



# Rochester Hills

## Minutes - Draft

### Planning Commission

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

*Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper*  
*Members: Gerard Dettloff, Nicholas O. Kaltsounis, Stephanie Morita,*  
*David A. Reece, C. Neall Schroeder, Ryan Schultz, Emmet Yukon*

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Tuesday, January 17, 2017

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

Chairperson Deborah Brnabic called the Regular Meeting to order at 7:00 p.m. in the Auditorium.

## ROLL CALL

**Present** 8 - Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, Stephanie Morita, David Reece, C. Neall Schroeder and Ryan Schultz

**Excused** 1 - Emmet Yukon

Quorum present.

Also present: Ed Anzek, Director of Planning and Economic Dev.  
Sara Roediger, Manager of Planning  
Mary Jo Pachla, Substitute Recording Secretary

## APPROVAL OF MINUTES

[2017-0027](#) December 20, 2016 Regular Meeting Minutes

**A motion was made by Schroeder, seconded by Kaltsounis, that this matter be Approved as Amended to add to the Auburn Road Corridor discussion comments regarding building improvements and the possible need for any asbestos abatement, the upgrade of buildings, and comments regarding stormwater detention. The motion carried by the following vote:**

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

**Excused** 1 - Yukon

## COMMUNICATIONS

*There were no Communications presented.*

## NEW BUSINESS

[2017-0021](#) Public Hearing and request for Conditional Use Recommendation - City File No.

16-034 - Hans Cherniawski, for the establishment of an automotive service center, located at 1020 W. Hamlin Rd., at the northwest corner of Livernois and Hamlin, zoned RECW Regional Employment Center-Workplace, Parcel No. 15-21-477-023, Hans Cherniawski, Applicant.

*(Reference: Staff Report prepared by Sara Roediger, dated January 17, 2017 and Conditional Use application had been placed on file and by reference became part of the record thereof).*

*Present for the applicant were Hans and Diana Cherniawski, owners of Cruise Transmission, and Auto Repair, 1533 W. Hamlin Road, Rochester Hills, MI 48309, and their employee Phil.*

*Ms. Roediger stated that Staff was approached by the applicant a couple of months ago. She noted that they were long-time owners of Cruise Transmission, currently located on Hamlin Road. They explained to her that they had a need to relocate their business and wanted to stay in the same area of Rochester Hills, as they had long-standing business relationships with other entities and with their customers. They stated that they had found a multi-tenant building at the northwest corner of Hamlin and Livernois, and would be reoccupying existing vacant space. In going through the permit process, they realized that their business would be a Conditional Use in the Regional Employment Center District.*

*Ms. Roediger noted that the Conditional Use required a Public Hearing at the Planning Commission and a recommendation to City Council. There was no exterior change proposed to the building with the exception of adding a light to the rear, and the applicants were planning to reoccupy existing tenant space that was intended for Industrial. The applicant intended to custom-fit the interior space and relocate their existing business.*

*Mr. Cherniawski confirmed that there were no exterior changes proposed. He stated that the building had the same setup close to what they currently had, and he noted that they had been in the area for a little more than 24 years.*

*Mrs. Cherniawski stated that they did want to stay in the area.*

*Chairperson Brnabic stated that this item required a Public Hearing and therefore opened the Public Hearing at 7:07 p.m. She stated that there were no comment cards or members of the public that wished to speak and closed the Public Hearing.*

*Mr. Kaltsounis pointed out, in reviewing the development, that location was important to the business. He commented that this was one of the best spots for the business, stating that it was in an Industrial area and would give the business better exposure. He indicated that he looked forward to the owners relocating within Rochester Hills.*

**MOTION** by Kaltsounis, seconded by Schroeder, in the matter of City File No. 16-034 (Cruise Transmission and Auto Repair) the Planning Commission recommends to City Council Approval of the Conditional Use for the establishment of Cruise Transmission and Auto Repair at 1020 W. Hamlin

Road, based on documents dated received by the Planning Department on December 15, 2016, with the following six (6) findings and subject to the following four (4) conditions:

Findings

1. *The use will promote the intent and purpose of the Zoning Ordinance.*
2. *The building 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 planning character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by use.*
3. *The proposal is having a positive impact on the community as a whole and the surrounding area by further offering jobs.*
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 should 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.*

*Chairperson Brnatbic noted that suggested conditions were included in the Staff Report and questioned whether the mover and seconder would agree to adding them to the motion.*

*Mr. Kaltsounis and Mr. Schroeder agreed, and amended the motion to include the following four conditions:*

Conditions

1. *All work on vehicles will be conducted inside the structure.*
2. *All vehicles in for repair will be stored indoors overnight.*
3. *Site will be kept in a generally clean and neat condition.*
4. *All work will be conducted between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday.*

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

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

Excused 1 - Yukon

2017-0023

Public Notice and request for a Tree Removal Permit - City File No. 16-029 - for the removal of as many as 102 trees for Saddlebrook Orchards Site Condominiums, a proposed 9-unit residential development on 5 acres, located north of Auburn Rd., between Crooks and Livernois, across from Wilmington Blvd., zoned R-4 One Family Residential with MR Mixed Residential Overlay, Parcel No. 15-28-300-029, Mike Magnoli, Gianna Investments, LLC, Applicant *(Reference: Staff Report prepared by Sara Roediger, dated January 17, 2017, Preliminary Site Plans and associated documents had been placed on file and by reference became a part of the record thereof),*

*Present for the applicant was John Dell'Isola with PEA, Inc.*

*Ms. Roediger stated that a nine-unit condominium development was proposed. She noted that the site had been approved in the past, preliminarily in 2003, with final approval in 2007. As the approvals were done long ago, the applicant had to start over. As a result of the updated regulations, a lot or two was lost from the first submissions. The current proposal was for a nine-unit development, with a future stub road on the east and west to accommodate any future development that might occur on those properties. Lot averaging was being used, which was less dense than the zoning allowed. Over 54 percent of the trees would be preserved on the site. The applicant was asking for a Tree Removal Permit for up to 102 regulated trees; however, they would replace all of the trees on site. No money would be required to be contributed to a tree fund, as they would be planting trees on site for those taken down.*

*Ms. Roediger noted that the submission had been through a couple of reviews through Staff, and Staff was confident that it met Ordinance regulations with some minor conditions and recommended approval.*

*Mr. Dell'Isola agreed that the site had come before the Commission before, and the applicant was asking for less than what was approved last time. They were fortunate enough to be able to plant everything on the site, which was what their client was interested for all of his developments. He stated that the applicant was looking forward to proceeding.*

*Chairperson Brnabic stated that the Commission would consider the Tree Removal Permit first, and that no Public hearing was required for the Permit.*

*Mr. Hooper stated that it was fairly straightforward. He noted that he was on the Commission many years ago when it was previously approved, and he stated that it appeared that two lots were lost from the original submission. He observed that everything appeared to be in order.*

**MOTION** by Hooper, seconded by Reece, in the matter of City File No. 16-029 (Saddlebrook Orchards Site Condominium), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on December 7, 2016, with the following two (2) findings and subject

to the following one (1) condition.

Findings

1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.
2. The applicant is proposing to replace 102 regulated trees with 102 replacement credits on-site, as required by the Tree Conservation Ordinance.

Condition

1. Tree protective fencing, as reviewed and approved by staff, shall be installed prior to issuance of the Land Improvement Permit.

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

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

**Excused** 1 - Yukon

2017-0022

Public Hearing and request for Preliminary Site Condominium Plan Recommendation - City File 16-029 - Saddlebrook Orchards Site Condominiums, a proposed 9-unit residential development on 5 acres, located north of Auburn Rd., between Crooks and Livernois, across from Wilmington Blvd., zoned R-4 One Family Residential with MR Mixed Residential Overlay, Parcel 15-28-300-029, Mike Magnoli, Gianna Investments, LLC, Applicant  
*Chairperson Brnabic stated that the item did require a Public Hearing, and therefore opened the Public Hearing at 7:15 p.m. She stated that there were no comment cards or members of the public that wished to speak and closed the Public Hearing.*

**MOTION** by Hooper, seconded by Reece, in the matter of City File No. 16-029 (Saddlebrook Orchards Site Condominium), the Planning Commission recommends that City Council approves the Preliminary One-Family Residential Detached Condominium plan based on plans dated received by the Planning Department on December 7, 2016, with the following five (5) findings and subject to the following seven (7) conditions.

Findings

1. Upon compliance with the following conditions, the proposed condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.
2. Adequate utilities are available to properly serve the proposed development.
3. The preliminary plan represents a reasonable street layout.

4. *The Environmental Impact Statement indicates that the development will not have substantially harmful effects on the environment.*

5. *Remaining items to be addressed on the plans may be incorporated on the final condominium plan without altering the layout of the development.*

Conditions

1. *Provide all off-site easements, on-site conservation easement and agreements for approval by the City prior to issuance of a Land Improvement Permit.*

2. *Provide landscape bond in the amount of \$161,231 plus inspection fees, prior to issuance of a Land Improvement Permit.*

3. *Provide an irrigation plan and cost estimate, prior to issuance of a Land Improvement Permit.*

4. *Payment of \$1,800 into the tree fund for street trees prior to issuance of a Land Improvement Permit.*

5. *Approval of all required permits and approvals from outside agencies.*

6. *Compliance with applicable staff memos, prior to Final Site Condo Plan Approval.*

7. *Submittal of By-Laws and Master Deed for the condominium association along with submittal of Final Preliminary Site Condo Plans.*

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

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

**Excused** 1 - Yukon

**ANY OTHER BUSINESS**

Introduction to CIP -

*Mr. Anzek noted that the Capital Improvement Plan program for the year was beginning. He suggested that if the Commissioners knew of anything to be added to the CIP, that they let Staff know by emailing either him or Ms. Roediger. He stated that the Auburn Road Corridor Study would be broken into different projects to be incorporated into the CIP. He mentioned that the Master Use Plan update was scheduled for this year, and that the Master Thoroughfare Update was scheduled for 2018.*

**MOTION** by Kaltsounis, seconded by Reece, to appoint Mr. Hooper and Mr. Schroeder to the CIP Policy Review Committee.

Aye: 8 - Brnabic, Detloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

Excused: 1 - Yukon.

Mr. Kaltsounis noted that the Auburn Road Corridor Study was recently completed. He questioned what other items would be undertaken next.

Mr. Anzek responded that it was hoped that the Auburn Road Corridor Study would help identify the process to put forth in reviewing other areas and provide Staff with a tool to show others. He commented that it was expected that the marketplace itself would be looked toward in accomplishing any updates. He noted that while the Study concentrated on the Brooklands area, it incorporated a review of different intersections along the entire Auburn corridor. He stressed that the challenge for the corridor would be securing funding.

Mr. Schroeder noted that a traffic study should be undertaken, as it would affect other improvements. He observed that the roadway was higher than the storefronts.

Mr. Anzek added that storm drainage should be reviewed, along with a review of water and sewer systems.

Mr. Hooper questioned whether Landfill Use planning could be undertaken, as the City had over 600 acres of landfill.

Mr. Anzek responded that an environmental concerns inventory was undertaken in 2009, with a Phase 1 accomplished for each site. He mentioned that there were people interested in looking at the various landfill sites, and he stated that Tom Wackerman, ASTI Environmental, would meet with various individuals to notify them of what needed to be done with each site.

Mr. Schroeder questioned whether there was any further requests for development of a mobile home park. Mr. Anzek advised that a court case in that regard had been dismissed.

#### Crematoriums as a Permitted Use -

Mr. Anzek stated that this topic had been discussed twice by the Zoning Board of Appeals, as there had been a proposed use to establish a crematorium in the back half of A Auto Point Collision. He commented that the City had a permissive Ordinance, and noted that if a use was not included in the Ordinance, it was not permitted. He explained that City Attorney John Staran stated that incinerators were considered as a Heavy Industrial use and were eliminated in the 2009 Zoning Ordinance update. He said that the Planning Commission had been asked to determine whether this topic should be pursued with the planning consultant.

*Mr. Anzek mentioned that he consulted local Funeral Home Director Vern Pixley, who responded that their business was adequately served by three crematoriums currently existing in Auburn Hills, the Sterling Heights area, and Royal Oak. Mr. Anzek advised that he would be distributing information to the Commissioners that was submitted by the applicant for their review which included Department of Environmental Quality information.*

*Ms. Morita stated that before this topic was pursued further, it should be determined what effect that use would have on neighboring properties, along with the potential for the spread of any disease, smells or other impacts. She recommended that the review should include where the fuel would come from, whether the use would have a taxing effect on any of the utilities in the area and how it would affect area property values.*

*Mr. Anzek explained that permitting this use was a Planning Commission and City Council decision. He stated that it was difficult to make a decision without the background information, and he noted that the Zoning Board of Appeals stressed that it felt that this should be explored. He mentioned that there were 22 crematoriums currently in southeast Michigan.*

*Mr. Schroeder noted that the percentage of cremations was rapidly increasing.*

*Status of Development Map -*

*Ms. Roediger stated that Staff had been working on an interactive map showing all of the projects ongoing in the City. She explained how to access the map on the City's website, and noted the information available includes proposed developments, approved developments, those under construction and those completed. She outlined that those accessing the site could pull up site plans, landscape plans, and other documents submitted to the Department and could submit questions or comments to Staff.*

*Chairperson Brnabic announced that it was Mr. Anzek's last meeting as Director of Planning and Economic Development, as he was retiring. Commission Members expressed their congratulations and wishes for a happy retirement.*

## **NEXT MEETING DATE**

*Chairperson Brnabic reminded the Commissioners that the next Regular Meeting was scheduled for February 21, 2017.*

*Mr. Detloff noted that he would be out of town for the February 21, 2017 Planning Commission meeting and asked to be excused.*

## **ADJOURNMENT**

Hearing no further business to come before the Planning Commission, and



upon motion by Mr. Kaltsounis, Chairperson Brnabic adjourned the Regular Meeting at 7:45 p.m.

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Deborah Brnabic, Chairperson  
Rochester Hills Planning Commission

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Nicholas O. Kaltsounis, Secretary