

A motion was made by Kaltsounis, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting.

The motion CARRIED by the following vote:

Aye 8 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Schroeder and Yukon

Absent 1 - Hardenburg

UNFINISHED BUSINESS

2007-0776 Revised Conditional Land Use Recommendation (Postponed from July 29, 2008 Special Meeting) - City File No. 89-153.8 - Crittenton Hospital Medical Center Parking Structure, a new 479-space, four-story parking deck expansion proposed for the east side of the existing parking deck located south of the hospital near University and Livernois, zoned SP, Special Purpose, part of Parcel No. 15-15-101-003, Crittenton Hospital Medical Center, applicant.

(Reference: Revised Staff Report prepared by Ed Anzek, dated September 2, 2008 and Revised Site Plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Richard Whedon, Albert Khan Associates, Inc., Albert Khan Building, 7430 Second Ave., Detroit, MI 48202-2798 and Monte Oberlee, Crittenton Hospital Medical Center, 1101 W. University Dr., Rochester Hills, MI 48307.

Mr. Whedon recapped the discussion of the July 29, 2008 meeting for the benefit of those who were unable to attend. He put up a drawing and pointed out the proposed addition to the east side of the existing structure for approximately 475 cars. It would actually be for a net of 265 cars, because they were building over an existing parking lot. He added that the new deck would mirror the existing deck. They were sensitive to the residents, and they proposed a solid wall on the eastern end, so lights would not project into the residential area. He showed photos of the surrounding area, existing deck and vegetation at the property line, which, he noted, had been taken on a Sunday.

Mr. Whedon said they listened to concerns expressed by the residents, and they revisited the entire design of the deck. He pointed out that the new Site Plan did not look much different, but he stated that there were major differences. They moved the surface level entrance for the first level from the far-east end of the north elevation 60 feet west to make it further away from the residents. They addressed landscaping and improved the berm. There would be 37 trees (he previously noted 55, which was incorrect), and he advised that the new proposal included over 200 pieces of vegetation for the berm and as part of the new scheme for the structure. The east road around the deck was there at the request of the Fire Department, and the traffic would be limited to emergency vehicles. They would close it off with curbing or breakaway bollards. The main access road would still go through the deck. He stated that the primary changes were to the elevation. There had been a major concern about the deck's height, so the top two levels were cut back a bay. The overall wall height at the east end was cut in half. In addition, the wall height at the east end would be 7 feet high so people could not look down into the neighbors' yards. Regarding the end elevation, instead of all brick, he advised that there would be grillage work to grow ivy. They took off a lot of brick on the upper levels and made it precast, because of the concern about a solid brick wall. They believed that would soften the look of the building quite a bit, and that by adding greenery, it would increase the density of the foliage tremendously at the property line. He went over the interior changes. They eliminated ramping on the east end of the new deck, and put it further from the residents. That would also reduce noise levels. There would be enhanced circulation, eliminating confusion about how to navigate around the deck. He put up a drawing representing the various grades in relation to the residential area. He added that the greenery would go on both sides of the berm, and

he clarified that the trellis would go on the east wall. They believed that the new design would significantly reduce the impact of the east wall.

Mr. Yukon asked if the height of the east side was down to 25 feet from 45 feet, which was confirmed. He recalled that the Commission had asked the applicants to make contact with the residents to talk about the proposal. He asked the applicants to explain what discussions took place.

Mr. Oberlee replied that when they withdrew the plan, they met the next day and scrapped everything because they needed to address concerns raised. It took a complete redesign, and they re-engineered everything. They worked for 2 1/2 weeks, and the only option he had at the time was to go door to door and talk to the residents. He gave them his business card and showed sketches, and he talked about in which direction they were moving. That was what they had time to do, and there was no time to hold a group discussion.

Mr. Yukon asked Mr. Oberlee to put up a picture of the existing garage with the light pole. Mr. Yukon asked the distance from that light pole to the property line, and was told 60 feet. Mr. Yukon asked if they had done any parking calculations for the proposed east tower, or if they envisioned how much more parking would be needed for the tower. Mr. Whedon said they were done, but he did not have them with him. He explained that the tower would be primarily for patients, and the first two levels would be for services. There would be the correct amount of parking to support the medical office building and the new tower with the deck. Mr. Yukon asked Mr. Anzek if it was general practice to put in the parking before the structure if it was master planned but not built.

Mr. Anzek responded that it was not really common practice, because people typically would not absorb that expense up front. In this case, there was a need, and they had to provide the parking. It was Crittenton's staging plan. Mr. Yukon clarified that it was up to the applicant. Mr. Oberlee agreed that some of the current parking would be lost to staging. Mr. Yukon asked why pictures were taken on a Sunday, when there was little activity. Mr. Oberlee said that the pictures were taken to show the existing vegetation along the berm.

Mr. Yukon mentioned that maintenance of the berms and a lack of trees had been raised as concerns previously. He noted the planned vegetation for the side of the deck and asked if he could assume that they would maintain it. Mr. Oberlee assured that they would.

Chairperson Boswell opened the Public Comments at 8:09 p.m.

Ann Peterson, 233 N. Alice, Rochester, MI 48307 *Ms. Peterson passed around her camera phone to the Commissioners, and suggested that they needed to look at the picture, which showed the density of her property from her bedroom window. She said that she was extremely disappointed, upset and disturbed, and that thinking about the deck was detrimental to her health. Her home would be in the center of the parking structure. She had done a lot of research related to the well being of the citizens on Alice St. and the parking structure. There were six homes that would be directly affected that were worth approximately \$1.25 million. She believed that the property values would definitely decrease, and/or the homes would remain non-saleable, for many reasons - the loss of light, the building shadowing, air quality, negative property values, having a structure in the backyard, noise, 24/7 operation,*

privacy and more. She referred to the Tall Structure Act of 1959, which "promoted the safety, welfare and protection of persons and property in the air and on the ground by regulating the height, location and visual and oral identification characteristics of certain structures." As an adjacent homeowner, she thought that the parking structure would apply. She stated that home ownership came with a bundle of rights, and the first was the right to quiet, peaceful enjoyment of the property, no matter where someone lived. She felt it was her right to continually fight for that. She said she had read through a lot of Ordinances for the City of Rochester and Rochester Hills and took a lot of notes. The City of Rochester's zoning map showed that the section that abutted the neighbors was zoned Vehicular Parking, which was surface parking, and it had been zoned that way for years. It was not zoned for a structure. She stated that the berm was not fairly dense and that it had not been maintained. She did not care what was put on the wall; if it were that close to the property line, nothing would grow. She talked about the sun's shadowing effect at various times of the day. She mentioned talking about a Conditional Land Use at the last meeting and read a Finding from the proposed motion: "The proposed development should not be detrimental, hazardous or disturbing to existing or future neighboring land uses, persons, property, or the public welfare." She indicated that there had not been a reasonable explanation as to why the structure had to be so close. She said also that nothing had been mentioned about the 24/7 usage of the deck, for which there were restrictions in Rochester and Rochester Hills about limiting the times. She talked about the line that divided Crittenton into two cities and the line which was used for taxes, and she wondered about Crittenton paying taxes. She believed that the Ordinance prohibited the building next to a residential area unless it was as far away as four times its height, but she did not know if that applied

to a parking structure. She stated that the height restriction for a parking structure in the Special Purpose district was 30 feet, and noted that the structure was proposed for 45 feet. Whether it was cut back or not or redesigned, it still had not been moved away from the neighborhood. The screening on the building would be shadowed. She stated that it was very overwhelming to keep fighting for her house at a time when people were fighting to keep jobs. She felt that there were a lot of issues that needed to be addressed before the project went further, because currently the land was not zoned for a building structure on the City of Rochester side. If there was a discrepancy between the description of a building and a parking structure, she felt it should be revised to take the neighborhood into consideration. Great Oaks had the same problem when the Boulevard Shoppes were going in, but the developer took a lot of things into consideration and they kept the building away from the residents. She stated that she would continue fighting and if anyone attempted to build, she would get an injunction and go to court. She did not want to spend the rest of her mornings waking up to the picture on her phone.

Jan Power, 238 N. Alice, Rochester, MI 48307 Ms. Power thanked the Commission for the opportunity to speak, and stated that she owned rental property on North Alice. She currently lived in Rochester Hills, but lived on Alice for 16 years. She said she had grave concerns, both on a personal and on a business level. She felt that the parking structure would truly negatively impact the quality of life for the reasons Ms. Peterson mentioned - 24/7 activity, lights, noise, etc. She was also very concerned, in the current economic times, and felt the City did not need to do anything that would further devalue properties in both cities. From a business standpoint, she wanted to know whether there really was a need. There was a Certificate of Need in

place for Crittenton regarding whether more beds were needed. That had not been applied for or approved. The hospital was not at 100% capacity currently, and it seemed to her that there was not a need for a parking structure. She felt it was the wrong time and place to put the parking structure, and she thought that there must be some alternatives that would not impact neighbors, and that they should keep the quality of life as it was on Alice St. Her parents used to visit and sit on the front porch and say nice things about the quiet, little "backwater." Her dad loved to sit there because it was so peaceful, but the proposal would definitely change that. She thanked the Commissioners for serving.

Steve Ciraulo, 245 N. Alice, Rochester, MI 48307 Mr. Ciraulo said he was not sure how the comment section worked. If he asked questions, he said he would not get answers. Chairperson Boswell explained that he should address his questions to the Chair, and that he would get answers at the end of the Public Comments. Mr. Ciraulo said that at the July 29th meeting, there were several Commission members that asked the applicants to hold a town hall meeting. He asked what happened to that meeting. He pointed out the property line that divided Rochester and Rochester Hills, and he asked who would give the Permits. He asked how many years it would be under construction. He reiterated that there had been no maintenance on the berm since he had lived there, and he had lived there a long time. He asked how the applicants would maintain the ivy when they could not maintain the berm. He indicated that each day it was very upsetting to the people on Alice, and that he totally objected to the project. He felt there were other alternatives.

Thomas Crowe, 1046 Willow Grove Ct., Rochester, MI 48307 Mr. Crowe noted that he was a resident of Hidden

Hills in Rochester, which was located south of the hospital. His purpose for being at the meeting was because of cross boundary issues, and other things that arose from the expansion of the medical office building. He asked about the impact to the retention pond and the drainage system put in place with the expansion. He asked about water runoff from the parking structure and what would happen. He stated that currently, the drainage ran directly behind his building through the City of Rochester and past McGregor. He asked about forecasted growth with regards to the expansion of the medical office building and the percentage of growth impact to Crittenton to warrant a new parking structure. It appeared to him that there was adequate parking for the facility today. The proposed tower was not being constructed, so he thought that the request for a new deck was premature. The entrance to the hospital was from two access points - Livernois and University. He said he brought that point up at the meeting when the medical office building went through review and approval. He asked if there had been a traffic study to show the percentage increase for the south entrance from Livernois, which was also the emergency entrance. That access was adjacent to many homes in Willow Grove, as well as to the clubhouse and pool. He was not sure about the occupancy rate for the medical office building, or whether they were at 100%, but if not, he reiterated that the proposal was premature. He indicated that he was not speaking on behalf of the rest of the Hidden Hills residents; he was speaking as a resident of Rochester regarding his concerns about the expansion. There was one area not addressed, and that was expansion of parking to include a deck in the area south of the medical office building, which was now surface parking. He asked the long-range forecast for that area, and if they would end up with parking structures surrounding the hospital.

Chairperson Boswell closed the Public Comments and asked the applicants what happened to the town hall meeting. Mr. Oberlee explained that they did not have time to do it and come up with new deck plans. Chairperson Boswell asked Mr. Oberlee if he had dropped off business cards to the people who just spoke, and he said that he had. Chairperson Boswell noted the question about building permits, and he asked which city would be responsible. Mr. Anzek answered that having a structure straddle a corporate boundary between two cities was not a unique situation. FANUC Robotics was split between Auburn Hills and Rochester Hills; Borg Warner on Hamlin was split between Rochester Hills and Auburn Hills also. There was an understanding between the two cities as to which would take the lead on the development of the buildings. When he met with Crittenton, it was his decision that Rochester would determine the portion that sat in Rochester, so the applicants went to Rochester first. They were given preliminary approval of the design a little over a year ago. It took a year to come to Rochester Hills because the applicants were completing their Master Plan, as requested by the Commission. Mr. Whedon had been working on that for some time. Mr. Anzek pointed out that when the parking deck was originally built, it was stated then that it was half of their proposed parking expansion. Mr. Anzek deferred to Rochester for their portion, but Rochester Hills would take care of the portion up to the corporate boundary, which would be relatively seamless. He was advised by Mr. Staran that the project went to the property line, not to the tax parcel line. The corporate boundary in this case would function as a tax parcel line, not a parcel line. The City of Rochester Hills would meet with Rochester, assuming the deck was approved, and decide who would take the lead on building inspections. There could not be two cities interpreting the Building Code. He spoke with Mr. Ciraulo last week and told him that the

City of Rochester would approve the portion that was in Rochester.

Mr. Anzek referred to the height of the building and said that in applying Rochester Hills' standards, with the building scaled back, it would meet the requirements for a four-story deck in the SP district. There was a 50-foot setback, and for any story over two, the building had to be back an additional 20 feet. The footprint of the building was already 60 feet away, and going an additional two stories would require an additional 30 feet back. It was more than 90 feet back at the stepped-up portion. He noted that the Fire Department asked for the road around the deck, and Crittenton decided to keep it to emergency traffic only and to put a road through the deck. He spoke about the stormwater issue raised, and said there would be no increase in stormwater because it was already impervious surface. Rochester had added a detention basin, and Rochester Hills was not involved with that. Regarding the number of years for construction, he deferred to Mr. Oberlee. He said he had visited the site recently, and he did not find it to be unsightly or littered. There was construction equipment stacked in the parking lot, but he did not think it was unkempt.

Chairperson Boswell asked Mr. Oberlee about occupancy and the need for more beds. Mr. Oberlee clarified that they were not looking to add beds with the addition of the tower. They were going to convert the number of rooms they had to private rooms, which was where health care was going. The need for the parking deck stemmed from the fact that when they built the patient tower, they could not do it without having some significant staging. It would become more paramount to have the parking ahead of time. They could not take away a significant amount of parking, build a building and then create parking. They had to do what

made sense.

Mr. Oberlee advised that the parking deck was anticipated to take 12-14 months to construct. He was not yet sure how long the patient tower would take.

Chairperson Boswell asked about the traffic study. Mr. Whedon indicated that a traffic study was not done for the deck, and according to Staff, one was not required.

Mr. Kaltsounis apologized that he was not at the last meeting. He wondered if the Fire Department would consider a driveway consisting of grass and grates so it would not look like a road. Mr. Anzek said it would not work if the Fire Department had to use outriggers. He added that they did ask for the minimum width. Mr. Kaltsounis asked if the Fire Department had determined if outriggers would actually reach the area where it stepped back. Mr. Anzek said they could reach the upper decks from the north or south of the building. Mr. Oberlee noted that he had asked the Fire Department if they could use the type of road Mr. Kaltsounis had suggested, and they were emphatic that it had to be asphalt because of their heavy equipment.

Mr. Kaltsounis noted a jog in the intersection north of the deck, and Mr. Oberlee explained that when the new tower went it, the road would move over. Mr. Anzek said that the City's Traffic Engineer looked at that area, and the jog would be insignificant to motorists. There was a four-way stop and the traffic north of the eastern portion would be two-way, which would accommodate people getting out of the surface parking lot. Mr. Whedon pointed out the Master Plan, which he said was valid, and advised that the detail around the deck would change.

Mr. Kaltsounis asked Mr. Whedon to explain the

landscaping proposed for the eastern wall, noting that he thought the landscape plan was insufficient. Mr. Whedon apologized that the Landscape Architect was not in attendance, but he said he would try to answer. Mr. Kaltsounis said he wanted to make sure they got it right. He indicated that the vines were a nice idea in the summertime, but in the winter they would die. Mr. Oberlee did not believe that was necessarily true; he said they were putting in winter creeper vines, and others that would retain their leaves. They would also plant annuals for a few years until the vines caught up. Mr. Kaltsounis asked what they were doing to address the berm.

Mr. Oberlee said that the residents were correct, and that the berm had gotten very thin. The tops of the trees looked solid, but they were originally planted close together because they were on a berm. As they had grown taller, the bottom branches had died and broken off. The intention would be to plant trees and shrubs in the lower area to infill without taking down the tall trees.

Mr. Kaltsounis mentioned the town hall meeting. He said that for a lot of subdivisions that came before the Commission, the developers had met with the neighbors beforehand to get their ideas, and they worked out a lot of problems in advance, even avoiding lawsuits. He was disappointed the applicants did not have a town hall meeting. Mr. Oberlee said they had to have something to present to the neighbors, and it took them two-and-a-half weeks to get to that point.

Mr. Kaltsounis asked what type of trees they were proposing to obscure the view of the deck. Mr. Whedon noted the list of plantings and where they would go.

Ms. Peterson came to the microphone and said she did not

mean any disrespect, but she cautioned that if the Commissioners had not been out to see the property, deciding which trees would go where would not be justifiable to the residents because of the property they planned to put the trees on. It was not a berm like the ones in every subdivision. Some of the trees were dead. The pines had bugs, and the bugs also killed the ground around the trees. There was not a six-foot berm, and there was not enough space to put in the type of trees they were discussing. It sounded good, but she said she still did not want to look at a row of trees. The spot before the parking had to be seen before they made a decision, and she reiterated that they had to walk the property first. She asked them to please look at the property from both sides.

Chairperson Boswell said he could essentially guarantee that the Commissioners had been out to the property, and he had also been down Alice Street.

Mr. Anzek reminded that the landscaping area was in the City of Rochester. If it were in the City of Rochester Hills, the minimum requirement would be a Type B Buffer - a 25-foot width with a berm, fence or wall and a 20-foot IVO (deciduous trees planted every 25 feet). The applicants were trying to create a green wall, and they exceeded the City's minimum requirements. The City's Landscape Architect would not approve of plantings under trees that would not grow.

Mr. Kaltsounis asked what would happen to the trees that were dying. Mr. Oberlee said they would be left there until they needed to be taken down because they were big and they still had considerable greenery. He stressed that they would do a lot of work there. Mr. Kaltsounis reiterated that a town hall meeting would go a long way to resolve some of the issues and concerns.

Mr. Kaltsounis mentioned that when the applicants came before the Commission in 2002, one of the conditions of approval was to put a black surface on the top level of the deck to keep the hue of light minimized. He stated that the top was not black. He also brought up that there were 30-40 swimming pool lights that circled the parking structure. He did not see them on the plans. Those lights did not direct light downward - they shined all over and gave off a large hue of light.

Mr. Oberlee believed the "swimming pool" lights were put in to keep lights off of high poles. Mr. Kaltsounis said that the swimming pool lights emitted light in all directions. Mr. Oberlee said he would look at it. Mr. Whedon said he went to the parking structure after the July 29 meeting, and he was not sure about the reference to swimming pool lights. He acknowledged that there were a couple of lights by the east elevation that were not part of the plan, but they had been disconnected. Mr. Kaltsounis said the photometric plan showed eight and nine footcandles across the wall of the deck. He thought the standard was less than two. Mr. Anzek said the City had used two as a standard, and that standard was also used at City Hall. It had to be zero at a residential property line. He agreed that Mr. Kaltsounis had asked for a non-reflective coating for the top deck, and he could not explain why it was not done.

Mr. Kaltsounis said he did not think he could approve the plan with nine's against the wall. Mr. Whedon said that the Ordinance required zero footcandles at the property line and that was what they showed. Mr. Kaltsounis said that the residents were all concerned about lighting. Mr. Whedon said that the nine footcandles at the perimeter walls were due to lights that were located behind the panels that would shine down onto the deck. Mr. Kaltsounis said

that the lights he saw did not do that. Mr. Whedon said they did not have enough spread to put light outside the deck, but he said they could reduce the lighting level on the deck. Mr. Kaltsounis said they had to fix the current lights so they were shining in the right direction, and they had to make the top level black. Mr. Anzek suggested that they could do a study and see if that part was a problem. He thought the black might not be necessary if the wattage was lowered. Mr. Oberlee agreed they might need a study, and Mr. Kaltsounis said he would like to see a comparison of the lighting of the lower floors and the upper deck. The lower floors appeared to have much less substantial lighting.

Ms. Brnabic asked if any resident had requested whether the Rochester Planning Commission or City Council would revisit the matter. She understood that both cities had to review the project and that it fell under both cities' Ordinances, but she indicated that everything they had heard was coming from Rochester residents. She said she understood the hospital was under a timeframe, but a major issue the Commission was uncomfortable with was the lack of communication with the neighbors. She questioned the need for a bigger parking deck if there was not a date that the tower would be built. The applicants stated that they had a timeframe, and she acknowledged that they did go door to door, but she wanted to know the urgency if they did not have a projected date for the tower.

Mr. Oberlee said he had been asked how long it would take to build the tower, and he was not sure about that. He said that he hoped things went well, because the CEO of Crittenton was starting to talk with community leaders about beginning construction a year from now. It was a very expensive venture, and there were a lot of "ifs." They needed adequate parking on the site so they could do it. Ms. Brnabic said she understood that, and that they made

an effort to resolve several concerns, although they needed further discussion about the berm. She hoped they were really listening to the present concerns, because they did not have the town hall meeting, which should have included members from the Rochester Planning Commission and City Council as well as residents. She stated that Rochester had the final approval and at this point, to ask the Commission to approve it before Rochester had a chance to review it again did not make sense. She added that Rochester should review the Minutes from both meetings.

Mr. Anzek responded that the City of Rochester Planning Commission was meeting the next night. When they met a year ago, they gave a preliminary approval. He noted that he spoke with Mr. Oberlee the day after the July 29th meeting, and they looked at the draft Minutes. Several Commissioners encouraged the applicant to meet with the neighbors, but only Mr. Hooper suggested a town hall meeting. There was not a directive to have a town hall meeting, just a strong suggestion to meet with the neighbors. He advised that he would attend the meeting the next night to represent the Commissioners' concerns and opinions. His recommendation would be that Rochester Hills approve the plans subject to the City of Rochester's final approval. The City's responsibility really just went up to the corporate boundary. The landscaping resolution was a Rochester decision. It was the chicken and egg sort of thing - they might want to wait for Rochester Hills to approve and vice versa, but someone had to go first.

Ms. Brnabic was glad Mr. Oberlee had talked with people or left his card. Mr. Oberlee said he had some very nice conversations with people, and they invited him into their yards to see the berm. He was committed to fixing any

problems. He said it would be tough to get a group of people to mitigate when it had been made clear that it was not a question of what the berm looked like, it was that they did not want the deck. It felt like he had a more intimate conversation with people about it than he would have been able at an emotionally charged town hall meeting.

Ms. Brnabic thought Rochester should make the final decision and work on any outstanding issues, but she said that was somewhat frustrating. She could understand the residents' concerns about the height, and she was happy to see that they took it down a couple of levels, but if they wanted to see the deck 100 feet back, she was not sure it would matter because it had to comply with Rochester's Ordinances. She felt that the City of Rochester would use discretion. Mr. Anzek agreed, and said that the only thing Rochester Hills drove as far as Site Plan mandates was the fire access lane, because the City had primary fire response and responsibility to the hospital.

Ms. Brnabic acknowledged that the applicants had put some work into the project, but she felt that there were still things to be improved, and she expressed that it was now in Rochester's hands. She was concerned about what the residents' had expressed, and she realized that not everything could be solved, but as a resident of Rochester Hills and member of the Planning Commission, she said she could relate to them. Mr. Anzek said that the Commission respected citizen input regardless of where they lived. Ms. Brnabic stated that she was not trying to shift responsibility, but the residents had shared concerns at two meetings. She concluded that it was in Rochester's hands, and she hoped they considered everything that had been said.

Mr. Anzek asked what else should be changed, other than

the lighting, up to the corporate boundary. They had spent most of the night discussing landscaping, the stepping, and the eastern wall, which were all Rochester's decisions. He asked if the Commission would consider a motion to approve, subject to the City of Rochester's approval. Ms. Brnabic said that if it were the first meeting, she would have said no. However, the applicants made changes, and the Commission expressed everything else they had concerns about, and it was now up to Rochester, and up to Crittenton to continue being a good neighbor.

Mr. Yukon said it was his impression that the issues discussed with the residents regarded maintenance, not structure issues. They talked about the berm and the dead trees, but he did not hear what the residents had to say about the structure itself. He said he would feel more comfortable if Rochester made their determination, because a large portion of the structure was on their property. There were not many concerns with the portion in Rochester Hills. He said he understood the concept, but he did not feel he could support the requests for a Conditional Land Use Recommendation and Site Plan Approval.

2007-0776

Revised Conditional Land Use Recommendation (Postponed from July 29, 2008 Special Meeting) - City File No. 89-153.8 - Crittenton Hospital Medical Center Parking Structure, a new 479-space, four-story parking deck expansion proposed for the east side of the existing parking deck located south of the hospital near University and Livernois, zoned SP, Special Purpose, part of Parcel No. 15-15-101-003, Crittenton Hospital Medical Center, applicant.

Mr. Kaltsounis agreed with Ms. Brnabic, and he indicated that one of the harsh realities of the job was that they had to go "by the book" to the corporate boundary line. There was the issue of the fire lane and the lighting, which addressed the Rochester Hills side of the equation. There was also a Rochester side of the equation, and a lot of what they did with the Site Plan was on the Rochester side. He reiterated that it would still be a good idea for the developers to have a group meeting because it worked to get everyone on the

same page. He asked about a condition on the Conditional Land Use motion.

Mr. Anzek explained the process, and suggested that not knowing what Rochester would do, they might withhold the CLU going forward to City Council until Rochester approved the Site Plan. If there were significant changes to the Site Plan, it would be brought back to the Planning Commission; if not, it would go to Council.

Mr. Kaltsounis agreed, and said that the Commission was not skating the issue; they were going by the book for the City's jurisdiction up to the corporate boundary. He moved the following motion:

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 89-153.8 (Crittenton Hospital Medical Center Parking Deck), the Planning Commission recommends to City Council approval of a Revised Conditional Land Use, based on plans dated received by the Planning Department on August 27, 2008, with the following seven (7) findings and subject to the following one (1) condition.

Findings:

1. The proposed parking structure expansion and other necessary site improvements meet or exceed the standards of the Zoning Ordinance.
2. The existing and expanded use will promote the intent and purpose of the Zoning Ordinance, by meeting the criteria of Section 138-1306.
3. The proposed development has been designed and is proposed to be constructed, operated, maintained,

and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the land use.

- 4. The proposal should have a positive impact on the community by improving the site for patient care and access.*
- 5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.*
- 6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
- 7. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Condition:

- 1. That City Council withhold approval of the Conditional Land Use until after the Site Plan is approved by the City of Rochester.*

Mr. Schroeder summarized that the Commission had discussed the matter, and the applicant met all the criteria for the City of Rochester Hills and did what the Commission had requested. They acted upon the request for the City of Rochester's properties, but the Commission could not control that. He supported the motion to approve it in

Rochester Hills so it did not keep bouncing back and forth between cities. He felt it was the proper way to go.

Mr. Hooper recalled that seven years ago, when the original parking garage came forward, it was the Planning Commission that encouraged Crittenton to go from three to four stories as it related to the long term. He understood what Mr. Oberlee said about doing future expansion. They would lose surface parking for contractors, and they would need some place to park to maintain the viability of the hospital while it was under construction. The need was definitely there, and Crittenton would not spend ten million dollars just because it was a nice thing to do. There had to be a compelling business case to spend that kind of money, and the plan was well thought out. The applicants obviously listened to all the issues, and they revised the plans based on Rochester Hills' Ordinances that really did not apply to Rochester. He felt they had gone to task and made appropriate changes. He brought up communicating with the neighbors, and said there were two ways to do it - invite residents to the hospital or go door to door - and Mr. Oberlee chose to meet residents individually. Mr. Hooper felt that both ways were fine, as long as the effort and contact were made. Mr. Oberlee left a card, and if people wanted to contact him, they could. He made an effort to share the plans and gain input and to address concerns. Mr. Hooper said he looked forward to a resolution.

Prior to his vote, Mr. Yukon was given clarification that the Rochester residents would have an opportunity to address any concerns with their own governing body.

A motion was made by Kaltsounis, seconded by Schroeder, that this matter be Recommended for Approval to the City Council Regular Meeting.

The motion CARRIED by the following vote:

Aye 8 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Schroeder and Yukon

Absent 1 - Hardenburg

2008-0384 Revised Site Plan Approval - City File No. 89-153.8 - Crittenton Hospital Medical Center Parking Structure

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 89-153.8 (Crittenton Hospital Medical Center Parking Deck), the Planning Commission approves the Revised Site Plan, based on plans dated received by the Planning Department on August 27, 2008, with the following six (6) findings and subject to the following eleven (11) conditions.

Findings:

1. *The Revised 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 parking deck will have a drive that passes through it, and the fire lane on the eastern side is for emergency vehicles only, thereby reducing traffic flow nearest to the residences.*
3. *The parking structure has been designed to avoid common traffic problems and promote safety and convenience for vehicular traffic within the site.*
4. *Because of the design and landscaping, the proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
5. *The proposed development will not have an unreasonably detrimental or an injurious effect upon*

the natural characteristics and features of the site.

6. *The improvements will allow Crittenton Hospital Medical Center to expand the valuable service it provides to the community.*

Conditions:

1. *City Council approval of the Revised Conditional Land Use.*
2. *Provision of a note on Sheet Number C1 (Site Plan) stating whether the deck will be equipped with a Class I standpipe system or required fire hydrants, and that the locations shall be approved by the Fire Department, and any further comments from the Fire Department after review of the revised plans dated August 27, 2008 must be addressed, prior to Final Approval by Staff.*
3. *Plans shall show the Registered Landscape Architect's name, address, State registration and phone numbers on the plans prior to Final Approval by Staff.*
4. *Tree protective fencing must be installed, inspected and approved by the City's Landscape Architect prior to issuance of a Land Improvement Permit.*
5. *Provision of a performance and maintenance guarantee in an amount to be determined by the City, to ensure the correct installation and maintenance of the proposed landscaping. Such guarantees to be provided by the applicant prior to issuance of a Land Improvement Permit.*

6. *Address comments from the Building Department memo dated February 5, 2008, and any further comments after review of the revised plans dated August 27, 2008, prior to issuance of Building Permits.*
7. *Add a note to the plans stating that should any well casing be discovered during demolition, it will be evaluated by the Oakland County Health Division and properly abandoned and documented.*
8. *Approval of the plans by the City of Rochester Planning Commission and/or City Council.*
9. *That an updated photometric study for the upper floor of the current structure be provided to determine whether non-reflective coating is necessary for both parking structures, prior to Final Approval by Staff.*
10. *Per the Planning Commission meeting of April 16, 2002, the top surface of the entire structure (new and existing decks) shall be of non-reflective coating if the photometric study shows the existing structure still emanates too much light after reduction of average lighting levels as stated in Condition 11.*
11. *The Photometric Plan shall show that the average light level over the top surface of the decks shall be no more than two footcandles, and no lights shall project upward, prior to Final Approval by Staff.*

Regarding Condition 10, Mr. Reece said that from a weight standpoint, it was not a common practice to have a paving machine on top of a deck. They could use an asphalt sealer, and there were also non-reflective traffic coatings. Mr. Schroeder did not feel asphalt sealer was a good idea, to which Mr. Reece agreed. The previous request requiring

a black surface for the deck for Condition 10 was changed to non-reflective coating.

A motion was made by Kaltsounis, seconded by Schroeder, that this matter be Approved.

The motion CARRIED by the following vote:

Aye 8 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Schroeder and Yukon

Absent 1 - Hardenburg

ANY OTHER BUSINESS

The Commissioners were given the final draft copy of the Master Thoroughfare Plan to review before the Public Hearing in October. Mr. Anzek advised that Staff had asked McKenna Associates to read through the Plan to make sure it did not conflict with the Master Land Use Plan in any way. McKenna made a few comments and the Engineering consultants, Corradino and OHM, made some changes to the Plan. He noted that the changes were highlighted in yellow, and he asked the Commissioners to become familiar with them to get ready for the formal adoption in a month or so.

NEXT MEETING DATE

The Chair reminded the Commissioners that the next Regular Meeting was scheduled for September 16, 2008.

ADJOURNMENT

Hearing no further business to come before the Commission, and upon motion by Kaltsounis, the Chair adjourned the Regular Meeting at 10:00 p.m., Michigan time.

William F. Boswell, Chairperson

Maureen Gentry, Recording Secretary