

approving a 30-day extension to allow the HDSC to complete the report.

Mr. Brennan stated that he is disappointed that no member of HDSC is in attendance and noted that there is an appearance that the HDSC has abdicated their duties. He concurred with the thirty-day extension.

Mr. Delacourt requested Council consider granting sixty days, as the HDSC's next meeting is May 13, 2010, 31 days from today.

Mr. Rosen commented that Council's goal should be to have the HDSC do a thorough job and noted that the HDSC initially requested a longer time frame.

Mr. Klomp stated that in reviewing the HDSC's minutes, he noted a significant amount of conversation irrelevant to the delisting process.

President Hooper stated that 180 days was appropriate. He pointed out that while the consultant prepared a thorough report, comments noted in the HDSC's minutes appear to discredit the consultant's work. He stated that if there is more information, it should be brought forward. He pointed out that the HDSC does not have to agree with the report, but it should be finalized and sent on to Council. He stated that a sixty-day extension is more than reasonable.

A motion was made by Brennan, seconded by Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 5 - Brennan, Hooper, Klomp, Pixley and Webber

Nay 1 - Rosen

Absent 1 - Yalamanchi

Resolved, that the Rochester Hills City Council hereby approves an additional sixty days for the Historic Districts Study Committee to prepare a final report and report to City Council regarding the delisting of 1585 S. Rochester Road.

2010-0158

Request for Approval of additional time for the Historic Districts Study Commission to research and complete the final report regarding the delisting of 2371 S. Livernois Road

Derek Delacourt, Deputy Director of Planning, noted that the Historic Districts Study Committee (HDSC) has not yet forwarded the Consultant's preliminary report to the State Historic Preservation Office (SHPO) or held a Public Hearing. He commented that the Study Committee is in the process of reviewing the preliminary report and has not made a determination as to what their recommendation will be. He explained that a Public Hearing could not be scheduled until sixty days after the report has been transmitted to the SHPO, and the HDSC is requesting an extension until September to complete the final report.

President Hooper noted that the preliminary report was prepared and presented to the HDSC in December.

Public Comment:

Paul Miller, 1021 Harding, stated that one year is allowed by State Ordinance for completion of the report. He commented that just because a consultant's report is prepared, that does not make this report irrefutable. He stated that the HDSC should be extended more time to complete additional research.

Melinda Hill, 1481 Mill Race, stated that the State's requirement of one year does not begin until after the hearing. She commented that the consultant rushed through the report, and the HDSC felt rushed and intimidated by the consultant.

Julie Dobies, 708 Tewksbury, stated that a one-year timeframe is given in order for a thorough job to be done. She commented that the HDSC should be given more time.

Mukesh Mangla, 1052 Oaktree, Bloomfield Hills, stated that he is the applicant for the delisting of 2371 Livernois and pointed out that he is experiencing great hardship waiting for this delisting process. He commented that all his money was put into purchasing this home and noted that his current home is in foreclosure. He questioned whether the City actually put this house on the Register of Deeds and requested Council require the process to move forward.

Mr. Delacourt stated that the consultant conducted a thorough and complete research; and while he supports the process and understands the HDSC's concerns, he is not aware of any areas where additional research can be done. He stated that the house was constructed in 1945, with an extensive addition in 1971, and was moved sometime in between those years.

Council Discussion:

President Hooper pointed out that City Council cannot act until the final report is presented and stated that the HDSC has failed to forward the report to the State. He pointed out that the HDSC looked at the report twice and has never suggested any changes or presented any additional information, and has failed to transmit the report to the State for their review to start the clock. He commented that this is not how Rochester Hills should do business and stated that the applicant is entitled to due process. He stated that the report should be reviewed, changes made, if any, and submitted to the SHPO.

Mr. Pixley questioned, from a process standpoint, what is the time frame needed and could they require the HDSC to immediately transmit the report to the SHPO.

Mr. Delacourt responded that if the report is transmitted to the SHPO after the HDSC's next meeting, it could be 90 days before the next phase begins. He stated that the SHPO Board meets quarterly and responds slowly, and that the HDSC will need until September, at the least.

President Hooper questioned whether a special meeting of the HDSC could be called prior to their next regular meeting on May 13, 2010, and stated that the report should be submitted to the SHPO immediately after their next meeting.

Mr. Delacourt stated that he had not yet canvassed HDSC members to determine whether a special meeting could be held.

A motion was made by Pixley, seconded by Klomp, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 6 - Brennan, Hooper, Klomp, Pixley, Rosen and Webber

Absent 1 - Yalamanchi

Resolved, that the Rochester Hills City Council hereby directs the Historic Districts Study Committee (HDSC) to submit the preliminary report regarding the delisting of 2371 S. Livernois Road to the State Historic Preservation Office immediately after the HDSC's May meeting and prepare and submit a final report to City Council immediately after their September meeting.

2007-0221

Request for Approval of the Extension of the Tentative Preliminary Plat, for Grace Parc, a 16-lot subdivision located north of South Boulevard between Livernois and Rochester Roads, zoned R-4, Parcel Nos. 15-34-402-035 & -057, until April 20, 2011, William Mosher, Apex Engineering, applicant

Ed Anzek, Director of Planning and Development, noted that the Grace Parc project was put on hold until City Council developed its Extension Policy. He stated that property has been taken over, all taxes in arrears are paid, the developer is aware of the new Engineering Standards, and the Planning Commission recommends approval.

Mr. Rosen questioned whether there was a period of time where the development did not have an approved site plan and stated that the extension language should include the date the project first expired. He questioned whether there have been any increases in development activities and when the developer would begin.

Mr. Anzek responded that there was a time that the project could have been considered lapsed; however, the applicant filed a letter prior to the due date requesting the extension. He stated that there has been more activity recently, with homes under construction in the Clear Creek, Hickory Ridge and Country Club Village developments. He explained that banks are strict in their requirements, but are qualifying people for mortgages.

William Mosher, Apex Engineering, representing the owner, responded that development would begin as soon as changes that were made resulting from the City's recent adoption of its Engineering Standards were approved.

A motion was made by Rosen, seconded by Webber, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 6 - Brennan, Hooper, Klomp, Pixley, Rosen and Webber

Absent 1 - Yalamanchi

Resolved, that the Rochester Hills City Council hereby approves the Extension of the Tentative Preliminary Plat for Grace Parc, City File #04-011, a 16-lot subdivision located north of South Boulevard between Livernois and Rochester Roads, zoned R-4, Parcel Nos. 15-34-402-035 & -057 from April 20, 2009 until April 20, 2011.