



# Rochester Hills

## Minutes

### Planning Commission

1000 Rochester Hills Dr.  
Rochester Hills, MI  
48309  
(248) 656-4600  
Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

*Chairperson William Boswell, Vice Chairperson Deborah Brnabic*  
*Members: Gerard Dettloff, Kathleen Hardenburg, Greg Hooper, Nicholas O. Kaltsounis,*  
*David A. Reece, C. Neall Schroeder, Emmet Yukon*

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Tuesday, September 2, 2008

7:30 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

Chairperson William Boswell called the Regular Planning Commission to order at 7:30 p.m. in the Auditorium.

#### ROLL CALL

**Present** 8 - William Boswell, Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, David Reece, C. Neall Schroeder and Emmet Yukon

**Absent** 1 - Kathleen Hardenburg

Also present: Ed Anzek, Director of Planning and Development  
Maureen Gentry, Recording Secretary

#### COMMUNICATIONS

A) Planning & Zoning News dated August 2008

#### APPROVAL OF MINUTES

2008-0445 August 19, 2008 Regular Meeting

**A motion was made by Kaltsounis, seconded by Yukon, that this matter be Approved as Presented.**

**The motion CARRIED by the following vote:**

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

**Absent** 1 - Hardenburg

Chairperson Boswell stated that there was a Public Hearing and if anyone wished to speak, there were cards to be filled out and brought to the Secretary.

#### NEW BUSINESS

2008-0414 Request for Conditional Land Use Approval - Chapman's Mill Outdoor Seating, for the sale and service of food and beverages outdoors at an existing restaurant formerly known as Taco Loco, part of Crooks Corner retail center, 2086 Crooks Rd., south of Hamlin, zoned B-3, Shopping Center Business, Parcel No. 15-29-228-004, Tom Moss & Associates, applicant.

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

*Present for the applicant was Thomas Moss, Tom Moss & Associates, 1893 Birchwood Dr., Troy, MI 48083-2211.*

*Mr. Anzek advised that Mr. Moss first came to the Planning Department about six weeks ago representing Chapman's Mill, and requested to add outdoor seating to the restaurant formerly known as Taco Loco on Crooks south of Hamlin. Mr. Anzek stated that outdoor seating had been supported by the City for the most part as long as it was approved by the Fire Department. Mr. Moss had also identified the opportunity to continue the pathway along the front of the parking lot to provide linkage to the Clinton River Trail. Mr. Anzek indicated that proposal was innovative and exciting for several reasons, including that the second generation of the nearly completed Master Thoroughfare Plan involved the linkage of pathways. The proposed plan was shown to the Friends of the Clinton River Trail, and there was excitement, because that was the type of pursuit they were trying to support. He advised that Staff recommended approval of the outdoor seating plan, and noted that the Liquor Control Commission required a fenced in area for the service of alcohol outdoors. There was a fire lane around the sidewalk surrounding the patio, as required by the Fire Department. He added that the applicants were providing bike racks, benches and a drinking fountain for people using the Trail, and that he would be happy to*

*answer any questions.*

*Chairperson Boswell asked Mr. Moss if he had anything further to add. Mr. Moss indicated that they were anxious to get started. There was a pending item for the new owners to take over the restaurant, which was the approval by the Planning Commission and City Council of the Conditional Land Use. He added that there would be seating for 28 people, and he showed a photo of the wrought iron fencing and stone pillars. There would be two overhead glass doors, approximately nine by ten, leading out of the east elevation of the restaurant to the patio area. There would be stamped concrete over the patio surface, which would be level with the floor of the restaurant. There would be decorative lighting. They met with the Fire Department regarding the requirements for a minimum 25-foot fire lane access between the parking and the sidewalk. They would eliminate seven parking spaces on the east end of the center, but the owner of the complex had paved the back area to allow more than sufficient parking. He concluded that there would be a gate out of the patio for emergency access.*

*Mr. Dettloff stated that the Commissioners were certainly happy to see the proposal, and that they encouraged those types of activities in the community. Since it was already September, he wondered if they would start construction this year.*

*Mr. Moss answered that they would not be able to do the patio area this year. He mentioned that the entire retail center was going to be refaced, but they would be restricted, weather-wise. As he mentioned, the closing of the deal between the present owner and the new owner was dependent upon approval of the outdoor seating, so he did not feel it would be at all possible to do anything this year.*

*Mr. Dettloff referred to maintenance of the patio, and asked if there would be a defined maintenance plan to powerwash or otherwise clean it. He would be concerned about it becoming an eyesore if it were not maintained properly. He asked if there would be a joint effort between the restaurant owners and the plaza owners, or if it would be solely up to the restaurant owners.*

*Mr. Moss advised that it had already been discussed. There would be a joint venture regarding the cost of the bike path, and they knew it was important to the City. They also discussed the upkeep of the patio, and it would be taken care of, and he felt that the restaurant owner would be more inclined to make sure it was done if the landlord did not do it, although he did not think that would be the case. Mr. Dettloff wished him good luck.*

*Mr. Yukon asked what the months of operation would be, and Mr. Moss said it would be summertime, and he noted that there was a condition in the packet stating that it would be from April 15th until October 31st. Mr. Yukon asked if he would describe the fencing. Mr. Moss stated that they had not really gotten into the final details, but he believed it would have the pointed tops so people could not hop over it. It had to be a minimum of four feet, six inches high, and there would be stone pillars for decorative accents.*

*Mr. Yukon noted that there appeared to be a gradual decline of the slope to the Trail and he asked if the grade was changing. Mr. Anzek said it would, and that Mr. Hartman of the Parks Department looked at it, and he was aware there might be something constructed to get across the swale. He assured that they would make it work.*

*Mr. Moss added that the incline to the west was steeper, so*

*they turned the path to the east, and there was a very gradual incline, so the bikers should have no trouble. The only structural item they would need underneath would be a culvert for drainage.*

*Mr. Kaltsounis asked what happened to Taco Loco. Mr. Moss said they were leaving, but he was not sure for where. Mr. Kaltsounis asked about the new owners and if they were from the area, and Mr. Moss clarified that they were brand new. Mr. Kaltsounis asked if he could assume that the center's updating would be handled administratively, which Mr. Anzek confirmed. Mr. Kaltsounis commented that the proposed seating area was the best one he had seen in the City. He liked the design, and he was glad to see what the center was doing to keep up with the times.*

*Mr. Schroeder thought that the patio and update would greatly improve the look of the center and the appearance of the area. He thought it was terrific to have the connection to the Trail. He asked if there would be a sign at the Trail notifying users of the restaurant, which Mr. Moss confirmed. Mr. Anzek said there were some issues involving the DNR grant, but Mr. Hartman felt he had some solutions, and Mr. Moss was supportive that the users of the Trail would know there was a place to go.*

*Mr. Reece asked if the landscaping area and decorative benches and lightposts were being handled administratively as part of the façade renovation project. Mr. Anzek agreed that they would be, because there were no landscaping requirements for the outdoor seating area. Staff was concerned about perimeter buffers and landscaping, and he advised that there were no buffers required.*

*Chairperson Boswell opened the Public Hearing at 7:48*

*p.m. Seeing no one come forward, he closed the Public Hearing. He noted that the Commissioners had received an email from Mr. Dan Kiefer, of the Friends of the Clinton River Trail, in support of the project, which he advised would be made part of the record.*

*Mr. Kaltsounis asked if, in the future, the applicant would be coming back for an expansion of the outdoor seating area or if there were limits to the site. Mr. Moss replied that they did not really have any thoughts about it at the present time. They hoped it would be a huge success, and they would have to come back before the Commission if they wanted to expand. Mr. Kaltsounis moved the following motion:*

*MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 75-341, the Planning Commission Recommends City Council Approve the Conditional Land Use for outdoor sales and service of food for Chapman's Mill, located at Crooks Corner on Crooks Rd., south of Hamlin, zoned B-3, Shopping Center Business, Parcel No. 15-29-228-004, based on the site plan dated received by the Planning Department on July 25, 2008 with the following six (6) findings and subject to the following two (2) conditions:*

*Findings:*

- 1. The subject seating area will be surrounded by a railing and sidewalk adjacent  
to the driveway, and does not appear that it will be detrimental, hazardous, or  
disturbing to existing or future neighboring uses,  
persons, property or the public  
welfare.*
- 2. The existing development does promote the intent and*

*purpose of this chapter.*

*3. The subject site has been designed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole.*

*4. The subject site is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainageways, refuse disposal, and the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.*

*5. The subject site does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

*6. The subject site will be connected to the Clinton River Trail by a pathway and signage as a destination option.*

Conditions:

- 1. Address comments in the Building Department memo dated August 8, 2008, prior to Building Plan Approval.*
- 2. Dates of operation shall be from April 15 to October 31st.*

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

**The motion CARRIED by the following vote:**

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

**Absent** 1 - Hardenburg

## **UNFINISHED BUSINESS**

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

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

## **ANY OTHER BUSINESS**

## **NEXT MEETING DATE**

## **ADJOURNMENT**

Note:

Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the Clerk's Office at 248-841-2460 at least 48 hours prior to the meeting.