

There were no further Communications brought forward.

Chairperson Boswell noted that there were many people who wished to speak about the City Place PUD, and he changed the order of the agenda to accommodate the residents in attendance.

NEW BUSINESS

2009-0274 Discuss revisions to City Place PUD, City File No. 02-027, located on the east side of Rochester Road, north of Hamlin, zoned PUD (B-2, General Business) and approved by City Council in May 2004. G&V, applicant

(Reference: Memo prepared by Derek Delacourt, dated April 16, 2010; and letter and draft PUD dated April 16, 2010 from John Gaber, Williams, Williams, Rattner & Plunkett, P.C., 380 North Old Woodward Ave., Suite 300, Birmingham, MI 48009 had been placed on file in the Planning and Economic Development Department and by reference became part of the record thereof.)

Present for the applicant were John Gaber (see above); William Gilbert, G&V Investments, 2565 S. Rochester Rd., Rochester Hills, MI 48307; and Mark Abanatha, Alex V. Bogaerts & Associates, P.C. 2445 Franklin Road, Bloomfield Hills, MI 48302.

Mr. Gaber thanked the Commissioners, and stated that they were in front of the Commission to discuss modifications they were proposing to the existing PUD. Those included reduced building heights and density in exchange for greater flexibility, in terms of building location, building type and designs. They would like to trade uses; commercial versus potential residential and office. They met with City Council on March 1 to discuss the revisions, and a Council member asked them to meet with the neighbors. They held an informational meeting on March 23, which was very well attended and as a result, they made a few revisions.

Mr. Gaber noted that except for the Sycamores and the condos across Rochester Road, everything in the area was commercial along Rochester Road. Their site, along with the Bordine's site to the south, had been master planned for mixed-use development since about 1999. The rationale was that the City preferred a transition between the neighborhood and the crowded, high-speed Rochester Road. The 2004 PUD came about because Mr. Gilbert wanted to find something of a mixed-use nature that would be marketable in this location. After much discussion and planning, they came up with a live/work concept with

four-story buildings with commercial on the ground level and residential above that. The PUD was very high quality and it was very dense, but it locked in the architectural style and building sizes and footprints. Mr. Gilbert did not have much flexibility with what he could put on the site. At that time, everyone thought the concept would work, but they tried to market the site and found that was not the case. The PUD was the tool used, because there was no particular zoning classification that allowed for residential and commercial in the same building. The underlying property was rezoned to B-2, to support the PUD. In 2009, the new Zoning Ordinance had a Flexible Business, B-2, overlay imposed over the site to support the underlying PUD.

Mr. Gaber reiterated that they tried to market the property with no avail in a good market and in today's poor market. They were told that the development was so specific that it required one developer for the entire project, and it could not be split. It was also difficult to finance mixed-use buildings. G&V had opportunities for smaller developments, but not for the entire site. The City adopted form based zoning with its recent Zoning Ordinance update. The intent was to allow mixed-use development with form based controls over the entire development to have a consistent design throughout a project. He advised that Mr. Gilbert had met with the Planning Department many times trying to decide what to do with the site since it could not be sold. They still believed the PUD was the right tool for the project, but they would like to revise it to do away with the locked-in buildings and have something with more flexibility. That would give Mr. Gilbert the right, in the future, to come to the City and go through the Site Plan Approval process. They were not trying to shortcut the process, but it would put Mr. Gilbert in a good position when the market turned to be ready to market and develop the property.

Mr. Gaber referred to the house on the property, and said that they had filed a request with City Council to eliminate the historic district status. That was pending in front of City Council. There was a preliminary report that recommended delisting by the Historic Districts Study Committee (HDSC), but they still had work to do before issuing the final report in the next couple of months. If the historic district remained, they would like the ability to keep the house where it was or relocate it to the southwestern portion of the site, as proposed in the original PUD.

Mr. Gaber indicated that they felt the new proposal protected the neighbors. He showed a drawing of the setback lines, and said that no residential building could be closer than 50 feet from the existing subdivision property line. If there were any residential developments built

within the 50-100 setback area, they could only be two stories high. Between 100 and 150 feet, if there was residential, it could go up to three stories. It would be potentially developable for two-story office use also. Between 150 and 200 feet, they would be allowed three-story office. Commercial would be 200 feet away from the neighborhood.

Mr. Gaber had provided a comparison chart, which showed what was in the existing PUD and what they were proposing to change. They were not proposing any changes to the zoning, but they would apply the FB-1 and FB-2 standards to the development. Previously, there was up to 35,000 square feet of office and bank use allowed in the PUD and 15,000 square feet of retail and restaurant use, and not more than 35,000 square feet of all those uses combined. It allowed a minimum of 250 and a maximum of 305 residential units, and allowed a total density of over 710,000 square feet. They were proposing to increase the commercial to 50,000 square feet on Rochester Road. There would not be large buildings or big boxes. If they came forward with a building larger than 12,500 square feet, it would require Conditional Land Use approval from City Council.

Mr. Gaber noted that residential and office uses were permitted in FB-1 zoning. They had been asked how much of each they were proposing, but he said it was impossible to answer that unless they knew how much of each the market would allow. He reiterated that no commercial buildings would be within 200 feet of the east property line. The residents were concerned about drive-thru fast food restaurants, and they put in the PUD that there would not be any drive-thru fast food restaurants. They would like to be able to put in a financial institution or if there was a new concept that came forward, they would like the ability to be able to at least look at it. It would require Conditional Land Use approval. The residential building heights would be limited to two stories within 100 feet west of Eddington Farms and three stories elsewhere. Office buildings would be limited to two stories within 150 feet west of Eddington Farms and three stories elsewhere. They agreed that the landscaping buffer on the east property line would be controlled by the FB-1 standards and be the same as approved with the original PUD. They were asking for a five-foot natural features setback for the wetland buffer, which was a modification in the original PUD. The Rochester Rd. right-of-way was shown as 75 feet from the centerline of the road, and parking would be permitted to the edge of the right-of-way. The architectural features would be controlled by FB-1 standards. The styles and quality of materials of all the buildings on Rochester Rd. would be compatible with the Fifth Third Bank.

Mr. Gaber noted that there had been a concern about alcohol being

served in certain establishments and the neighbors did not want a bar or tavern behind their houses. They agreed with that concern, but they would like to preserve the right to have some of the restaurants serve alcohol. Mr. Gaber concluded that they were trying to maintain flexibility to have the ability for a compatible, mixed-use development. It might be designed in phases over time, and by putting the FB-1 parameters on the development, it would be consistent throughout. He asked for input for the draft, which would supersede the existing Agreement.

Chairperson Boswell asked Mr. Delacourt to explain what a PUD was and why it was being used.

Mr. Delacourt stated that a PUD was a Planned Unit Development. It was an optional overlay zoning district allowed by Ordinance, which could be utilized at the discretion of City Council for many reasons. In this instance, it was being discussed because it was previously used and approved for the site. A PUD Agreement allowed the City to work with the developer or property owner on property that might be difficult or transitional pieces. The subject property was identified in the 1998 Master Land Use Plan as mixed-use, and the applicant requested utilizing the PUD as a way to implement that. A PUD allowed flexibility from the strict dimensional standards or other requirements of the zoning districts in place. Things such as setbacks, building heights and other items could be negotiated. If approved by City Council, the Agreement was then recorded and would run with the land. The original PUD was approved in 2004 and was the guiding document for future development of the site.

Chairperson Boswell said that in 2004, there was a specific Site Plan with the PUD, but the proposal was considerably more wide open. They did not know what would go where; they just knew where things could not go. He asked if that was correct.

Mr. Delacourt agreed. For the previous PUD, the City did not have a zoning district that reflected the type of mixed-use development that was being proposed. Since that time, the City had adopted several mixed-use zoning districts, and the applicant was asking that the FB-1 Ordinance be allowed to guide the dimensional and architectural standards for future development. It would require much less to be submitted at first, but it would also require the full review and approval process for any Site Plans.

Chairperson Boswell clarified that Mr. Gilbert was not going to develop

any part of the land without a full-fledged Site Plan coming before the Planning Commission for review. Mr. Delacourt said that was absolutely correct, and it would work much the same as a conventional zoning district would.

Chairperson Boswell opened the Public Comments at 7:37 p.m. and outlined the process for speaking.

Scot Beaton, 655 Bolinger St., Rochester Hills, MI 48307. Mr. Beaton had sent a copy of a flyer he had distributed prior to the final draft of the PUD proposal, which was on file in the Planning and Economic Development Department. Mr. Beaton thanked the Commissioners for their time, and noted that he had been a member of City Council for nine years in the 1990's and was President for two. He studied Urban Planning in college and said that he really enjoyed it. In 2004, he thought that the live/work concept of the PUD was "pretty cool." He appreciated the fact that Mr. Gilbert had always brought a little creativity to the City, and he had designed some wonderful neighborhoods. Mr. Beaton thought that one of the reasons the original PUD was brought before City Council was to preserve an historic house, and because the State had plans to make Rochester Road a six-lane boulevard, which could handle the traffic of such an intense use. He thanked Mr. Gaber for bringing back a less dense development, recognizing that Rochester Road would not be widened, because the State was flat broke. He read the new PUD and he thanked Mr. Gilbert for listening to the residents. He wished they would have invited more people from Winchester Village, because he thought they would be just as affected by the development as the Eddington Farms people. He did not see any interest in increasing the commercial from 15,000 to 50,000 square feet. That was a lot of commercial, and his concern was that it was not in keeping with Mr. Earl Borden's (former Mayor) idea to try to keep commercial at the corners in Rochester Hills, and not have any kind of continuous commercial strip development. The lights would shine into Winchester Village. He said he appreciated the fact that Mr. Gilbert did not want to build drive-thru restaurants. He thought the chic, drive-thru coffee places were great, but if they were allowed, it would bring in a lot of traffic in and out, and he did not think the area was designed to handle the traffic. He would like to see no drive-thru restaurants, not just fast food. Regarding the sale of liquor, he noticed that it had been addressed, but a restaurant would still be allowed to serve alcohol as 50% of its gross sales. He stated that a restaurant that served 50% alcohol was a bar. He would like to see language in the PUD Agreement that stated strongly that there would be no alcohol, no party stores, no bars, no taverns, etc. He thought Big Boy was a great place to

go, and they did not serve any alcohol. He did not see anything about "no apartment buildings." He thought it should be clear that they did not want rentals. The only buffering that should be allowed between the single-family residential and the commercial or office should be some kind of condo unit and not rental units, which he felt brought a different type of clientele. He felt there was still room for negotiation. If Mr. Gilbert was willing to bring back a plan that was 100% residential, he would like the City build a new boulevard entranceway for Mr. Gilbert that lined up with Drexelgate. Public safety was an important issue, and he thought that if they got the streets aligned, they could get a light from the State. He would very much like to see the City share in the cost; he did not think they needed to penalize developers by making them do things twice. There was plenty of room for a 50-foot park, which would still be controlled by Eddington Farms along the frontage of Rochester Road. There was plenty of room for pine trees and to create a beautiful berm and bring green space to the area that would match the residential on the other side. He stated that he would like to see the house saved. He understood Mr. Gilbert's concerns, and the house was supposedly in bad shape, but it could be gutted and it could be turned into a terrific office building. It could have a lobby, which had pictures of the farm that used to be there. It could be a great project, and he felt that the City could actually help with that. He stated to Mr. Gilbert that it was not about money all the time, especially when people got older. He asked if Mr. Gilbert wanted to leave Rochester Hills a line of strip malls or if he wanted to take responsibility and restore the house, which could be there for another 300 years. It would have Mr. Gilbert's name on it, because he had the money to protect the home. He thought they should be generous in the wetland mitigation; there had been a lot of conversation about whether it was wetland or a drain. He would like the City to look at other financial incentives, such as building inspections or the cost of plan reviews, to give to Mr. Gilbert if he would give the City a residential development. He felt Mr. Gilbert was entitled to make a profit, but what he saw before him was greed.

Melinda Hill, 1481 Mill Race, Rochester Hills, MI 48306 Ms. Hill commented that it was interesting what could happen in a few short years. It took approximately three years before the PUD was approved and they spent less than two to get to the point they were at. In 2002, Mr. Gilbert came before the Planning Commission, and said that, "It does not do any good to have empty spaces in this town," referring to office. "Numbers indicated for retail are to be a ceiling," referring to the 15,000 square feet of proposed retail. "Not a strong market for office. Would not spec an office building of any size right now." Ms. Hill asked what had changed.

Mr. Gilbert said, "There are many other uses for this home. There are many uses that this home could be retrofitted for and still keep its integrity," referring to the historic home at 1585 S. Rochester Rd. Ms. Hill advised that in 2003, Mr. Galvin, Mr. Gilbert's attorney, stood before the Planning Commission and indicated that "the property was ripe for a PUD because it met all the criteria: It would provide for mixed-use, it would reduce traffic, and it would promote preservation." In July 2002, the Planning Commission passed a Resolution recommending a PUD to City Council. In March 2004, Mr. Boswell and Mr. Hooper presented a motion recommending that City Council approve the proposed PUD. It was passed unanimously; however, there had been a great deal of discussion and concern regarding density, the Rochester Road right-of-way and what would happen if the PUD did not occur. Ms. Hill asked again what had changed. She asked why the Planning Director was proposing that new office should be put into the community when there was a lot of empty office. They seemed to be recommending the same philosophy to City Council. She asked why the City needed more retail, stating that there was already more than was needed. She asked how the zoning could be changed when it was zoned PUD. She questioned whether a process was provided under the existing PUD that would allow the City to make the recommended changes and to change the underlying zoning. She asked where the common sense was. She questioned whether a PUD was really necessary with the new flex zoning. She did not think this was a good idea. The proposal would allow more retail, more restaurant, more drive-thrus, bars and offices than were originally approved. Only six years ago, the Planning Commission said that those things should be kept at a minimum. She indicated that it might make sense to Mr. Gilbert, but she asked about the existing, empty office spaces. It was mentioned in 2002, and she felt it still held true today, that it did not do any good to add empty spaces in this town. Only six years later, the City was to be planning for the long term future, and she asked them to think about whether it really made sense. She understood the problems, but it was only six years later. Perhaps they needed more time, as opposed to a complete change of the PUD and the underlying zoning. She thought they needed to think about whether they needed another strip mall or some of the things being increased in the proposal.

Darrell Dove, 58 Sandalwood Ct., Rochester Hills, MI 48307 Mr. Dove stated that he was a real estate broker and he lived in the Sycamores. He remarked that he liked Mr. Gilbert, and said that he built his house, which was a great house that backed to the common area. He kept hearing the word flexibility, and it sounded to him like someone was looking for a

blank slate. They wanted things to be flexible without defining that term. People in Eddington Farms were going to lose 20% of the value of their homes. The people that backed to commercial, even though there were setbacks of 50 and 100 feet, would have asphalt or concrete behind them for a driveway or parking. There would be no building, but there would be a parking lot. People that backed to a commercial parking lot could "kiss" the value of their house goodbye. There would be more traffic, but there was no mention of traffic lights. They would also lose property values in Sycamores because of the traffic. He urged the Commission to only approve condos for the site. He did not want to see tattoo parlors, cigar stores or video stores. With the Outback Steakhouse, the traffic in the evening was atrocious. He urged the Commission to restrict the proposal to residential to maintain the integrity of the neighborhood and to protect the property values. At 12,500 square feet for commercial, it would be difficult to sell or lease and it would sit there vacant. Commercial was imploding, and it would continue to implode. In three years, it would be the same as residential with foreclosures. He thought that there would be vacant, for sale signs and that the buildings would be sitting there forever.

Gary Dolinshek, 34 Sandalwood Ct., Rochester Hills, MI 48307 Mr. Dolinshek said that he heard no plans to address the negative impact the development would have on the Sycamores neighborhood, and he did not see any benefit to the City at this location.

Lorraine McGoldrick, 708 Essex Dr., Rochester Hills, MI 48307 Ms. McGoldrick noted that she had participated with the process the last time the PUD was done, and she learned a lot about the process. The process was concerning because of the fast track of the designation of the house. She understood they wanted to skim over that at the meeting. Her number one concern was safety. She lived in Eddington, in the back on a cul-de-sac, and she usually missed getting flyers. There was one sidewalk and the increased traffic cutting through her sub needed to have a plan, because there were a lot of young children, and they needed to be safe. She never went out the front of the sub because it was too difficult to get onto Rochester Rd. She had two drivers in her house who could not go out that way. She hardly ever turned left into her sub from Rochester Rd. because the traffic was too dangerous. She understood that MDOT would not add another light on Rochester Rd. in that area. It was looked at when the Cavalier Office building went in, which remained pretty empty, and she said they were having trouble filling that building. She questioned the practicality of needing the proposed development, and indicated that it was a very difficult piece of property. She showed an Oakland County map of historical sites and noted that Rochester Hills

had a historical district. There was a representation of a demolished site, and she said she would not like to see the white house shown the same way. It was part of the City's economic development, and someone cherished it. They should try to save it and to continue to use it in a sensible project that would benefit everyone involved. A traffic study was done at the time of the first PUD, but it was never released into public record, and she said that she did not have a chance to look at it. She would like to see it made public and not hidden behind the process. She understood the applicants were directed not to present it, although they were willing.

Kim Barno, 891 River Bend Dr., Rochester Hills, MI 48307 Ms. Barno believed that Mr. Gilbert firmly had a right to make a profit on the property, but she asked at what cost to the community. Firstly, she predicted higher traffic volumes, and secondly, lower residential property values surrounding the development. The increased occupancy requested by the revised PUD would generate more traffic on Rochester Rd. and Eddington Blvd., which they now called "suicide boulevard." She stated that people should not be fooled; traffic flow in and out of City Place would not only affect Rochester Road, but also Eddington Blvd. and the adjoining neighborhoods. There were five accesses from John R and Avon to City Place, making the whole subdivision a thoroughfare. She referred to serving alcohol, and said that any establishment that served liquor would have patrons exiting into 50 mile per hour traffic, and would drive through neighborhoods with young children. She felt that City Place would help in lowering property values, and that it would only be fair that people in the surrounding neighborhoods should be compensated for the loss of home values. The HDSC had not even completed all its research. City Council recently granted them an additional 60 days to finish their report. She asked why the City could not wait to hear what the report said. She pointed out that it was not atypical for developers to get what they wanted at the expense of the residents, therefore, she hoped the Planning Commission did not play into "What Bill Gilbert wants, Bill Gilbert gets."

Carol Donovan, 1394 Spring Wood Lane, Rochester Hills, MI 48307 Ms. Donovan indicated that Attorney Gaber painted a pretty picture of City Place, with trees and berms and everything else. She said it sounded nice, but the reality was that if what Bill Gilbert was asking was not so outrageous, it would almost be laughable. "Here you have a man who had the privilege of owning a beautiful piece of Rochester history, and by his own negligence, let that wonderful white house literally fall into ruins and is now asking the City to have the house delisted and demolished." It would be another piece of the City's history gone. She

reiterated that Mr. Gilbert wanted the City to revise the existing PUD so that retail and commercial properties could be built along Rochester Road. She stated that it was a self serving request by Mr. Gilbert, and that it was not in the best interest of the Citizens or the City. She felt that the City did not need another strip mall, especially on Rochester Road, and that the residents did not want another strip mall. There was enough of that now, and she remarked that unless someone wore blinders driving around the City, they would see vacant storefront upon vacant storefront. Many had been empty for some time now. There was also plenty of commercial space available. She maintained that the ambience of the City had changed much over the last 14 years. It had lost so much of its charm and character. What used to be a really amazing and unique City was not so much anymore. She had not seen one person at any public meeting that was in favor of Mr. Gilbert's PUD revision. She indicated that she had nothing against Mr. Gilbert personally; she did not even know him, but she felt that what he was asking was wrong and selfish and a slap in the face to all of them. She hoped that the Commission would decline this "ludicrous" demand, and tell Mr. Gilbert that the City was fine the way it was. If not, it was just another reason to start adding Rochester Hills to the map as another nameless, faceless, cookie-cutter town.

Vince Dabish, 1530 Colony, Rochester Hills, MI 48307 Mr. Dabish said that he hardly ever attended these meetings. He lived in Winchester Village, and there was so much traffic already trying to turn out of his subdivision. People coming out of Eddington Farms were trying go south as he was trying to go north, and it was terrible. He was an adult, but he would hate to see teenagers trying to get out. The City was planning to put in something else that would cause more congestion, more chaos and possibly future blight. It was stated previously that commercial would be the next wave to take a hit, and he claimed that everyone should know it. He stated that there were enough boarded up buildings already. He referred to the old Papa Joe's, and said that no one had done anything with it yet. There were bars, such as Hamlin Pub and Tapper's, and they were going to put in another liquor establishment, which would just cause more competition and cause buildings to close and bring more blight. He stated Rochester Road had enough building, and he asked when it would stop. Everyone at the meeting was against the development, and he wondered why they had to show up because the people on the Commission were puppets and did what Mr. Gilbert wanted anyhow. He urged that the Commissioners listen to their constituents.

Chairperson Boswell stopped him, and pointed out that everyone on the Commission lived in Rochester Hills. They all cared about the City. They

made decisions based on what they felt was best for the City, and he stated that they were not puppets. He concluded Mr. Dabish's comments.

Greg Domka, 891 River Bend, Rochester Hills, MI 48307 Mr. Domka said that he realized Mr. Gilbert was a businessman and as such, he deserved a good return on his investment. He did need to improve the marketability of the PUD. The people realized that there was a current PUD he could build. Unless the citizens could urge him to go with residential, there would be some form of change. He said he wished Mr. Gilbert luck in the current economy. He knew Mr. Gilbert was planning to be ready when there was an economic turnaround, but Mr. Domka said he was not sure the turnaround would happen any time soon. He recalled being in college in Flint in 1979, and that the unemployment rate in Flint was 25%. Detroit also had a rate of 25%. Flint's economy was based on the automotive industry. Metro Detroit was more diversified, but the unofficial unemployment rate in Rochester Hills was now 20%. It was 2010, and Flint had not recovered in 30 years. If metro Detroit took half that long, it would be 2025, which was consistent with what some of the financial analysts he followed had said. They were seeing increased vacancy rates in local commercial and multi-family real estate developments. Mr. Gilbert had said that he planned to have a lessee in place prior to development. Mr. Domka felt that was smart, and that it might minimize the risk of vacant buildings on Rochester Road, but there were small and large chain stores going bankrupt, so a lessee here today might not be here in a month. He offered that the current credit market was precarious, to say the least. They were experiencing nation-wide residential rate and prime mortgage defaults. As someone earlier said, the fuse is lit on the commercial real estate bomb, which was expected to be larger than the prime rate mortgage failures. The failures would only be magnified in the region. These were economic issues that would put great pressure on any commercial or residential development in the area. He turned to Mr. Gilbert and said he wished him success, but he asked the cost to the community of the revised PUD. With Mr. Gilbert's development, they would not profit; they would lose, in the form of degradation to their lifestyle and the impact to their home values. The residents surrounding the revised City Place would suffer from declining home values in an already down home market. The historical house on the property had served as a gateway to the community for over 100 years. Thousands of residents passed it everyday, reminding them of the character of the community and why they lived here. He said he did not know all the facts, but he heard that as a condition of the original PUD, the house was to be maintained in good form. Now it was to be delisted from being a historical landmark so the developer could tear it down. Mr.

Domka said he would implore both the Planning Commission and City Council to keep the house in place. Even if the HDSC determined that the house was of no value, it did add significant value to the character of the community. The residents came to the meeting to share their thoughts and feelings about the issue, and he said he wanted to make some predictions. He said they would come true if the people did not get involved with the process and make their voices heard. Support was also needed at the next HDSC meeting next month, when they would be forced to vote up or down on the historic home. His predictions: "The Planning Commission would approve most or all of Mr. Gilbert's requests to revise the current PUD. The HDSC would recommend keeping the house as a historical artifact, and a couple of months after that, the City Council will vote to reverse the Study Committee's decision in favor of Mr. Gilbert's plan to tear down the house. The City Council will vote in favor of the Planning Commission's recommendations and Mr. Gilbert's revisions to the current PUD. He remarked that he was not Nostradamus, but that the residents could keep the predictions from coming true if they got involved in the process.

Martha Black, 2408 Jackson Dr., Rochester Hills, MI 48309 Ms. Black thanked the Commission for listening. She thought that the entire flavor of the meeting had been genuine, and she believed the Commissioners were taking all the comments to heart. She said she was taking notes, and she had brought the Minutes from the Planning Commission meeting in 2004. There were so many comments, such as it was a win-win situation and it was a wonderful thing, but they were now looking at tweaking it. She moved here in 2004, and she would like to go back and redo her negotiations with the builder. She would like to renegotiate the taxes she has to pay the Federal government. She said she was sure many developers in the area would like to renegotiate with the City on different issues. Everyone would like to renegotiate something.

As a businessman, she believed Mr. Gilbert has had other people enter into agreements that he agreed to and maybe they came back and wanted to renegotiate. She wondered if he would agree to that or if he said that was what they agreed to and they would stick to it. In a business sense, she questioned why they had to renegotiate after they agreed on something. The Council rep who represented the area, who was not present, spoke last week at the City Council meeting, and he said there were rules, and that rules had to be followed. She believed that if someone on Council thought that, then it should apply to all situations. It was a heated, personal argument for the residents. She thought that the proposal did not just have to be black and white or a business decision

only. They were all present as residents and merchants, and they were each other's keeper, and they needed to protect each other and do what was in the best interest of the community. It was suspect to her that it was only business. She thought they were better than that. She knew it was probably a ridiculous request, but she had said to Mr. Gilbert at the informational meeting that he should donate the property, which she felt had been a thorn in his side for years. She thought he probably regretted even purchasing the property. She thought there were tax credits, and that he could donate the property to the City and keep the home. It would be a beautiful place for residents to go, and it would be something everyone would be proud of and keep the Rochester Hills they knew. Instead of fighting to maintain it, they did not need to change the area into something no one wanted. They did not want more commercial and retail. She stated that she was sure they would do what was right.

Lisa Winarski, 194 Bedlington, Rochester Hills, MI 48307 Ms. Winarski advised that she was on the Board of Eddington Farms Homeowner's Association. She wanted to point out that the meeting they had on March 21 was an informal meeting and it came about because one of the City Council members had requested that Mr. Gilbert contact the owners in Eddington Farms. She stated that it was not a discussion or a "let's come to some kind of terms or concessions" meeting; it was not up for negotiation at all. When Mr. Gaber represented that the neighbors were there, it was not a friendly meeting, and no one agreed to anything. They had invited Mr. Klomp to the Board meeting, and they had a list of things they thought would be agreeable to both the developer and Eddington Farms. Mr. Gilbert modified the setbacks and that was it - nothing else was addressed. His compromise was very minimal and very worthless, according to her. One of their concerns was regarding the bus stops at the front entrance at Eddington, Farnborough and down the street. Rochester schools would not move the bus stops. They were in the process of trying to make the boulevard safer by putting in more sidewalks and speedbumps, because the children were at risk. Their efforts would be lost with the traffic flow that would come from the development. There had been some deaths that occurred at the entranceway. Another concern was that in the existing PUD there would be drive-thrus only for financial institutions, and she said there was no reason to change that, and she felt it needed to be outlined definitively to allow existing financial places only. Another concern was about liquor. It stated that it would be for places getting 50% of revenue from liquor, but that could be manipulated to benefit a restaurant. As of May 1st, restaurants and bars could stay open until 4:00 a.m. She stated that she did not want that in her backyard. Mr. Gaber had said that the residential

portion would be residential, but he kept mentioning office space. The office space needed to be defined as it was in the first PUD with a minimum. The office building north of the Fifth Third Bank was currently in foreclosure because of lack of rentals, which showed where office space was in Rochester Hills. They were concerned with keeping the Eddington Farms subdivision identity on the Boulevard, but they would have no guarantee that would be kept. The square footage of what was in the existing PUD compared with what was proposed was astronomical, and she asked that they take the neighborhood into consideration and keep it intact. She asked why someone would want to live there and back up to the development and have something happen to the children or animals. Safety was the biggest concern, along with the amount of square footage for commercial and keeping the commercial along Rochester Road and no where else. She felt those were fair, considering what they went through with the first PUD. She felt that City Council took nothing the subdivision had to offer into perspective, and she hoped they would work with the City.

Verlinda Wallace, 1299 Pembroke, Rochester Hills, MI 48307 Ms. Wallace said that she had been living in Eddington Farms for three years. Even in the short time that her family had lived there, things had begun to change. They understood that Mr. Gilbert wanted to make a profit on his property, but she agreed with everyone that it would be at the expense of the community. She heard the word flexible, but she said that someone should not just be handed a blank slate to be filled in. She understood they wanted to cut through red tape and cut out some preliminary things before they came up with the plan. They understood that the plan would still come before City Council and the Planning Commission, but they needed more information before that happened. There were still some unknowns, and she stated that they should not conduct business that way. She said that the residents were looking to the Planning Commission to look out for them, and they hoped they would.

Susan Deshaw, 1638 Farnborough, Rochester Hills, MI 48307 Ms. Deshaw said that her home backed up to the property. Her concerns were the same as everyone's - the traffic and serious accidents that could happen and have happened. She was concerned about her declining home value. She agreed that the flexibility the developer was asking for sounded like they wanted a blank check. She appreciated the hard work that went into it, but she asked that the flexibility be restricted so there were no restaurants serving alcohol. She also would prefer that there were no buildings over two stories, and she would really prefer residential only and no apartments. She asked them to please keep the historic

house, which she felt was a part of Rochester Hills.

Deanna Hilbert, 3234 Quail Ridge, Rochester Hills, MI 48309 Ms. Hilbert mentioned that she did not live anywhere near the subject area. She noted that Troy had preserved a historical home on 16 Mile, and she felt it was wonderful that someone took the initiative and worked to keep that piece of history. She stated that they did not build homes like the white house any more, and it would be sad to see it go. She brought up that the commercial would be doubled, and that was not a win for the citizens. There was much empty retail and office in the City. So much of Troy's tax base was from office and retail, and they were in serious trouble. It would not save Rochester Hills to add more retail. She hoped that the Commission would consider that. She mentioned that she did not see anything on the City's website about the meeting. She felt it was another example of the City not telling the residents what was happening in the community. People had lived there a long time, and she thought the City might get more interest in the property if people were informed. She tried to find an agenda, and she acknowledged that perhaps she was not looking in the right place, but it was not easy to find. (For the record, the Agenda was posted to the City's web site at least two weeks before the meeting).

Laura Andres, 1581 Colony Dr., Rochester Hills, MI 48307 Ms. Andres advised that she lived in Winchester Village. She said that she could appreciate Mr. Gilbert's position, because she represented her companies in trying to buy properties and investing in land. She understood that the owner wanted to make money, but she also looked at the business situation in Rochester, with empty buildings and traffic problems, and she did not think he would make a profit on it now. She suggested that there might be alternatives, such as the City buying more green space. As a resident, she recalled coming here in 1994 and seeing the beautiful house. It was all lit up with Christmas lights at night, and she loved it. She thought it would be a great place for something like a Whitney restaurant or something else. The City of Rochester Hills had been called the City of Trees, and it was one of the top 100 places to live in America. She was concerned because they mowed down all the trees by her property. There was also Sunoco coming through with a gas line, and they were taking everything out, including full grown trees. Regarding the Fifth Third Bank, there was a lot of light pollution, and it was slowly taking away the character of the City. Looking at supply and demand, there was way too much supply of commercial real estate, and they needed to add something they did not have. That would become a win-win, not only for the residents and the value of their homes, but for the

owner. She said she was shocked to find out that the property was not zoned residential. She agreed with the idea of the City doing something to realign the roads. It was very dangerous, and the development would create more traffic. She concluded that she did appreciate the owner's position.

Scott Armstrong, 625 Lexington Dr., Rochester Hills, MI 48307 Mr. Armstrong said that he was the Vice President of the Eddington Board. He had been at many City meetings, and it seemed like it was the same song played over and over. The residents walked up and said to another board the same thing they already knew because they lived in the City. They said the same things to Mr. Gilbert. They looked at the lovely home that was put in Mr. Gilbert's keeping that was basically falling apart. If a homeowner did that, they would be fined because they did not keep up the property. He asked what made sense for Rochester Hills. One of the things that drew him to the City was the fact that it was a lovely City with a lot to offer, and people did not have to go far to get anything. He wondered what more they needed brought into the City that was not already here. There were some of the top restaurants in the area; they had more than enough places to get alcohol; they had McDonald's and Burger King, and they had all of the other fast food franchises. What they did not have were a lot of places kids could go or a nice park area that was accessible. They had a lot of traffic on Rochester Road. Between Hamlin and Avon, they were told it was not possible to have a light because of the distances from Hamlin to Eddington and Eddington to Avon. They were going to put in City Place, which would create a lot more traffic coming into the area. They already saw traffic backed up to downtown Rochester in the evening. Coming out of Eddington was very dangerous. He said that they did not need to lecture the Commissioners about what was already vacant; they knew that because they lived here. He said he was in the mortgage industry, and his bank was saying it would be two years before residential bottomed out. It would be five years before the equity in properties started rebuilding. He asked how City Place would benefit the City. They did not need another eyesore. There was a PUD put in place in 2004 and in six years, all they had gotten was Fifth Third Bank. With the economy down and everything that had happened, Mr. Gilbert wanted flexibility to be able to put in whatever he wanted, and no one was being told what would go in there. He found that amazing as a business person. He reiterated that the constituents came up and told the boards the same thing - they did not want it - but he would like to see the elected officials actually listen to what the people said. He asked them to protect the City and the residents. They had lost values in their properties, and they would lose more value if the development occurred.

Eddington Farms would become a thoroughfare. Their kids were already putting up with an unsafe traffic environment, and now they would have a thoroughfare between Rochester Road and Avon and Rochester Road and John R. People would look for alternative routes to stay off of Rochester with so much traffic. He asked the Commission to take a look at what Mr. Gilbert wanted to put into place and ask if it would make sense for the City.

Paul Miller, 1021 Harding Ave., Rochester Hills, MI 48307 Mr. Miller said that 40 years ago, there was a mass, people-driven movement across the country. Millions of people turned out to say that all growth was not good; bigger was not better; and newer was not necessarily more desirable. He commented that growth was not always necessarily desirable. The City recently did a survey, and one of the things they found was that residents were extremely pleased with the City government. Another thing they found out was that the number one item the residents most disliked was traffic congestion. They were talking about increasing traffic congestion on one of the most dangerous stretches of road between two of the most dangerous intersections in the area. They were being asked to give sort of a carte blanche, in terms of having no plans or drawings or specific leases drawn up. He reminded that not that long ago, the Planning Commission and City Council entered into an agreement with a developer at Adams and M-59 and they thought they would get something really "cool." They agreed to a somewhat open-ended situation with some options. The option that came up was the least desirable one that anyone would have wanted. That was exactly the type of situation they were setting themselves up for again. It was green space to the residents and community that was valuable, especially in a development that precluded residential. When the original PUD came through, he was a little skeptical, but it seemed new and sustainable. People could live and walk to work. He felt that was where the future was. The endless suburbs and dense commercial zones had not proven to be very efficient or desirable. People could say it was market driven, but he commented that illegal drug use was also, and they would not want to encourage that. People could say that Mr. Gilbert owned the property and had property rights, and that he had a right to develop it the way he wanted, especially since if he was told he could not, he would sue the City. They all knew the City's history with lawsuits and developers. He asked the Commissioners not to just think about the future, but to think about the clear and concrete benefits to the residents of the community to whom they owed their allegiance, and to whom the elected officials owed their jobs. They were given the privilege, responsibility and authority to make decisions and take the credit and the

blame for what they ended up with. He said he hoped the Commissioners would say that they did not have enough information, and that there did not seem to be an urgent need, and that they should sit back and take more time to think about it and collect additional feedback from the residents.

Chairperson Boswell closed the Public Comments at 8:51 p.m. He said that an overwhelming theme heard was that the PUD had gone from a maximum of 35k square-foot for commercial and office to 50k of commercial. There was a minimum at one time for residential, but there was no minimum now, and they could put in nothing but commercial and office - maybe a house or two. He asked Mr. Gaber why it was a good idea to add more and more commercial.

Mr. Gaber explained that they were asking for a trade off in terms of land uses. They were not looking at going from 710,000 square feet of mostly residential to something that was 710,000 square feet of mostly commercial and office. A lot of the concessions being made from the first PUD resulted in less density, by reducing building heights and complying with the FB-1 standards to have greater setbacks and more open space. They were asking to reduce density as a trade-off for more flexibility to add some commercial or office in addition to the residential. Mr. Gilbert really did not know what he would do. A lot of people said there would be 50k of commercial, but that was not the case. They did not know now, but they were asking for the ability to build up to that much. They did not know what the market held. Perhaps commercial would not be in demand; maybe office would continue to be dead for a long time. Medical office was a great potential use for the site, with the new medical school at Oakland University. The intent was for the area to develop more of the medical office arena.

Mr. Gilbert said that they heard from the speakers there was no market for this or that, and he assured that if there was no market, it would not be built. He had been in business a long time, and there would be no money for projects that were not viable. They thought they had a really great plan, but it did not work. They spent three years designing it and getting it approved. There was only two ways to go about developing the project that would work. One was through a revised PUD that gave them some flexibility because they were hamstrung. If someone came today and said they would like to buy the four acres north of Eddington Blvd. and had a plan, it would take at least a year before the City would give them an answer, and no one would wait a year to maybe get a no. He stated that the flexibility was not a blank check. There would be restrictions

about what could go where, and the amount of density, the height, the bulk, and the area were all less, except the area along Rochester Road where they were asking for an "up to" amount. If there was no market, however, there would be nothing. It might end up that if residential came back strong, it might be all condominium. It could be a plan similar to what was in the original plan along Rochester Road - the live/work concept. They had 27 acres, but they could not do anything because of the strict architectural plans and site plans. They tried it through a great market, a fair market and a bad market, and they could not sell it. The other alternative would be to apply for rezoning for a certain part as commercial, a certain part as office and a part as multi-family. They felt the revised PUD was a better process for the City and for the residents. It sounded to him that many of the residents were not aware there was an approved plan that was very dense - four stories and three-and-a-half stories backing up to the residential. The City put a minimum of 250 units and a maximum of over 300, in addition to the office and retail along Rochester Road. They felt that they had made some inroads. If they did an office building on Rochester Road, there would not be pavement up to the property line. That was misinformation. They felt they made compromises for the people that immediately backed up to the project. It would have less of an impact than what was previously approved. He reiterated that he could not predetermine a site plan because of the market. They had owned the property since 1986, and they had about ten years into the PUD, which did not work. He said that the whole world was being renegotiated, and that he had renegotiated leases and with builders, who were not doing anything now.

Chairperson Boswell brought up the drive-thrus, and said it was great that there would not be any fast food drive-thrus, but there could be coffee houses. He observed that Tim Horton's was turning more into a fast food place because they were always offering something new. He agreed with the residents that it would cause more of a traffic hazard than be something worthwhile. He noted that he drove by the property in the mornings (going north), and if someone tried to come out of Eddington, he agreed that it was difficult. If someone was coming from Oakland Township and they wanted to stop and get a coffee, that quick drive-thru would not be so quick in the morning when they tried to get back onto Rochester Road and go south. It seemed like a bad location for a coffee house to him.

Mr. Gaber pointed out that there would be traffic concerns regardless of what was developed. If 710,000 square feet of building space was developed, there would be traffic, and there was no way of getting around

the traffic. He could not say exactly how the traffic would pan out without a study, and they did not know how the square footage would be allocated. The City had determined that Rochester Road would be its primary commercial corridor. It was congested, but it could accommodate traffic better than any other road in the City. He said he was not downplaying it, but if there were 300 residential units, it would be much more difficult to get out in the morning. He said he could make an argument that if there was some retail or office, it would spread traffic over the course of the day rather than have it only at rush hour.

Mr. Gaber said that Chairperson Boswell made a good point about Tim Horton's. He did not think Mr. Gilbert thought about that when he put the proposal together. He was thinking more about a Starbuck's. They did not know what the future would hold for drive-thrus, but they did not want to foreclose the opportunity altogether. They could work with the language to prevent objectionable uses.

Chairperson Boswell agreed they would not know exactly what the traffic implications would be until they knew what would go on the site, if anything. Mr. Gaber said that the City would require cross access, and they would want that also, from Eddington Blvd. to the Bordine's site. They were not sure how the roads would be constructed yet. They might consider another curb cut across from Sandalwood, which might allow a traffic signal.

Chairperson Boswell asked Staff about the signal at Yorktowne and Meadowbrook and if it was not put in because the warrants were not met. Mr. Anzek said that was correct, but the City continued to ask for that signal from MDOT.

Chairperson Boswell asked the applicants if they had any comments regarding alcohol, reminding that a lot of people were against it.

Mr. Gilbert said that was unknown, but they would be willing to work on the language. He felt that they had been pretty good in over 30 years developing, and they were not interested in selling space for a bar. They did not want to foreclose on the possibility that within the development area on Rochester Road, that a nice restaurant could have beer and wine. It was not their intention to open a club or sports bar or sell to someone who would. He thought the language could protect the residents, and he reminded that it would be a Conditional Land Use Approval.

Chairperson Boswell asked the Commissioners if there were further

comments.

Mr. Hetrick asked if it was possible to use just the Flexible Business 1 (FB-1) zoning as the overriding zoning and not even use a PUD. Mr. Delacourt said it would be possible, but it would have to be done through a Master Land Use Plan update and amendment to the City's zoning map. Mr. Hetrick asked if they could have conditions attached to the FB-1. Mr. Delacourt said that if they rezoned the property, Conditions would have to be offered by the applicant. If they wanted more protections, he felt that a revision to the PUD would be easier, and it would identify FB-1 as the controlling ordinance with Conditions. It would be shorter and would accomplish the same thing. Mr. Hetrick clarified that from the City's perspective and the citizens' perspective, the PUD was a safer and more appropriate document. Mr. Delacourt added that if the Planning Commission's, the City Council's and the applicant's wishes were to just utilize an existing, defined Zoning Ordinance and there was not a negotiated PUD in place, he would agree that an update to the Master Plan and Zoning Ordinance would be appropriate. Mr. Hetrick noted that many people suggested the need for a light because of the traffic, and he wondered if that could be approached. He would want his family to be safe, and to the extent that was possible from a PUD standpoint and the City would agree, he thought it would be good for the City and for the area. Mr. Hetrick said that regarding alcohol, he did not think the 50% mentioned in the document was enforceable, but it sounded like the applicants were willing to make adjustments.

Mr. Gilbert said they could probably figure out the percentage by surveying restaurants that might be acceptable. He agreed a light anywhere on Rochester would help traffic, and they supported that and would lobby for it.

Mr. Yukon referred to page 3, L1, of the PUD Agreement and read: "Allow the more restrictive FB-1 zoning classification to control the development of the land instead of the existing FB-2 overlay." On page 4, 1, it read: "The parties acknowledge and agree that this agreement amends and restates the Original City Place PUD, which is superseded in the entirety by this agreement... and that the land remains zoned B-2 with an FB-2 overlay and the PUD overlay as amended by this agreement." He asked if that should be FB-1.

Mr. Delacourt explained that the Agreement would not change the Master Land Use Plan designation or what the Zoning Ordinance said. It would supersede it by putting the FB-1 requirements in place instead of the

others. In 2004, the PUD Ordinance required the underlying zoning to be changed to adopt a PUD with anything other than single-family in it. It had been changed since that time. The PUD identified what Zoning Ordinances were in place and then in another section identified which Zoning Ordinance would be the controlling regulation, except for what was in the document. It was never the intent of the City that the site would be developed as all B-2 or FB-2 and the document should acknowledge that.

Mr. Gaber said they would be amenable to working with the City Attorney to develop whatever language he was comfortable. He pointed out section two and said it was the operative provision.

Mr. Yukon asked what type of traffic control measure they would use for the cross access at Eddington, such as stop signs or a light. Mr. Gaber said it was premature at this point to be able to tell, but he did not believe there would be a traffic signal. Mr. Anzek said it would be determined by the City's Traffic Engineer. Mr. Schroeder said it could be a private road, and the City would not have control of signing. Mr. Gaber agreed it probably would be a private road, but they would not have any problems working with the City's recommendations. Mr. Delacourt said the City's engineering standards required that all private roads be built to public road standards, and the applicants would not know what would be required yet as far as traffic control devices.

Mr. Reece reiterated that there already was a PUD in place, and he advised that the Planning Commission could choose to do nothing and leave the existing PUD in place. That current PUD allowed up to 305 new residents in the development. He thought it was important for everyone to recognize that potentially, there could be three times the amount of residential structure in the development. The previous PUD would significantly impact traffic more than the new proposal. As a former renter in the City, he resented the comments and implications that renters were not qualified citizens and that someone would not want to live next door to them. He thought that was a disgusting comment. He asked if the existing PUD addressed alcohol use, noting that it allowed for restaurants. Mr. Delacourt said that it defined the spaces in which commercial establishments could go, but it did not have prohibitions on alcohol. Mr. Reece clarified that a Tom's Oyster Bar could have been developed within the existing PUD, and alcohol could have been provided if they had a liquor license.

Mr. Reece said there was a lot of commenting about the house. He indicated that it would be left up to the HDSC to determine the status of

the house. The comments about the house troubled him because there were a lot of points made that the house had fallen into disrepair. He asked the last time someone occupied the house.

Mr. Gilbert replied that it was seven years or so. When it was rented, the maintenance exceeded the income. The heat bills were so high they could not keep a tenant. The historic house was definitely part of the PUD Agreement, but the historic house was not the reason they had a mixed-use project approved. It had already been master planned for mixed-use, and it just happened that the house was there and had to be a part of the PUD. Mr. Reece said his bigger concern was that the house had fallen into disrepair, and that he had not done anything with it, and therefore it would be an easier target to allow the Study Committee to delist it. He thought Mr. Gilbert should address the residents about it. When it was placed in his charge, the expectation was that he should take care of it in a fashion supporting the structure that it was.

Mr. Gilbert said that at one time, there was a developer, Robertson Brothers, who wanted to do a condo development on the site. They were going to try to make the house a community center. Once the market fell apart and the financing was not there, they disappeared. They had also worked with two parties about possibly buying the house. They talked about giving the house to one couple, who did not really want to live on Rochester Road. They talked about paying to move it, but it was not feasible. They looked into readaptive use, but there was no economical or viable use for the house. They did get notice from the City about a couple of items they took care of and they secured the house. It had been vandalized, and someone turned the water on and took the copper. They had a \$5,000.00 water bill with no one living there. There was mold, and it had probably been moldy for years. They kept it secure, but it was an attractive nuisance.

Mr. Reece asked the long term plans for the house if it maintained its status as a historic district. Mr. Gilbert said they would try to find someone with a lot of money who would put \$750,000 into it and live there.

Chairperson Boswell asked if a traffic study was done in 2004, and if so, what happened to it. Mr. Gilbert said it was submitted with their plan. Mr. Delacourt advised that it was in the Planning Department files and available for review. It was one of the first things required with the application, and was a matter of public record.

Chairperson Boswell said that in the current PUD there was a section

asking for the natural features setback to be modified to five feet. In the Comparison Chart, it described a wetland buffer of five feet for the current PUD, but he did not see anything about a wetland buffer or natural features setback in the proposed PUD. Mr. Gilbert said they were asking for the same as was approved. Mr. Gaber thought they were talking about the same thing - natural features setback and wetland buffer. It was in Exhibit C of the original PUD; they were asking for a modification of 20 feet. They gave up most of the modifications of the first PUD. The only two they maintained were the wetland buffer and the 75-foot right of way for Rochester Rd.

Mr. Hooper agreed with reducing the density of the development. He had read the conditions and suggested that they should keep the existing PUD language for the drive-thrus: Drive-thru facilities permitted for banks and financial institutions only. He did not think it would be viable to put in a coffee shop. Under land use density, he suggested that they put some maximums for office and residential or total square footage maximums. He was sure they would develop less than the maximums. He thought they could look at the setbacks and come up with something, and it would be significantly less than 710,000 square feet that was currently allowed to be developed.

He felt it would eliminate some of the uncertainty people felt about changing from what was currently allowed to a modified PUD. The majority of the changes were wins, in his view, for the community. There was reduced density, reduced height, fewer buildings and more green space. He had voted on the previous approval because he liked the work/live concept, and he hoped it would have worked and looked forward to it, but the market dictated more than Planning Commission's or City Council's desires for the community.

Mr. Gilbert felt they could address the liquor issue with the restaurants, and he offered that they could give up drive-thru restaurants completely. He felt that was the biggest concern, and they might have a problem identifying fast food, so they would just go with none. Chairperson Boswell clarified that it would only allow drive-thrus for financial institutions.

Mr. Gaber offered that they were trying to do something that worked. He knew that people who lived next to it would like to see it remain as it was. They recognized that, and they were trying to lessen the impact as much as possible. There would obviously be more impact than there was now, but there would be less than under the original

PUD. They would talk with Staff further, and provide a formal presentation to the Commission for the PUD amendment process in the near future.

**2010-0167 2011-2016 Capital Improvement Plan Workshop -
Presentation of Projects**

(Reference: Memo prepared by Keith Sawdon, dated April 15, 2010 and draft 2011-2016 CIP had been placed on file in the Planning and Economic Development Department and by reference became part of the record thereof.)

Mr. Anzek recalled that it was the City's 13th year preparing a CIP, and it had served the City well as a planning document. The CIP organized the projects sequentially; for example, they would not want to pave a road and then dig it up to do a watermain. The CIP has helped the City understand its infrastructure conditions and maintenance and replacement needs.

Mr. Anzek advised that they received only 25% of new projects normally brought forward. There were 12 new projects, and he asked Mr. Sawdon to go over their impact.

Mr. Sawdon stated that the City's share of the 12 projects represented \$3.1 million, for a total of \$92.7 million (City share) of all projects. There were 29 projects removed from the CIP, totaling \$5.8 million. Of the 29, 18 were completed; 10 were reclassified as "Under Review," and one project was deleted. Those items were on page 97 with a brief description.

Mr. Anzek noted that it was the first time a project had been sponsored by a citizen, who was at the meeting to present his case. Mr. Anzek referred to page 96, Projects Added, and went over each new project: Parking Lot Drainage Improvements at Fire Station #1: Every time there was a storm the collapsed basin caused a flooded parking lot in front of the main drive for the fire personnel; ADA Compliance Implementation, a Federal Government mandate to bring things up to code; Concrete Apron Replacement at Fire Station #4; Firefighter Turnout Gear Replacement - for equipment worn into a building fire. The equipment had a life expectancy which had been reached. This was a recurring expense, and they debated whether it should be in the CIP, but decided to put it in so it was on the radar screen for budgeting. Next was the Hillview Street project brought forward by Mr. Roy Juhl, a citizen.

Mr. Juhl showed some photos taken on April 6 of his flooded lawn after a