

received, she closed the Public Hearing.

Mr. Kaltsounis thanked staff. He knew it had been an interesting road. He thanked Ms. Bahm and her team for the legwork, which resulted in a nice Ordinance. Hearing no further discussion, he moved the following:

MOTION by Kaltsounis, seconded by Dettloff, the Rochester Hills Planning Commission hereby recommends to City Council approval of an ordinance to amend Sections 138-8.600.A, 138-8.604, 138-11.204, Table 14, and 138-11.302 of Chapter 138 Zoning of the Code of Rochester Hills, Oakland County, Michigan; to replace the reduced FB minimum parking requirements with a reference to the Article 11 minimum parking requirements, to delete minimum parking requirements as a modifiable standard in the FB District, to increase the multiple family visitor space requirement and to exclude garage, carport and driveway spaces from counting as required visitor spaces, to copy standards for tandem parking spaces from Section 138-6.406 to apply to all residential districts and to ensure consistency across various ordinance sections; to, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations.

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

2020-0444 Request for Final Site Condominium Plan Recommendation - City File 19-033 - Cambridge Knoll, a proposed 16-unit site condo development on 4.72 acres located on the north side of Avon, east of Rochester Rd., zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-14-351-020 and -058, Cambridge Knoll, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated November 11, 2020, Site Plans and Elevations had been placed on file and by reference became part of the record thereof).

Present for the applicant were Jim Polyzois and Mark Gesuale, Cambridge Knoll, 14955 Technology Dr., Shelby Township, MI 48315 and Ralph Nunez, Nunez Design, 249 Park St., Troy, MI 48083.

Mr. Gaber recused himself from the matter, as he did for the Preliminary Plan, relating that the applicants were clients of his.

Ms. Kapelanski advised that the applicant had received approval from City Council of the Preliminary Site Condo Plan, a 16-unit development on the north side of Avon, east of Rochester Rd. using the MR Mixed Residential Overlay standards on September 14, 2020 after a recommendation by the Planning Commission. The MR Overlay allowed for some flexibility in design to account for the protection of natural features and the creation of site amenities for active open space. There had been some standard conditions attached to be addressed at final staff review, and some specific conditions to be addressed prior to Final Plan review. The applicant was asked to work with the neighbor on the south side of Avon to develop a screening plan. The applicant had agreed to plant 12 giant arbor vitae in the neighbor's front yard. Also, deciduous trees along Arsenal Ct. had been replaced with evergreens that were more closely spaced to provide better screening in that area, and the discrepancies between the landscape plan and the concept plan had been corrected. The applicant was seeking Final Site Condo recommendation, and all staff reviews had recommended approval.

Mr. Nunez put up a power point and showed the original plan presented to the Planning Commission. There were a couple of issues. The first required plant verification, which had been addressed on LA 1.0. They had originally proposed eight evergreens and a couple deciduous trees at the end of Arsenal Ct., and that had been increased to 15 evergreens spaced 12 feet on center rather than 15. The north property area within the 60-foot setback had been intensified with plantings. He showed the placement of the evergreens on the neighbor's property across Avon to screen headlights from the development. He thanked the Engineering, Forestry and Planning Depts. which had negotiated over the last several weeks with the neighbor at 180 E. Avon. They hoped the proposed plan would satisfy her. He said that he would be happy to answer any questions.

Chairperson Brnabic said that it sounded as if the applicants had made every effort to work with the homeowners. She assumed that the proposal of giant evergreens was the final plan. Mr. Nunez said that they hoped so. Chairperson Brnabic hoped that it ended with some reasonableness. The Commissioners appreciated every effort a developer made with neighbors, but they hoped that the recipients would not be entirely difficult, either.

Mr. Weaver commented that the applicants had done a great job addressing the Commission's concerns. He felt that the arbor vitae were

a great choice for the neighbor. He wondered if they would have a one-year warranty and if the applicants would water them, or if that would be the homeowner's responsibility. He indicated that he would hate to see all that work and have them dry out and die.

Mr. Polyzois stated that they had agreed to plant the arbor vitae per the negotiations with staff and the neighbors. They had agreed to remove the deciduous tree that was currently there. They would grade the site to allow for property planting. He had been pretty specific that they would not make any modifications to the sprinkling system or be responsible for watering the trees. There would be a one-year warranty after installation that they would honor, but if the homeowner did not take care of the trees, the warranty could get negated. They would be planted in the right-of-way close to the street, so he was not sure what impact salt could have on the trees. He maintained that it could not be an annual, recurring issue where the neighbor or City kept coming back to him to address every little issue with the arbor vitae.

Mr. Weaver did not feel that was unreasonable, he just wanted it clear that the homeowner was aware that they were responsible for watering or burlapping or whatever else needed to be done. Mr. Polyzois said that he would send an email to Planning and related parties regarding the scope he set forth.

Chairperson Brnabic asked if there was anyone wishing to speak or any email communications received. Ms. Roediger verified that there was no one wishing to speak. She noted that the neighbors that lived at 180 E. Avon were on vacation. She thought that they might be at the Council meeting. She agreed that staff and the applicants worked really hard with the residents to come up with a plan that protected the quality of life for the neighbors but allowed the applicants to use the property as they were entitled. She would continue to work with the neighbors and the applicants throughout the development, but she agreed that the neighbors would be in charge of their own maintenance. Ms. Gentry confirmed that no email communications had been received.

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

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-033 (Cambridge Knoll Site Condominiums), the Planning Commission recommends that City Council **grants Approval** of the **Final Site Condominium Plan**, based on plans dated received by the

Planning Department on October 9, 2020, with the following four (4) findings and subject to the following five (5) 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.*
- 2. Adequate utilities are available to properly serve the proposed development.*
- 3. The final plan represents a reasonable and acceptable plan for developing the property.*
- 4. The final plan is in conformance with the preliminary plan approved by City Council on September 14, 2020.*

Conditions

- 1. Engineering approval of all permits and agreements prior to issuance of a land improvement permit.*
- 2. Inspection and approval of tree protection and silt fencing by the City prior to issuance of a land improvement permit.*
- 3. Post a landscape and irrigation bond in the amount of \$92,738.00 plus inspection fees, as adjusted as necessary by the City, prior to issuance of a land improvement permit.*
- 4. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.*
- 5. Compliance with all outstanding staff review comments, prior to final approval by staff.*

Mr. Kaltsounis said that he looked forward to the trail planned to see how it worked out. He liked the design. The Commissioners liked to see amenities added to certain developments, and he felt that Mr. Nunez had

done a very good job. Mr. Kaltsounis said that he looked forward to seeing what was planned become an example for future developments in the City, and he thanked them for their work.

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

Aye 7 - Brnabic, Dettloff, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Abstain 1 - Gaber

Excused 1 - Reece

Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants on moving forward.

DISCUSSION

[2020-0445](#) Potential Zoning Ordinance Amendments - New

Discussed

ANY OTHER BUSINESS

NEXT MEETING DATE

Chairperson Brnabic reminded the Commissioners that the next Regular Meeting was scheduled for December 15, 2020.

ADJOURNMENT