



# Rochester Hills Minutes Planning Commission

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*William Boswell, Deborah Brnabic, Kathleen Hardenburg, Melinda Hill,  
Greg Hooper, Nicholas Kaltsounis, Eric Kaiser, James Rosen, C. Neall Schroeder*

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Tuesday, November 16, 2004

7:30 PM

1000 Rochester Hills Drive

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## Special Meeting Held Jointly with City Council

### CALL TO ORDER

*Chairman Kaiser called the special joint meeting to order at 7:30 p.m.*

### ROLL CALL

*Present Planning Commission: Chairman Eric Kaiser; Vice Chairman James Rosen;  
Members Deborah Brnabic, William Boswell, Kathleen Hardenburg, Melinda Hill, Greg  
Hooper, Nicholas Kaltsounis, Audrey Ruggiero*

*Present City Council: John Dalton, President; Barb Holder, Vice President;  
Members Bryan Barnett, Jim Duistermars, Melinda Hill*

*Absent: Members Linda Raschke and Gerald Robbins*

*Others Present:*

*Ed Anzek, Director of Planning and Development*

*Deborah Millhouse, Deputy Director of Planning and Development*

*Derek Delacourt, Planner III, Planning and Development*

*John Staran, City Attorney*

*Maureen Gentry, Recording Secretary*

### APPROVAL OF MINUTES

**2004-0916** Regular Meeting of October 19, 2004

*MOTION by Kaltsounis, seconded by Ruggiero, that the Minutes be approved as  
presented.*

*Ayes: All*

*Nays: None*

*Absent: None*

### COMMUNICATIONS

*Mailed subsequent to the meeting:*

*A) Planning & Zoning News dated November 2004*

*B) Memo from Mayor Somerville dated September 29, 2004 re: Emergency  
Tower*

*C) Letter from MDOT dated October 28, 2004 re: I-75 Oakland County  
Planning/Environmental Study*

*D) Letter from Charlotte P. Burckhardt dated October 22, 2004 re: Oakland Township's  
Master Plan*

## DISCUSSION

### 2004-0737 Master Land Use Plan (Presentation by McKenna Associates, Inc.)

*Mr. Kaiser reminded that the subject item would only be discussed and that the City was a year and a half away from making any decisions regarding the Master Plan. He added that rather than having any substantive discussion regarding Master Plan issues, they would hear about what had happened with the Planning Act since the last Master Plan, and that the consultant retained by the City would present an overview of the process.*

*Mr. Delacourt advised that there had been some changes in the legislation governing the review and approval of cities' Master Plans. Staff asked McKenna Associates to present an overview of the process and the decisions that would need to be made regarding the process.*

*Mr. John Jackson, McKenna Associates, Inc., 235 East Main Street, Suite 105, Northville, MI 48167 advised that with respect to updating and creating Master Plans, there was a new State Law, known as the Coordinated Planning Act, which set forth a very specific process by which townships, counties and cities adopt their Master Plans. The Act was adopted in 2001 to bring forth more coordination and communication between municipalities and within communities. He outlined the changes and steps in the process:*

- 1. Adjacent communities, utility companies, and the County must be notified when a Plan is being drafted or updated.*
- 2. The Planning Commission drafts the Plan, which takes about 15 months. The process consists of numerous technical committee meetings, opportunities for public input, and an interactive survey, and the consultant reports back to the Planning Commission and City Council about the status of the Plan.*
- 3. The draft is submitted to City Council for review and comments, and approved for distribution.*
- 4. Once approved for distribution, the Plan is distributed to the appropriate agencies and communities. They get a specified amount of time to review and comment to the County - they would have 65 to 90 days to review and comment. The comments would be purely adviseable, and the City would not be obligated to incorporate any of them.*
- 5. The Planning Commission deliberates and makes any necessary modifications.*
- 6. The Public Hearing is held after a 15-day notice and the public would have more opportunity to comment.*
- 7. The Plan would be approved by Planning Commission or they would recommend City Council approve the Plan according to the Act. (He noted that the approval option was one of the biggest differences in the Act).*

*Mr. Kaiser asked Mr. Jackson to give a summary of the 15-month period during which the Plan was drafted.*

*Mr. Jackson explained that there would be a series of meetings with the Master Plan Technical Committee to gather existing land use information, demographic trends, changes in land use patterns, traffic, employment and economic information, and to determine the markets for commercial, office, industrial, and other zoning uses. They would then formulate goals and objectives, trying to figure out what the community wanted to be overall. He stressed that public input was an important step in trying to develop future land use alternatives. There would be at least three workshops scheduled and a survey administered to get a better handle on where to go. The survey would ask, for example, what physical attributes the community should have, what the*

quality of life should be, what levels of services should be offered, and that would all be formulated into the Plan. They would decide where the residential should go and where there should be open space opportunities, and they would produce a future land use map reflecting the goals and objectives of the community. They must decide how to balance the tax base and still maintain the levels of service people want. Next, they would work on an implementation plan, he explained, or what would go into creating the mix of land uses and what policies would be necessary.

Mr. Kaiser asked if there would be evening or weekend workshops to make sure the entire community had the opportunity to attend. Mr. Jackson said they wanted to encourage input from as many people as possible, so they would be willing to schedule meetings on weekends and nights. Someone from his office would be contacting and interviewing businesses to try and involve them as much as possible.

Mr. Kaiser clarified that the workshops would be scheduled after the first of the year because of the holidays. He advised that the public would be invited to all the presentations and have an opportunity to comment at those times. He gave a summary of what had been discussed by the Technical Committee to date and what was coming up, which included the consultant's scope of services, a tax base analysis, demographic analysis, interactive survey of the City, a presentation regarding the natural features inventory, open spaces, existing conditions analysis for land use, market analysis, economic development strategies, and potential for intensity changes. He noted there had been a number of topics identified that would be dealt with by the consultant, the Technical Committee, the public, City Council and Planning Commission. Mr. Jackson agreed there would be many opportunities for feedback.

Mr. Kaiser advised that after the consultant entertained questions about the process, the issue of whether City Council or Planning Commission would reserve the right to formally approve the Master Plan would have to be determined.

A member of the audience asked for a clarification about Planning Commission and City Council review of the Plan.

Mr. Jackson explained that the Planning Commission would have to send the draft Plan to City Council for review and approval for distribution to the adjacent communities, the County and the utility companies. If the City Council did not approve it, it would go back to the Planning Commission for modification. That would be the first opportunity for the City Council to get involved. He advised that the process to date allowed the Planning Commission to approve the Plan in its final form. The new Act would allow City Council to approve a resolution which would change the authority to approve the Plan to the Council. If that happened, the Planning Commission would recommend approval of the Plan.

Ms. Hill asked why the legislation took that direction. She understood why the Plans should be distributed to adjacent communities, noting that was important from a regional standpoint, but she wondered why the approval option was enlisted.

Mr. Jackson felt it was a part of the coordination concept. He stressed that it was just an option and it was not mandated. Various municipalities had different resources and makeups - for example, some had strong Planning Commissions, some did not - and due to those various situations, the writers chose to make this option available. Ms. Hill asked if he could make a case for one over the other.

Mr. Jackson said that in terms of pros and cons, Council was an elected body and Planning Commission was an appointed body, and when an elected body made decisions, there could be politics involved. The Master Plan was the first step in the

process regarding land use in a community. The next several steps included rezonings and text amendments, and each of those had to go through the Planning Commission and ultimately to City Council. If the Council also adopted the Plan, they would both operate under the same assumptions.

Mr. Kaiser said that the downside could be if Council approved the Plan, if might be one the Planning Commission did not approve. Mr. Duistermars noted that in the beginning of the process, it would go back to Planning Commission with comments. Mr. Kaiser said that ultimately a Plan would have to be approved and the Planning Commission might not be behind it. That could mean that for a zoning change issue, the Council might not have the support of the Planning Commission if it became a litigated matter. Mr. Jackson acknowledged that was conceivable.

Mr. Rosen advised that in the past years, Council had adopted the Master Plan by resolution. It seemed to him that when Council approved the Plan for distribution, everyone would be pretty much on the same page. If not, there would be two fundamentally different views about the community that were unresolvable. Mr. Kaiser remarked that the document distributed to neighboring communities would hopefully be the one everyone wanted.

President Dalton stated that land use was one of the most important decisions the City would make every five to ten years. He felt it was very important that the Master Land Use Plan reflected the desires of the community and that it not be perceived as politically derived. He believed that the Council had worked well with the Planning Commission, although they did not always wholeheartedly agree. He reminded that Council was represented on the Technical Committee and the Planning Commission. He felt that the Master Plans in the past had worked extremely well for everyone and had never been tainted as politically motivated, and consequently, he firmly supported the old system - "if it ain't broke don't fix it." He did not feel the Plan should be perceived as the Council's fingerprint. He had always found it very useful with zoning issues, and he used it as a point of reference to make decisions. He did not feel Council should exercise the authority to approve the Master Plan, and that the approving body should be kept as in the past.

Mr. Barnett confirmed that the changes to the Act took place in 2001 and asked if Mr. Jackson had worked with other communities that were further along in the process. Mr. Jackson said he had personally completed four Plans and that half of the cities chose to have the City Council approve the Plan. He felt it was wise to make the decision about this matter at the outset.

Mr. Duistermars supported having the Plan approved by the Planning Commission. He noted that there was the possibility of an adjacent community commenting and the Planning Commission changing something because of that. At that point Council would not be able to agree or disagree, but he did not really perceive that it would happen much, if at all.

Mr. Kaiser said he could put himself in the position of an elected official, and he felt that having a buffer between the official and the public or a developer was a good idea and useful to help fend off criticism. He said they also had to realize there would be three Council positions that would change in a year or so and that the City might have three new people who had never been in government before. He indicated that to become a good planner it took a lot of time, and the new people should probably not have the task of approving the Plan hanging over their head. He agreed with Mr. Dalton and Mr. Duistermars, and said he could not come up with a good reason that Council should put themselves in the position of having to approve the Plan - for the public's sake.

*Ms. Holder agreed with Mr. Kaiser and noted that elected officials had an eight-year maximum term and Planning Commissioners could serve many more years. The Commissioners had the experience to handle this important issue. She reminded that the process had always been open to the public, which was not something new.*

*Mr. Kaiser stated that was a good point. He recalled that during the last Master Plan update there was a lot of advertising inviting the public, but they were disappointed in the public participation. They let the consultants know how important it was to get people to come to the upcoming workshops. Mr. Jackson added that they would provide a marketing strategist for that.*

*Mr. Rosen was of the opinion that the more public input they got the better. He asked if the internet would be used to share levels of progress and Mr. Anzek advised that draft products would be posted on the City's web page.*

*Ms. Hill said that from the Council side, she concurred that the Planning Commission should approve the Plan and provide it to Council as a tool. Ten or fifteen years ago she gave input as a citizen and five years ago she gave input as a Council member. For this update she was on the Technical Committee and the Planning Commission. She noted that the Planning Commission approved the Capital Improvement Plan, and she noted that it did create a buffer or a less political process. The City's Master Plan, as the City continued to grow, had always done well for the community, and she also agreed that one of the most important parts in the process would be to gather public input.*

*Mr. Barnett did not see a compelling reason to change the approval process, and Mr. Dalton concluded that there appeared to be a majority of Council members who felt that way. He advised that they would prepare a resolution at a Council meeting to indicate their "faith in the Planning Commission."*

**2004-0098**

Lorna Stone - City File No. 03-010 - a proposed development on approximately 11 parcels located at the northeast corner of Adams and South Boulevard, Lorna Stone L.L.C., applicant. (Revisions to previously approved concept presented for consideration as a PUD).

*Present for the applicant were Alex Bogaerts and Mark Abanatha, Alex Bogaerts and Associates, and Joe Maniaci, Lorna Stone, L.L.C., 1111 E. Long Lake Road, Suite 103, Troy, MI 48098, developer.*

*Mr. Delacourt stated that previously, the Planning Commission recommended, and City Council agreed, that the subject development qualified for use of the PUD process. The PUD was a mixed-use commercial and residential project in concept. Since that time, the applicant decided the project would no longer be viable. However, the applicant would still be interested in maintaining use of the PUD for a residential development. They were present to talk about the new concept, which was very different from the initial one.*

*Mr. Bogaerts suggested that they would like to maintain all the aspects of the PUD proposal, and they had a concept they felt was very unique architecturally and would respect the historical aspect of the property. They would like to continue the process and submit for final PUD review and approval, since the only thing that had changed was the design concept. He noted that the previous submission included a dense, mixed-use development and that the clients were concerned about its salability, and they did not think it would be the right development for this location.*

*Mr. Bogaerts advised that there were major tree stands that should be respected and that the historic residence along Adams Road was a beautiful building they could bring*

*back into its original character, perhaps into an office, as part of the development. After spending a great deal of time considering the concept of the proposal, they proposed a streetscape very different from anything that had classically been done in Rochester Hills. The image would be of a Williamsburg streetscape, with homes of brick, clapboard siding, Greek Revival, and other classic exteriors. The units would not have garages in front, as typically seen in a subdivision. There would open areas and tree preservation of about 44%.*

*Mr. Kaiser asked about the net change to the density, and Mr. Boegaerts informed that it would be much less dense, from 350 units originally, to 85.*

*Mr. Kaiser noted that the previous proposal qualified for use of the PUD process, which was the first step. He indicated that the members could arguably say the applicants had preliminary approval so they should keep moving forward, or either body could insist upon seeing a full presentation to confirm the preliminary approval. Mr. Delacourt agreed and said that this was the first time an applicant had changed the conceptual plan considerably after preliminary approval and he took the opportunity to find out if both boards saw the difference as too drastic. He wanted input as to how the applicant should proceed.*

*Mr. Dalton recalled that originally there was a small amount of retail and he asked if that was now gone. Mr. Delacourt said that the first plan had about 300 mixed residential units and 35,000 square feet of commercial incorporated along Adams Road, but that the new plan was strictly residential. Mr. Dalton commented that the density would be significantly reduced. Mr. Delacourt pointed out that the underlying zoning for the site was single-family, and the proposal was closer to the existing zoning; however, the lots would be narrower and the homes would be closer to the street. The applicant would still require the use of the PUD process to do that. Mr. Dalton reminded that even if the applicant were told to move ahead with the process, nothing would be a done deal. Mr. Delacourt agreed, and said they would be no farther along than before. Mr. Dalton felt that they would be rehashing everything by reviewing it again. He felt that the quality proposed would be very conducive to what was expected in Rochester Hills. He personally did not see a need to start back at the beginning.*

*Ms. Holder noted the assisted living facility to the north and recalled discussing the possibility of incorporating that facility with the new development. Since the retail would be taken out, she wondered if there was anything in the plan to do that or if there would be someplace people could walk to.*

*Mr. Boegarts answered that once the retail was taken out, the need for a link between the two really went away. They planned for walking paths and he suggested they could interconnect the properties.*

*Mr. Barnett observed that initially, the new proposal appeared to be headed in the right direction because the density was lowered and that was typically what caused the largest arguments. He noted, however, that the plan was a complete 180 from before, and he wondered if the final project would have just appeared before the Planning Commission without any discussion had the applicant not come before both boards. He contemplated the possibility of the proposal not working out and yet another concept occurring in the future, and he wanted to make sure there was a process in place that would involve the boards before that happened.*

*Mr. Delacourt said that without the meeting, the applicant could have put together a final PUD package for review by the Planning Commission, which would have been very different than expected. They also could have come back to each board separately and asked about revised use of the process without putting together the final packet.*

Mr. Kaiser said Mr. Barnett raised a good point. If the applicant came back for final approval with a completely different plan, one or both bodies would probably be fairly upset that it was done that way. He indicated that a PUD development had to be under a single owner and asked if this criteria was still being met.

Mr. Maniaci said that by the time they reached the final stage, they would have obtained all the properties involved. Mr. Delacourt advised that they had demonstrated options for all the properties.

Ms. Hill asked if the development would be more or less dense than if developed under R-4 zoning. Mr. Delacourt said it would be more dense. Ms. Hill recalled that one reason the first plan was agreed to was because there would be a greater variety of housing the City could offer. She was not sure if incorporation of the historic portion had been totally determined, and she was also unsure that the end use for the historic house could be an office in the midst of a huge residential neighborhood. She questioned whether the proposal would even need to be developed as a PUD. She was not certain the amount of open space qualified for the PUD process, and she thought an overall presentation was needed to be able to make a decision about using a PUD for this development. She noted that the density had changed, but that the variety of housing had been used as a criteria. She felt these issues might change the decision for use of the process.

Mr. Kaltsounis said he shared some of Ms. Hill's thoughts. He referred to Forrester Square on Adams Road as the proposal's competition, and noted that the houses were very similar, but that not a lot had been sold.

Mr. Maniaci said they found that mixed-use was not a viable product for the community and they did not want a failed project. Mr. Kaltsounis said they should take notes about what was wrong with Forrester Square, beginning with parking. Mr. Maniaci said that when they first presented the mixed-use process, the traditional neighborhood concept was still new to the area. He stated that the east coast and southern states had a lot of success with high density developments, but Michigan, especially, rural Michigan, did not.

Mr. Kaltsounis asked if they did a comparison of developing this site as a PUD or developing it under R-4 requirements. He questioned what type of precedent a residential PUD would set for other developments in the community, and he commented that people would try to develop every last bit of land in Rochester Hills. He understood the applicants would try to tie in the historic property to qualify as a PUD, but he noted they could also tie it into an R-4 development. He questioned how the proposal would fit in with the surrounding communities.

Mr. Maniaci responded that the property was surrounded by a nursing home and an assisted living home, and it was an isolated and unique site in the City. The development would qualify for a PUD because of the tree preservation, the unique quality of the homes and the architectural styles.

Mr. Abanatha advised that they had done a number of projects in Rochester Hills, and they were excited about being able to tie a historic home with a historic village. They could not do that with R-4 since the minimum lot size was 9,600 square feet and frontage was 80 feet. R-4 had front and side yard setbacks that would not give the character and feel the of a historic village. The PUD was proposed because of the uniqueness and innovation of the design, which would be tied into the historic character and would preserve natural features. The PUD would be required in order to pull the homes closer together and closer to the road. He believed it would be a very special

*development for the community.*

*Mr. Rosen clarified that the site was 28 acres and Mr. Delacourt added that 10 acres were designated historic. Mr. Rosen said that with 28 acres they could get about 3.4 homes per acre or 96 homes, but Mr. Delacourt advised that could rarely happen when the Tree Conservation Ordinance was applied. Mr. Anzek noted that three houses an acre would yield 84 homes. Mr. Rosen said there would not be too great a difference in density overall using a PUD or using R-4 requirements. He clarified that because the lot sizes would be different and the setbacks would be smaller, the applicant would need a PUD. The real issue would be the difference in what they were doing to preserve natural areas, and whether that was sufficient enough to warrant significant changes to the normal setbacks and lot area. Mr. Delacourt said the applicant made a valid argument, which was accepted by the Historic Districts Commission, for bringing the homes closer to the street and creating a historic feel. Mr. Rosen clarified that qualifier was that the appearance of the development would compliment and preserve the historic area. Mr. Delacourt said that the Historic Districts Commission would look at the context for redevelopment of the existing resource and the ten acres on which it sat.*

*Mr. Rosen said it really boiled down to whether everyone took the new plan as a reasonable tradeoff. It was a lot more dense before and it met the criteria, and the question was whether it still did.*

*Mr. Delacourt stated that the applicant had not gotten to the point where either body negotiated density or other issues. The proposal would be very much open to discussion if the applicant were allowed to go forward in the process.*

*Mr. Barnett mentioned that the applicant said the big changes were that the commercial aspect was gone and that a mixed-use development would not be financially viable. Mr. Bogaerts said that his firm was behind the City Place development on Rochester Road, and that high density would work there because of its location. Mr. Barnett said that in the previous proposal, all roads led to a central park and he hoped they would create something similar for this development.*

*Ms. Holder asked the difference in the size of the homes. Mr. Maniaci said they would increase about 300-400 square feet.*

*Mr. Kaiser felt that the prior plan better fit the criteria for a PUD, as listed in Section 138-1002(4). He indicated that the new plan only provided for a portion of the historic site to be used for redevelopment or reuse. The plan did not fit (4)b, which called for provision of a complementary variety of housing types. He felt the Plan only would meet one criteria - preserving natural features - but doing so had to be otherwise impossible by other forms of development, which it was not.*

*Mr. Kaiser stated that if there were five members of the Planning Commission who wanted to see a more formal presentation for re-approval of the preliminary PUD process, that would be required. He felt the applicants had a real hurdle, and he was not sure they could meet the criteria.*

*Mr. Dalton agreed that if there were a majority of Council people that wished to have another preliminary review, he would request that. He noted that the density was not a done deal, and that he personally felt that process should just take its course. Mr. Kaiser took a straw vote and it was determined that the applicants would have to first come back to the Planning Commission to convince them the project should move forward as a PUD. Mr. Dalton said the applicants would also come before City Council and Mr. Kaiser suggested the possibility of a joint meeting.*



**2004-1057**      **Planned Unit Development (PUD) Ordinance Amendment**

*Mr. Delacourt noted that Planning Commission and City Council had both entertained requests for PUDs and that the need for revisions to the PUD Ordinance was raised several times. Some projects that had been approved could not move forward because of certain encumbrances in the Ordinance or without changes to the existing Ordinance. He advised that Staff had provided an amendment to the existing PUD Ordinance that would correct some of the identified problems. He cited the example of B-5 zoning not being allowed as an underlying zoning district in a PUD, which directly referred to the approved Papa Joe's development. There had been discussion about Rochester College's historic district and how the Ordinance did not allow SP, Special Purpose, as an underlying zoning district for a PUD. He also mentioned that when Lorna Stone originally was reviewed, the conceptual plan was approved for lots less than 70 feet wide, although the PUD Ordinance did not provide for that.*

*Mr. Delacourt had also provided Auburn Hills' PUD Ordinance, and he advised that it did not have some of the restrictions, such as the need to rezone the underlying zoning districts, that Rochester Hills' had. It was much less complex, yet gave the same amount of control to the Planning Commission and City Council, with the two-step approval process.*

*Mr. Delacourt indicated that Staff looked at revising the PUD Ordinance during the Zoning Ordinance update, which was now on hold until the Master Plan was completed. He was looking for input as to which direction he should go or whether there was a consensus about either example. He did not want to bring an amendment forward that would not solve the issues raised.*

*Mr. Kaiser asked Mr. Staran about the possibility of legalizing a non-conforming use if a PUD were approved for a site that previously had a variance.*

*Mr. Staran did not feel non-conforming legalization would result because the City would be creating an overlay zone which would make it conforming. Mr. Kaiser questioned whether any problems would be created for the City if that were done, and Mr. Staran replied that he did not believe they would. He said it was his understanding that the current PUD Ordinance was more exceptional than a lot of other cities'. Most PUD Ordinances were similar to the one proposed by Auburn Hills and Rochester Hills was somewhat unique for having the extra requirement about underlying zoning.*

*Mr. Delacourt said that Staff discovered a quirk in the existing Ordinance when reviewing the City Place PUD. The Ordinance allowed high density residential or multiple-family as a transition between commercial and single-family residential only on a commercial piece. That was the type of scenario they would like eliminated.*

*Mr. Staran added that the PUD Ordinance was intended to be a flexible tool and that there were some constraints built into it which sometimes appeared to make it less flexible than conventional zoning. He was not quite sure why those constraints were in the Ordinance, but suspected it was partly because the City had gone so long without having PUD provisions in the Ordinance, even though they had been authorized by State Law for a long time, and the City wanted to be careful.*

*Mr. Rosen recalled that the City had Planned Neighborhood Development (PND) Ordinances in the late 1970s or early 1980s. Barclay, Hampton and other developments in Section 26 were developed as PNDs. The Ordinance was not used when he joined the Planning Commission, but people had been furious about the planning then. He felt the PND Ordinance had been perceived as too loose at the time*

and he thought they should look at it to see the differences between it and the proposed PUD amendment to avoid mistakes.

Mr. Delacourt advised that the Auburn Hills Ordinance had statements very similar to what was in the proposed amendment regarding criteria for use of a PUD and the approval process.

Mr. Kaiser said that Ordinance was a function of the people implementing and using it, and perhaps that was what created the furor about Section 26. He felt they should look at the PND Ordinance, and emphasized that they would not make the same mistake because it would come down to who implemented it.

Ms. Hill said she would be inclined to have the whole Ordinance revamped rather than see it done piecemealed. She was of the opinion that the underlying zoning should not be changed for a PUD, because while there would be a contract in place for a site, at some point or another, under a redevelopment and another rezoning, there would be a problem. The City had a Master Plan for how they would like Rochester Hills to look, yet by using the current PUD process, the underlying zoning changes, which would change the complexion of the City. She would prefer to leave the underlying zoning, and said she liked the way the Auburn Hills PUD Ordinance read. She believed they should use the tool when it made sense, but that there were problems with the current Ordinance, which was tying the boards' hands from using it as appropriately as they could. She would like to review similar Ordinances, and end up with something that was a good, usable tool. Mr. Kaiser asked if anyone disagreed.

Mr. Hooper asked what the need to do this now was. Mr. Delacourt replied that the immediate need regarded the B-5 zoned gas station in the Papa Joe's PUD, because that underlying zoning was not allowed. The approvals for Papa Joe's had been conditioned on that change to the Ordinance, which had been discussed at the meetings. He added that there had been an ongoing debate regarding Rochester College and what could be done to provide some flexibility with its historic district. A PUD had been suggested for the college, but the Ordinance did not allow Special Purpose as an underlying zoning, and that was the only zoning district permitted for a college.

Ms. Hill asked if they could move along with the amendment and how long it might take. Mr. Delacourt said they could bring the subject amendment to the Planning Commission soon, but Ms. Hill felt it was too piecemealed. Mr. Delacourt said that the structure of the Auburn Hills Ordinance would make it very easy to adapt and bring forward to the Planning Commission. Ms. Hill indicated that said she would like to see those revisions move forward soon. Mr. Kaiser said that the public should be able to look at the City's Ordinances to determine whether a project could be done here. Mr. Delacourt agreed that it would be more appropriate to correct the entire PUD Ordinance.

## **PUBLIC COMMENT**

Ms. Debbie Geen, Residential Vision Committee (RVC), 3128 Walton Blvd., Rochester Hills, MI Ms. Geen stated that she was present as the RVC Chairperson. She read the following points regarding Lorna Stone: "This development is not in keeping with the character of the residential neighborhoods. Rezoning this would be against the Master Land Use Plan, which calls for residential zoning. Rezoning of this property makes this plan irrelevant. If you review the Master Plan, we are built out on commercial zoning. The road system has not been developed or upgraded over the years to support intense development and the traffic it would create in our City. These major changes to the zoning, Master Land Use Plan, residential character of the neighborhoods, maintaining our property values and quality of life issues are being challenged by many in our

*community. The list of opposition continues to grow. The vision of Rochester Hills is clear on our City flag, which depicts trees, hills and a river. The City's vision of the future, the Master Land Use Plan, calls for the proposed property to be single-family residential. We must follow the Master Land Use Plan to maintain our City's vision of our future. My committee has not changed its mind - residential zoning was good yesterday and it is still good today."*

**NEXT MEETING DATE**

*The Chair reminded the Commissioners that the next regular meeting was scheduled for December 7, 2004.*

**ADJOURNMENT**

*Hearing no further business to come before the Commissioners, the Chair adjourned the special joing meeting at 9:16 p.m.*

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*Eric Kaiser, Chairperson  
Rochester Hills Planning Commission*

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*John L. Dalton  
City Council President*

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*Maureen Gentry  
Recording Secretary*

*Approved as presented at the January 4, 2005 Regular Planning Commission meeting*

*Approved as presented/corrected at the January \_\_\_\_, 2005, Regular City Council Meeting.*