



Rochester Hills

Minutes

Planning Commission

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Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Susan Bowyer, Gerard Dettloff, John Gaber, Marvie Neubauer,
Nicholas O. Kaltsounis, Scott Struzik and Ben Weaver

Tuesday, February 15, 2022

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

ROLL CALL

Present 8 - Deborah Brnabic, Gerard Dettloff, John Gaber, Nicholas Kaltsounis, Susan M. Bowyer, Ben Weaver, Marvie Neubauer and Scott Struzik

Excused 1 - Greg Hooper

*Also present: Sara Roediger, Director of Planning and Economic Dev.
Kristen Kapelanski, Manager of Planning
Jason Boughton, Utilities Services Manager, DPS/Eng. (Via Zoom)
Jennifer MacDonald, Recording Secretary*

Chairperson Brnabic welcomed attendees to the February 15, 2022 Planning Commission meeting. She noted this if anyone would like to speak regarding an agenda item or during public comment for non agenda items to fill out a comment card, and hand that card to Ms. MacDonald. Members of public may also comment on an item by sending an email to planning@rochesterhills.org prior to the discussion of that item. She noted that all comments and questions would be limited to three minutes per person, and all questions would be answered together after each speaker had the opportunity to speak on the same agenda item.

APPROVAL OF MINUTES

[2022-0062](#) January 18, 2022 Regular Meeting

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

Aye 8 - Brnabic, Dettloff, Gaber, Kaltsounis, Bowyer, Weaver, Neubauer and Struzik

Excused 1 - Hooper

[2022-0073](#) January 31, 2022 Joint Planning Commission/City Council Meeting

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

Aye 8 - Brnabic, Dettloff, Gaber, Kaltsounis, Bowyer, Weaver, Neubauer and Struzik

Excused 1 - Hooper

COMMUNICATIONS

Chairperson Brnabic noted that the Commissioners received the January 2022 issue of Planning and Zoning News.

PUBLIC COMMENT

None.

UNFINISHED BUSINESS

2021-0469

Request for Conditional Use Recommendation - City File No. 21-008 - Bebb Oak Meadows - to construct a drive-through associated with a mixed use development with retail, restaurant and apartments on approximately five-acres located on the west side of Rochester Rd., north of Auburn Rd., zoned B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay, Parcel No. 15-27-477-058, Michael Thompson, Stucky Vitale Architects, Applicant

(Staff Report dated February 9, 2022, site plans, and review comments had been placed on file and by reference became part of the record thereof).

Present for the applicant were Michael Thompson and John Vitale, Stucky Vitale Architects, 27122 Woodward Avenue, Royal Oak, Michigan. Also in attendance were Nick Nacita, Hubbel Roth and Clark, the City's traffic consultant, and property owner Fred Hadid.

Ms. Kapelanski said this request is back for the Planning Commission's consideration, to demolish the existing Barnes & Noble to allow for construction of a mixed use development, which includes an apartment building and a retail building with a drive through restaurant. The site is currently zoned B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay, and the applicant is seeking to develop under the FB-3 provisions. She noted conditional use approval is required for the proposed drive through, and that the layout generally meets the zoning ordinance requirements, with the exception of required right-of-way plantings which are placed elsewhere on the site due to utility conflicts. She said the applicant is seeking approval of their site plan and tree removal permit, and a positive recommendation for the conditional use approval. At the November meeting, the commissioners made a number of requests which are now outlined in the staff report. These comments have been addressed with the exception of one note which is to be added with a future submittal. The applicant has receive permit approval from Michigan Department of Transportation (MDOT) for road improvements and access configuration. She said that Nick Nacita with Hubbel, Roth and Clark is in attendance tonight and can answer any questions regarding traffic, and Jason Boughton from the City's Engineering department can answer questions regarding utilities or stormwater.

Mr. Vitale thanked the commissioners and said they have addressed the modifications suggested at the last meeting. He said they have worked closely

with MDOT and the Engineering department to modify the Rochester Road approaches and the drive through, brick has been added to the façade, and a carport rendering has been provided.

Chairperson Brnabic thanked the applicant for addressing the comments made but noted they elected to keep the fourth story of the apartment building despite commissioners' suggestions to remove it. She said that some accent materials have been added to the second through fourth floors of the apartment building; however it is still only 24% and it is still not enough, and there are not enough accent materials. She said that she wouldn't want to look at this from Rochester Road, and since it is adjacent to residential homes that is another concern. She said the density is too high and can't be justified. She said that the original intention of the FB overlay was to push buildings as close as possible to the road, providing mixed uses to promote walkability in the community and form based building design.

Chairperson Brnabic said that at the last meeting there was a discussion that the commission previously approved a four story building at Rochester and Tienken known as City Walk; however that was developed under a Planned Unit Development (PUD). She said those four stories required a conditional use proposal and there are significant differences between that building and this proposal. She shared her screen and described the Bebb Oak Meadows plans in comparison to the City Walk PUD. She said the City Walk development is four stories, and 48 feet to the rooftop in the rear facing residents, as opposed to 59 ft.; and the building was predominantly brick with block accents and some metal vertical panels on the fourth floor. She said that for City Walk there was an existing mature tree line at the rear of the property, with trees ranging up to 60 ft. that were taller than the building to provide good screening for the residential homes behind. They planted additional evergreens when they constructed the carports a few years ago. She said it was built adjacent to an existing shopping center, providing a walkable and pedestrian friendly development. She said there was no drive through and there were no balconies along the rear of the building that would face the adjoining residential homes. She said that there is a substantial difference between the two proposals even though they both are four story buildings. She said site plans are considered individually and because one four story building has been approved it does not obligate the commissioners to approve all four story apartment buildings or hotels. The approval for the Fairfield Hotel as a four story building was also previously referenced. She said there were two hotel proposals on the Planning Commission agenda the night that Fairfield was approved, Fairfield was approved with modifications. The proposed Candlewood Hotel on the Meijer outlot was denied. She said that she visited the residential homes located behind Fairfield and has some concerns with regard to the development which she will address later. She is very concerned about what Bebb Oak is proposing especially next to residential properties, regarding both appearance and density. She said the Planning Commission's job is to balance the interests of the developer with the need to protect public interests. She said that the goal is to have an outcome of the best development for the community at large, and she doesn't see that in the site plan proposed. She asked the applicants to confirm that they would not consider three stories or adding more building materials from the second to fourth floors to break up the facade.

Mr. Vitale said that they added a substantial amount of brick to the building. He noted that design is somewhat subjective, and they think the architecture is good looking. He said this is a more modern look and they feel the materials presented are appropriate. He said four stories are allowed and they meet the ordinance requirements for parking, materials used, and landscaping. He said the developer would like to maximize the development and that is what they are doing. Their design intent is to utilize the four stories to make the project work financially. He said they calculated 30% brick and not 24%, and they used masonry where they think it makes the most sense. He said the development is a needed product and would be an excellent addition to the community. He said it doesn't change the walkability of the site and doesn't change the character of Rochester Road. He said they are introducing a mixed use product which includes retail with a residential component, and mixed use is what walkability is all about. People who live there will also shop there. Mr. Vitale said every design does not fit every taste but he thinks this is good looking and fits Rochester Road.

Dr. Bowyer said there is way too much white and it looks like a prison, especially the south elevation. She said that she doesn't like the four stories, but it is acceptable since it is allowed with the zoning. She asked the applicant for the number of carports they are providing.

Mr. Vitale said they put carports around three sides of the development.

Mr. Thompson said there are approximately 50 carports.

Dr. Bowyer said there are still 94 units, and that number was not changed. She asked if they considered making some of the single units into double units, for instance.

Mr. Vitale responded that there will be some flexibility to change the units, and that will be a marketing decision.

Dr. Bowyer said that her biggest issue is the drive through, noting that there will be a lot of traffic going in and out of the development, with the addition of a drive through there will be no walkability. It will be dangerous to walk to try to get to the sidewalk. Additionally she said that there will just be a little curb separating the drive through from the traffic lane coming straight at them. She said that at the Gateway Plaza they had a 3 ft. landscaping barrier between the drive through and the drive aisle, and they brought the lane around so that oncoming traffic would not clash. Dr. Bowyer said that the way the current drive through is designed it looks like there will be accidents waiting to happen, therefore she is not supportive of the drive through.

Mr. Vitale responded that they shortened the retail building to allow for a full two lanes of traffic alongside the drive through. He said that there are 36 in. tall bollards there also and not just a curb. He said there is a pretty good traffic separation between the drive through and the drive aisle.

Dr. Bowyer said that when you pull into the complex you will be looking at

headlights from the drive through, if someone is coming out and someone is pulling in at the same time, the person turning in will think that the person in the drive through is going to hit them. She said that if the applicants could make the curb go around and remove the first walkway, that would be a much better design and she is a "no" for the drive through in its current form.

Mr. Vitale said that they would be happy to work with their traffic consultant and engineers, if they could improve that they would be open to that.

Dr. Bowyer said that the City wants walkability and the apartment residents are going to want to walk to Target across the street, and for street crossings they would have to either go north to Wabash or south to Auburn. She asked if there is any chance a crosswalk could be installed at this development so that people don't get hit by cars because they will not walk all the way to an existing crosswalk. She said that it will be a problem and acknowledged that the applicants may not be able to fix it.

Ms. Roediger commented that it would be very unlikely that MDOT would support such a crosswalk with the amount of traffic on Rochester Road.

Dr. Bowyer thanked the applicant for providing the loading area and proposing evergreens along the western property line. She said that she still does not like the white façade.

Mr. Gaber thanked the applicant for the modifications made. He asked the applicant if they have a rendering of the courtyard.

Mr. Vitale responded they do not have a three dimensional rendering, however they rendered a site plan, he said that is more descriptive because it is a flat area. They removed a previously proposed pool from this area.

Mr. Gaber said that he shares his colleagues' concerns regarding the façade materials, there is not enough brick and other hard materials, and the color is an issue. He said he also echoes the comments about the apparent conflicts with the drive through. He asked regarding the evergreen buffer on neighboring properties that is referenced. He asked if the applicants would be adding landscape material on the adjacent properties.

Mr. Thompson said they would only be adding on their property.

Mr. Gaber said the photo included in the plans showing carports looks horrendous and industrial in nature, he said that he really wants to understand what the carports will look like before approving this request and hopes that is not accurate.

Mr. Thompson said that is not accurate, they have not found a design they like yet but it will definitely be complimentary to the building.

Mr. Gaber said that he has a hard time wrapping his mind around what is allowed with the FB-3 overlay. He said the anticipation from the time the overlay was developed was that it would be used for assemblages, mixed use

developments, and more of a mixed use than we have here with the retail in front and residential behind. He said that he never envisioned that the FB overlay could be used for one property, and he doesn't think that's the intent, but we have to look at what the ordinance says. He said that Chapter 5 Building Standards talks about private frontage requirements, and asked Ms. Kapelanski how this proposal fits within the different types of frontages listed in the ordinance, as each one of those standards has different requirements. He asked how it was decided that the front building is lawn frontage and the rear building is courtyard frontage, and how the standards were applied.

Ms. Kapelanski responded that most of the retail buildings that are in the FB overlay district along Rochester Road, staff has considered to be lawn frontage buildings. The ordinance spells out a number of different requirements depending on what building standard is applied. She said that the retail building does meet the standards listed for a lawn frontage, it talks about setbacks, accesses facing the main arterial road, maximum floor plate would not apply because this is arterial, it gets into parking, and then the garages provision would not apply. With regard to the apartment building, it is looked at as a courtyard frontage, because it has a courtyard. Looking at those requirements it gets a little tricky. This section references main streets, arterial streets, and minor streets. Since this is a self-contained site there is not a designated main street, and she noted that it has always been staff's practice in such a case to look at the site layout and determine which it most closely resembles. In this particular case she viewed the driveway between the retail building and the apartments building as a minor street, then looked at the courtyard frontage building standards and applied the setbacks, resulting in a 20 ft. required setback from the minor street and not the actual property line. The maximum floor plate talks about the rentable area on the entire floor, which staff has interpreted as rentable retail and office space, not necessarily apartment units. The commission could decide however to apply that to the rentable area of apartment space. Ms. Kapelanski noted that all of these standards are modifiable. The section addresses parking as well, and says that surface parking must be set back 40 ft. from the front building façade. She said that there may be about four spaces that are not meeting that requirement, but everything else does. There is also a section in the ordinance that refers to permitted and optional regulations, and that allows the Planning Commission or City Council to approve optional layouts, if they feel that the intent of the standards is being met. She said that also the maximum floor plate only applies to the first floor.

Mr. Gaber thanked Ms. Kapelanski for the helpful explanation. He said that he doesn't think that the building meets the maximum floor plate requirement, because the plans say 25,000 sq. ft. and some of the floors are greater than 25,000 sq. ft. in size it appears. He said he doesn't understand why that standard doesn't apply to rentable residential and he thinks that's an issue. He said that even though the site is zoned FB, the intent of the FB overlay is to apply it to multiple parcels and buildings; otherwise a lot of these standards are difficult to apply to a single building like in this case.

Mr. Vitale said that the FB ordinance speaks to a mixed use, and he can't imagine another way of doing it. He said that he thinks this is exactly what the

ordinance intended, since they are providing a mixed use with residential along with retail. He said the site has frontage on Rochester Road and it is a long and narrow site, this is the design that the ordinance speaks to from the developer's standpoint.

Mr. Gaber said he understands the applicant's point but differs in his opinion, since he was around when the FB overlay was adopted and doesn't think this was the intent.

Ms. Neubauer asked the applicant to state whether the fourth floor is a deal breaker for them.

Mr. Vitale deferred to the property owner, Fred Hadid. (Inaudible response from Mr. Hadid.)

Ms. Neubauer said that previously Mr. Hadid had said that they did an independent study on the rent and the amount they could charge per square foot. However a study came out at the end of December saying that there has been a 72% increase in rent in the last two months. She asked what the average rent will be for the apartments.

Mr. Hadid responded that he has not updated the study. He said there is an increase of prices everywhere. He said his management company is in charge of rent.

Ms. Neubauer said that if the fourth floor is nonnegotiable and is stated to be necessary financially, they do not yet know how much they will be charging for each unit, and she questioned whether the applicant could reduce the density of 94 units to something that is not so dense. She said she doesn't understand how they can say the fourth floor is necessary for the project to be financially viable when they don't know how much they are going to charge for rent. She asked if they could reduce density and increase the rent.

Mr. Hadid said they did a feasibility study where they determined they need to have approximately 100 units in order to make the project feasible, and they went to 94. He said they may be able to reduce density because there is more demand for one bedroom units.

Ms. Neubauer said a one bedroom unit can be 800 sq. ft. or 2,000 sq. ft. and affect the density of the building. She questioned If a fourth floor of the building is required for financial reasons, could they either increase the square footage of the one bedroom units that are in demand, and increase rent and therefore decrease density of the complex, or eliminate the fourth floor, or figure out a way to somehow reduce the density.

Mr. Hadid said he didn't understand the issue with density. He said the property is five acres of land with 94 apartments, it is low density on a main road with heavy traffic.

Ms. Neubauer said that she is expressing her opinion, that of some of the commissioners, and some of the public that the City is overdeveloping. She

said she is seeking to find a middle ground to address these issues while still meeting the developer's needs.

Mr. Hadid said this is an attractive design and if in the future they could combine units and increase the price, they would be willing to do that. Based on the study, people like one bedroom units with an open floor plan.

Ms. Neubauer said that she understands that, but there could be a one bedroom unit that is 600 or 800 square feet or 1,500 square feet. She said that she understands the applicant's position.

Mr. Vitale said that while the price of rent has increased, the price of construction has increased tremendously. In many instances, developers are not building and construction is being put on hold because the costs of materials are beyond the costs of rent. He said the 94 units is really the worst case scenario in terms of density, if the market bears higher prices for larger units they would do that.

Ms. Neubauer said the commissioners would prefer to make a decision based on the best case scenario and not the worst case scenario.

Mr. Vitale said that from the developer's point of view, he is risking a lot of investment to make this project go forward. He said that although it could change they are presenting what they want to do.

Mr. Hadid said there is another development a mile away with mostly two and three bedroom units.

Ms. Neubauer said that is not the issue, the issue is the density.

Mr. Struzik agreed that additional masonry is needed to the highest floors. He said the height is more appropriate here than on some other properties. This proposal has a significant distance from the residential properties, this is a better situation, and the green buffer can do its job. He said that he shares Dr. Bowyer's concerns about the drive through circulation pattern. He said that although he is very much for pedestrian access he thinks that installing a nonsignalized crosswalk across Rochester Road would invite people to cross the road there and would be dangerous. And a signalized crosswalk would not work, there needs to be a balance between keeping traffic moving and safety for pedestrians. And he didn't think that MDOT would support a crosswalk. He said that the current Barnes & Noble site layout is pretty hectic for pedestrians, so with the proposed connection to the sidewalk to the new retail building is a plus. There will be some intrasite walks of people who live in the apartment who will walk to the retail. Additionally, with the automotive service businesses in the vicinity people may walk to the proposed retail onsite while waiting for their vehicles to be serviced nearby. People from nearby residences could also walk to use the retail onsite.

Mr. Weaver said that he doesn't mind the appearance of the building. He appreciates the added evergreens along the rear property line. He asked regarding the views from the neighbor's yard submitted by the applicant, whether

those show current trees or newly proposed trees after they have time to grow in.

Mr. Vitale responded that those perspectives show the existing trees.

Mr. Weaver asked if the bermed lawn space in the courtyard is to be real or artificial grass and asked the slope. He said that he likes the design of the courtyard and suggested if additional trees could be installed along the south side of the courtyard to provide a buffer from the parking lot.

Mr. Vitale said that it would be real grass and they hadn't conducted engineering at this time to determine the slope. He said that they did talk about additional trees in that location.

Mr. Weaver said that he shares the concerns about the drive through and has safety concerns, and would like to see some revisions with that. He said that he didn't think MDOT would allow a mid-block crossing to the shopping center across the street but does have concerns about pedestrians crossing Rochester Road. He said that he understands the concerns about density but is not sure how to alleviate them. He said that he would like to see three stories but doesn't mind four stories for this particular area. He said that it is set back far from the road.

Dr. Bowyer said that she likes the structure of the building and it looks beautiful but not all of the white and it needs to be changed. She said the small addition of the black to the façades is not enough of a change to break it up. She asked for the average square footage of the one bedroom apartments and said clarification is needed on the carport design. She said that when there are 94 residents living in apartments there will be more people running across the street to the shopping center.

Mr. Vitale said that they would be open to looking at the facade color in order to make it appear less stark. He said the structure is a modern design and it is fitting. He clarified that the black portion on the façade is masonry.

Mr. Thompson said the average size is 900 sq. ft.

Chairperson Brnabic asked for more clarification of the facade materials. She said that for 4 North on the elevations, the entire side of the building is white, but it was determined that sheet was revised.

Mr. Vitale said that the darker color on the façade is brick, and the lighter color is a cement panel product, and the balance of the lighter color is the metal panel siding. He said that they could make the white color something with a softer finish, or more of a tan color. He said that material is metal panels, the intent is to give it a clean and contemporary look but they can soften it.

Chairperson Brnabic said that is a lot of metal panel on the building.

Mr. Vitale said it provides contrast to the masonry, and also three dimensionally you would see the cement board material that has a wood tone to it. He said

they can work on adding more masonry.

Mr. Kaltsounis said the applicants need to address the starkness of the building; he cannot stand the rear elevation. He said the rendering does not match the elevation provided, in viewing the 4 West elevation, the neighbors see something with wood on it in color, but that is not shown on the building elevation. He said it looks very stark.

Mr. Vitale said with the lighter color panel, they can look at other options so that it is not so stark.

Mr. Kaltsounis asked Ms. Kapelanski regarding Chapter 5 Article 8, which standard was used for this building.

Ms. Kapelanski responded that the apartment building was considered to be courtyard frontage (B), and the retail building as the lawn frontage (D).

Mr. Kaltsounis reviewed the standards for D. Lawn frontage and B. Courtyard Frontage. He asked about the maximum floor plate for the courtyard.

Ms. Kapelanski responded that the maximum floor plate refers to the square footage of rentable area, and only applies to the first floor. So if you were to apply the standard to the residential first floor, it would only apply to the square footage of the units themselves, it would not apply to common spaces or corridors. She said she was not sure if the applicant has that square footage calculated.

Mr. Kaltsounis asked how to apply that standard to the bridge, and the location of the definition. He said that the ordinance didn't foresee that type of design element.

Ms. Kapelanski said that area would not be part of the first floor and said the definition is in the FB section of the ordinance. She said that the standards are being used in a flexible manner because the drive is considered as a minor street. She said there is the other section that permits optional layouts to be permitted provided that they meet the intent of the standards.

Mr. Thompson calculated that there is approximately 27,000 sq. ft. of rentable space on the first floor.

Mr. Kaltsounis said that when the FB overlay provisions were written, they wanted to spur development in different areas of the City, and see what happens. He said that at the last Council meeting it was clear that Council as well as residents think that the use of this ordinance is not going in the right direction.

Mr. Vitale said this project was first presented to the Planning Commission in November 2021 after working closely with Planning staff. The early design decisions were based on the interpretation of the ordinance.

Mr. Kaltsounis said that as the ordinance reads today, for maximum floor plate

is over the requirement.

Mr. Vitale said that they provided a ballpark figure, they could actually calculate it.

Mr. Kaltsounis said there are questions about density, he understands the questions about rental amounts. He said that it is unfortunate that the maximum floor plate applies to only the first floor, it should be for every floor, but that is the ordinance today. He said the commissioners need to know if the 25,000 sq. ft. maximum is being met. He suggested that this request needs to be postponed so that these issues could be worked out.

Chairperson Brnabic agreed, and said the issues are the drive through design, building materials, clarification of the carports, maximum floor plate, and some other things to be ironed out.

Mr. Gaber said the neighbors behind had 3 big deciduous trees with leaves on them, so half of the year the neighbors will see through. He said there is not a problem with a contemporary design, but it needs to be done so that it is not dated or obsolete in ten or twenty years. He agreed this should be postponed, he wants to see the carports that are actually selected to see the design.

At this point Mr. Kaltsounis made a motion to postpone this request, which was seconded by Ms. Neubauer.

Mr. Kaltsounis asked Ms. Kapelanski about the floor plate standard and read the definition, and said that it is the indoor floor area.

Ms. Kapelanski said she would have that number for the next meeting.

Mr. Kaltsounis suggested in the future the ordinance should address the floor plate of all floors. He said that if the floor plate is measured for this project it will exceed the maximum.

Ms. Kapelanski responded that we are using this standard and applying it to a situation that requires flexibility. She said that if the design meets the intent of the building standard, it would be staff's opinion that the commission consider it to be approvable under the optional layout provisions.

Mr. Kaltsounis said at this point they need to get all the information as this is a difficult review.

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

Aye 8 - Brnabic, Dettloff, Gaber, Kaltsounis, Bowyer, Weaver, Neubauer and Struzik

Excused 1 - Hooper

Resolved, that the Rochester Hills Planning Commission hereby postpones Legislative File Numbers 2021-0469, -0470 and -0471 to a later date to allow the Applicant to address the Planning Commission concerns.

2021-0471

Request for Site Plan Approval - City File No. 21-008 - Bebb Oak Meadows - a mixed use development with retail, restaurant and apartments on approximately five-acres located on the west side of Rochester Rd., north of Auburn Rd., zoned B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay, Parcel No. 15-27-477-058, Michael Thompson, Stucky Vitale Architects, Applicant

Postponed

2021-0470

Request for approval of a Tree Removal Permit - City File No. 21-008 - for the removal and replacement of as many as 13 trees for Bebb Oak Meadows, a mixed use development with retail, restaurant and apartments on approximately five-acres located on the west side of Rochester Rd., north of Auburn Rd., zoned B-3 Shopping Center Business District with an FB-3 Flexible Business Overlay, Parcel No. 15-27-477-058, Michael Thompson, Stucky Vitale Architects, Applicant

Postponed

After the vote on the previous item, Chairperson Brnabic requested staff schedule a special meeting on the FB district, noting that there have been a number of questions raised recently regarding the intention of the zoning.

Ms. Roediger noted that at Council's last meeting they directed that a moratorium be pursued regarding the FB district development, and she stated that this will be coming to the Commission's next meeting on March 15.

Chairperson Brnabic commented that this was very good, as this was her next suggestion to place a moratorium on FB district development until this is ironed out.

Ms. Roediger noted that the moratorium will have to first go through Public Hearing which will be held at the March 15 Planning Commission meeting. She explained that notices will have to be sent out to all of the properties, and this will entail hundreds of mailings requiring much staff time. She commented that she was going to bring this topic up during Administrative Items at the end of the meeting.

NEW BUSINESS2022-0072

Request for Site Plan Approval - Auburn Rd. Parking Lots, two new parking lots to be constructed south of Auburn Rd. and west of Dequindre Rd., along the west and east sides of Eastern Ave. as part of the Auburn Rd. Corridor Project, zoned R-4 One Family Residential, Parcel Nos. 15-36-204-029, 15-36-204-030, 15-36-226-006, 15-36-226-049, and 15-36-226-062, City of Rochester Hills, Applicant

(Staff Report dated February 9, 2022, site plan and EIS had been placed on file and by reference became part of the record thereof).

In attendance in addition to City Staff regarding this item was Alex Parent, P.E., Project Manager, representing OHM Advisors, 34000 Plymouth Rd., Livonia, Michigan 48150.

Chairperson Brnabic noted that this is a request for site plan approval for two new parking lots to be constructed south of Auburn Road and west of Dequindre Road along the west and east sides of Eastern as a part of the Auburn Road Corridor Project. She noted that the property is Zoned R-4 one family residential.

Mr. Weaver noted that he would recuse himself from discussion and vote on this item as he is a member of the project team.

Ms. Kapelanski stated that in this case the City is seeking site plan approval for the construction of two parking lots on parcels that the City has acquired on the Auburn Road corridor, specifically located on the south side of Auburn abutting the existing alley on the east and west sides of Eastern. The parking lot layouts are in compliance with the City's Zoning Ordinance requirements and landscaping and fencing are proposed to buffer the adjacent residences.

Ms. Roediger stated that there has been much work going into this with the acquisition of properties and in coordination with City Council. She commented that there has been much discussion especially in conjunction with the approval of Zeenat Plaza which is scheduled to be constructed this summer to ensure that there is adequate parking as the corridor redevelops as intended. She mentioned that representation from OHM is here at the table this evening to address any questions.

Mr. Parent stated that it is very similar to the Harrison and Emmons parking lots, and the design has followed the layout and standards that were set there. He commented that if there are any concerns they will be sure to address them.

Mr. Gaber questioned whether staff has spoken with the neighbors to get their input not so much in terms of the project but more on the lines of buffering the project from headlights.

Ms. Roediger responded yes, and commented that every time staff does that, the project continues to grow. She mentioned that the last time that staff went out to talk with the neighbors, another neighbor offered to contribute their property to the project. She pointed out that staff have gone out multiple times, she and Paul Davis have provided written letters, and copies of the site plan. She noted that the design is continuing the same exact fencing that goes behind the BD district, the brown fence that lines the alley will wrap all around the parking lots just as it does on the north side, and she stated that every neighbor that they have had conversations with and calls did not express any concerns other than offering their property up as well.

Chairperson Brnabic noted as that this is a public hearing, one email had been received from Thomas Yazbeck who asked that the email be read into the public record. She read this email, noting that Mr. Yazbeck stated that as a Rochester Hills Resident, he is very supportive of the Auburn Road project and understands the need for public parking there; however, he is just somewhat skeptical of tearing down houses and establishing these lots with their associated maintenance costs before anticipated developments like Zeenat

Plaza over on Gerald Avenue have broken ground. He stated that he was not really seeing the anticipated foot traffic and new life along the corridor that is anticipated. He questioned whether denser developments in the area are moving forward to justify the additional parking.

Seeing no other public comment, Chairperson Brnabic closed the public hearing, and questioned whether Ms. Kapelanski or Ms. Roediger had an answer to Mr. Yazbeck's question regarding whether denser developments in the area are moving forward to justify the additional parking.

Ms. Roediger responded that she believes that the developers of Zeenat Plaza, which is now called The Gerald, have their construction plan approval from Mr. Boughton and they are going through building plan review and are expecting to break ground this summer. She mentioned that everyone has heard the rumors of a Mexican restaurant coming, and she reported that has been submitted for a concept plan review recently, so staff expects the official submittal for that to come shortly. She added that regarding the south side of the middle block between the two roundabouts, which is between Harrison over to Gerald, staff have been working with the property owners there who have acquired that entire block between Eastern and Harrison and are working with the Michigan Economic Development Corporation to evaluate the site and how they can develop that entire block as one development. She stressed that the corridor is envisioned to have that multi-use multiple story, and pointed out that one very successful restaurant can really take up a significant amount of parking, as they have seen in the past with Johnny Black's. She noted that to get those destination places, staff is very confident that some public communal parking spaces is needed, otherwise the sites are too small to have enough on their own.

Mr. Detloff, commented that this is a very proactive approach especially seeing how that corridor is really taking off. He stated that the foresight is that yes obviously the parking demand will be there. He and he asked whether there was any discussion regarding paid parking at some point, because he observed that some communities started out with free parking and moved to metered parking.

Ms. Roediger responded that as the condition was with donation of the properties on the north, it was indicated to the people that donated the property that there would be no charge for parking for ten years. She stated that the City does not make any guarantees after that.

Mr. Detloff stated that it is exciting to see this happening; and referring to the gentleman's email comment that said he is not seeing the foot traffic, he would not that this is still in the early stages. He noted that what has happened to date is pretty remarkable, and it is only going to get better. He stated that this is the right place at the right time, and expressed his kudos to staff.

Mr. Struzik questioned where the possible restaurant would be located.

Ms. Roediger responded that it is on the northeast corner of Longview and Auburn, and was the old A&S Heating and Cooling. She mentioned that the building had a mansard roof and garage doors facing Auburn.

Mr. Struzik commented on the design, noting that he likes it and likes the fact that it is not taking up parcels that are on Auburn and are instead going off the alley. He noted that it is very appropriate for what the City is trying to do. He mentioned with regards to foot traffic, that he lives within a mile of this location and often walks and bikes through the area, and the amount of foot traffic and whether it would be on bicycle or people walking has greatly increased after this project was put into place. He stated that he is frequenting the corridor much more and it sounds like there is some momentum that this parking lot will build on.

Mr. Kaltsounis noted that the strange part about this entire area district is that this is the first redevelopment in the 20 years that he has been on this board that people are excited about. He noted that his family was telling him the other day that they know people who said they do not like anything the City did and they are supportive now. He mentioned that he likes the lighting layout that was provided, noting that the 3D lighting layout from DTE has in here is a good standard to have. He pointed out that it provides a little bit better perspective where the candlelights are in 3D. He stated that it looks a lot better than the 2D version because it could actually show another rendering of the building and how the lights are going to be coming out from that.

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

Aye 7 - Brnabic, Dettloff, Gaber, Kaltsounis, Bowyer, Neubauer and Struzik

Abstain 1 - Weaver

Excused 1 - Hooper

Resolved, in the matter of Project No. JREA2022-0005 (Auburn Rd. Parking Lots), the Planning Commission approves the Site Plan, based on plans dated received by the Planning Department on January 27, 2022 with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from Eastern Ave. and the alley located south of Auburn Rd. thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas have been designed to avoid common traffic problems and promote safety for the visitors to the area.
4. The proposed improvements should have a satisfactory relationship with existing development in the adjacent vicinity.
5. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
6. The parking lots are an important component of the Auburn Rd. corridor improvements to enhance the shopping, dining and business related activities in the corridor.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.

ANY OTHER BUSINESS

2022-0071

Request for recommendation of a Planning Commission representative to the Zoning Board of Appeals for a one-year term to expire March 31, 2023

Mr. Kaltsounis moved to recommend to City Council that Deborah Brnabic continue in her role as Planning Commission Representative to the Zoning Board of Appeals.

Chairperson Brnabic thanked Mr. Kaltsounis, noting that she would like to continue on the ZBA.

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

Aye 8 - Brnabic, Dettloff, Gaber, Kaltsounis, Bowyer, Weaver, Neubauer and Struzik

Excused 1 - Hooper

Resolved, that the Rochester Hills Planning Commission hereby recommends that Deborah Brnabic shall serve as it's representative on the Zoning Board of Appeals for a one-year term to expire March 31, 2023.

2022-0074

Request for appointment of a Planning Commission representative to the Citizens Pathway Review Committee for a one-year term to expire December 31, 2022

Chairperson Brnabic indicated that Mr. Kaltsounis expressed his interest to continue to serve on the Citizen's Pathway Review Committee for another year. She stated that she would like to make the motion to appoint Mr. Kaltsounis as the representative.

Mr. Kaltsounis indicated that he would like to continue and mentioned that he would like to speak with the Engineering Department to try to make the meetings more frequent with more substance. He commented that there is definitely good discussion in the meetings; however, he believes there is a need for more meetings. He also noted that Mr. Schroeder previously ran those meetings, and it has been difficult to encourage one of the citizen members to step into this role. He stated that there are a lot of pathway concerns to address.

After discussion regarding protocol, Ms. Neubauer moved the motion to appoint Mr. Kaltsounis; with Mr. Struzik seconding the motion.

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

Aye 8 - Brnabic, Dettloff, Gaber, Kaltsounis, Bowyer, Weaver, Neubauer and Struzik

Excused 1 - Hooper

Resolved, that the Rochester Hills Planning commission hereby appoints Nicholas Kaltsounis to serve as its representative to the Citizens Pathway Review Committee for a term to expire December 31, 2022.

Chairperson Brnabic mentioned that she had previously planned to ask for a special meeting regarding FB overlays and noted that she now has the answer that this will be discussed in March. She stated that she previously made comments about the hotels how these developments are being placed so close to residential. She noted that she drove to view the neighborhood directly behind the Fairfield Hotel. She stated that she did not have her badge that day, so she could only take a picture from the road, and she would have liked to walk into the backyards and get more of a birds-eye view of the other at least three houses that are affected.

She displayed a photo she took which depicted the four story view from the neighborhoods. She expressed concerns regarding hotels or apartment buildings being pushed so close to residential, and commented that she didn't believe this was the original intention. She showed the view behind the Fairfield Hotel, noting that she stayed out on the road but would have liked to walk even closer for the view in the backyard and also the several other houses that are affected. She questioned who would want that view in their backyard.

Mr. Weaver expressed his thanks for the Commission's support regarding Auburn road. He shared that they received notice today that it was awarded Project of the Year of the American Public Works Association in the Quality of Life Category for projects from \$5 million to \$25 million. He commented that sitting on the other side of the table working with staff and working with Planning Commission, has been a great partnership and stated that he couldn't be prouder of a project he has ever worked on. He stated that the Commission should be proud as well.

Commission members expressed their congratulations.

Mr. Kaltsounis showed his screen for another example of a hotel in Madison Heights, noting that it is worse at night when the buildings are lit up. He commented that it is the same type of hotel. He stated that he believes that the Commission will be talking about a lot of examples as they move forward.

NEXT MEETING DATE

- March 15, 2022 Regular Meeting

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Mr. Kaltsounis, seconded by Ms. Neubauer, Chairperson Brnabic adjourned the Regular Meeting at 8:49 p.m.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary