



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, February 25, 2014

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 7 - William Boswell, Deborah Brnabic, Gerard Dettloff, Greg Hooper, David Reece, C. Neall Schroeder and Emmet Yukon

Absent 2 - Dale Hetrick and Nicholas Kaltsounis

Quorum present.

Also present: James Breuckman, Manager of Planning
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

2014-0062 January 21, 2014 Regular Meeting

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

Aye 7 - Boswell, Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

Absent 2 - Hetrick and Kaltsounis

COMMUNICATIONS

- A) Planning & Zoning News dated January 2014
- B) Letter from City of Troy, dated 2/10/14 re: Notice of Intent to Prepare MLUP
- C) Memo from M. Gentry, dated 2/21/14 re: Correspondence about Tim Hortons
- D) Memo from DPS/Traffic, dated 2/21/14 re: Tim Hortons

NEW BUSINESS

2014-0063 Public Hearing and request for Conditional Land Use Recommendation - City File No. 13-024 - to construct a drive-thru at a proposed Tim Hortons restaurant at the northwest corner of Crooks and Avon Industrial Dr., south of Hamlin, Parcel No. 15-29-228-004, zoned B-3, Shopping Center Business, Tim Hortons, Applicant

(Reference: Staff Report prepared by James Breuckman, dated February 21, 2014 and Site Plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Patrick Bell, Tim Hortons, 565 E. Grand River Ave., Suite 101, Brighton, MI 48116.

Mr. Bell stated that he was very pleased to be in front of the Commission to present a new proposed location for a restaurant at Crooks and Avon Industrial. He added that it would be one of their flagship restaurants, and they had been redone over the years to make a more enjoyable dining experience with soft seating, a fireplace, flat screen t.v., and free wi-fi. They also brought some of the baking activities out front so their guests could see them. The site would include outside patio seating, and they were really looking forward to getting the site opened.

Mr. Breuckman advised that a drive-thru use required a Conditional Land Use (CLU) recommendation and approval, and the standards for CLU approval were listed in the Staff Report. Under Site Plan Review Considerations, it was noted that Tim Hortons secured two Variances for the project, which allowed it to be located as it was. The aerial map showed the proposed building in relation to the existing footprint of the Bank of America building, which had been torn down. The Tim Hortons building was more perpendicular to Crooks.

Mr. Breuckman said that Staff and the applicants went through a number of iterations to try to get the optimal layout. The proposed layout matched much better with the strip center behind it, particularly the layout of the parking. When the bank was there, the parking was rather odd, and it did not have anything to do with the layout of the strip center and created poor circulation. The new layout would allow the circulation to flow much better between the Tim Hortons facility and the strip center. The bigger Variance was from Avon Industrial Drive. That allowed the applicant to push the building a little further to the south, eliminating parking between Avon Industrial and the building and adding parking to the north side, closer to the entrance and where most of the cars would enter. Regarding

the Site Plan, the applicants had met the critical requirements. There were a few things that had to be addressed. He noted that the fieldstone should continue along the entire base of the building, similar to the Rochester Road site. That was provided on the colored elevations, but on the black and white drawings stapled to the Site Plan, it was not shown. The dumpster enclosure detail needed to be provided. The note on the Plan talked about having a masonry wall to match the rear building wall, but there was no masonry on the rear building wall.

Mr. Breuckman continued that the applicant was proposing to not construct a sidewalk along Avon Industrial at this time. Staff was not opposed to that, because there was no sidewalk anywhere along Avon Industrial. Also, there were a number of mature pine trees that would have to be cut down to put in a sidewalk. In this case, Staff was suggesting that in lieu of, a payment into the City's Pathway Fund would be a reasonable way forward. It had been discussed with the applicant. The cost was \$20 per linear foot as the standard for a five-foot wide sidewalk, which would come out to about \$4,680.00. Mr. Breuckman advised that the landscape plan met all ordinance requirements. Due to County restrictions on tree planting in the right-of-way (ROW), the applicant was proposing to pay into the City's Tree Fund instead of planting eight ROW trees. An irrigation plan needed to be completed, which could be submitted for final approval by Staff. A photometric plan was also required. Having been through this with the Rochester Road site, Staff was entirely confident that the applicant could meet the lighting requirements. He summarized that there were motions in the packet, and that he would be happy to answer any questions.

Chairperson Boswell asked Mr. Breuckman if the letter from the Engineering Department (February 2014 handed out with Communications) had any bearing. Mr. Breuckman did not feel it had any bearing on Site Plan Approval. It might be considered as to how Tim Hortons wanted to proceed with the site, but it would not change the layout. It dealt with an existing driveway, and that was something Tim Hortons needed to negotiate with the County Road Commission. He felt that they could proceed, with the understanding that Tim Hortons needed to get a County Road permit, which was not the City's issue.

Mr. Yukon said that in looking at the driveway off of Avon Industrial Drive, where cars would be queuing for the drive-thru, it appeared that there was a 12-foot access shown between the driveway and the fourth car queued. He asked if Staff felt comfortable with that distance. Mr. Breuckman agreed it was as tight as it possibly could be, but there was 12 feet of

ingress lane and another 10 feet. There was a little extra width on the driveway as cars moved further through the lane.

Mr. Dettloff asked Mr. Breuckman if the proposed Tim Hortons would be the exact size as the one on Rochester Road. Mr. Breuckman replied that it was much larger. Mr. Dettloff asked the size of the Rochester Road location and Mr. Bell advised that it was 1,340 s.f. with seating for nine. The proposed would be 1,950 s.f. with seating for about 32.

Chairperson Boswell opened the Public Hearing at 7:14 p.m. He announced that if anyone wished to comment, there were cards to be filled out and brought to the Secretary. Seeing no one come forward, he closed the Public Hearing.

Hearing no further discussion, Mr. Schroeder moved the CLU motion, which was seconded by Mr. Dettloff.

MOTION by Schroeder, seconded by Dettloff, in the matter of City File No. 13-024 (Tim Hortons Crooks Road) the Planning Commission **recommends** to City Council **approval** of the **conditional land use**, based on plans dated received by the Planning Department on February 4, 2014, with the following seven (7) findings.

Findings

1. *The proposed building and other necessary site improvements meet or exceed the standards of the Zoning Ordinance.*
2. *The expanded use will promote the intent and purpose of the Zoning Ordinance.*
3. *The proposed building has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the hospital, the general vicinity, adjacent uses of land, the natural environment, and the capacity of public services and facilities affected by the land use.*
4. *The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining option.*
5. *The proposed development is served adequately by essential public*

facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.

6. *The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
7. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Ms. Brnabic asked Mr. Bell if he agreed with all the conditions stated in the Staff Report with regard to the dumpster enclosure and the fieldstone base, etc. Mr. Bell said that he did, and the only question he had was about the City's Tree Fund because he did not know what the fee was. Mr. Breuckman advised that it was \$200 per tree. Mr. Bell indicated that they had no concerns with any of the conditions. Ms. Brnabic confirmed that Mr. Bell had received the full Staff Report, and he concluded that there was nothing they felt they could not meet.

Chairperson Boswell asked if there was any further discussion. Seeing none, he called for a vote.

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

Aye 7 - Boswell, Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

Absent 2 - Hetrick and Kaltsounis

Chairperson Boswell stated for that record that the motion had passed.

2014-0064

Request for Site Plan Approval - City File No. 13-024 - Tim Hortons, a proposed 1,950 square-foot restaurant with drive-thru located on Crooks, south of Hamlin (former bank site), Parcel No. 15-29-228-004, zoned B-3, Shopping Center Business, Tim Hortons, Applicant

Mr. Reece pointed out that the colored renderings showed an elevation for the dumpster enclosure on the last page. It looked as if it had lap siding, and he asked if Staff wanted that changed to masonry. Mr. Breuckman said that typically, masonry was the standard, such as split face block. Mr. Reece asked Mr. Bell if that was a variance that would be acceptable. Mr. Bell said they could do that, but he suggested doing a stone to match the building. They could do the lap siding so it matched the building and add stone around the bottom. Mr. Breuckman did not

have a problem with that, and Mr. Reece and Chairperson Boswell thought it would look fine and match the building better.

Mr. Reece wondered if the Commission had asked for an awning at the Rochester Road site on the drive-thru side. Mr. Breuckman said that they did, and it was over the second window for the drive-thru.

Hearing no further discussion, Mr. Schroeder moved the Site Plan motion adding condition nine below, which was seconded by Mr. Reece.

Mr. Hooper said that following up on Mr. Reece's comments, he thought it would be a great idea to add an awning to the southern exposure if the applicant was in agreement. Mr. Bell said that it absolutely would not be an issue to do that, and condition ten was added.

Mr. Reece mentioned the amount of the landscape bond identified in one of the conditions, and that the Fire Department had disapproved the first Site Plan. The Fire Department was looking for the location of a fire hydrant on Sheet TH-04 and calculations that a fire flow of 1,500 gpm could be provided, and Mr. Reece wanted to make sure the applicant was aware. Mr. Bell said that they were aware of the bond, and they already had the calculations from the Fire Department. Mr. Schroeder and Mr. Reece both concurred with the additional conditions.

MOTION by Schroeder, seconded by Reece, in the matter of City File No. 13-024 (Tim Hortons Crooks Road), the Planning Commission **approves the site plan**, based on plans dated received by the Planning Department on February 4, 2014, with the following four (4) findings and subject to the following ten (10) conditions.

Findings

- 1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards, and requirements, can be met subject to the conditions noted below.*
- 2. Off-street parking areas have been designed to avoid common traffic problems and promote safety.*
- 3. The proposed improvements 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 will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

Conditions

1. *City Council approval of the conditional land use.*
2. *Addressing building comments noted in item 3 under Site Plan Review Considerations, above.*
3. *Planning Commission approval of a sidewalk waiver, and payment of \$4,680 into the City's pathway fund in lieu of constructing the sidewalk along Avon Industrial Drive.*
4. *Payment into the City's tree fund in lieu of 8 required right-of-way trees.*
5. *Provide a landscape bond for replacement trees in the amount of \$36,970.00, as adjusted as necessary by Staff, plus inspection fees, prior to issuance of a Temporary C of O for this development.*
6. *Submittal of an irrigation plan, including irrigation of the Crooks and Avon Industrial rights of way, prior to final approval by staff.*
7. *Submittal of a photometric plan prior to final approval by staff.*
8. *Addressing all applicable comments from other City departments and outside agency review letters and securing all necessary City and Road Commission permits.*
9. *The dumpster enclosure shall be made of the same materials as the main building as approved by Staff.*
10. *Add a matching awning on the eastern-most window on the southern elevation.*

Chairperson Boswell asked if there were any further comments. Hearing none, he called for a vote.

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

Aye 7 - Boswell, Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

Absent 2 - Hetrick and Kaltsounis

Chairperson Boswell stated for the record that the motion had passed. Mr. Dettloff asked the timeframe for the project. Mr. Bell advised that they would like construction to start in April, and he added that it would take about 80-90 days to complete. Mr. Dettloff asked how many jobs were expected, and Mr. Bell replied that there should be 20-25 full and part time jobs. Mr. Breuckman notified Mr. Bell that the matter would be taken to City Council on March 17th.

2013-0357 Public Hearing and request for Conditional Land Use Recommendation - City File No. 13-012 - to construct two restaurant drive-thrus at a proposed 8,095 square-foot retail outlot building at the Campus Corners shopping center, located on the east side of Livernois, between Walton and Avon, Parcel No. 15-15-101-024, zoned B-3, Shopping Center Business, Campus Corner Associates, Inc., Applicant

(Reference: Staff Report prepared by James Breuckman, dated February 21, 2014 and Site Plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Stuart Frankel, Campus Corners Associates, 1334 Maplelawn, Troy, MI 48084.

Mr. Frankel stated that he was the owner of Campus Corners Phase II, which was the portion of the center from the CVS south. The proposed site was previously occupied by a Big Boy restaurant, which was vacated a number of years ago. The building was not suitable for use, so it was removed and they were proposing to build an 8,100 s.f. free-standing facility in approximately the same location the Big Boy was. He said that he would be happy to answer any questions.

Mr. Breuckman noted that there were two drive-thrus proposed for the building. He advised that the proposed facility would occupy pretty much the cleared footprint of the Big Boy restaurant, including the landscaped areas. They would use the existing driveways in and out of the site. The drive-thrus would be on the south and north sides of the building. The circulation patterns on and around the site that existed were by and large being preserved. The site met all parking and stacking requirements, and that was for the entirety of both phases of Campus Corners.

Mr. Breuckman pointed out the Site Plan Review Considerations in the Staff Report. In terms of parking, they still needed dimensions on the Plan for the bay of parking in between the building and the street, showing 18-foot parking spaces with a 24-foot wide circulation aisle. Cost

estimates for landscaping were still needed. The landscape plan was fairly small, because there was a lot of existing landscaping that met the City's requirements. He added that an irrigation plan would also need to be submitted. Mr. Breuckman said that building plans had been provided, including a page with a colored rendering, but the applicant needed to clarify the appearance of the rectangular elements behind the sign band and above the storefront glass system. A traffic impact study had been required by the City's Traffic Engineers. The results were included in the packet, and they were also discussed in the Engineering review memo. Mr. Breuckman indicated that he had no particular concerns with traffic. He referred to the Engineering review dated February 4, 2014, which did not recommend approval, but he clarified that the comments regarding underground detention could be addressed without impacting the site design. It was forwarded to the Commissioners because that issue could be addressed during Construction Plan review. He noted the motions in the packet, and mentioned that condition three of the Site Plan motion should include posting of the required landscape bond.

Mr. Schroeder asked if Staff reviewed the drive-up window with one lane for two restaurants. He thought there could be the potential of one window holding up traffic for the other.

Mr. Breuckman agreed that Staff did review it, and the Plan met the required ten stacking spaces. He reminded that Conditional Land Uses were discretionary, but having met the Ordinance requirements, Staff did not see a reason to hold up the project or require anything above and beyond until the Planning Commission could review it.

Mr. Schroeder asked Mr. Frankel if he had considered having a dual lane going up to the end of the building so if there were cars stacked up to the window on the south side, people could go around to the window on the north side. Mr. Frankel responded that there were two lanes behind the building. There was a stacking lane and circulation behind the stacking lane. Mr. Schroeder was satisfied that had answered his question.

Chairperson Boswell announced that a Conditional Land Use recommendation to City Council required a Public Hearing for anyone that wished to speak on this issue, and he then opened the Public Hearing at 7:35 p.m. Seeing no one come forward, he closed the Public Hearing.

Hearing no further discussion, Mr. Schroeder moved the CLU motion,

seconded by Mr. Yukon.

MOTION by Schroeder, seconded by Yukon, in the matter of City File No. 13-012 (Campus Corners Outlot Retail Building) the Planning Commission **recommends** to City Council **approval** of the **conditional land use** to permit two drive-through facilities based on plans dated received by the Planning Department on February 20, 2014, with the following 5 findings.

Findings

1. *The traffic generated by the proposed development is not expected to be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
2. *The proposed building and other necessary site improvements meet the standards of the Zoning Ordinance.*
3. *The proposed building has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the hospital, the general vicinity, adjacent uses of land, the natural environment, and the capacity of public services and facilities affected by the land use.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.*
5. *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.*

Mr. Reece clarified that they were approving two drive-thru locations.

Mr. Schroeder asked Mr. Frankel if he would eliminate one drive-thru if there was only one restaurant that required a drive-thru. Mr. Frankel said that he had one agreement in place with a restaurant that required a drive-thru, and they were talking to two other restaurants that required a drive-thru. He maintained that in order to be competitive in today's marketplace, drive-thrus were becoming an important part of the merchandising scheme. He needed to provide a competitive location. He agreed that if someone did not need one, it would not be installed.

Chairperson Boswell asked the Commissioners if they had ever seen a building with two drive-thrus. Mr. Reece said he had not, and that was why he asked the question. He thought that the layout was somewhat forced and contrived by having one drive-thru exiting where people were entering the other drive-thru. He said that he would support one drive-thru, but not the layout as it was currently.

Chairperson Boswell said that in answer to Mr. Schroeder's question, for the southern drive-thru, people could pull out and around, but it appeared to Chairperson Boswell that if someone wanted to pull in to the second (north) drive-thru at the same time that someone wanted to pull out of the first (south) drive-thru, there would be a conflict. Mr. Reece stated that was exactly what he was concerned about. Chairperson Boswell asked if there were comments from any other Commissioners.

Mr. Schroeder indicated that if one were a McDonald's, which had tremendous drive-thru traffic, it probably would not work out. Mr. Frankel said that he did not anticipate a restaurant being larger than 3,000 s.f., and it would be mainly for breakfast or coffee.

Chairperson Boswell called for a roll call vote:

Ayes: Hooper, Schroeder, Yukon

Nays: Boswell, Brnabic, Dettloff, Reece

Absent Hetrick, Kaltsounis

MOTION FAILED

Chairperson Boswell said that he had actually anticipated that happening, but he did not anticipate what he would do next. It was something that they had never seen before, and it bothered him that there would be traffic conflict. He understood that everything met Ordinance requirements, but he thought that there was too much opportunity for conflict. He asked if any other designs were brought forward.

Mr. Breuckman said that the applicant had always been striving to get two drive-thrus, and Staff worked with him to get a technically compliant plan to bring forward. He was not sure if Mr. Frankel wanted to go back to the drawing board and come back with something else or if the Commission should just make its recommendation to City Council, and they would see what the decision was ultimately.

Mr. Frankel stated that they had worked diligently with the Planning Department to come up with a number of alternatives to solve the

problem of having two drive-thrus. The one he had presented was the best approach that they had collectively agreed upon that met the Ordinance for 10 stacking cars and for circulation around the building.

Chairperson Boswell knew, from Mr. Frankel having come before the Planning Commission previously, that he had done the best he could. However, personally, Chairperson Boswell was bothered by it. They could send it to Council and see what they had to say. Mr. Breuckman said that Mr. Frankel probably wanted to, and Mr. Breuckman did not feel there was any sense in delaying it. If they sent a recommendation to deny, it would be appropriate for the Commission to add a finding or two describing why they were recommending denial. He explained that it would be important to have findings in the motion.

Mr. Hooper referred to the southeast corner, where the conflict was, and he asked if there was a way to add some type of curb or island to force the eastbound drive-thru to turn to the south and the northbound drive-thru would have to come in at an angle so the cars would not have a conflict. He wondered if there was a workable solution such as that.

Mr. Breuckman thought that could be done, but in order to make the ten-space stacking requirement work, those windows had been pushed to the far southeast and northwest corners of the buildings, and the one on the south side of the building would have to be pulled west. That would back all of the stacking spaces up, and the tail end of the drive-thru window would go into the circulation aisle. It was possible to reduce the stacking requirements, but that would be subject to providing some kind of evidence based on who the user was. They would need to demonstrate what the stack was during peak times. On a speculative basis, the Planning Commission could not really reduce the stacking requirement.

Mr. Hooper said that for the northern drive-thru, if the stacking was reduced and some kind of curb element was introduced in the southeast corner so the cars had to go around a curb in order to come back in, the east bound lane could leave and there would be no conflict. He felt that was feasible, but there would have to be a waiver of the stacking requirements. Mr. Breuckman thought they would have to reduce one of the drive-thrus by two spaces or each by one. Mr. Hooper asked Mr. Frankel if he had any thoughts regarding that.

Mr. Frankel was not sure how the Commissioners wanted him to respond. Mr. Hooper said that he was just trying to find a solution, and Mr. Frankel said that he appreciated it. He did not have a user for the north drive-thru

presently. He had Potbelly's for the south side, which was a national sandwich shop. He had not asked them what their requirements were for stacking. Mr. Hooper suggested that when Mr. Frankel sought tenants, that he could tell them that there was an eight car stacking requirement. Mr. Frankel said he could live with that. Mr. Dettloff thought that was reasonable. Mr. Frankel said the same thing could work on the south side. He could perhaps make both tens nines or one ten eight and leave the other at ten, depending on who the drive-thru user was. Mr. Hooper added that a curb or landscaped island element could be used to physically separate the two, and Mr. Frankel said that he would be happy to do that.

Mr. Reece said that if the use dictated that there could be less stacking, he would still be concerned that the north side drive-thru primary stacking lane would be up against the service entrance of the building. He assumed that would be the same entrance where deliveries would be made. He asked where the delivery trucks would park to make deliveries into the individual tenants, noting that the drive-thru lane would essentially be right at the service door.

Mr. Frankel suggested that deliveries could be made through the front as opposed to the rear, and they would probably be very early in the morning before the restaurants opened. Typically, deliveries were made on a daily basis, usually between four and five o'clock in the morning. There would not be deliveries for those types of facilities at nine or ten o'clock in the morning. Sometimes they were done at midnight when the stores were closed. He saw that with Jimmy John's and many other restaurants.

Mr. Hooper believed that with previous CLU approvals, the Commission had put restrictions on delivery times, specifically for drive-thrus. Mr. Frankel thought that would be a workable solution. Chairperson Boswell indicated that some places were open 24 hours a day, but he did not think that was the type of client Mr. Frankel was looking for. Mr. Hooper also did not think there would be 8 cars stacked from 12:00 a.m. to 6:00 a.m.

Ms. Brnabic commented that deliveries did not usually occur through front doors. She thought they could work with delivery times, though. Mr. Frankel said that they would be happy to do that. Mr. Schroeder suggested restricting deliveries to times when stores were not open. Mr. Yukon said they would have to be careful, with multiple tenants, so that they operated at the same hours. Mr. Frankel said that some stores got deliveries through UPS, and those would come through the front door. He said that he would be happy to agree to some restrictions on the

restaurant use, including the possible elimination of a stacking space for each drive-thru or for two at either end if that was satisfactory to the Planning Commission.

Chairperson Boswell asked Mr. Breuckman if that was possible. Mr. Breuckman advised that the Ordinance gave the Commission the option to waive the ten-space stacking requirement, but certain conditions needed to be met before it could be approved. Mr. Breuckman said that technically, the easiest way forward would be to ask for some type of analysis for Potbelly and what their drive-thrus did. Mr. Schroeder asked if they could put in a condition stating that it would be worked out at the time the tenant was known. Mr. Breuckman said that if the Commission was comfortable delegating Staff to review the evidence at the time a tenant was identified, they could do that.

Chairperson Boswell said that if Potbelly were to scoff at the idea of ever having ten cars in the stacking lane, he would like to see the pickup window moved back so the conflict was eased a little bit. He knew that Mr. Frankel wanted to get busy on his building, and he would not know where to put the pickup window. If Potbelly said they often had ten cars, they would have an issue again.

Mr. Dettloff suggested that as a way of not bogging things down, Staff had heard the Commissioners' concerns, and he would feel comfortable having Staff deal with it. Mr. Breuckman felt that he had a good handle on the concern, and he asked if Mr. Frankel could provide a revised Site Plan showing the island that would push the traffic coming out of the south driveway back to the south and for the north driveway coming in to separate the conflict point. If there was a condition when the tenants were identified that Mr. Frankel had to demonstrate that they would not be over stacking the site based on evidence from other similar sites, Staff could review that.

Chairperson Boswell said that he doubted that Potbelly would have ten cars stacking, and he hoped he would not hear them say they had ten cars all the time. He asked if they would install an island with the window so close. Mr. Breuckman agreed that the window would have to be pushed back to get the island there. Mr. Breuckman said they would end up with eight or nine stacking spaces. Mr. Reece said that the window location was usually predicated on the kitchen layout, and they were generally in the back half of the stores, not up front, where the window would have to be moved.

Ms. Brnabic indicated that she would like to see the Plan come back, because there were quite a few question marks, even with all the things they just discussed. She was a little concerned about the policies with deliveries. The Commissioners could ask for deliveries to stop at 6:00 a.m., but it depended on the business and its own policy and regulations. She thought that perhaps they could have a condition regarding it, but with the way the vote went, she thought there should be more thought given to it, and that a revised plan should be submitted for review by the Commissioners.

Mr. Frankel said that it would create the chicken and egg theory, which meant that he would have to get all the tenants lined up before he could determine how they should operate. That would not allow him to build the building on a timely basis. He would like to be able to build it and work out the mechanics of the drive-thrus with the Planning Department. At least he could get one tenant in for sure and work through the second one. That was important to him. If he had to wait to find a tenant for the north end of the building, there was a possibility that it might not be a restaurant that needed a drive-thru. For example, it could be a coney island, which did not need a drive-thru. He had laid out the plan for the worst case scenario, and if he got to the point where he got two drive-thrus and then had a problem with the stacking, he would like to work with the Planning Department to see what they could do to accommodate the site to make it work. If he could not work it out with the Planning Staff, he could not, but at least he could get the building up and operating.

Chairperson Boswell said that at the present time, they would not need to know if anyone or who was in the north facility. They needed to know if Potbelly ever had ten cars stacked in a drive-thru.

Mr. Frankel said that he had not asked them that. Mr. Breuckman suggested that if it was close, even if they pushed the drive-thru window back on the north side of the building to a more reasonable location, he thought they could get eight cars stacking and nine on the south side pretty comfortably. He also suggested that they could put some criteria around what Staff could approve, and when the tenant came, they could show the drive-thru stats from three comparable locations. If it was clear that the demand would not outstrip the number of stacking spaces, Staff would approve it. He explained that if it was close, they would bring it back to the Planning Commission for review. If it was clear, he had no problem approving it, but if it was close, Staff would not be comfortable approving it. He indicated that it was a potential way to address it.

Mr. Hooper summarized three potential conditions. The first would be to restrict rear door deliveries for the interior tenants to non-operating hours of drive-thru restaurants. The second would be to reduce stacking for drive-thrus to eight on the northbound drive-thru and nine on the southern drive-thru, with proof for the specific tenant, as approved by Staff. The third would be to place an island at the southeast corner to separate drive-thru conflicts, as approved by Staff.

Mr. Reece suggested that as a possible solution to move things forward, he asked Mr. Frankel if he would consider the motion being revised to permit a drive-thru on the south elevation and make a condition of approval that should he have a tenant on the north elevation that desired a drive-thru, he would come back for Site Plan approval based on that tenant and its impact on the site. That would allow him to get the building built. He would not be putting a window in yet because he did not have a tenant to even design around. If that north tenant had a drive-thru, the Planning Commission could look at the impacts on the site.

Mr. Frankel said that if he could satisfy the three conditions Mr. Hooper mentioned as criteria, he would be happy to do that. If he could demonstrate that his tenant only needed eight, he would be happy to do that. He just did not want to have another set of criteria so that in three to four months they had to revisit the issue. As long as he knew what he had to work with, he could live with it.

Mr. Reece clarified that Mr. Frankel's preference was that the motion remained with two drive-thrus based on Mr. Hooper's recommendations. Mr. Frankel agreed, and said that he would accept one drive-thru now, and if he needed a second drive-thru and satisfied Mr. Hooper's three conditions, it could be approved. He reiterated that he was just trying to avoid another set of criteria. Mr. Reece said that he could appreciate that, but the Planning Commission was trying to avoid a bad site layout situation that would cause accidents. Mr. Frankel said that he understood. Mr. Dettloff reminded that Mr. Frankel might or might not have a tenant that would require a drive-thru.

Hearing no further discussion, Mr. Schroeder moved the CLU motion in the packet.

Ms. Brnabic clarified that with the new motion, they would still be approving two drive-thrus, but the northern drive-thru would be reviewed by Staff, and if they felt there was still too much of a question mark, it would return to the Planning Commission. Chairperson Boswell agreed.

Mr. Hooper felt that was accurate, and that the applicant had the ability to reduce the stacking lane to eight cars, with proof, and they would add an island to separate conflicts.

Ms. Brnabic confirmed that no matter what, the northern drive-thru would be reviewed in the future. There was currently no tenant, but once one was secured, she wanted to make sure that the northern drive-thru would go through a review process. Chairperson Boswell added that the northern tenant would have to demonstrate that the restaurant could get by with eight stacking cars.

There was a question about whether the Commissioners should be voting on the Site Plan motion. Mr. Breuckman believed they were voting on the CLU motion. Chairperson Boswell said that they had voted on the CLU recommendation, and unless one or more of the no votes wanted to change their vote and ask for a re-vote, they could not vote on the CLU. Mr. Breuckman felt that it would be better if they had an affirmative recommendation. They really did not have a recommendation on the CLU; they had a motion that failed. The three new conditions were really more appropriate being attached to the CLU. Chairperson Boswell asked if any of the no votes wished to call for a re-vote.

Mr. Dettloff called for a re-vote on the CLU. Ms. Brnabic advised that without a CLU approval, Mr. Frankel would not be permitted to have any drive-thrus, even if they approved the Site Plan. Chairperson Boswell called for a re-vote, and Mr. Schroeder moved that the Planning Commission have a re-vote for the Conditional Land Use recommendation, seconded by Mr. Dettloff. Chairperson called for a voice vote:

Ayes: All

Nays: None

Absent: Hetrick, Kaltsounis

MOTION CARRIED

Chairperson Boswell stated that the motion had passed. Mr. Schroeder then moved the following, seconded by Mr. Yukon.

MOTION *by Schroeder, seconded by Yukon, in the matter of City File No. 13-012 (Campus Corners Outlot Retail Building) the Planning Commission **recommends** to City Council **approval** of the **conditional land use** to permit two drive-through facilities based on plans dated received by the Planning Department on February 20, 2014, with the following five (5) findings and subject to the following three (3) conditions:*

Findings

1. *The traffic generated by the proposed development is not expected to be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
2. *The proposed building and other necessary site improvements meet the standards of the Zoning Ordinance.*
3. *The proposed building has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the hospital, the general vicinity, adjacent uses of land, the natural environment, and the capacity of public services and facilities affected by the land use.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.*
5. *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. *Deliveries to the restaurants' back doors will be restricted to non-operating hours.*
2. *Reduce the stacking lanes for the northern restaurant to eight spaces and to the southern restaurant to nine spaces based upon proof provided to and approved by staff or brought back to the Planning Condition for review to ensure those numbers are satisfactory.*
3. *Place an island on the southeast corner of the building to reduce traffic conflict.*

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Schroeder and Yukon

Nay 1 - Reece

Absent 2 - Hetrick and Kaltsounis

Chairperson Boswell stated for the record that the motion passed six to one

2013-0358 Request for Site Plan Approval - City File No. 13-012 - Campus Corners Outlot Retail Building, a proposed 8,095 square-foot multi-tenant retail and restaurant building on Livernois, south of Walton Blvd., Campus Corners Associates, Inc., Applicant

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

Aye 6 - Boswell, Brnabic, Dettloff, Hooper, Schroeder and Yukon

Nay 1 - Reece

Absent 2 - Hetrick and Kaltsounis

Mr. Frankel thanked the Commissioners. Mr. Breuckman advised that the matter should be on the March 17, 2014 City Council meeting.

2008-0053 Request for Adoption of the Rochester Hills Architectural Design Standards - James Breuckman, Manager of Planning

(Reference: Memo dated February 20, 2014 and Architectural Guidelines dated February 25, 2014, prepared by James Breuckman, had been placed on file and by reference became part of the record thereof.)

Mr. Breuckman stated that the packet included two versions of the Guidelines; one was the clean version or the form to be used if approved, and the other was a redline version to show where changes and updates were made. There were a couple of changes made to the administrative standards, clarification to some graphics and diagrams and percentages added for the amount of vinyl building material that would be allowed. Mr. Breuckman noted that on the back of his memo was a resolution of adoption for consideration, which would then become part of the guideline packet.

Chairperson Boswell asked if there was any further discussion. Hearing none, Mr. Dettloff moved the motion in the packet to approve the Architectural Guidelines. He thanked Mr. Breuckman for his hard work, noting that the Planning Commission had looked at it quite a lot, and that Mr. Breuckman had done a great job. Mr. Reece seconded the motion,

which Chairperson Boswell read into the record:

MOTION by Dettloff, seconded by Reece, the Rochester Hills Planning Commission decrees:

WHEREAS, on April 20, 2009 the City Council of the City of Rochester Hills adopted a new Zoning Ordinance (Chapter 138 of the Code of Ordinances).

WHEREAS, Section 138-2.203 references building design guidelines establishing criteria for the review of building design and architecture. The adoption of the new ordinance necessitates the need for comprehensive guidelines by which to evaluate development and design proposals.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission of the City Of Rochester Hills hereby approves and adopts the Architectural Design Guidelines effective February 25, 2014.

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

Aye 7 - Boswell, Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

Absent 2 - Hetrick and Kaltsounis

Chairperson Boswell stated that the Architectural Guidelines effective February 25, 2014 were adopted, and he thanked Mr. Breuckman.

ANY OTHER BUSINESS

2014-0083 Request for discussion - proposed residential Planned Unit Development called Sanctuary at Rivers Edge, north of Avon, east of Livernois and accessed from Harding, 6.16 acres, zoned RCD, One Family Cluster, Parcel No. 15-15-403-010, MJ Ridgepoint, LLC, Applicant

(Reference: Memo dated February 21, 2014, prepared by James Breuckman and Concept Plan, prepared by Design Team Plus had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Jim Polyzois, part owner of MJ Ridgepoint, LLC, 64155 Van Dyke, Suite 269, Washington Township, MI 48095 and Ralph Nunez, Landscape Architect, Design Team Plus, 975 E. Maple Rd., Suite 210, Birmingham, MI 48009.

Mr. Breuckman advised that the applicants were presenting a concept plan that Staff had been discussing with them for some time. He stated

that it was an interesting site that backed to the Clinton River Trail, approximate to the Clinton River, and it would be accessed off of Helmand. The site was zoned RCD, One Family Cluster, and the applicants' plan was to go forward with a Planned Unit Development (PUD) for a single-family development with 60-foot wide lots. The idea was to capitalize on two major location elements - proximity to downtown Rochester and to the Clinton River Trail. Mr. Breuckman mentioned that there were a couple of things to note. Castell, which was a dirt road and which connected off of Harding to Helmand, was not a standard right-of-way. It was about 25 feet wide, and they would have to carefully look at that. Castell was part of the development, and it would be handled through the PUD process and would most likely be closed, because it was not an appropriate place for traffic. One neighbor Staff had talked with was Mr. Miller, who was present. Mr. Breuckman pointed out a spot on the northwest portion of the property, which was Mr. Miller's house. Mr. Miller had some concerns, all of which Mr. Breuckman believed could be handled. There was also a little notch on the west side of Mr. Miller's property that was dedicated right-of-way. Mr. Miller would like to see that vacated if the development went forward, because there was likely no use for it in the future, and Mr. Miller maintained it.

Mr. Breuckman summarized that as always with PUDs, Staff liked to bring the concept forward for discussion before entering a formal review process, which was helpful to Staff and the applicant. He noted that Staff had encouraged the applicant to consider the types of homes they were presenting. The applicants had identified some good examples that gave a flavor of the character they were anticipating. He turned the discussion over to Chairperson Boswell, and said that he would be happy to answer any questions.

Chairperson Boswell asked the applicants if they had anything to add. Mr. Nunez recapped that the Clinton River and the Clinton River Trail were to the south of the property, and noted that the property to the west had recently been purchased by the City. He pointed out that there was a significant grade. There were three homes adjacent on the north (including Mr. Miller's) and homes to the west and east. Mr. Nunez advised that they had gone through a number of concept plans. Staff had been very helpful and suggested that they look at different home styles. They did look extensively at homes to the north in Rochester. Some were good examples, and some were not what they really wanted to do. They came up with a plan with a few more units, but they found that they would rather do quality home sites versus going to a cluster-type of development. The property was relatively flat up to lot seven, and then

there was a grade drop to a plateau at the bottom. They looked at the trees, and there were a handful of really quality trees with two big species for which they were checking their health. They looked at the different zoning districts, and they came up with building pads that were 45 x 65 feet. There were 30-foot rear yards throughout the perimeter. They created a setback requirement of 25 feet from the road right-of-way. The other road was a 50-foot private drive. Mr. Nunez indicated that the homes would not be one standard with a couple of different finishes. Each lot would be a little different. He referred to lot 19, which was a larger, flatter site, and they were talking to an individual who was looking for a ranch. The majority of the other building pads were different because of the configuration. The homes would be unique. They were currently working with an architectural firm that was developing a number of different elevations. They would have 8-10 different homes. They would be looking at the new design criteria recently adopted to make sure the homes conformed and exceeded the quality of building materials required.

Mr. Nunez commented that they were concerned about the adjacent neighbors. Regarding Mr. Miller's concern, there were no plans to extend the right-of-way south, and there was no need to do that. They left a green space between Mr. Miller's home and lot one because they were concerned about the distance from the back of his garage to his property line. Also, in the back of lots one and two, which abutted up to the adjacent neighbor, they wanted to make sure they added green space. Lots three through eight were up against the City's property, which would stay as open space. He pointed out the detention facility and the forebay, which were conceptual and still needed to be designed by their engineer. It would stay as open space. There was green space between lots 10 and 11 that went up to lot 18, where they were hoping to save trees. If they had to replace those higher quality trees, they would place them along that area to create a stronger buffer. They also proposed a gated entrance with a key pass to get to the Clinton Trail and also one at the entrance to the private drive. He showed some photos of some of the homes. The architects were using them as templates, with recessed garages. They would bring material boards down the line, but they wanted to give an idea of the style they were looking at. He concluded that the footprint would be 29 feet for two stories.

Mr. Polyzois stated that they were very fortunate to be working with a unique piece of property, and they spent a lot of time analyzing the optimum scenario that would benefit the site and incorporate the unique architecture. They were proposing 19 home sites, and there could be ten

different elevations and different materials to have a diverse neighborhood and take advantage of the surrounding area.

Mr. Dettloff asked Mr. Polyzois about the price points. Mr. Polyzois advised that the homes would start at \$550,000.00. Mr. Dettloff said that it appeared that they were already in communication with the neighbors. Mr. Polyzois said that he had spoken with one neighbor, and he had talked with about 30 people in the surrounding communities that had expressed an interest in moving into the subdivision. Mr. Dettloff asked if he could assume that the financing was in place. Mr. Polyzois assured that it was not a problem.

Chairperson Boswell noticed that several people were in the audience, and he announced that if anyone wished to speak on this item, that they should fill out a card and turn it in to the Secretary. He called Mr. Miller, who had previously filled out a card, to the microphone.

Jeffrey Miller, 501 S. Castell Ave., Rochester Hills, MI 48307 *Mr. Miller agreed that he spoke with Mr. Polyzois. Mr. Miller said that Mr. Polyzois also had a real estate person come and strong arm him to try to get him to sell his property. The real estate person told Mr. Miller that his property would be devalued if he did not sell it. Mr. Miller told him that his houses would not be very good if it would devalue his (Mr. Miller's) home. One of the neighbors' concerns was that Castell would have to be blocked off because of the development's entrance. He wanted to know where it would be blocked off and if it would still be maintained by the City or if the neighbors would have to take care of it like they did years ago.*

Chairperson Boswell said that he looked down Castell from Harding and thought it was Mr. Miller's driveway - he did not realize it was a street. Mr. Breuckman indicated that it was still very preliminary. They did not want people accessing the development off of Harding via Castell, but where the break would be still had to be discussed with the Fire Department. If the Fire Department wanted to have two points of access, they would have to figure out how to make that happen, and Mr. Breuckman was not sure how at this point. They might have to block Helmand in between Mr. Miller's driveway and the new road to funnel folks down Peach. He acknowledged that it was a detail that they still had to work out.

Mr. Miller said that his other concern was that the proposed property used to have wetlands, and he asked if wetlands had anything to do with development anymore.

Mr. Breuckman said that they did, but Staff looked at the site and it did not appear there were wetlands, and it might have changed over time. He was not sure if the applicants had done any type of studies. Mr. Nunez pointed out two small pockets of wetlands. He had not calculated the square footage, but he said that they were relatively small in size.

Cleaton Lindsey, 368 Helmand, Rochester Hills, MI 48307. *Mr. Lindsey said that he lived directly across from Mr. Miller. He had researched Planned Unit Developments, which he said should promote health, safety and welfare and protect the residents, and he did not see how the proposed development would do that. There were two access points currently, but they would be limiting it to one access point for the neighbors. He found that troubling, and said that Castell was non-conforming and could absolutely not handle an additional 19 homes. He did not see how that would fit within the guidelines of promoting health, safety and welfare in that area. In addition, the area was high on the list for natural areas, and the residents paid for green space, and he felt the subject site was a very desirable and optimal location for green space, given that it backed up to the Trail. He remarked that instead, the applicants would go in and put in a bunch of homes. As much as the design liked to suggest that there would be open space, there would be a couple of trees, but they would be taking an entire wooded area and destroying it. He reiterated that it was on the list of the parcels the City would like to buy, and the residents paid a millage for that, and it seemed as if the development would be in direct opposition to what the City wanted to do.*

George Snow, 505 Harding Ave., Rochester Hills, MI 48307 *Mr. Snow stated that he was the neighbor just to the west, and he said that no one had approached him about the project. He said that he had a lot of issues. He echoed what Mr. Lindsey said about the green space. He built his house and made a substantial investment, and he planned to live there the rest of his life. He came to Rochester Hills for the green space, and he voted for the millage. As Mr. Lindsey mentioned, it was on the list of desirable properties to be purchased by the Green Space Committee. Mr. Snow mentioned that he was on the Clinton River Trail every day, either running or walking his dog. Someone could go from Crooks and Hamlin all the way to Dequindre, and with very few exceptions, there were no homes or subdivisions. When he went to a Rochester City Council meeting concerning putting in apartments at the old paper mill site, one gentleman said that he came all the way from Harper Woods so he could get on the Trail. Mr. Snow felt that it would be a huge travesty to take a large, undeveloped piece of property with a lot of*

beauty and plopp a subdivision on it. He was not sure if the applicants were aware that the property the City purchased next door was sold by Mr. Chirco for \$1.2 million. Mr. Snow felt that the voters had voiced opinions, and the project would be going against that. He believed that going to a PUD from RCD would be a variance change from what was planned in the Master Plan (he said R-3), and he did not see anything that met the criteria to change to a PUD. He read one criterion, "preserve and dedicate open space," and he thought this would be doing the opposite. He knew the applicants mentioned preserving space between lots one and Mr. Miller's house, but it was only a few feet. He read, "environmental and ecological significance," and he said that the proposed site had that as it was, and adding a subdivision would go against that. He read number seven, "encourage redevelopment or change of use where an orderly transition was desirable." He remarked that he did not see where the project would be desirable other than for the investors or specific people who wanted to live there. He believed that a lot of the parcel was in a floodplain, and he said that if any of the applicants had spent a lot of time in the City, they would remember that in May 2004, a big chunk of the property was flooded. He did not know how people moving in there would want to deal with that, but in the spring of 2004, they closed the Avon and Livernois intersection for a few days. Mr. Snow stated that all the trees would have to be clear cut. There were a lot of walnuts, and they would basically have to take them all out. He had concerns about traffic. They had already talked about the 25-foot access point, and he agreed that it would somehow have to be limited. Every time the City plowed, they took another little chunk of his property. In the last year, two people had lost control of their cars, had come onto his property and took out trees. He found remains of a black Volvo a couple of months ago, because people came around the corner driving too fast, and he believed that adding more traffic would make it even worse. He did not see how they could provide access with a non-conforming road.

Chairperson Boswell closed the public comments at 8:55 p.m. He advised that the plan was still in its infant state. The reason Mr. Breuckman spoke of closing Castell was that it was a non-conforming road, and there would probably be a gate that the Fire Department could access, but no one else could. The Fire Department would also come down Peach. The Fire Department would review the plans and tell the applicants whether or not they could build it as it was depicted. Regarding the site being desirable, he agreed that a green space millage was passed, and the City did have its eye on several properties; however, the City did not own the subject property - the applicants did. If the applicants wanted to sell it, the City would have to pony up the money. He indicated

that they all probably moved to Rochester Hills for the open areas, green spaces and wildlife, but that did not mean that other people should not be allowed to move here because people did not want them in their backyards. He stated that development happened, and he emphasized that it was the Commission's job to control that development in a way that was advantageous for the entire City.

Mr. Breuckman felt that it was important to keep in mind that the site was zoned RCD, so by right, the applicant could put in four-unit attached buildings. The PUD was a way to allow for single-family on smaller lots, consistent with the in-town Rochester feel. He noted that if someone wanted to do single-family by right in the RCD district, it would require compliance with the R-3 zoning district, which would require bigger lots. The PUD was a way of achieving a density that was similar or less than what could be done in the RCD district, in a way that was sympathetic with the way that in-town Rochester had developed. The PUD would not be giving anything away in terms of density, and it was a more design-driven concept to get an equivalent or lesser density that what could be done by right.

Mr. Cleaton asked why they had to put so many houses in such a tiny space. He indicated that if there were five or six homes, that would be awesome, and it would maintain the beauty of the site. He commented that they would just be "slamming" 19 homes in there. He understood that the City did not own the property, but he maintained that the City also did not have to approve the project.

Mr. Snow pointed out that they were not in Rochester. He added that the house to the east was on 2.7 acres; Mr. Miller was on a third of an acre; Mr. Snow was on 1.2 acres; Mr. Lindsey was on almost half an acre and so was Mr. Bennett (next to Mr. Lindsey).

Chairperson Boswell pointed out that when he moved to town, he had two acres and an orchard in his backyard, and he was on a dirt road. That dirt road was now a three-lane road, and the homes behind the house were now covering the orchard, and he commented that it did happen, because it happened to him.

Chairperson Boswell asked the Commissioners if they had any ideas or thoughts.

Mr. Schroeder asked if the utilities, such as sewer and water, were available. Mr. Nunez replied that they were.

Mr. Reece asked Mr. Breuckman if he could clarify a statement he made that if the project was developed as single-family within the confines of the RCD district that it would have to be done as R-3.

Mr. Breuckman explained that the RCD district provided for single-family by right, but it had to meet all the requirements of the R-3 district. Mr. Reece asked what size development they could get if the applicant developed under R-3. Mr. Breuckman advised that there would be 90-foot wide lots and 12,000 square-foot minimum lot areas. Mr. Reece clarified that the proposed lots, on average, would be 60 feet wide.

Mr. Snow asked if the plans were to pave Helmand, which was confirmed. Chairperson Boswell added that it would be proposed as part of the PUD.

Mr. Polyzois said that Mr. Miller referenced that a real estate agent approached him about selling his home. Mr. Polyzois said that it was not someone he commissioned to approach Mr. Miller. This agent had approached Mr. Polyzois about buying his piece, and the agent asked if Mr. Polyzois would buy any surrounding properties from him (the agent) if he could secure them. That was the extent of it, and Mr. Polyzois said that he did not dictate anything to him either way.

Hearing no further comments, Mr. Nunez thanked the Commissioners.

Discussed

2014-0070

Recommendation of a Planning Commission Representative to the Zoning Board of Appeals for a one-year term to expire on March 31, 2015.

The one-year appointment of the Planning Commission Representative to the Zoning Board of Appeals ends on March 31, 2014. The Planning Commission is required to make a recommendation to City Council prior to this date. After confirming that Ms. Brnabic would again like to serve, Mr. Schroeder moved the following, seconded by Mr. Yukon:

MOTION by Schroeder, seconded by Yukon, the Rochester Hills Planning Commission hereby recommends to City Council that Deborah Brnabic shall serve as its representative on the Zoning Board of Appeals for a one-year term to expire March 31, 2015.

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

Aye 7 - Boswell, Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

Absent 2 - Hetrick and Kaltsounis

NEXT MEETING DATE

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for March 18, 2014.

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Brnabic, Chairperson Boswell adjourned the Regular Meeting at 9:05 p.m.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary