

Chairperson Brnabic opened Public Comment at 7:05 p.m. Seeing no one wishing to speak online or in the Auditorium, and confirming that no correspondence had been received, she closed Public Comment.

UNFINISHED BUSINESS

2020-0039 Request for Preliminary Planned Unit Development Concept Plan Recommendation - City File No. 18-021 - Rochester Hills Research Park, a proposed campus addition (to five buildings) at the EEI Global site on 25 acres located at 1400 S. Livernois, south of Avon, zoned REC-W Regional Employment Center - Workplace, Parcel No. 15-21-276-013, Designhaus Architecture, Applicant.

(Reference: Staff Report prepared by Kristen Kapelanski, dated March 13, 2020, PUD plans and associated documents had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Peter Stuhlreyer, Joe Latozas, Greg Ezzo and Francesca Schovers, Designhaus Architecture, 301 Walnut, Rochester, MI 48307 and Derek Gentile, EEI Global, 1400 S. Livernois, Rochester Hills, MI 48307.

Ms. Kapelanski advised that the applicant was proposing a five building office campus at the existing EEI Global site on Livernois, south of Avon. There were two existing buildings, with one to have an addition and three new and an interconnected roadway system and pedestrian network. She noted that the property was zoned REC-W, which anticipated the office campus use. A PUD was proposed to facilitate the development. As part of the public benefit of the PUD, the applicant was proposing two public connections to the Clinton River Trail, the details of which would be worked out in conjunction with the Friends of the Clinton River Trail at Final PUD review and consideration. Open space had been provided throughout the site. The applicant would also be providing a road connection between Rochester Industrial Dr. and Horizon Ct. to create an intersection and ring road looping around to Livernois at Drexelgate.

Ms. Kapelanski noted that the matter had been postponed at the February 18th meeting for a number of reasons, which had been addressed. The first condition was that there should be no trailers visible from Livernois. A note had been added to the plans, but she suggested that if the Commission wished, it could be addressed with onsite signage as part of the Final PUD. Another condition stated that new development should not be located nearer to the Trail than the existing pavement edge and that the view from the Trail should remain natural. The applicant had included a Trail view as part of the new submission showing that Building

5 would not be easily visible from the Trail. Another condition was that trees and shrubs should be planted in the 40-foot setback between Building 5 and the property line, which could also be addressed on the Final PUD. The applicant was also asked to consider landbanked parking, which would be addressed as part of the presentation. The initial phase was to include the improvements at Horizon Ct. and Rochester Industrial Dr. and the road and landscape improvements at Livernois. She said that it could be clearly spelled out in the Final PUD should the matter move forward. Finally, the applicant was asked to consider improvements on Livernois. The City's Traffic Engineer, Paul Shumejko had provided a memo outlining possible improvements, and she suggested that the applicant could address those during the presentation. Mr. Shumejko was present to answer any questions about traffic, and Mr. Jason Boughton of Engineering was present to answer stormwater or utility questions. She concluded that all staff had recommended approval of the Preliminary PUD.

Mr. Stuhldreier stated that it was a 25-acre site, and they hoped to maximize its potential. They believed that it was meant for high bay, high-tech companies. Along with the campus, there would be some reorganizing of streets into a more logical traffic pattern to help disperse the traffic. His team had received some questions earlier in the day from Commissioner Gaber which he wished to address. The first regarded trucks being visible from Livernois. He said that they could work with the City, and that it could perhaps be a regulation in the PUD Agreement that would not allow parked trailers to be visible. He felt that they had to be careful with language about trucks being visible, because there could be trucks visible that were not parked and detached. There could be some visible because of the location of the loading bays. Regarding landbanking, they felt that it was important to have a significant amount of green space and pedestrian walkways. They used their own experience to calculate the ratio between high bay and office parking. They did have green space that could be turned into about 100 parking spaces should it be needed. He reminded that they were not seeking to add highly dense, office-only buildings, and they really did not think that they needed a lot of parking to accommodate that. They agreed with having the initial phase include the roadway and utilities. The sequencing of the project would be laid out in the PUD Agreement. They had every intention of creating the loop road with the utilities in it. Regarding the architecture, they had softened it with brick and wood accents for Buildings 2-5. They felt that it was a good look that would fit the area. They realized that if new tenants caused a significant change, it would have to go through the approval process again. The last question was about the improvements Mr.

Shumejko had suggested. Their traffic study had shown that the roads would be viable as constructed and work, and they were not 100% on board with providing significant upgrades. All the intersections had bypass and dedicated right and left turn lanes. Their traffic analysis said they the development would not cause traffic problems. They believed that 3c. was the condition of an old standard being upgraded to a new one along Livernois traveling north and south. He claimed that their development would have nothing to do with causing noncompliance, and it would be a very expensive undertaking for them. 3a. and b. were rather minor, but he reiterated that the roads would not be negatively impacted according to their traffic analysis. He had skipped over question two, and he turned it over to Ms. Schovers.

Ms. Schovers said that they had looked at the existing trees between Building 5 and the swale, and she went over the species. They were proposing 11 trees to close the gap with the existing. She maintained that Building 5 was quite hidden by existing landscaping and said that she would be happy to answer any landscaping questions. Mr. Stuhlreyer felt that it was important to note that the landscaping in the Trail location had a very thick buffer.

Chairperson Brnabic asked Ms. Gentry if there had been any communication received for this item, and she advised that two emails from member of the Friends of the Clinton River Trail had come earlier in the day with questions about development along the Trail. The emails had been forwarded to the Commissioners prior to the meeting. Ms. Roediger advised that she saw no one wishing to speak and no one in the Auditorium wishing to speak.

Mr. Kaltsounis thanked the applicants for coming back and for providing renderings. He felt that they had made a big difference in how the buildings could be viewed. He went over some conditions he wished to consider with the motions: That the applicant consider an alternative location for trucks viewed from Livernois prior to Final approval; that the applicant submitted a plan for landbanked parking prior to Final approval; and that the applicant shall put a phased building plan in the PUD Agreement that must include all infrastructure improvements in phase one. He brought up the traffic issue, and he asked Mr. Shumejko if he would go over the recommendations in his memo. Mr. Kaltsounis indicated that he wanted everyone to be on the same page as far as what was being agreed to or not.

Mr. Shumejko advised that the project was reviewed in conjunction with

the Road Commission for Oakland County (RCOC), because Livernois was a County road. They also utilized the applicant's traffic study methodology for determining any type of site improvements for roadwork. Based on the traffic study, warrants were not met to have to do full lane improvements. Staff had initially required driveway improvements off of Rochester Industrial Dr. and some pedestrian signal improvements at Drexelgate and Livernois. The rest of the items referenced in 3a.b.and c. did not technically meet the warrants in the guidelines outlined from MDOT or the RCOC. The question was raised at the last meeting that considering the project was a PUD, if there were there any amenities that the applicant could include to alleviate potential traffic concerns that were not identified in the traffic study. He had suggested some potential improvements; the first was fairly minor and the last two were equal in scale and scope. They were just items that the Planning Commission might consider, because it had a little more latitude with a PUD. He stated that based upon the traffic study, however, no major improvements were warranted.

Mr. Kaltsounis asked the applicant what the Commission might add as a condition with regards to traffic improvements based on Mr. Shumejko's memo. Mr. Stuhlreyer did not think that 3a. would be a big deal. He did not think that the traffic counts would justify the improvements to Horizon, although he acknowledged that they would not be hard to do. It was the Livernois improvements he questioned. Mr. Kaltsounis asked if they had agreed to 2a. and 2b. Mr. Stuhlreyer felt that they were just suggestions, not something the City was looking for them to do. Ms. Roediger agreed that they were explained as being cost prohibitive. Mr. Kaltsounis asked about adding a condition to discuss the improvements 3a.,3b. and 3c. so it was not off the table, and Ms. Roediger suggested hearing from other Commissioners.

Mr. Gaber said that he appreciated the project, and felt that it had a lot of potential. He thought that it was a very beautiful project, and that the renderings were very helpful. He brought up the traffic, noting that he drove Livernois a lot. Coming north to Horizon Ct., he said that perhaps two cars could turn left before it started backing up. He thought that it would be risky to not have improvements there with the two new developments proposed (the proposed and one later on the agenda). He wondered if the improvements in 3c. Mr. Shumejko had mentioned were RCOC requirements. Mr. Stuhlreyer had said that they were new requirements that would be required if the development was being constructed from scratch, but that at the time, they had not been required.

Mr. Gaber said that he agreed with the landscaping adjacent to the Trail. He asked the applicants if they could add landscaping in front of Building 4, which he noted was a plain office building. He asked if they could add some shrubs to break up the expanse and soften it. He questioned whether they had received the emails from the Friends of the Clinton River Trail, which Mr. Stuhlreyer confirmed. Mr. Stuhlreyer said that they had no problem working with them to develop a transition from the crushed asphalt and the concrete and clearing the underbrush for the 25-foot clear vision angles. Mr. Gaber thought that the two biggest things the Friends had asked about was whether Mr. Gentile would allow the public to park along the Trail entrance where there were about eight spaces, and whether he would give an easement to the property to the south to use the Trail.

Mr. Gentile responded that the issue with public parking was that there could be a general liability issue. As mentioned at the last meeting, he would gladly help with charitable activities that went on with the Trail and offer his parking lot on a Saturday morning. However, to turn it into a known public parking place would "open a can of worms." He asked Mr. Gaber to explain the second request. Mr. Gaber noted that the Commissioners would be considering a site plan for the parcel to the south later in the meeting, and EEI had a second access to the Trail at the south. He wondered if Mr. Gentile would share access to the Trail so there would be fewer accesses. Mr. Gentile said that he would agree to that, but he suggested that if it worked better the other way, he could close his access and share with theirs.

Mr. Gaber felt that the road improvements were important. He thought that 3c. was important given the geometry of the road. They were going from a potential of 150 cars per day to 600. He would like that added as a condition in the motion. He asked Mr. Shumejko how deficient the road was currently according to RCOC requirements. Mr. Shumejko believed they were off about 50 feet between the taper and the actual length. Mr. Gaber asked what the improvements would do to traffic flow in the area, if done. Mr. Shumejko said that someone going southbound on Livernois would be able to enter the decel lane sooner. Mr. Gaber said that he was more concerned about the northbound entrances where he said there would only be room for about two cars to stack before traffic would be blocked. He added that the passing lane at Horizon Ct. was very short. He would like it looked into by staff. He agreed with the applicant that the dollars would not be insignificant so he would like to understand what type of impact the improvements would have on the traffic flow - how much or how little - to see if the improvements were worth pursuing.

Mr. Shumejko said that to have the information, the existing traffic study would have to be amended to include those recommendations. Mr. Gentile questioned what that meant and where Mr. Gaber was trying to go with the study, which Mr. Gentile stated had already been done. Mr. Gaber said that the traffic study did not recommend any improvements, and he was trying to understand what the difference would be with the recommended improvements and whether they would be justified or not. Mr. Shumejko said that he would have to research it further.

Mr. Hooper commented that he loved the project, and he knew that there had been a proven need for larger industrial buildings in the community. The only issue he had was with the traffic study. The Commissioners had seen the consultant the applicants had used with other projects. The first thing he looked at in a traffic study were background conditions versus future conditions. If a study said that a development was going to add significant traffic and parking and the traffic would improve from the background to the future, he immediately discounted the whole study. He did not believe that significant traffic could be added by a project, and that the traffic would improve. He understood that the warrants were not met per the RCOC standard, but he still felt that it was reasonable to make minor road improvements that would be better for the community, whether that included 3a., b. and c. or a combination. He stated that he would prefer all three, but Mr. Shumejko could do research to help determine what would be reasonable. He concluded that he was supportive of the project with some additional road considerations on Livernois.

Mr. Weaver said that he felt that the renderings were great, and that they had done a good job with the landscaping, especially along the Trail. He was happy to hear that they would talk with the Friends of the Clinton River Trail. He asked if the brush around the detention basin extended beyond Building 5, because he had not observed any strategic plantings around the back side of the basin. Ms. Schovers said that the brush did extend, but they would be happy to add plantings on the westerly edge. Mr. Weaver was not as concerned about the view from the parking lot, but he would like the view consistent from the Trail. He agreed that it was a great project, and he affirmed that the renderings had been very helpful.

Dr. Bowyer also thanked the applicants for the colored renderings, and she agreed that it was a beautiful project, and she loved everything about it. She thanked them for the view of Building 5 from the Trail. She agreed with Mr. Gaber that they would not want a lot of access points to the Trail, and she thought that it would be great if they could work with the business

to the south regarding that. She also agreed that the left turn passing lane would need to be extended, noting that Livernois already got backed up. She thought that the project was great, and she thanked the applicants.

Mr. Dettloff asked for clarification that the applicants were willing to do 3a. and b. and that 3c. was still to be looked at. Mr. Gentile agreed to doing 3a. and a good portion of 3b., because they made sense, and they would want the entrances to look right and function properly. He acknowledged that the expense associated with 3c. would be a challenge, and he suggested that perhaps the other project under consideration might share some of the expense, as it would add more congestion. He said that he agreed with others about the project, but he felt that they needed further clarification from Mr. Shumejko so they could move it forward.

Mr. Kaltsounis went over some added conditions prior to moving the motion below. He said that he concurred with Mr. Hooper about traffic studies. Mr. Kaltsounis said that he had been on the Commission since 2002, and he had yet to see a traffic study that was against a developer who had paid for it.

MOTION by Kaltsounis, seconded by Hooper, in the matter of 18-021 (Rochester Hills Research Park PUD), the Planning Commission **recommends that City Council approves the PUD Concept plans dated received March 11, 2020, with the following seven (7) findings and subject to the following fourteen (14) conditions.**

Findings

1. *The proposed PUD Concept Plan meets the criteria for use of the PUD option.*
2. *The proposed PUD Concept Plan meets the submittal requirements for a PUD concept plan.*
3. *The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
4. *The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

5. *The proposed development is consistent with the Master Land Use Plan to provide research and development operations.*
6. *The Planning Commission modifies the parking requirements, as justified by the applicant.*
7. *The Planning Commission modifies the right-of-way landscaping for Livernois, finding that existing vegetation meets the Ordinance requirements and modifies the required minimum parking spaces.*

Conditions

1. *Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.*
2. *The site plans, including but not limited to landscaping, engineering, tree removal and setback modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.*
3. *The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.*
4. *Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.*
5. *Obtain a Tree Removal Permit at Final PUD Review.*
6. *Provide landscape and irrigation bond in the amount of \$281,225.00, plus inspection fees, as adjusted as necessary, prior to issuance of a Land Improvement Permit.*
7. *Address comments from applicable City Staff memos, prior to Final PUD submittal.*
8. *That the applicant work with staff on the best plan, and/or documentation in the PUD Agreement, to*

limit the view of trucks from Livernois, prior to Final approval.

9. *That the applicant submits a plan for landbanked parking prior to Final Approval.*

10. *That a phased building plan be added to the PUD Agreement including that all general infrastructure improvements be included in Phase One, prior to Final approval.*

11. *Prior to Final approval, the applicant shall provide a plan for traffic improvements as discussed at the meeting that would include 3a. and 3b. per P. Shumejko's memo dated March 9, 2020 and submit amended traffic study to Engineering that includes 3c. improvements to show what impacts those improvements would have on traffic flow.*

12. *The plan shall show more landscape material in front of Building 4 to break up the building elevation, prior to Final approval.*

13. *The applicant shall work with staff to submit a plan prior to Final approval of a revised transition from the Clinton River Trail to the property and to work with staff on an alternative entrance to the Trail between the development and its neighbor to the south to limit the amount of access points to the Trail.*

14. *That the plan shall show additional landscaping to the western side of the retention pond, prior to Final approval.*

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

Aye 8 - Brnabic, Dettloff, Gaber, Hooper, Kaltsounis, Bowyer, Weaver and Neubauer

Excused 1 - Reece

Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants on moving forward.