



Rochester Hills

Minutes - Draft

Planning Commission

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

Tuesday, April 19, 2016

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Vice 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 Emmet Yukon

Quorum present.

Also present: Ed Anzek, Director of Planning & Econ. Dev.
Sara Roediger, Manager of Planning
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

[2016-0178](#) March 22, 2016 Special Meeting

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

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

COMMUNICATIONS

- A) Planning & Zoning News dated March 2016
- B) Resolution in Memoriam for William Boswell
- C) Certificate of Appreciation for William Boswell

Vice Chairperson Brnabic read the Resolution that had been prepared in honor of former Chairperson William Boswell:

MOTION by Hooper, seconded by Kaltsounis, the Rochester Hills Planning Commission hereby presents the following Resolution honoring

former Chairperson William Boswell:

WHEREAS, *William Boswell, Chairman of the Rochester Hills Planning Commission departed this life on March 27, 2016 at the age of 68; and*

WHEREAS, *the Rochester Hills Planning Commission wishes to recognize and memorialize his thoughtful and outstanding record of community service as a member of this Commission; and*

BE IT FURTHER REMEMBERED *that Bill served this Commission and this City nobly and well from 1991 until the time of his passing. His death has created a vacancy on this Commission which no person will ever be able to truly fill; and*

BE IT FURTHER REMEMBERED *that the Rochester Hills Planning Commission, at its meeting April 19, 2016, expresses its profound sorrow upon the loss of our friend and colleague; that we remember with affection and appreciation the impact that he had upon each of our lives; and that we express to the Boswell family our deep sense of loss.*

NOW, THEREFORE, BE IT RESOLVED *by the Rochester Hills Planning Commission that the life of William Boswell be recognized as one of deep dedication to this body and our City and that his death represents a great loss to us all. We mourn his passing, but celebrate the numerous and positive contributions he made to our City.*

BE IT FURTHER RESOLVED *that this resolution be recorded in the permanent minutes of this Commission and a copy be given to the Boswell family.*

Vice Chairperson Brnabic stated that she admired Bill's total dedication to serving on the Planning Commission. His son brought his planning packets to the hospital every month, and Bill always looked forward to being at the next meeting. She expressed that she would miss him as a friend and colleague.

Mr. Kaltsounis noted that it was a tough meeting for the members and very tough to see Bill's passing. They lost a fellow Commissioner and colleague who was very knowledgeable, quiet but strong, and a good friend. Bill had gone through some tough times recently, and the Commissioners were supportive through as much as he let them know - which was not much. Mr. Kaltsounis stated that he would miss him. He had been on the Planning Commission for about 12 years, and Bill had

always been there. He concluded with the Church prayer, "May his memory be eternal."

Mr. Hooper stated that he had the extreme pleasure of working with Bill on the Planning Commission for the last 17 years. He said that it was always tough to see someone's passing, noting that he had gone through it on City Council when Mr. Marty Brennan passed away. Mr. Hooper indicated that he would always remember Bill on a very positive note. He enjoyed working with him, and he learned a lot of things from Bill from his many years of experience on the Planning Commission. He definitely valued the time he had been able to spend with Bill on the Planning Commission. He moved the above Resolution, seconded by Mr. Kaltsounis, and Vice Chairperson Brnabic called for a vote.

Voice Vote: All Ayes

RESOLUTION PASSED

Vice Chairperson Brnabic called for a moment of silence in honor of former Chairperson Boswell.

NEW BUSINESS

2016-0124

Public Hearing and request for Preliminary Site Condominium Plan Recommendation - City File No. 15-017 - Devondale Site Condos, a proposed 4-unit residential development on 1.96 acres located on the east side of Devondale, south of Austin Ave., zoned R-4, One Family Residential, Parcel No. 15-29-452-041, 2595 Devondale, LLC, Applicant

(Reference: Staff Report prepared by Sara Roediger, dated April 15, 2016 and site plan and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Paul Esposito, 2595 Devondale LLC, 45489 Market St., Shelby Township, MI 48316 and Jeff Allegoet, Anderson, Eckstein and Westrick, Inc., 51301 Schoenherr Rd., Shelby Township, MI 48315.

Ms. Roediger summarized the request and outlined the project, a single-family, detached site condo development consisting of four homes on approximately one-half of an acre each. The applicant was going through the condo process, because the lot could not be split any further, and she indicated that it was very straight forward. It involved a two-step process with a recommendation to City Council for Preliminary and Final Site Condominium Plans. The homes could be single or two-stories depending on market demand. Since the plans met all the City's regulations, staff recommended approval.

Mr. Allegoet advised that although the site was not under the City's Tree Conversation Ordinance, the developer was setting up a tree preservation easement to save trees and to avoid building in those areas. He said that he would be happy to answer any questions.

Vice Chairperson Brnabic opened the Public Hearing at 7:12 p.m. She asked that all questions be directed to her, and advised that they would be answered after all speakers were finished.

Michael Pfund, 2596 Devondale, Rochester Hills, MI 48309 *Mr. Pfund noted that he was a neighbor across the street. He asked the square footage of the homes, and was told 2,100 to 2,700 square feet by Mr. Allegoet. A couple of other questions were answered by Mr. Allegoet; however, Vice Chairperson Brnabic reminded that everyone's question(s) would be answered after the Public Hearing. Mr. Pfund asked if the property was going to be rezoned for condos, noting that it was zoned single-family. He asked if there would be condos on the two-acre lot across the street. He asked when the building would commence. He stated that there would be an increase in traffic, noting that Rayconnect down the street was recently built at 100k square feet, and there were 50 cars a day going down his street, as well as Fed Ex, UPS and double axle trucks. He was especially concerned about traffic.*

Werner Gottschalk, 2726 Midvale, Rochester Hills, MI 48309 *Mr. Gottschalk noted that he lived diagonal to the southeast on Midvale (one street to the east). His big concern lately was with development - on the subject parcel and on adjacent properties. There were some trees in the area, but last fall it was completely leveled, and the adjacent property was cleared. He claimed that the noise level since Rayconnect was built had increased dramatically. He was concerned about all the tree cutting in his neighborhood. He claimed that he originally moved in because there were woods, but now there was nothing, so the noise could be heard from M-59. He asked if there would be a Homeowner's Association with the condos and if the other lots to the north would be developed as condos. He said that in the past, one house would be built, but now there could be seven condos. He felt that the proposed homes would look cookie-cutter style. In his neighborhood all the homes looked different, and he did not think the proposed homes would fit in the neighborhood.*

Helga Orvis, 2717 Devondale, Rochester Hills, MI 48309 *Ms. Orvis noted that she was a neighbor on Devondale. She pointed out that the road was currently gravel, and she asked if there would be any paving*

done. She asked if the utility lines would be underground. She said that she lived right next door, and there were low lines between the two property lines. She asked how the lot would be cleared. She mentioned a fence which was very run down and falling apart, and she asked if it would be removed, because there were a lot of weeds going onto her property. She realized that there would be a silt fence for construction purposes. She asked if all the condos would be built at the same time and listed at the same time or if it would be a three-year process of dust and construction. She wondered what made the subject lot different than the three lots to the north where there would be houses. She asked if there was going to be an association and what the homeowners would be required to maintain, such as raking the leaves or cutting the grass.

Vice Chairperson Brnabic closed the Public Hearing at 7:20 p.m. She mentioned the question about rezoning. The property was zoned R-4, single-family, but Mr. Pfund had questioned whether it had been rezoned.

Ms. Roediger agreed that the property was zoned R-4, which allowed single-family homes, which were being proposed. She pointed out that the density proposed was actually less than what could be built. She thought that the use of the word "condominium" was confusing, and she explained that developing site condos had to do with ownership. The property did not require a rezoning. There would be condo documents provided that would show how everything was structured, maintained and operated. She stated that for all intents and purposes, the applicant was developing single-family homes, which was exactly what the site was zoned for but at a lower density.

Vice Chairperson Brnabic noted concerns about traffic. Ms. Roediger reiterated that the applicant could have put in more homes. According to the experts, the average single-family home took between 9 and 10 trips per day. There were no plans to pave the road. She emphasized that the applicant would be putting in what was always planned for the area.

Vice Chairperson Brnabic asked about the utility lines, and Mr. Esposito responded that the lines ran at the front at the road. There was one in the middle of a lot that would have to be reconfigured, and the pole would be moved, but coming into the properties, all the lines would be underground.

Vice Chairperson Brnabic asked the proposed timeframe for construction. Mr. Esposito advised that the three lots to the north had been sold. On the first lot by Austin, a 4,500 square-foot home was being

built. On the second lot south of that, a 2,800 square-foot home was being built, and on the third next to the proposed site, a 3,300 square-foot home was being built. He said that he had an interested customer for the subject site to build a 3,500 square-foot home, and he maintained that the homes would be higher-end. They would be brick, and some would cost over \$400k. He stressed that the word condo did not mean that they would be coming in and building 60 homes. There would be four homes, and he felt that it would beautify the area.

Vice Chairperson Brnabic questioned whether the homes would be built independent of each other or all at one time. Mr. Esposito advised that the first three were going in at the same time, and that all seven would be completed by the end of the year.

Ms. Roediger clarified that three of the seven lots Mr. Esposito was talking about were not part of the proposal. They were done as lot splits through the Building Dept. If the subject parcel already had been platted into four lots, Mr. Esposito would be able to construct homes without going before the Planning Commission. The applicant had to use the condominium process to be able to build four homes on the lot and was not able to split it into platted lots.

Vice Chairperson Brnabic mentioned concerns about tree removal. Mr. Allegoet reiterated that the property was exempt from the Tree Ordinance, but in good faith, the developer had proposed a 35-foot wide easement. The lots were deeper than normal, and they did not plan to clear cut the property. They would only take trees out necessary to build the homes and decks.

Mr. Kaltsounis recalled that the Commissioners had previously discussed development on land that had been pre-platted and the fact that the Tree Ordinance did not protect those properties. He related that all of the trees could technically be removed from the subject site. The Commission had asked staff to take a look at that Ordinance.

Mr. Anzek responded that staff had started that research and had started looking at other communities. They had a brief conversation with Mr. Staran as to how the Ordinance could be re-enacted. Their work load had not permitted them to really take a deep dive into in, but he assured that it was being looked at.

Mr. Kaltsounis noted that the applicant would be back for Final approval, and he looked forward to seeing the trees saved at that point as

discussed. Regarding the word condo, he commented that he wished he had a nickel for every time people came before the Commissioners and said that they did not want a condo next to them. Mr. Kaltsounis maintained that what would be built was not a condo, and it was a poor name put forth by the State to address building homes on properties that had been pre-platted. The subject property used to be part of a subdivision with certain dimensions and sizes. If someone wanted to change it to add more homes, the site condo process had to be used. He emphasized that the homes were not condos. He lived in a site condo, and he stated that it was a house. There were rules within the Association, but people could mow their own grass if they wanted.

Mr. Kaltsounis said that the property was zoned R-4, and the applicant was not trying to stuff a lot into a little area. There were ample backyards., and a lot of the other homes on the street were harmonious with the proposed homes. Hearing no further discussion, he moved the following, seconded by Mr. Yukon.

MOTION by Kaltsounis, seconded by Yukon, in the matter of City File No. 15-017 (Devondale Site Condominiums), 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 February 25, 2016, with the following five (5) findings and subject to the following five (5) 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 in the construction plan documents 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. *Payment of \$800 into the tree fund for street trees prior to issuance of a Land Improvement Permit.*
3. *Approval of all required permits and approvals from outside agencies.*
4. *Compliance with applicable staff memos, prior to Final Site Condo Plan Approval.*
5. *Submittal of By-Laws and Master Deed for the condominium association along with submittal of Final Preliminary Site Condo Plans.*

Mr. Hooper asked if there was an easement or some type of approval needed for the Leuder Drain crossing.

Mr. Allegoet agreed that if there was any connection to the Drain, they would have to get County approval. He believed that the drives were staying clear of it. He added that it would have to be submitted to the County for review, and Mr. Hooper clarified that the County would then grant driveway access, which Mr. Allegoet confirmed. Mr. Hooper said that he had the opportunity to walk the site over the weekend. He agreed with the comments about the property clearing. The property behind the subject site had been cleared some time ago, and the vegetation around the property had been cleared. On the subject site, there were some trees, but those left were not mature trees. He indicated that as far as tree preservation, they would not be saving any majestic oaks or anything of any significance. Mr. Allegoet agreed. Regarding tree conservation, which he indicated was a noble gesture, Mr. Hooper asked if it was the applicant's idea or a recommendation. Mr. Allegoet said that it was talked about during some preliminary meetings, and since the lots had extra depth, they were able to push the drainage to the west and give a little more of a buffer through the area.

Mr. Esposito added that the properties were over 300 feet deep, and it would create more privacy. They felt that trees helped houses sell. Usually, they would carve out where the homes would go, and try to keep as many trees as they possibly could. Mr. Hooper maintained that a good number would be removed because of the grades, and there would be a fair amount of fill needed. Relative to the neighbor to the south, the property was at roughly the same elevation, but there would be some grading and filling around the building envelopes and for the driveways. Other than that, he said that it was zoned appropriately, and what was being proposed was appropriate, and he did not have any other issues.

A motion was made by Kaltsounis, seconded by Yukon, 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 Yukon

Vice Chairperson Brnabic stated for the record that the motion had passed unanimously, and she thanked the applicants. Ms. Roediger advised that the matter would be forwarded for the next available City Council meeting in May. Mr. Anzek also advised that those that spoke would be notified of the meeting.

2016-0125

Public Hearing and request for Approval of the 2017-2022 Capital Improvement Plan

(Reference Memo prepared by Keith Sawdon, dated April 19, 2016 and draft CIP Document had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Keith Sawdon, Director of Fiscal, Ed Anzek, Director of Planning and Economic Development, Paul Davis, Deputy Director, DPS/Engineering, Alan Buckenmeyer, Manager of Parks, Ken Elwert, Director of Parks and Forestry, Scott Cope, Director of Building, and Joe Snyder, Senior Fiscal Analyst, City of Rochester Hills.

Mr. Sawdon thanked the Commissioners for looking at the draft Capital Improvement Plan (CIP) for 2017-2022. He explained that it was based on the City's adopted policies, procedures and goals and objectives, which stemmed from Council's Strategic Plan. Projects contained within the document were identified as being desired in the community for the next six years. They did not necessarily make it into the budget, but it made the City aware of them moving forward. There were 19 new projects submitted in the plan totaling \$8.3 million. In total, the City's share of all the projects within the CIP totaled \$85.3 million. He stated that roads dominated the CIP, making up about 47% of all activity identified. There were 17 projects removed from the Plan; 12 were completed; three were in the process of being completed; and two were deleted. Of the 19 new projects, there were eight major road projects, three pathway projects, five water and sewer projects, one storm water drain project, one Park project and one Facilities project.

Mr. Anzek noted that this was the 20th year the CIP was presented. He added that it was always a compliment to the City when they were at State training courses for planning, and Rochester Hills' was mentioned as the model to follow for developing a CIP. He went through the new projects in a little more detail, and pointed out that the sponsors of the projects were present to answer any questions.

Mr. Anzek started with the Facilities project, which was for an improvement to the rear access of the main fire station. There was a second passage for fire trucks to go east and south that was in total disarray and needed to be rebuilt. Next was a proposed irrigation project for Hamlin Rd. that ran from Adams to the western City limit. When boulevards were installed on Hamlin, irrigation was not added at that time, but they had been adding some yearly. Next were turn lane improvements for Auburn Road, mostly at the main intersections of Livernois, Crooks and John R. Accompanying the rear entry improvement to the fire station, Horizon Ct. was going to be rebuilt. It had taken a lot of wear and tear from the fire trucks daily. Both of those projects would take place in the same year but not at the same time. The next project was a right turn lane improvement from Livernois onto Auburn. There was another project for a right turn lane from northbound John R onto Auburn. Barclay Circle rehabilitation was proposed. Signalization and improvements to the intersection of Wabash and Barclay Circle at Rochester Rd. were proposed because it was a little misaligned. South Boulevard rehabilitation was being done in conjunction with the City of Troy using some extra funding provided to the City. It would be for the area between Crooks and Livernois. For the Parks project, there would be an improved Clinton River access for canoeists and kayakers as they approached Yates Dam. They were looking at completing a pathway gap on the eastern side of Crooks northward up to Bonnie Brae. The next pathway project proposed was for Drexelgate. It would be a lengthy and expensive project, but it was definitely needed, as there currently was no access for pedestrians or bicyclists. There was a pathway project for gaps on N. Rochester Rd. (north of Tienken). It had been discussed quite a bit when the Enclaves of Rochester Hills was approved, and the neighbors wished to see the pathway continue north from the development. The City would participate in a partnership with the neighbors. The City needed a new unit for cleaning storm drains which was the next project. Mr. Anzek noted that City Council had been presented with the Watertowns Improvement Plan in conjunction with the Clinton River Watershed. Council adopted the Plan, and the project would be done with the City Hall parking lot. Several bio-swales and other systems would be incorporated for storm water. The next project was for a water main replacement for Fieldstone and Ironstone. There would also be a water main completion from the end of Flora Valley Ct. by Harding going across open space the City recently purchased, and it would connect to the project called Sanctuary at River's Edge and complete a loop system for their water supply. A water main extension on Michelson Rd. was the next project. It would be extended along M-59 and complete a loop system to stabilize pressure. The last

project was the water main for Bedford Square Apartments. It was undersized, and the pipes froze often. Mr. Anzek thought that the projects were pretty straight forward with no real surprises.

Mr. Yukon asked if some consideration could be given to phasing the road improvement projects. He realized that the City had very little share with the projects and some were under other governmental entities. He observed that the projects planned for 2017 were in close proximity to each other. He hoped that when it came time to proceed, that consideration could be given to the motorists to spread out the projects so it did not cause traffic problems by doing them at the same time. He acknowledged that it might be a challenge because of who owned the roads.

Mr. Davis agreed with Mr. Yukon's last statement. Auburn Road was controlled by MDOT, and South Boulevard was controlled by the Road Commission. He stressed that the City did not want to do anything on purpose to make the daily commute challenging. A lot of times, they had to do the projects when the funding was available. MDOT had the funding to move the Auburn Rd. project forward. It was unfortunate that it was so close to the South Boulevard project, but the City of Troy was really driving that project. Troy approached the City about the initial project between Rochester and Livernois, and they continued to want to improve South Boulevard. The City tried to schedule it better, but it was not always possible. MDOT also wanted to do an intersection improvement at Avon and Rochester, which he believed was sorely needed. It would generally be done in the summer, so they could probably not avoid conflicts as much as they would like. Mr. Yukon said that he was all in favor of some of the projects, and some were past due, but he just wanted to see traffic kept moving.

Ms. Morita asked how the City was handling Fire Station No. 4 in the Plan. Mr. Anzek said that they just had interviews with some consultants. Mr. Cope would be bringing the recommendation of the committee forward to Council which would determine the timing. It was designed for the fall, and it should be completed next year. Mr. Morita questioned why it would not be in the CIP and wondered if there should be a line item. Mr. Anzek thought it was in the CIP in previous years.

Mr. Sawdon responded that the Fire Department renovation program for all five stations was done outside of the CIP. Ms. Morita said that they knew that Fire Station No. 4 would be done at a much higher cost, and she wondered why it was not in the Plan. Mr. Sawdon advised that it was

brought forward when all five were brought forward. Because of the cost, Fire Station No. 4 was done separately. It was originally presented within the 2014-2015 fiscal cycle. That was pushed back a year, so it would be the 2015-2016 cycle. Ms. Morita commented that it would really be the 2016-2017 cycle. Mr. Sawdon said that four of the five buildings would be done by the end of fiscal year 2016. Ms. Morita clarified that she was just talking about Fire Station No. 4, and she was asking because of the new proposed cost. Even if it was half of the other estimate, she thought that it would be something for which they should account. They were talking about \$2 million or more, and she would like to see it planned.

Ms. Morita asked about the gravel to paved road projects - Special Assessment Districts (SADs). One of the reasons there had been some resistance from Council was because there were no line items for them in the Plan. She said that Mr. Davis had mentioned that several new SAD projects had come to him, and she thought that it was incumbent to bring them to Council sooner rather than later. She felt that those line items needed to be in the Plan. That way Council could plan for them and when they were presented projects at seven figures, it was not a surprise. She remarked that it was kind of like the chicken and egg situation.

Ms. Morita asked Mr. Elwert about the Borden Park Office Relocation and if the house would be taken down. Mr. Elwert agreed that there would be demolition involved with the house.

Regarding Ms. Morita's request about adding gravel to paved roads as line items in the Plan, Mr. Sawdon thought that it would be more appropriate to have them within the budget. He reiterated that the Capital Plan was for desired projects, and that they did not necessarily make it into the budget. Also, they did not know what requests would come forward. They might have a desire to change gravel to paved, but he did not think it was their intent to mandate that.

Ms. Morita felt that there was disconnect between some of the departments as to what was desired and what was not. She was hearing that some people would like to see gravel roads paved but unfortunately, the City did not have plans to do that. There was a project before Council recently that was going to cost over \$1 million to pave one road for 37 homes, and it was not in the budget or the CIP. She had been told that other petitions were coming into the City, and they were stacking up and on hold, because Council was in the process of reviewing SADs. She thought that it would be helpful if there was more discussion on the issue, and if there was truly a desire to pave gravel roads, she stated that they

needed to start looking at which roads to do and get them into the Plan.

Mr. Sawdon indicated that it could be worked out. If Ms. Morita wanted a place marker within the CIP that showed gravel to paved roads with a flat dollar amount, he could add that. Most of the Plan identified exact projects with some exceptions. For example, the Local Roads Program did not identify roads to be improved. If he added something for gravel to paved, it would not necessarily identify which roads would be converted. It would be driven by the SAD process and the homeowners' desire.

Ms. Morita said that she understood, but Mr. Davis said that he had received three SAD petitions. Mr. Davis advised that there were about 24 miles of gravel roads in the City. If they wanted, they could put a place marker for \$1 million per mile or \$24 million to pave all the gravel roads. The SAD policy was resident initiated and driven. It started with the residents and if there was a majority support, the Policy would allow an SAD to go forward. He agreed that there was some interest from the residents. For many years, the Policy was not an option. When they were looking more at the health of the Local Road Fund and how they would handle a deteriorating road network that was paved, there was a moratorium on SADs. If the Policy was going to be changed, they needed some direction from Council. They were getting requests to pave gravel roads, but it was for a single road at a time. The past Policy was to do a whole subdivision. The City changed that in order to encourage and allow some residents to ask for a single road to be paved. They had seen some success with that, but he understood the concern about not having advance notice and budgeting for it. He had received another call today for Hickory Lawn south of Auburn Rd. He told the neighbors that they did not know how the Policy would go. Council could say that they would only fund 10% of those project costs and no longer fund 60%. Until that was decided, he was happy to do it either way.

Ms. Morita felt that at this point, since they had already accepted petitions, they should be added to the CIP. Mr. Davis thought that was fair. He noted that Kingsview Ave. and Bolinger St. could go forward because they had accepted petitions. There were three other groups that had expressed an interest, and he told the residents not to do anything until he found out more. Ms. Morita noted that she was on the committee reviewing SADs, and they were still having discussions and would be meeting with staff about the Policy. She knew that one of the difficulties with the SADs that had come before Council was that they were unplanned expenses that were not in any documents. She indicated that it was not for a project with a lower dollar amount - it was a lot more

money. Mr. Davis said that the residents had submitted petitions, but it was based on a public information meeting where they were told that the upper limit would be \$5k per buildable lot, and they signed petitions with that understanding. Council decided to table it, and he had been telling residents that until he heard whether that intent would be honored, it could be changed by Council. They could decide to raise the cap, and the residents would have to go through the signature process again to see if the same number of people were supportive. Ms. Morita said that from her perspective, until they started planning for SADs and set money aside, there would be resistance from Council. She would like to see the roads paved, but they had to start planning for it. She reiterated that if they had already accepted petitions, they belonged in the Plan. Down the road, she did not want Council to determine that staff knew about something four years ago that was not put in the Plan and have to wonder how to pay for it.

Mr. Sawdon suggested that they could put in a place marker with a benchmark number that equaled five miles. Mr. Davis said that because of the number of meetings and the prolonged timeframe for initiation of construction, it was generally a two-year process. He realized that they had a three-year budget, but even if someone started in January, they would not be able to go through the process and have it to a point where they could go out for bids and construct a project in the same year. From the budget standpoint, they could probably add it easily, and they could start adding those projects to the CIP. Ms. Morita said that if SADs were in the Plan, they might not go forward, but it would make her feel better about approving them. Mr. Sawdon asked Ms. Morita if she would like to see that in the 2017 CIP (subject draft). Ms. Morita agreed for the projects they had accepted petitions.

Mr. Kaltsounis echoed Ms. Morita's comments about when something should be added to the CIP. He used to live on a gravel road that was eventually paved, and it was important to him to go through that process. If the City had accepted petitions, he agreed they should be in the 2017 CIP. He questioned the idea of having a general statement for 24 miles at \$1 million per mile. He would rather see more of a focused approach for the CIP. He said that if he moved the motion, he would add to the Resolution that the Planning Commission "hereby adopts the 2017-2022 CIP with corrections made per the discussion in the Minutes."

Mr. Hooper asked if the \$1 million per mile included the engineering. Mr. Davis said that it would most likely include several phases. They would not generally have to do right-of-way acquisition for those projects. It

would include engineering, construction and the inspection. Mr. Hooper thought that \$1 million per mile might be a little light with current costs. He said that he was on Council when they read the first phases of Bollinger and Kingsview. He asked if those projects would not get done and if Council members had changed their minds. Mr. Davis explained that he had brought forward an engineering proposal to hire a consultant to do the design, and it was tabled. Mr. Hooper commented that it was Council's purview. He asked if they needed to review the \$5k limit and if that was Council's desire.

Ms. Morita said that the Policy had been sent to a subcommittee of Council to be reviewed and to make recommendations to the Public Safety and Infrastructure Committee. They were currently reviewing Ordinances and policies from other communities. Mr. Hooper stated that they had already done that research. Ms. Morita claimed that the policies had changed in the last 12-24 months. When the policies were originally drafted, the \$5k was a great number as a cap, but for just one home's roadwork, the City was looking at between \$20k and \$25k. The City would have to pay the balance over \$5k. If the City wanted to do that, she said that was fine, but they had to plan for it. Mr. Hooper agreed. He said that he would feel bad if the City got petitions and all of a sudden said they changed their minds. Ms. Morita stressed that Council was not taking it lightly. They did accept the petitions, but they were reviewing the Policy, and staff had been instructed that it was under review. Mr. Hooper said that he had no problem having them added to the CIP or adding a map showing the gravel roads. They could put in a statement saying that "SADs were subject to Council's funding determination on an annual basis." The downside was that they did not want to make it too prohibitive or expensive. He felt that there was an overall benefit to the community to pave gravel roads.

Mr. Hooper agreed that Fire Station No. 4 should be added to the Plan. Mr. Sawden advised that it had already been approved and moved to the budget, and Mr. Hooper concluded that was a done deal.

Vice Chairperson Brnabic had reviewed pages 18-20 of the CIP, but she felt that anyone reviewing that section should not have to use a magnifying glass in order to read the Local Street information. She suggested that there might have to be another page or two added with enlarged print, but she would like to see it made more easily readable.

Prior to the meeting, Vice Chairperson Brnabic had contacted Mr. Davis in regards to PW-06C on page 36, the Auburn Road Pathway Gaps (John

R to Dequindre Road). She wanted clarification about filling pathway gaps along the north and south sides of Auburn, because she had observed that there were no gaps that needed filling on the south, and on the north side, she only saw one that still existed. The pathway gap between Fire Station No. 2 and Gravel Ridge had been completed in the fall of 2015 due to hardship and danger for a handicapped woman. Her motorized vehicle had tipped over trying to cross the property, and she had to travel in the shoulder of the road. Mr. Davis informed her that the timeline for the pathway might possibly change due to the Auburn Rd. Corridor Study, but she advised that the Steering Committee for the Study just had its first meeting. Mr. Davis also explained that the only pathway left on the north side was in front of a church between Melvin and Gerald, and the right-of-way acquisition had not occurred. Vice Chairperson Brnabic expressed a concern in delaying the project due to the safety aspect. To see someone traveling in a motorized wheelchair on the shoulder of the road because a pathway had not been completed was alarming to her.

Mr. Davis said that he appreciated the call from Vice Chairperson Brnabic. He said that it was correct that there were no gaps on the south side of Auburn. He thought that there was an older version of language in the CIP. There were two on the north side. One was truly a gap, but the other was where a section of pathway was not really defined. If someone were to travel through there, he or she would have to go through parking lots or parking in front of some of the buildings. The intent of the project was to define more of a pathway section as well as fill gaps. It would not happen without the expense of losing parking ability in that area. He felt that it would still be an area the Corridor Study would focus on as far as making pedestrian movements more friendly, but he understood the concern for safety. He said that there were people with disabilities throughout the community, and when they had the opportunity to fill in gaps that could provide connectivity they were happy to complete them. He remarked that the gap they filled by the Fire Station was a "total home run." It was for one person's life, and it made all the difference.

Vice Chairperson Brnabic thought that the parking areas Mr. Davis had mentioned would not be very probable for a pathway to be installed at this time. She could see it moving ahead with the Auburn Rd. Corridor Study. As far as the pathway between Melvin and Gerald, she would really hate to see that delayed. A few years ago, she would have said that it was just an inconvenience, but now it was more. She said that she saw the woman traveling the shoulder of the road, and it scared her. She watched the Council meeting and heard her say how frightened she was about getting

hit by a car. Vice Chairperson Brnabic did not want to wait until that happened or to see her in the road again. She commented that they could not put a price on a life, and it was her recommendation that they not push that project to the future.

Mr. Davis felt that was easily something they could put in a future pathway rehabilitation project. Rehabilitation projects were primarily to do overlays on existing stretches of pathways, but there had been times where they had added in smaller segments, and they could look at that for next year. He explained that it was too late for this year, because the projects were already bid out and set. He agreed that they could look at accelerating the project Vice Chairperson Brnabic was discussing.

Vice Chairperson Brnabic opened the Public Hearing at 8:12 p.m. Seeing no one come forward, she closed the Public Hearing.

Mr. Kaltsounis thanked Ms. Roediger for putting together the power point presentation. He thought that for the future, it would be great if the Commissioners could get one a few weeks before the meeting. It made it much easier visualizing the projects rather than imagining them. Hearing no further discussion, he moved the following, seconded by Mr. Reece.

MOTION by Kaltsounis , seconded by Reece, that the Rochester Hills Planning Commission Approves the Capital Improvement Plan that has been proposed for the years 2017-2022. The Rochester Hills Planning Commission has determined the following:

WHEREAS, the Municipal Planning Act, Act 285 of Public Acts of 1931, as amended, requires the Rochester Hills Planning Commission to annually accept a Capital Improvement Plan for the benefit of the health, safety and welfare of the community as those criteria relate to the physical development of Rochester Hills; and

WHEREAS, the Rochester Hills Fiscal Office has consulted with the City's professional staff who carry out the business of planning for and providing for the present and future needs and desires of the citizens of Rochester Hills; and

WHEREAS, the Capital Improvement Plan is meant to consider the immediate and future needs and goals of Rochester Hills, as identified by the public, City Boards and Commissions, and the Mayor's staff, in light of existing projects and plans and anticipated resources; and

WHEREAS, the Capital Improvement Plan is a flexible document, necessarily meant to be reevaluated and amended each year, to project into the six (6) succeeding years, and further amended as needed to address practical realities as they relate to policies and philosophies of relevant Boards, the City Council and the Mayor's office; and

WHEREAS, the Capital Improvement Plan is a guide and forum to aid the Rochester Hills Mayor's Office and the Rochester Hills City Council in making decisions regarding the physical development and infrastructure maintenance of the City and determining what, if any, resources can or should be available to carry out City Council's policies and budgetary decisions; and

WHEREAS, the components of the Capital Improvement Plan have been subject to a Public Hearing, public review, and committee reviews over the course of several years and a duly noticed full Public Hearing on April 4, 2016; and

WHEREAS, the components of the Capital Improvement Plan were arrived at through a point system using variables that included, among other things, whether the project has begun, funds committed, sources of funds, prior City Council decisions, Planning Commission or administrative recommendations and decisions; and

RESOLVED, that the Capital Improvement Plan presented for review on April 19, 2016, is adopted by the Rochester Hills Planning Commission with corrections per the Meeting Minutes on April 19, 2016; and

BE IT FURTHER RESOLVED, that this Plan should be published and attested to according to law.

Vice Chairperson Brnabic stated for the record that the motion had passed unanimously.

Mr. Schroeder mentioned that at the CIP Policy meeting, they discussed having a sketch with each proposal. He felt that would make it much clearer and easier to understand. He wondered if that should be included in the motion. Mr. Anzek informed that it would be an Administrative detail. When they put out a request for projects, they would ask for aerials or a photo along with the description.

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

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

ANY OTHER BUSINESS

[2016-0128](#) Request for Election of Officers - Chairperson, Vice Chairperson and Secretary for a one-year term to expire the first meeting in April 2017.

MOTION by Schroeder, seconded by Reece, the Rochester Hills Planning Commission hereby appoints Deborah Brnabic to serve as its Chairperson for a one-year term to expire the first meeting in April 2017.

MOTION by Kaltsounis, seconded by Schroeder, the Rochester Hills Planning Commission hereby appoints Greg Hooper to serve as its Vice Chairperson for a one-year term to expire the first meeting in April 2017.

MOTION by Reece, seconded by Dettloff, the Rochester Hills Planning Commission hereby re-appoints Nicholas Kaltsounis to serve as its Secretary for a one-year term to expire the first meeting in April 2017.

[2016-0182](#) Review of Troy Master Plan

Ms. Roediger recalled that the Planning Commission had previously received a notice from the City of Troy stating its intent to work on a Master Plan amendment. She related that staff had revised the updated elements of the Plan and prepared a response letter in a good faith partnership with Troy. She had provided a copy to the Planning Commission and said that in summary, the Plan was very interesting with goals similar to some of Rochester Hills', in terms of walkability, mixed-use and trying to create quality places within their City. They focused on four areas, none of which immediately abutted Rochester Hills. The letter applauded Troy's efforts, but she wanted to see if any Commissioners had comments before she sent it. She advised that it would be something she would do as a matter of practice with other Master Plans from neighboring communities.

Vice Chairperson Brnabic asked if the Commissioners had any comments.

Mr. Kaltsounis wanted to thank the City of Troy for its support and wish them luck with their future development plans.

ANY FURTHER BUSINESS

Vice Chairperson Brnabic asked if everyone had the opportunity to sign the Resolution and Certificate of Appreciation prepared for former Chair Bill Boswell. Mr. Anzek noted that there were three copies of each to be signed - one for Bill's son, his daughter and his friend, Elaine.

Ms. Morita informed that the OPC Gatsby Gala was planned for April 29. All proceeds would support Meals on Wheels, which served between 300-400,000 meals per year. She added that tickets were \$150, and the first \$100 was tax deductible.

Mr. Schroeder asked Mr. Anzek if anything was happening with the marijuana issue. Mr. Anzek said that he and Mr. Staran had not discussed it recently, but some cities were allowing grow operations. Rochester Hills still viewed the State's standards in disarray. People called about it, and he told them that the City did not permit dispensaries. They were waiting to see better standards from the State, and people seemed fine with that. He said that he would check with Mr. Staran again to see if there was anything else they had to do.

Mr. Kaltsounis thought he heard that Lansing put an end to dispensaries recently. Mr. Anzek noted that the Supreme Court ruled that dispensaries were not supported under the vote taken in 2008. Certain cities had found ways to call them something else. Ferndale called them facilities and used a lock box for a transaction. Rochester had gone forward with an Ordinance, although it was for grow operations only.

NEXT MEETING DATE

Vice Chairperson Brnabic reminded the Commissioners that the next Regular Meeting was scheduled for May 17, 2016.

ADJOURNMENT

Hearing no further business to come before the Planning Commission, and upon motion by Mr. Kaltsounis, seconded by Ms. Morita, Vice Chairperson Brnabic adjourned the Regular Meeting at 8:26 p.m.

Deborah Brnabic, Vice Chairperson

Nicholas O. Kaltsounis, Secretary