



Rochester Hills Minutes - Final Planning Commission

1000 Rochester Hills
Drive
Rochester Hills, MI 48309
(248) 656-4660
Home Page:
www.rochesterhills.org

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

Tuesday, February 8, 2005

7:30 PM

Special Joint Meeting with City Council

CALL TO ORDER

ROLL CALL

Present: William Boswell, Deborah Brnabic, Kathleen Hardenburg, Melinda Hill, Greg Hooper, Nicholas Kaltsounis, James Rosen and C. Neall Schroeder

Excused: Eric Kaiser

Present City Council:

President Melinda Hill; Vice President Barbara Holder; Members Bryan Barnett, John Dalton, Linda Raschke

Excused: Members Jim Duistermars, Gerald Robbins

Others Present:

Deborah Millhouse, Deputy Director of Planning and Development
Derek Delacourt, Planner III, Planning and Development
Maureen Gentry, Recording Secretary
McKenna Associates, Inc. Staff

COMMUNICATIONS

None

NEW BUSINESS

Master Land Use Plan Update

Mr. Rosen explained that the first topic to be covered included information, discussion and a review of the progress that had been made regarding the Master Land Use Plan revision. The second item would be a potential Planned Unit Development (PUD) for Rochester College. He noted there were cards to be filled out to gauge how many people would like to speak.

Mr. Delacourt stated that the City had recently begun an update of its Master Land Use Plan and that the consultants, McKenna Associates, Inc. would review its progress and talk about the direction the planning would take.

Present for the McKenna team were John Jackson, the Project Director and resource for the team, who had been involved in communities' Master Plans for over 15 years; Amy Neary, Project Manager; Steve Gunnels, Specialist in

Economic Development, Marketing Analysis, and Fiscal Impact Analysis; Steve Niswander of Niswander Environmental, who was working on the Natural Features Inventory for the Plan; Jim Brueckman, handling day to day operations and Jui-Pin Chang, Senior Landscape Architect. Mr. Jackson advised that they had also enlisted the help of a number of graphic designers.

Mr. Jackson thanked the members for the opportunity to give the first of many updates planned. McKenna began work on the Plan in the fall of 2004 and there had been monthly Technical Committee meetings. He stated that one of the most important parts of the process was getting public input and involving the Boards and Commissions. He was impressed that the City had significant GIS capabilities, which would be very helpful for future mapping purposes.

Mr. Jackson advised that the first few months involved gathering data and organizing the project. An online survey was drawn up and put on the City's web site so people could register input and feedback to help the committee formulate goals and objectives by finding out what the residents and business owners wanted to see in the community. He advised that the consultants would look at land use, including the fiscal impacts of residential versus commercial and industrial development, and formulate future land use alternatives. This would be brought back to the public so they could see the results of their input and help refine the Plan as it approached the end of the project. He noted that the Plan would be sent to surrounding communities for review before it was adopted.

Mr. Jackson continued that there would be several opportunities for public input and the most immediate would be at the workshops on February 28, 2005 at Rochester College. The first would be at 2:00 p.m., for business owners, and the second at 7:00 p.m., for residential stakeholders. The intent of the latter would be to find out what people liked about their neighborhoods and what types of housing options and commercial services the City should offer. Following the workshops, there would be a summation meeting to further refine the plan. He noted that the public was welcome at any meetings at which the Planning Commission and City Council would receive updates.

Mr. Jackson advised that Dr. Niswander would conduct a workshop about the Natural Features Inventory on March 8, and people involved in the Clinton River, Oakland Land Conservancy, and similar groups would also be invited. Additionally, Mr. Gunnels would conduct phone interviews with the business community to solicit input for the Plan. Toward the end of the project, there would be a Public Hearing to unveil the comprehensive Plan.

Ms. Neary stated that the very first step in preparing a Master Plan, and the foundation of what would ultimately be implemented, was the survey and analysis of existing conditions. She explained that it gave a picture of where the City currently stood and analyzed past trends of the community. In the fall, McKenna updated the 1998 existing land use inventory. They took a windshield survey - they drove through the community - and updated the land uses. She pointed out that the key findings were that the community was approaching build-out. There was 9% of vacant land left, down from 24% in 1991. The average lot size was under 1 ½ acres, so any infill development

would be more challenging and done on a smaller scale. They also identified that the overall distribution of land uses had remained relatively constant, including that the City was predominately single-family residential. They next identified neighborhood areas where services were provided on a smaller scale than City-wide. The areas were identified by major boundaries such as roads and natural features. Neighborhood areas were the building blocks of what made up the City, and used because land use change would be most visible in these areas. In each neighborhood they tried to identify areas of residential change over the next five to ten years. They looked at existing zoning and whether the larger parcels could be eventually split. They looked at the value of housing to see if there had been reinvestment. They looked at areas where there could be assembly of parcels for infill subdivisions. They also had to look at the marketing conditions and what the demographics were saying about the community, so at that point Ms. Neary turned the discussion over to Mr. Gunnels for an analysis of the City's economic conditions.

Mr. Gunnels explained that demographic issues pertained to the number of people, and their ages and household structures, and he said they used information from SEMCOG and the City's Assessing and Building Permit records back to 1969. It showed that the City's population was continuing to grow, but more slowly. There were more people in the 45 to 64 year-old age. He explained that was important because as the households continued to age, there would be more "aging" issues and families would look for alternative housing and services for seniors. They looked at the cost of housing, noting that people should not spend more than 30% of their income for housing. For people who owned homes in Rochester Hills, the City was affordable. The cost of housing was not affordable for younger or lower income households. This would be an important consideration for the City for the future. They expected continued, strong demand for housing in the City, and believed that attached townhouses and condos for single-family living would continue to grow in popularity in southeast Michigan. They would need to ask the question of whether that type of housing would address the demand of residents and whether it would be important to people who wanted to stay in the community but wanted to downsize their housing as children moved out or they retired.

Mr. Gunnels continued that the older housing in the City had a lower market value than newer housing, which he said was not a surprise. The City might consider how important it would be to facilitate and promote reinvestment in the older houses to expand the tax base. They would also need to address how the Ordinances responded to requests for additions for smaller houses to correlate with property tax revenue. Over the last ten years, over half the growth in the City's revenue came from increases in property tax revenues. What happened to those residential structures over time was very important to the amount of money the City Council could use to provide services to the residents. In about 12 years, if current trends continued, the revenue and expenditure curves would cross and the City would be faced with the issue of how to fund services without adequate revenues. He stated that the future development of land and what type of development the City should bring was important and would affect the revenue stream and expenditures of the City. To that end, they would look at what the market demand for land use would be over the next five to twenty years.

Mr. Gunnels referred to the market analysis, which was broken down into office, retail, industrial and residential. If the trends of the last ten years were to continue, there would be a little more industrial development, but it would be less than 1% of total new development. He stated that the scarcity of land would drive up land values and industrial development would be priced out of the market. That would also affect the existing industrial businesses. Office development would be very important to future land use. His materials included summaries of studies from the University of Michigan, which said that the economy of the future would be based in offices, schools and hospitals. The I-75 submarket, which included Troy, Rochester Hills and Auburn Hills, had 20% of all office space in the Detroit metro area. A large part of Oakland County's growth in offices would continue to occur in those communities, especially in Rochester Hills. Numerous fiscal studies showed that office developments were the most fiscally beneficial land use to have, in terms of the amount of services for each dollar in revenue. He added that the City would make money from office uses to help fund residential services.

The consultants looked at retail, which Mr. Gunnels noted was looked at in depth during the last Master Plan update. They analyzed neighborhood, community and regional retail development. Neighborhood entailed a five-minute drive and community scale meant within a three-mile radius, or about a ten-minute drive. They considered grocery stores to be in that category because most residents made a weekly trip to these establishments. They looked at the consumer spending habits and determined that the amount of retail space spending would support was 163 acres. The existing land use survey found 253 acres of neighborhood and community scale retail development. Regional uses, for a 12-mile radius, included Lakeside, Somerset, Great Lakes, or the larger shopping malls. Mr. Gunnels advised that Oakland Township's Master Plan referenced that they would not need further commercial development. The City could pick up more retail development to service this and other areas, but in five or ten years, he questioned what would happen if Oakland Township changed its direction. A lot of the people would no longer have to drive to Rochester Hills if Oakland Township decided to increase retail, and the potential long-term cost would be vacant shopping centers.

Over twenty years, if the trends continued, there would be 20 acres of new industrial building (that included vacant industrial land). If the retail development trends continued, there would be 116 acres of retail and 266 acres of office. With the same pattern, there would be 4,900 of acres of new residential land needed. In the existing land use survey, there were only 1,900 acres of vacant land, and not all of it would be buildable. The City would be all right for five years, but could not continue as it was for ten years, or they would run out of vacant land. The important determination for the City would be to find out which of the trends to continue and which they like to see changed, and that would be how the Master Plan was utilized.

Dr. Niswander advised that he had looked at the natural features of the City and at the land that had already been put aside as parks or private open space. The purpose of including the Natural Features Inventory with the Master Land

Use Plan was to document existing conditions and to provide guidance for land use and preservation of the areas that would see a lot of pressure for development. The work he was doing would provide a tool that would allow people to look at the natural resources from a landscape perspective and at the bigger picture. It would help with site plan development. He advised that the information would include floodplains, steep slopes, woodlands, wetlands and watercourses, and overall open space. He completed field investigations throughout the City, surveying 729 locations and producing 675 digital photographs. This data would be incorporated into a Geographic Information System (GIS) and the natural features would be a layer available to City Staff. Each location would have data associated with it and a photo available for the resource. The floodplain map would be available and the City's Engineering Department was working to make that information available to the community. The research would become a very dynamic tool.

Dr. Niswander stated that the steep slopes in the City were a concern for several reasons. One regarded soil erosion and soil loss. The steep slopes were mostly associated with the Clinton River or its tributaries and if there were slope failure, it would oftentimes be detrimental to the water resources. He showed pictures of the River and homes along it, and homes where people had to address the erosion with costly retaining walls. He reiterated that erosion and slope failure situations were very problematic, and that in the next 15 years, hard Engineering steps would have to be taken to address this matter.

Dr. Niswander advised that he was developing a woodlands map and that the wetlands and watercourses were being digitized. He and Staff were developing attribute tables for the GIS and field data to be linked to those features. They could begin ranking the resources, based on a host of criteria, including adjacency to other natural features, water resources and parklands, open space, trails and quality of vegetation. The data would be summarized, and it was his goal to have a color-coded map that included the areas that needed the most protection and the tools to protect them. They would also like to include new tools, possibly overlay districts or revisions to the Ordinance, to protect the natural resources. He stressed that the tools should be used and not just left on a shelf. He suggested that the City would begin looking at restoration opportunities for the existing resources and look at linking them together to provide greater value to the citizens of Rochester Hills.

Ms. Neary reminded that there would be public workshops on February 28, 2005, and there was an on-line survey, both from which they would prepare preliminary goals and objectives and help identify future land use alternatives.

Mr. Schroeder advised that there were many groups involved in conservation, including storm water advisory groups for all the watersheds. Rochester Hills had four - the Clinton Red Run, the Clinton Main, Paint Creek and the Rouge Mains I and II. He advised that they had formed the Arc Assembly of Rouge Communities and had developed a State law to allow the groups to operate. He indicated that these were powerful tools and the leader of the Arc was a resident of Rochester Hills who would be available any time. He felt the City should use this source. Dr. Niswander said he had met with several of the people involved and that they would certainly try to gather as much information

as possible.

Mr. Dalton questioned using grocery stores in the retail assessment and Mr. Gunnels said they were used as an indicator for a shopping center's function in the community scale areas. Mr. Dalton asked him for a definition of a grocery store. Mr. Gunnels replied that it included Kroger, Farmer Jack, Whole Foods, and Papa Joe's. Mr. Dalton asked if he was using a food store to determine the amount of retail, and wondered why they would pick food to determine the amount of retail. Ms. Neary explained that food was chosen for community scale retail because a resident would typically travel there once a week. Mr. Gunnels noted that they used it for overlapping trade areas. When they looked at spending for an area, they included all shopping centers in the City that were not classified as regional, but they did not just limit it to grocery stores. Mr. Jackson added that this scale included clothing and other retail expenditures.

Mr. Kaltsounis asked if the residents would be able to give input for the Master Plan during the stakeholder meetings or whether there would be other meetings.

Ms. Neary said that the stakeholder workshops would be the number one way residents could voice their opinions; however, the residents could voice their concerns at the update meetings as well. She mentioned that they could also speak at the Public Hearing. Ms. Hill stated that there would be public Planning Commission workshops that would go into more detail about what the Technical Committee had done.

Ms. Holder stated that the City Council members got "beat over the head" when they made a decision contrary to the Master Plan. In the present crisis the City faced regarding the lack of revenue to fulfill services demanded by the residents, she wondered how they could affect the Plan to help the Council with decisions.

Ms. Neary indicated that they were creating a new plan for the community. Ms. Holder realized that the consultants would show what the City needed in the future, but as Council members, they needed to do things to bring in revenue because of the demand for services. Mr. Jackson noted that the residents had expressed that more office and retail development were not desired, so those would be choices the City had to make. He acknowledged that with less potential to generate revenue, there might not be an alternative. If the people wanted their services maintained or increased, the money had to come from somewhere. The consultants would show how to support the revenue-generating land uses that would be attractive and beneficial with the nature of the community. The City members would run into that challenge when they looked at the future land use alternatives. Mr. Gunnels said they would give an analysis of the fiscal implications of the different uses and that would be part of the planning process. They would show the fiscal realities for what people wanted. He indicated that the elected officials had to show the residents and taxpayers what they faced in a team effort.

Mr. Rosen reviewed that the Master Plan was a description of how people wanted the City to turn out and that it took into account where the City had

been, where they were, and where they were going. He indicated that some areas could be controlled, some could not, and that the desire for things like housing, retail and office were market driven. They had to figure out how much made sense and how much the City could tolerate. The Master Plan would represent everyone's best thoughts and it would not be perfect, just the best they could do. It would be out of date the minute they stopped working on it, but the question would be how much out of date. If they did not have a Master Plan they would not have anything, and it was their best tool. Everyone knew for years that the City would have funding problems when the growth ran out and the City had to solve that problem. His thoughts were that Council could look at the Master Plan on a given day to help make a decision, but the Planning Commission tried to look at it in the long term for everyone in the City and there might be a difference of perspectives.

Mr. Rosen asked what was being done to publicize the forums and public meetings, noting that it was his goal to get as much public input as they could. Mr. Delacourt advised that Staff advertised in the paper, and also requested press releases. Public notices would be sent for each meeting. Channel 55 was being utilized to announce the update and the Public Forum. There were large mailings to the Homeowner Association presidents for distribution, and to the business owners in the City. There had been articles written in the Oakland Press and Rochester Eccentric. Mr. Rosen said that it could be mentioned at the City Council meetings, which were televised, and he suggested that if anyone had additional ideas, they should let the Planning Department Staff know.

Ms. Raschke thanked the McKenna group, noting that she sat on the Technical Committee. She said she had been in the City since 1972, when Rochester Road was a two-lane highway and Kmart was not in the City. She indicated that people accused her of making decisions that put developments in their backyards, but everyone had to remember that change was inevitable. She observed that the overlays revealed dated areas, but she was aware of cities which had turned older areas into unbelievable areas. She stated that the City needed revenue and remarked that this was the day of reckoning. She reminded that the public would have input into the Plan, and that the input was very welcomed, and observed that McKenna was doing a fine job.

Mr. Dalton agreed, and said the process McKenna was using was very comprehensive and thorough and that, as a result, the Master Plan would have a high degree of validity - perhaps more so than in the past. The more citizens were involved, the more they would understand the process and be willing to accept it.

Mr. Rosen indicated that he had been through a Master Plan update twice and realized it was a lot of hard work. He appreciated that McKenna was doing all the right things.

Recess: 8:50 p.m. 9:00 p.m.

Preliminary Planned Unit Development (PUD) Recommendation - City File No. 94-426 - Rochester College, Located north of Avon and west of Rochester Road, zoned SP, Special Purpose District, Rochester College, applicant.

Present for the applicant were Mr. Gary Carson, Rochester College and Mr. John Gaber, Attorney with Williams, Williams, Ruby and Plunkett, 380 N. Old Woodward, Suite 300, Birmingham, MI 48009.

Mr. Rosen asked Mr. Delacourt to explain how the proposal came about and what Staff and the College would like to see happen.

Mr. Delacourt commented that the path to this point was a very long one. He explained that Staff was charged by Council and the Historic Districts Commission (HDC) and Historic Districts Study Committee to try to resolve some issues with the future development for Rochester College - which involved the Historic District and natural features on the site. The Planning Commission and the College wished to establish a process to look at the future Master Plan for the College, rather than having it developed with a piecemeal approach. The Planned Unit Development approach was suggested and the College brought forth a textual document with exhibits that would become the guiding document for the future development of the College. The College was requesting Preliminary PUD Recommendation to be able to use the PUD process, and to have key issues identified prior to presenting a Final submittal. Staff believed that the proposed PUD met the criteria for use of the process, and if Planning Commission recommended approval, it would move to City Council for Preliminary approval.

Mr. Carson thanked the members for agreeing to the joint meeting. He identified that the Master Plan would be a 20-year Plan. They realized there would be changes, but he felt the Plan was very valid. They spent an extensive amount of time with the administrative team to identify and update their strategy. They defined the student body, size and mix, and the type of programs they wanted to go forward. They had to determine what type of campus they would need to fulfill that plan. In addition, they utilized respected professionals and had met numerous times with the Planning and Engineering Staff of the City. The Master Plan was being requested to efficiently expand the campus, and as changes occurred, they would need to meet the demand of their clientele. He advised that the PUD Agreement had some constraints, and that they could not make major changes unilaterally to the Plan without going before Council. Site Plan approval would still be required for every expansion or addition.

Mr. Carson continued that if the PUD Agreement were approved, it would provide the College significant benefit for expanding in lieu of the environmental constraints. Building multi-level structures would provide much more square footage per acre of land use occupied. Being able to mitigate some low-grade wetlands would let them take advantage of areas they previously thought were unbuildable. The PUD would allow them to gain significant footprint utilization for the campus, while preserving woodlands.

Mr. Carson noted that the College had sorely lacked any type of athletic

facilities and rather than using High Schools or other Colleges' facilities, they would be able to bring that on campus. There would be a huge area of green space identified near the proposed Historic District, which would preserve natural features of the property. They would add a through road so people could get from one end of the campus to the other. The church building to the east was used consistently and currently demanded that the students and faculty used Avon Road. The through road would be much safer. Originally the roadway they were going to use to connect the east end and church property would go through the Historic District site, but they were able to move it back and eliminate engineering concerns. He felt that it was significant that the area on the north side of the river would be identified as a conservancy easement. That would ensure the greenbelt along the Clinton River, which could be used by the community as well as the College.

Mr. Carson advised that they had identified an area of stormwater management and found that, at least through the first couple of phases of the development, there would be capacity at the lake to handle it. They would try to take advantage of the features on the campus to handle stormwater.

Mr. Gaber stated that one of the main impetuses for using the process, and trying to reach a resolution, was that the College determined its constraints and was not able to deal with the issues otherwise. He noted that the College had steep terrain, the Clinton River, wetlands, floodplains and other natural features - about 30 acres of the 80-acre campus. In addition, 40 acres of the campus comprised a designated Historic District. The College asked for an elimination of the Historic District because they did not feel they had flexibility. City Council directed them to the PUD process, and they were able to reduce the size of, and preserve, the Historic District. It would be reduced from 40 acres to an area of about 240 x 212 square feet. The house was currently outside of that area, but they would provide for preservation of the house and relocate it in front of the barn. The HDC would have review rights and help to relocate the house, as agreed in the PUD, when the timing was appropriate in five years or so. He added that the HDC would have authority over the house, even though it would be outside of the Historic District. There would be no buildings constructed within 150 feet of the boundaries of the Historic District, so they could preserve the feel and look of the historic structures. They did not want tall buildings around it and felt the athletic fields would be a good fit for this area.

Mr. Gaber summarized some of the benefits of the PUD, noting that it would grant Conditional Land Use Approval for the Master Plan, and mean the College would not have to come back before City Council for each building they constructed. If the build out were consistent with the Master Plan, they would have Conditional Land Use approval. Regarding setbacks, they provided that those would be reduced or waived and the PUD provided that building height restrictions would be relaxed to give the ability to maintain more green space yet still service the student population. The City had agreed to allow a Wetland Use Permit for the area north of the proposed softball field. The natural features setbacks would be waived for the low quality wetlands away from the Clinton River. If they needed to encroach on those by the river, they would be allowed to on a temporary basis for construction purposes. There would be

flexibility with regard to parking. The Master Plan showed spaces being provided in excess of what the City required (Exhibit E of the PUD Agreement).

Mr. Gaber next showed a drawing of the proposed conservation easement, which would be dedicated to the Oakland County Land Conservancy. He advised there would be dedication of right-of-way along Avon Road, which was currently a 66-foot wide right-of-way. It was proposed to become 120-feet, and the College would dedicate land all along the length of the campus. If there were issues with parking, the College would construct a parking facility in the back of the campus.

The applicants believed the proposed PUD would encourage innovation and variety of design, would preserve significant natural features and open space, and that it would encourage the appropriate redevelopment of a historic site. They believed the proposal qualified for use of the PUD process.

Mr. Rosen opened the meeting to public comments at 9:25 p.m. Seeing no one come forward, he closed the public comments.

Mr. Rosen clarified that they had two tasks - to determine whether the College's plan qualified for the PUD process and recommend that to City Council, and to flush out issues and concerns. The City never realized the College would grow this large, and that was why the Planning Commission began asking to see a Master Plan.

Ms. Brnabic referred to the draft of the PUD Agreement and said she wished to know if the Planning Commission, rather than City Staff, would have Site Plan review rights for each phase of the College.

Mr. Gaber said the PUD was set up so there would be a Site Plan review done by Staff if the Site Plan was consistent with the approved Master Plan. If Staff determined there was a deviation from the Master Plan, Staff would submit it to Planning Commission for review and approval. He stated that it could be open for negotiation. They felt that if the Master Plan was scrutinized and a PUD was in place, they would have accomplished that a consistent Site Plan would be brought forward.

Ms. Brnabic stated that the Master Plan was conceptual. The PUD draft read that if something was proposed, but because circumstances and times could change, that the College would have no obligation to follow regular Site Plan approval process and could make revisions. She questioned if the Master Plan would simply be the best concept proposed and whether the College would not be obligated to follow it. It was her understanding that they were asking the Commission to approve the PUD without a lot of Site Plan details. She reminded that there was a check and balances system in the City, and noted that she did not see that in the PUD. It appeared that a lot of normal review processes would be bypassed.

Mr. Gaber agreed the PUD was set up that way, and if it were preferred that they went the traditional route, he would have to discuss it with the College. He pointed out that the College would not have carte blanche to do whatever it

wanted or to deviate from the Master Plan. He referred to Section 16, Minor Modifications, which listed examples of what Staff could review. There were constraints for what the College could do, even though Staff had certain discretion. He added that if those discretionary limits were exceeded, it would have to back to City Council.

Ms. Branbic asked if the key issues would be thoroughly discussed in the process. She gave an example of the proposed height modifications or the parking garage if needed. She said there was no real clarity listed for those - it would just be at the College's discretion as to how many levels, for example. She said some of the wording about constructing future items, such as "if deemed necessary," did not allow for checks and balances, and it concerned her. She asked about the parking agreement between the College and the church and if that would be an indefinite agreement.

Mr. Carson said that there had been a document signed by the CFO of the College and the President of the church board, which was submitted in the documents. Ms. Brnabic said it was not in the PUD and she wondered what would happen if the College or church did not want to keep the agreement.

Mr. Carson said it was a valid question. Mr. Gaber said it was not referred to because there was another Exhibit included that dealt with parking space requirements. That discussed that the total spaces required was 1,048 and the Church would provide 1,346 spaces on the campus alone. The document with the church was not really even needed pursuant to the calculations required by the City.

Mr. Kaltsounis recalled that when the College was before the Commission previously, he brought up that the Ordinance only required parking for the number of beds on the campus, and that it did not account for people in classrooms. He would like a clearer understanding of what they would need, noting that he assumed the College would want to be protected regarding parking. He would like the parking discussed in more detail, including the proposed parking structure.

Mr. Kaltsounis noted that there was not much detail about when the repairs would be made to the historic structures and that the barn was in disrepair. As they continued, he wondered if they could include some repairs to the historic structures. He also cautioned that the College should be very careful about putting buildings on the slopes. If the PUD was approved and they were locked into what they proposed, they should make sure the engineers looked at what they proposed to build to make sure they actually could. He mentioned relaxing the building height restrictions and asked what type of improvements they proposed for Avon Road, such as another center lane or a stoplight. He felt that the PUD was a step in the right direction; he just wanted to make sure the "i's were dotted and t's were crossed."

Mr. Rosen recalled that Avon Road was planned to have three lanes, including a left center lane. Mr. Schroeder asked if the College had a Master Plan for its utilities - water, sewer, sanitary and storm - and a plan for the road improvements. He suggested that there would be a point in time where they

would have to loop their water main so that should be sized. Mr. Rosen felt that was more detail than was needed at this point. Mr. Schroeder disagreed, asserting that the College had to plan for those types of things right away.

Mr. Delacourt said that the College had been working with the City's Engineering Department to make those determinations. Those were not included in the Exhibits of the PUD, but that information would be available to be able to determine what was necessary for each phase. They had discussed stormwater issues at length. Mr. Schroeder stressed that they would not want to proceed without having the utility information.

Mr. Rosen noted that Ms. Brnabic brought up an important concept about how they would get from the one page document to plans used for building. Ms. Brnabic had questioned where the plan would get detailed review. If Council approved the use of the PUD, the College could come up with conceptual plans. The City would either have to go through a Site Plan review for every building and account for changes from conceptual to detail - without much certainty for anyone - or go through an extensive process of flushing out the details before Final approval. If the subject PUD were agreed upon, the City would not have a lot of say in the future.

Ms. Brnabic referred to the section in the Agreement regarding historic structures, which said that the College would have the assistance of the City, without limitations, to try and obtain grants and maintain funding to restore the buildings. She wondered why the City would have such an obligation.

Mr. Delacourt responded that Staff currently assisted people in Historic Districts to pursue grants. The City Attorney could look at that language, but he did not feel it obligated the City Staff to more than they did now. He did not feel that a grant received would automatically go to the College, either. Ms. Brnabic agreed she would like Mr. Staran to look at that language.

Mr. Hooper asked if the motion before the Commission was to recommend that City Council support use of the PUD and if that should pass, if there would be Preliminary and then Final PUD approval meetings. Mr. Delacourt said that was correct. Mr. Hooper stated that there would then be two more meetings to go over the language in the PUD. Mr. Hooper said Mr. Delacourt had already identified the key issues and he believed that the College should be able to use the PUD process. He noted that there would be Site Plan approval for each of the buildings. Mr. Delacourt said the language would have to be clarified, including regarding the approval process, but if the issues had all been identified and if the request was clear, the PUD process could be recommended.

Mr. Rosen clarified that Mr. Hooper said the Planning Commission would see this item two more times, but he thought it was only once. Mr. Delacourt agreed the Ordinance only required two steps, although that did not mean those had to be the only steps.

Mr. Hooper said he was in favor of recommending support of the use, but he felt the Commission needed a full review of the Preliminary PUD and the Final.

He indicated that he was not prepared to delve into the details at this point. Mr. Delacourt reminded that at this stage, the recommendation was only for the process; Planning Commission would not be recommending approval of the Agreement or Exhibits and it would not vest the applicant. It would be hard for the applicant to provide a lot of detail until they were sure the process would be approved.

Mr. Gaber suggested that the Planning Commission consider giving input, that the College would work with Staff and rework the draft, and that the applicants return to the Planning Commission for Public Hearing and Final review. At that time, if the Planning Commission agreed with everything, they would recommend approval and if not, they could table the matter to decide at a later meeting. He would like them to move forward with the process. He added that in response to some confusion about the process, the Commission could either approve a concept and the College could provide more detail later or they could become more specific with the Final PUD and Master Plan. He noted that things would change and that they were not in a position to add a great amount of detail; otherwise they would have to come back for amendments and changes with greater frequency. He believed they could add to the Agreement that Planning Commission would have Site Plan review.

Mr. Rosen said they would be looking at a plan for the next 25 years. He questioned whether they would want to be bound in that tight. He realized that there were people who had been looking at plans for several years, but he stated that it was the first time the Planning Commission had seen the College's Master Plan. The reason the Planning Commission always asked for the Master Plan was to see what the College had in mind and to try to isolate any glitches. With the growth the College was anticipating, it would become a much different place than most people thought. He felt a PUD would make sense for this site because the City had never planned for a College this big. He believed there should be Planning Commission review for individual buildings because that was where inconsistencies, if any, would be found. He suggested that the College think about the process for Final PUD. The Planning Commission should give guidance about any "heartburn" issues at this meeting and there should be a workshop with the Planning Commission so there would not a major conflict at the Public Hearing (Final) stage.

Ms. Hill stated, as a Council member and Planning Commission member, that what was submitted to them brought together the compromise requested by Council. They wanted to see preservation of the Historic District, while allowing the College some flexibility while building out the campus. She acknowledged that Council had seen plans and talked about the College in much more detail than the Planning Commission, and that this was the first time they had seen the Master Plan. She agreed with Mr. Hooper, and felt they could tie the concept to the actual Agreement, and allow for flexibility. She also agreed that the Site Plans should go through the normal review processes. She was not as worried about Special Purpose not being an underlying zoning in the PUD Ordinance, and noted that the Commission was looking at amending that Ordinance. She thought it was an issue they could work through. She was not sure they were ready to explore all the areas at the meeting and she was not certain about the language, but she did not see it as insurmountable. She felt

the main focus should be whether the PUD was the appropriate process for the College. She felt it would be a good idea to have an informal workshop for Planning Commission, since it was the first time they had seen the Plan, and because it would work better for everyone.

*MOTION by Hill, seconded by Hooper, in the matter of City File No. 94-426 (Rochester College), the Planning Commission **recommends** that City Council **support** use of the PUD process with the following findings and in consideration of the following key issues that need be addressed in the final PUD submittal.*

Findings:

- 1. The proposed project meets the standards for use of the Planned Unit Development process.*
- 2. The applicant has met all of the requirements of the Preliminary Planned Unit Development Submittal.*

Key Issues:

- 1. Approval of proposed height modification for proposed campus buildings.*
- 2. Agreement on modified historic district, relocation of the farmhouse, and any permitted uses for the site.*
- 3. Relaxation of setback requirements to allow for flexibility of building location.*
- 4. Proposed wetland fill areas, natural feature setback modification (temporary and permanent), and any required mitigation.*
- 5. Location of proposed conservation easement.*
- 6. Overall internal traffic circulation, pedestrian design, and connection to public roads.*
- 7. Conditional Land Use Approval as part of PUD approval.*
- 8. Final Site Plan approval process for individual phases.*
- 9. Proposed PUD text and any additional language changes.*
- 10. Modification of the City's PUD Ordinance to allow Special Purpose underlying zoning.*
- 11. Conduct a Planning Commission workshop after Preliminary PUD approval, to work out the details of the Final PUD.*

Mr. Rosen thought they should consider other issues raised but Mr. Hooper felt

they could flush any out at the workshop. Mr. Rosen suggested they should give the basic guidance now. Mr. Hooper noted that there were eleven key issues already spelled out, and that it did not mean they could not talk about other issues. Mr. Rosen clarified he meant to add issues, as well as give some guidance. He cited the example about "approval of proposed height modification" and asked what that entailed. Mr. Hooper said he felt they needed a workshop and that he was not prepared to discuss that now. He felt it was a Planning Commission issue and that they did not need to tie up City Council.

Mr. Gaber said they would respectfully ask that the process move along because the College was ready to submit for the athletic building, but they wanted to make sure the PUD process would work. He said they would do whatever it took to make it work and asked if the workshop should be a joint meeting to speed things up. Mr. Rosen agreed they should flush out the big items at this point, acknowledging the purpose of the workshop.

Ms. Hill reiterated that Planning Commission did not hear all the discussion that occurred at the City Council meetings. It was requested that the parties involved look at a compromise to the issue. City Council talked about the height and noted that it was a City-type campus. The topography was much lower in places and the height would not be so dominant. To the north would be a conservation easement, and there were things the Council expressed that were unique to the site. She wanted the Planning Commission to understand a little about where Council was coming from so they would not be going off in another direction. Council wanted to see a compromise that would work for everyone.

Mr. Dalton said the College came to Council a little over a year ago, requesting to de-list the Historic District completely. He observed that if they took a vote that night, the Council would most likely have allowed it. He felt it was in the best interest of the City and everyone else to try to work out a compromise. He stated that the College had done an admirable job of working with the City. They had been whipsawed by the HDC, but were committed to restoring the barn. The members had to look at all the steps the College had taken to get to this point. Council talked about allowing the College to go higher because of the topography, and allowing some easing of the setbacks, and he reminded that the College was in a unique situation. They were a private institution. If this were Rochester Community Schools or Oakland University they could do whatever they wanted. He gave the example of Adams High, which added a monstrous building that did not fit. He would like to see the playing field leveled for Rochester College so they would have a chance to compete against the school down the street. The College had to be viable and everyone had to keep in mind that if this were a public institution, no one would even be discussing a PUD. He felt that the College had made an effort, and since the Council directed them to use the PUD, they would most likely approve it. The whole package had to be looked at.

Mr. Barnett said he agreed with some of what had been said, but he wanted to stay focused on what they needed to do. The key driver was the barn and the building, and for the first time, Council had seen a compromise that seemed to

be acceptable. He agreed with the suggestion that a workshop would be appropriate. The PUD proposed appeared different because it did not seem to give the City the same amount of control they normally would have. Other PUDs usually had an envelope of time, but this could take 15-20 years. He wondered if the entire parcel had to be covered by a PUD. He was also curious to know how the church would fit, noting that in the next decade, the traffic flow would become a major issue. He felt the PUD would be appropriate; it just seemed quite nebulous to him and did not feel like any other PUD they had looked at. He suggested that they might have to look at it a little more creatively.

Mr. Rosen said that given the size of the Master Plan, and the uncertainties, because the Conditional Land Use was for the entire site, the College would need to know the potential they had to grow at this site or if they would have to move. They wanted certainty to know the worst was over and that they could work everything else out. He felt everything could be solved with further discussion, such as the height of the buildings.

Mr. Rosen restated that they would like a workshop after use of the PUD process was approved, and at a certain level of the Master Plan, where there would be the usual Site Plan review of the individual buildings. Mr. Schroeder did not feel there could be a Site Plan review without reviewing the Master Plan at the same time, so he felt there were some nuts and bolts to work out. Mr. Delacourt indicated that was the objective of the process. Regarding Site Plan approval, Mr. Rosen indicated that if the College had a basic Master Plan and proposed a building that was similarly shown and roughly the same configuration, that it would not be a big issue.

Ms. Hill referred to the proposed right-of-way and asked if it would go right up to the bike path. She wondered about its location in approximation to the historic house when it was moved. The Agreement mentioned that an item on the plan might be in the proposed right-of-way until it was built, and she wanted to make sure the house would be behind the right-of-way. Mr. Carson said that in its current location it was right on the line, but its new location would move it back from there.

Ms. Hill advised that they had to look at the entire parcel, and the College was looking for some guarantee that they would be able to do things at least conceptually. She would be concerned about buildings being too close to the slopes, but she did not think that issue was insurmountable. For new people in the City, and for future years, the Plan would be tied to an Agreement that would provide direction for appropriate actions to happen. She thought they could feel somewhat confident from the Agreement that hopefully, things would move in the right direction.

Mr. Gaber asked if there were any concerns that had not been mentioned that the College should discuss and perhaps modify before the workshop. He asked when the workshop could be held. Mr. Delacourt said the first two Tuesdays in March would be a possibility.

Roll Call Vote:

Ayes: Kaltsounis, Schroeder, Hardenburg, Boswell, Brnabic, Hill Hooper,
Rosen

Nayes: None

Absent: Kaiser MOTION CARRIED

Mr. Delacourt asked that the Planning Commission review the submitted packet prior to the workshop, and forward any concerns to Staff prior to the meeting. They would like to be able to identify answers rather than problems. Mr. Rosen suggested they think about "heartburn items," "showstoppers, if any" or any other good ideas for the plan.

Mr. Gaber thanked Mr. Dalton and Mr. Delacourt for their leadership and hard work.

Recommended for Approval to the City Council

NEXT MEETING DATE

The Vice Chair reminded the Commission that the next regular meeting was scheduled for February 15, 2005.

ADJOURNMENT

Hearing no further business to come before the Boards, the Vice Chair adjourned the special joint meeting at 10:33 p.m.

James Rosen, Vice Chairman
Rochester Hills Planning Commission

Melinda Hill, President
Rochester Hills City Council

Maureen Gentry, Recording Secretary

Approved as printed at the March 1, 2005 Regular Planning Commission Meeting