



Rochester Hills

Minutes

Planning Commission

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Home Page:
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Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Dale Hetrick, Marvie
Neubauer, Scott Struzik and Ben Weaver
Youth Representatives: Janelle Hayes and Siddh Sheth

Tuesday, March 18, 2025

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Brnabic called the March 18, 2025 Regular Planning Commission Meeting to order at 7:00 p.m., Michigan Time.

ROLL CALL

Present 8 - Deborah Brnabic, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Greg Hooper, Marvie Neubauer, Scott Struzik and Ben Weaver
Excused 1 - Dale Hetrick

Others Present:

Sara Roediger, Planning and Economic Development Director
Chris McLeod, Planning Manager
Jennifer MacDonald, Recording Secretary

Mr. Hetrick provided prior notice that he would not be in attendance and was excused.

Chairperson Brnabic welcomed attendees to the March 18, 2025 Planning Commission meeting. She noted that if anyone would like to speak on an agenda item tonight or during Public Comment for non-agenda items to fill out a comment card, and hand that card to Ms. MacDonald. She noted that all comments and questions would be limited to three minutes per person, and all questions would be answered together after each speaker had the opportunity to speak on the same agenda item.

APPROVAL OF MINUTES

[2025-0097](#) February 18, 2025 Worksession Minutes

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver
Excused 1 - Hetrick

[2025-0098](#) February 18, 2025 Regular Meeting Minutes

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

COMMUNICATIONS

None.

PUBLIC COMMENT

Scot Beaton, 655 Bolinger, stated that he was a former Planning Commission member, and expressed general support for all of the items to be presented at the meeting. He commented that he planned to discuss aesthetic alternatives, clarified that there was nothing wrong with the current proposed plans, elevations or resolutions, and he would encouraging voting yes on everything. He thanked the applicants, their consultants, City Staff and the Commission for their work as well as the department for posting his comments with the packet.

NEW BUSINESS

2025-0107

Public Hearing and Request for Conditional Use Recommendation for an application to operate gasoline service station within the NB Neighborhood Business District, to demolish the existing gas station onsite and to construct a new approximately 5,300 square foot gasoline station convenience store with a canopy and fuel pumps at 2980 Walton Blvd., located at the northeast corner of Walton and Adams, Parcel No. 15-08-351-003, zoned NB Neighborhood Business District with the FB Flex Business Overlay; Sam Beydoun, Safeway Acquisition Co. LLC, Applicant

(Staff Report dated 3-12-25, Reviewed Plans, Environmental Impact Statement, Development Application, WRC Letter dated 6-25-24, Public Hearing Notice, and Public Comment Received had been placed on file and by reference became a part of the record hereof.)

Present for the Applicant were Sam Beydoun, Safeway Acquisition Company, Mo Beydoun, Attorney for Safeway, Ghassan Abdelnour, GAV Associates, and Chad Holdwick, Greentech Civil Engineering.

Chairperson Brnabic introduced this item and noted that it is a request for Conditional Use Recommendation for an application to operate a gasoline service station within the NB Neighborhood Business District, to demolish the existing gas station onsite and construct a new approximately 5,300 square foot gas station convenience story with canopy and fuel pumps at 2980 Walton Boulevard, located at the northeast corner of Walton and Adams. She invited the applicants to the presenter's table and called for the Staff Report.

Mr. McLeod described the proposed request, and noted that the Planning Commission is requested to provide a conditional use recommendation to City

Council, along with being requested to approve the Site Plan with requested landscape modifications, and Tree Removal Permit. He highlighted the following:

- Location: Northeast corner of Adams and Walton, adjacent to Village of Rochester Hills.
- Site Size: Approximately 0.83 acres (excluding road right-of-way/easements).
- Project Scope: Renovation of an existing gas station, not a new use, so the minimum one acre property size requirement does not apply.
- Site Integration: Aims to improve integration of gas station into the overall maneuverability of the corner.
- Building: Approximately 5,300 sq ft convenience retail store.
- Landscaping: Addition of 17 new trees and preservation of 4 existing trees. Landscaping modifications along roadways and parking lot perimeter.
- Driveways: Reduction from three driveways to two (one on Adams, one on Walton) and provision of a cross-connection to the adjacent financial institution.
- Driveway Consolidation: Driveways pushed northerly and straightened for two-way perpendicular access. Walton Boulevard access pushed eastward. Four pumps will remain on the Walton side.
- Cross-Connection: Physical connection to the financial institution to the north, allowing access to the Village of Rochester Hills without using Adams or Walton.
- Setback Reduction: Request for rear yard setback reduction (allowed in NB district adjacent to similar uses) and side yard placement of dumpster. The request is for a 10-foot rear yard setback on the north property line (abutting financial institution). The dumpster location will be integrated into the building design on the eastern portion of the site, using matching materials to minimize visibility.
- Additional Features: Bicycle parking and two EV charging stations on the north end of the site.
- Architecture: Similar architectural design to a previously seen Crooks Road project, using dark gray masonry, light gray metal paneling, and brown aluminum siding that resembles wood grain. New canopy and columns. Decorative lighting around the building.
- Surrounding Zoning Districts: Neighborhood Business and Community Business districts.

Chairperson Brnabic invited the applicants to add any comments.

Mo Beydoun stated that Safeway Acquisition has been developing in over 29 different municipalities for the past 20-25 years. He stressed that as the Commission saw with their previous request, their work is exceptional and they try to put their best foot forward in every community they enter. He explained that the request is in keeping with the NB District definitions. He added that it also falls in line with what they have been doing on that intersection for about 15 years, and their goal is to increase the visibility of that corner and the overall character of the neighborhood itself.

Chairperson Brnabic asked if the station currently operates on a 24/7 schedule.

Mo Beydoun responded that he believes it does.

Chairperson Brnabic asked if the City notified Citizens Bank relative to the cross-connection.

Mr. McLeod responded that in terms of the actual site plan application, the bank received notices as an adjacent property owner. He added that as the easements will be signed, that negotiation will take place if it has not already occurred. He explained that cross access agreements are typically negotiated as a part of the engineering and land improvement process. He pointed out that they are showing a cross-connection to the north.

Mr. Struzik commented that there is better pedestrian connectivity, and stated that removing a driveway off of Adams Road and including cross site connectivity are great wins for safety and movement. He added that the current station is at the end of its investment lifecycle and is still well maintained; and commented that the new design looks great with a much improved site layout.

Chairperson Brnabic opened the Public Hearing.

Scot Beaton, 655 Bolinger, noted that he is a designer and wanted to express his thoughts on the aesthetics of the proposed project. He questioned the need for the towers, suggesting they might be unnecessary expenses. He praised the white metal Chevron design, calling it "dope" and a "brilliant fresh piece of design." However, he suggested editing the design by removing the stripes, wood siding, and dull gray bricks. He proposed using glazed black bricks or tiles instead, stating that black and white create an elegant and upscale look. He also envisioned how the black tiles would reflect light beautifully at sunrise and sunset, creating a stunning visual effect. He concluded by suggesting that simplifying the design with black bricks or tiles and the Chevron would make the convenience store look like a "21st century race car."

Seeing no additional public comment, Chairperson Brnabic moved on to Commissioner's comments.

Mr. Hooper stated that he had no problem with the landscaping modifications due to clear vision and safety. He suggested that the dumpster facing Walton may become an eyesore if the gates are not kept closed; however, he thought it would be an operational consideration and did not warrant a condition to be placed on the recommendation. He moved the motion in the packet to recommend approval of the conditional use. The motion was seconded by Ms. Neubauer.

After calling for a roll call vote, Chairperson Brnabic noted that the motion passed unanimously.

Mr. Hooper moved the motion in the packet for site plan approval, noting that he would add a third condition that approval of a cross access agreement to the property to the north would be a condition on the site plan. Mr. Struzik seconded the motion.

After calling for a roll call vote, Chairperson Brnabic noted that the motion for site plan approval passed unanimously.

Mr. Hooper moved the motion in the packet for approval of the tree removal permit. The motion was seconded by Ms. Neubauer.

After calling for a voice vote, Chairperson Brnabic noted that the motion for approval of the tree removal permit passed unanimously.

Mr. McLeod noted that the target date for the conditional use recommendation to move on to City Council would be April 7, 2025.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of City File No. PCU2025-0001 (Gas Station Renovation at 2980 Walton), the Planning Commission recommends to City Council Approval of the Conditional Use to operate a gasoline service station within the NB Neighborhood Business District at 2980 Walton, on Parcel No. 70-15-08-351-003, based on plans received by the Planning Department on February 7, 2025, with the following findings:

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The site has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use and does not represent a significant deviation from the existing land use that has been present onsite approximately fifty (50) years.
3. The proposal will have a positive impact on the community as a whole and the surrounding area by renovating and modernizing an existing gasoline service with updated architecture, amenities, landscaping and access driveways (by consolidating two driveways on Adams into one) that should provide a safer, more efficient means of ingress and egress.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal and traditionally has been as the current gasoline service station.
5. The proposed development, with the revised driveway and cross connection configurations, will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare and will help further integrate the gasoline service station into the existing land use fabric.
6. 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.

Conditions

1. City Council approval of the Conditional Use.
2. The use shall remain consistent with the facts and information presented to the City as a part of the applicant's application and at the public hearing.
3. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.

2025-0108

Request for Site Plan Approval to demolish the existing gas station onsite and to construct a new approximately 5,300 square foot gasoline station convenience store with a canopy and fuel pumps at 2980 Walton Blvd., located at the northeast corner of Walton and Adams, Parcel No. 15-08-351-003, zoned NB Neighborhood Business District with the FB Flex Business Overlay; Sam Beydoun, Safeway Acquisition Co. LLC, Applicant

See Legislative File 2025-0107 for discussion.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of City File No. PSP2024-0013 (Gas Station Renovation at 2980 Walton), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on February 7, 2025, with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that the proposed development will promote the intent and purpose of the ordinance, as well as other City Ordinances, standards, and requirements; and those requirements can be met with the exception of the acceptable modifications shown below and subject to the conditions listed below.
2. The site plan and supporting documents demonstrate that the proposed development will be designed, constructed, operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole. The proposed project will continue to be accessed from Adams Road and Walton Blvd., although with consolidated driveway locations and alignments, thereby promoting safety and convenience of vehicular traffic both within the site and on adjacent roadways. The preliminary plan represents a reasonable building and lot layout and orientation.
3. The development will be served adequately by essential public facilities and services, such as major roadways, streets, police and fire protection, drainageways, refuse disposal, and utilities.
4. The proposed development will not be detrimental, hazardous, or disturbing to existing

or future neighboring uses, persons, property or the public welfare since it represents a modernization and beautification of an already existing gasoline service station.

5. The proposed development will 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 proposed modification to the required right-of-way landscaping requirement, of a total of 8 trees, along Adams Road has been found to be acceptable since the number of trees proposed onsite overall greatly increases the number of plantings onsite, the overall site aesthetic, and potential for tree canopy onsite.

7. The proposed modification to the required right-of-way landscaping requirement, of a total of 5 trees, along Walton Blvd. has been found to be acceptable since the number of trees proposed onsite overall greatly increases the number of plantings onsite, the overall site aesthetic, and potential for tree canopy onsite.

8. The proposed modification to the required parking lot perimeter landscaping requirement, of a total of 6 trees, has been found acceptable since the number of trees proposed onsite overall greatly increases the number of plantings onsite, the overall site aesthetic, and potential for tree canopy onsite.

9. The proposed 10 ft. northerly setback has been found to be acceptable because the subject site abuts another parcel in the NB Neighborhood Business district which is occupied by a bank, and the requested reduction will allow for better development and will be compatible with adjoining properties.

10. The proposed dumpster location in the side yard has been found to be acceptable because the dumpster enclosure has been integrated into the building design and will be constructed of brick to match the building. This design offers an efficient location to allow for appropriate trash removal while minimizing disruptions to site operations.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters.

2. Provide a landscape bond in the amount of \$29,185.00, plus the cost of inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.

3. Approval is contingent upon staff approval of a cross access agreement to the property to the north.

2025-0109

Request for Tree Removal Permit to remove five (5) regulated trees and zero (0) specimen trees, with five (5) replacement trees required, and with one (1) replacement tree proposed and four (4) trees to be paid into the City's Tree Fund for a project to demolish the existing gas station onsite and to construct a new approximately 5,300 square foot gasoline station convenience store with a canopy and fuel pumps at 2980 Walton Blvd., located at the northeast corner of Walton and Adams, Parcel No. 15-08-351-003, zoned NB Neighborhood Business District with the FB Flex Business Overlay; Sam Beydoun, Safeway Acquisition Co. LLC, Applicant

See Legislative File 2025-0107 for discussion.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of File No. PTP2025-0003 (Gas Station Renovation at 2980 Walton) the Planning Commission grants a Tree Removal Permit, based on plans received by the Planning Department on February 7, 2025, with the following findings and subject to the following conditions:

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.
2. The applicant is proposing to remove five (5) regulated trees and zero (0) specimen trees, with five (5) replacement trees required. The applicant is proposing to plant of one (1) replacement tree with four (4) trees to be paid into the City's Tree Fund.

Conditions

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.
2. Provide the cost of four (4) trees (\$1,336.00) into the City's Tree Fund prior to a Land Improvement Permit being issued.
3. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans and staff reports contained within the Planning Commission packets (as may be amended by this motion).

2025-0110

Public Hearing and Request for Conditional Use Recommendation for a request to operate a gasoline service station and a drive-through accessory to a permitted use within the NB Neighborhood Business District for a project to demolish the existing service station and to construct an approximately 8,348 square foot gasoline station convenience store with a drive-through, at 3420 S. Rochester Rd., located at the southwest corner of Rochester Rd. and Nawakwa Rd., Parcel No. 15-34-277-006, zoned NB Neighborhood Business with the FB Flex Business Overlay; Leslie Accardo, PEA Group, Applicant
(Staff Report dated 3-12-25, Reviewed Plans dated 4-25-24, Environmental Impact Statement, Traffic Impact Study dated 5-21-24, Development Application dated 1-4-24, Fire Department Flow Test, MDOT email dated 5-1-24, Notice of Public Hearing and Public Comment Received had been placed on file and by reference became a part of the record hereof.)

Present for the applicant were Kenny Koza, Developer, Leslie Accardo, PEA Group, and Ghassan Abdelnour, GAV Associates, Architect.

Chairperson Brnabic introduced this item noting that it is a request for Conditional Use Recommendation to operate a gasoline service station and

drive-through accessory to a permitted use within the NB Neighborhood Business District. The project is to demolish the existing service station and construct an approximately 8,348 square foot gasoline station convenience store with drive-through at 3420 South Rochester Road, located at the southwest corner of Rochester Road and Nawakwa, zoned NB Neighborhood Business with the Flex Business Overlay. She invited the applicants to the presenter's table, and asked for the Staff Report.

Mr. McLeod presented a summary of the staff report, noting the following:

Project Overview:

- The project involves the redevelopment of an existing gas station on the west side of Rochester Road, south of Nawakwa, and just north of M-59.
- The site is approximately 1.33 acres.

The request includes:

- Conditional Use Approval Recommendation to City Council.
- Site plan approval.
- Tree removal permit
- One landscaping modification request for the south end of the site.
- The redevelopment includes adding a drive-through ancillary use on the south side of the building.

Site Context:

- Residential properties are located to the west of the site.
- Cherry Road is the first side street to the west.
- A shopping center is located to the north of the site.
- M-59 and its interchange are to the south and east of the site.
- The area to the west is a single-family residential zoning district.
- The developer owns the properties surrounding the site.

Proposed Development:

- The building size is proposed to be just over 7,000 square feet, including a retail convenience store and a 1,243 square foot drive-through on the south end.
- Currently, there is no defined user for the drive-through space.
- The existing site has minimal landscaping.
- The proposed landscape plan includes 71 new trees and additional lower-level plantings.
- The site currently has three driveways: two onto Rochester Road and one onto Nawakwa.
- The proposal reduces the Rochester Road driveways to one central, bidirectional driveway.
- The Nawakwa driveway will be moved 50-60 feet further west to improve separation from the intersection and address concerns about traffic maneuvers.
- Two pedestrian connections are proposed: one to Rochester Road and one to Nawakwa, along with full pedestrian connections throughout the site.
- The drive-through lane is designed to be isolated from the main parking areas and stacks from the northeast corner around the west side of the building, with the drive-through window midpoint on the south end.
- Four new pumps will be installed along the frontage, providing space for eight vehicles.

- A six-foot masonry wall, slightly offset from the property line, will be constructed along the western boundary to screen the residential properties, along with landscaping on the west side of the wall.
- A landscaping modification is requested for the southern boundary due to site constraints and the need to accommodate various landscaping requirements. The area is zoned residential with a Flex Business overlay and abuts the M-59 interchange.
- One additional EV charging station and a bike rack will be provided, consistent with gateway standards and bicycle requirements.
- New landscaping will be added along both frontages.

Building Architecture and Floor Plan:

- The building's floor plan dedicates three-quarters or more of the space to the gas station and convenience store sales, with a lease space for the drive-through user.
- The drive-through facility must provide indoor service and seating, as per new requirements.
- The building design is a modernization utilizing dark gray brick, metal paneling, wood paneling, and a niche board paneling system, along with extensive glazing.
- The same materials and decorative features will be used around the entire building.

Key Points:

- The project aims to redevelop an existing gas station with improved site layout, landscaping, and amenities.
- Traffic flow and safety are addressed by modifying the driveway locations and configurations.
- The landscaping plan significantly increases the number of trees and plantings on the site.
- The building design is modern and incorporates various materials for visual interest.
- The drive-through facility must comply with new requirements for indoor service and seating.
- A landscaping modification is requested due to site constraints, but the overall site is not deficient in trees.

Mr. Abdelnour expressed his thanks to the Commission for hearing the request and to the Planning Department that has been helping them through the process in all of these projects. He commented that it is a lot of hard work to ensure that they have a good product to present to the Commission.

Chairperson Brnabic opened the Public Hearing, and noted that she had a few of speaker cards.

Ron Barnes, 3466 Cherry Rd., expressed concern that the drive-through would be close to residential property and suggested that there might be noise from having around the clock operation. He stated that he also had concerns with the driveway being moved back that cars had a tendency to cut drivers off. He commented that they would probably be okay with the project if it weren't so close to residential as it is beautifying the location.

Scot Beaton, 655 Bolinger, included the following points in his comments:

- He complimented the design of the convenience store, stating the architect did a "terrific job."
- He expressed a preference for black bricks over dark gray bricks. He suggested changing the proposed ombre design from white to gray to white to yellow, believing it would be "a lot prettier" in that location.
- He encouraged the architect to create a more unique design, noting that the proposed design is common across America. He recommended looking at the GM Tech Center buildings designed by Eero Saarinen for inspiration, suggesting a mid-century modern style.
- He proposed using a glazed blue brick, specifically Sunoco blue, similar to the bricks used at the GM Tech Center, which he believes would reflect sunlight well.
- He reiterated that the proposed station is beautiful but suggested a more distinctive design to set it apart from other stations.

Seeing no other public comment on this item, Chairperson Brnabic closed the public hearing and called for any Commissioner comments.

Ms. Neubauer noted that there was an email in the packet from MDOT that stated that a number of items were still outstanding, and asked if these items had been resolved.

Mr. McLeod responded that at this point the applicant has not achieved MDOT approval. He stated that the City's Traffic Division signed off on the plans with that as a condition. He explained that there are several different tests that are being required by MDOT which will be fairly costly and the applicant is seeking direction or blessing of the City if the Planning Commission and City Council chose to do so prior to making some significant expenditures in terms of MDOT approval. He suggested that this would be a full condition that all MDOT requirements be met as well as achieving MDOT approval.

Ms. Neubauer stated that she wanted to ensure that this is an added condition that would be contingent on MDOT's approval and commented that she did not see the condition included in the packet. She noted Mr. Barnes' comments and stated that additional conditions are placed on the applicant that if the intensity of the operation changes or increases in terms of traffic queuing, noise hours, lighting, odor or other aspects that may cause an adverse offsite impact, City Staff may require an order of the Conditional Use Approval to be remanded to the Planning Commission and City Council for reexamination. She reiterated that this is something that the applicant is made aware of that if it does negatively impact or become a problem, the City has the authority to take the approval back. She stated that the residents have a job of keeping the City informed of any concerns.

Chairperson Brnabic questioned Mr. Barnes' comment that residential properties were 35 feet from the property line and commented that it was stated for the record that this developer owns the properties directly behind the station on Cherry. She noted that these properties are zoned residential.

Mr. Barnes responded that he and his three neighbors are on the west side of Cherry, and noted that they are proposing to build new homes across from him.

Mr. McLeod stated that the building itself sits just over 53 feet from the property line at its closest point, so the box itself is probably going to be 50 feet away assuming that it is not right on the building itself.

Ms. Accardo mentioned that they also have a masonry wall and a plethora of landscaping on both sides, so that there will be a lot of buffer going on even with the landscaping wall. In answer to a question, she stated that the wall is six foot high.

Mr. McLeod added that the wall extends the full extent on the west side from the south end against the parking lot and angles 45 degrees up to basically where transformers are located.

Chairperson Brnabic commented that she would like to see some additional brick on the front of the building. She asked whether there was a reason for the golden yellow metal panels on the building.

Mr. Koza stated that the station will be changing from a Sunoco to a Shell and it is more fitting with Shell's colors. He added that he would disagree with public commentary that his building looks like anything else in the country, and stated that he has not seen a gas station look anything like this. He commented that they were also trying to be more forward thinking that in the event that gas goes away and people were not charging electric cars at the station this could become a market one day. He stated that art is beauty and it is in the eye of the beholder, and commented that his least favorite architecture is mid-century modern.

Chairperson Brnabic stated that obviously since there is not a dedicated drive-through user yet, she would assume that their plan would be to have something that is not a really busy drive-through like a Starbucks.

Mr. Koza responded that he is a franchisee of Dunkin' Donuts and they are hoping that they are the ones that will fill the space. He mentioned that they cannot really sign a lease yet with anyone because they would be held to deliverable dates.

Chairperson Brnabic noted that the EIS mentioned 2.36 acres of open space and asked if it was from a prior plan.

Ms. Accardo responded that there have been multiple generations of the plans and this is probably the case.

Chairperson Brnabic asked if they can ensure that the EIS is corrected before this item moves on.

Mr. Struzik stated that he made a site visit today and there is not currently any wall. He commented that he shared the concern of Mr. Barnes about having a drive-through speaker there, but thinking it through he believes that adding a

six-foot masonry wall would provide 24-hour noise reduction for some of those houses on Cherry. He encouraged the developer to work with the neighbors and asked the neighbors to approach the business owner if they have a problem. He commented that Cherry Street looks like an awesome quiet street and he would hope that some of the adjacent homes to the gas station would see some investment.

Mr. Koza pointed out that in addition to the masonry wall they have evergreen screening. He added that the sound box has to meet City code and can only be a certain amount of decibels. He stated that if the neighbors have any complaints they would be happy to help and reduce something. He mentioned that traffic consultants can probably tell that almost all of the sound comes from the wheelbase of a car and the masonry wall should help. He noted that the evergreens would someday grow to 50 feet and should cover the gas station. He stated that they own the adjacent lots and are going to propose to develop up to five very nice houses and they also don't want any homes they develop to see the gas station.

Mr. Struzik stated that it is awesome that the driveways on Rochester Road would go from two to one. He noted that the number of stacking spaces provided for the drive-through should be sufficient for quite a few uses, and Dunkin' Donuts should be just fine. He reiterated that there would be a condition in there to revisit the approval should the drive-through become too intense.

Mr. Hooper questioned where the ordering kiosk would be as he didn't see it on the plans.

Ms. Accardo responded that it is in the middle of the back of the building in between shrubbery. She noted that it is on the civil plan (C3) next to the door at the back of the building and says "drive-through sign" but it is actually the order kiosk.

Mr. Hooper commented on the traffic study and stated that he expects to see an extensive study when it concerns a major development; however, he does not see the intensity here. He stressed that if the intensity changes that would make it a completely different ballgame and they could lose a drive-through. He pointed out that MDOT wanted a different approach on Rochester Road.

Ms. Accardo stated that everything has been updated but MDOT did not want piecemeal resubmissions, and MDOT advised them not to resubmit anything until they have everything including the infiltration testing and geotechnical testing. She stated that MDOT has reviewed it but will not sign off because the testing is not completed.

Mr. Hooper asked if the plan including the stacking right now meets MDOT's requirements.

Ms. Accardo responded that it does.

Mr. Hooper stated that he did not have an issues with the landscape buffer, and commented that it is very heavily landscaped with that wall.

Mr. Dettloff stated that he is glad that MDOT approval will be made a condition. He asked if the projects would consist of a gas station, market and possibly a Dunkin' Donuts.

Mr. Koza responded that it is a convenience store with a Dunkin' Donuts and his comments regarding a market related to forward thinking to what might occur in the event that the gas went away.

Mr. Dettloff asked what percentage of sales would be from gas versus the convenience stores. He commented that he had always heard that the profitability on gas is pretty minimal.

Mr. Koza responded that a lot of gas stations use that as a loss-leader.

Mr. Gallina commented that this location is one he looks at as a gateway, and stated that he frequents the station all of the time because it is convenient. He commented that he is excited about this and he is glad to see there are things in place for the neighbors so he would hope that this would not be an issue for them. He mentioned that he loves the forward thinking for the future and loves the modern design.

Ms. Denstaedt thanked the designers for moving the driveway on Rochester Road, making it safer for everyone. She asked what the hours will be for the gas station, and if the Dunkin' Donuts would be the same.

Mr. Koza responded that the gas station will operate 24 hours along with the Dunkin' Donuts. He pointed out that the current station operates 24 hours, so they will be keeping it consistent.

Chairperson Brnabic noted that she thought the hours listed in the EIS were different.

Mr. Koza responded that this will be updated.

Chairperson Brnabic asked who will be utilizing the seven parking spaces to the far west behind the drive-through, noting that this might be a safety issue.

Mr. Koza responded they would be employees. He stated that these spaces would not be specified; however, they would obviously want to keep the front spaces open for customers and employees would not be allowed to park there unless somehow the back spots are full when they are pulling in.

Chairperson Brnabic stated that she would hope that these spaces would not be used by customers.

Mr. Hooper made the motion in the packet to recommend approval of the conditional use with a fourth condition added for MDOT approval for the driveway connection to Rochester Road and a fifth condition that the EIS be corrected and updated. Ms. Neubauer seconded the motion.

After calling for a roll call vote, Chairperson Brnabic stated that the motion for the Conditional Use Recommendation passed unanimously.

Mr. Hooper moved the motion in the packet to approve the site plan. Ms. Neubauer seconded the motion.

After calling for a roll call vote, Chairperson Brnabic stated that the motion for site plan approval passed unanimously.

Mr. Hooper moved the motion in the packet granting the tree removal permit. The motion was seconded by Ms. Neubauer.

After calling for a voice vote, Chairperson Brnabic stated that the motion granting the tree removal permit passed unanimously.

Mr. McLeod stated that this was expected to move on to City Council for the April 7, 2025 meeting.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of City File No. PCU2025-0002 (Gas Station Renovation with ancillary drive through at 3420 S. Rochester), the Planning Commission recommends to City Council Approval of the Conditional Use to operate a gasoline service station with an ancillary drive through within the NB Neighborhood Business District at 3420 S. Rochester, on Parcel No. 70-15-34-277-006, based on plans received by the Planning Department on February 4, 2025, with the following findings and subject to the following conditions:

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The site has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal will have a positive impact on the community as a whole and the surrounding area by providing a modernized gasoline service station and convenience store along with a food provider with an ancillary drive through use.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The proposed development, with the revised driveway configurations, will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.

6. 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.

7. That the requested modification to the buffer along the southern property line is appropriate given the number of plantings already proposed, the fact that the site to the south also includes the FB Flex Business Overlay District and finally, that the site to the south directly abuts the M-59 interchange.

Conditions

1. City Council approval of the Conditional Use.
2. The use shall remain consistent with the facts and information presented to the City as a part of the applicant's application and at the public hearing.
3. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.
4. MDOT approval must be received for the driveway connection to Rochester Road.
5. The EIS must be corrected and updated.

2025-0111

Request for Site Plan Approval to demolish the existing service station and to construct an approximately 8,348 square foot gasoline station convenience store with an ancillary drive-through at 3420 S. Rochester Rd., located at the southwest corner of Rochester Rd. and Nawakwa Rd., Parcel No. 15-34-277-006, zoned NB Neighborhood Business with the FB Flex Business Overlay; Leslie Accardo, PEA Group, Applicant

See Legislative File 2025-0110.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of City File No. PSP2022-0002 (Gas Station Renovation with ancillary drive through at 3420 S. Rochester), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on February 4, 2025, with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that the proposed development will promote the intent and purpose of the ordinance, as well as other City Ordinances, standards, and requirements; and those requirements can be met with the exception of the acceptable modifications shown below and subject to the conditions listed below.

2. The site plan and supporting documents demonstrate that the proposed development will be designed, constructed, operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole. The proposed project will be accessed from Nawakwa and S. Rochester Road with revised driveway configurations and consolidation, thereby promoting safety and convenience of vehicular traffic both within the site and on adjacent roadways. The preliminary plan represents a reasonable building and lot layout and orientation.

3. The development will be served adequately by essential public facilities and services, such as major roadways, streets, police and fire protection, drainageways, refuse disposal, and utilities.

4. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or the public welfare.

5. The proposed development will 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 proposed improvements should have a satisfactory and harmonious relationship with the development onsite as well as existing development in the adjacent vicinity and act as a transitional use from the Rochester Road corridor and the residential development to the west.

7. The proposed modification to the Landscape Buffer D requirement, specifically along the southern property line, has been found to be acceptable given the number of plantings already proposed, the fact that the site to the south also includes the FB Flex Business Overlay District and finally, that the site to the south directly abuts the M-59 interchange.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters.

2. Provide a landscape bond in the amount of \$94,480.00, plus the cost of inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.

2025-0112

Request for Tree Removal Permit approval to remove twelve (12) regulated trees and zero (0) specimen trees, with 12 replacement trees required and to be paid into the City's Tree Fund for a project to demolish the existing service station and to construct an approximately 8,348 square foot gasoline station convenience store with a drive-through at 3420 S. Rochester Rd., located at the southwest corner of Rochester Rd. and Nawakwa Rd., Parcel No. 15-34-277-006, zoned NB Neighborhood Business with the FB Flex Business Overlay; Leslie Accardo, PEA Group, Applicant

See Legislative File 2025-0110.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of File No. PTP2025-0003 (Gas Station Renovation at 2980 Walton) the Planning Commission grants a Tree Removal Permit, based on plans received by the Planning Department on February 7, 2025, with the following findings and subject to the following conditions:

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.
2. The applicant has provided a tree survey that indicates a total of 20 trees are currently onsite, with the site plan indicates that a total of eight (8) of the trees identified onsite will remain and that twelve (12) regulated trees are proposed to be removed. The twelve (12) replacement trees required are to be paid into the City's Tree Fund.

Conditions

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.
2. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans and staff reports contained within the Planning Commission packets (as may be amended by this motion).
3. A total of \$4,008 is to be paid into the City's Tree Fund for the twelve (12) required replacement trees.

2025-0114

Request for Site Plan Approval to demolish the existing structure onsite and to construct an approximately 8,600 square foot office/retail building at 3200 S. Rochester Rd., Parcel No. 15-34-227-040, located on the west side of Rochester Rd. and north of Hickory Lawn Rd., zoned NB Neighborhood Business and R-3 One Family Residential, with the FB Flex Business Overlay; Steve Robinson, Broder Sachse Real Estate, Applicant

(Staff Report dated 3-12/25, Reviewed Plans, Environmental Impact Statement, Development Application, WRC Letter dated 10-24-24, Soils Report dated 12-9-24, and Public Meeting Notice had been placed on file and by reference became a part of the record hereof.)

Present for the applicant was Ryan Schultz and Jake Soyka, Broder Sachse Real Estate, and Jason Rickard with Seiber Keast Lenher Engineering, the Civil Engineer for the project. Mr. Schultz stated that he is a resident and noted that he previously served on the Planning Commission.

Chairperson Brnabic stated that this is a request for site plan approval to demolish the existing structure onsite and construct an approximately 8,600 square foot retail building at 3200 S. Rochester Road, zoned Neighborhood Business and R-3 One Family Residential with the FB Flex Business Overlay.

She invited the applicants to the presenter's table and asked for the Staff Report.

Mr. McLeod presented the Staff Report, noting the following:

- This is a site plan approval and tree removal request for a retail and potential medical office building at 3,200 S. Rochester Road.*
- The site was previously proposed for a Chick-fil-A.*
- The site currently has a vacant residential structure.*
- No drive-through is included as part of this application.*
- Several landscaping modifications are requested due to the site's configuration and proximity to the pathway along S. Rochester Road, including for right-of-way landscaping, perimeter landscaping, and buffer requirements.*
- A zoning district line divides the site, with business zoning on one side and residential zoning on the other.*
- The proposed building is just under 8,600 square feet.*
- Tenant spaces are planned for restaurant and medical office use.*
- The site currently has minimal landscaping.*
- The applicant proposes 53 new plantings and other smaller plantings.*
- The site currently has two driveways, one on Rochester Road and one on Hickory Lawn.*
- The applicant proposes to eliminate the Rochester Road driveway and use only the Hickory Lawn access. Hickory Lawn will be paved to the driveway's extent, and a sidewalk will be extended along Hickory Lawn. A pedestrian connection will be extended from Hickory Lawn onto the site and another pedestrian connection to S. Rochester Road.*
- The area zoned for residential will only have a sidewalk and will otherwise be maintained with plantings.*
- The dumpster will be located in the northwest corner of the site.*
- Circulation will be two-way up to the end of the site, then one-way with parallel and angular parking behind the building.*
- Landscaping modifications are requested due to site constraints, such as the arc of Hickory Lawn, site distance requirements, and the pathway along S. Rochester Road traversing onto the private side of the site. Included are modifications to the right-of-way landscaping requirements along both roadways, perimeter landscaping along both roadways, the landscape buffer requirement, and the buffer D requirement to allow for a fence in lieu of a wall.*
- Overhead utility poles make it difficult to move the pathway closer to Rochester Road.*
- Trees are being moved to other parts of the site to accommodate landscaping requirements. The applicant has done what they could to provide landscaping on the site given some of the constraints they are dealing with.*
- The building's architecture features gray wood siding, and three types of brick products: light gray, dark gray, and very dark gray/black. The building will have varied architectural treatments and materials on all sides.*

Mr. Schultz stated that he is a long-time resident of Rochester Hills and considers this site one of the entrances to the community. He mentioned that he had looked into developing the site over 20 years ago during his time with Flagstar but it did not happen. He notes that the site is currently blighted and the applicant wishes to develop a quality product to improve the area, and they

are prepared to answer any questions.

Chairperson Brnabic opened Public Comments for this item.

Scot Beaton, 655 Bolinger, expressed concerns about the prevalence of gray buildings in Rochester Hills, finding it depressing and potentially diminishing the community's character. He questioned the curb cut location, the gravel road beyond the paved entrance, and the potential for dirt and gravel to be tracked onto the paved area. He suggested the city could extend the paving on Hickory Lawn to mitigate this issue. Beaton also advocated for a discussion about architectural aesthetics, suggesting a more traditional look for the proposed restaurant/medical facility, referencing TDG architects' expertise in historic restoration.

Melanie Martin, 3300 Hickory Lawn Rd., expressed support for the development replacing the current blight but raised concerns about the project's impact on her neighborhood. Specifically, she's worried about increased traffic and safety issues on Hickory Lawn due to the difficulty of turning left onto Rochester Road. She also voiced concern about the removal of five spruce trees on the south end of the property, emphasizing their role as a natural barrier and their contribution to the residential feel of the area. She commented that she thought two of them could be saved. She expressed a desire to discuss these concerns further and work with the project team.

Chairperson Brnabic asked if the applicants were willing to meet with the neighbors over the few concerns that they have expressed.

Mr. Schultz responded that they are willing to meet with the neighbors to see if there is an opportunity to save those trees or potentially relocate them. He mentioned that sometimes it can be difficult when they start to regrade a site, and adding topsoil can actually starve a tree. He commented that he would want to ensure that it can be viable.

Chairperson Brnabic noted that an animal medical emergency center is planned for one tenant space, along with a restaurant for another. She noted that with three tenant spaces, one tenant is not determined as yet.

Mr. Schultz responded that there are a number of tenants that are in the market for such a space; however, they do not have anyone signed yet.

Chairperson Brnabic noted that she had questioned parking; but she had been assured that before occupancy could take place parking would be reviewed.

Mr. Schultz responded that they would never put a tenant in a situation where there is a deficit that would cause their business to be adversely affected. He stressed that they primarily address the community's code and then secondly ensure it meets the requirements of the tenant.

Chairperson Brnabic noted that Mr. Beaton suggested paving the gravel road in the area and did not know if the City would consider something like that.

Mr. McLeod responded that it is definitely something that they can take back to the DPS Department to determine where that fits in terms of the Capital Improvement Program; however, he is unsure that it would necessarily automatically be moved to the top of the list. He added that whenever there is development going on and there is paving equipment there, there is a chance to do it quickly.

Ms. Roediger noted that the site has had a lot of tension in previous proposals regarding the potential for cut-through traffic and there was discussion at some point of paving Hickory Lawn. She stated that she remembers at the time that it was not necessarily desired; however, things can change. She mentioned that the City has a policy for the paving of gravel roads and it becomes a Special Assessment District. She stated that this is something that the neighborhood would have to want in order to pave it any further than the initial commercial portion of it.

Mr. Hooper stated that they have seen on some other commercial developments that they are proposed one way and all of a sudden the use is changed and restaurants are added, similar to Walton and Adams where it was never envisioned to have that much restaurant usage when it was first developed. He asked if they envisioned a significant restaurant that would chew up many of the 40 parking spots. He added that he understands calling for a fence rather than a wall.

Mr. Schultz responded that they do not foresee a significant restaurant use happening. He noted that the one restaurant they do have is more of a quick serve kind of in-and-out place where people drive up, come in and pick up their order. He mentioned that there is limited cafe space, and stressed that they are always cognizant of balancing the restaurant uses similarly to what they did across the street. He stated that they do not want a tenant to go dark because their business does not function.

Mr. Struzik stated that he thinks the structure looks good and he likes that there is a lot of flexibility being requested here as the shape of the site warrants it. He commented that what was proposed before would have been a lot different, and he likes this plan and hopes that the concerns can be resolved tonight or at some point in the future.

Mr. Weaver concurred that this use is much better fitting than the previous one and is more harmonious with the neighborhood. He stated that he is mixed in his opinion on the single driveway and asked whether this has a Rochester Road address.

Mr. Schultz responded that it does, and that MDOT pushed them away from a Rochester Road driveway.

Mr. Weaver asked whether there were any concerns regarding fire truck access. He noted that MDOT is requesting it and it makes sense; however, out of curiosity he would ask how parking would be affected if a drive was added to Rochester Road.

Mr. Schultz responded that it would eliminate quite a few spaces and would probably put them at a deficit. He added that it is nowhere near code and would require a deceleration lane taking additional spaces. He added that he approached the neighboring property owner on Rochester Road regarding a cross-access agreement and was laughed at. He added that they would put an easement in place on their property that will go up to the property line in the event that a future owner of the restaurant ever decides to allow it.

Mr. Weaver asked if vehicles would be allowed to turn right out of the lot onto Hickory Grove.

Mr. Schultz responded that it is not a restricted-turn driveway.

Mr. Weaver commented that it could back up the site if they were not allowed to turn right. He mentioned a burning bush slated for a location on the site and noted that it could get 10 feet tall and eight feet wide, and he suggested it be swapped out for something smaller. He noted that he thought the aesthetics of the building were a bit drab and suggested that anything to give the building more pop could be considered.

Mr. Schultz responded that they will explore those ideas and commented that the last thing they want is an ugly building. He stated that he did not think the rendering does it justice to the true nature of the product.

Mr. Dettloff asked what the hours of operation would be for the restaurant and the animal clinic.

Mr. Schultz responded the restaurant's hours would be fairly traditional, with the opening likely at 11 a.m. and closing by 10 p.m. at the latest. The animal clinic is a 24-hour emergency vet which in his view is an asset to the community. He stated that this is only the second emergency clinic in the community.

Mr. Dettloff noted that a Flagstar Bank was originally proposed and they held onto it for a long time.

Mr. Schultz responded that they purchased it from Flagstar.

Ms. Neubauer made the motion in the packet to approve the site plan adding a condition to change the burning bush landscaping around the parking area as Mr. Weaver suggested. The motion was seconded by Mr. Hooper.

After calling for a roll call vote, Chairperson Brnabic noted that the motion passed unanimously.

Ms. Neubauer made the motion in the packet to approve the tree removal permit.

After calling for a voice vote, Chairperson Brnabic noted that the motion passed unanimously. She noted that the applicants had agreed to speak with the neighbors and suggested they do this.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of City File No. PSP2024-0034 3200 S. Rochester Road Retail/Office Building, the Planning Commission approves the Site Plan, based on plans received by the Planning Department on January 24, 2025, with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that the proposed development will promote the intent and purpose of the ordinance, as well as other City Ordinances, standards, and requirements; and those requirements can be met with the exception of the acceptable modifications shown below and subject to the conditions listed below.
2. The site plan and supporting documents demonstrate that the proposed development will be designed, constructed, operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole. The proposed project will be accessed from Rochester Rd. and Hickory Lawn, thereby promoting safety and convenience of vehicular traffic both within the site and on adjacent roadways. The preliminary plan represents a reasonable street, building and lot layout and orientation.
3. The development will be served adequately by essential public facilities and services, such as major roadways, streets, police and fire protection, drainageways, refuse disposal, and utilities.
4. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or the public welfare.
5. The proposed development will 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 proposed improvements should have a satisfactory and harmonious relationship with the development onsite as well as existing development in the adjacent vicinity and act as a transitional use from the nonresidential development to the west and the residential development to the east.
7. The proposed modification to the required right-of-way landscaping requirement, of a total of 10 trees, along S. Rochester Rd. has been found to be acceptable since the number of trees proposed onsite overall greatly increases the number of plantings onsite, the overall site aesthetic, and potential for tree canopy onsite.
8. The proposed modification to the required right-of-way landscaping requirement, of a total of 16 trees, along Hickory Lawn has been found to be acceptable since the number of trees proposed onsite overall greatly increases the number of plantings onsite, the overall site aesthetic, and potential for tree canopy onsite.

9. The proposed modification to the required parking lot perimeter landscaping requirement, of one tree and the revised planting location of 5 trees, has been found acceptable since the number of trees proposed onsite overall greatly increases the number of plantings onsite, the overall site aesthetic, and potential for tree canopy onsite.

10. The proposed modification for the parking lot perimeter landscaping along Hickory Lawn for the revised planting location of 3 trees has been found acceptable since the number of trees proposed onsite overall greatly increases the number of plantings onsite, the overall site aesthetic, and potential for tree canopy onsite.

11. The proposed modification to the required buffering along the west property zoning line to allow for a fence instead of the required wall has been found acceptable since the site currently does not provide any greenbelt area and the proposed greenbelt significantly increases the greenspace onsite.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters.
2. A bicycle rack consistent with the City's Gateway and Streetscape Master Plan must be provided.
3. Provide a landscape bond in the amount of \$53,282.00, plus the cost of inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.
4. Landscaping of burning bush adjacent to the parking area to be changed to a smaller type of shrub.

2025-0116

Request for Tree Removal Permit to remove eleven (11) regulated trees and zero (0) specimen trees, with eight (8) replacement trees proposed and the remaining three (3) replacement trees to be paid into the City's Tree Fund, for a project to demolish the existing structure onsite and to construct an approximately 8,600 square foot office/retail building at 3200 S. Rochester Rd., Parcel No. 15-34-227-040, located on the west side of Rochester Rd. and north of Hickory Lawn Rd., zoned NB Neighborhood Business and R-3 One Family Residential, with the FB Flex Business Overlay; Steve Robinson, Broder Sachse Real Estate, Applicant

See Legislative File 2025-0114.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of File No. PTP2025-0002 3200 Retail/Office Building, the Planning Commission grants a Tree Removal Permit, based on plans received by the Planning Department on January 24, 2025, with the following findings and subject to the following conditions:

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.
2. The applicant is proposing to remove eleven (11) regulated trees and zero (0) specimen trees, with eleven (11) replacement trees required. The applicant is proposing to plant of eight (8) replacement trees with three (3) trees to be paid into the City's Tree Fund.

Conditions

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.
2. Provide the cost of three (3) trees (\$1,002.00) into the City's Tree Fund prior to a Land Improvement Permit being issued.
3. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans and staff reports contained within the Planning Commission packets.

DISCUSSION

2025-0119

Discussion of Potential EGLE PUD Zoning Ordinance Amendment

(Memorandum by Roediger and McLeod dated 3-12-25 and Draft EGLE PUD Amendment dated 3-12-25 had been placed on file and by reference became a part of the record hereof.)

Ms. Roediger stated that the City has been working very diligently for the past year and a half on the historic \$75 million EGLE grant projects. She explained that the discussion upfront was very focused on the environmental cleanup and who would the City choose to award some of those funds to based on the level of cleanup that they were proposing. She noted that the questions raised included for instance whether it was worth \$10 million in City investment if they wanted to put up RV storage and whether that would be good use for the funds. She stated that the City has always taken the approach that the first and foremost goal of the grant is environmental cleanup, but second to that is the end use of the property.

She explained that most of the time so far has been focusing on assessments of the properties. She mentioned that the first application was for potentially a multiple-family development and they asked for \$10 million but did not yet know what they were dealing with on the property. She noted that counsel rightfully so told them to take a couple of steps backward to do some assessments on the property. She explained that to date they have spent less than \$500,000 on the property; however, they are now getting to where they can pinpoint what the remediation measures are going to be and what type of engineering controls they will be requesting. Now as they are getting to the point in the projects where

they want to get into some of the uses at a very high level, Staff has been thinking about how they can keep the projects moving forward at a pace that can keep them within their time frame to get these constructed before the grant expires as it is a reimbursement program.

She explained that currently the grant expires in the fall of 2027, and while they are working on getting that date extended, they are operating under the September 2027 deadline for now. She noted that one of the things that she and Mr. McLeod have discussed with the EGLE Grant Committee is how to get to the level of detail they want from a land use kind of concept in a preliminary plan without requiring all of the specific traffic impact studies and all of the things that go into a full site plan at this phase. She mentioned that from experience, once the dirt is opened up sometimes it can be a whole new world. She noted that the City's only experience with this so far has been the Legacy project, and she reminded the Commission that this had a different guidebook as it was governed by a consent judgment. She pointed out that the high level discussions on that project happened with City Council where they locked in the preliminary concept plan, and added that this happened with Madison Park and with Grand Sakwa. She stated that a lot of these consent judgments left that level of responsibility with City Council, recognizing that the Planning Commission gets involved in their expertise when they get into the details of the site plan.

She stated that one of the ideas that they came up with is to process all of these EGLE Grant applications as PUDs (planned unit developments), recognizing that they already have an inherent public benefit of environmental improvements. She explained that this way they can be processed in a preliminary/final kind of two-step process. She noted that each of those preliminary and final phases require public hearings at Planning Commission and Council, which is time consuming; so Staff looked back at how they processed Legacy as it was the City's only really large-scale redevelopment of a large landfill property and it was a consent judgment. She pointed out that it started with Council, then Planning Commission, and then Council; and they thought how they could mimic that within the PUD process.

She explained that they met with the EGLE Grant Committee, which is comprised of City Staff, the City Attorney, the City's environmental consultants, and City Council, and the idea was to modify the process for those EGLE properties, which they already did with the tree requirements, as the sites generally cannot meet the 40 percent tree preservation because EGLE is going to require tree removal to get rid of the contamination. She pointed out that Legacy could not be built if they had to preserve 40 percent of the trees, so they allowed Council to override that.

She noted that it is proposed as a part of the EGLE land use applications that they are processed like a consent judgment through a modified PUD process that stays with Staff and the Grant Committee to do the preliminary review and recommendation to Council, where they basically lock in the use and the intent for what the project will be. She stated that this will constitute the preliminary approval, which will then be required before any funds are allocated for the remediation. She explained that this ties those millions of dollars in requests to

the concept plan plus, and then enables them to go and start the process and get the remediation occurring, as she pointed out that a lot of the times at this point they do not know who their end user will be. She added that when they come back for their final PUD they will actually have users, and this is when it will be brought to the Planning Commission and Council as a part of that process.

Ms. Neubauer commented that what the City has been doing with EGLE is amazing, and the fact that the City got this grant from the State is a miracle. She stated that she is stressed about not getting an extension and thinks it is appropriate that the process be streamlined as it is a \$75 million grant. She commented that she would hate to see red tape and paperwork be the reason why these projects are not completed. She stated that speaking as City Council representative, she can say that as much as they hold people accountable at the Planning level, they do at Council as well. She stated that skipping over a couple of steps is only going to be an effective way of being efficient and making sure that the City does not lose this money; and as it has been seen even with the country since November a money promise unless it is spent is not actually the City's money. She stated that she would hate to lose any of the chances to do these redevelopments because of time. She commented that as she reads it over she would support it and stressed that her job on City Council is to make sure things are done the Planning way when they need to be. She mentioned that the presentations that have been made at City Council relative to these grants have been awesome.

Ms. Roediger noted that Tom Wackerman has officially retired from PEA but has stayed on as a contract employee just to work with the City and see this project through because it is so historic.

Chairperson Brnabic stated that as she looks across the dais she can see nodding heads, so she would assume that everyone will be in support. She noted that this will not come back until next month and asked for a show of support or anyone who might be against it.

Ms. Roediger commented that this was a good straw poll, and stated that unfortunately this was not discussed prior so that it could have been a Public Hearing tonight. She explained that it will be on the Planning Commission agenda for the April meeting.

Mr. Weaver asked how much of the \$75 million has been earmarked or spent so far.

Ms. Roediger stated that there have been work plans submitted to ask for roughly \$62 million; and only about \$2 million have been approved because they are still in assessment. She noted that it has taken about a year-and-a-half to get through the assessment of two properties - Highland Park Woodfill and the Madison Park property. Both projects are about to get to the point where they are starting to ask for remediation money; and the City wanted to ensure that they would not be talking about giving tens of millions of dollars until there is a promise that it would not be something like a Costco, Chick-Fil-A or Amazon warehouse. She stated that this has to have some tie into the end product. She

commented that the site plans do not have to be done by then, just the environmental work. She stressed that this is to get the first plan approved which is really key to starting the remediation work.

Discussed

ANY OTHER BUSINESS

Ms. Roediger noted that a work session is planned for April 15, 2025, prior to the Regular Meeting, and noted that the CIP will be presented at the Regular Meeting.

Mr. McLeod added that Oak Creek site condominiums will be presented at the April 15 meeting. He explained that this is a residential development just south of the IAGD.

NEXT MEETING DATE

- April 15, 2025 - 5:30 p.m. Work Session*
- April 15, 2025 - 7:00 p.m. Regular Meeting*

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Neubauer, seconded by Denstaedt, Chairperson Brnabic adjourned the Regular Meeting at 8:48 p.m.

*Deborah Brnabic, Chairperson
Rochester Hills Planning Commission*

Jennifer MacDonald, Recording Secretary