



# Rochester Hills Master Report

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**File Number: 2004-0734**

**File Number:** 2004-0734      **File Type:** Project      **Status:** To Council  
**Version:** 2      **Reference:** 02-027      **Controlling Body:** City Council  
**Requester:** Planning/Development      **Cost:**      **Introduced:** 08/30/2004  
**File Name:** Fifth Third Bank - City Place PUD Development      **Final Action:**

**Title:** Final Site Plan Approval Request - City File No. 02-027 - Fifth Third Bank/City Place PUD Phase I, a proposed 4,200 square foot bank on approximately 1.25 acres, located on the east side of Rochester Road, north of Hamlin, zoned Planned Unit Development (PUD), known as Parcel No. 15-23-152-015, G&V Investments, L.L.C., applicant.

**Notes:** G&V Investments, L.L.C.  
2565 S. Rochester Road  
Rochester Hills, MI 48307  
(248) 853-3030  
(248) 853-0693

**Code Sections:**      **Agenda Date:** 10/06/2004  
**Indexes:** Planned Unit Development      **Agenda Number:**  
**Sponsors:**      **Enactment Date:**  
**Attachments:** Agenda Summary.pdf, Map aerial.pdf, Site Plans.pdf      **Enactment Number:**

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/21/2004	Approved				Pass
	<b>Notes:</b> <i>(Reference: Staff Report prepared by Derek Delacourt, dated September 7, 2004 had been placed on file and by reference became part of the record thereof.)</i>						
	<i>Present for the applicant were Mr. Marcos Makohon, 26899 Northwestern Hwy., Suite 208, Southfield, MI, Project Manager and Jeff Wagner, representing Fifth Third Bank, 1000 Town Center Dr., Suite 1600, Southfield, MI 48075.</i>						
	<i>Mr. Kasier asked Mr. Delacourt to note how this plan was consistent with the Planned Unit Development (PUD).</i>						
	<i>Mr. Delacourt stated that this was the first phase of the City Place PUD, which was approved by both the Planning Commission and City Council. The PUD Agreement had also been approved and signed by the Mayor and City Clerk, and was ready for recording. He confirmed that the proposed plan was very consistent with the PUD, noting that the only change was to the access from Rochester Road, for which MDOT and the City's Engineering Department requested a modification. The applicant also received an easement from Detroit Edison (DTE), just south of the bank's property, which allowed the driveway to be further away from Cavalier Office's driveway. That met MDOT's Access Management Guidelines. The applicant was able to plan a boulevard connection with Rochester Road, which would allow additional stacking. The driveway for the bank was moved to the east to create a safer and improved access. That necessitated some landscaping changes, including adding a sidewalk that was</i>						

not part of the PUD Agreement. He advised that reviewing Staff members agreed it was an overall improvement to the plan.

Mr. Kaltsounis asked if the approval process for phase one would be typical for the balance of the PUD. Mr. Delacourt explained that after technical reviews, each phase would have to be approved by Planning Commission and City Council.

Mr. Wagner stated that at the onset, they were fortunate to engage with G & V Investments to hopefully become a part of the development. He felt that was an advantage because they had been involved throughout the whole PUD process. They chose to apply great sensitivity toward the process and he made it incumbent upon their consultants to make sure that the Site Plan and resulting development matched as closely as possible to the standards and guidelines envisioned for the PUD. He believed they had accomplished that goal. They threw out their standard prototype, knowing there would be certain standards and characteristics they would have to abide by, so that was in the spirit they approached this project. They matched the building design proposed by the PUD architects and spent time with them to make sure the bank would fit into the theme designed for the PUD. They made sure the engineering would match and they worked through many issues over the last several months and took advantage of the time it took for the PUD to be approved. He stated that they were pleased to be before the Commission and had brought a very intentional, cooperative approach to the project and hoped to demonstrate that.

Mr. Mockahan expounded upon the access change and said that they had finalized the access issue with DTE and eliminated a drive to allow DTE to access their property from the bank's property.

Mr. Kaiser clarified that this request would involve a dual approval rather than a recommendation to City Council.

Mr. Delacourt replied that the PUD Agreement stipulated that Final Site Plan approval would be by both Planning Commission and City Council. He advised that if there were a problem with one body approving and one not, that he would have to discuss the matter with the City Attorney.

Mr. Hooper referenced the cross access agreement with Cavaliere Office and asked if that was a condition of Site Plan approval. Mr. Delacourt replied that there was an existing cross access with Cavaliere's half and that Fifth Third showed it their Site Plan and would have to construct it. Mr. Hooper clarified that Cavaliere currently had an agreement to connect with the bank so the bank did not have to reciprocate, which Mr. Delacourt confirmed. He added that they would be reciprocating by showing it as part of the approved plans.

Ms. Hill questioned the sidewalk access toward the south where it would cross to the parking. She asked if that was painted striping on the asphalt or if there would be another type of delineation, such as stone or stamped concrete walkway, which she felt that would have a much nicer appeal.

Mr. Wagner felt that was a very good suggestion, and that it would be consistent with the quality of the project. Ms. Hill referred to the walk between the handicapped parking, and asked about the possibility of extending that to access the sidewalk along Rochester Road. She noted that for pedestrian traffic from the north, and especially for people crossing at Meadowfield and Yorktowne, it would be a much more direct access to the bank's front door.

Mr. Delacourt replied that he was not positive about the ADA access, but said he would check into that or find another appropriate spot. Mr. Makohon added that there was a technical challenge with the site elevation at the walkway versus at the parking lot. It would be hard to cross the ten-foot landscaped buffer but they would provide stairs and those who needed full accessibility would have to walk around to the drive entrance.

Mr. Rosen asked for clarification regarding the DTE easement. He noted that the access to the east would still be on Parcel B and it would be part of the entry drive in the easement, as well as the future cross-access road. They would someday link up with the DTE gravel road off of that. Mr. Makohon said that would happen from day one, as it was the bank's intention to fully construct the drive so construction traffic would not stop customers from coming and going. Mr. Rosen clarified that on Sheet SP-1 they showed the beginning of the cross access drive, which would be gravel until such time as the next phase was started. Mr. Makohon said that what was shown on SP-1 was in advance of any agreement with DTE. He advised that this would be a fully developed asphalt drive that DTE would be able to use to access their site.

Mr. Kaiser asked about lighting. Mr. Makohon replied that ES-1 provided the photometrics, which indicated that they would meet the intent of the Ordinance by not having more than one footcandle at the property lines. The detail of the fixtures was also shown and was in keeping with the intent of the overall PUD and done in consideration of the adjacent properties.

Mr. Kaltsounis said that the plan showed one footcandle at the property lines, yet at the northwestern side of the property it showed lighting at the parking lot, not the property line. The numbers were higher than one and double light fixtures appeared to be shining onto the grass. Mr. Makohon said that the east property line would be heavily landscaped so the light would diffuse through that.

Mr. Dealcourt advised that Staff asked applicants to meet one footcandle for a residential lot line, regardless of what the surrounding zoning was - and he noted that to the north and west there was quite a bit of lighting already.

Mr. Kaiser asked how many cars were projected for the stacking area. Mr. Makohon said that the bank's business profile for drive-thru facilities showed four vehicles per lane, and there would be two to three more for the ATM, so about 16-18 vehicles. Mr. Kaiser commented that Saturday mornings and Friday afternoons would be busier and they could probably fill it to the southerly drive fairly quickly. Mr. Makohon said that it did happen on occasion, but they would not want the customer to have to wait and go elsewhere. He indicated that they have had a certain amount of experience in southeast Michigan and this model had worked well. He did not think anyone would want to wait 20 or 30 minutes in a line. Mr. Kaiser asked if people could get around the lanes to leave if they did not want to wait, assuming cars were not backed into the drive. Mr. Makohon said that as soon as someone came onto the site they could see if it was too busy, and quickly turn around the boulevard to leave.

Mr. Rosen asked if the drive-thru lanes to the east were both ATMs. Mr. Makohon said it was shown on the plan that way so they would have the ability to change the business profile and add an ATM. From day one, only the last one would be an ATM and they would keep monitoring the use of the lanes. Mr. Rosen clarified that there were four in-car banking lanes and one ATM. He asked about the curb by the ATM. Mr. Makohon said they provided a bypass lane and it had to do more with stacking ATM traffic versus the teller station traffic, and he advised that an emergency vehicle could bypass there. Mr. Makohon clarified that Fifth Third's last lane was always an ATM.

Mr. Wagner said that for some markets they moved the ATM to the inbound lane for safety reasons, but advised that would not occur in a market like Rochester Hills. The model presented would have four lanes, a drive-up teller and an ATM lane. Mr. Rosen added that the curb would have to be moved if they moved the ATM lane.

Mr. Kaiser asked Mr. Delacourt what role the Tree Ordinance played in the proposal. Mr. Delacourt stated that it applied. Mr. Kaiser asked what percentage of the trees would be saved. Mr. Delacourt replied that it was calculated for this site only and with a B-2 use, the applicant could replace one for one, and that no percentage was used. He said that there were a total of 91 regulated trees on the site and all were being removed. 78 tree replacement credits were being added onsite and 13 tree credits were being paid into the City's Tree Fund. Mr. Kaiser asked what happened to money paid into the Tree Fund. Mr. Delacourt answered that the City's Forestry Department used that for tree plantings elsewhere in the City. Mr. Kaiser said that as the PUD continued, one big issue, especially for adjacent users, would be the tree removals and the screening. He asked if there was a way to make sure the funds from this applicant were earmarked for use on the PUD site.

Mr. Wagner said they came prepared to discuss reciprocating the trees into the balance of the PUD and making that a condition of Site Plan approval. Mr. Kaiser felt that would be a great idea.

Mr. Delacourt indicated that it would be better to obligate the tree credits for use on another phase of the site. Mr. Kaiser asked if that should be a condition of the Tree Removal Permit or Site Plan. Mr. Delacourt replied of both, but definitely should be added to the Tree Removal Permit. Mr. Kaiser reminded that the Site Plan was for the bank's site only.

Mr. Wagner said he was not sure if the PUD needed to be amended to reflect that or if it would open a can of worms, but they would be willing to cooperate in any way they could.

Ms. Millhouse felt the appropriate place for that Condition would be the Tree Removal Permit. She felt it would also be possible to indicate in that condition that a note be added to the Site Plan. Mr. Kaiser asked what would become enforceable when the trees were removed, if it were not a Condition of Site Plan approval. Ms. Millhouse advised that the Tree Removal Permit was a part of the Site Plan

process. Before an applicant could get a Land Improvement Permit, there would have to be a note on the Site Plan so it would not be lost in the shuffle. Mr. Delacourt said it could be difficult to remember the 13 tree credits during phase two's review.

Mr. Wagner said they talked about the possibility of placing those trees on the common access area to the south. They would have to develop the curb line with a certain amount of finished grade and landscaping and that could be incorporated into the bank's Site Plan. Mr. Kaiser asked who owned the property. Mr. Wagner said that was the area of the reciprocal agreement with DTE.

Ms. Hill stated that DTE owned the property and the City would not have control over what they did in the future regarding the trees. She noted that it was the reason applicants were required to plant trees on public property around the City. She would like to see the rest of the trees planted on the balance of the PUD, but she questioned why they should not escrow funds in case that could not occur.

Mr. Kaiser said the applicant would not agree to plant trees and put money into the fund. Ms Hill said she understood that, and they did not know how soon the next phase would occur, but she was not sure the DTE property was the best place for the trees or that it would work. She would like to make sure that if the trees were not planted, that the applicant would be obligated to pay into the tree fund, noting that there could be a tracking problem.

Mr. Wagner agreed, and asked Mr. Makohon if there were an area outside of the Edison easement that could be used for planting. Mr. Makohon said that everything south of the bank's drive was part of DTE and that they could explore something with them, but he also felt it might be hard to track something planted there.

Mr. Kaiser stated that the easement, if agreed to by DTE, could require them to allow the planting of trees on it, just as it allowed for the curbs and road. That might mean someone would have to enforce the easement in the future. He suggested a condition regarding planting the trees (see Condition Two).

Ms. Millhouse said that as Ms. Hill discussed, if the applicant were to consider an escrow that would provide all the options, if the planting did not occur on the easement, it should occur somewhere on the remainder of the site and if that did not occur, the applicant would have to pay into the Tree Fund.

Mr. Kaiser said he would rather see the trees developed and landscaped as the bank site was being developed. The applicants said they were prepared to do that and could communicate with DTE.

Ms. Ruggiero referred to the landscape plan and said it showed 11 trees on the south side of the southern-most drive. She asked if that was the correct plan, noting some other slight differences. Mr. Makohon said that plan she had would govern the approval cycle. Ms. Ruggiero asked if they would provide bike racks, and indicated that there was a lot of bike traffic in the City and that the bank would be a great location to provide racks.

Mr. Wagner said that was not demonstrated, but if that was something the Commissioners wanted to see, he would not have a problem with it. Ms. Ruggiero said that she could see bike traffic to this particular bank. Mr. Makohon pointed out a location immediately south of the bank.

MOTION by Hooper, seconded by Ruggiero, in the matter of City File No. 02-027 (Fifth Third Bank), the Planning Commission Grants a Tree Removal Permit, based on plans dated received by the Planning Department on August 17, 2004, with the following two (2) findings and subject to the following three (3) conditions.

**FINDINGS:**

1. The proposed removal and replacement of regulated trees on-site is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to replace 91 regulated trees with 91 replacement tree credits.

**CONDITIONS:**

1. That the second paragraph of the "Tree Replacement Calculations" read: "A total of 91 tree replacement credits are required, 84 for onsite tree removal and 7 for offsite tree removal. 39 replacement trees are proposed onsite, each equaling 2 credits for a total of 78 credits (also see

Condition 2). Two additional trees have been provided to meet the Island Planter requirement" prior to issuance of a Land Improvement Permit.

2. The applicant note on the Site Plan that 13 tree credits be accommodated by planting the trees on the subject site, or on the DTE easement, or somewhere on the balance of the PUD site, as approved by Staff.

3. Provide a performance and maintenance guarantee in the amount of \$20,800.00, as adjusted if necessary by the City, to ensure the proper installation of replacement trees. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.

Ms. Hill said she would like a provision in the condition that if the 13 tree credits were not planted where they discussed, or if only a portion were planted, that there was some other way to ensure that the obligation was taken care of.

Mr. Kaiser explained that was why Condition Two would be approved by Staff. He was confident that the trees would be used well. He asked Mr. Delacourt if he had any doubts regarding that Condition.

Mr. Delacourt stressed that trees would either end up on the bank's site, in the easement, in the balance of the PUD or the applicant would pay into the Tree Fund. It would have to be demonstrated that they could not be planted on the PUD site before money would be paid, which would be considered during the other phases of the PUD.

Mr. Hooper asked about the color scheme for the architectural elements. He asked if the applicants had brought a palette for the bank. Mr. Makohon showed a rendering. Mr. Hooper asked about the D.C.U. retaining wall along the eastern property line and said there was no color scheme indicated. Mr. Makohon said that would be constructed with the same material as the façade of the bank. Mr. Hooper asked if the detail on Sheet SP-4 would be of the same color scheme as indicated in the rendering Mr. Makohon showed, and if it would match the bank. Mr. Makohon said that the landscape block would be the same color and be one piece of the much larger Rochester Hills landscape and streetscape presented for throughout the PUD. Mr. Hooper clarified that the bank's color scheme would match the overall color scheme of the PUD. Mr. Wagner said that they utilized the PUD architects (Alexander Bogaerts) to develop the bank's scheme and that this scheme would be the same as proposed for the other buildings in the PUD. The bank would be establishing precedent and the developer would be accountable for doing the rest of the PUD the same way.

Mr. Kaltsounis referred to the peaks in the back of the building and noted that the brick was continued over the roof. He stated that it was hard to do that on houses, and he wondered if they would try to do it with the bank building or if it would change to something else. Mr. Makohon said he was not definitely sure of the details, but he recalled that the brick was still shown and it would be wrapped all the way around. People would not be able to see it unless they were on the north or south side and the towers would continue over the roof and would be supported by the roof structure.

Mr. Kaltsounis said he mentioned it because he felt it was a nice feature that should remain. He commented that artists and engineers looked at it differently, however, and there are often different outcomes. He would like to keep the same type of fascia as shown around the peaks if possible.

Ms. Ruggiero asked if the proposal would use underground retention tanks. Mr. Makohon agreed it would have piping. Ms. Ruggiero said that the same concept was utilized at Winchester Mall across from the proposal, and she had noticed yellow caution tape there, enclosing the underground tanks. She wondered if they were having difficulty with that particular system.

Mr. Delacourt said he was not aware of a situation. He did not believe there was a problem. Ms. Millhouse agreed that nothing had been heard regarding that. Mr. Delacourt said that the City's Engineers had been requesting this type of setup more often, so he did not believe there was a problem with this system, but that he would check into it.

Ms. Ruggiero questioned whether the mall's system and the bank's system would be connected in any way - that is, if the drainage would be coming from the mall area into the bank area or if it would be diverted somewhere else.

Mr. Makohon explained that the bank site would stand alone, and that they would collect the rain and storm water, detain it within the site and discharge it at a controlled rate. With the exception of a few minor details about the Cavalier access to the north, they would not receive water from any place else.

*Ms. Ruggiero asked Mr. Delacourt to make sure there were no difficulties at the mall and if he found out there were, she suggested that the bank site might have to be engineered differently.*

*Ms. Hill confirmed that the panels for the signage on the front of the building were solid rather than translucent.*

*MOTION by Hooper, seconded by Ruggiero, in the matter of City File No. 02-027 (Fifth Third Bank), the Planning Commission Approves the Final Site Plan, based on plans dated received by the Planning Department on August 17, 2004 with the following three (3) findings and subject to the following ten (10) conditions.*

**FINDINGS:**

- 1. The proposed Fifth Third Bank is consistent with the City Place PUD Agreement approved by the City.*
- 2. Adequate utilities are currently available to properly service the proposed development.*
- 3. The final plan represents a reasonable and acceptable plan for developing the property.*

**CONDITIONS:**

- 1. That all remaining engineering issues be addressed and approved by the City's Engineering Services Department prior to approval of Construction Plans.*
- 2. That a note be added to the plans indicating all plantings shall be a minimum of five feet from the pathway along Rochester Road, prior to issuance of a Land Improvement Permit.*
- 3. That written permission to remove seven offsite trees is submitted for approval to the City, prior to issuance of a Land improvement Permit.*
- 4. That the applicant submit a Land Division Application to the City's Assessor's office for review prior to issuance of a Land Improvement Permit.*
- 5. Submission of a landscaping performance and maintenance guarantee for a period of two growing seasons in the amount of \$53,835.00, as adjusted if necessary by the City, prior to issuance of a Land Improvement Permit.*
- 6. That the applicant receive a soil erosion permit prior to issuance of a Land Improvement Permit.*
- 7. That the applicant submit evidence of an easement to allow construction of the drive access to Rochester Road to the City's Engineering Services Department prior to issuance of a Land Improvement Permit.*
- 8. Paved pedestrian crosswalks to be noted and constructed out of stamped or other concrete material, other than paint striping, as approved by Staff.*
- 9. That the applicant show and install steps from the pedestrian path on Rochester Road to the crosswalk at the center of the bank, as approved by Staff.*
- 10. That the applicant locate bike racks in a place approved by Staff.*

*Mr. Kaiser advised the applicant they would be notified when scheduled on a City Council Agenda.*

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**Text of Legislative File 2004-0734**

..Title

Final Site Plan Approval Request - City File No. 02-027 - Fifth Third Bank/City Place PUD Phase I, a proposed 4,200 square foot bank on approximately 1.25 acres, located on the east side of Rochester Road, north of Hamlin, zoned Planned Unit Development (PUD), known as Parcel No. 15-23-152-015, G&V Investments, L.L.C., applicant.

..Body

Resolved that the Rochester Hills City Council hereby approves the Final Site Plan for Fifth Third Bank/City Place PUD Phase I, City File No. 02-027, based on plans dated received by the Planning Department on August 17, 2004 with the following three (3) findings and subject to the following ten (10) conditions.

FINDINGS:

1. The proposed Fifth Third Bank is consistent with the City Place PUD Agreement approved by the City.
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10. That the applicant locate bike racks in a place approved by Staff.