



Rochester Hills

Minutes

Planning Commission

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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, September 6, 2011

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson William Boswell called the Regular Meeting to order at 7:33 p.m. in the Auditorium.

ROLL CALL

Present 6 - William Boswell, Gerard Dettloff, Greg Hooper, David Reece, C. Neall Schroeder and Emmet Yukon
Absent 3 - Deborah Brnabic, Dale Hetrick and Nicholas Kaltsounis

APPROVAL OF MINUTES

2011-0366 July 19, 2011 Special Meeting

A motion was made by Yukon, seconded by Reece, that the Minutes dated July 19, 2011 be approved as presented.

Aye 6 - Boswell, Dettloff, Hooper, Reece, Schroeder and Yukon
Absent 3 - Brnabic, Hetrick and Kaltsounis

COMMUNICATIONS

- A) Planning & Zoning News (2) dated July and August 2011
- B) Letter from R. Riley, received August 30, 2011, regarding Public Hearing on September 8, 2011 for a Charter Township of Washington Master Plan Amendment

There were no further Communications brought forward.

DISCUSSION

2011-0368 Avon and Livernois Bridge Optional Enhancements - Paul Davis, City Engineer

(Reference: Documents prepared by Paul Davis had been placed on file and by reference became part of the record thereof.)

Mr. Davis advised that he was present to request input and direction from the Planning Commission on how Engineering should proceed with the Avon and Livernois Road bridge reconstruction projects, in coordination with the Road Commission's (RCOC) efforts. He gave a short history and status of the project.

Mr. Davis said that the RCOC officially posted weight limits on the Avon Road bridge, after a routine inspection, on September 10, 2009. At that point, they started looking closely at the condition of the bridge. Engineering had notified them prior to that, indicating that the bridge appeared to be having structural failures. Under the bridge, there were some steel reinforcing strands hanging below the bridge. It looked like there were potholes and areas the River could be seen through the pavement. The RCOC started doing more regular inspections. In January 2011, they posted the bridges down to 14 tons. The Avon bridge was currently the lowest rated bridge for weight of all the bridges in the RCOC network. He stressed that there was a very serious structural condition. The next step would be to close the bridge outright. He noted that a school bus could barely go over the bridge. On February 18, 2011, the RCOC put in lane restrictions and narrowed Avon and Livernois to two lanes. There were several subsequent steps, and City Council started getting involved. Because RCOC did not have money to fund the design plans for the replacement of the bridges, they asked Council whether it would consider participating in a 50% cost share to move the project forward. While the bridge was being inspected and weight restricted, there was some effort on the RCOC's part to submit the bridge for Local Bridge Program funding for the replacement. With the Local Bridge Program, 95% of the construction costs were paid with State or Federal money, and the RCOC only had to come up with 5% to cover the construction. It was the same funding source that was recently used to reconstruct Tienken at Stony Creek and also the Parkdale bridge, which just opened to traffic in Rochester. Unfortunately, the funds were committed several years in advance, and Avon Road was selected for 2013 funding through that program. The City wanted to press the issue and try to do whatever it could to do something, especially when the lane restrictions went into effect with right turn lane closures. Staff took a request to Council for a cost participation agreement to commence the design for both roads. On March 21, Council approved an agreement, and on April 7, RCOC approved it. At that same time, RCOC hired a consultant and

commenced a design for both bridge plans. Although Livernois was not currently funded officially, it had been submitted to the Local Bridge Program; however, the City and RCOC would not know whether it had been selected until October or November of this year. RCOC anticipated it being funded. The RCOC could submit five bridges in any year to the Local Bridge Program, and Avon and Livernois were not selected. In the meantime, Livernois had deteriorated significantly more than at the initial submission. Out of the five submitted, Livernois was easily in the worst condition. It was expected that Livernois would get funding, but the approval would be for 2014. Because of stimulus monies and some of the other projects where bids came in lower than what was budgeted, there was an ability in MDOT's Local Bridge Program to move some projects up. Although Avon was originally slated for 2013, it was moved up to 2012, and he advised that the RCOC would construct it early next year. He felt it could be the same for Livernois. There was a vacancy left by moving Avon up, and Staff would make a request to move it to 2013 and possibly into 2012. It would be up to the RCOC to undertake rebuilding two bridges in the same construction season. The RCOC would let it as two separate projects. It might seem slow for the residents, but it was moving fairly quickly since the approval to do the design was given. A hydraulic study was completed in June of this year, and that set the ability to determine the new design or if any changes could be made to the configuration of the bridge to allow more flow downstream. There had been a problem with flooding; even in the last ten years, the City had pictures of flooding over Avon and Livernois. When the bridges were done, they should last 50 years. He indicated that it was very unfortunate that the current ones failed prematurely.

Mr. Davis said that the RCOC planned to complete the design plans in mid-September. They hoped to turn in plans to MDOT on September 23rd, and that would allow them to target an MDOT letting, or a bid opening, in December of this year. The plan was to start construction in February 2012 for Avon. With that aggressive schedule, there was not a way to find out whether Livernois could be approved for funding and inserted into a design set to match Avon. There were some hurdles, including utility relocation. There were some lines that had to be relocated even prior to February 2012, and Staff was currently meeting with the RCOC and the utility companies to try to coordinate that work.

Mr. Davis apologized about giving out a lot of information at the last minute and asking for recommendations. They wanted to include any decisions that might be made at the meeting, or at a subsequent meeting, into the Livernois bridge project. They did not feel they had

enough time to give Avon the discussion that was warranted, and other decisions regarding enhancements might be made at the Council level, so he wanted to target the Livernois project. In the packet, there were some drawings created by Spalding DeDecker. They were contracted to give the City an idea of what type of enhancements could be incorporated in the area, and he noted the Veterans Memorial Pointe park on the corner. The City owned the southwest and southeast corners, and through a Green Space dedication, part of the northeast corner. There were some things that the RCOC and MDOT would approve as part of the bridge design that really would not add additional cost to the project. The Local Bridge Program would pay to replace the bridge, but they would not add components like pedestrian lighting, decorative railings or stamped concrete, for example. One thing they could do was incorporate a pattern on the outside of the bridge. Mr. Davis reminded that there were not only drivers or pedestrians to consider, but people who used the Clinton River. There was an annual event, called Paddlepalooza, where people in canoes and kayaks exited the River by the Rivercrest Banquet Center. Staff would like to propose some enhancements for people using the River for recreation. He showed a picture of what a decorative pattern could look like on the bridge. The RCOC could incorporate the pattern, which was a rectangular stone face of varying sizes, at no additional cost. In some of the discussions, they talked about whether they should incorporate the City's logo from the River or the road side. The Clinton River Watershed Council was on the southwest corner, and maybe they would want to add a canoe or fish logo or something that could be stamped into the bridge. That would be an extra cost the Planning Commission could decide to recommend. He showed a picture of a barrier railing, which would be part of the bridge. He next showed the Tienken bridge over Stony Creek, in the Historic District, which would be similar to what the RCOC was proposing. They wanted to close the openings in the railing because when they plowed snow, it got pushed onto the pathway. They did not have to go with the standard color or design for a railing on top of a concrete barrier for Avon. The RCOC included the Tienken railing, which was somewhat decorative and vintage-looking, which the Historic Districts Commission liked. It would not be proposed for the Avon bridge. He suggested they might want to consider a matching, decorative, colored railing for the River side for Avon. He would like input from the Commissioners about what type of railings should be associated with the bridge. He warned that the more decorative, the more costly it would be. The project would also have some pathway construction, and they would take the opportunity to complete a couple of links. There was a pathway project in the CIP to construct the pathway east of the limits of the bridge and to fill a gap on

the north side to the Rivercrest driveway, which would also be done for the south side. He showed the wooden railing, which had garnered some complaints. It was the City's typical pedestrian railing, and it was basically just to keep pedestrians on the pathway and not fall into a ditch or towards the roadway. He thought the Commissioners could weigh in on whether they wanted to do something other than wood. They could have decorative railing in other areas that were not part of the bridge or the project, but they would be more in line with what would be included with the bridge.

Mr. Davis noted that Spalding DeDecker's design keyed in on the southeast corner, and it included a retaining wall, stamped concrete for the pathway, rather than asphalt, pedestrian light poles, benches, bike racks, an interpretive sign and litter receptacles. Those items were also detailed in the excel spreadsheet included in the packet. His request was for the Planning Commission to give input on what type of aesthetic treatments should be incorporated into the project, if any. It was similar to what was done with the noise barriers on M-59. It seemed as if "less is more" was the tone. The pattern on the walls were decreased, and the street lighting for the roundabouts was less decorative. He talked about the roundabout at Hamlin and Livernois and the one proposed for Tienken and Livernois, and said that the Livernois and Avon intersection was in the middle; if there was a desire for some type of theme, he felt there was a way to have one. He mentioned the wooden pedestrian bridge over the Clinton River at the southeast corner, and he said that Staff was recommending that it be removed. The Local Bridge Program would allow the incorporation of pedestrian accommodations on each side of the bridges, and although that would bring users closer to the roadways, it would provide a redundancy on the southeast corner. The bridge was about 30 years old, and they were starting to see more expense in maintenance, so they would like to remove it. That would be a non-participating cost. They had a grade inspection meeting with MODT the week previous, and he had requested that it be included in the project, but the RCOC determined that it did not need to be moved, and as a result, MDOT stated that they would not pay for that bridge to be removed. There would be an opportunity for the City to have a crane onsite to relocate the bridge. He advised that the City planned to relocate the water main as part of the project to get things away from the busy intersection, which still needed to be coordinated with the utility companies.

Mr. Hooper asked if the design elements Mr. Davis showed were conceptually planned for treatments around the bridge. Mr. Davis said

they were just sample pictures of what was possible, but they were not proposed. A solid concrete wall was proposed along the bridge. Mr. Davis was hoping for a suggestion for a decorative pedestrian railing. Mr. Hooper said that he supported walkways on both sides of all the bridges, and he thought the City should invest some money and do some type of enhancement to improve the area, especially in light of Veterans Memorial Pointe.

Mr. Davis suggested that one of the railings could be considered necessary for the pathway, so it could possibly come out of the Pathway Fund or the Major Road Fund and be associated with the City's participation in enhancing either Avon or Livernois Road. Mr. Hooper said he would rather shy away from wolmanized wood and have something of a more decorative nature.

Mr. Yukon agreed with Mr. Hooper regarding the wolmanized wood and thought they should look at metal or wrought iron. He emphasized that they should strive for consistency for the areas. Regarding the landscaping costs, he asked if the \$162,600 took into consideration all the improvements minus the bridge. Mr. Davis agreed. Mr. Yukon asked if the improvements would be scheduled to be done when the bridge was opened or if it would be a phased project. He asked if there would be vehicular traffic on the bridge while it was being worked on to finish the improvements. Mr. Davis recommended, although he maintained that it could be changed, that if they wanted to do something with the corner, it should be included as part of the bid items for the Livernois bridge project. It was too late to try to come up with details for the Avon bridge project. Mr. Yukon clarified that when the Avon bridge was completed, and work on the Livernois bridge was started, the improvements for Avon would be completed when Livernois was done. He asked how high the overlook area would be. Mr. Davis was not sure at this point. Mr. Yukon asked about the material, and Mr. Davis believed it would be wood, although brick pavers could be an option for the patio portion.

Mr. Dettloff confirmed that all the improvements would not be done until both bridges were completed. Mr. Davis agreed it would have been nice to have it done with Avon's project, but he thought it would be better to do it with the Livernois bridge. Mr. Dettloff asked the timeframe to finish both. Mr. Davis said that it was expected that Avon would take four months - February to June. One of the constraints was that there was a fish spawning season. They ran into that with the Tienken bridge over Stony Creek, and there would be the same thing with the Clinton River. They would have to schedule utility relocations, permit limitations and the

construction seasons. Mr. Dettloff asked if the City would be paying for the improvements, and he asked if the City or the RCOC would be required to maintain things. Mr. Davis advised that the RCOC told the City that any type of maintenance, such as an overlay on the pattern on the bridge, would be the City's responsibility. The RCOC would only do a concrete surface. Mr. Dettloff said that he agreed with Mr. Hooper and Mr. Emmett; there was an opportunity to do some enhancements. If the City added a decorative railing, he asked if it would be a low or high maintenance item. Mr. Davis said that the decorative fencing on Livernois between Avon and Walton was paid for by the City. The maintenance costs were not really expensive, but it was a drain on the maintenance crews. They already had enough routine maintenance to take care of. Mr. Dettloff asked if there were materials that could accomplish a great look aesthetically that were relatively lower maintenance items. Mr. Davis thought they would be more expensive. He gave wood decking as an example. The wooden railings on the pedestrian pathways needed boards replaced. Wrought iron might be more expensive, but it would probably last longer and need less maintenance. Mr. Dettloff agreed that they should keep it consistent with Hamlin and Livernois and the proposed Tienken and Livernois roundabout. They were all high traffic areas, and he stated that they should be done the right way. Mr. Davis added that the intersection was right in the heart of the City, and it was an area they could really make look nice.

Mr. Schroeder strongly recommended that with a road project, they should take advantage and do anything they could to enhance the bike paths and property the City owned, and they should make it a priority. He brought up the storm sewer, and said that it was out of the easement when they built the subdivision to the north, but he realized they dug it up and knew where it was. He noted that a lot of lighting was proposed, and he also strongly recommended that the City did not get involved with Detroit Edison, as they did with the Hamlin roundabout. He felt it was a bad move, and he hoped it did not happen again. They needed to look at the long-term maintenance costs. A wooden railing might be less expensive, but it would have ongoing maintenance. It was better to pay a little more at the beginning rather than pay a lot in the future to maintain something. He said that it broke his heart to hear that the bridge was being taken out. It was a big project for him 30 years ago, and the City paid about \$30,000.00 for it. He would be interested to see how much it would cost to remove and replace. Mr. Davis said that it would probably cost that much to remove and transport it. The Pine Trace Golf Course was suggested as a place for it. Mr. Schroeder asked if Avon Rd. would be closed for

four months, which Mr. Davis confirmed. Mr. Schroeder asked if the design for the project was done by the County or by a consultant. Mr. Davis said it was a consultant design. Livernois and Avon were being designed at the same time through Parsons Brinckerhoff. Mr. Schroeder said he would go along with anything that was proposed - any enhancement to make it better. It was a showcase for the City, and he felt that they should do all they could to enhance it.

Mr. Reece complimented Paul on his presentation. He recapped that they were building two bridges (Avon and Livernois); there was also the Tienken Rd. bridge which was relatively new; there was a new bridge over M-59 at Crooks and one at Parkdale in Rochester. He hoped they could gather some sense of continuity for all the designs. If there were some elements that worked well with the bridges just built, and those elements could be incorporated into the Avon-Livernois improvements, people could see continuity from a design standpoint when traveling through the City. They would have to study each one and see what could be done.

Mr. Davis said that was a good point. Under the pavement surfaces, there was a retaining wall which was called out as a vinyl sheet with railing. He suggested that perhaps it should not be a vinyl sheet. The retaining wall on Tienken by Stony Creek was decorative block. They could match the color and style of that block. Mr. Reece agreed that was what he was alluding to - common elements they could use throughout the City without adding significant costs. He would strongly look at incorporating those elements into the bridge design. He suggested that they should look carefully at the materials for the deck overlook, because wood was a long-term maintenance item. He offered that it might be cheaper to use synthetic wood in the long run. He would be concerned about using brick pavers in the intersection from a maintenance standpoint. There would be a lot of snow and salt. He suggested a decorative stamped concrete material rather than stained, which would only last about three weeks. They had talked about having seasonal flowers in front of the wall, which were nice, but he felt that a shrub that constantly bloomed might be a better way to approach it. He knew there would be a lot of debate from citizens about spending \$162,000.00 when there were roads falling apart, so the Council would have to be prepared to address that. He felt that it looked great from an architectural standpoint, but they had to make the right choices from a continuity and long-term maintenance perspective versus short-term costs. He clarified that the cost of the wood bridge removal was not included in the \$162,000, reminding that it would be an added cost that was not reflected. Mr. Davis said that they were not committed to doing that yet, but they wanted to include it as a bid item for

Livernois and would decide whether to proceed then. Mr. Reece asked if the Veterans Pointe park would get impacted from a short-term construction perspective or from a long-term, main relocation project. Mr. Davis said that everything would stay, and in the short term, there would be heavy equipment relocating the water main and cutting the pathway. He noted that there were a lot of brick pavers associated with the park. They could build on that or do stamped concrete or something different. Mr. Reece thought that the brick pavers in the park area worked fine, but putting them on a major intersection might be a different set of circumstances. He mentioned street lighting, and said that he thought they should also be thinking about continuity for the bridges. Mr. Davis said they would recommend going with the SiteLink pole, which was what the roundabout had. For the Tienken bridge, they had a stamped concrete paver design by the refuge island, crossing Tienken Rd. They could do that with all four corners as part of the Avon-Livernois projects. They could have walkways going across the road, which would be an additional cost.

Mr. Reece asked Mr. Davis if he wished to have a formal recommendation, and Mr. Davis replied that he wanted input on long-term maintenance and about consistent themes, which he did get, but he still needed to know whether the Commission would like him to look at costs to do something different for the crosswalks on Avon and Livernois. Mr. Reece asked if the west side of Livernois would be taken care of with the bridge design project. Mr. Davis said it could be, but he was talking about the northwest and northeast corners. Mr. Hooper thought they would have to do all four corners together because of ADA requirements.

Mr. Schroeder did not recommend putting brick pavers in the right-of-way with snow plowing and salt, and he thought stamped concrete would be a better idea. In considering the railing, he thought they should consider something they knew in ten or 20 years would still be available. He reiterated that Detroit Edison lighting was terribly expensive. They had to be paid to do the design; it had to be bought from them; they would have it for 20-40 years; and the City would pay excessive maintenance costs. He stressed that it did not make sense. He thought that they could buy and maintain the lighting by hiring an electrical contractor at a minimum cost.

Mr. Schroeder thought that everything looked great, and that the City should do the enhancements. He felt that it was a good idea to do it with the Livernois project, so there was not two different contractors at the

same time. He asked if there would be a problem shifting the sidewalk participation from the Avon project to the Livernois project. Mr. Davis thought there would be. Mr. Davis asked about vinyl versus steel fencing. Mr. Reece said he would stay away from vinyl; he thought it would get cold and brittle, and that it would break easily. He noted the vinyl along Square Lake Road between Woodward and Telegraph, and said that it was getting replaced all the time in the last year or two, either from trees falling on it or cars running into it. He would go with galvanized metal or a material that would be the most durable from a long-term maintenance standpoint. Mr. Schroeder mentioned the vinyl fencing on Livernois, which was a RCOC project, and he said the mistake was that they did not specify a color for the vinyl, so the contractor bought a less expensive white fence and painted it.

Chairperson Boswell asked Mr. Davis if there was anything further he needed from the Commissioners. He summarized that they would like to see continuity along the whole Livernois stretch, and to try to incorporate items from the other bridges and roundabouts. They maintained that it would be best to pay the higher price now to get less maintenance later. Mr. Davis said he was still unsure about the extent of pedestrian lighting incorporation, and whether they wanted to include some of it on the bridge structure itself. He believed that the plan that Spalding prepared showed a couple of additional poles, not necessarily on the bridge, but near the pathway. Mr. Schroeder said it would be a lot less expensive, and it would be easier to eliminate a pole in the park if they wanted, rather than on a bridge. Mr. Davis had told the RCOC that as part of the Avon Rd. design, they should add two, three-inch conduits for the bridge so it would be covered for the bid. Mr. Reece agreed that conduits were inexpensive to put in, and they could always install lighting. Mr. Hooper questioned whether they even needed lighting on the bridge. Mr. Davis indicated that it was subjective. Mr. Reece said he would rather see it in the areas the pedestrians traveled. He thought that the lighting shown on the plans made sense and was not excessive, and he agreed that they did not necessarily need it on the bridge.

Mr. Davis asked the Commissioners if he should come back with a more detailed design, noting that he would have to go before Council eventually for approval. He would bring some samples for the next meeting and get into some more details of what things would look like. Mr. Schroeder pointed out that it would be good to have the Commission's support when Mr. Davis took it to Council. Mr. Hooper recommended showing the current lighting in Veterans Memorial Pointe. He observed that it was lit fairly well now. Mr. Davis said that they might

only add some accent lighting if there were some signs put up. Mr. Hooper would like to see the footcandles there now to get an idea. Mr. Davis said that one of the issues was that an easement was needed from the Rivercrest Banquet Center, and they were considering removing a pole that was very close to where the proposed bridge would be expanded on the southeast corner. They were thinking of putting a pole on the north side on the Banquet Center property. Hearing no further comments, he thanked the Commissioners.

Discussed

- 2011-0367** Reduction of rear yard setback for proposed gas station demo and rebuild, located at 2020 S. Rochester Road, on the southwest corner of Rochester and Hamlin, Parcel No. 15-27-226-012, zoned B-5, Automotive Business, Tarek Gayar, GS Gas, Inc., Applicant
- (Reference: Memo and backup documents prepared by James Breuckman, dated September 1, 2011 had been placed on file and by reference became part of the record thereof.)*

The applicant was not present for the discussion.

Mr. Breuckman advised that the property owner had applied for two Variances from the Zoning Board of Appeals (ZBA). The owner wished to demolish the existing, older, convenience store portion of the gas station and rebuild with approximately twice the square footage. The challenge was the setback requirement of the Zoning Ordinance, and the applicant hoped to get Variances allowing two 10-foot setbacks (50 feet normally required). When Staff looked up language to notice the ZBA meeting, they realized that the Planning Commission had the authority to reduce a rear yard setback in a B-5 district to 25 feet. Mr. Breuckman then talked about it with the Chairman of the ZBA, who suggested that it be brought to the Planning Commission for a discussion. It was not ready for any formal action because there was no Site Plan to review. The ZBA wanted to get the Commission's input and agreement, in principal, to a willingness to reduce the rear yard setback from 50 to 25 feet. He advised that the Planning Commission could do that when a B-5 zoned site abutted any non-residential zoning district. The site was surrounded on both the west and south sides by the Walgreen parcel. The Variance requests were noticed for 40 feet; the ZBA could choose to grant 15-foot Variances, and if the Planning Commission allowed a 25-foot reduction, it would create 10-foot setbacks.

Mr. Breuckman had provided visual aids in the packet that showed the

impact of the reduction, and he noted that it was quite significant. However, without the 25-foot reduction, it would not really be feasible to do an improvement to the building, because there would not be much additional square footage. He asked if there were any questions.

Mr. Dettloff clarified that the applicant only wished to tear down the building, not dig out the tanks or anything else, which Mr. Breuckman confirmed. He added that the canopies, tanks and pumps would stay intact. Mr. Dettloff thought that in the current market, the applicant would be trying to make money with the convenience portion, because gasoline did not have much of a margin any longer. He indicated that he did not have a problem with the reduction. He noted that the applicant had stated that the design of the building would look like others in the area, and Mr. Dettloff wondered what that actually meant.

Mr. Breuckman said that the applicant had submitted some concept plans, but they were not concrete enough to submit to the Commissioners. Staff was not asking for a formal decision, so the Commissioners had leverage for anything that came forward that was not acceptable. If the ZBA only granted a 15-foot Variance and the Commissioners did not like the Site Plan, they could negotiate improvements. Mr. Dettloff said that he would like to see the applicant grow his business, and he did not think the reduction would impact things that much, because there was really only a driveway in back. He asked about the trash receptacle. Mr. Breuckman said that he had discussed that with the applicant. The receptacle could stay almost in the exact place, and it would still be accessible but hidden by the building. He assured that it was a design consideration he talked about with the applicant.

Mr. Schroeder asked if there would be sufficient parking for a store. Mr. Breuckman confirmed that there would be. Mr. Schroeder asked if the drive behind the building would be eliminated, which Mr. Breuckman also confirmed. Mr. Schroeder thought it was a good idea to be able to drive behind the building, but he did not know if it would be a requirement. Mr. Breuckman said that for fire access, there was the Walgreen parking lot. For simple site circulation, it might be a little challenging, but trucks did not go behind the building now. Cars would still be able to drive underneath the canopies. Mr. Schroeder said that other than that, he did not have a problem with it.

Mr. Hooper asked if there was a door for deliveries on the west face of the building. Mr. Breuckman was not sure, but Mr. Hooper believed that there

was. Mr. Hooper said that he had no problem with a 25-foot reduction. The issue with going down to 10 feet was the access from the building. He was not sure if the Fire Department would have an issue or not or if access from Walgreen would be acceptable to them. Mr. Breuckman reminded that Staff had a concept review with the applicant, in which the Fire Department was involved, and they did not raise any objections. The concept plan showed the 10-foot setbacks. He could check to see if there was a memo submitted from the Fire Department, but they did not try to stop anything from moving forward. Mr. Hooper thought that even with a 25-foot setback, the applicant could double the size of the building. Mr. Breuckman said that it was calculated, and the applicant could only get about a 37% increase - about 500-600 square feet. Mr. Hooper questioned whether an access from the rear of the building was necessary. He recalled that people could not drive behind the Sunoco at M-59 and Rochester Rd. Mr. Breuckman stated that as a practical matter, if the site was zoned B-3 or B-2, the Planning Commission could reduce a setback to ten feet. If it was a 7-Eleven, which operated in the same manner as a lot of gas stations, there would generally be no problem reducing the setback to ten feet - there just happened to be a canopy in front of the gas station building.

Mr. Hooper referred to the list of gas stations provided by Mr. Breuckman, and commented that he was struck by the fact that every one had received a Variance. He questioned whether the Ordinance was wrong to begin with. Mr. Breuckman agreed, and said that was why he was even willing to bring the matter before the Commissioners. He thought it could be looked at.

Mr. Reece said that he likened the site to the Speedway at Tienken and Rochester Rd. which did not have any access behind the building. It was almost in Lino's' parking lot, and was a similar situation, where there was a building on a corner surrounded by commercial uses. He would question the purpose of the little bit of green space that would be left between the parking lots. He wondered whether, from a site circulation standpoint, if what would be left would serve in the City's best interest. He encouraged looking at a Master Plan for the entire area. The applicant could perhaps get even a bigger building by creatively coming up with site circulation without islands that would have un-maintainable grass or shrubs that could not even be seen. Walgreen was put next to the gas station with green spaces in between and there was a lot of parking that did not get utilized. He would support a creative solution to let the applicant get the best bang for his buck from an expansion standpoint that would serve the City's best interest for the site. He did not want to just rip everything down

and pave it, but looking at the logistics of what would be left in the back, surrounded by parking, it did not seem to make a lot of sense from a planning standpoint. He supported the ten-foot setbacks, or something even more creative, if it were possible. The building now was another eyesore at a major intersection.

Mr. Breuckman added that the City had to turn a lot of gas station applicants away who wanted to improve or expand their buildings because the B-5 setbacks handcuffed them. The City was stopping people from improving their sites, and a lot of the gas stations looked terrible. Mr. Reece reiterated that he would look at the Speedway on Tienken and Rochester Rd. as an example, and also the new McDonald's, which had a five-foot piece of grass between two parking lots, which was a little absurd as far as circulation.

Mr. Yukon supported the other Commissioners' thoughts. He pointed out that in the cover memo under Background 2, it referenced Auburn Rd., rather than Hamlin. Other than that, he was fine with the request.

Mr. Schroeder said that Mr. Reece had mentioned Lino's. Mr. Schroeder noted that it was an old site that was way overbuilt with totally inadequate parking. When the shopping center (Papa Joe's) went in, the owner of Lino's entered into an agreement with the developer. Mr. Schroeder suggested that it would be nice if the gas station and Walgreen could enter into a parking agreement for overlap use. Mr. Breuckman agreed.

Chairperson Boswell summarized that Mr. Breuckman could tell the ZBA that the Commissioners did not have a problem reducing the setback to 25 feet. Mr. Breuckman advised that the Minutes would be submitted to the ZBA, and they could make a determination. Chairperson Boswell restated that of the six Commissioners in attendance, he did not believe there were any objections.

Discussed

2011-0365

Introduction of potential Zoning Ordinance Amendments - James Breuckman, Planning Manager

(Reference: Documents were passed out by Mr. Breuckman at the meeting and were placed on file for reference).

Mr. Breuckman commented that the proposed amendments were a combination of old and new. There were some "housekeeping" items brought before the Commission about a year-and-a-half ago, which he

had resurrected, and he also added a few new items Staff had run across. He referred to the list of amendments in the cover memo, and said that it would be up to the Commissioners as to how much they wanted to discuss, but his intent was to let everyone review them later and come up with any comments or questions at a future meeting. For each amendment, he wrote up an issue/discussion/potential amendment format. He noted the reasons why they might want to amend the Ordinance and why the current standards did not work. He mentioned handicap accessible parking, which was an issue that Ms. Brnabic raised about requiring and incentivizing additional accessible spaces for people with mobility limitations, not necessarily completely having ADA needs. He noted that there was redundancy in the drive-thru requirements, and that there were two different sets of standards. Regarding alternate parking lot surfacing, and he referred to 1081 W. Auburn, where the applicant preferred a limestone parking area, the Ordinance did not currently permit it. He felt there was a case to be made for situations where they might want to allow the Planning Commission control of that. Parking space striping requirements was an old amendment. The B-5 district setback requirements were new (as discussed earlier in the evening). There were miscellaneous corrections from a year-and-a-half ago, including to the RMH, Manufactured Housing District. There were codification corrections; things such as typos and places where the cross references in Muni-Code were wrong, and those would be fixed without needing an amendment.

Chairperson Boswell had called Mr. Breuckman earlier in the week to request that handicap parking be added, so he was pleased to see that it already had been. He recalled that one of the first things former Commissioner Gene Nowicki used to evaluate was handicap parking. At the time, Chairperson Boswell thought it was peculiar, but now he understood, being involved with a disabled person. Ms. Brnabic dealt with two handicapped parents. He stated that things were not adequate (there were not enough spaces) in many developments. He had been places where there were six parking spaces and one handicap, and he wondered why they were not located by the door. He had visited Partridge Creek in Macomb Township, which was billed as a walkable mall, and found that the handicap spots were far away, and someone had to walk all the way into the middle of the mall to find a store they were looking for.

Mr. Reece agreed that it made sense to look into the handicap parking requirements. People were living longer, but getting more ailments, and it would only get worse. Chairperson Boswell pointed out that there were handicap spaces at Meijer, and they were in front of the door, but they

were always full. Mr. Schroeder guessed that some people using them were not handicapped. Chairperson Boswell said he would speak up if he noticed that, but he observed that most people who parked there did have handicap stickers.

Chairperson Boswell asked if there were any further comments about the amendments, and he asked Mr. Breuckman when it would come back before the Commission. Mr. Breuckman advised that they would take it up at the next meeting.

Discussed

ANY OTHER BUSINESS

There was no further business to come before the Planning Commission.

NEXT MEETING DATE

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for October 4, 2011.

ADJOURNMENT

Hearing no further business to come before the Commissioners, and upon motion by Reece, Chairperson Boswell adjourned the Regular Meeting at 8:25 p.m., Michigan time.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

Maureen Gentry, Recording Secretary