanted to see. The owners were trying to see what they could do to fit in locally and be sustainable on a small scale.

Mr. Gaber asked if that type of agri-business could be done with a growing operation and a sale operation in the business zones. Ms. Roediger agreed. Mr. Gaber asked why they would change the Ordinance for one user if there was already property zoned correctly for that type of use. He did not see the merit in doing that. Ms. Roediger said that the idea was to do something small scale that would be complimentary and have more of a rural feel.

Dr. Bowyer asked if they would just be selling their wares out of a building as opposed to being a cider mill, where people stopped in, bought cider and sat down for a while. Ms. Roediger thought that the owners were looking at different considerations. They wondered if there could be a small room where people could buy mead or a small store. There might be an area where the berries were crushed. It was all about being contained in one location. She remarked that she was not getting a warm and fuzzy feeling. They thought that with Covid, especially, that people would like doing home grown things or to have a home business.

Mr. Neubauer said that she was not opposed to it, but she would like to have more information. She would not say yes or no without having that to be able to make a decision. Dr. Bowyer agreed that if the owners could come up with exactly what they were thinking about, the Commissioners could determine if it would fit in with that area.

Mr. Weaver indicated that it was interesting, but he did not know if he could commit to changing the Ordinance for a use. He could see merit in allowing farming, but bringing the product to a brewery-type situation where people could watch the process and sit down and imbibe did not seem to fit the area. He would not want to set precedence that they might feel uncomfortable with moving forward.

Ms. Neubauer said that the only thing that might make it possible was that it was on such a big piece of property, but she thought that they needed more specifics.

Ms. Roediger noted that to the east of the property, there was a large utility property, so there were not houses abutting it. The property might have some unique site considerations, so perhaps they might find a different route for the owners after they provided something more about their intentions. She added that if anyone thought of something else, they should email her or Ms. Kapelanski.

NEXT MEETING DATE

Chairperson Brnabic reminded the Commissioners that the next Regular Meeting was scheduled for September 15, 2020.

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 10:08 p.m.

Roll Call Vote:

All Ayes

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary