

no opportunity for more until 2030. He stated that with only two of these coveted licenses remaining for the next six years, the Committee must be very selective, and unfortunately, Taziki's did not score well enough on the City's grading matrix to be granted one, which is why the Committee recommended denial. He reiterated that should the applicants decide to transfer-in a liquor license, the application fee has already been paid.

Mr. Blair emphasized to the applicants that the denial of a quota license does not reflect any lack of enthusiasm for their business. He expressed his personal excitement, stating he believes Taziki's will be very successful in Rochester Hills and that he is eager to try the food. He extended his congratulations and offered a warm welcome to the City.

A motion was made by Walker, seconded by Blair, that this matter be Denied by Resolution. The motion carried by the following vote:

Aye 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

Absent 1 - Mungiola

Enactment No: RES0296-2024

Resolved, that the request from STG Partners LLC dba Taziki's Mediterranean Cafe for a "New from Quota" Class C Liquor License to be located at 3792 Rochester Road, Rochester Hills, Oakland County, Michigan be considered for denial by the Michigan Liquor Control Commission

2024-0462

Request for Preliminary Site Condominium Approval for the Auburn Angara Oaks Condominium development, a proposed development with 9 single family detached residences, 6 multi-unit condominium buildings and related amenities on approximately 9.7 acres of land located at 2469 & 2489 W. Auburn Rd., 3045 Angara Dr., 3050 Harvey St., and Parcel No. 15-32-201-004, located on the south side of W. Auburn Rd. and west of Crooks Rd., zoned R-4 One Family Residential and a portion of the land has the FB Flex Business Overlay, Bruce Michael Auburn Angara Oaks, LLC, Applicant

Attachments: [111124 Agenda Summary.pdf](#)
[SUPP Q&A Mungioli.pdf](#)
[Staff Report 101524.pdf](#)
[Reviewed Plans Pt. 1.pdf](#)
[Reviewed Plans Pt. 2.pdf](#)
[Reviewed Plans Pt. 3 and Wetland Reports.pdf](#)
[Development Application.pdf](#)
[Environmental Impact Statement 081424.pdf](#)
[Notice of Intent to Establish Condo Project 031224.pdf](#)
[Rochester Housing Solutions Presentation.pdf](#)
[Neighbor Meeting Info .pdf](#)
[Public Comment Rcvd Before 100924.pdf](#)
[Public Comment Rcvd After 100924.pdf](#)
[Public Comment Rcvd After 110124.pdf](#)
[Applicant's Response Table.pdf](#)
[WRC Letter 121322.pdf](#)
[MDOT Email 092123.pdf](#)
[Sewer Easements.pdf](#)
[PC Minutes 101524 \(Final\).pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Final\).pdf](#)

Chris McLeod, Planning Manager, and **Bruce Michael**, representing Auburn Angara Oaks, LLC, applicant, were present.

Mr. McLeod stated they are seeking approval of a Preliminary Site Condominium and a Wetland Use permit for a nine-acre site on the south side of Auburn Road, west of Crooks Road. He outlined the mixed-use plan, which leverages an R-4 zoning with a Flex Business Overlay on the northern 425 feet to accommodate multi-family housing, including five apartment buildings and a five-unit row house, all with underground parking, as well as required amenities like a farm stand and a public plaza. He pointed out that the southern portion of the development will feature nine single-family homes, seven of which will be market-rate, while two will be specifically designated for residents with Intellectual or Developmental Disabilities (IDD), similar to the Walton Oaks project. Mr. McLeod explained that the wetland use permit is required to fill approximately 39,000 square feet of a wetland to allow for the construction of roads and lots. He noted that a new stormwater detention pond will be installed to manage runoff at a regulated rate, which is an improvement over the site's current condition, and emphasized that the plan has been thoroughly vetted through eight rounds of review by City administration and environmental consultants. He concluded by stating the Planning Commission has already approved the associated setback and tree removal permits and is recommended approval of these two items.

Public Comment:

James Coviak, 420 Park Drive, Clawson, Michigan, stated that he and his wife Deb have a 27-year-old disabled son who will require 24-7 care when they are no longer able to care for him. He spoke in favor of the Rochester Housing Solutions (RHS) project because it addresses his primary fear for his son's future: loneliness and isolation. He praised the project's plan to create an inclusive community for residents with and without disabilities, which he believes will provide his son with a

supportive social network. He concluded that this "forever home" gives his family peace of mind, knowing his son will be cared for in an integrated and neighborly environment.

Larry Collette, 33721 Roselawn, Chesterfield, Michigan, stated that he and his wife Mary have a 46-year-old non-verbal autistic son who will require 24-7 care when they are no longer able to care for him. He shared that the Rochester Housing Solutions (RHS) is a win-win situation for their family. He continued that it is also a win-win for Rochester Hills because this is a project to be proud of.

Alec Wykoff, 513 Bloomer Ranch Drive, spoke in support of the project on behalf of his 24-year-old sister with autism, Nicole. He stressed the critical importance of the development's location in Rochester Hills, as it allows his sister to remain in her familiar community, close to her vital support system of local family and friends. He stated that other housing opportunities have been either too far away or unavailable, making this local project an answer to prayer.

Raymond Rowe, 3280 Fairgrove Terrace, spoke in support of the Auburn Oaks project, stating it is the answer to his family's lifelong worry about the future of their 42-year-old daughter with autism. He praised the project's unique, inclusive model that would allow his daughter to own her forever home within a safe and supportive community of both disabled and neurotypical residents. Mr. Rowe concluded by saying this would relieve a tremendous family burden and urged the Council for its approval.

David Mingle, 1555 Rochester Rd., Leonard, stated that he is the Chairman of the Rochester Housing Solutions, and shared that his 32-year-old autistic son Logan is eagerly awaiting his move into his forever home at Walton Oaks. He described Auburn Oaks as a community that will build on the resident experience that is being created at Walton Oaks with efforts focused on providing a welcoming, inclusive environment for all future residents: both IDD and neurotypical individuals. He added that together Walton Oaks and Auburn Oaks will be the only neuro-inclusive neighborhoods in Oakland County and among just three in the entire state. He voiced that this is a recognition that Rochester Hills deserves. He stated that the five-building condominium development is designed to promote a neurodiverse living environment where adults with disabilities can thrive in the community they know and love. He added that the goal is to provide peace of mind for every parent, knowing that when they can no longer take care of their loved one, their child will be safe, supported and able to lead a full life.

Ray Nicosia, 3645 Winding Brook Cir., stated he is a 12-year resident and that he lives near the proposed site. He spoke in support of the project, focusing on the unique needs of his 44-year-old son, John. He explained that his son is high-functioning and independent but requires occasional medical support due to his spina bifida. He highlighted that a key feature of this development is the condominium buildings, which will have caregivers on-site 24/7. He stressed this model is a perfect fit for his son, as it provides a crucial safety net and access to help when needed, without requiring full-time care. He concluded that until this project was proposed, his family had no long-term plan for John, and he urged the approval of this unique and vital housing solution.

Susan Chaplin, 4239 Sugar Grove Ct., Troy, spoke in support of the Auburn Oaks project, where she has a reservation for a condominium for her 30-year-old son who has an intellectual disability. She described her son's lifelong developmental challenges and explained that while he holds two part-time jobs, he is unable to live independently and is aware of the differences between his life and that of his peers. She emphasized that owning his own condo in this community would be life-changing, offering a level of independence and normalcy that a traditional group home cannot provide. She highlighted the security of homeownership, which prevents eviction, and the benefit of living among peers in an integrated neighborhood. She urged the Council to approve the plan to give individuals like her son the chance to live a more normal life in a home of their own.

Sherry Viola, 3372 Grove Ln., Auburn Hills, stated she is a physician and a former 26-year Rochester Hills resident. She continued that she chose Rochester Hills as a great place to raise her family. She explained that her 36-year-old son Andrew who has Down's Syndrome benefited from the Rochester Hills' full-inclusion program in the school system. She expressed her support of this project and added that she wants her son who is very active in the community to have the same opportunities as his friends and neighbors. She thanked the Rochester Hills community for being on the cutting edge of providing people with differences the right to live as they should.

Gerald Seizert, 615 West Brown St., Birmingham, shared he has a 43-year old daughter named Laurel and explained his search for a secure community began after his wife's death six years ago revealed his daughter's deep loneliness. He found his answer in Rochester Housing Solutions, where he witnessed his daughter looking truly comfortable with her own peers for the first time. He endorsed the project as a unique solution that will provide a level of safety and dignity currently missing from his daughter's life and will become a resource the City will be proud of.

Theresa Ponders, 3172 Devondale, stated she is a 38-year resident living next to the proposed site and expressed her opposition to the development based solely on its location, not its purpose. She expressed full support for the concept and the families involved, but argued that one good cause should not be promoted by destroying another, namely the wetlands and trees on the property. She questioned why the developer had not pursued an alternative, pre-cleared parcel of land, and raised concerns about transparency, alleging that a full environmental report from EGLE showing the extent of the wetlands was not provided to the Planning Department. She shared her long-term observations of the property, a history of illegal dumping, and a recent incident of water allegedly being pumped from the site, and concluded that the land is wet, environmentally sensitive, and unsuitable for such a significant investment.

Matt Ponders, 46649 Huling St., Shelby Twp., voiced his opposition to the development's proposed location, arguing that the land is unfit for construction. He explained that he grew up next to the property, describing the area as a swamp and presented a photograph showing significant water on the land. He shared his belief that the houses will sink into the ground. He also highlighted a traffic safety

concern, noting that the planned entrance and exit are situated in a blind spot on a hill. He stated that while he supports the concept of inclusive housing, he strongly recommended that the project be built elsewhere on more suitable ground.

Council Discussion:

Ms. Neubauer requested that the applicant address the concerns expressed about ground water.

Mr. Michael addressed the environmental and geotechnical concerns by detailing the extensive studies conducted on the property. He explained that multiple engineering analyses, including soil borings and test pits, confirmed the ground is very strong and fully capable of supporting the proposed homes, refuting claims that they would sink. He stated the studies identified a stable water table and only a small, manageable amount of perched groundwater. He referred to surface water, and stated that the current drainage pattern floods the yards of neighbors to the east; the development plan will correct this by installing a new storm drain system to capture all runoff and direct it to a detention basin for a controlled release, thereby improving the existing situation. He concluded by clarifying that the designated wetland area recently appeared larger because a blocked culvert caused a temporary water backup just before a legally required re-evaluation of the wetland boundaries.

Ms. Neubauer requested that the applicant confirm that the City's wetland consultant was part of nine different reviews of the property.

Mr. Michael confirmed the project has undergone an extensive and multi-layered review process. The City staff has been involved in nine separate reviews. He stated ASTI has conducted at least two, and possibly three, on-site inspections. He mentioned that the developer utilized ASTI's flagging in their final submission.

Ms. Neubauer highlighted that she was on the Planning Commission when the Walton Oaks project came to the City. She recounted being initially critical during that project but was won over after meeting the families involved, stating that this type of housing is an innovative way for the City to love our neighbors. She drew from her professional experience in probate court, highlighting that such a community is a desperately needed alternative to the isolated adult foster homes where individuals with disabilities often end up after their families are gone. She addressed the concerns stated by expressing trust in the developer's due diligence to ensure the homes are structurally sound, agreeing that the new water detention system will improve existing drainage issues, and arguing that traffic would be less than a typical development since many residents will not be drivers.

Vice President Walker stated the project's mission is admirable and the spirit of this development is a good thing. He clarified that his concerns were not about the purpose of the project, but strictly about its proposed location. His primary objection centered on the environmental impact, specifically the filling in of wetlands, the removal of trees, and the destruction of natural habitat. He questioned whether

this was a fair trade, and expressed doubt that the benefit of the development in this specific spot outweighed the environmental cost. He referenced the current wetland area the developer is going to fill in and questioned once the area is elevated whether the water will traverse behind the houses in a culvert or ditch.

Mr. Michael responded that there will be a combination of things: storm sewers along the street, a swale behind the houses, and yard drains connected to the storm sewer system which will capture and traverse the water into the detention basin.

Vice President Walker stated that he did not see any renderings or elevation drawings on a design element described as a stone strong retaining wall and aluminum fence planned for the western section of the internal road. He acknowledged the developer's other efforts to protect the wetlands with more natural-looking barriers like boulders and split-rail fences, and noted that this particular wall seemed more substantial. He requested more specific details on the structure, including its height and overall appearance, to better understand its impact on the area.

Mr. Michael explained that the Stone Strong wall is a textured concrete retaining wall product, similar to the more common Redi-Rock, that is designed to look like natural stone. He clarified that the wall was specifically added to the plans at the City's request in order to reduce the development's impact on the adjacent wetland, as it replaces a graded slope that would have encroached further. He noted the aluminum fence on top is a required safety guardrail because the wall's height varies from zero to five feet. It was confirmed that this combined wall and fence structure runs along the road where it borders the wetland, serving the dual purpose of preserving the wetland and ensuring pedestrian safety.

Vice President Walker raised concern with the property adjacent to the wetland bordered by a split-rail fence and boulders pointing out there is a quite a drop off in the rear by the wetland boundary. He also shared an environmental concern that runoff from lawn care, specifically fertilizer and nitrogen, from homes bordering the wetlands would drain directly into the area and destroy the habitat. He concluded by expressing his hope that these areas would be clearly marked and denoted to make future homeowners aware of both the physical landscape and the precious environment they are living next to. He concluded by inquiring whether this wetland is within EGLE's purview.

Mr. Michael pointed out that the HOA will be responsible for the lawncare, rather than individual homeowners making their own decisions about the care and upkeep of their lawns. He also confirmed that EGLE has been on the site and they have submitted an application to EGLE for the area they intend to fill.

Mr. Blair referred to the resident concerns about safety and the environment. He requested confirmation of his understanding that this property has been thoroughly evaluated to ensure the houses will not sink and the high-quality wetlands will be preserved.

Mr. Michael responded in the affirmative and confirmed that the borings are in the site plan packet.

Mr. Blair addressed the comments made by Ms. Pounders by stating that while the City takes her concerns seriously, denying the applicant would be a significant legal risk. He explained that the applicant has put forth considerable effort and secured the required approvals.

Mr. McLeod explained that the wetland review was the final and most significant hurdle that delayed the project's approval. He noted that this specific review was the primary sticking point and was vetted so thoroughly that it required the applicant to resubmit their entire package multiple times to ensure every detail was perfect. He gave credit to the applicant for their persistence and for agreeing to include special design features and amenities aimed at protecting the wetlands; measures he noted most developers would typically avoid.

Mr. Blair acknowledged the perception among some residents that the Planning Commission, City departments, and the City Council simply push all developments through, and asserted that this is absolutely not the case. He argued that, on the contrary, Rochester Hills does a more thorough job than anyone in vetting projects to ensure they are successful and have been carefully reviewed.

President Deel shared his support for the project, drawing from both personal and professional experience. He began by highlighting the critical need for stable housing for the intellectually and developmentally disabled (IDD) community, noting that his 18 years with the probate court have shown him how traditional group homes often lead to instability. He praised this development for offering a unique opportunity for ownership, which directly addresses this core problem.

He referred to the Council's legal obligations, stating that while the Council must adhere strictly to its ordinances, this project successfully aligns its laudable purpose with all legal requirements. He specifically addressed the primary concern raised about the wetlands stating that the project represents a significant improvement, as it will take a currently uncontrolled wetland and properly engineer it to benefit not only the new development but also the surrounding properties.

A motion was made by Neubauer, seconded by Morlan, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

Absent 1 - Mungoli

Enactment No: RES0297-2024

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for Auburn Angara Oaks, based on plans received by the Planning Department on September 9, 2024, with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from Auburn Road, thereby promoting safety and convenience of vehicular traffic both within the site and on the adjoining street.
3. Adequate utilities are available to the site.
4. The preliminary plan represents a reasonable street, building and lot layout and orientation.
5. The proposed improvements should have a satisfactory and harmonious relationship with the development onsite as well as existing development in the adjacent vicinity given the split zoning of the property that allows for single family development or development consistent with the FB Flex Business District to the east.
6. 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. The proposed encroachments into Wetland A are situated in portions of the wetland with lower ecological quality and the applicant has proposed a retaining wall to limit impacts; and the proposed encroachments into Wetland B are relatively minor and the applicant has also proposed a retaining wall to limit impacts. Finally, the natural features setback will be defined as part of the development with split rail fencing and large boulders to protect the area for the future.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final site condominium approval.
2. Provide a landscape bond in the amount of \$170,410, plus the cost of inspection fees as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.

2024-0463 Request for Wetland Use Permit to impact approximately 39,404 square feet of wetlands for the Auburn Angara Oaks Condominium development, a proposed development with 9 single family detached residences, 6 multi-unit condominium buildings and related amenities on approximately 9.7 acres of land located at 2469 & 2489 W. Auburn Rd., 3045 Angara Dr., 3050 Harvey St., and Parcel No. 15-32-201-004, located on the south side of W. Auburn Rd. and west of Crooks Rd., zoned R-4 One Family Residential and a portion of the land has the FB Flex Business Overlay, Bruce Michael Auburn Angara Oaks, LLC, Applicant

Attachments: [111124 Agenda Summary.pdf](#)
[SUPP Q&A Mungioli.pdf](#)
[Staff Report 101524.pdf](#)
[Reviewed Plans Pt. 1.pdf](#)
[Reviewed Plans Pt. 2.pdf](#)
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[WRC Letter 121322.pdf](#)
[MDOT Email 092123.pdf](#)
[Sewer Easements.pdf](#)
[PC Minutes 101524 \(Final\).pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Final\).pdf](#)

See Legislative File #2024-0462 for Discussion.

A motion was made by Neubauer, seconded by Morlan, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

Absent 1 - Mungioli

Enactment No: RES0298-2024

Resolved, that the Rochester Hills City Council hereby approves a Wetland Use Permit for the Auburn Angara Oaks Condominium development to permanently impact approximately 39,204 square feet of wetlands (both Wetland A and Wetland B) to construct the private road, building areas for multiple family and single family units, and associated development infrastructure based on plans received by the Planning Department on September 9, 2024, with the following findings and subject to the following conditions.

Findings

1. Of the 97,484 square feet of wetland area on site, the applicant is proposing to impact approximately 39,404 square feet. Additionally, although Wetland A was determined to be of medium quality overall, the portion that is proposed to be impacted is of poor quality due to its non-native species content and low ecological function. And although Wetland B was determined to be of high quality overall, the impacts are noted to be small and the proposed retaining wall will limit further impacts and have been addressed to ASTI's satisfaction.
2. ASTI has reviewed the subject plans and proposed impacts to Wetland A and Wetland B along with the proposed mitigation efforts to help reduce the impacts to those wetlands (including the installation of a retaining wall to allow for the reduction in the roadbed width for Wetland A; the impacts to Wetland B are relatively small; and a retaining wall is proposed adjacent to Wetland B to limit further impacts) and has indicated that the plans as proposed are satisfactory.

Conditions

1. That the applicant receives an EGLE Part 303 Permit (as applicable) prior to issuance of a Land Improvement Permit.
2. That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to issuance of a Land Improvement Permit.
3. That any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City approved wetland seed mix where possible, and the applicant must implement best management practices, prior to final approval by staff.
4. The applicant shall abide by all conditions and recommendations as outlined in ASTI's review letter of September 23, 2024.

2024-0503

Administrative Update on Michigan Department of Environment, Great Lakes and Energy (EGLE) Grant No. 2023-2540; Tom Wackerman, ASTI, Presenter

Attachments: [111124 Agenda Summary.pdf](#)
[ASTI letter 110124.pdf](#)

Sara Roediger, Planning & Economic Development Director, and **Tom Wackerman**, ASTI Environment, were present.

Ms. Roediger shared that they have had a lot of momentum leading up to this point and stressed that she hopes to bring these projects forward as soon as possible.

Mr. Wackerman provided an update on the sites, as follows:

Area A:

- Hamlin Road Landfill (Madison Park) - grubbing has been done in a number of different areas. They have tested the wells and submitted a Work Plan #2 and are waiting on approval from EGLE. A tree survey is also pending, and an amended Consent Judgment is in process.

- The Sewer Extension Hamlin and Adams - Work Plan #2 has been approved by EGLE; the contractor has been selected and they are waiting for final permits. The budget for this project has increased from \$146,707 to \$481,881 to match the bid response, although he feels the contractor over scoped the project and does not believe it will utilize all of these funds. Waiting for budgetary approval from EGLE.

Area B:

- 1406 East Avon Road (Highland Park Woodfill) - grubbing has been completed. Work Plan #1 and #2 have been approved. The designated areas of sampling are taking place to assess the site conditions. They are waiting on an access agreement for the property that Highland Park voted to sell to the developer. A wetlands determination and a tree survey are pending.

- Allen Park - Assessing nine (9) parcels owned by SOCRRA and one (1) parcel owned by the City. Modifications to the previously approved application and