



Rochester Hills

Minutes - Draft

Planning Commission

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Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Ed Anzek, Gerard Dettloff, Nicholas O. Kaltsounis,
Stephanie Morita, David A. Reece, C. Neall Schroeder, Ryan Schultz

Tuesday, May 15, 2018

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Deborah Brnabic called the Regular Meeting to order at 7:03 p.m. in the Auditorium.

ROLL CALL

Present 9 - Ed Anzek, Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, Stephanie Morita, David Reece, C. Neall Schroeder and Ryan Schultz

Quorum present.

Also present: Sara Roediger, Director of Planning & Economic Dev.
Kristen Kapelanski, Manager of Planning
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

[2018-0172](#) April 17, 2018 Regular Meeting

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

Aye 9 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

COMMUNICATIONS

- A) *Planning & Zoning News dated April 2018*
- B) *Auburn Hills Letter dated 4/12/18 re: Master Plan Amendments*

NEW BUSINESS

[2018-0173](#) Public Hearing and request for Preliminary Site Condominium Plan Recommendation - City File No. 17-019 - Cumberland Village, a proposed 57-unit site condo development on approximately 23 acres, located on the east

side of Livernois, south of Hamlin, zoned R-3 One Family Residential with a MR Mixed Residential Overlay, Parcel Nos. 15-27-101-006 to -011, -030, -040, and -041, Lombardo Homes, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated May 11, 2018 and site condo plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Greg Windingland, Lombardo Homes, 13001 23 Mile Rd., Suite 200, Shelby Township, MI 48315.

Ms. Kapelanski noted that the subject 23-acre site was on the east side of Livernois just south Hamlin. The applicant was proposing 57 units. The site was zoned R-3 One Family Residential with an MR Mixed Residential Overlay, and the site was being developed using the R-3 standards. The applicant also proposed using lot size averaging. She advised that there were no natural features on the site involving wetlands or woodlands. The plan was in compliance with Ordinance provisions, and all staff recommended approval. She added that the applicant did reach out to nearby neighbors with an informational meeting at the Rochester Hills Library.

Mr. Hooper asked the outcome of the center left turn lane for Livernois. Mr. Windingland said that through discussions with Engineering, they talked about doing restrictive turn movements to have right-in, right-out of the northerly approach and recently, Engineering made it a condition of approval to require a center turn lane, to which he was agreeable. Mr. Hooper asked if the plans would be revised to show that turn lane, which Mr. Windingland confirmed.

Mr. Kaltsounis said that looking at the development and the lot averaging, he had hoped there might be open space. He asked if there would be anything for the people in the sub, such as a little park, other than just "slamming" in a bunch of homes.

Mr. Windingland responded that because it was an infill site with a limited number of homes, they did not propose any type of community facilities, but there would be sidewalks throughout. Mr. Kaltsounis said that he was just suggesting a park. He understood that the proposal met all the rules, but they had seen other subs that offered areas to congregate. He remarked that the subject development was filled to the brim.

Chairperson Brnabic noticed that they were offering a variety of housing styles from ranches to colonials, and she wondered about the market demand for the different types sold. Mr. Windingland related that

currently, they were typically selling about 10-15% ranches, and he thought that would be reflective of the subject development.

Mr. Anzek mentioned that Mr. Windingland had been building houses for a long time, and he asked his thoughts on affordable housing in Rochester Hills. Mr. Windingland said that a lot of it depended on the community. Rochester Hills had a name, location and school districts, and affordable housing was certainly different than in other communities (higher). At Bloomer Woods, a similar product, they estimated prices to be in the low to mid-\$300k's to start, and the average selling price was \$484k. The highest sold was \$545k, which was totally beyond what they had anticipated. For Cumberland Village, they estimated around \$400k, and they expected that to be the low end. He was not sure if it was affordable housing or not. Mr. Anzek thought that affordable housing was tied more to the cost of land, which had always been high in Rochester Hills. He noticed more homes getting underway in Cumberland Pointe, which was a higher-end product, and he asked if it was sold out. Mr. Windingland noted that there were 18 home sites, and they had seven or eight recent sales and a couple more under construction. They had some good momentum early on. They were structured to sell a certain number of homes, and they raised prices to slow that down, which took some of the momentum away. Recently, there had been a spurt of interest.

Mr. Anzek said that he tended to agree with Mr. Kaltsounis that there was a lot on the site. He understood that the regulations allowed it. He liked that the frontage along Livernois was set back enough so they could put in denser landscaping to cut down on the noise from traffic. He hoped they could find a place to put some benches.

Chairperson Brnabic opened the Public Hearing at 7:15 p.m.

Bruce Cullen, 2144 Hamlin Ct., Rochester Ct., Rochester Hills, MI 48307 Mr. Cullen asked if they were talking about condos or single-family homes when they mentioned low to mid-\$300k's as affordable housing. He asked what the prices of the condos would be. He claimed that kids from the elementary school would walk through their yards on Hamlin Ct., and he wondered if there would be a provision for a fence or some way to block that.

Mr. Windingland said that as far as affordable housing, the subject development would not be attached condos; it would be single-family homes similar to a subdivision in all aspects. He advised that they would

allow a fence in the Master Deed if a homeowner wished to install one. Traditionally, that would be restricted to a picket-style similar to what was around a pool. They did not have any intentions to install a perimeter fence. He said that the prices would be market driven, but based on their experience, they expected they would start at \$400k.

Christine Hughes, 1408 New Life Lane, Rochester Hills, MI 48309

Ms. Hughes did not want to jump on the project, because she felt that it was needed in the City. She wondered why the Commissioners could not just require a park if they felt there needed to be a park in subdivisions. She thought that there had to be some green space, and if they did not have that as part of their DNA, they would never have green spaces, because a developer was there only to make money. She felt that they needed to keep open land for everyone to walk around and sit down once in a while and not live "in" but live "on."

Thomas Wietchy, 2116 Hamlin Ct., Rochester Hills, MI 48307 Mr.

Wietchy said that at the neighbor meeting, there was a discussion about his property where the sump line emptied west into the subject property. Other sump lines went out to the culvert in Hamlin Ct. He was concerned because he had two sumps, and there was a prolific flow of water. At the time, Mr. Davis (Deputy Director of Engineering) said that there would have to be a drain, and he would be allowed to hook into that. Before the project got too far along, he wanted to make sure there was some assurance that would be the case. If he put it in front, there would be a big collection of water. There was no flow to the street down to Hamlin, and it had been a problem for years. He asked at what point in the planning stage he could make that concern known.

Mr. Windingland said that Mr. Davis talked to him prior to the neighbor meeting and made him aware that there were several drainage concerns along Hamlin Ct. as well as some existing sump lines that discharged onto the subject property. At the meeting, it was the number one concern, and he agreed that they would provide storm sewer along the common property line. They would provide periodic points to collect sump pump discharge, whether through a direct connection or some overland flow to a catch basin. They had been working with that, and it would show up on the final engineering plans.

Mr. Wietchy asked if it would be his responsibility for the cost. He asked if he would hook up to it or if that was to be determined. Mr. Windingland advised that anything at the property line would be Lombardo's cost. If for some reason, Mr. Wietchy had to run a line 20 or 30 feet from his property

to get to what they were providing, it would be at his cost.

Mr. Reece said that when he moved to Rochester Hills in 1985, he bought a home in Cumberland Hills, which he considered affordable at \$75k. The one nice thing that attracted them was that there were multiple green spaces built into the development. There were no sidewalks though. He thought that not having some kind of a pocket park in the proposed subdivision would be a disservice to the residents. There was no place for people to congregate or kids to play. He thought that giving up one or two of the home sites for a park was essential going forward. He felt that the left turn lane was appropriate at the north entrance. He agreed with Mr. Kaltsounis that they would be slamming everything in. Mr. Reece said that he could appreciate their position, but he maintained that having a nice amenity like a pocket park would help sales.

Richard Kakkuri, 2130 Hamlin Ct., Rochester Hills, MI 48307 Mr. Kakkuri asked if the applicants were planning to remove additional trees over what had been excavated so far. He said that there was a fence in the back of his property, and he wondered if it would be left or removed.

Mr. Windingland said that there would be additional tree removal associated with developing the land and home construction, but they would try to minimize that. He commented that it cost money to cut down trees, and the fewer the trees, the less valuable the land was. He advised that if the fence was on Mr. Kakkuri's property, it would not be removed. If it was on the subject property and did not impact what they were doing, they were not opposed to leaving it up. They could let the future residents decide if they wanted it or not.

Chairperson Brnabic closed the Public Hearing at 7:23 p.m.

Mr. Schroeder asked if the south entrance would be restricted, but there would be left turns allowed at the north entrance. Mr. Windingland said that they discussed that the north entrance would be restricted to right in, right out only. Mr. Schroeder clarified that the boulevard entrance would allow left turns. He asked Mr. Windingland if he would consider working with Mr. Cullen to plant some trees and shrubs along the property line to establish a screen to discourage cut-through traffic. Mr. Windingland said that they would be willing to do that, and Mr. Schroeder suggested getting together with Mr. Cullen to work it out.

Mr. Schultz wished to echo a lot of the comments. The Commissioners understood that the applicants were playing by the rules from a planning

standpoint, but he felt that a major component missing was an amenity. They should have a place for kids to congregate to keep them off the streets if possible. He realized the economics, as he developed land for a living as well, and there was fine line to the tipping point. He suggested that they could charge a premium for the lots that were adjacent to the park and lose a home site, and he felt they would get the votes needed.

Mr. Windingland said that with the cost of the land, the additional costs for the Livernois improvements, the storm sewer along the east property line and the landscaping enhancements to help with cut-through traffic, the cost kept adding up. He did not believe that their demographic was interested in open space. Similar to Bloomer Woods, where there was no open space, the customer was interested in having a yard where they could put play sets or whatever. As far as charging a premium for people adjacent to a park, he believed that it would actually be the opposite. He claimed that people did not want to live next to a park because of the noise. He indicated that they had complied with all the requirements of the City, and if they took out one or two lots, there would be a significant economic impact. He did not disagree that open space looked nice, but they were not proposing it.

Mr. Anzek mentioned a development called The Vistas on Avon, which had a preserved area in the middle with required trees. The subject site did not have that requirement, but he felt that it definitely helped the other development. He looked at the topo survey, and he suggested that it would be nice if lots 41 and 42 could be left as is. There would be a stand of trees. He realized it might add a maintenance cost, but he thought that it would help the development tremendously. He was only talking about two lots out of 57, and since they estimated to start at \$380k but were up to the mid \$400k's, he thought they had some profit built in. He agreed that people would not typically go to a neighborhood park because their park would be their backyards, but it was the same thing with pools. People thought they were great even if they did not ever swim, but it was an amenity and a selling item. He just asked them to consider it.

Ms. Morita stated that she did not have a problem not having open space. She considered that there were only 57 lots. It was smaller than the sub she lived in, and they did not have a park or sidewalks, and it was not an issue. She liked the idea of sidewalks, and she wished she had them, but she would not be comfortable sending her son around the corner to a park if she was not there. If she was going to a park, it would not be to the neighborhood park; she would drive her son to one of the bigger parks to play. She noted that they hung out in the cul-de-sacs in her sub when

they had neighborhood parties. She did not have a problem with the proposed sub as it was.

Chairperson Brnabic said that several Commissioners wanted to see open space, and Mr. Anzek had suggested that lots 41 and 42 be eliminated. She said that she would like to hear further feedback.

Mr. Schroeder said that it had been his experience that unless it was a big park, people did not like a park, especially those living next to it. He had seen citizens plant trees and do things to restrict the use of the small parks. In his opinion, he did not think they were used much, and he could understand not having one.

Mr. Dettloff said that it was not a deal breaker for him. He agreed with Ms. Morita that sidewalks were a great amenity. He was curious about Mr. Windingland's comment about their target demographic, and he asked him to expound.

Mr. Windingland said that they expected to see a demographic of first time home buyers, where both parents worked, or it would be a move up buyer with a family. He thought that there would be very few empty nesters or seniors - it would be mostly families and more than likely those with elementary and middle school kids. A lot of parents did not want their kids out of their sight. If they took out a couple of lots and made a gathering space, there was a good chance that children would not be allowed to go there by themselves. Their customer would not be interested in an open space park, or they certainly would have included it. The residents wanted their homes and backyards with some sort of entertainment. They did not see where there would be a demand for park space within the community. Mr. Dettloff asked the average lot size. Mr. Windingland said that 90 feet was the minimum width for the R-3 district, but with lot averaging, they would be between 81 to over 90.

Ms. Roediger responded that lately, the Commissioners had seen a lot of PUDs and lots developed under the MR or FB Overlay regulations. Those districts did require more amenities and open space, which a "by the zoning" development did not. She suggested that if the Commissioners were looking to change that, they could consider requiring some type of open space in the future in the regular underlying districts. As proposed, the applicants had met the regulations for the site.

Mr. Reece indicated that to their benefit, applicants could take advantage of lot averaging to get more lots. Ms. Roediger said that they had some

smaller and some much larger lots, so it averaged. Chairperson Brnabic said that there were a lot of 81-foot lots. She had counted only ten over 81 feet out of 57. The larger ones were quite a bit larger, and that was how they achieved the averaging.

Mr. Hooper clarified that Mr. Windingland was not inclined to provide a park, which was confirmed. Mr. Hooper said that it was not a deal breaker for him, and he moved the following seconded by Mr. Schroeder:

MOTION by Hooper, seconded by Schroeder, in the matter of City File No. 17-019 (Cumberland Village Site Condominiums), the Planning Commission ***recommends that City Council approves the Preliminary One-Family Residential Detached Condominium plan*** based on plans dated received by the Planning Department on April 10, 2018, with the following six (6) findings and subject to the following eight (8) conditions.

Findings

- 1. Upon compliance with the following conditions, the proposed condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium ordinance.*
- 2. Adequate utilities are available to properly serve the proposed development.*
- 3. The preliminary plan represents a reasonable street layout.*
- 4. The Environmental Impact Statement indicates that the development will have no substantially harmful effects on the environment.*
- 5. The proposed project will be accessed from two entrances from Livernois, thereby promoting the safe flow of vehicular traffic both within the site and on the adjoining street. Paths have been incorporated to promote the safety and convenience of pedestrian traffic.*
- 6. Remaining items to be addressed on the plans may be incorporated on the final condominium plan without altering the layout of the development.*

Conditions

- 1. Provide all off-site easements and agreements for approval by the City prior to issuance of a Land Improvement Permit.*
- 2. Provide landscape bond for landscaping, replacement trees, and irrigation in the amount of \$74,261.00, prior to issuance of a Land Improvement Permit.*
- 3. Payment of \$11,400 into the tree fund for street trees prior to issuance of a Land Improvement Permit.*

4. *Approval of all required permits and approvals from outside agencies.*
5. *Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.*
6. *Submittal of By-Laws and Master Deed for the condominium association along with submittal of Final Preliminary Site Condo Plans.*
7. *Provide modified plans showing the center left turn lane at the northern entrance, along with Final Site Condo Plan submittal.*
8. *Add trees/shrubs along the eastern property line of the adjacent subdivision(s) to discourage cut-through traffic to Hamlin Ct., along with Final Site Condo Plan submittal.*

Mr. Kaltsounis said that he understood the rules. When he pulled up an aerial for the site, he saw a lot of parks around it. He had one in his sub and he used it, and kids sometimes used it to play soccer. He stated that Mr. Windingland's inflexibility was disappointing. He did not know if Mr. Windingland had the capacity to make a decision about a park or not. Mr. Windingland said that he did.

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

Aye 6 - Anzek, Brnabic, Dettloff, Hooper, Morita and Schroeder

Nay 3 - Kaltsounis, Reece and Schultz

Chairperson Brnabic stated for the record that the motion had passed six to three. Mr. Schroeder commented that the people in the proposed sub would not want cut-through traffic either, and they would do what they could to prevent it.

2018-0171

Public hearing and request for Recommendation of an Ordinance to amend various sections of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills and to prescribe a penalty for the violations thereof.

(Reference: Memo prepared by Kristen Kapelanski, dated May 11, 2018 and Zoning Ordinance and Code of Ordinance Amendments had been placed on file and by reference became a part of the record thereof).

Ms. Kapelanski went over the changes identified in her memo. Nomenclature had been adjusted for Conditional Land Use and PUD. There were some instances in the Ordinance where a Conditional Use was referred to as Conditional Land Use, so the word Land was deleted. The term Preliminary PUD Concept Plan had been changed to Preliminary PUD Plan. The terms PUD Agreement and PUD Contract

would be consistently referred to as PUD Agreement. The Site Plan Approval and Conditional Use standards were updated to incorporate discretionary standards. Personal services, such as salons and tailoring had been added as permitted uses in the O-1 district. The size requirements for outdoor play areas for daycare centers had been modified to refer to the State of Michigan standards. The floor area for nursing homes, convalescent homes and assisted living facilities had been clarified to note that the requirement only applied to assisted living facilities. There were provisions added for the temporary outdoor display and sales of goods and tent sales. General provisions pertaining to temporary sales and roadside stands had been consolidated to one area of the Ordinance. Standards for roadside stands and Christmas tree sales generally remained unchanged. Tent sales that had been added had to be accessory to a principal use and were only permitted in the B districts. Time limits for sales had been proposed as well. Tent size, height and color limitations were included. Home occupation references had been removed from State Licensed Residential facilities in accordance with State law. Hotels had been changed to a Conditional Use in the FB-3 district. Accessory structures had been amended to address implementation and enforcement concerns. The definition of an attached accessory structure had been clarified. Required setbacks for detached accessory structures had been split into properties less than or equal to or more than two acres. The fence provisions had been removed from the City Code. In the last amendments, they were moved to the Zoning Ordinance but not removed from the Code of Ordinances. The Sign Ordinance had been amended to address some implementation concerns of the Building Dept. They were now requiring an inspection for all signage; the brightness measuring for illuminated signs had been adjusted; the maximum sign area had been added for commercial, industrial and freeway service signs; and the maximum size of gas station canopy signage had been added. She advised that the fence provisions in the City Code and the Sign Ordinance amendments would go to City Council for approval, and the Planning Commission did not need to make a recommendation for those items - they were provided for informational purposes and discussion. Staff was asking for a recommendation of approval for the Zoning Ordinance amendments.

Ms. Morita said that for roadside stands, Christmas trees, temporary outdoor sales and goods, the way she read, it would prevent a non-accessory sale of fireworks at, for example, a bowling alley. Ms. Kapelanski said that was correct, but if fireworks were sold inside of a business, they could also be sold outside. Ms. Morita asked if they would still have to meet all the Fire Marshall Code requirements inside in order

for it to be accessory outside. Ms. Kapelanski said that was correct. Ms. Morita said that for State Licensed Residential facilities, she recalled that there was an issue within the last year when a woman came in for a daycare for 12 kids that would have an employee, but it was not allowed under the City's Home Occupation. Ms. Morita remembered going back and forth with the City Attorney regarding whether or not the City could make a condition that there would be no outside employees. She thought that his opinion was that it was o.k. to add that condition, because there was no requirement in State law which would pre-empt the City's Ordinances as it pertained to daycare facilities. The proposed amendment would completely avoid the application of the Home Occupation regulations. She asked if she had recalled it correctly. Ms. Kapelanski explained that the amendment came about as part of the daycare application. She said that she could get Ms. Morita the documentation on the final decision of the City Attorney, but she believed it said that the City should delete the provision not allowing outside employees, because it would not be in accordance with State law. Ms. Morita said that decision would be important to go to City Council as a part of their consideration. She asked Mr. Hooper if it came to Council at one point. Mr. Hooper remembered that it did go, and he recalled that Mr. Staran did make that recommendation. Ms. Kapalenski said that she would include that information for Council.

Chairperson Brnabic opened the Public Hearing at 7:52 p.m. Seeing no one come forward, she closed the Public Hearing.

MOTION by Kaltsounis, seconded by Schroeder, the Rochester Hills Planning Commission hereby recommends to City Council approval of an ordinance to amend Sections 138-2.101, 138-2.200, 138-2.203, 138-2.302, 138-4.300, 138-4.400, 138-4.423, 138-4.424, 138-4.426, 138-4.436, 138-4.439, 138-4.440, 138-5.202, 138-6.303, 138-7.105, 138-7.107, 138-8.200, 138-9.205 and 138-11.302 and Chapter 1 Article 10 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to clarify language related to discretionary decisions, to allow personal service businesses in the O-1 District, to clarify requirements related to state licensed residential facilities, to conform to state regulations for outdoor play areas at child care centers, to clarify regulations related to floor area requirements for assisted living and convalescent/nursing facilities, to add regulations for the temporary outdoor display and sale of goods, to adjust the nomenclature of items in the Planned Unit Development process, to change hotels from a permitted to a conditional use in the FB-3 Overlay

District, to clarify regulations for accessory structures, and to ensure consistency across various ordinance sections; to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations.

Mr. Hooper mentioned the section on fences where barbed wire could not be installed on fences except above a six-foot fence in a non-residential area and enclosing a storage area. He wished to see barb wire eliminated completely. Mr. Anzek reminded that there were other things besides barb wire that were just as bad, so he suggested adding eliminating "barb wire and similar types" of material. Ms. Kapelanski said that she thought it should have been struck from the Ordinance. She would confirm that it was not generally permitted, and it would go to Council as a separate amendment.

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 9 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

Chairperson Brnabic stated for the record that the motion had passed unanimously.

2017-0064

Request for Revised Site Plan Approval - City File No. 16-018 - Cedar Valley Apartments, a proposed two-story apartment complex totaling 99 units on approximately six acres located east of Rochester Rd., north of Eddington Blvd., zoned R-4 One Family Residential with an FB 2 Flexible Business Overlay, Parcel No. 15-23-15-025, Bret Russell, Michigan Income Fund, LLC, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated May 11, 2018 and site plans and elevations had been placed on file and by reference became a part of the record thereof).

Present for the applicant were Jeffrey Cuthbertson, Cuthbertson Law, PLC, 345 Diversion St., Suite 410, Rochester, MI 48307; Peter Stuhlreyer, Designhaus Architecture, 301 Walnut Blvd, Rochester, MI 48307; and Bret Buchholtz, Nowak & Fraus, 46777 Woodward Ave., Pontiac, MI 48342.

Ms. Kapelanski stated that the plan had previously received approval for a Revised Site Plan, Revised Natural Features Setback and Revised Tree Removal Permit in September 2017. She noted that the site was zoned R-4 One Family Residential with an FB-2 Flexible Business Overlay, and the applicant had approval for 99 units on 5.5 acres.

Building A was currently under construction, but a few site changes were proposed. Building B had been shifted 102 feet further east to allow a parking area between Buildings A and B. Parking canopies were added to that area and along the southern property line. On the previous proposal, there was parking facing the north property line which had been eliminated. The applicant was also requesting a change in the approved elevations. The balconies had been eliminated, and the metal panels had been replaced with stone and stained composite siding. The siding had been reduced and replaced with painted lap siding in other areas, and the stone placement had been changed to a geometric pattern. She noted that FB-2 had standards for primary and accent building materials, and it was at the Planning Commission's discretion to determine if painted lap siding and stained composite siding as depicted in the proposed elevations and material samples would be considered primary materials.

Mr. Stuhlreyer said that when the project was first brought in front of the City, the goal was to raise the bar on a rental product in Rochester Hills and bring something a little more fashion-forward and interesting to attract new residents perhaps from Royal Oak or Ferndale. Barring the engineering changes and a little maneuvering on the site, it was brought forward at the last meeting with revised elevations, and he thought the impression was that they were lowering the standard. That was the feedback he received; he was not present at that meeting. Regarding the façade changes, they believed that they were holding to the high standard of a contemporary design. He showed some images and samples of the materials that would be interchanged. He stated that the proposed changes to the façade were not a budget cut; they were a budget increase. Many of the items in the project were expensive and high-end, including the ceiling heights, the landscaping, the covered parking and the acreage that was purchased for a pocket park. They made some changes to the material palette, not to the massing, shape, style or quality. He heard a comment about a "massive siding" building. He showed an example of the prefinished cedar, which he felt looked very natural. There would be a high percentage on the project, and he thought that it would be very pleasing to the eye. He indicated that the renderings showed a white building with white siding, and there were some comments about the whiteness of the siding. He stated that the color they were proposing was meant to coordinate with the limestone, which was an improvement in material from the original. It was a higher-end cladding, replacing the original cultured stone with a limestone silicate-based cladding. The dark bronze metal aluminum windows would coordinate with the rest of the materials. He stated that it was not a cold, white box - it was a warm color.

He maintained that the proposed elevations would have the same contemporary edginess, and that the white would not be stark. The stone was not cinder block and would not look like cement. He felt that they had raised the bar with the most recent version of the Cedar Valley concept. From an architectural standpoint, he could stand behind the project as raising the bar.

Mr. Kaltsounis said that it was mentioned that the stone was limestone, but then it was added that it was a silica-based limestone. Mr. Stuhldreier said that it was manufactured, and it was a product meant to be coordinated with brick. It was basically manufactured limestone that was seen on many projects. It was 12" x 24," and it had no resemblance to a cinder block. He added that the cedar was a lap siding, but their siding was known as shiplap siding. It would lay entirely flat to the structure, and it would not shingle downwards. It was 3/4" thick. He indicated that there was nothing vinyl about the lighter color board.

Mr. Kaltsounis said that he appreciated the effort and some of the details, but when he first opened the drawings, which were a little washed out, it was hard to see the details. To him, the limestone block did not appeal as much as a cultured stone. He noted that the elevations showed a massive white corner, and he thought that looked like a siding monster. He stated that he had the same thoughts as before when they denied the elevations.

Mr. Stuhldreier had hoped to demonstrate some of the shortcomings of computer modeling for 8 1/2 x 11" pages. He agreed that the view Mr. Kaltsounis showed of the building was a little more white, but he said that there were other views that showed the single pitched, brown roof with the white and cedar. Mr. Kaltsounis maintained that the white corners were too much, and that the block looked like cinder block to him. Mr. Stuhldreier said that the Commissioners would have to look at another building the developer did. He suggested the First Street Lofts in Rochester. The lower two levels on the south face of that building were the same material he was proposing, and there was no correlation to cinder block. He thought that the printer color gave the wrong impression. Mr. Kaltsounis said that he still felt the same. The building that was approved was very beautiful with a different texture. The proposed building looked white and gray with a touch of brown. He was excited about what they had approved, and he was not excited about what was now proposed.

Mr. Reece referred to the south elevation in the packet. He asked if the

balconies were removed. Mr. Stuhlreyer said that they were proposing Juliet balconies. Mr. Reece asked if the original balconies were removed. Mr. Stuhlreyer said that they were gone, but there was still a railing and a small balcony. Mr. Reece stated that the massing of the proposed elevations were completely different than what was approved. By changing the predominant massing to white or beige even, the look and feel was completely changed from what was originally approved. The sample design of what Mr. Stuhlreyer said they were trying to achieve was not even close to what the Commissioners were looking at. With the balconies gone and the color changes, it changed the entire appearance of the development. He believed that when they initially approved the project, it was a unique design to the City. There was not a lot of similar product that came before the Commissioners. They liked what they saw originally with the balconies and the color schemes as presented. The applicants came back and had significantly changed the look and feel of the buildings, and the Commissioners voted it down. He stated that he would stand by that vote this time around.

Mr. Schroeder said that when it was originally approved, the balcony was a very important part of the approval for him. He stated that they approved balconies, and there should be balconies. He asked the resolution for the east property, and if it was added. Mr. Cuthbertson advised that the property to the east was combined with the original parcel, and there was now one parcel.

Chairperson Brnabic said that she totally agreed with the comments. With the change in appearance - the color scheme, the lack of balconies and considering the denial of the elevations previously - she did not feel any differently.

Ms. Morita agreed with Mr. Reece's statements. She had difficulty with the second building being shifted farther to the east. One of the things she had liked about the approved plan was that the placement of Building B took into consideration what the neighbors would look at. The farther east the building was shifted, the taller and larger it would look. She remembered commenting that it had been very considerate of the neighbors, so she thought that moving it farther east was not as considerate, and it concerned her. She stated that she did not like it, and she would not approve it.

Mr. Stuhlreyer responded that the elevation went down towards the east. Also, there would be fewer cars closer to the single-family homes. It would be further east, but it would be sunk further in the ground.

Mr. Cuthbertson said that the decision to move the building to put parking in the middle was based on feedback from potential tenants that the walk from Building A all the way to the parking lot on the east end had serious impacts to its desirability. Adding the covered parking would help make the site more attractive to potential tenants. With respect to the architectural matters that had come up, he had reviewed the building design standards in Section 138.8.502 that he believed applied to the matter. He said that with all due respect to the concerns about aesthetics, the standards dealt with things like façade transparency, building materials, finish heights both for ground level and ceiling and encroachments. For the building materials being substituted, subsection B.1.c indicated that they were durable, relatively low maintenance materials that convincingly matched the appearance of Sections A. Façade Transparency and B. Building Materials. With the revised elevations, he believed that the façade met the 60% exterior wall surface area requirement of the Ordinance. While there was a concern, which he had heard loud and clear, with respect to color and potential massing of materials, he believed that what they had presented was in conformance with the design standards.

Mr. Kaltsounis said that he appreciated those thoughts, but when he mentioned natural materials, the applicants were changing a natural-looking, wood-colored siding to something that was painted shiplap. He thought that in a couple of years, shiplap would be out the door. They were going from a cut, natural-looking stone product to a block-looking product. He noted that the Commissioners had rejected many previous houses with a majority of siding. If it had been brought the first time around, he thought it would have gotten the same reaction. He agreed that the building that was approved was beautiful. He moved a motion to deny the revised site plan, supported by Mr. Dettloff.

Ms. Kapelanski advised that the Commissioners had the option of approving the site plan with the exclusion of the revised elevations.

Mr. Stuhldreier stated that it was an important factor, as construction was underway. Mr. Kaltsounis said that he would like to hear thoughts from the other Commissioners about possibly amending the motion. He said that he could live with the partial balconies, but moving the building closer to the neighbors was another story.

Chairperson Brnabic said that the problem was that the Commissioners had approved the original site plan with the previous elevations. The

project had already started, and they wanted to make changes. Things were being changed that the Commissioners did not care for including the appearance, the color schemes, and removing the balconies. Mr. Stuhldreier explained that with respect to the site plan, the change had to do more with the land acquisition than anything else.

Mr. Anzek said that as far as the site plan with the shift of Building B eastwardly 102 feet, he did not have a problem with it. He thought it was a plus to have better fire access and room for moving vans and things. He liked the separation, and he did not think moving it eastward would be an issue to the homes to the east, because there was still a significant wetland area there. Going to the south to the residents of Eddington Farms, there was a 100-foot utility easement. There was probably 200+ feet to any homes to the south. He still had concerns with the lack of balconies and the elevations. He was not sure why what was proposed looked so red and the originally approved looked more like stained cedar. He thought that if they could separate the two items, he would prefer to deal with the site plan only.

Mr. Reece said that he tended to agree with Ms. Morita about moving the building to the east. To be able to vote, he said that he would like to see a cross section to see exactly how the elevations compared with the residences to the east. He did not think there was enough information to make that determination, so he supported the motion as stated.

Mr. Hooper said that he actually supported Mr. Anzek and Mr. Reece. As far as moving the building, it made sense to him. If he was going to be a tenant, he would want the parking in the middle between the buildings and not at the east end. Mr. Reece made a good point that they should see cross sections to see the effect on the adjoining residential properties. As far as seeing the look, feel and textures of the revised elevations for the fourth time, if there were no balconies, it was a no go for him.

Mr. Kaltsounis thought, hearing those comments, that it would be better to postpone the matter so the developer could put together the requested items discussed. Chairperson Brnabic agreed. Mr. Kaltsounis rescinded his motion to deny and offered a motion to postpone to a later date. Mr. Reece said that he was not interested in entertaining further discussion about the elevations. If the motion was relative to the site plan, he would be happy to look at that separately. Once they had approved a very beautiful-looking building, and he was not interested in doing that again - he had better things to do. Mr. Kaltsounis agreed, and said that he did not want to see the elevations again. If it was a matter of just postponing

the site plan, that would be fine, but he did not want to see a siding monster again. Mr. Reece said that he would support a motion relative to the site plan only.

Chairperson Brnabic asked the applicants if they agreed to a postponement in that regard. Mr. Cuthbertson said that with respect to the site plan, they would welcome a postponement, but they would like a decision on the record based on the elevations. He reiterated that the materials were compliant with Section 138.8.502 in terms of durable, relatively low maintenance materials, and he was unsure the basis of dictating what colors, balconies, architectural forms, etc. existed. He said that he had asked that question of staff and had indicated his concern to the City Attorney as well. If the Planning Commission was inclined to deny the materials as presented, he stated that the sooner that could happen, the better.

Mr. Kaltsounis said that the Commission had already denied the materials. Mr. Cuthbertson claimed that it was a different site plan with different materials.

Ms. Morita said that she tended to agree with Mr. Kaltsounis. She thought that the time for the property owner to complain to whomever about the denial had long gone. If there was nothing different than what was previously presented, she did not think they needed to pass on it again.

Mr. Schultz asked the applicants if they were asking the Commissioners to split the two elements or if they wanted a vote on the entire package. He asked if they wanted them to vote on the elevations separately from the site plans. Mr. Cuthbertson stated that they would like the issues separated. They would be happy to come back with additional information as it related to the site plan and the cross sections. They believed that there were different materials and elevations than presented in November, and if it was the Planning Commission's pleasure to deny those, they would like to have that denial so they might make some decisions about what to come back with, if anything. Mr. Schultz asked if the Commissioners had to make a motion to split the two items.

Ms. Kapelanski believed that they would, in terms of procedure, and then postpone one and deny the other. She related that she compared the two elevations, and she could not find anything different, unless she was missing something from the previous denial.

Mr. Stuhldreier said that he was present to clarify that it was not a stark

white, sided monster. It would be soft and natural and of higher quality than was presented the first time. He agreed that there were different colors, but the foundational parts of the elevations and the massing did not change.

Mr. Anzek said that to Mr. Cuthbertson's point, the Commissioners were not there to argue what elements were permitted by the Zoning Ordinance. They were there to decide whether or not they wanted to amend a previously approved site plan that contained very specific elements as part of that approval. The question was not what was permitted by Ordinance; it was what had been approved and whether or not they wanted to change it.

Mr. Kaltsounis said that to make things easier, he would rather postpone everything and have the applicant come back with an amended proposal and make sure that the elevations were not included. Regarding getting a "no" for the elevations, he could not remember a time where a motion was split like that. He stated that it was either all or none. He did not think the applicants wanted to get a no for the site plan revisions. Mr. Cuthbertson agreed that they did not want a no for moving the building. He said that the question he was asked was if the items were to be split if they would want a decision on the elevations. The answer was yes. If the Planning Commission was not willing to do that, they would want to have the matter deferred.

Mr. Kaltsounis outlined that he would like to postpone everything and have the developer come back with a revised proposal with nothing about the elevations. Chairperson Brnabic asked if there was a second to postponing everything, which Ms. Morita offered.

Ms. Morita wanted to clarify for the record that she did not feel that the Commissioners needed to make a decision on the elevation changes that had been presented. They already decided that in November. Her expectation from the applicants was that when they came back, the site plan would be submitted as requested in order to make a decision on moving the building, but they would revert back to the original materials. There would not be a presentation of the materials and elevations that had already been denied six months ago.

Mr. Hooper said that he agreed 100% with everything Ms. Morita had stated.

MOTION by Kaltsounis, seconded by Morita in the matter of City File No.

16-018 (Cedar Valley Apartments), the Planning Commission **postpones review of the Revised Site Plan** until such time as the applicant is prepared to bring forward the requested items discussed at the May 15, 2018 meeting, with one (1) finding and two (2) conditions.

Findings

1. The applicant presented the same elevations that were previously denied by the Planning Commission on November 21, 2017.

Conditions

1. The elevations provided must be the same as those approved at the September 19, 2017 meeting.
2. Provide cross sections showing the view from the homes to the east.

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

Aye 9 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

Chairperson Brnabic stated for the record that the motion had passed unanimously and then called for a break from 8:40 to 8:50 p.m.

2018-0193

Request for a Tree Removal Permit - City File No. 89-121.4 - for the removal and replacement of 13 regulated trees associated with the renovation of Rochester Hills Plaza, located on Walton, between Livernois and Rochdale, Zoned B-3 Shopping Center Business with an FB-2 Flexible Business Overlay, Parcel No. 15-09-476-033, Stucky Vitale Architects, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated May 11, 2018 and site plans and elevations had been placed on file and by reference became a part of the record thereof).

Present for the applicant were Arkan Jonna (speaker), AF Jonna Development and Chris Jonna and Laith Jonna, Jonna Properties, 2360 Orchard Lake Rd., Sylvan Lake, MI 48320.

Ms. Kapelanski stated that the applicants were proposing a renovation of the shopping center with a revised parking lot layout, new landscaping and updated façade. There would be no changes to the existing building layout or footprint. A Tree Removal Permit was required, and the applicants were proposing to remove and replace onsite 13 regulated trees. Staff recommended approval of the proposed revisions, as they met the Ordinance requirements.

Mr. Kaltsounis recalled that many years ago, a bank ATM was approved

for the parking lot. He asked if that was off the table. Ms. Kapelanski said that was not included in the submittal. Mr. Anzek added that the site plan expired after a year. Chairperson Brnabic had received one speaker card.

Christine Hughes, 1408 New Life Lane, Rochester Hills, MI 48309

Ms. Hughes said that her subdivision was near the plaza. She came to the meeting because of the tree removal, and Ms. Kapelanski explained to her that would happen in the front of the property, so she was good with that. She noted that the developer for the parcel to the north (Andover Woods) had removed all the trees and driving down her street, all that could be seen was the giant light in the plaza. She asked if the lighting could be lowered or made a little more intimate, because they were surrounded by light pollution. It became very clear when they removed the trees. She mentioned that the trash bins were emptied at 5:00 in the morning, and it was very loud to her neighbors.

Mr. Jonna said that the lighting would be addressed with shielding. They submitted a new photometric with downward facing lighting. As far as the trash removal, he would look into it and see if they could schedule it later in the morning.

Mr. Schultz observed that the new photometric plan showed new fixtures. He asked if there would be a new pole as well. Ms. Kapelanski believed it was just the fixtures. She noted that the wattage of the fixtures would have to be adjusted, which should help with some of the light pollution. Mr. Jonna agreed that they were only replacing fixtures. Mr. Schultz asked the height of the existing fixtures, and Ms. Roediger advised that 20 feet was the mounting height.

Mr. Reece said that he appreciated the revisions. The only concern he had was when he first looked at the revised elevations, it reminded him a lot, unfortunately, of the plaza on Rochester north of Avon. It was hard for him to delineate where the shed roofs were. He asked if the metal roofs stuck out further from the face of the elevation. Although the old elevations were tired, there was some break up of elevation with dormer-type roofs. If it was intended to be a flat elevation all the way across the face, he thought it would look like a step sister product of the plaza on Rochester Rd.

Mr. Jonna said that there were insets within the facia. When they did a sign band for a shopping center, they were conscientious and tried to keep it as straight as possible. The indented spaces did not get the

exposure that the ones sticking out did. It would not be a solid line, and there would be indents. Mr. Reece clarified that there would be a change in plane. He asked if the storefront glazing would be redone or if it was staying as it was. Mr. Jonna said that some would be replaced, for example, where the Whole Foods used to be.

Mr. Schroeder said that he had lived behind the center for 44 years, so he had seen all the different stores come and go. He really liked the proposed upgrading. He asked if the parking would be resurfaced. Mr. Jonna said that it would be. Mr. Schroeder commented that the alley behind the stores was a mess, and he hoped it would get cleaned up.

Mr. Dettloff asked Mr. Jonna if he had any prospects for the available space. Mr. Jonna said that they were dealing with a couple of smaller restaurants and services, but nothing they could announce. Mr. Dettloff clarified that the dialysis office was not expanding.

Hearing no further discussion, Mr. Kaltsounis moved the following, seconded by Mr. Reece.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 89-121.4 (Rochester Hills Plaza Renovations), the Planning Commission **grants a Tree Removal Permit**, based on plans dated received by the Planning Department on April 18, 2018, with the following two (2) findings and subject to the following two (2) conditions.

Findings

1. The proposed removal and replacement of regulated trees is in conformance with Tree Conservation Ordinance.
2. The applicant is proposing to replace up to 13 regulated trees with 13 tree credits on site.

Conditions

1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.
2. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund.

Mr. Schultz asked when the Green Lantern Pizza was coming. Mr. Chris Jonna said that it would be shortly; they were under construction.

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

Aye 9 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

2018-0194

Request for Site Plan Approval - City File No. 89-121.4 - Rochester Hills Plaza, for renovations to the facade and parking, located on Walton Blvd., between Livernois and Rochdale, zoned B-3 Shopping Center Business with an FB-2 Flexible Business Overlay, Parcel No. 15-09-476-033, Stucky Vitale Architects, Applicant

MOTION by Kaltsounis, seconded by Schroeder, in the matter of City File No. 89-121.4 (Rochester Hills Plaza Renovations) the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on April 18, 2018, with the following six (6) findings and subject to the following three (3) 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 Walton and Rochdale, thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Walkways will be incorporated to promote safety and convenience of pedestrian traffic.*
3. *Off-street parking areas have been designed to avoid common traffic problems and promote safety.*
4. *The proposed façade improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity and should enhance and modernize the appearance of the center.*
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 proposed façade renovations will update and modernize an older, existing shopping center.*

Conditions

1. Provide a landscape bond for landscaping/irrigation/trees in the amount of \$25,046, plus inspection fees, as adjusted as necessary by staff, prior to temporary grade certification being issued by Engineering.
2. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
3. Add striped crosswalks to plans showing connection to existing pathway on Rochdale and for internal circulation.

Chairperson Brnabic reminded about checking into rescheduling trash pickup.

Ms. Morita mentioned to the applicants that the City had an Ordinance that applied to when and how early trash could be picked up. She did not believe that 5:00 a.m. conformed to the Ordinance, so she suggested that they checked with Building about the hours.

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

Aye 9 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

Chairperson Brnabic stated for the record after each motion that the motion had passed unanimously, and she thanked the applicants.

DISCUSSION

[2018-0151](#)

Brookland Park Lofts, a mixed-use commercial and residential development located near the northeast corner of Auburn and John R, 106 luxury loft apartments and 10,800 s.f. of ground floor retail space with outdoor plaza seating for a restaurant and professional uses, plus 20,000 s.f. of outdoor recreational space that includes a dog park, children's jungle gym and all-season sports court, zoned B-2 General Business with an FB-2 Flexible Business Overlay on a portion, InvestaFind, Applicant

(Reference: Memo, prepared by Kristen Kapelanski, dated May 11, 2018 and concept plan had been placed on file and by reference became part of the record thereof).

Present for the applicant were Mark and Katrina Barishaj and their architect from Fusco, Shaffer and Pappas.

Ms. Kapelanski recapped that the matter had been discussed at the last meeting. Since that time, the applicant had added property to the north along John R to bring the total acreage to 6.78 acres. The plan had been revised to add another three-story building for a total of 106 loft apartments and 10,800 s.f. of ground floor retail. The outdoor recreation area was moved more interior while still fronting on John R. She added that staff had not reviewed the plan for conformance with the Ordinance.

Mr. Barishaj noted that the units were a little smaller. They kept the open space, which he maintained was vitally important in the City. They had also added carports, because the development would not have garages.

Chairperson Brnabic said that it looked as if there was much less open space in the revised plan. She went over the amenities in the park: open area, structure for a BBQ; all seasons sport court for basketball, volleyball, roller hockey rink; a children's jungle gym; and a dog park. She compared it with the original and questioned the size. Mr. Barishaj responded that the recreation area in the original plan was more towards John R. With the entire open area on the new plan with the dog park south of that, it was a little bigger than what was previously proposed. He agreed that it might not look like it, because it had been more squared, and now it was more elongated.

Mr. Reece asked Mr. Barishaj to put up the original proposal. Chairperson Brnabic said that the map they were provided of the Future Land Use showed FB-2. She asked if it was FB-2 currently, and Ms. Roediger said that a lot of the property had the FB-2 Overlay, but not all of it. Mr. Barishaj pointed out the recreation area on the former plan, which was more confined to one space. He showed how it had changed, and reiterated that it was bigger than it was. He said that the first time, it would have been complex for the residents of Building A fronting Auburn to make a walk across the site to the open area. The buildings were concentrated closer to the B-2 zoning so they would have a 25-foot landscape barrier abutting the single-family to the east. The buildings were pushed farther away from the single-family.

Chairperson Brnabic stated that the project was certainly more dense. At the last meeting there were several Commissioners, including her, that had mentioned a concern about three stories backing up to ranch-style homes. There was also a concern expressed about density.

Mr. Anzek asked Mr. Barishaj if they had developed any elevation concepts. He indicated that the Commissioners really liked looking at

those. Mr. Barishaj said that they had not. Mr. Anzek asked if the land they had acquired was a portion of the vacant site on John R he had suggested they acquire. Mr. Barishaj said that it was not, unfortunately. It was another home directly to the north.

Mr. Hooper seconded Mr. Anzek's comment about the elevations. He would like to see how the three-story buildings interacted with the surrounding residential. He had mentioned it previously, and he still wondered how it would work with the Auburn Rd. access drive immediately adjacent to Gravel Ridge. If someone was making a left out of the access drive and someone was making a right from Gravel Ridge, there would be an immediate conflict. He had asked the applicants if they could do something to avoid the conflict. He felt that the City's Traffic Engineer would have a concern about it, and he asked them to think about how to address it.

Mr. Kaltsounis agreed with Mr. Hooper that after going through the City's review, it would be determined that the access drive should be moved. He was happy to see that they did not try to cram the building into the land without getting the piece to the north. He remarked that the applicants were in a very precarious situation. At the last meeting, they saw a similar development that was possibly a competitor. They saw the quality of that development and different features of the site plan. Mr. Barishaj also saw what the City did not want to see. The Commissioners wanted to see something tasteful, as he hoped Mr. Barishaj learned.

Mr. Reece asked if the applicants would come forward with a PUD that would allow three stories and 40 feet in height, which Mr. Barishaj confirmed. Mr. Reece observed that there were 159 parking spaces (1.5 per residential dwelling unit). He asked how many people that would be based on, noting the mix of one to three-bedroom units. He asked how they came up with 159. Mr. Barishaj said that it was in relation to the FB-2 Ordinance. They added a couple of extra spaces, because 20% of the units would be three-bedrooms. Ms. Kapelanski explained that the parking standards for multiple-family required 1.5 spaces per dwelling unit for two or fewer bedrooms and an additional .2 spaces per unit for visitors.

Mr. Reece said that Mr. Kaltsounis' comments were pertinent about what the applicants heard and saw. If they came back, the Commissioners would want to see some cross sections through the site and the relationship of the three-story structure to the residents to the east. He thought they would have some issues with Engineering about the access

drive on the west and the south sides. He indicated that there was a lot of work to do, but there was a concept worth exploring further. He asked what the rent price point would be. Mr. Barishaj said that they would be comparable to the other products coming to market at close to \$2,000. Mr. Reece said that it was not on Mr. Barishaj, but they were apartments, and it did not sound like they fell under affordable housing. His daughter with a U-M degree could not live in a \$2,000 a month apartment. He acknowledged that if they could get it, it would be great. The Commissioners were discussing affordable housing at an earlier meeting, which he pretty much thought it was a fallacy in Rochester Hills. He wished the applicants good luck.

Ms. Morita echoed some of the same comments of the Commissioners. Her concern would primarily be the height - three stories next to single-story residential. She would be interested to see what it would look like, but she did not think she could be supportive of that tall of a building so close to that type of residential neighborhood. She said that the trash dumpsters were shown on the northeast corner, and she asked if they could find a way to move them more towards the other side, so it was not behind the residences. The dumpsters would smell, and it would be noisy, and moving them would be a little more palatable for her.

Mr. Schroeder said that as far as the access drive and Gravel Ridge, he agreed that there would be turning conflicts, and that the drive would not be allowed in its proposed location. It would probably have to be moved to the west property line, and the building would have to be moved over. It seemed to him as if there was not enough parking close to the retail. He did not think enough parking was available to it. He clarified that the units would be strictly apartments with no garages. He said that he would also like to see the elevations.

Mr. Dettloff noted that he was not at the last meeting, but he stated that obviously, they had their work cut out. Knowing the vast needs in the area and what was happening, he suggested that the applicants could be the spark that generated some exciting things down the road. He hoped they listened to all the commentary closely. He questioned the \$2,000 rental rate, although he admitted that he did not know the business as well as the applicants. He thanked them for bringing the proposal to the City.

Chairperson Brnabic stated that she strongly still had a concern with three stories by the ranch homes. She did not think there was a need for apartments in the area, because there were plenty in that couple mile radius. Her biggest concern was that the three-story building would back

up to ranch-style homes. It would almost be like having a hotel in someone's backyard. She said that there was a hodge podge of property, and there was nothing three stories along the Auburn Rd. corridor. She did not know what the future held, so it did not bother her as much on Auburn, but it did not seem to compliment or coordinate with the surrounding area. In order to put in three stories, she noted that the applicants would like to use a PUD Agreement, and she asked what would make the development qualify for the use of a PUD.

Mr. Barishaj said that first, with regard to three stories, what Mr. Dettloff said was vitally important. Their project would set the standard for Auburn Rd., and not just from John R to Dequindre but for all six miles. It would be a significant gateway project for the entire southeastern portion of Rochester Hills, and he stated that it was vital to have three stories. They would then see other three-story projects going up all along Auburn. He believed that was the goal of the Auburn Rd. Corridor plan - to ignite that difference in the area. In terms of the PUD, the park would be the biggest plus to the community. They would add some things that traditional parks did not have, such as a tot lot. There would be a lot of families that rented, because there were a few schools in the area. There would be a sports court and dog park, so the amenities would be a big feature they hoped to accomplish through a PUD.

Chairperson Brnabic said that she was glad to see some open space for amenities, however, trees and natural features would not be saved. She reiterated that the three stories against ranch homes was a big deal to her. They would not be able to build the development they wanted under the current zoning, so they were taking another route. Looking at the criteria for use of a PUD, she did not really think the development met enough of the objectives. The open space alone was not enough. She was not too keen on the higher density. If the applicants intended to move forward with a successful project, she suggested that they listened to the comments from all the Commissioners.

Mr. Anzek joked that as the applicants had heard, everyone really loved three-story apartments. As they discussed the last time, it would be a major spark plug for redevelopment at the intersection and others around the community. He thought that the burden would be on the applicants' architect to come up with a quality design for the three stories that made it look like an asset to the community. He felt that the buildings were placed properly to mitigate as much as possible from the single-family residents, but it would come back to landscaping and quality of design as to how the buildings would look and feel as part of the corner. He

indicated that there might be some issues with the Fire Department, so they might want to get more detailed site plans and have a pre-meeting with them. He summarized that they needed a good design and something that was an asset to the community. If people wanted it, he stated that it would happen.

Mr. Reece said that he was going to make the same comments. He asked staff if the Auburn Rd. Corridor Study recommended three-story buildings. Ms. Roediger said that the plan talked about two stories, but the idea was to densify and redevelop the area. Mr. Reece agreed that it would come down to the design, the architecture and the density. They were putting a three-story building against single-family, primarily older, ranch homes. He was not sure how well that would go over with the residents, and he thought they might have a fight on their hands. He knew someone who lived off Gravel Ridge, and when he talked with him about it, he was very mad about the possibility of a three-story looking down into his backyard.

Chairperson Brnabic recommended that if the applicants moved forward, that they set up another meeting with the neighbors before coming back before the Planning Commission. It would be very important that the neighbors had been notified and had a complete understanding of the proposed project.

Chairperson Brnabic was glad that Ms. Roediger clarified the two stories in the Auburn Rd. Corridor Study, because she had not seen anything about three stories, either. She thanked the applicants.

Discussed

2018-0152

Brewster Place Duplex Condominiums, a proposed 32-unit development on 7.3 acres located north of Walton, west of Brewster, zoned SP Special Purpose, R-1 and R-3 One Family Residential, Robertson Brothers Homes, Applicant (Reference: Memo, prepared by Kristen Kapelanski, dated May 11, 2018 and concept plan had been placed on file and by reference became part of the record thereof).

Present for the applicant was Tim Loughrin, Robertson Brothers Homes, 6905 Telegraph Rd., Suite 200, Bloomfield Hills, MI 48301.

Ms. Kapelanski advised that the proposal was planned for the west side of Brewster, north of Walton Blvd. It was a 7.3-acre site, and the applicant was proposing a duplex-style development with 32 units. The site was comprised of three zoning districts, including R-1 and, R-3 One Family Residential and SP Special Purpose, and it had a future land use

designation of Multiple-Family and Residential 3. Staff had not reviewed the proposal for conformance with the Ordinance. She noted that the applicant had reached out to nearby residents and made efforts to meet with them to get them in the loop about the project.

Chairperson Brnabic had received one speaker card and she called Mr. Yuhaz forward.

Steve Yuhasz, 2736 Broadmoor Dr., Rochester Hills, MI 48309 Mr. Yuhasz noted that he was a member of the Shadow Woods Homeowner's Association. He said that the good news was that they were on a first name basis with the developer, as opposed to the previous applicant, Pulte. There was a meeting the previous Tuesday with quite a few of the homeowners in the area. His concern with the proposal, which was not new, was the ground water detention. The proposal would abut their subdivision common area which had a detention area. In the proposed design, there was no detention shown, and he was not sure how that would work. He asked if it could be addressed further during the review process. There was also concern about usage of the common area. They did not want that if it could be prevented. He suggested that a passing lane for Brewster should be considered as part of the project.

Mr. Loughrin mentioned that he was a fellow Planning Commissioner. He related that Robertson Brothers had been around for over 70 years, building a lot of quality condo developments and subdivisions, from townhomes to mid-rise buildings. They liked to look at properties and try to determine what the best land use would be. They specialized in condos, and he maintained that their reputation was very important to them. He noted that the Master Plan for the site was split between Residential 2.5 and Multiple Family. Using multi-family, they would get about 6.6 units per acre or 48 units, but they were only proposing 32, or 4.3 per acre. It would not be an age-restricted development, but rather, age-targeted. The buyer would typically be an empty-nester. The floor plans showed all ranches. There would be side-by-side duplexes, one with a side entry garage over which a second floor could be added. They were building a very similar product in Northville. The units were about 1,850 to 2,500 s.f. They were aware of the previous Pulte plan. He had gone through the Minutes from that discussion and understood a lot of the concerns with that plan. They had a lot of conversations with the HOA and the neighbors and a number of conference calls with the board to understand the hot buttons. They sent out notification of a meeting held the previous week at Van Hoosen Middle School to about 175 people. Approximately 50 showed. They got a lot of positive feedback, and they

made a few changes to the plan. Pulte wanted to do three stories, almost four, but he felt that the duplexes were the right land use for the location. They heard about Brewster traffic. The reality was that something would be developed, and Brewster was the only access to the site. They felt that a potential buyer would not be someone who went out during rush hour. There would be no school busses coming or teenagers living there, so overall, traffic would be less. They did need to accommodate the traffic, and the traffic engineers would come up with the best solution. It was a work in process, and they realized that they had a lot of work to do with the geometrics of the entrance and the relationship to the road. He agreed that there would be no detention by design. They had talked with the Shadow Woods board about potentially tying into their system, but it was still preliminary. The subdivision needed improvements to the detention, and the proposed development could add 32 paying residents for maintenance and improvements. He felt that it could be a win-win, but there were a lot of details to be ironed out. Separation of the uses came up. The plan showed ten-foot setbacks on the north and west sides. They discussed at the neighborhood meeting potentially moving them back. He was not sure if they should add a fence. They were not going to tell the residents that it was their open space - it belonged to Shadow Woods. If they needed to create some kind of buffer, they would have 20 feet to do that. He understood the concern, but he was not sure how they would address it yet. He commented that there would be no siding monsters. He knew it was subjective, but the proposed elevations would have no vinyl, and there would be stone and brick with a very rich texture and variation - the same product approved in Northville.

Mr. Schroeder asked if there would be basements, which was confirmed. Mr. Schroeder asked Mr. Loughrin if he knew the price point. Mr. Loughrin said that because of the value of the land and what was being done in other communities, they would start at the low to mid-\$400k's.

Mr. Kaltsounis commented that the property was very interesting. He liked the format whereby a developer came before the Commissioners for a discussion in the beginning. The previous developer (Pulte) came for a discussion offering townhomes, and there was a full house of concerned people. There was only one person for the new proposal. He stated that he was much happier with the proposed layout. He noted that other PUD proposals showed a park feature, and he would like to see that rather than cramming everything in. He inquired of staff whether they should consider, in the Master Plan, if townhomes worked better having close access to shopping plazas or if they should be further away. The proposed location was not close to shopping. He knew that The Village

was down the street, but it was not that close. He wondered if they should have a conversation during the Master Plan meetings as to where townhomes versus developments like the proposed should be located.

Ms. Roediger responded that as part of the Master Plan process, they would talk broadly about policies. Ms. Bahm (Giffels Webster, consultants) had mentioned the survey comments asking for more affordable and diverse housing. One role of the Master Plan was to give direction as to where density should be focused. In the current Master Plan, there was a statement about focusing commercial at certain intersections. They would have discussions about where additional density might be appropriate versus single-family neighborhoods. Mr. Kaltsounis thought that it was defined in the previous Plan. He was talking about whether they should go a step further and define duplexes versus townhomes. Ms. Roediger said that the goal of the Plan was to set policy and let the Planning Commission react to proposals and the market. They did not want to be pigeon-holed, where one use had to go in one exact place. The Plan would generally provide policies and guidance for where things should be located, but the individual decisions would be left to the Planning Commission and City Council.

Mr. Reece thought that it was a well thought out plan. Evidence that Robertson put a lot of thought into the proposal was shown by the only one or two gentlemen there representing the surrounding subdivision. He believed that it was a strong transitional plan from Samaritas and the multi-family south of the proposal to the very nice homes in Shadow Woods. He felt that the units would be complimentary to Shadow Woods in a lot of ways. He thought that the age group they wished to attract was a perfect fit. There were some challenges to work out relative to the PUD, including whether or not it made sense. Perhaps staff could determine whether it could be developed other than a PUD. PUDs were a give and take situation, and the last thing they wanted was for the City to give and an applicant to take. He stated that he really supported the plan, and he felt that it was a very good starting point. He remarked that he would not wish the last disaster on the residents.

Mr. Anzek claimed that Mr. Reece said it perfectly. The proposal was much better and a nice transition from Samaritas. Shadow Woods had a little more distance, and he thought that the layout was great. He believed that the City could support a PUD to get a creative layout and design. He asked Mr. Loughrin if they could explore a connection either through Samaritas or through the multi-family to get pedestrian traffic out to Walton and over to The Village. Even though the people might be

elderly, there were many who daily made that walk. The former owner of Samaritas called the City years ago and asked if the City could work with the multi-family development to get a bench out in front as a rest point. That was put in. He thought that it would be very walkable to The Village, and he believed that a connection would be a real plus. He thought that the proposal was the right density and product as a buffer from the senior to the multi-family to the proposed development to Shadow Woods.

Mr. Schultz stated that there was a huge opportunity for the developer and Shadow Woods to work together. He advised them to not put up thorny shrubs. He knew that the drainage went towards Shadow Woods, and he suggested that there was a big opportunity to improve their drainage while connecting the proposed development and turning that large passive area into a mutual benefit. He told them not to wall themselves off and not to let Shadow Woods wall them off. That was not the type of community they wanted to have. He thought that they could really play nice with each other and create some mutual benefits. Mr. Loughrin said that they had a good relationship with the HOA board; it was the legality of getting everyone on board. Mr. Schultz added that the natural drainage course went in the direction of Shadow Woods' detention.

Chairperson Brnabic recapped that it seemed Mr. Loughrin had a lot of support for his proposal. She asked if he had any questions for the Commissioners. Mr. Loughrin asked if there were any comments about the proposed elevations. Mr. Reece thought that the elevations were fine. He suggested that Mr. Loughrin continued to engage the Shadow Woods folks. He felt that they would be helpful in getting a successful project put together.

Ms. Morita shared that she did not like the fake shutters. If they could find a way to make it not look cheap, that would be better for her, and she suggested that there were other ways to dress up windows.

Chairperson Brnabic thanked Mr. Loughrin and wished him good luck going forward.

Discussed

ANY OTHER BUSINESS

2018-0192

Request for Election of Officers - Chairperson, Vice Chairperson and Secretary for a one-year term to expire the first meeting in April 2019

Upon **motion** by Mr. Kaltsounis, seconded by Mr. Hooper, **Deborah Brnabic** was unanimously **re-elected** as **Chairperson** of the Planning Commission for a one-year term to expire at the first meeting in April 2019;

Upon **motion** by Mr. Schroeder, seconded by Mr. Dettloff, **Greg Hooper** was unanimously **re-elected** as **Vice Chairperson** for a one-year term to expire at the first meeting in April 2019;

Upon **motion** by Mr. Reece, seconded by Mr. Hooper, **Nicholas Kaltsounis** was unanimously **re-elected** as **Secretary** for a one-year term to expire at the first meeting in April 2019.

Approved

NEXT MEETING DATE

Chairperson Brnabic reminded the Commissioners that the next Regular Meeting was scheduled for June 19, 2018 (subsequently rescheduled to June 12).

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Mr. Kaltsounis, seconded by Mr. Schroeder, Chairperson Brnabic adjourned the Regular Meeting at 10:05 p.m.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary