

Mr. Staran responded there is a difference between restricting signs out of existence and having a reasonable time, place and manner restriction. He added allowing any temporary sign regardless of size becomes problematic, this ordinance limits the size but still allows people their rights to post a smaller sign with no time limitations.

Mr. Blair pointed out that a timeline for what is considered temporary is important, and having an ordinance to prevent temporary signs from becoming a nuisance is important for the City. He recommended postponing this reading and revisiting the reading once it states clear guidelines for temporary flags that include timelines and do not infringe on anyone's amendment rights.

President Deel questioned if there is a difference between flags and signs when it comes to time, place and manner restrictions. He suggested in order to remain consistent throughout the ordinance, to adopt the temporary sign/banner time limitations and use the same language for temporary flags for time, place and manner restrictions.

Mr. Staran responded he could look into that suggestion and that the purpose of this amendment to the ordinance was to clarify the ordinance and noted it is clear more clarification is needed.

A motion was made by Mungioli, seconded by Blair, that this matter be Postponed by Resolution to the December 6, 2021 Regular City Council Meeting. The motion carried by the following vote:

Aye 7 - Blair, Bowyer, Deel, Hetrick, Mungioli, Walker and Morlan

PLANNING AND ECONOMIC DEVELOPMENT

- 2021-0426** Request for Preliminary Site Condominium Plan Approval - Camden Crossing Site Condominiums, a proposed 25-unit, detached single family condominium development on 9.36 acres located on the north side of Hamlin Rd., between Livernois and Rochester Rd., zoned R-3 One Family Residential with MR Mixed Residential Overlay District; Camden Crossing, Applicant

Attachments: [11152021 Agenda Summary.pdf](#)
[PC Minutes Excerpt 101921.pdf](#)
[Staff Report 101921.pdf](#)
[EIS received 072319.pdf](#)
[Applicant Response Letter 082421.pdf](#)
[Assessing Memo 012721.pdf](#)
[ASTI Letter 012821.pdf](#)
[WRC Letter 072619.pdf](#)
[Nunez Response Ltr 110321.pdf](#)
[Updated Landscape Plans 110321.pdf](#)
[Site Plans Pt 1 101921.pdf](#)
[Site Plans Pt 2 101921.pdf](#)
[Site Plans Pt 3 101921.pdf](#)
[Color Illustrative Site Plan.pdf](#)
[Elevation.pdf](#)
[PHN 101921.pdf](#)
[Resolution \(.\).pdf](#)

Kristen Kaplanski, Planning Manager, and **Ralph Nunez**, Architect for the Camden Crossing development, were in attendance.

Ms. Kaplanski explained the Applicant is proposing to construct a 25-unit condominium development on approximately 9.5 acres on the north side of Hamlin Road, between Livernois and Rochester Road. She added the site is zoned R-3 with a Mixed Residential (MR) Overlay, and the applicant is developing using the MR Overlay. She pointed out the proposed density must meet the requirements of the underlying district and the proposal meets that standard. She explained houses in the MR Overlay are allowed to be spaced closer together in exchange for the preservation of open space. She added the applicant has proposed an active-use path to fulfill the open space requirement. She noted the Planning Commission considered the applicant's request at their October meeting and recommended approval with a few modifications that included removing the unit near the corner of Crestline and Hamlin. She stated the Applicant is requesting approval of the preliminary site plan.

Mr. Nunez displayed the proposed preliminary site plan and the proposed modified preliminary site plan and explained the modifications that were made based on the Planning Commission's request. He added the intent is to make this development a community within itself, including a path to allow residents to walk safely within their neighborhood. He mentioned they had a meeting with surrounding residents regarding this development and that there were a lot of residents concerned about flooding. He explained the homes to the north and to the west of this development would drain into the detention wetland system and out to the east. He also noted there were residents concerned about privacy and explained that there will be a tree buffer between their properties and the proposed development.

Dale Upleger, 1835 Crestline, stated his concerns about privacy, adding he is concerned about the dirt and sound of the construction that will take place over the years. He noted he would like arborvitae trees planted as a buffer to help eliminate the nuisance of the construction.

Mr. Nunez responded that one of the neighboring properties had planted

arborvitae trees on the property line that have matured and screened the development. He added they are proposing six evergreen trees that will be approximately ten feet tall as well as shade trees, ornamentals, and large shrubs. He explained if Mr. Upleger would prefer arborvitae trees they can do that, however, they will not provide as much screening as the evergreens, trees, and shrubs.

Vice President Bowyer thanked Mr. Nunez for the changes made to the proposed preliminary site plan, stating the green space near the back of the property will be great for the neighboring properties. She explained the nearby flooding issues were because the Nottingham Drain was broken and has since been fixed, therefore, the flooding should not be a concern with this development. She loves the sense of community that comes with this development and she appreciates how well the developers have worked with the residents.

Mr. Blair thanked the Planning Department and the Planning Commission and noted there had been a tremendous push to develop residential homes in the City. He thanked the developers for cooperating with the City to make this development a benefit for everyone. He added this development looks gorgeous and he likes that it includes sidewalks.

Mr. Walker concurred that this is a nice development and his appreciation with the reduction of units from 26 to 25 to provide less density. He questioned if there was a three-way turn as opposed to a round-a-bout on the main road of this development.

Mr. Nunez responded that part of the road is for emergency vehicle access, adding that originally the road was extended to Crestline; however, that was not received well by the Fire Department.

Ms. Mungoli questioned if the home next to the existing church will be removed and homes built there, pointing out that there are multiple curb cuts from Crestline heading to Rochester Road already. She mentioned she is concerned about more homes with more traffic producing more curb cuts, and also whether the area could handle more traffic safely. She stressed the need to ensure this development will not cause future flooding issues to neighboring properties. She inquired as to how much the units would be sold for.

Ms. Kapelanski responded that the Department of Public Safety (DPS) reviewed this site plan and determined that it did not warrant a traffic impact study given the number of units. She pointed out with every development, DPS looks at traffic in the area and suggests adding features such as a taper lane for right-hand turns. She responded to the flooding concerns by stating the Storm Water Management Plan was reviewed thoroughly and did not show a concern for flooding issues. She added that the DPS has been handling the issues with the Nottingham Drain and have been monitoring the drain to make sure the issues have been resolved.

Mr. Nunez responded the starting price is approximately \$550,000 per unit.

Ms. Mungioli questioned if the existing home on Crestline that will face the new unit's driveways is okay with this development and whether additional vegetation will be put in place to eliminate the nuisance from headlights.

Mr. Nunez responded most of the units face the vacant lot, not the existing home on Crestline. He added that if additional vegetation is requested, he would not be opposed to adding more. He also stated the drainage flow is from the subdivision to the north flowing to the west and that flow will continue to occur.

Vice President Bowyer noted that the Planning Commission questioned the developers in regard to traffic concerns, as well as the headlights causing a nuisance to existing homes.

Mr. Hetrick confirmed the detention pond will be 14 percent greater than the minimum requirement. He thanked the developers for investing in Rochester Hills.

Ms. Mungioli questioned if the speed bumps on Crestline will remain.

Mr. Nunez responded the speed bumps will remain.

A motion was made by Bowyer, seconded by Hetrick, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Blair, Bowyer, Deel, Hetrick, Mungioli, Walker and Morlan

Enactment No: RES0260-2021

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for Camden Crossing Site Condominiums, a proposed 25-unit, detached single family condominium development on 9.36 acres located on the north side of Hamlin Rd., between Livernois and Rochester Rd., zoned R-3 One Family Residential with MR Mixed Residential Overlay District, Parcel Nos. 15-22-451-029, 15-22-451-002 and part of 1-22-451-022 with the following findings and subject to the following conditions:

Findings:

- A. 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.
- B. The proposed project will be accessed from Hamlin Rd., thereby promoting safety and convenience of vehicular traffic both within the site and on the adjoining street.
- C. Adequate utilities are available to the site.
- D. The preliminary plan represents a reasonable street and lot layout and orientation.
- E. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
- F. 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.

Additionally, the modifications presented to the MR Mixed Residential Overlay District, including development on the 9.36 acre property when 10 acres are required, and for 28 ft. interior rear setbacks when a minimum 35 ft. setback is required, are acceptable based on the following findings:

- A. The site plan and use will promote the intent and purpose of the ordinance.
- B. The site has been designed and is proposed to be operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.
- C. The proposed development will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainageways, refuse disposal or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.
- D. The proposed development will not be detrimental, hazardous or disturbing to existing or future neighboring uses, persons, property or the public welfare.
- E. The proposed development will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions:

1. Condominium Unit #7 is to be removed from the plans as discussed.
2. Additional landscaping in the form of trees and vegetation is to be provided, as reviewed by staff, to address the adjoining westerly neighbor's comments.
3. Applicant to address meeting comments and provide alternatives for the open space area of the development.
4. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
5. Provide a landscape bond in the amount of \$181,093.20, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.

2021-0427

Request for Conditional Use Approval to construct a drive-through associated with a two story 29,000 sq. ft. mixed use building with retail, office and restaurant use on approximately 2.6 acres located on the west side of Rochester Rd. and north of South Blvd., zoned B-3 Shopping Center Business District; Emily D'Agostini Kunath, Applicant