



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, April 15, 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 8 - William Boswell, Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, David Reece, C. Neall Schroeder and Emmet Yukon

Absent 1 - Dale Hetrick

Quorum present.

Also present: Ed Anzek, Director of Planning and Economic Dev.
James Breuckman, Manager of Planning
Tina Barton, City Clerk
Alan Buckenmeyer, Manager of Parks
Sean Canto, Fire Chief
Ron Crowell, Deputy Fire Chief
Scott Cope, Director of Building
Kevin Krajewski, Deputy Director of MIS
Keith Sawdon, Director of Fiscal
Allan Schneck, Director of DPS/Engineering
Leanne Scott, Deputy Clerk
Joe Snyder, Senior Analyst, Fiscal
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

2014-0117 February 25, 2014 Regular Meeting

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

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

Absent 1 - Hetrick

COMMUNICATIONS

- A) *Planning & Zoning News dated February 2014*
- B) *Ordinance Amendment (No. 168) to rezone former City Place Parcels*
- C) *PC Notice, Auburn Hills dated March 20, 2014 re: Forester Hills*
- D) *Letter from C. Burckhardt, dated March 11, 2014 re: City of Rochester Master Plan*

NEW BUSINESS

2014-0130 Public Hearing and request for adoption of the 2015-2020 Capital Improvement Plan

(Reference: Memo from Keith Sawdon, dated April 15, 2014 and Draft 2015-2020 Capital Improvement Plan had been placed on file and by reference became part of the record thereof).

Mr. Anzek stated that it was the annual discussion regarding the Capital Improvement Plan (CIP) and that hopefully, there would be a vote from the Planning Commission in support. All the project sponsors had been invited to present their proposals and answer any questions. Mr. Anzek indicated that it was a straight-forward process they had been doing for 17 or 18 years. He advised that the Michigan Planning Association always used Rochester Hills as a standard as to how to prepare a CIP. He had been asked by them to present it around the State. He turned it over to Mr. Sawdon, and mentioned that the City's new Fire Chief, Sean Canto, was present.

Mr. Sawdon noted that there were 16 new proposed projects added to the Draft 2015-2020 CIP, which had a cumulated total of almost \$2.7 million. That brought the 2015-2020 CIP total to \$66.1 million in identified capital projects. He also noted that there were some projects deleted from the plan; 19 were completed; four were reclassified to pending; and one was withdrawn and deleted. He opened the floor to questions.

Mr. Anzek pointed out that page 79 showed a list of the projects they would be reviewing. The first up was the Cemetery Columbariums presented by Ms. Barton, City Clerk.

Ms. Barton stated that the reason they felt they needed that project was because the community had expressed the need. Other cemeteries were offering this service. There were statistics that showed that in the next ten years, approximately 50% of burials would be cremations, but the City only offered plots. The project would have approximately 40 niches to begin with, and they would go from there to see the demand. She asked if there were any questions.

Mr. Kaltsounis welcomed Ms. Barton. He asked if there were any plans for long-term maintenance for the Columbariums. Ms. Barton said that once constructed, there would only be minimal long-term maintenance. Mr. Kaltsounis said that his church had something similar in Detroit, and he said that maintenance was a challenge. They had marble and granite popping out all over, and they had to replace large plates every two or three years. He was not sure if the City's would be all stainless steel, but big panels tended to pop out all the time. Mr. Schroeder advised that they would be pre-fabricated; they were not constructed on site.

Mr. Hooper asked what the City would charge for the use of the Columbariums. Ms. Barton said that it would average \$1,000 per niche. Mr. Hooper questioned the cost to provide the service. Ms. Barton said they were estimating the cost for the project on the high end, so they hoped to fall under that. If they charged \$1,250 per niche, they could break even.

Chief Canto came forward to discuss the SCBA Replacement Program. He advised that the Fire Department was looking at replacing their self-contained breathing apparatus (SCBA), which was a lifeline for their members. It would upgrade the system to the current National Fire Protection Association standards. Two unique options with the air pack were an integrated accountability system, which would allow them to keep track of their members as they operated inside of buildings, and also an integrated firefighter self-rescue system. If firefighters found themselves trapped in a building and could get to a window, there was a way they could quickly escape.

Mr. Yukon asked how many units would be replaced. Chief Canto responded that each apparatus carried five units, and there were five engines and four ladder trucks, and each of their ambulances carried two. There would be 68 total units replaced. Also included in the purchase were updated masks and bottles, and each pack would come with a spare bottle. One of his goals was to find out if any neighboring communities

were looking to purchase SCBAs and if they could go in on a larger purchase, it would allow for interoperability between organizations.

Mr. Yukon said that Chief Canto mentioned they had the ability to track where the firefighters were. He asked how that was done.

Chief Canto said that currently, they had a manual system. Each firefighter had velcro tags assigned. With the new system, as soon as someone got into a truck and turned the SCBA cylinder on, it would automatically pop up onto a computer screen at a command post. If a firefighter went down and was still for a period of time, it would automatically alert a commander. It would track someone's temperature and how much air was being used at a certain given point. If they needed to evacuate a building, they could push a button on the touch screen and it would activate an alarm on the firefighter. He stated that the systems worked very well.

Mr. Yukon asked if the alarm would be activated from a station on a truck to find a firefighter, and he questioned how someone would be tracked in a building.

Chief Canto said that each truck was assigned a certain number of SCBAs. A firefighter carried a tag, and when the SCBA was turned on, it flashed. If he went down, his name would come up on the screen showing that he was down. If he was working inside a building and he went down and remained still for 30 seconds, the alarm would go off and show that he was down. Mr. Yukon asked if they would still have to find a person in the building, which was confirmed. Chief Canto said that they also currently used a system where if someone was getting close to someone else, it would act like a mindsweeper and an alarm would sound.

Mr. Kaltsounis asked if this would be an item they should add to page 74, which, like a truck, would outline the replacement schedule. It said that the replacement period for the SCBA was over eight to ten years. Mr. Anzek asked Mr. Kaltsounis if he meant having something similar to a fleet replacement schedule. Mr. Kaltsounis agreed, and said that it was a rather high dollar item. It could be carried every year, and he wondered if they should plan a schedule to track that. Mr. Kaltsounis said that he had seen other things come back over the years again and again, and he thought that perhaps the SCBAs should be tracked the way a fire truck was.

Chief Canto advised that the SCBA items had a serviceable life. The

actual cylinder had to be replaced after so many years, but he agreed with Mr. Kaltsounis that they could add something.

Mr. Kaltsounis mentioned the roof on the fire station at Auburn and Crooks, which was sheet metal with white paint. He said that it was starting to rust, and he asked if there were any plans to repair that. He wondered how repairs for something like that typically happened.

Chief Canto said that he would meet with Facilities and look at things that needed to be replaced. Mr. Kaltsounis clarified that it would not be in the CIP. Chief Canto was not sure if it was in at this time. Mr. Kaltsounis felt that those were the type of things they had to plan for the future.

Mr. Hooper brought up the aerial truck, which he had talked with Deputy Chief Crowell a number of times about. He asked Chief Canto if it had to be replaced this year or if it could be deferred. Chief Canto clarified that Mr. Hooper was referring to ladder one, and the Chief said that the truck was currently being repaired at DPS. The manufacturer for that truck was no longer in existence. He maintained that with that type of apparatus, if one thing started going wrong, other things started going wrong. For example, it had two lift cylinders, which allowed someone to lift the ladder out of its bed and extend, and recently one went bad. In short order, the other one would very likely start to go bad. They were spending more time on the apparatus, and that vehicle would need to be replaced in the very near future. It also did not meet the rest of the fleet. He explained that when they had vehicles from several different manufacturers, it made it hard for DPS to maintain parts, stay abreast of new technology and train people. He suggested that they should stay with a consistent manufacturer.

Mr. Hooper asked if it would have to be replaced in 2015. Chief Canto agreed. Mr. Hooper asked if that vehicle would be kept or sold as surplus. Chief Canto believed it would be sold. They were getting ready to run it though ladder testing after the repairs. Any time maintenance was done to an aerial ladder, it had to be tested for certification. He would like to look at the possibility of selling it once it was fixed and re-certified.

Mr. Krajewski next talked about the Microsoft Office Suite Software. The City was using version 2007, which was installed in 2008. They were proposing to replace it in 2017, when it would go out of full support. It was already out of mainstream support, which meant there were no functional updates made, but it still got security updates. It was possible that they could move it into the 2016 budget, depending on the security climate

and some of the other applications with which it interfaced. He added that they planned to use it as long as they could.

Mr. Hooper said that it seemed as if everyone was going to a cloud-based system, and he asked if MIS was proposing that. Mr. Krajewski said that they might go with the Office Cloud version or the installable version. It was possible that the installable version might disappear, and only the Cloud version would be available. It was three years out, but it was a possibility.

Mr. Sawdon talked about the Utility Billing Software System, and said that the City had used the current system since the early 1980s. It had been maintained to keep the billing going, but the system was outdated. He claimed that there were better systems out there with better features. The City only had one person maintaining the system - Bob Grace, Director of MIS - which left the City in a dicey position. Mr. Grace wrote the code and was the only one who knew it. The City was also going through a major upgrade of its financial system to JD Edwards 9.1, and quickly following that would be an upgrade to the cash receipting system. It seemed appropriate that they looked at utility billing before they did cash receipting, so it had the ability to interface with the financial system and cash receipting system. Mr. Sawdon noted that utility billing was one of the last two production systems that resided on the AS400. AS400 worked, but it was very old and outdated, and he felt that they needed to be ready for the future. He pointed out that utility billing was one of the bigger revenue generators for the City, and he would not want to see that system have trouble, because it covered about half of the City's revenue.

Mr. Hooper said that he had talked with Mr. Sawdon over the years about the ability to bill by the hour, flag different meters and things like that. He asked if the new system would coincide with meter reading and give the City more flexibility. Mr. Sawdon said that newer systems had more functionality, and it depended on the bells and whistles they wanted to install. They did a request for information, and the newer systems could do everything from collecting data to e-billing to letting customers view their bills electronically and make payments electronically. A new system would allow them to expand. Mr. Hooper felt that it was key to Mr. Schneck's issue. They needed to migrate toward an hourly billing for some of their large customers to be able to give different rate structures.

Mr. Sawdon informed that it was not the utility billing system that did that, it was the meter reading devices that gave the data to utility billing. Utility billing would take meter data no matter when - it could be hourly, daily or

monthly. He stated that as they upgraded the utility billing, they had to also be cognizant of the ability of the devices that read.

Mr. Hooper said that hourly billing for some of the City's large customers and giving a different rate structure and flagging the area maintenance meters for use during the winters was an issue. He felt sorry for some of the people that had come to appeal thousand dollar bills because of a water line or meter break. If the City had a way to flag that in its system and was able to see a huge spike that was out of the norm, they could be proactive and send DPS out. With the way it was right now, the City did not know until the bill came every month, and there was no recourse.

Mr. Sawdon said that would again come back to meter reading devices, not necessarily utility billing. He advised that utility billing systems had the ability to have multiple rates structures, so if they wanted to get into a rate tier structure, newer systems would allow them to have late evening rates or low or high volume rates. Utility billings had improved greatly since the 1980s. Mr. Hooper said that he just wanted to make sure that they would not buy something and have to buy something later. Mr. Sawdon assured that they were fully expandable. Mr. Krajewski added that implementing that would require doing work on the meter reading side, and they would need infrastructure and communications to support it as well. Currently, the readers drove around in a truck and radio read them, but to get them hourly, there would have to be some communication system throughout the City. Mr. Hooper said that he was not looking for everyone, but for other systems that might be out there. He wondered if there should be a companion project under meter reading. He knew that every year when the City did an annual blanket purchase order with a sole source provider of meters, he always discussed with Mr. Schneck about what else was out there and the capabilities. Mr. Sawdon said that they did take a look at infrastructure for radio reads, and it was pretty pricey. They had to look at what would be gained for the cost invested. At one time, they were looking at \$4.5 million for an upgrade for meters.

Mr. Kaltsounis asked what kind of efficiencies they would get with a new software platform. He asked if additional people would have to be hired. Mr. Sawdon said they would not have to use as many third parties. Currently, their customers had the ability to do electronic billing, but it was done through a third party. With the upgrade, they would not have to use a third party; it would be part of the system. They would still have the same number of bills to read and send out the door, but the flexibility would allow them to move in directions so they would not have to rewrite

the whole package. Mr. Kaltsounis noted the operating costs of approximately \$30k a year for maintenance. He asked what that would entail. Mr. Sawdon advised that it entailed upgrading and patching to the system in the initial life. Currently, that was done in house by Mr. Grace. They would be agreeing to a maintenance contract that would keep the system updated with patches and changes to make the system work more efficiently based on customers' desires. Mr. Kaltsounis commented that they would be switching from one third party to another. Mr. Reece reminded that they would not be putting all their eggs in one basket, though.

Mr. Dettloff asked if there would be service fees to the customer associated with the system. Mr. Sawdon explained that there would always be a customer charge. It would be the same as currently existed. Mr. Sawdon said that most of the service charge was meter reading. There would be no additional cost passed on to the customer. Mr. Sawdon said that if people chose to do things electronically, which was encouraged, over time the customer cost would drop, because part of the charge was postage and printing.

Ms. Brnabic asked why the operating costs were so high at \$30k per year. Mr. Sawdon said that when they did a request for information to determine if it was worth moving to a new system or not, they noticed that the average maintenance costs for all the systems ran in that general area. Software had to be maintained with patches, repairs and upgrades from the new vendor. Mr. Sawdon added that all the information related to the numeric was a preset to the request for proposals.

Mr. Reece said that he was not as surprised at the annual operating costs, and if they looked at the IS systems, they all had operating costs per year. He asked if that was factored into the budget for the upcoming years. Mr. Sawdon agreed. Mr. Reece asked Mr. Anzek if the CIP used to show the operating costs in the header of each project. That is, he questioned whether the \$30k per year was shown for the life of the system, and if it went up incrementally each year.

Mr. Sawdon advised that there would be an initial contract period where it would remain stable and after that, it would most likely go up. Mr. Krajewski related that they typically saw 4-5% per year. They would negotiate a five-year period, and after that the cost would go up based on the vendor's costs increasing.

Mr. Anzek said that about four years ago, they did re-evaluate and modify

some of the questions that were asked and how the scoring factors were developed. They included one about operating costs and return on investment. They wanted to know if someone would charge them a high amount annually to maintain. Mr. Reece was correct; it was not reflected in the banner of the project. Mr. Reece suggested that if they added all the operating costs, it could be a significant number. He realized they were at risk if something happened to Mr. Grace.

Mr. Anzek called Mr. Schneck to the table. Mr. Schneck highlighted some projects, and he mentioned Tinken between Adams and Livernois, which was very bad. Recently, the Road Commission for Oakland County (RCOC) was awarded \$2.3 million in Federal funds for 2017 to rehabilitate that section of Tienken. The City was working with the Road Commission to advance the project to 2015 or 2016.

Mr. Schroeder asked if it would be a complete reconstruction, and Mr. Schneck advised that it would be a 3-R project. It would not be a total reconstruct; some of the existing infrastructure might remain such as the curb and gutter depending on its condition. They would look at safety and capacity improvement at some of the intersections, and they would revisit the signalization at some of the intersections and add center left turn and right turn lanes. They would not tear everything out and put it back. They might utilize the existing base and try to mill and pulverize the existing pavement for the base. He added that an R-4 was a total reconstruct.

Mr. Schneck referred to project MR-31D, and said that it stemmed from a City of Troy project. Troy was proposing to construct a five-lane section of Dequindre from Long Lake to South Boulevard. In order to take that five-lane section and bring it down to the City's three-lane section, there had to be some geometric improvements through the intersection. There would be a new signal at the intersection for the capacity improvements. There would be a pathway connection that currently, on the west side of the street, terminated prior to the signal. The City intended to construct a pathway on the north side of South Boulevard to connect to the pathway to the east and enclose an open drain. Mr. Schneck asked if there were questions about any of the other projects.

Mr. Yukon questioned Mr. Schneck about MR-02H, Hamlin Blvd. Irrigation, and asked what was in the project that qualified it for Metro Act 51 funding. Mr. Schneck said that the money could be classified as telecommunications funds. Some time ago, the communications companies such as AT&T and SBC had to come to each agency to garner a permit for work within the right-of-way. They went to the State and

said it was very cumbersome, and they asked if there was a way the State could collect all those permit fees and redistribute them to eligible agencies. Through the Metro Act, those funds could be used for most anything that was within road right-of-way - maintenance, certain capital improvements, etc. - so it was a good source of funding.

Mr. Anzek announced that if anyone had questions about the roundabouts, that he or Mr. Breuckman would answer them.

Mr. Kaltsounis asked if they should put a project in the CIP that predicted the amount of road reconstruction and repatching they might have to do in the next few years. He knew they had already done a good job of predicting how the roads looked, but he wondered if they could have a line item that said that "in these particular years, the City expected to do X amount of road repairs," so they could guide Council as to what to look forward. He understood that the winter was horrible. He helped maintain his church, and the parking lot was awful. He wondered if they had a forecast for repairing the roads, so they could judge how much they had to spend in the future.

Mr. Hooper pointed out that the streets were identified by poor conditions through the Pacer program, and there were local and major street concrete and asphalt replacements to identify how much funding they needed. Mr. Kaltsounis indicated that he was asking about repairs. Mr. Hooper clarified that it was for repairs. Mr. Hooper asked if Mr. Kaltsounis was talking about pothole patching, which was confirmed, and Mr. Hooper said that would be maintenance, not a capital project. Mr. Schneck agreed that it would be put through during the budgeting process. They would historically look at what they had utilized in the past. They consulted with their maintenance and operations staff at the DPS and about their needs. Mr. Hooper added that pothole patching, dust control and re-graveling were all maintenance.

Mr. Anzek offered that annual maintenance was not a one-time event like a CIP project was. It was an ongoing thing, and the dollars for it became a budgetary function. They always tried to find as much as they could to put toward maintenance, but they did not have a crystal ball to see what would happen. They used to try to identify neighborhoods projected to be repaired, but it changed every spring depending on the winter. That program was dropped several years ago, because it was putting out a false message. He stressed that the policy was to go after the worst first.

Mr. Sawdon commented that they had more needs than funding. They

prioritized, and it became quite challenging. Mr. Kaltsounis wondered where the line was drawn and something was on one side of the fence or the other. Mr. Sawdon could understand his question; at what point did they just patch a hole and at what point did they put it in the capital plan. When the expenditure for maintenance outlived the life of the repair, it became an issue that needed to be addressed in the CIP.

Mr. Schneck said that working with the Road and Police Technical Committee, they talked about pavement strategies and repair strategies, and a mix of fixes. In Pacer, though it was still in its infancy, there was a program which had evolved to where they could start tying costs to different mixes of fixes based on the Pacer rating. The program analyzed and gave insight based on different strategies. To Mr. Sawdon's point, that was where the insight of the operations and maintenance people came in. They could set up a pothole patching crew at such and such a location for an entire winter, but that would not be a good use of resources. They then would look at putting a capital project together.

Mr. Hooper referred to LS-03, Local Street Concrete Program, and said that the City had funded \$5 million for 2014-2016. Beyond that, the CIP showed \$2 million in funding, but they knew that the need was greater. He proposed that it should remain at \$4 million a year thereafter, knowing that it was an annual budget decision.

Mr. Schneck agreed, and he complimented Mr. Hooper. He said that they had changed the strategy and rather than doing piecemeal slab replacement, they had moved to doing longer stretches of roadway. They would start at a block length and finish the entire stretch, knowing they would not have to work on it, other than doing preventative maintenance, for another 15-20 years. It was a better use of money, and they were employing that strategy this year.

Mr. Reece echoed what Mr. Hooper said. He stated that some of the roads were so bad that the funding shown was not realistic. Tienken going west from Livernois, which he traveled every morning, had the vast majority of people straddling the center lane, because it was so bad that people could blow out their front ends or get into a head on collision. It had degraded so much, and he would be pleased to see some of the funding diverted. He realized it was nice to have landscaping in the boulevards and some water maintenance, but if there was anything they could do to get some of the major roads at least patched to where people could stay in a lane, he felt that it would be better planning.

Mr. Hooper noted that just for that reason, Tienken was planned for 2017, but the City had been in conversations with the Road Commission and MDOT about the City pre-paying for repairs, moving it up and getting reimbursed in the future. Mr. Reece stressed that they had to be proactive. If they waited another two years, it would need a total replacement. The worse it got, the worse the cost would be to fix it. If there was anything they could do to categorize those extreme road conditions and accelerate funding or transfer funding, he felt it would be judicious. They had to figure out the greatest needs for the residents, and in his opinion, it was to not get someone killed because they were straddling the center lane because of a road condition. He mentioned that Tienken east of Livernois was like that too, although he realized that it was scheduled to be replaced.

Mr. Schneck agreed that was a great point. As Mr. Reece indicated, Tienken, between Rochester and Livernois, was on the MDOT letting on April 4th. The City was aggressively pushing the Road Commission by telling them that the City would bankroll the portion from Livernois to Adams. In three years, Tienken, from the corporate limits from the east to the west, will have been rehabilitated. Avon Road was being rehabbed this year from Adams to Livernois. In 2015, Hamlin would be rehabilitated from Livernois to Dequindre. He felt that the City had done a good job in partnering with the Road Commission and MDOT.

Mr. Reece said that he could not speak for anyone on the Commission or Council, but he felt that there would be a majority of support for taking the funding and moving it to the greatest needs. He appreciated that Tienken would get done, but it would still be three years until it was finished. He emphasized that there were so many needs but so few dollars to do it all. He felt that the City had the Commission's support to find solutions to improve the worst first.

Mr. Schroeder indicated that he could preach all day about Tienken. He lived there and drove it every day. Recently, the Road Commission came through with one truck and one guy shoveling cold patching with no traffic control. They were really stretched thin. That cold patch was gone within a week, so that was not the solution. He remembered that Tienken was like an experimental project, and he was very much against it. They put the drain down the center of the road and sloped the bottom, and the slope was too flat. The low areas did not drain, and that was why the edge broke up. If they did not put in new edge drains on the sides of the road, it would not solve anything. He strongly encouraged that they put in edge drains. Mr. Schneck agreed that the storm sewers were down the center of

the road, and the bases sloped towards the middle. The top of the road was parabolic. He noted that they did talk about putting in edge drains behind the curbs.

Ms. Brnabic agreed with Mr. Reece. Regarding the intersection enhancements, it stated that they were currently being maintained under the City's lawn mowing contract, and that they would be maintained under the plant health care contract. She asked if Staff could explain that.

Mr. Breuckman advised that the City had two contracts. One was for the guys on a mower. Plant health care was for plantings that required attention. If plants were put in a roundabout, different people maintained them. Ms. Brnabic asked how the plants would be maintained. Mr. Breuckman claimed that they did not require much care. When they did the Livernois and Hamlin roundabout, the designer gave them a maintenance schedule. The maintenance depended on what plants were there. Ms. Brnabic remembered that years ago, it did not look very good around the high school (Livernois and Walton). She wondered if there had been a different approach since that time.

Mr. Schneck responded that when the Livernois boulevard was originally constructed, there was no irrigation, and all the plantings died. That was a learning experience, and irrigation should go in as part of a construction project. Also, when they looked at plantings, they looked at the environment. Oftentimes, they used salt tolerant types of plantings, or they planted them outside of the spinners that threw the salt. They looked at irrigation requirements, and he felt that the whole industry had evolved. Ms. Brnabic asked if the maintenance was being taken care of by City employees or an outside contractor. Mr. Breuckman advised that they used an outside contractor.

Mr. Hooper noted that they did Livernois from Avon to Walton under the tri-party system. There were miscellaneous joint replacements, but he commented that driving down that road now, he had to wonder what they did. He wondered if they missed joints or did the wrong ones. The City saved some money using tri-party funds and applied those to Tienken, for which he was supportive. He wondered if the City had been in contact with the Road Commission about the condition of Livernois.

Mr. Schneck said that project was small in scope, and they tried to do the worst joints. Typically, northbound, the joints were in bad shape. There was a section of southbound in the midpoint where the pavement was fine. He did not think that the preventative maintenance on the northbound

section of roadway was such that it prevented. Once those joints started opening up, saltwater got in and deteriorated them. He confirmed that they had talked about it with the Road Commission.

Mr. Hooper did not think they should necessarily put it in the CIP, because the City did not own the road, but he wondered if there were projects the City should be doing, knowing they had to work with the owner of the road.

Mr. Sawden said that those kinds of roads were included in the CIP when they had participation in a project. They did not have an identified project; they just knew they would eventually be working with the Road Commission on a road. He thought it might be a little premature. Mr. Hooper realized that as they knew about something they would plan for it, but he wondered if there was anything they could do short of Mr. Schneck asking the Road Commission to spend more money in the City.

Mr. Schneck gave the example of Hamlin between old and new Adams, which was somewhat of an orphaned section. Oakland County communities put applications together for funding, and if a community did not score enough points to get funded, they would not get funded. Hamlin was submitted, but it did not garner funding. Last year, Tienken was submitted and did not get funding, and this year the City applied again and got it for 2017. The City did its best to partner with those agencies.

Mr. Hooper asked if there was a possibility that the Road Commission would turn that road over (Hamlin) to the City. Mr. Schneck said that was originally planned, because when the bridge on Adams was demo-ed and made a cul-de-sac, that section was supposed to be conveyed. There was an outstanding right-of-way issue yet to be resolved. Mr. Hooper asked if it was pending to be turned over to the City, if the right-of-issue was solved. Mr. Schneck said they would like the road rehabbed before it was conveyed. Mr. Hooper remarked that it would never happen. Mr. Schroeder added that was why the City got John R. The Road Commission did not want to pay for it so they turned it over to the City.

Mr. Schneck said that the City was working on getting the right-of-way issue resolved. He added that it was confusing for motorists from Auburn Hills into that small section of Hamlin that was under the jurisdiction of the Road Commission, to east of Adams, and it became the City's jurisdiction. The City fielded a lot of calls about that. Mr. Hooper said that he understood the financial consequences, but he felt that the City might be best served by getting the road fixed. They would be further

ahead in the end game, versus continually calling the Road Commission.

Chairperson Boswell asked if there were any other questions about major roads. Mr. Schroeder noted that Rochester Road, which was recently resurfaced, was not faring too well. Mr. Schneck said that microsurfacing was done about five years ago. It was a 3/8" slurry seal with sand, cement and some petroleum, and its design life was getting to where it was about five years. He just exchanged an email with MDOT, and the email stated that when funding became available - he hoped this year - they would do a hot mixed asphalt and concrete slab replacement program on Rochester from Avon to M-59.

Mr. Schroeder asked if there were any ASR (Alkali-silica Reaction) problems in Rochester Hills. Mr. Schneck said Livernois had a problem and maybe some of the local roads. Mr. Hooper had noticed that some of the approaches off of Adams Road had significant ASR. Mr. Schneck agreed that it was about 15 years ago when some of those pavements were poured.

Mr. Kaltsounis noted that Auburn Rd. was paved about two years ago, and it was cracking between Crooks and Adams. Mr. Schneck said that was also a very thin, 1 1/2" maintenance overlay. He thought it was the snow, Michigan had the snowiest winter ever, and the pavement conditions were reflecting that. Rochester Hills was not the only area experiencing it, and legislators were trying to find appropriate ways to fund things.

Mr. Schroeder asked if the City planned any joint sealing projects. Mr. Schneck said that the City did its own joint sealing as preventative maintenance. He said it had worked out great.

Chairperson Boswell recalled that in 1989 or 1990, the City commissioned a traffic study, and he commented that City Council meetings were very entertaining in those days. He came to one to talk, because the traffic study recommended making Tienken a major east-west, five-lane road. He lived on Tienken, and so he went to Billy Ireland, then Mayor, and said that he would like to get on the Planning Commission. He joked that he had come full circle.

Mr. Buckenmeyer talked next about park projects. The first was the replacement of roller hockey rinks at Borden Park. They were plastic dasher boards and plastic tile rinks that they had done maintenance on, and in the past, they had been able to replace boards as they were

destroyed. He said that unfortunately, the company that supplied the boards was out of business, and so they had to replace the entire system. They also planned to replace the tile surfaces as well. It would be approximately \$80k to do both rinks, which they hoped to do next year.

The next project was the Paint Creek Trail resurfacing project. Every 15 years, a major rehab was done to grade and add new material, and it was practically a new trail at that point. The last time it was done was 2003, so they were scheduled again in 2018. The City was responsible for a mile and a quarter, and the share would be \$50k.

Mr. Buckenmeyer's last project was to plan for green space stewardship. He recalled that eight years ago, a millage to purchase land for green space was passed. Last year, there was a vote to repurpose some of the money to allow for stewardship, which included management of invasives and maintenance for preservation. The proposed project called for management plans to be developed for the sites purchased by the Green Space Committee, for the Clinton River and for a few other natural areas. Once the management plans were developed, he would be back perhaps for the CIP, but it definitely would be in the budget for the actual projects once they had been prioritized.

Mr. Yukon referenced the stewardship plan, and he asked how many years the management plans would cover - that is, how many years in the future they were projected to cover.

Mr. Buckenmeyer replied that it would essentially be forever. It would tell them what was needed to preserve the properties and how often they would have to remove invasives, for example. If it was stream bank erosion, it would hopefully only have to be done once. Mr. Yukon asked if they would survey the areas and based on that information, if it would drive the plan. Mr. Buckenmeyer advised that it would be done on a case-by-case basis.

Mr. Anzek said that the last project on the list was the Master Land Use Plan update. It was added as a placeholder in the process. The last update was done in 2012, and it was State mandated to be updated every five years. They wanted to earmark funds for 2017. It was uncertain at this time exactly how extensive the update would be. It was fairly simple a couple of years ago, but there could be changes in the future, or some new area development plans might be included.

Chairperson Boswell opened the Public Hearing at 8:17 p.m.

Scott Beaton, 655 Bolinger St., Rochester Hills, MI 48307 Mr. Beaton brought up roads, and commented that Christianity was an obscure little cult at one time which did not have a lot of money. The Romans built great roads and the early Christians, who only numbered in the hundreds, could not afford sea-faring vessels to take them throughout the Mediterranean to spread their religion. Instead, they used those great Roman roads and spread the word of Christianity and within 300 years, turned it into the state religion of Rome. If it had not been for those roads, there would not be Christianity, and he was making the point to show how important roads were. Mr. Beaton said that his concern was Dequindre. It was in the CIP three times. One was the Road Commission project from Long Lake to Auburn for which a five-lane highway was proposed. Dequindre was in the CIP as another five-lane highway from Auburn to Hamlin, and the plan was to go behind the Cider Mill, but it did not say how big the road would be. He added that they were all Road Commission projects. \$16 million was earmarked to work on Dequindre from Troy into Rochester Hills. He read that Congressman Gary Peters said it would cost \$25 million, so Mr. Beaton thought they should look into what the number actually should be. Mr. Beaton stated that he did not like five-lane highways. He wished the City would not encourage them to be built. Since the City would be contributing about \$450k for the project, he would like to see it be a four-lane boulevard. He thought that a four-lane boulevard would be a better buffer between the residents who lived on one side of the street and the commercial on the other side. He had learned that the difference between a four and a five-lane boulevard was that one would allow a loon, where an 18-wheeler truck could make an easy u-turn. He stated that it was also always about money. He thought that if Congressman Peters was talking about \$25 million and the City was talking about \$16 million, that perhaps there was money to be able to look at the possibility of a four-lane boulevard through that section of Dequindre. He thought that would be a nicer road improvement for the people who lived there.

Mr. Anzek stated that if the questions had been satisfactorily answered and the Planning Commission was comfortable going forward, Staff would like to request a motion to adopt the CIP as presented. He indicated that it was a tremendous boost for the Fiscal team to move along in the budget process.

Chairperson Boswell closed the Public Hearing at 8:21 p.m.

Hearing no further business regarding the CIP, Mr. Kaltsounis moved the

following, seconded by Mr. Schroeder:

MOTION by Kaltsounis, seconded by Schroeder, that the Rochester Hills Planning Commission Approves the Capital Improvement Plan that has been proposed for the years 2015-2020. 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 15, 2014; 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 15, 2014, is adopted by the Rochester Hills Planning Commission on April 15, 2014; and*

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

Regarding Mr. Beaton's comments, Mr. Reece asked if residents did have concerns about five-lane versus four-lane, how they could get that information to the Road Commission.

Mr. Anzek felt that the Road Commission was pretty effective in running public information forums on any proposed road projects. They held two at City Hall a few weeks ago regarding Tienken and Avon. All the residents were sent a letter, and they worked with them individually showing where their houses were and where the improvements would be and so on. He was sure the same would happen with Dequindre when they had plans. The Road Commission took residents' input early on in order to make any necessary design changes. The question of five-lane versus four was more of a policy question and would perhaps be something better suited to be taken up during the Master Thoroughfare Plan update. During the last MTP update, the City intentionally used Dequindre to take the load off of Tienken to keep Tienken at three lanes. Since that time, there had been a significant shift in traffic trips, and they were declining. He thought they could revisit the question during the MTP update and have a policy discussion.

Voice Vote:

Ayes: All
Nays: None
Absent: Hetrick

Chairperson Boswell stated that the 2015-2020 Capital Improvement Plan was adopted.

DISCUSSION

2014-0099 Introduction of the Regional Employment Center (REC) district, James Breuckman, Manager of Planning

(Reference: Memo from James Breuckman, dated April 10, 2014 had been placed on file and by reference became part of the record thereof).

Mr. Anzek recalled that when the Zoning Ordinance was updated in 2009, Staff wanted to address the Regional Employment Center (REC) identified in the 2007 Master Land Use Plan to try to deal with that area as one large, strategic district. Subsequent to that, the M-59 Corridor Plan was completed, which gave a harder look at the targeted area. Staff would present what had been drafted to date, keeping in mind all the policy statements made with the M-59 Corridor Plan, to keep it flexible, simple and responsive to evolving needs as they moved forward with industrial, office and R&D changes and structure. They did not want to lump areas into something too specific. He advised that Mr. Breuckman would walk the members through it, and they could study it prior to the next meeting.

Mr. Breuckman referred to the colored development plan from the M-59 Corridor Plan that he had placed on an easel, which he noted formed the basis for a lot of the recommendations. There were more detailed recommendations for each area in the Ordinance. The first he noted was the Crooks/M-59 interchange, which was called the interchange area. There was a technology and office image corridor, and on the perimeter of the district was the work place area, which were mostly the industrial parks. There was the corridor mixed-use area, located along the main thoroughfares around the perimeter of the district, and last was the regional commercial, which was the Adams Marketplace retail development along Adams Rd.

Regarding the proposed amendments, he wanted to go through it page by page without getting into a lot of detail. Rather than creating a separate and detailed set of standards like there were for the Flex Business Overlay districts, Staff tried to incorporate the districts into the Ordinance as seamlessly as possible to make everything flow. Most of the development in the area had been operating as industrial for a long time and would continue. It was an evolution, but there was not a real dramatic change proposed. They wanted to keep as much continuity with the development standards as they could.

Mr. Breuckman referenced page 17, which showed the type of site plan

review required. Staff got a lot of requests for expansions for new users coming into buildings. Staff was proposing to allow an increase of up to 25% of the existing floor area in an office building or up to 20% of any other building to be approved administratively. All other codes and ordinances would still apply, such as engineering standards and building and fire codes. It would just give Staff the ability to approve additions and expansions more easily. They would get rid of the middle ground sketch plan review, which in the past was for an addition of up to 10% when certain conditions were met. They had not used that in the past five years, and it had not panned out as a useful tool.

Mr. Kaltsounis asked if the increase for approving something would be just for the REC district or for everything. Mr. Breuckman said that it would be for everything in general. Mr. Kaltsounis asked if they were talking about other amendments besides the REC district. Mr. Breuckman said that they would be taking their experience with the Ordinance over the past five years and making changes they felt were better. Mr. Kaltsounis said that he just wanted to make sure they were talking about things outside the REC scope as well. Mr. Breuckman agreed that Staff was taking the opportunity to look at a few City-wide issues. He read, "An increase of 25% of the existing floor area of industrial or office or 20% for other uses would come to the Planning Commission for site plan review."

Mr. Breuckman referred to page 18, parking areas. In the past, if there was an increase of up to 10% or 6,000 square feet, whichever was less, it could be approved administratively. They found that those numbers were rarely even close to each other, particularly for office and industrial, which was where the parking increase requests had come. Staff felt that a 15% cutoff without the 6,000 square feet or less would be more appropriate based on the requests they had seen. Anything above 15% would come to the Planning Commission with a sketch plan review.

On page 20, given that the design guidelines had been adopted and given that the flexibility for when those applied or not was built into the guidelines, Mr. Breuckman felt it would be appropriate to change item G. at the bottom to say, "Proposed buildings shall comply with the City's design guidelines" rather than "should also." There were "shoulds" in the design guidelines, so it was covered. They wanted to make sure the design guidelines had the support of the Ordinance. He pointed out that the building design guidelines did not apply to industrial development. If they were talking about facilitating and encouraging evolution in the industrial districts, those would not come into play.

Moving on to page 41, it showed that four new REC districts were added to the table of zoning districts. Those corresponded with the work place (REC-W), the technology and office corridor mixed-use areas (REC-M), the M-59 corridor (REC-C) and the interchange around the Crooks Rd. area (REC-I). There would be no new REC zoning district for the regional commercial shown on the development plan, because that was under a consent judgment. On page 46, purpose statements were added for each of the new zoning districts. He encouraged the members to read through those, and if there were any issues, they could talk about them next month. Page 52 had a new table of permitted uses. It looked exactly the same as the permitted use table in the current Ordinance, except that Section 138-4.302 was a new section. He indicated that adding the four districts to the existing table from a formatting standpoint would be unworkable. Instead, they duplicated the land use table for the REC districts. There would be two land use tables; one for all the other districts and one for the REC districts. He noted that the uses in the table were the same uses in the other table, except that some of those uses had been deleted, because not all uses permitted elsewhere in the City were permitted in the REC districts. They added a clause at the top of page 52: "Any use not listed in the following table is not permitted in the REC district."

In a lot of cases, in the REC-C and the REC-W, the list of uses was exactly the same as what was permitted in the industrial district. The REC-C and REC-W were predominately where the City's industrial parks were. The REC-I and REC-M were more geared towards the potential for mixed-uses and a wider range of uses.

Mr. Breuckman referred to page 70, Section 138-4.430 which listed outdoor storage standards. He recalled that they were just updated and amended. With the REC districts, they added a new clause, item A.3., which addressed outdoor storage in the REC districts.

In the Schedule of Regulations on page 81, existing table 7 for non-residential districts showed a little different development requirement in the REC districts that did not quite fit in that table neatly, so they created a new Article 6, Chapter 6 for REC district regulation. It was how they were handling the C-I district, the RCD, Cluster Housing and the MH, Manufactured Housing districts. All those districts had more specific standards that applied. Page 111 was where a new Chapter 6 was added with the specific development standards for the REC district. Table 8 was the new Schedule of Regulations with setbacks and height standards,

which came straight from the recommendations of the M-59 Corridor Plan. There were notes to Table 8 which had some exceptions and additional explanatory standards. There was a section on street layout and design on the development plan. There was a framework for the continued evolution of the street system within the REC district. Currently, it was very fragmented and did not connect over time. They wanted to connect, particularly east-west connectivity south of M-59. The street layout and design referred to the street plan so if they did get any major redevelopment, there was something to stand on to require that new streets be provided.

Mr. Breuckman explained that cross reference standards were a convenience for anyone who might be reviewing the Ordinance and trying to figure out what standards applied in the REC district. There would be an approval process, purpose statements, permitted uses, supplemental provisions, general provisions, parking and loading and landscaping. He commented that it was a convenience item more than anything.

Page 190 referred to off-street parking and loading, and in order to weave the RECs into the current fabric of the Ordinance as seamlessly as possible, they had to clarify some standards where parking setbacks fell. They treated the REC-W and REC-C like they would industrial districts, in terms of parking setbacks, and for the REC-I and REC-M, they treated those as they did the business, commercial improvement, office and ORT districts. Page 194 showed the parking requirements table. They did not have to change any of the uses under industrial and manufacturing, because they applied to all of the uses in the REC use table. They found that the parking requirements were a little bit on the high side for the industrial district. The City had some building re-occupancies, and the parking requirements required more parking than existed in a lot of cases, which was a problem, because there was no space to find new parking. It would change from one space per 400 square feet of floor area to one space per 500 square feet of floor area and one space per 350 square feet for office, as opposed to 300 square feet. He was not sure why, but every other place where there was office parking requirements, it showed one space per 350 square feet, except in the industrial districts, which was one per 300 square feet. He felt that it should be consistent.

Mr. Kaltsounis mentioned that he was at one of the City's local tire establishments on Rochester Road north of Barnes and Noble, and he noticed that they had 44 parking spots that were used that day. He wondered if they needed to look at the number of spaces needed for a tire

service center. The spaces were probably being used by employees and cars being worked on.

Mr. Anzek said that some of those problems were self-correcting, or that establishment would lose business. Regarding that operation, he also got tires there, and he pre-bought the tires. He had a 9:00 a.m. appointment, and they got to him at 11 a.m. It was 1:00 p.m. before they were completely finished. A 45-minute visit became a four-hour visit, and that was why they ran out of parking spaces. The waiting room was full of people, and they were not keeping on top of their game. Other tire shops did not have that problem. Mr. Kaltsounis indicated that they had to consider if it was just this one establishment. Mr. Anzek said that it was hard to write a rule to govern one operation that did not seem to make it work. By design, when the building was laid out, they said there was ample parking, but that was apparently not true.

Mr. Breuckman remembered that in 2009, they made the choice to move away from a system where the City said it knew better than the business owners about parking. The conscience choice was to set the parking requirements very low, and if people needed more, they would provide it. Staff was trusting people to know their business. He thought that they could find examples in any category of businesses that generated more parking than other users, but he did not want to punish the operators that did not generate as much parking. Mr. Kaltsounis felt that it was a discussion they could have.

Regarding off street loading, Mr. Breuckman said that they had to weave the REC districts in, so for the REC-I and REC-M, which were more akin to business districts, they added loading spaces required for all buildings over 20,000 square feet in floor area. The REC-W and REC-C were woven in with the existing I (Industrial) and SP (Special Purpose) district loading space requirements. The standards said that they had to be laid out in a dimension of at least 10 x 50 or 500 square feet in area. They would delete the "or 500 square feet in area" clause, and they upped the minimum building size. In the past, a loading dock had to be provided for any building that was 2,000 square feet or more, but at that size, the loading dock would take up more space than the building. That was upped to 5,000 square feet of floor area before a loading zone was required. Also, in the past, a minimum of five loading spaces plus one for every 40,000 square feet for a 100,000 square-foot building was required. There were only one or two buildings in the City that exceeded 100,000 square feet. That was a requirement where Staff was presuming that a loading dock might be necessary. The requirements were reduced to

40,000 square feet for the increment for additional spaces over 20,000 square feet with a minimum of three spaces for buildings over 100,000 square feet.

Regarding pavement striping on page 199, Mr. Breuckman noted that the City required double striping in those districts which were more retail or office, and where the uses dealt with the general public more. The REC-M district was the only one that had a real chance of accommodating those kinds of uses, so parking space striping requirements were added to that. On page 210, landscape standards, he added the REC-M and REC-I in with B-2 for purposes of buffering requirements. They added REC-W and REC-C in with the Industrial district for buffering requirements, as those were the most similar.

Mr. Breuckman concluded the run through of the background and how the district was established. He asked the members to look through everything, and Staff would bring it back at a future meeting that was not packed. Staff requested a special meeting on June 3 because he had a stack of site plans on his desk that he had not seen the likes of since 2005. Depending on how things shook out in the review process and when they were ready, most of them required a public hearing notice, and Staff needed extra lead time to get them ready. They might or might not have a meeting on June 3, but he asked the members to reserve it.

Mr. Kaltsounis referred to page one, building improvements, and he said that Mr. Breuckman talked about different steps that could be done before a project went to the Planning Commission, and one of them was demolition. Under minor modifications to a building, it talked about the façade or architectural features that significantly altered the appearance of a building or increased the height. Mr. Kaltsounis noted that Kroger on Livernois was administratively approved, and a section of the building was demolished. He asked if the façade would be similar to what was there.

Mr. Anzek advised that it would match the existing Kroger. Mr. Kaltsounis asked if the height would be increased. Mr. Anzek asked if he meant the parapet. Mr. Kaltsounis said that it was taller and stepped down. Mr. Anzek replied that it did in the middle, and then it stepped down as it went out from the main entrance. Mr. Kaltsounis wondered about the reasoning behind administrative approvals. He remembered that Target brought out a wall a couple of feet and added a pharmacy, and it looked the same. He thought that there would be a lot more done to the Kroger store, and he wondered how Staff determined if it should or should not go

to the Planning Commission.

Mr. Anzek said that because they were matching what they had, he did not feel there was a big enough issue to bring it to the Planning Commission. The additional square-footage was way below the amount that would trigger that threshold. They were adding 3,000 feet to the back of the building, as well, but it was still below the requirement for Planning Commission review. Mr. Anzek said that it would be an upgrade; a lot of Krogers were investing in their stores. Mr. Kaltsounis said that he was not questioning the size, it was just the façade. He wondered, with regards to minor modifications and the look of the building, how they decided if something should go to the Planning Commission. Mr. Anzek said that it was a subjective call. If he thought something was offensive, it would go to the Planning Commission. Mr. Kaltsounis agreed that it was subjective, but he did not see any guidelines regarding the design or changing a façade under minor modifications.

Mr. Breuckman responded that specific to design, when there was a flat roof, the height was actually the roof surface. The parapets could change, and it would not be an increase in height by Ordinance definition. The parapets in the Target center had gotten taller as the tenants got bigger. When that came through, Staff went through a whole process of working it out with the property owner. Mr. Kaltsounis wondered if they should outline that in the Ordinance. Mr. Anzek did not think they should tie Staff's hands. Mr. Kaltsounis wondered about saying "no" to someone but giving it to someone else. Mr. Breuckman explained that it was incumbent on Staff to be able to reason why they made a decision. If they started becoming arbitrary and capricious, it would be a problem, but he felt they had been very even-handed and reasoned in the way they enforced things. He felt that putting more specificity in the Ordinance, particularly now that they had adopted architectural design guidelines, was not really a path they wanted to go down.

2014-0098

Introduction of a zoning amendment for the Commercial Improvement (C-I) district, James Breuckman, Manager of Planning

(Reference: Memo prepared by James Breuckman, dated April 10, 2014 and proposed ordinance amendment had been placed on file and by reference became part of the record thereof).

Mr. Breuckman explained that the proposed amendments to the C-I district were spurred by recent events. The proposed changes were basically for the Olde Towne area along Auburn Rd. between John R and

Dequindre. The list of uses permitted was tied to the B-2 district, which were predominately retail and some office. The C-1 district was created in 1996, and that was the best option at the time. The City now had the FB-2 districts, which permitted a range of uses. Olde Towne was an existing part of town that could really be in conformance with FB-2, in terms of bringing buildings closer to the street and with a little more of a traditional building pattern, albeit with lots of room for improvement. Most significantly, the FB-2 district did not permit used car lots. There were some structures that could be suitable for residential and had been used for residential occupancy, but that was not permitted currently in the C-1 district. Adding the FB-2 district would solve a couple of issues. The rest of the changes proposed were to bring the standards up-to-date with a reference to FB-2 instead of B-2. He asked if there were any questions or comments.

Mr. Hooper agreed that they needed to do it. He brought up the applicant that precipitated it, and said that the applicant had completely lied to the Planning Commission on his intentions and how he would operate his business.

Mr. Breuckman said that the owner had recently purchased the lot next door to him, and he wanted to do a revised plan for that block on the north side of Auburn. He applied for a Variance to reduce the rear yard setback, which was denied. The Planning Commission might have to see another site plan from the owner. Mr. Hooper stated that if the owner did come back, the Planning Commission would need to see some significant improvements. Mr. Hooper said that he was willing to give anyone a chance, but when someone flat out misrepresented himself, that was crossing the line.

Mr. Anzek said that Mr. Hooper's comments were well taken. The surprises started happening four weeks after approval. Code Enforcement had seen a bunch of Toyotas show up on the lot next door. Mr. Anzek agreed that it appeared to be deceptive.

Mr. Kaltsounis said that a concerned citizen approached him (today), and said that it appeared that the owner cut a deal with the coin guy next door, and there were about 20 vehicles parked on the grass. Mr. Kaltsounis concluded that he wondered where the oil went that dripped on the grass.

Mr. Anzek said that the Olde Towne area had always been a targeted redevelopment corridor in need of help. He recalled that Staff had talked with the Planning Commission about an area development plan and

looking at walkability issues and streetscapes. Although the City did not have standards in place for that, he felt that they needed to think about those things. If the applicant who sold used cars came forward and made a significant investment in the area, they wanted to make sure it was done right. They did not want it to be the sore thumb that stuck out when that corridor was redeveloped.

Ms. Brnabic agreed that the gentleman had not honored any of the conditions under the Conditional Land Use. One condition was that no cars could be parked on the east side of the building, and within weeks there were. He put signs on his building about parking there, and she noted that Ordinance did take care of that. He has had up to 14 cars parked on the lot when he was allowed five. When he requested a Variance from the ZBA, Ms. Brnabic went to and looked at the site twice, and there was a vehicle parked on the grass. The only thing he had honored was putting up a fence. She also had the opportunity to mention the violations to him at the ZBA meeting, and she reminded him that he told the Planning Commission that he did most of his business through the internet. He told them if he bid on cars at the auction, that they would be kept at the auction house for up to nine months, and she asked him if something had changed. He answered that it had not changed, and that he had always done retail. He told her that he was advised that the City could not tell him how many cars could be parked on his lot. Ms. Brnabic told him that whoever advised him was misinformed. She told him that part of being a successful businessman was also being a good neighbor in the community. Since the meeting, she had not seen more than five or six cars parked on the approved lot, however, he did have 25 or 30 parked next door. She asked if he had submitted a new site plan.

Mr. Breuckman said that he had not been in, but his architect had been in a couple of times with some preliminary plans, but nothing formal had been submitted. The owner was issued a violation notice, and he was given time to bring the site into compliance, and Mr. Breuckman felt it was getting to the end of that grace period. The City would probably send him a letter asking for the plans, or he could be given another notice.

Mr. Breuckman said that if the Commissioners were comfortable with the proposed changes, that it would be scheduled for a Public Hearing.

ANY OTHER BUSINESS

Ms. Brnabic asked about the property at Avon and John R. There was a

convenience store demoed, and she thought the plan was to build another convenience store. She noticed that there was a for-lease sign advertising B-2 (Commercial), and she wondered if something fell through.

Mr. Anzek said the owners were locked into a site plan as part of a Consent Judgment. It was sold, and the buyer wanted the eyesore removed. There was a 4,200 square-foot building approved as part of the Consent Judgment, and they were debating whether it would all be a convenience store or if they might rent the northern portion to another small tenant. The new owners were the Allen Brothers, who also owned the industrial complex at the southeast corner of Avon and John R.

Mr. Kaltsounis noticed that Mark's Coney Island at Adams and Auburn was torn down the other day. Mr. Anzek advised that it was destroyed by a fire and could not be rebuilt. The City had been working with the owner, who also owned Muldoon's, to do something better. The owner might do a retail development and expand Muldoon's, but it was in the early conceptual stage.

Mr. Kaltsounis noted the recently razed property at Rochester and Auburn, and he asked if the McDonald's went through. Mr. Anzek said that Staff did not know yet. Mr. Kaltsounis asked if they would be proceeding with anything. Mr. Anzek said that the owner must want to, because he would not be spending the money to knock everything down. He was trying to get a Brownfield Plan approved, but because he took ownership of the gas station and it still operated, he was no longer eligible for tax credits. Mr. Anzek believed that the owner had significant tenants for the retail buildings. They had called about phasing in the street improvements, but were told that they had to be done in one phase.

NEXT MEETING DATE

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for May 20, 2014.

ADJOURNMENT

Hearing no further business to come before the Planning Commission, and upon motion by Mr. Kaltsounis, Chairperson Boswell adjourned the Regular Meeting at 9:06 p.m.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary
Rochester Hills Planning Commission