

8. *Discuss with Traffic Engineer consideration of traffic calming devices for Sheldon Rd. and throughout the subdivision.*

*Another card had been turned in after the Public Hearing. At this point, Chairperson Boswell asked the speaker to come forward.*

**Mayu Bajpai, 6175 Sheldon Rd., Rochester Hills, MI 48306** *Mr. Bajpai said that the property that abutted his had a couple of pine trees that looked about 60 years old. He knew the developers would come through and clear cut everything, but he said he hoped they would be considerate enough to leave the pine trees.*

*Mr. Kranz offered that after the meeting they could discuss whether the trees were even being removed or not. He said they would only remove trees if they were in the way of an improvement. Mr. Bajpai said that it was on the property where a Clear Creek house would go. Mr. Terbrueggen said they would be happy to show Mr. Bajpai the plans after the meeting.*

**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 - Boswell, Brnabic, Dettloff, Hetrick, Hooper, Kaltsounis, Reece, Schroeder and Yukon

*Chairperson Boswell stated for the record that the motion had passed unanimously. He noted that it had been a long, long time working with Mr. Terbrueggen - almost 20 years - and wished them good luck.*

## **UNFINISHED BUSINESS**

**2011-0365** Request for Zoning Ordinance Amendments Recommendations and Public Hearing - Amendments to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, including Sections 138-11.300, 138-4.300, 138-4.438, 138-11.304, 138-11.307, 138-5.100, Table 6, 138-5.100, footnotes B, J and N, 138-4.404, 138-6.400, Section 12 Article 6, Chapter 4, 138-4.300, 138-3.104.C, and 138-8.603 and to repeal conflicting Ordinances and prescribe a penalty for violations

*(Reference: Ordinance Amendment Draft, prepared by James Breuckman, dated December 20, 2011 and memo from Mr. Breuckman, dated December 28, 2011 regarding support from the Zoning Board of Appeals had been placed on file and by reference became part of the record thereof.)*

*Mr. Breuckman stated that there was just one small change from last month, and unless there were further comments, that the draft was ready for a Public Hearing and Recommendation from the Planning Commission.*

*Mr. Schroeder referred to Section 7b regarding the average front yard setback minus 10 feet within 200 feet for adjacent properties. He suggested it would be clearer if there were a picture.*

*Mr. Breuckman said that he tried to re-write it to make it clear. He indicated that he could add a picture, and it could be a Condition of approval.*

*Mr. Hooper referred to barrier free amendments, Note 1 under Fractional Spaces: "Whenever a fractional space is required by the above Table 14, it shall be rounded to the nearest whole number." He asked if it would be rounded up or down or whether it mattered. Mr. Breuckman said that anything less than .5 would be down and anything .5 or greater would be up. Mr. Hooper questioned if that was clear as written, and Mr. Anzek said that it was not something new for the Ordinance. Mr. Hooper mentioned the RMH district standards and that under Conditional Uses it read that there was an "Error! Reference source not found." Mr. Breuckman said that the section reference was correct, but Word kept adding that part, even if he deleted it. He said it would be fixed when it was incorporated into the full Ordinance.*

*Chairperson Boswell opened the Public Hearing at 7:55 p.m. Seeing no one come forward, he closed the Public Hearing.*

*Mr. Kaltsounis was not against anything in the motion except allowing gas stations in B-3 districts. Chairperson Boswell advised that it was not in the motion, and Mr. Kaltsounis clarified that "Front Building/Rear Canopy Gas Stations only regarded B-5 districts, and that a Public Hearing for gas stations in B-3 would be held later. He moved the following motion, which was supported by Mr. Schroeder:*

***MOTION*** *by Kaltsounis, seconded by Schroeder, the Rochester Hills Planning Commission hereby recommends to City Council approval of amendments to the following sections of Chapter 138, Zoning of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan as discussed at the Public Hearing held on January 3, 2012: 138-11.300 Barrier Free Parking Requirements; 138-4.300 and 138-4.438 regarding Drive Through Restaurants; 138-11.304 and 138-11.307, Pavement*

*Striping and Construction (Surfacing) Requirements; Section 138-5.100 Table 6, B-5 District Setback Requirements; Section 138-5.100, footnotes B, J and N, Established Building Line, Front Building Gas Stations and Building Spacing; Section 138-4.404, Automotive Gasoline Service Stations; Section 138-6.400, Section 12, Article 6 Chapter 4, RMH Manufactured Housing Park District; Section 138-4.300, Table of Permitted Uses; Section 138-3.104.C, Nonconforming Structures, Reconstruction; Section 138-8.603, Signs, to amend permit procedures for signs in flexible business overlay districts; and to repeal conflicting Ordinances and prescribe a penalty for violations with the following Condition:*

Condition:

1. *Add a graphic for clarification to Section 7 B., Established Building Line.*

**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 - Boswell, Brnabic, Dettloff, Hetrick, Hooper, Kaltsounis, Reece, Schroeder and Yukon

*Chairperson Boswell commented that it would be sent to Council with a picture.*

*Mr. Hetrick asked about Mr. Breuckman’s memo about the zoning amendments from the Zoning Board of Appeals (ZBA). Mr. Breuckman explained that it regarded the Established Building Line. It was put in the Ordinance some years ago at the urging of the ZBA because they were getting a lot of Variance requests and then inadvertently removed. They wanted to show support for the 10-foot addition to the amendment.*

2011-0381

Discussion regarding a proposed Zoning Ordinance text amendment to allow gas stations in B-3 Zoning Districts as Conditional Uses

*(Reference: Memo prepared by James Breuckman, dated December 27, 2011 and draft Ordinance language had been placed on file and by reference became part of the record thereof.)*

*Mr. Breuckman advised that the representative from Meijer could not be present for the discussion about gas stations in B-3, and he requested that the Commission not have any substantial discussion in his absence.*