



# Rochester Hills

## Minutes

### Planning Commission

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Rochester Hills, MI  
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Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

*Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper*  
*Members: Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Dale Hetrick, Marvie Neubauer, Scott Struzik and Ben Weaver*  
*Youth Representatives: Janelle Hayes and Siddh Sheth*

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Tuesday, September 3, 2024

7:00 PM

1000 Rochester Hills Drive

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In compliance with the provisions of Michigan's Open Meetings Act, Public Act No. 267 of 1976, as amended, NOTICE WAS HEREBY GIVEN that the Rochester Hills Planning Commission will hold a special meeting on Tuesday, September 3, 2024 at 7:00 p.m. in the Auditorium at the Rochester Hills Municipal Offices, 1000 Rochester Hills Dr., Rochester Hills, Michigan 48309 to consider requests associated with plans for Pine Trace Golf Course to relocate its existing driving range from 3600 Pine Trace Boulevard to 3300 and 3308 South Blvd. W.; and for requests associated with plans to demolish and rebuild the existing swimming pool and community center building for the Property Owner's Association of Hampton at 254 Hampton Circle.

### CALL TO ORDER

*Chairperson Brnabic called the September 3, 2024 Special Planning Commission Meeting to order at 7:00 p.m., Michigan Time.*

### ROLL CALL

**Present** 9 - Deborah Brnabic, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Greg Hooper, Marvie Neubauer, Dale Hetrick, Scott Struzik and Ben Weaver

### Others Present:

*Sara Roediger, Planning & Economic Development Director*  
*Chris McLeod, Planning Manager*  
*Tracey Balint, City Engineer*  
*Matt Einheuser, Natural Resources Manager*  
*Jennifer MacDonald, Recording Secretary*

*Chairperson Brnabic welcomed attendees to the September 3, 2024 Special Planning Commission meeting. She noted that if anyone would like to speak on an agenda item tonight or during Public Comment for non-agenda items to fill out a comment card, and hand that card to Ms. MacDonald. She noted that all comments and questions would be limited to three minutes per person, and all questions would be answered together after each speaker had the opportunity to speak on the same agenda item.*

### PUBLIC COMMENT

*Chairperson Brnabic noted that there were no speakers' cards for Public Comment.*

## NEW BUSINESS

### 2024-0410

Request for Tree Removal Permit Approval - File No. PTP2024-0002 - to remove 123 regulated trees and 114 specimen trees, and to replant the equivalent of 886 replacement trees onsite pursuant to a replanting plan for the Pine Trace Golf Course driving range relocation project, located at 3600 Pine Trace Blvd. and 3300 and 3308 South Blvd. W., located on the north side of South Blvd. W. and east of Adams Rd., zoned R-4 One Family Residential, Parcel Nos. 15-31-400-015, 15-31-400-016 and 15-31-400-017, Michael Bylen, Pine Trace Golf Course, Applicant

*(Staff Report dated 9/3/24, Reviewed Plans, ASTI report dated 8/23/24, AEW Memo of 8/6/24 and Revision Letter of 8/7/24, Environmental Impact Statement, Development Application, Authorization, Geotechnical Investigation dated 7/1/24, Wetland Delineation dated 7/12/24, and Public Hearing Notice had been placed on file and by reference became a part of the record thereof.)*

*Present for the applicant were Mike Bylen, representing Pine Trace Golf Course, and Sydney Kanan, P.E., Anderson, Eckstein and Westrick, Inc., Civil Engineer for the project.*

*Chairperson Brnabic introduced this item and invited the applicants to the presenter's table to introduce themselves. She called for presentation of the Staff Report.*

*Mr. McLeod stated that two requests would be considered this evening, one for site plan approval and one for a tree removal permit for the modification and the moving of the existing driving range on the site. He reviewed the aerial photo providing a perspective of the golf course property, and noted the location of the current driving range just to the east of Pine Trace Boulevard. He explained that it is proposed to be moved to the properties with houses that were recently purchased just to the west side of Pine Trace Boulevard. He stated that the driveway, access to the golf course, and the parking configuration would remain the same. He noted on the aerial that some wooded area as well as the location of the houses would be converted into the driving range configuration. He mentioned the impacts to the residents to the west side of the development, and pointed out that the residents that live a little further north along the west side of the golf course as it currently stands would not see any changes or modifications as a result of the driving range, nor would those residents on the east side. He explained that some of the existing tree line would remain as a part of the overall development and would be supplemented, and trees in the central portion of the overall parcels would be removed as a part of the tree removal permit and then ultimately would have to be replanted on site pursuant to a proposed replanting program.*

*He reviewed the adjacent zoning as R-4 one family residential and noted that this is common throughout the entire area along South Boulevard. He reviewed the contouring that is proposed to be changing and the buffering to occur along the western property line. He explained that City Staff including Forestry have gone out and met with Mr. Bylen and reviewed the existing trees that will be*

*maintained along the western property line, and noted that the buffer will be tweaked ever so slightly to further enhance the existing tree line that will stay in that area. He stated that staff will work with the ownership as well as with Forestry and Engineering as to where those trees would be best located to ensure that the screening is in effect and the trees have the best chance of living moving forward. He reviewed the golfers' ball flight direction and how hitting would occur from north to south in a straight line fashion. He mentioned that no new parking areas are proposed at this time.*

*Mr. McLeod noted that the driving range is phase one of the golf course's larger master plan, and would set up for future improvements to the site, and those improvements would come back before the Planning Commission when that time is appropriate. He mentioned that Pine Trace has entered into a long-term lease for operations for the course and ancillary facilities with the City.*

*He noted that in terms of the tree removal permit, the applicant provided a tree survey showing all of the trees on the site referenced in tonight's application, and he pointed out the stands of trees that will remain and those that will be removed. He stated that the applicant is required to replant 886 trees or equivalent thereof, and Forestry has determined that a tree replanting program would be best suited for this particular application as it is a bit unique. He noted that a memorandum of understanding or similar instrument would be provided stating that there would be a minimum of 200 trees planted by the completion of the banquet center, and there would be a minimum of 60 trees planted each year going forward for the next 10 years until that number is reached. He explained that every year the applicant would have to come forward with a planting plan showing the trees they planted in the past year and the number of trees proposed to be planted going forward, and would be required to work with City Staff as to the types of trees and their location. If compliance with the 886 trees is not met, the difference would then be paid into the City's Tree Fund. Another part of the proposed program is that required trees would not be able to be counted against the tree credit; and any future required buffer trees would not count against the 886 trees.*

*He mentioned that if the site plan ultimately meets the requirements of the Ordinance, the Planning Commission has an obligation to approve the site plan, as this does not require any conditional use consideration. He added that there is no proposed exterior lighting for the driving range, and no netting proposed for the driving range. He explained that it will be done in a natural manner and will operate during daylight hours.*

*Chairperson Brnabic asked how the computation of 60 trees per year was arrived at. She commented that while they have the option of putting funds into the Tree Fund, she would not want to see almost 300 trees paid into the fund rather than planted.*

*Mr. Bylen responded that it was desired to have a thoughtful planting plan instituted and implemented rather than trying to fit 886 trees on the site in about 18 months. He stated that the trees will be impactful not only for golf but for banquets. He commented that the chances are that they will finish the replanting before the 10-year point. He explained that they will start with 200*

trees, and that leaves 60 over about a nine-year period. He stressed that it is not an attempt at slow play or not spending the money, but it is an attempt to get it done correctly.

Mr. Einheuser stated that he is the Natural Resources Manager and does site plan reviews relative to the Tree Conservation Ordinance. He explained that Mr. Bylen and Parks and Natural Resources Director Ken Elwert worked with the City Attorney to develop a memorandum of understanding (MOU) for the planting plan. He noted that ultimately the plan is to plant all of the trees on the site, which is the preference on all tree removal permits. He commented that the Tree Fund is a backup. He pointed out that ultimately with this being City-owned property the Tree Fund could be used to plant, and he explained that the City does maintenance on this property along the edges. He stated that the 60 trees per year was a slightly arbitrary number, but was used to at least have a minimum to show progress every year.

Chairperson Brnabic noted that while this was mentioned in the Staff Report, she did not see it placed under the motion for approval for the tree removal permit; and asked if the minimum should be stated as a condition. She asked if the legal agreement was in place or was still being developed.

Mr. Einheuser responded that he believes both parties have signed it.

Chairperson Brnabic stated that she would have liked to have had the legal agreement included in the packet. She noted that an email received from Jack Van Tiem questioned what the standard work hours and work days were established and who would ensure compliance.

Mr. McLeod responded that standard construction hours are Monday through Saturday from 7:00 a.m. to 8:00 p.m. He explained that the applicants can request additional hours or days and that is subject to the review and potential approval by the Mayor.

Chairperson Brnabic noted an email received from Karl Wojcik expressed support for the plans, but asked Pine Trace to consider removing the berm on hole 11. Mr. Wojcik stated that the berm deflects golf balls into their yards and diverts rainwater, leaving their yards wet for several days after a rain, and blocks their view of the course. Mr. Wojcik also asked if the tee boxes could be moved closer to the property line to reduce the number of golf balls that hit their condos or end up in their backyards.

Mr. Bylen responded that they are repositioning the tees so that the center line moves farther to the west away from their homes. He noted that the berm was something discussed at the Planning Commission years ago and noted that they are working to try to keep more of the water onsite. He pointed out that the site where those individuals live was a wetland when they started Pine Trace, and water has always gone that way. He explained that most of the problem that is being mentioned now is from a discovered cutout on the curb entrance to their driveway which takes water and brings it onto their site, runs down their way a bit and then exits out impacting those folks. He stated that for probably the fifth time he met with one of the residents to tell them about how they are going to try

*to hold more of the water on the golf course property.*

*Chairperson Brnabic asked if a neighborhood meeting was held.*

*Mr. Bylen responded that he met with representatives.*

*Chairperson Brnabic asked if Mr. Bylen was willing to meet with the neighborhood to ensure they have clarity on any questions they will have.*

*Mr. Bylen responded that he is happy to do that; and he explained that he met with one of the gentlemen today and he regularly goes back and forth with them.*

*Mr. Struzik asked what the protections would be against a golf ball leaving the driving range and going into the public roadway or sidewalk on South Boulevard.*

*Mr. Bylen responded that in 35 years he has never seen a golf ball travel beyond the trees in the existing range. He added that they will have a fence there and will very likely plant arborvitae. He added that it is uphill, and between those two measures, in addition to the trees that will be planted, that should take care of any balls.*

*Mr. Struzik asked if Mr. Bylen would know if there was any issue with the existing driving range.*

*Mr. Bylen stated that he would hear about something like that. He noted that the new driving range would be 50 feet farther away from the road.*

*Mr. Struzik noted that he did a site visit today and walked the tree line by the sidewalk on the north side of South Boulevard, and saw about 10 golf balls. He commented that this is something that has affected his family as his car was hit by a golf ball on Rochester Road at Square Lake.*

*Mr. Bylen stressed that it is uphill and the new range will be farther back. He added that the course at Rochester and Square Lake is operated by a different community and he cannot attest to their operation.*

*Ms. Neubauer requested clarification of what will happen if he does not plant the minimum of 60 trees, or if there is a difference at 10 years. She commented that she wished she could have seen the language in the contract to understand what happens if in year two and three if he does not plant the required number.*

*Mr. Einheuser responded that the MOU is that if he does not plant the minimum of 60 trees the City could declare default and require all of the balance be deposited into the Tree Fund.*

*Ms. Neubauer asked if there was any restrictive language that says that a maximum amount can be paid into the tree fund in lieu of trees.*

*Mr. Einheuser responded that ultimately they will have to plan 200 trees before ever receiving a C of O for the second phase of the project; and after that it would be a minimum of 60 per year. In case of default they would have to pay*

*the entire balance into the Tree Fund and the City would have control of that to be able to plant trees on City-owned property, which could include the golf course. He mentioned that obviously the City would have to work with the course to not impact operations.*

*Ms. Neubauer suggested that there be clarification added to the conditions and it needed to be better worded to make sure the default answer is not just paying the money. She noted that the language only means that of the 886, only 200 are required.*

*Mr. Einheuser responded that technically he could default and by the Tree Conservation Ordinance pay the entire amount into the Tree Fund. He stressed that they encourage people to plant onsite with tree removal permits and try to push in that direction every single time with all private or public site plans. He pointed out that they want to have at least 200 trees planted before the C of O and after that, the planting plan encourages planting on site.*

*Ms. Neubauer asked where the 200 tree number came from.*

*Mr. Einheuser responded that this was a number that the Director arrived at working with the City Attorney for the MOU, to maximize the amount on site.*

*Ms. Neubauer stated that she understands the idea of it being a thoughtful plan and ensuring that trees are planted so that they survive. She commented that she does not want there to be a default of only 200 to plant, stating that as an attorney she does not believe in good faith and everything has to be in writing.*

*Mr. Bylen responded that he has the right not to plant the trees he takes down per the Ordinance and can just write a check so the City is not injured in any way. He stated that if he puts in 200 trees and then defaults, there is no injury. He stated that he has agreed to plant on site because that is what he wants to do. He commented that he understands that the majority of developers just take everything down, write checks and go down the road. He stressed that he has a contract with the City that requires some specific performance, and while the performance dollar is not spelled out, it is an enormous amount of money. He stated that sometimes one has to extend good faith and it is actually rewarded.*

*Ms. Neubauer responded that while she understands, she stands on her statement. She commented that she hopes he acts in good faith and plants all of the trees; however, she is not a fan of the language as it is not specific enough for her.*

*Ms. Roediger stated that this is a unique project for the City as well because it is City-owned land and represents a public-private partnership. She explained that there was much discussion that preceded Mr. Bylen coming before the Board tonight. She stressed that whether there is other development such as a banquet center or improvements to the golf course, it is a different circumstance as it is City-owned property.*

*Mr. Hetrick commented that it is important for the Planning Commission and*

residents to know that it is planned to plant those 600 trees. He stated that Mr. Bylen has been a good partner with the City for years and has operated Pine Trace on the City's behalf; and to be able to get to 800-plus trees is something Mr. Bylen confirmed he is willing to do.

Ms. Denstaedt noted that 200 trees need to be planted by the completion of the banquet center, and asked how many trees would be going in when the driving range was completed. She commented that if that is three years away, then the 60 trees becomes a shorter span.

Mr. Bylen responded that irrigation must be installed in the western border before planting. He explained that they are doing all new irrigation on the golf course and it will have to be run over to the newly acquired parcels over the next 12 months. He stated that they are anticipating opening the golf course back up in the spring of 2026, and that includes the driving range; so they will have to have those trees planted sometime next year along the property line in order to make sure they are in and they are not disrupting the grass planted there. He added that relative to the trees that have to do with the banquet facility, they will be moving the roadway from its existing area into the middle of what is now the driving range, and that is where the majority of the 200 trees will be planted. He added that along the western border, they will be putting in a parking lot and they will have to shield that. He noted that it will be a very formal entrance and they will have many specimen trees that will go in there that will not only hide the parking lot but will focus people toward the new banquet building. He pointed out that the roadway will need to be in there before opening the course again. He commented that he thinks that they will probably exceed 200 trees before opening the banquet facility. He suggested it would be into the 2027 planting season but before opening the building.

Mr. Hooper mentioned that there were five points included in the MOU and asked if that was the essence of the agreement.

Mr. Einheuser responded that was correct and were the highlights of what was incorporated into the MOU.

Mr. Hooper suggested that they could make a motion to approve the tree removal permit and modified condition number two that would list out the five bullet points to basically include the tenets of the MOU.

Mr. McLeod added that those bullet points are also contained on the site plans as a part of the condition of the site plan.

Mr. Hooper stated that based on his quick read, a minimum 200 trees are to be planted by the completion of the banquet center, which has been stated to be roughly 2027; and then a minimum 60 trees planted every year until the total amount of the 886 are replaced 10 years from the date of approval by the Planning Commission for the driving range, should it be successful today. He added that they are not anticipating paying into the Tree Fund for any tree credits. He stated that as the course is reconfigured he is sure that they can find spots for the trees. He asked if Mr. Bylen has had a chance to talk to the residents of the condos that were built a couple of years ago on the west side of

*the driving range.*

*Mr. Bylen responded that he has had several meetings with all of the residents whose properties either abut the west border or are close to that. He added that many of those residents are here tonight. He stated that the most recent meeting was last Wednesday or Thursday at Shepherd's Hollow.*

*Mr. Hooper asked what the nature of the conversation was for the meeting.*

*Mr. Bylen responded that he thinks that they have had great communication, and he has emails that indicate that they appreciate the openness and forthrightness. He stressed that he was not going anywhere and would not build and then leave town. He noted that the residents expressed concern about putting a net up and did not want a net, and he told them that it was the only way that he could be sure that golf balls would not get over there. He explained that they agreed that they would live without a net for a year or two and see what happens. He added that some residents want a six-foot fence and some do not, so they are still working through that. He commented that he would be happy to put that fence up for those that do want it, and he noted that they are going to maintain some of the brush there. He stated that he thinks that they have a cooperative group and trust that he will do the best he can upfront and has the integrity to take care of any problems in the future.*

*Mr. Hooper stated that the overriding concern was that they wanted a green fence, a wall of trees or evergreens to shield any potential golf balls from leaving the driving range, and that is what is being presented tonight. He commented that the golf course is a great neighbor to have as it only has activity for about four months each year.*

*Mr. Bylen commented that it is a little more than four months; however, golf does not happen during darkness which is pretty early some months.*

*Mr. Weaver stated that he is a landscape architect and plays a fair amount of golf, and he has no worries that they will find places to put trees throughout the course. He commented that there will be other areas that need screening, and course redevelopment that will need some screening, and he has no worry that they will be able to get to 60 trees each year. He mentioned the west edge of the driving range, and noted that they have 79 evergreen trees at 10 feet tall. He suggested that taller trees be put along there because while he knows for a golfer to hit 300-yards straight uphill is very uncommon, what he tends to do is 50 feet high up to the right. He suggested that 15-foot or 16-foot trees could possibly be counted as 1.5 trees to minimize the 800-plus trees to be put back. He stated that overall he does not see any issues with this, and believes that they will get to this number.*

*Mr. Dettloff stated that during Mr. Bylen's length of time in the City he has been a class operator, and he thanked him for making Pine Trace the quality course that it is. He asked if they are holding off on netting for the residents.*

*Mr. Bylen responded that the residents do not want netting, and most prefer the fence, which is six feet high. He noted that regarding the border of pine trees,*



*some want to hang onto the brush that is there and some want it removed.*

*Mr. Dettloff asked if the course will be closed for the 2026 season. Seeing Mr. Bylen's confirmation that it would be, he commented that it would disappoint a lot of people; however, like Mr. Weaver and some of the other commissioners, he supports this.*

*Mr. Hooper first moved the motion in the packet for the tree removal permit, with the three pre-printed findings and two pre-printed conditions with condition number two modified to state that the applicant and the City must execute an appropriate memorandum of understanding as outlined in tonight's Planning Commission Meeting Minutes for the replanting of the 886 replacement trees required as per the City Tree Ordinance, which provides the diameter and height ratios that Mr. Weaver mentioned that count for additional credits, but follow the City's Tree Ordinance for those credits. Ms. Neubauer seconded the motion.*

*After calling for a voice vote on the motion for granting the tree removal permit, Chairperson Brnabic announced that the motion passed unanimously. At this point she noted that she just received a few speaker cards; however, this item has had plenty of discussion and she did previously ask anyone wishing to speak to fill out a card. She stated that she would move on to the site plan.*

*Mr. Hooper moved the motion in the packet for approval of the site plan as pre-printed in the packet with five findings and one condition. Ms. Neubauer seconded the motion for site plan approval.*

*After calling for a voice vote, Chairperson Brnabic noted that the motion passed unanimously. She congratulated Mr. Bylen for moving forward with the project.*

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

**Aye** 9 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick, Struzik and Weaver

**Resolved**, in the matter of File No. PTP2024-0002 (Pine Trace Golf Course Driving Range) the Planning Commission grants a Tree Removal Permit based on plans received by the Planning Department on August 7, 2024, with the following findings and subject to the following conditions:

### **Findings**

1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.
2. The applicant is proposing to remove a total of 123 regulated trees and a total of 3,471 dbh of specimen trees as a part of the site development. The removal of these trees requires replacement of a total of 886 trees onsite.
3. The applicant is proposing to plant a total of seventy-nine (79) evergreen trees along the western property line of the proposed development.

### **Conditions**

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.

2. The applicant and City must execute an appropriate memorandum of understanding (or other acceptable legal instrument) for the replanting of the 886 replacement trees required, encompassing the following.

(1) A minimum of 200 trees will be planted by the completion of the banquet center.

(2) A minimum of 60 trees will be planted every year until the total amount of 886 trees are replaced by 10 years from the date of approval by the City Planning Commission for the driving range construction. Any tree replacements still remaining at the end of 10 years are required to be paid into the City tree fund at the year's replacement rate.

(3) Once the Banquet center is built, a yearly planting plan shall be submitted to the City at the same time Pine Trace submits its annual report per the lease. The yearly planting plan must be approved by the City's Forestry Department to count as replacement tree credits until the total of 886 replacement trees have been satisfied.

(4) In the event the banquet center does not get built according to the terms of the current lease, the total amount required for tree replacement must be paid into the City Tree Fund.

(5) To count towards replacement credit, all trees must meet City requirements of at least 2" dbh. Allowance will be made in some circumstances with regard to City requirements for distance between plantings (typically 20 feet).

3. Tree plantings/replacement credits are pursuant to City Tree Preservation Ordinances.

2024-0409

Request for Site Plan Approval - File No. PSP2024-0024 - for Pine Trace Golf Course to relocate its existing driving range from 3600 Pine Trace Blvd. to land located at 3300 and 3308 South Blvd. W., located on the north side of South Blvd. W. and east of Adams Rd., zoned R-4 One Family Residential, Parcel Nos. 15-31-400-015, 15-31-400-016 and 15-31-400-017, Michael Bylen, Pine Trace Golf Course, Applicant

**(For discussion See Legislative File 2024-0410)**

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

**Aye** 9 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick, Struzik and Weaver

**Resolved**, in the matter of City File No. PSP2024-0024 (Pine Trace Golf Course Driving Range), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on August 7, 2024, with the following findings and subject to the following conditions.

**Findings**

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.

2. The proposed project will be accessed from the existing driveway for the golf course

from South Blvd, and the proposed development only moves the existing driving range and therefore does not increase the overall intensity of the use onsite, thereby the proposed plans promote safety and convenience of vehicular traffic both within the site and on adjoining streets. The proposed site will remain fully integrated into the overall golf course as it was previously.

3. Off-street parking areas are remaining unchanged at this time and have been designed to avoid common traffic problems and promote customer safety.

4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity by providing significant evergreen plantings along the west property line and the replanting of 886 total trees over time.

5. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

#### **Conditions**

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans contained within the Planning Commission packets.

2024-0411

Request for Site Plan Approval - File No. PSP2024-0007 - to demolish and rebuild the existing Hampton swimming pool and community center building located at 254 Hampton Circle, east of Rochester Rd. and south of Hamlin Rd., zoned R-4 One Family Residential, Stucky Vitale Architects, Applicant

*(Staff Report dated 9/3/24, Reviewed Plans, Stucky Vitale letter dated 8/1/24, WRC letter dated 5/10/24, Environmental Impact Statement, Landscape cost estimated dated 5/31/24, Development Application, and Public Meeting Notice had been placed on file and by reference became a part of the record thereof.)*

*Mr. Struzik stated that as he owns his home and is a required member of the Property Owners Association of Hampton, the applicant for this item before the Commission, he noted it would represent a conflict of interest. He stated that he would be recusing himself from the next two items and would leave the dais.*

*Present for the applicant were Scott Snow, President of the Board of Directors for the Property Owners Association of Hampton and also owner's representative for the Oaks at Hampton Apartments, Eric Williams, Stonefield Engineering and Design, and Andrew Rydneycky, AIA, Stucky Vitale.*

*Chairperson Brnabic introduced this item and called for the Staff Report.*

*Mr. McLeod noted that this is a site plan request along with request for a tree removal permit for the Hampton Community Center and Pool. He noted that this is a replacement of the current community center, and construction of a new community-type facility, construction of a pavilion, existing pool removal and new pool constructed, as well as some additional recreational amenities on the site. He displayed the photo of the site, noting that the site itself is zoned R-4 One Family Residential, and the surrounding parcels are largely zoned for multiple family. He noted that there will be the removal of several different trees around the perimeter of the building as a result of demolition. He explained that the parking lot will remain largely unchanged and will have some minor modifications and improvements, including some curbing to be installed and some areas that will be patched, and some additional pedestrian amenities will be provided. He added that a splash pad will be included, and linear pathways will connect each of the amenities, as well as crosswalks across Hampton Circle to provide some additional pedestrian and bike amenities and sidewalk area, pickleball courts, a new sand volleyball court, existing tennis courts, and new playground structures will be provided. The different amenity areas include foundation plantings as well as plantings around the site itself. He added that some new site lighting will enhance the area. A new community maintenance building is proposed, which is geared more toward maintenance, and provides restrooms and changing facilities for the pool area. He pointed out a pavilion for a gathering space adjacent to the pool and splash pad area, and he reviewed the overall floor plan proposed for the building.*

*Mr. Snow stated that the current building was constructed in the mid- to late-1970s, and noted that part of it was a school or Montessori center. He explained that the building was been inspected three or four years ago by an engineer and part of the structure is failing, including part of one of the restroom entrances. He noted that there are restroom entrances that go underground*

*and support the pool. He mentioned that the pool itself is oversized and outdated, and its equipment is expensive to maintain. He noted that the Board has conducted surveys and feedback from the membership, which also includes ownership of 544 apartments in the development; and he stated that they want things that will appeal to residents along with the greater community. He commented that he thinks it will be a great reuse of the space and will revitalize a once very vibrant community and help to continue to attract families and individuals into the future that want to live in a vibrant community.*

*Mr. Hetrick stated that he would agree that what he is seeing on the site plan will revitalize the area. He noted that they are adding some very trendy new things such as pickleball which will probably bring more people in. He asked if there would be enough parking for the people who will be arriving to use the facility.*

*Mr. Snow responded that since COVID they have been tracking pool use, however they do not currently have the other elements in place to allow them to determine how many people they will draw.*

*Mr. Hetrick commented that he would prefer something that would suggest that the parking will be sufficient.*

*Mr. Snow stated that it is a highly walkable community and the majority of the residents about the property line of this parcel.*

*Mr. Hetrick commented that thinking that the majority of the people using the facility will likely walk helps to answer his question. He asked what the staff's perspective is for parking.*

*Mr. McLeod responded that the overall interior space is being diminished from the current community center configuration, and noted that the idea is to get people walking, which is why they worked to get additional pedestrian connections. He commented that realistically it is first and foremost a community center that services an overall neighborhood and the hope is that people would be walking and bicycling rather than driving to the site. He added that Staff did not see a huge intensification over the amount of uses that are currently there; they are being modernized and brought up to speed with trends. He pointed out that the main facility that would have been a large population draw is actually becoming smaller in terms of its footprint. He commented that he thinks parking wise it will be fine.*

*Mr. Weaver stated that he loves the upgrade of the facility and thinks the renderings look great. He asked how many people it is anticipated that the pool can accommodate for maximum capacity.*

*Mr. Rydnycky responded that the pool is designed for 60 persons which is a substantial reduction from the previous pool. He noted that the adjacent splash pad is roughly for about 20 or so, with kids running in and out.*

*Mr. Weaver stated that he assumes that EGLE will have to look at this and approve it.*

*Mr. Rydnycky responded that they will, and noted that they have a pool consultant on board that has sized the pool, splash pad, and associated equipment and it has been thought out.*

*Mr. Weaver commented that he is concerned over the number of restrooms and wanted to make sure what is likely going to happen if the need arises for another restroom.*

*Mr. Rydnycky responded that as it is a walkable community, they took the approach that a number of residents will likely be going home for restrooms..*

*Mr. Weaver suggested that they get in contact with EGLE sooner rather than later.*

*Chairperson Brnabic stated that even if someone lives close by, they cannot count on people going home to use the restroom, especially if they have children. She asked how many restrooms were included and if they felt that was adequate for this use.*

*Mr. Rydnycky responded that two were included, and he stated that they do feel it is adequate for this use.*

*Chairperson Brnabic noted that she received a number of speaker cards, and began to call individuals up for Public Comment.*

*Laurie Bowers, 2224 London Bridge Drive, stated that she lives in Regency and could guarantee that nobody will be walking to the pool as it is a long way to carry water and towels. She stated that she thought they were trying to crowd too many things into one place, and could not understand why two playgrounds are proposed, along with a splash pad as Innovation Hills is available along with a splash pad on Auburn. She asked what the average HOA fee is for one of the apartments.*

*Chairperson Brnabic noted that all questions would be answered together after everyone had an opportunity to speak and there would be no back-and-forth commentary.*

*Ms. Bowers continued that she thought that the apartments will not bear the brunt of the cost and it will be the homeowners and condo owners who will not use it as they do not live by it. She stated that she has lived there only one year and has not been to the pool.*

*Nancy Van Ophem, 2207 London Bridge Drive, stated that she had sent an email earlier today, and lives in one of the condominiums in the complex. She noted that at the beginning a master plan was made to develop the square mile and it included homes, condos and apartments. She mentioned that there was an area of approximately 100 acres that was set aside as natural land, and she is under the impression that there have been no taxes charged for those properties and wooded areas to stay natural, along with a nine-hole golf course. She stated that the Property Owners Association of Hampton was formed at that time for the purpose of maintaining the common areas. She added that for*

about 30 years, the Property Owners Association paid a fee for the residents of the condominiums and homes to be able to use the facility because it was owned by the apartment group. She noted that a number of years ago, the property was sold by the apartment owner to the Property Owners Association.

Sonia Milton, 779 Dartmouth, stated that she is a part of the Property Owners Association and has been fighting to get this project done for 15 or 20 years. She stated that she was on the board when the property was purchased and noted that when her children were little they all walked. She commented that they needed a splash pad; and stated that she wanted the children in the apartments to have something in their backyards as it is a transitional place for them. She mentioned that one playground is for younger kids, and one is for older kids. She stressed that while it is farther from some of the condos, it is still in the community and is not a public place.

Susan Cathcart, 530 Oxford Ct., stated that while she agrees in principle about what is being done, she would question whether it is walkable. She commented that she cannot walk to it from Barclay easily without going through Hampton, and it will take her a while. She questioned whether two bathrooms would be enough, and stated that parking should be considered. She suggested that data be collected as to how many people will use the splash pad and playgrounds on a given day. She commented that there is nothing to stop people from other communities from using it. She stated that while it is beautiful, it will impact their association fees.

Harold Simmons, 692 Tennyson, stated that he represents Hampton on the Green Condominium Association and is also a member of the Property Owners Association. He stated that he takes care of the grounds at the clubhouse and has been doing it for the past 15 years; and even on the hottest days, parking has not been full. He noted that people walk constantly to the pool, or drop kids off. He mentioned that the old bathrooms have always accommodated those going there and there has never been a line. He commented that people are always asking him when the new pool will be open.

Remy Van Ophem, 2207 London Bridge, stated that the bylaws of the Property Owners Association provide that any assessment made by the Board of Directors must be approved by the membership in good standing. If the cost of the proposed project is more than 25 percent of the operating budget, which to his knowledge runs in the area of \$250,000, this means a vote and approval would be necessary if the cost of the project is over \$42,000. He stated that he is not aware that anyone in the membership of the different condo associations have been asked to vote on this, and no one has ever discussed the cost.

Chairperson Brnabic noted that some questions have been raised that the Commission in general does not usually deal with. She suggested that these are questions that should be answered for the Hampton community if a new community center and pool is planned. She commented that she thinks it is a great idea and will be a nice upgrade, and asked what the purpose of two playgrounds would be and if they would be age appropriate. She noted that while she heard comments that the parking lot is generally not full and the bathrooms do not have lines, she does have some concerns that if it draws crowds, not

*everyone will walk home to use the restroom. She suggested that this is something they should consider.*

*Ms. Neubauer stated that a lot of the comments made tonight are outside of the scope of what the commission does, and suggested that it is in the best interest for the applicant to meet with the neighbors and homeowner associations and those who stated that they did not get a notice and are making comments now. She commented that she thinks it is a good plan and based on the criteria that the Commission has and the things it is allowed to discuss and vote on, she would make a motion for approval of the site plan. The motion was supported by Mr. Hooper.*

*After calling for a voice vote, Chairperson Brnabic noted that the motion for site plan approval passed unanimously (Mr. Struzik had recused himself).*

*Ms. Neubauer moved the motion in the packet to approve the request for the tree removal permit. That motion was supported by Mr. Hooper.*

*After calling for a voice vote on the motion, Chairperson Brnabic announced that the motion passed unanimously (Mr. Struzik had recused himself). She congratulated the applicant and commented that it looks like it will be a very nice update.*

*Following the vote, Mr. Struzik rejoined the dais.*

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

**Aye** 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick and Weaver

**Abstain** 1 - Struzik

**Resolved**, in the matter of City File No. PSP2024-0007 (Hampton Community Center and Pool), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on August 1, 2024, with the following findings and subject to the following conditions.

### **Findings**

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from the existing driveway for the existing community center from Hampton Circle, and the proposed development only replaces and updates the existing community center, pool and recreation areas with newer, more modern facilities, and therefore should not increase the overall intensity of the use onsite, thereby the proposed plans promote safety and convenience of vehicular traffic both within the site and on adjoining streets. The proposed site will remain fully integrated into the overall Hampton community development.
3. Off-street parking areas are remaining largely unchanged at this time and have been designed to avoid common traffic problems and promote customer safety.



4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity by providing additional community and recreational amenities onsite in addition to a number of new tree and shrub plantings onsite.

5. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

**Conditions**

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans contained within the Planning Commission packets.

2. Provide a landscaping bond in an amount deemed acceptable by City Staff, based on the cost estimate for landscaping and irrigation, plus inspection fees.

**2024-0412**

Request for Tree Removal Permit Approval - File No. PTP2024-0004 - to remove four regulated trees and one specimen tree with one replacement tree proposed and utilizing the specimen tree preservation credit for the Hampton swimming pool and community center building project located at 254 Hampton Circle, east of Rochester Rd. and south of Hamlin Rd., zoned R-4 One Family Residential, Stucky Vitale Architects, Applicant

**(See Legislative File 2024-0412 for discussion.)**

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

**Aye** 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick and Weaver

**Abstain** 1 - Struzik

**Resolved**, in the matter of File No. PTP2024-0004 (Hampton Community Center and Pool) the Planning Commission grants a Tree Removal Permit based on plans received by the Planning Department on August 1, 2024, with the following findings and subject to the following conditions:

**Findings**

1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.

2. The applicant is proposing to remove a total of four (4) regulated trees and one (1) specimen tree as a part of the site development. The removal of these trees requires replacement of a total of one (1) tree onsite.

**Conditions**

1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.

## ANY OTHER BUSINESS

*Chairperson Brnabic asked if anyone had looked at the traffic situation on Barclay Circle.*

*Ms. Neubauer responded the topic was addressed at City Council's last meeting and everyone is aware of the community issues.*

*Ms. Roediger explained that staff met with the Mayor and OHM last Friday and had discussions with Engineering, OHM and DPS, regarding the ability to turn right on a red light being taken away because of the bike lane. She stated that the suggestion is to take away the bicycle lane at the last 100 feet at each intersection and the dedicated bike lane striping and paint will be removed at that point sometime in the next few weeks. She stressed that shared roads with bicycles is a common transportation tool.*

*Mr. Struzik suggested that it should be a double left-turn lane. He noted that this is his community and he supports having the bike lanes.*

*Ms. Roediger noted that there are arrows on the pavement that indicate that the bikes share the road with cars, and it is a pretty common transportation tool used when bicycles and vehicles are sharing the road. She explained that the changes will be made at both Barclay and Auburn and Barclay and Rochester Roads.*

*Mr. Struzik stated that he supports having the bike lanes on this road as it does not need to be a five-lane road. He commented that it is good to have the additional lanes at either end, but there is not enough traffic in the middle section to warrant the extra lanes. He added that he has already noticed that some of the traffic has started to slow down, and he often had seen cars going 40 to 45 miles per hour in the 35 mile per hour zone. He stated that he is a biker and is on Barclay multiple times a week, and drivers do not look for bikers.*

*Chairperson Brnabic noted that tonight included a discussion regarding the Tree Removal Ordinance relative to Pine Trace, and questioned whether the City is encouraging developers to plant trees instead of putting money into the Tree Fund. She commented that from what the Commission has seen, most developers are only doing the Tree Fund if it is really impossible to fit the trees on their site. She noted that she was getting the impression that anyone could just decide to pay all of the money into the Fund instead of planting.*

*Mr. McLeod responded that this was technically possible; and he has discussed this with Mr. Einheuser. He stated that when they would pay \$334 for a new tree, it is cheaper to pay than plant. He explained that he and Mr. Einheuser have discussed that there needs to be some changes to the Ordinance fee structure so it becomes more of a disincentive for developers to pay instead of plant. He stressed that there has to be a balance, because you cannot always fit every tree onto the sites. He commented that it is something that will be discussed.*

*Chairperson Brnabic stated that while she understands the balance, she would*

*agree that it would be a good idea to tighten this up to raise the fee structure.*

*Ms. Roediger noted that the Natural Resources Manager can adjust the fee annually, and explained that in the most recent fee updates, it was updated to what the current cost of a tree is. She stressed that it is not a static number that carries forward for the next 20 years and will adjust with inflation as the cost of trees goes up. She commented that she can understand a desire to make it more clear that the City's preference is for replacement on site and only in cases where it is not feasible due to spacing requirements, utilities, or corner clearances should they be able to avoid planting. She noted that they will strike that balance and make it clear that it is the intent.*

*Mr. Struzik stated that when there is a development where planting is not feasible, it enables trees to pop up in other places in the City. He mentioned that he has three trees in his front yard that are from the Tree Program and there are quite a few others in his community planted from that program. He commented that it is good to know that they came from another site where they had to be taken down, and they were essentially able to move a tree.*

*Chairperson Brnabic noted that the Commission received an email with a complaint with regard to the redevelopment of the Verizon site by Hollywood Market. She commented that construction has not even started yet on that development.*

*Ms. Roediger commented that the next Commission agenda will include discussion regarding Hollywood Market, and stated that it is replacing a grocery store with a grocery store.*

## **NEXT MEETING DATE**

- September 17, 2024 Work Session 5:30 p.m.*
- September 17, 2024 Regular Meeting 7:00 p.m.*

## **ADJOURNMENT**

*Hearing no further business to come before the Planning Commission and upon motion by Neubauer, seconded by Denstaedt, Chairperson Brnabic adjourned the Regular Meeting at 8:51 p.m.*

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*Deborah Brnabic, Chairperson  
Rochester Hills Planning Commission*

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*Jennifer MacDonald, Recording Secretary*