



Rochester Hills

Minutes

Planning Commission

1000 Rochester Hills Dr.
Rochester Hills, MI
48309
(248) 656-4600
Home Page:
www.rochesterhills.org

Chairperson William Boswell, Vice Chairperson Deborah Brnabic
Members: Gerard Dettloff, Dale Hetrick, Greg Hooper, Nicholas O. Kaltsounis,
David A. Reece, C. Neall Schroeder, Emmet Yukon

Tuesday, May 3, 2011

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson William Boswell called the Regular Meeting to order at 7:02 p.m. in the Auditorium.

ROLL CALL

Present 6 - William Boswell, Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis and David Reece

Absent 3 - Dale Hetrick, C. Neall Schroeder and Emmet Yukon

Quorum present

Also present: Ed Anzek, Director of Planning and Development
Jim Breuckman, McKenna Associates
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

2011-0215 April 5, 2011 Regular Meeting

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

COMMUNICATIONS

- A) Planning & Zoning News dated March 2011
- B) 2012-2017 Capital Improvement Plan Final
- C) 2011-2015 Parks and Recreation Master Plan Update Final (CD)
- D) Letter from Rudy Ziehl, dated May 2, 2011 re: Crittenton South Tower Addition

NEW BUSINESS

2011-0216 Request for Revised Conditional Land Use Recommendation (Public Hearing) - City File No. 89-153.9 - Proposed patient tower at the southeast side of the existing Crittenton Hospital Medical Center building, Parcel No. 15-15-101-003, zoned SP, Special Purpose, Crittenton Hospital Medical Center, applicant.

(Reference: Staff Report prepared by James Breuckman, dated May 3, 2011, and Site Plans prepared by Harley Ellis Devereaux had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Monte Oberlee, Crittenton Hospital Medical Center, 1101 University, Rochester, MI 48307; and Ron Herzog, Harley Ellis Devereaux, 26913 Northwestern Hwy., Suite 200, Southfield, MI 48033-3476.

Mr. Anzek advised that Crittenton was proposing an eight-story tower addition, but the initial stage would be six stories. The applicants had identified a slight encroachment in the northeastern portion of the tower that went approximately 25 feet into the play space of the church property. They sought a Variance from the Zoning Board of Appeals (ZBA), which was granted. There had been three Site Plan reviews, and he recalled that the applicants were in front of the Planning Commission for a discussion at the February 22, 2011 Special Meeting. At the ZBA meeting regarding the Variance, there were some concerns by residents to the south regarding landscaping. Mr. Oberlee had met with the neighbors after the meeting, and he felt that any concerns had been addressed.

Mr. Oberlee reiterated that they were present to seek approval for the eight-story tower addition. There was a component of the building that was eight stories, but the majority of the building would be six at the beginning.

Mr. Herzog stated that most of the information in the Site Plans was a refinement from the previous version. They took comments from various departments in the City and made minor changes. He noted that the fuel tank used to be in the area by the truck turnaround, which became problematic from a structural standpoint and had to be moved. It was now in front of trees on the Rochester Hills side. The air cool chillers, emergency generator and oxygen tanks were still in the same general locations. They refined the wall that blocked the view of those three components; they added bollards at the exit from the building to protect the occupants as they left; and they narrowed the truck turnaround to

maintain the greenery that was already there on the north side of the truck turnaround. They were able to save that. They added some arbor vitae along the berm to block the view from the neighbors to the east, and they added three canopy trees. He noted that they had been able to secure permits from the Building Department for the oxygen tank relocation.

Mr. Oberlee said that while it was not a requirement for the project, they met with the Hidden Hills folks several weeks ago, and told them they would be planting trees along the southern boundary. They were in the process of getting the trees from a place in Fenton and would have 70-80 trees delivered soon. They would work with the Hidden Hills folks as to where to locate the trees. The Hidden Hills residents had agreed to provide watering for the trees because Crittenton's irrigation did not go to the back property line.

Mr. Herzog showed a rendering of the exterior elevation looking north from the south. It showed how the existing building design was integrated into the new patient tower. He noted that it was critical to get the elevator floors in to the eighth floor at this point, in anticipation of the last two floors. He showed the connecting link from the patient tower to the existing tower. There was a green roof planned between the two buildings, which the patients could view from above. He concluded that everything else was the same.

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

Mary Holden, 1090 Willow Grove Ct., Rochester Hills, MI 48307. *Ms. Holden stated that she lived in Hidden Hills, right behind the parking structure put in a few years ago which, she said, was made with a lot of promises. They had been there since 1977, and she indicated that it once was a beautiful area. Today she was having a real problem selling her home. She was turned down two or three times because the wall that was promised did not go far enough, so their view was of the parking lot. There were no trees, and they were told Crittenton would add pine trees, which they did, but they were so far apart they did not do anything for the view. She was concerned that she heard talk about adding trees, but she could only look back at how they let her down when they were supposed to do the wall. It was not supposed to allow them to always look at the parking lot. She hoped they would reconsider and do something more about that, so she would not lose any more real estate value. She stated that it was hard enough to sell anything, and the situation had made it much worse.*

Kay Johnson, 137 N. Alice, Rochester Hills, MI 48307. Ms. Johnson said that she lived at the back corner of the hospital. Her concern was that in 2004/2005, her basement flooded twice, and she wondered where the sewage would dump from the new building. The City was kind enough to put in a large detention pond, but she wondered if the stormwater would come into Rochester or into Rochester Hills. She also was concerned about the trees. Before the retention pond was put in, the back corner was solid woods. They were scrub trees, but she did not see the hospital or have problems with lights from the parking garage. She wondered where the trees would go around the retention pond.

Chairperson Boswell also noted that the Commissioners had received a letter from Rudy Ziehl of Hidden Hills, which spoke mainly about the trees for the south side. Chairperson Boswell advised that the letter would be entered into the Minutes and placed on file.

Chairperson Boswell closed the Public Hearing at 7:18 p.m. He said there appeared to be concerns about the trees on the eastern side.

Mr. Oberlee reiterated that they had a large truckload of trees coming for the south boundary. He had been at Crittenton eight years, and he did not know about promises about a wall. In the meeting he had with Mr. Ziehl and several others recently, Crittenton committed to buying a lot of trees and to working with the neighbors to figure out exactly where they wanted them planted. The trees would be five to six feet high, and they planned to put some around the retention pond. He said there was a question about the stormwater in the back, and he said that it was the City of Rochester that initiated the retention pond project. While the hospital agreed to let them have the land for that, it was their project. The hospital put over \$1 million into that work as well. The fact that there were not trees replaced around the back was something that came up during the Rochester meetings, when Crittenton received Site Plan Approval. They told the residents that they were getting trees, and that they would put some around the pond. It was this year's commitment to trees, and they would monitor it.

Chairperson Boswell referred to stormwater runoff, and asked if they were adding impervious surface. Mr. Oberlee said they were not. The building's proposed location had mostly all hard surface, so in the calculations, and with the green roof and remaining planting areas, it was a wash. The water was being managed in the new plan the way it currently was.

Ms. Brnabic said that she was glad that Crittenton worked with its neighbors in a timely fashion to try to iron out problems. They had said they were committed to adding trees on the southern side as the budget allowed, but she questioned if they could project a timeframe. Mr. Oberlee said that all he could not say was when the truck delivery would happen, but the trees were ordered. It would be any time, and there would be three different kinds of pine trees to get a more natural look.

Mr. Kaltsounis said that in the three or so times that Crittenton had been before the Commission, there were issues with the back lot. He asked if Crittenton would be willing to make the delivery of the trees a condition of approval. Mr. Oberlee said he would resist that, because it really had nothing to do with the project. He felt that they were working really hard to be reasonable neighbors. When there was a public meeting, issues came up, and they heard about them then. He had given his card to at least a dozen people in the complex, and invited them to call with any issues. He thought tying the trees to the project would be counter to what they had said from the beginning - that they would work with the neighbors.

Mr. Kaltsounis added that he felt the process of bringing the applicants to the Planning Commission early made it a lot nicer. They ironed out a lot at the beginning. They had concerns, but Crittenton did a good job of moving along and taking care of things. Hearing no further discussion, he moved the following motion:

MOTION by Kaltsounis, seconded by Brnabic, in the matter of City File No. 89-153.9(Crittenton Hospital Medical Center South Tower Addition), the Planning Commission **recommends** to City Council **Approval** of the **Revised Conditional Land Use**, based on plans dated received by the Planning Department on April 15, 2011, with the following seven (7) findings.

Findings

- 1. The proposed Tower addition and other necessary site improvements meet or exceed the standards of the Zoning Ordinance.*
- 2. The existing and expanded use will promote the intent and purpose of the Zoning Ordinance.*
- 3. The proposed building has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the hospital, the general vicinity, adjacent uses of land, the natural environment, and the capacity of*

- public services and facilities affected by the land use.*
4. *The proposal should have a positive impact on the community as a whole and the surrounding area by further meeting the medical needs of people in the area.*
 5. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.*
 6. *The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
 7. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Chairperson Boswell said that the applicants mentioned bringing in plans on April 28, 2011. He asked if the date in the motion should change. Mr. Anzek said that it was the electronic plans that were brought in on April 28.

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

2011-0046 Request for Site Plan Approval - City File No. 89-153.9 - Proposed South Tower, Crittenton Hospital Medical Center, applicant.

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 89-153.9 (Crittenton Hospital Medical Center South Tower Addition), the Planning Commission **approves the Revised Site Plan**, based on plans dated received by the Planning Department on April 15, 2011, with the following findings and subject to the following six (6) findings and eight (8) conditions.

Findings

1. *The revised 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 addition will be accessed by existing driveways, thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Walkways have been 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. *Because of the design and landscaping, the proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
5. *The proposed development will not have an unreasonably detrimental nor an injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*
6. *The improvements will allow Crittenton Hospital to expand the valuable services it provides to the community.*

Conditions

1. *City Council approval of the Revised Conditional Land Use.*
2. *Tree Protection Fencing must be installed, inspected, and approved by the City Staff prior to issuance of the Land Improvement Permit for this development.*
3. *Provide a landscape bond for replacement trees in the amount of \$34,296.45 prior to issuance of a Land Improvement Permit for this development.*
4. *Appropriate approvals from the Oakland County Water Resources Commissioner must be obtained prior to issuance of a Land Improvement Permit for this project.*
5. *Address comments from Public Services memo dated April 25, 2011 prior to Construction Plan Approval.*
6. *Address comments from Fire Department memo dated April 26, 2011 prior to Construction Plan Approval.*
7. *Provide Legal Description on Site Plan, per Assessing Dept. memo dated March 29, 2011.*
8. *Motion by Kaltsounis, seconded by Branbic, to change the date to April 28, 2011 for the two previous motions.*

After conferring with Ms. Gentry, Mr. Anzek advised that the April 28, 2011 date for receiving the plans was correct. There were some minor changes made that included the bollards the Fire Department requested. He suggested a motion to reflect the corrected date, and the motion sent to Council would reflect the April 28 date. Chairperson Boswell clarified that Condition six for the Fire Department was still valid, and Mr. Anzek advised that there were still some minor things to address.

MOTION *by Kaltsounis, seconded by Brnabic, the Rochester Hills Planning Commission approves changing the dates for plans dated received in the two previous motions for Crittenton Hospital Medical*

Center from April 15 to April 28, 2011, which will be forwarded to City Council as such.

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

Chairperson Boswell stated for the record that the motions had passed unanimously and he wished the applicants good luck.

2011-0099

Request for Conditional Land Use Recommendation (Public Hearing) - City File No. 73-175.2 - to construct two drive-throughs along with the proposed demo and rebuild of the existing McDonald's on Rochester Road, north of Avon, Parcel No. 15-15-476-020, zoned B-2, General Business, Frank Martin, Dorchen/Martin Associates, Inc., applicant.

(Reference: Staff Report prepared by James Breuckman, dated May 3, 2011 and Site Plans, prepared by Frank Martin, had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Frank Martin, Dorchen/Martin Associates, Inc., 29895 Greenfield Rd., Suite 107, Southfield, MI 48076 ; Michael Kazarian, Construction Manager at McDonald's, 1021 Karl Greimel Dr., Brighton, MI 48116; and William Saputo, owner of McDonald's at 808 S. Rochester Rd., Rochester Hills, MI 48307.

Mr. Breuckman stated that there were four requests. He recalled that the applicant had been before the Commission once to hear about any issues, and he thought it would be best to let them talk about what they had done, where they were at and to respond to some of the issues from a month ago.

Mr. Martin noted the great feedback they received from the Commission when they were before them last month. In getting that feedback, they believed they addressed all of the items the Commissioners brought up. He pointed out a small change to the Buffer Modification motion. The Staff Report mentioned that on the south side there was 1.5 feet of landscape, but it should have been 3.75 feet. He indicated that they were anxious to move forward. The construction plans were in to Engineering, and they also had plans into the Building Department for review. They believed that they had been sensitive to the items brought up by Staff, including the pathway in front and in maintaining clearances. They were still going to provide easements for the walkway.

Chairperson Boswell pointed out that if anyone made a motion for the parking modification, it referenced 46 spaces, but it should be 44.

Ms. Brnabic asked the applicants to address the items they worked on from the Planning Commission's standpoint. She realized they had dealt with the various departments, but the Planning Commission had requests, such as asking them to check into additional employee parking. She asked Mr. Martin to address what they had dealt with.

Mr. Martin said that relative to the parking issue, Mr. Saputo had approached and gotten a letter from the tanning salon at the shopping center to the south. Mr. Saputo said that the gentleman who leased it was currently allowed five spaces. He approached Antonio's Pizza, and they were going to do an exchange for some of the existing décor in McDonald's for a couple of parking spaces, but the landlord would not allow it. He also spoke with the landlord directly, and he was not too reasonable with his price demands for using the spaces. Mr. Saputo mentioned that he misspoke at the last meeting. Ms. Brnabic had asked the highest number of parking spaces that he needed for employees. He had talked about a one-time event when a couple of busses came during peak time. He quoted 25 spaces, but the average needed was really 15-18 spaces. He was talking about the most people he had ever seen in the building, and he had brought in some extra staff to make sure they got through the crowd. Mr. Brnabic asked if the five spaces from the tanning salon were definite. Mr. Saputo said he got a note from the salon owner confirming it.

Mr. Martin advised that the real estate department at McDonald's contacted the owner of the shopping center and talked about the potential of utilizing eight or ten spaces furthest away from the buildings. The prices were outrageous. It would have given the landlord some money for snowplowing or something else, but he chose not to take it. They also went to McDonald's and asked for feedback in terms of the volume the store would do, which was 75% drive-thru traffic, and what kind of parking count they would require. They determined they would need 38-40 spaces. McDonald's was very comfortable with 44 spaces. There would be 100 seats throughout the facility, and it would have a play place to accommodate children, and most of those children would be in cars with their parents. They believed that one space for every two seats (50 in this case) was correct in terms of the Ordinance, but that 44 would be sufficient for their operations, and McDonald's and Mr. Saputo were comfortable with it. He reminded that Mr. Saputo would not benefit if his customers

could not find a place to park.

Ms. Brnabic also pointed out that Mr. Reece had requested that a pathway be added from the parking lot to the building. Mr. Martin said that towards the west side of the property, they added a pathway to get people to the sidewalk adjacent to the building and then to the front door.

Mr. Reece referred to Sheet C1 regarding future curb cut access - if they received property owner approval - and asked if the 44 spaces would include the loss of three spots if the curb cut went in. Mr. Martin said that they would end up losing one space overall if the curb cut went in. Mr. Reece observed that a catch basin was shown in the curb, and he asked if that would also have to be relocated. Mr. Martin said that the catch basin was being designed so that it would still be there even if there was a curb cut. He did not think it was in the curb, but rather in the drive. He agreed that it might have been set in the curb, but they would change the casting.

Mr. Kaltsounis asked how many table tops would be in the restaurant, and he was told 25-30. Mr. Kazarian, Construction Manager for McDonald's Corporate, said that typically, the table tops were for four. They had some twos and some sixes, but they would have closer to 25. He stated that there was a system for everything with McDonald's. He wanted to assure that they were not creating a number to be comfortable with - they did reach out to the corporate office. There was a formula used where they put in estimated sales and percentage of drive-thru traffic, and it equated the parking needs. That was how they got to the 38 Mr. Martin mentioned. He commented that the Saputos operated several outstanding restaurants and their input was used, but they also used a system.

Mr. Kaltsounis thought that if they had 50 tables, they would have trouble filling some of them. He felt a little more comfortable about the numbers. Mr. Kazarian said that they usually did not fill every table in a McDonald's, and that was directly related to the drive-thrus.

Mr. Kaltsounis asked why the lighting plan did not show zero footcandles at the lot lines, and Mr. Anzek answered that it did not abut residential. Mr. Kaltsounis asked if they could do something with the side of the building facing the parking lot (north elevation). He said he was disappointed with the lack of any accenting after the door, and he asked if there was any way to break up the plain brick wall. They discussed several versions of the building in other locations, one with a band around the top of the building and one that had some aluminum strips to dress it up. He said he did not see anything like that on the proposed plans. He

asked about adding a piece of limestone to the brickwork to dress it up, suggesting that there should be something more for that corner. Mr. Martin said there would be a rear arcade, and they thought that with the front of the building having cast stone with trellises and an accent band, that it was very attractive. Mr. Kaltsounis noted the extra building length, and he thought that a band would dress it. Mr. Karazian referred to the side with the drive-thrus and pointed out the shading of different-colored brick bands. He suggested that since they were already utilizing that brick, they could do it on the other side as an accent band. He did not feel it would be an issue with his boss. He also offered that they could run a band around two bricks high, which would be the same cost.

Mr. Reece clarified that the dumpster enclosure and storage area brick would match the building. Mr. Martin said that it would be the same brick material and color in a masonry unit size. Mr. Reece asked what would be stored. Mr. Martin advised that there would be snow shovels, landscaping tools and salt. Mr. Reece asked if they would store anything flammable, and Mr. Saputo stated that they would not.

Chairperson Boswell opened the Public Hearing at 7:56 p.m. Seeing no one come forward, he closed the Public Hearing. Mr. Kaltsounis then moved the following:

MOTION by Kaltsounis, seconded by Brnabic, in the matter of City File No. 73-175.2 (McDonald's), the Planning Commission recommends to City Council approval of the Conditional Land Use, based on plans and information dated received by the Planning Department on April 11, 2011, with the following six (6) findings.

Findings:

1. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-4.300 in particular.
2. The proposed development has been designed to be compatible, harmonious, and appropriate with the existing character of the general vicinity and adjacent uses of land. The drive-through will be built as an integral architectural element of the primary structure and use and building materials will be the same as those used in the primary structure.
3. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
4. The development should be not detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or

the public welfare. The drive-through will be located to the rear and side of the primary structure and set back a minimum of 10 feet from the front building wall of the primary structure. The drive-through is configured so that glare from headlights is obstructed from shining into a public right-of-way.

5. *The development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*
6. *The project meets the requirements of Section 138.4.410 for drive-through facilities.*

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

2011-0214 Request for Parking Modification (four spaces) - City File No. 73-175.2 - McDonald's.

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 73-175.2 (McDonald's), the Planning Commission approves the reduction in parking to 44 spaces, and approves a 9-foot width for employee parking, based on plans dated received by the Planning and Development Department on April 11, 2011, with the following three (3) findings:

Findings:

1. *Sections 138-11.202 and 138-11.302 B allows the Planning Commission to approve reduced parking when it has been shown that offsite parking can be used to supplement in an appropriate location or the parking provided will be sufficient and allows approval of a reduction in the parking space width for employee parking.*
2. *The restaurant has a high percentage of drive-through customers.*
3. *The applicant has adequately demonstrated that the proposed parking will be sufficient to accommodate expected sit-down customer traffic.*

Chairperson remarked that he hoped the applicants were right about the parking.

Mr. Hooper recalled that when LifeTime Fitness was before them about ten years ago, the applicants requested a parking modification, showed national statistics, and stated that they knew their business, etc. A year

later, the place was completely jammed, and it was really hard to find a parking spot. He acknowledged that it had since tapered off. He agreed that they should defer to the owners regarding parking, because that was their lifeblood, and they would lose business if they did not have enough. The applicants would do what they needed to ensure they would not lose sales.

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

2011-0231 Request for Buffer Modification - City File No. 73-175.2 - McDonald's, to allow a reduced buffer width on the southern and northern property lines.

MOTION by Kaltsounis, seconded by Brnabic, in the matter of City File No. 73-175.2 (McDonald's), the Planning Commission grants a Buffer Modification to reduce the buffer width along the north property line to seven feet and the south property line to 3.75 feet, based on plans dated received by the Planning and Development Department on April 11, 2011 with the following four (4) findings:

Findings:

- 1. The applicant is supplementing the buffer area with flowering trees.*
- 2. The proposal is to reconstruct an already-developed parcel, limiting design options to comply with the buffer requirements.*
- 3. The alternate width and type of buffer zone and landscaping provided therein will ensure compatibility with surrounding land uses and the development is by nature compatible with the surrounding neighborhood.*
- 4. The proposed plan meets the criteria of Section 138-11.102(B)(3)(c) to allow the Planning Commission to modify or waive the buffer requirements for the proposed development.*

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

2011-0145 Request for Site Plan Approval - City File No. 73-175.2 - for a new rebuild of the McDonald's restaurant, located on Rochester Rd., north of Avon.

Mr. Reece mentioned that the tree along Rochester Rd. to the northeast concerned him from the standpoint of someone trying to exit left. Cars would pull up to the edge of the road to try to pull out, and he was concerned that it might end up blocking the view, rather than enhancing the aesthetics. He said he would rather see the tree moved to the area along the north property line. He was not sure what type of tree it was, and Mr. Saputo said it was an Armstrong Maple. Mr. Reece asked what type of trees would be put in along the access drive to LifeTime, and Mr. Saputo advised that they were Skyline Honey Locusts.

Ms. Brnabic pointed out that Parks and Forestry's memo did request that the Armstrong Maple be removed, because it was in the 25-foot clearance area. Mr. Breuckman noted that the Ordinance said that if there was an eight-foot height for branches, trees could be in the corner clearance. Mr. Reece said that he would like to substitute the Armstrong Maple for a Honey Locust, and added that he was not as concerned about the trees on the south of the drive. It was clarified that the trees on the access drive were Cleveland Pears.

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 73-175.2 (McDonald's), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning and Development Department on April 11, 2011, with the following five (5) findings and subject to the following ten (10) 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 development will be accessed by one ingress to and egress from Rochester Road and potentially have cross access to the Lifetime Fitness driveway.
3. Off-street parking areas have been designed to avoid common traffic problems and promote safety and to accommodate pedestrian circulation with crosswalks.
4. There appears to be a satisfactory and harmonious relationship with existing contiguous development and adjacent neighborhoods.
5. The proposed development should not have an unreasonably detrimental nor an injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions:

1. City Council Approval of the Conditional Land Use.

2. *Submittal of a revised plan addressing Staff comments in this and other department's memos.*
3. *That all applicable permits must be reviewed and approved by Engineering Services, prior to Construction Plan Approval.*
4. *Appropriate approvals from MDOT, if required for work in Rochester Rd., must be obtained prior to issuance of a Land Improvement Permit for this project.*
5. *The applicant shall obtain a Land Improvement Permit prior to starting any work on site.*
6. *A Storm maintenance Agreement with a maintenance schedule must be provided reflecting revised locations of pipes and structures prior to issuance of a Land Improvement Permit.*
7. *That the applicant receives a soil erosion permit from the Water Resources Commissioner, prior to issuance of a Land Improvement Permit.*
8. *Provide a landscape bond for replacement trees in the amount of \$44,030.50, prior to issuance of a Land Improvement Permit for this development.*
9. *Add a decorative band along the north façade of the building, using different colors of brick as discussed.*

10. *Revise Landscape Plan to remove the Armstrong Maple from the corner clearance and move it to the north property line and change it to a Cleveland Pear.*

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

Chairperson Boswell stated after each that the motions had passed unanimously, and he wished the applicants good luck. Mr. Martin advised that they would run the band around the entire building, not just on the north side. He said they appreciated the give and take from the first meeting, and indicated that it was very helpful.

ANY OTHER BUSINESS

2010-0557 Complete Streets Legislation - Proposed Policy

Mr. Breuckman recalled that the Commissioners had reviewed some potential policies and ordinances from other communities, and it

appeared that the Saline approach was liked. He highlighted some of the items included in the draft. He felt that a goal statement was important to communicate the overall purpose of the policy. There was a tradition and a lot of implemented items in the City that went toward what Complete Streets was trying to accomplish. He pointed out that the Master Thoroughfare Plan talked about non-motorized pathway system as an interim measure. When the Thoroughfare Plan and Master Plan were next updated, they would include Complete Streets elements. He advised that there was a resource included that he felt was quite good for Complete Streets design, and would be a good foundation to base recommendations. The Act allowed cities to opt out of Complete Streets improvements under certain circumstances, and that language was included.

Hearing no further discussion, Mr. Kaltsounis moved the following motion:

MOTION *by Kaltsounis, seconded by Reece, the Rochester Hills Planning Commission hereby recommends that City Council adopt the Complete Streets Policy per the Complete Streets legislation (P.A. 135 of 2010, as amended) , to be incorporated into the future Master Thoroughfare Plan and Master Land Use Plan updates.*

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis and Reece

Absent 3 - Hetrick, Schroeder and Yukon

ANY FURTHER BUSINESS

Mr. Reece noted that Crittenton had been before the Commission several times, and there were complaints from the neighbors on the south and east. He did not think it was worth turning down the Site Plan when Mr. Oberlee was adamant that they would not approve a condition regarding adding trees on the south, but he thought it might warrant additional questions at City Council. One question could involve the wall the residents said was promised but never added. They could not hold Crittenton to that, but perhaps they needed to find out if it was a Rochester requirement. Chairperson Boswell said that when Crittenton talked about the wall, they were talking about the east side along Alice. He thought it was something Rochester asked for, because that portion was in

Rochester. He agreed that if there was not a wall, there was no reason why Rochester Hills could not question it.

Mr. Hooper suggested that they do more research. He did not think it was part of Rochester Hills' plans. Mr. Anzek said that he would look into it. He thought they were talking about the concrete slab wall that ran along the entrance off of Livernois. As someone headed north on hospital grounds, there was still a six-foot high wall. The trees were sparse, and Crittenton was planning to add some there. He indicated that Mr. Oberlee was caught a little off guard by Mr. Ziehl's letter, because he had met with him personally. He thought it was a great meeting, and Mr. Ziehl had pledged to water the trees. Mr. Anzek said that he did not see where the hospital had not delivered on promises.

Mr. Kaltsounis said that he did not see where they added blacktop on the parking deck. Mr. Anzek said they did add it, although it might have faded. He had not heard complaints about the lighting.

Mr. Reece commented that adding 70-80 trees was not a small investment. Mr. Anzek said he recommended that Crittenton used smaller trees to be able to add more. Mr. Reece suggested that Council should ask Crittenton for an update about what they had done to the Site, and be proactive. Mr. Anzek added that he would check with Rochester. He noted that a lady that had been in the auditorium had been very vocal at past meetings about the parking deck, and actually filed suit against the hospital. She supported the tower addition, and she was now on the Planning Commission in Rochester. The hospital had worked a lot with the folks on Alice. Mr. Hooper said that if the trees came in and were planted, it could become a non-issue. Mr. Anzek thought they would have a hard time finding spots to plant that many trees without crowding them.

Ms. Brnabic thought that the bigger problem was when Rochester residents showed up and caught them off guard. She recalled that some residents complained that the back of the property was not being kept up, but she thought that Crittenton was putting a lot of effort into changing, and it seemed like they were working ahead of time with residents, which they should have done from the beginning.

Mr. Kaltsounis asked if the Crittenton neighbors were noticed when they came for the initial meeting. Mr. Anzek advised that for the CLU, everyone within three hundred feet got noticed, including Rochester. Mr. Kaltsounis clarified that the first meeting about the Tower was not noticed. He explained that he did not want the perception to be that it was

fast-tracked. Mr. Anzek advised that a discussion did not have to be noticed per the Ordinance, and they did not want the Commissioners to have to worry about speaking freely. Mr. Kaltsounis said that he understood; he was just a little concerned about perception. Mr. Reece agreed that if someone was new to the environs and came only to the second meeting, he or she might think the same thing. Mr. Kaltsounis did not want people to think it was pushed through. Mr. Anzek said that was why when the item was presented, they talked about the previous meeting, the Master Plan and the history, and he reminded that the Minutes were always available.

NEXT MEETING DATE

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for June 7, 2011.

ADJOURNMENT

Hearing no further business to come before the Commission, and upon motion by Kaltsounis, Chairperson Boswell adjourned the Regular Meeting at 8:30 p.m., Michigan time.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

Maureen Gentry, Recording Secretary