



# Rochester Hills

## Minutes - Draft

### Planning Commission

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Rochester Hills, MI  
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Home Page:  
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*Chairperson William Boswell, Vice Chairperson Deborah Brnabic*  
*Members: Gerard Dettloff, Julie Granthen, Greg Hooper, Nicholas O. Kaltsounis,*  
*David A. Reece, C. Neall Schroeder, Emmet Yukon*

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Tuesday, April 21, 2015

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

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

## ROLL CALL

**Present** 9 - William Boswell, Deborah Brnabic, Gerard Dettloff, Julie Granthen, Greg Hooper, Nicholas Kaltsounis, David Reece, C. Neall Schroeder and Emmet Yukon

Quorum present.

Also present: Ed Anzek, Director of Planning & Economic Dev.  
Sara Roediger, Manager of Planning  
John Staran, City Attorney  
Tina Barton, City Clerk  
Alan Buckenmeyer, Manager of Parks  
Keith Sawdon, Director of Fiscal  
Allan Schneck, Director of DPS/Engineering  
Joe Snyder, Sr. Financial Analyst

## APPROVAL OF MINUTES

2015-0155 April 7, 2015 Special Meeting

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

**Aye** 9 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Reece, Schroeder and Yukon

## COMMUNICATIONS

There were no Communications presented.

## NEW BUSINESS

### 2015-0094

Public Hearing and request for Ordinance Amendment Recommendation - An Ordinance to amend Sections 138-4.300, 138-4.302 and 138.8-200 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to add alcoholic beverage sales (for on-premises consumption) to the Table of Permitted Uses by District, repeal inconsistent provisions and prescribe a penalty for violations thereof.

*(Reference: Letter prepared by John Staran, dated April 16, 2015 and draft Ordinance amendment had been placed on file and by reference became part of the record thereof).*

*Mr. Staran explained that there had been a change in the way the Michigan Liquor Control Commission (LCC) processed liquor licensing. For many years, before the LLC would issue an approval for a new liquor license or for a transfer in to the community, local approval was required. It would go before City Council and the City's Liquor Committee. In most cases, the LCC would go along with the decision. As part of the streamlining of governmental processes that had occurred over the last couple of years, the LCC had revised its procedures. One of the revisions, unfortunately for the City, was that for a license to transfer into the community, it was not required to be submitted for local approval before the State would act. He commented that bistros and restaurants came and went, and in many cases the licenses coming into the community were those that the proprietors had purchased from somewhere else. The City would like to have a say in those matters, for reasons including land uses and public policy, but it could now not be done under the current liquor Ordinance. A number of communities had decided to try using their zoning power to require a Conditional Use approval for liquor related businesses. The City would not be directly reviewing a liquor license transfer, but it would be reviewing the businesses as a Conditional Use as they came into the City. That was upheld in Bloomfield Twp. The LCC and all the liquor licensing attorneys that he had spoken with, and from attending seminars, seemed to accept it as a valid process. He hoped the Planning Commission would recommend the Ordinance to City Council. The changes were relatively simple in that it added a line item for alcoholic beverage sales to the Table of Permitted Uses under Commercial and Retail Uses as a Conditional Use in virtually every zoning district. He added that it was for onsite consumption, not for party stores or packaged liquor. It was not expanding where alcoholic beverage sales could take place, but rather it would be recognizing where they already did take place. When he initially drafted it, he was considering the B zoning districts, where restaurants*

were, but after talking about it, he realized that there were licenses associated with hotels, golf courses and other uses. The State kept inventing new categories of liquor licenses, such as resort or downtown development licenses, and he wanted to make sure the City had full coverage. The only district where there would be no on-premise liquor consumption establishments would be B-5. He recalled that Staff was presenting an Ordinance to require businesses involving alcoholic beverage sales to submit for a Conditional Use approval before they could establish in the City.

Mr. Dettloff asked Mr. Staran if there was an establishment that served alcohol and it went out of business with a license in escrow, and a business wanted to come that would serve alcohol, if it would have to get a Conditional Use approval. Mr. Staran explained that the business would not be grandfathered in. The Ordinance would not affect any existing businesses, but if a business wanted to get a new license or wanted to transfer in a license that had been escrowed, it would be considered a new license which would be subject to the Conditional Use process. Mr. Dettloff said that he understood it to a degree; it just seemed like it would be one more bureaucratic step. Mr. Staran said that it was not meant to create further hurdles. It would restore the level of regulation the City had before. In the past, that same person would have had to come to Council to obtain approval before going to the LCC.

Mr. Kaltsounis noted that he previously owned a day care center, and he asked if the City would be allowing alcohol consumption in nursery schools, child care centers, adult foster care and so on.

Mr. Anzek pointed to Commercial and Retail uses. The second item was a specific category called Alcoholic Beverage Sales for On-premise Consumption Accessory to a Permitted Use. There were Conditional Uses across the board. A nursery school was a Conditional Use in a residential district. Mr. Staran agreed, and said that none of that had changed. The only change was the addition of alcoholic beverage sales under Commercial and Retail. Mr. Anzek remarked that someone would not have to get a license to consume in his house. Mr. Staran added that it was not changing where the sales could be located - that was already established.

Mr. Kaltsounis commented that he had a bit of an issue on page three, Lumber and Planning Mills. Mr. Anzek said that it was a typo that never got corrected. Mr. Kaltsounis recalled that Mr. Staran said that what was out there today was permitted. He wondered if the law should say that or if

*it was understood. Mr. Staran called it lawful, nonconforming use. If something was lawfully established before the Ordinance changed, it could continue as a matter of law. Mr. Kaltsounis observed that it would be grandfathered.*

*Mr. Yukon asked if a license would go with the location if a restaurant changed ownership, or if it was considered a transfer. Mr. Staran said that it depended. A lot of times if a restaurant changed owners, the owner would have to go through a process at the State level for a change of ownership. He did not know if it was a 50% threshold change in ownership or if it was different. He noted that there would be a companion Ordinance with a few minor changes to the Liquor Control Ordinance, because the proposed Ordinance would only deal with the transfers in.*

*Mr. Dettloff said that in reference to Mr. Yukon's question, if there was a transfer of a license to a new owner, and the previous owner already got a Conditional Use, he wondered if the new owner would be required to get one too, or if it would be part of the transfer. Mr. Staran advised that if someone was transferring a license in, it would mean that there was not an existing license. Mr. Dettloff understood, but if the owner was selling and he was transferring to a new owner, and the current owner already had a Conditional Use, he wondered if that would automatically go to the new owner. He wondered if the new owner would have to also obtain a Conditional Use. Mr. Staran said that a change of ownership of the business would not be affected by the proposed Ordinance. That was different than a transfer in. For a transfer in, someone would be bringing another liquor license into the community and adding to the total.*

*Mr. Schroeder asked what the process would be if there was an existing restaurant that decided to move to a larger facility and the new facility had different hours of operation, for example. Mr. Staran said that it would be like applying for a new liquor license. He said that liquor licenses were not portable; they were tied to a location. If there were a liquor license approved for Pine Trace, for example, it could not just be moved somewhere else without going through the process for a transfer in, which would be covered under the proposed Ordinance.*

*Ms. Granthen considered temporary liquor licenses, and she asked if there was any relevance with the issuance of temporary licensing.*

*Mr. Staran advised that the proposed Ordinance would not cover that. It just covered the permanent, on-premises licensing. Temporary licenses for an event or a banquet or something like that did require a permit. Ms.*

*Granthen asked if he had ever had any input regarding temporary licenses or if it was outside of the City's parameters. Mr. Staran believed that the City always got police and public safety input. The City Council did not weigh in on that, and he thought that the Clerk's office had some involvement. It never arose to the level where City Council or the Mayor approved them. He added that it would apply to weddings at the museum.*

*Chairperson Boswell opened the Public Hearing at 7:23 p.m. Seeing no one come forward, he closed the Public Hearing.*

*Hearing no further discussion, Mr. Kaltsounis moved the following, seconded by Mr. Schroeder.*

***MOTION*** *by Kaltsounis, seconded by Schroeder, that the Rochester Hills Planning Commission hereby recommends to City Council an Ordinance to amend Sections 138-4.300, 138-4.302 and 138-8.200 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to add alcoholic beverage sales (for on-premises consumption) to the Table of Permitted Uses by district, repeal inconsistent provisions and prescribe a penalty for violations.*

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

**Aye** 9 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Reece, Schroeder and Yukon

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

**2015-0156**

Public Hearing and Request for Approval of the 2016-2021 Capital Improvement Plan (CIP)

*(Reference: Memo prepared by Keith Sawdon, dated April 21, 2015 and draft 2016-2021 Capital Improvement Plan had been placed on file and by reference became part of the record thereof).*

*Mr. Anzek summarized that it was the annual event to review CIP projects submitted, and he hoped that the Planning Commission would approve the document. It would help the Fiscal Department move the budget forward. He noted that everyone but Ms. Granthen had been through the process. He explained that the CIP was a program to identify the needs now and into the future, so they could be organized with other projects. They tried to avoid things like paving a road one year and the next having to dig it up to put in a water main, and the CIP had been very effective in avoiding that type of situation.*

*Mr. Sawdon noted that in the 2016-2021 CIP, there were nine new projects added, and the dollar amount totaled \$3.9 million. He thought that the better news was that 23 projects were leaving the Plan. 20 were completed in the last year or so; one had been moved to pending; and two had been deleted. He advised that the project sponsors were in the audience to answer any questions.*

*Ms. Brnabic referred to page 76 and Olde Towne District Redevelopment Schedule. It was listed as a completed project, but she knew that the City was going to hire a consultant in regard to the area again. The Commissioners were asked if the money budgeted should be split and used in other areas of the City. She wondered how the Olde Towne District Redevelopment Schedule could be completed, noting that she was not aware of anything that had occurred.*

*Mr. Anzek agreed that it was confusing. He advised that the Olde Towne study was in the budget for this year. He agreed that they discussed whether there were any other areas to include with the study. He did not feel it should be listed as completed. He wondered if, because it was in the budget, it was considered completed.*

*Ms. Brnabic did not notice anything listed under Professional Services with regards to the Olde Towne study. Mr. Anzek said that it would not be in for 2016, because it was budgeted for and initiated in 2015.*

*Ms. Brnabic asked if the Commission would have a discussion at some point about Olde Towne, and Mr. Anzek advised that he and Ms. Roediger would bring it up later in the meeting.*

*Ms. Brnabic said that she was glad to see that the Auburn pathway gaps at John R and Dequindre had been revised and moved up. For years, it kept getting pushed to the future. She saw situations that really concerned her. Last week she saw a lady driving in a motorized cart typically used for handicap people between the fire station and Gravel Ridge. Ms. Brnabic was not sure if that person was going to CVS, but she had to drive on the side of the road. She saw mothers with baby strollers crossing the street because the pathway was not completed. There were only a few areas, but she felt that it was long overdue that the City seriously considered working on that area.*

*Mr. Anzek advised that at the Council meeting the previous evening, Council approved payment for the easement for that area. The person*

*Ms. Brnabic referred to was at the Council meeting asking for the same thing. Mr. Anzek said that Mr. Davis had been working to secure the easement, and a price was finally agreed upon. He confirmed that it would be going forward this summer.*

*Mr. Hooper referred to page 43 and DPS Facility Alternative Energy. He asked what the payback showed when the analysis was put together. Mr. Anzek responded that for some time, Mr. Schneck and the Planning Department had been looking into where the City might put solar panel farms. There was a company that had made a few calls to the City to talk about their program. Mr. Schneck had been working with DTE to try to find out what the payback or return on investment would be. The City was looking for a grant for this project. Mr. Hooper said that he did not see the word grant. He said that he brought it up because at his company, they re-used motor oil in burners to heat their garage. They did not have to pay for a disposal cost for the oil. He stated that it had been very cost effective, and they had been doing it for a number of years. He was not sure if there were new regulations in place, but if it was a viable alternative, he suggested that the City should dispose of used motor oil that way. Mr. Schneck advised that the City did burn it. They were heating part of the garage that way, and it was supplemented. Mr. Hooper asked if it was not enough to heat the entire garage, which Mr. Schneck confirmed. Mr. Hooper asked if Mr. Schneck had any idea of the cost to heat the garage. Mr. Schneck explained that the Alternative Energy was more for electricity, not really gas. The building was about 100,000 s.f. with a flat roof. For the last two years, they had been looking at the idea of putting in a solar array and/or supplementing it with some kind of wind alternative energy. He thought that the return on investment might be 7-10 years. The products would continue to generate electricity over a 30 year life span. They had looked for grants and had talked with Detroit Edison. They even looked at the possibility of a public-private partnership. For that, a private entity would build the array and get a 30% Federal tax credit, and the City would purchase energy from them. He thought it would be prudent to have it in the CIP rather than just come to Council with a great idea. It would just put it on the radar. Mr. Hooper said that he was not opposed to the idea. He asked if the City spent \$5k a month for electricity, and Mr. Schneck agreed that it was about \$60k per year.*

*Mr. Reece said that a grant was mentioned, but the write-up did not say anything about that. He suggested that language be added to that effect. Mr. Anzek said that it was discussed with the Policy Team that a grant would be pursued. Mr. Reece agreed that it was a good idea to go after a*

*grant, and that it would be great if there was a good payback.*

*Mr. Yukon referred to SS 10-B on page 24, Wimberly Drive Sanitary Sewer Replacement. It stated that the sanitary sewer was installed in FY 2006, which was not that many years ago. He asked the length of the sewer line, and if it was more than 700 feet.*

*Mr. Schneck advised that it was more than 700 feet. They continued to have a maintenance issue with the pipe. It was book-ended by two other sections of pipe that worked o.k., but the section in the middle of those two was a problem. Mr. Yukon asked if that section was replaced in 2006. Mr. Schneck confirmed that they were all put in at the same time. Mr. Yukon asked if there was a collapse. Mr. Schneck indicated that they had done a lot of investigation. They tried to put a push camera through it, and they had jetted it several times, and it was a low pressure force main. There was something within that reach of pipe that continually caused a maintenance issue. Mr. Yukon asked what steps were being taken to hopefully insure it would not happen again for the next 25-30 years. He did not feel that nine years was very long for a pipe to need replacing. Mr. Schneck said that was correct. He said that they were going to use an HDP pipe, which was a high density, polyethylene pipe, which would be similar to what was on the ends. They would try to look at the pipe as it was replaced to see where it failed. Sometimes there were burrs in the pipe that took materials that were somewhat more solid that got snagged and built up.*

*Ms. Granthen recalled that at the last meeting during the Enclaves of Rochester Hills, there was a great deal of discussion about a pathway and potential sharing of costs between the City and the developer. She did not see anything for that area in the pathway system. They had talked about economies of scale or the timing to do a pathway with the Enclaves project.*

*Mr. Anzek noted that the developer was at Council the night before. The pathway was discussed, and the owner of the project said that he could not singularly afford it, but if the City wanted to participate while he was out there with equipment, it would be more efficient to continue the pathway, and he would also participate.*

*Ms. Granthen wondered if it should be added to the CIP for the future. Mr. Anzek said that the entire pathway system was in the CIP by reference. The individual projects came on line based on need and availability of easements. The primary focus was to create linkages between sections,*



*and the one in front of the Enclaves would be a good start to give the City the impetus to complete the pathway. If there were business owners that signed petitions, he was sure the City would be happy to meet with them to see if they would participate financially.*

*Mr. Yukon asked about the Borden Park Office Relocation and where in the Park they would put it. Mr. Buckenmeyer said that the thought was to put it in the center of the Park. There were a couple of buildings there currently that were used for storage. Mr. Yukon asked if he had given any thought as to what type of architecture or design would be used. Mr. Buckenmeyer advised that it would be similar to what was there now.*

*Mr. Schroeder asked Ms. Barton the results of the proposal for the columbarium. Ms. Barton advised that they received two submittals, and they were going to go with Jim Scott's Landscaping. Mr. Schroeder asked if there would be the same number of niches and same stone and landscaping, which Ms. Barton confirmed. Mr. Schroeder asked if it would still be \$50k, which was also confirmed. Mr. Schroeder asked if they had done anything further with placing the niches in the buildings. Ms. Barton advised that the CIP project was for interior glass enclosures so there would be options for the exterior and the interior. They were seeing that there definitely was a market for both. Cremation rates were rising, and they felt it would best serve the cemetery.*

*Mr. Hooper asked if \$100-140k was enough. Ms. Barton said that they were looking at what the chapel could contain. There would be a wall unit of 12 x 12 feet. There was not a lot of interior space now, and they wanted to see what the market was. If they saw a high demand, which she was hearing from cemetery management companies, they might be coming before the Commission in the future to put on an addition to the chapel. There would be a viewing room specifically designated for the interior niches. They felt that it was the route to go for the size of the chapel, and they wanted to see what market existed.*

*Mr. Hooper asked if eventually, the niches might have to be relocated into another room. Ms. Barton said that they were basically wall units that would be moved into another room. Mr. Hooper thought that \$140k seemed light. Ms. Barton reiterated that they would test the waters to see if there was a demand in the Rochester Hills area.*

*Chairperson Boswell opened the Public Hearing at 7:43 p.m. Seeing no one come forward, he closed the Public Hearing.*

*Mr. Kaltsounis thanked Staff. He asked how many projects were submitted by residents, and Mr. Sawdon advised that none were. Mr. Kaltsounis questioned whether they were publicizing it enough. Each year he wished there were more projects from residents. Mr. Anzek reminded that a lot of the projects did come from citizen complaints or things they had identified that needed to be addressed. Staff would go out and observe a complaint, and Staff might turn it into a project. He claimed that many were citizen driven. Staff would not have known about the sewer by Wimberly unless citizens complained. Mr. Kaltsounis agreed that it was a valid point. Mr. Anzek added that pathway problems were often citizen driven. Mr. Kaltsounis concluded that some projects were done and some projects were added each year, and he felt that it was a good road map for the future. He knew that many other cities copied the City's CIP, and he appreciated Staff's help. Hearing no further discussion, he moved the following, seconded by Mr. Yukon.*

***MOTION*** by Kaltsounis, seconded by Yukon, that the Rochester Hills Planning Commission Approves the Capital Improvement Plan that has been proposed for the years 2016-2021. 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 21, 2015; 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 21, 2015, is adopted by the Rochester Hills Planning Commission on April 21, 2015; and

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

Mr. Schroeder mentioned that the Tienken Ct. water main was about three or four feet deep, and it had been a problem for 50 years. He stated that it was high time that the little short piece of water main was replaced. He remarked that the main froze in the winter, and his wife could not get her hair done, and it had been going on for years.

Upon questioning by Mr. Reece, Chairperson Boswell stated that the word grant would be added to the alternative energy project.

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

**Aye** 9 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Reece, Schroeder and Yukon

Chairperson Boswell agreed that it was getting easier every year and he thanked Staff.

Ordinance to amend Table 7 of Section 138-5.100, Schedule of Regulations and Footnote E of Section 138-5.101 of Article 5 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to permit out parcels in the B-3 district smaller than the minimum size required, subject to conditions, to repeal inconsistent provisions, and to prescribe a penalty for violations.

*(Reference: Memo prepared by Ed Anzek dated April 17, 2015 and draft Ordinance amendment had been placed on file and by reference became part of the record thereof.)*

*Mr. Anzek recalled that he had briefed the Commissioners in January about a proposed amendment to the B-3 district. Staff had some inquiries from owners of newly developed centers that were outlots in B-3 districts. They were not actually lots. These owners personally liked to own the property they were on. Staff thought that ownership would make people more vested in the City to keep a project well maintained and to be an asset to the community. At that time, the Planning Commission felt that it might be a good idea and recommended that Staff come back with language for an amendment. Staff was proposing adding a footnote to the B-3 columns, where currently B-3 parcels had to have 400 feet of frontage on the road and be a minimum of five acres. B-3 was more for the bigger developments that were not piecemealed. The footnote contained four criteria, and Mr. Staran had reviewed those extensively. The first consideration was that a parcel was part of a larger, cohesive development; secondly, a parcel would be accessed through existing access points and additional access points could only be constructed upon approval by the Planning Commission. If MDOT controlled the right-of-way and wanted to move an access point, it would come back to the Planning Commission for review. Thirdly, there would be a covenant restriction prohibiting additional ingress/egress drives from abutting public thoroughfares. If there was a separate parcel and it fronted on a public thoroughfare, an owner was entitled to a driveway. Staff was asking that if they wanted to split it off, they had to self impose a covenant restriction prohibiting any access drives. The fourth said that a cross access easement must be provided to neighboring parcels. If someone was using the main drive(s), there had to be ways to get to his parcel. Staff realized that a fifth one should be added such as "any parcel established under this process shall not be entitled to a free standing monument sign." According to the Sign Ordinance, someone could file for a monument sign, but that was not the intent. The intent was to keep the development part of the larger development, and if any identification signage was required, it should be on the monument sign that was already there.*

*Mr. Kaltsounis said that the request was that no free standing monument sign would be allowed. Mr. Anzek re-read, "Any parcel established under this process shall not be entitled to a free standing monument sign."*

*Mr. Kaltsounis mentioned drive-thrus. He said that he was not saying not to have them, but there had been controversy in their relationship to residential areas. He asked what consideration had been taken about that and how it would apply.*

*Mr. Anzek pointed out that the Rochester Retail development was recently done where a McDonald's was being built. It abutted residential. The Burger King, McDonald's and recently approved rebuild of the Mobil Gas Station with a Tim Hortons were across the street from residents. The buffering they would use was intended to be adequate to offset any adverse impacts. He mentioned the Taco Bell on Walton, which did not have a direct driveway, and all access was internal to the development. There was one at Hampton Village, and there were a series of restaurants all serviced by internal roads. Mr. Kaltsounis asked if they needed to say something about buffering. Mr. Anzek said that they would not want to hide it from the bigger development but to be a part of it. Mr. Kaltsounis meant buffering for residential lots. Mr. Anzek did not think anyone would want to make an out parcel on the backside of a larger B-3 against residential. That would not be the intent of the Ordinance. Mr. Kaltsounis said that he was just trying to think ahead and where they might see it. He agreed that typically, the outlot would be out by the road away from people, but he questioned what would happen if they got something where the minimum lot requirements were less than the buffer that should about a residential property. Mr. Anzek asked the other Commissioners if that was an issue.*

*Chairperson Boswell wondered if there was room for an outlot behind the old Winchester Mall. He pointed out that if something was up against residential, it would already be buffered.*

*Mr. Reece thought the Ordinance was geared more towards outlots in the front towards the roads and not the backside of a development. He added that most of those developments were already built. Mr. Reece said that the Ordinance addressed what they did with the Meijer store and the outlot that was built last year. Mr. Anzek said that it was the business structure of a company to want to own the parcel. They could see a ten-foot path that stretched from the Target store out to Rochester Rd. to meet the State requirement of abutting a public thoroughfare. That somewhat defeated the purpose, because it was the most irregular parcel in the City.*

*Mr. Staran said that if those outlots were served by easements, they would meet the intent of having access to a public thoroughfare.*

*Mr. Kaltsounis had looked at the map, and the only place he could see it happening might be in the back of Meijer. Mr. Anzek reminded that there were delivery trucks and a retention basin. He did not think he had seen a car there even on the day after Thanksgiving.*

*Ms. Roediger clarified that the Ordinance should not change the design of a site plan. There would still be buffer and landscape requirements. It was really a matter of ownership. It was like townhouses and whether they were being rented or owned. It would not change the physical layout of the design; it was a matter of how they were operated and maintained after construction. Staff's main concern was prohibiting additional access points along Rochester and signage. Those were the only impacts they could see as a result of changing the ownership structure. Other than that, it would be a non-visual impact. It would allow the businesses options for leasing or owning.*

*Mr. Reece asked if parking still had to be maintained per the Zoning Ordinance, and he clarified that would not change. He noted that the City allowed a two-story building. Mr. Anzek said that if something were two-stories, it could be seen anyway, but the Commissioners would have the final say. Mr. Reece wondered if they wanted to keep buildings to one-story with 25 feet in height. Mr. Anzek suggested that someone might want to come in with a really nice two-story design, and Mr. Reece acknowledged that they would have to look at things on a case-by-case basis.*

*Chairperson Boswell opened the Public Hearing at 8:01 p.m. Seeing no one come forward, he closed the Public Hearing.*

***MOTION*** by Schroeder, seconded by Brnabic, that the Rochester Hills Planning Commission hereby recommends to City Council an Ordinance to amend Table 7 of Section 138-5.100 and Footnote E of Section 138-5.101 of Article 5 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to permit in the B-3 district parcels smaller than the minimum size required under certain conditions, repeal inconsistent provisions and prescribe a penalty for violations with the following condition:

Condition:

1. *Add to footnote that any parcel added under this process shall not be eligible for a separate, free standing monument sign.*

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

**Aye** 9 - Boswell, Brnabic, Dettloff, Granthen, Hooper, Kaltsounis, Reece, Schroeder and Yukon

**ANY OTHER BUSINESS**2015-0167

Request for election of officers - Chairperson, Vice Chairperson and Secretary for a one-year term to expire the first meeting in April 2016.

**MOTION** by Kaltsounis, seconded by Reece, the Rochester Hills Planning Commission hereby appoints William Boswell to serve as its Chairperson for a one-year term to expire the first meeting in April 2016.

**MOTION** by Kaltsounis, seconded by Reece, the Rochester Hills Planning Commission hereby appoints Deborah Brnabic to serve as its Vice Chairperson for a one-year term to expire the first meeting in April 2016.

**MOTION** by Brnabic, seconded by Reece, the Rochester Hills Planning Commission hereby appoints Nicholas Kaltsounis to serve as its Secretary for a one-year term to expire the first meeting in April 2016.

*After each vote, Chairperson Boswell stated for the record that the motion had passed.*

**ANY FURTHER BUSINESS:**

*Mr. Anzek asked if any Commissioners were interested in getting an electronic packet, noting that Mr. Hooper was used to getting them that way.*

*Mr. Kaltsounis said that he would need a trial, because at home, he did read the paper copy more thoroughly. Mr. Anzek said that Staff would have to provide training. Mr. Reece said that reviewing plans electronically tended to get cumbersome. He did it at work, but he was set up with a much larger monitor. He would rather have hard copies of at least the plans.*

*Mr. Anzek had brought up the question in January about whether anyone had identified other sites Staff should pursue for sub area plans. The Olde Towne study was budgeted for \$75k. It was too busy to do in house, and they would like to get a concept design and marketing analysis of the Olde Towne area to see if they could get reinvestment there. If they were going to do it as a demonstration project, he thought that they should pick one or two other areas. They wanted to get an idea to show people how an area could be redeveloped working with form based and mixed use. He said that he was not asking for a decision at the meeting, but he would like to put the bulk of the money towards Olde Towne and get a couple of artistic renderings of another two areas.*

*Chairperson Boswell asked if one of the two areas should be north of Tienken, west of Rochester Rd. Mr. Anzek said that area was under some turmoil, and he had some inquiries about the future of the bowling alley. He felt that it was a confusing area, and the improvements to Tienken would add to the confusion for driveway access.*

*Mr. Reece said that he would like to see something for the brownfield site at Hamlin and Dequindre.*

*Mr. Anzek advised that Staff would bring some target sites with aerials to the next meeting. Mr. Kaltsounis said that he would like to see investment in Olde Towne, but he knew that they had looked at a lot of plans in the past. He stated that there was something else they needed to do beforehand. Mr. Anzek said that they had discussed the area, but there had never been plans done since 1998 with the Auburn Rd. Corridor Study. He and Mr. Delacourt made efforts to meet with owners in that area to organize them into a merchant's association. Wherever he had done that in a community, he found that if the merchants were not together, there was no chance of a plan surviving. In the past, the merchants had turned on each other, and they did not speak with one voice. They never got a solid commitment from the private investors. Ms. Brnabic said that there had been three attempts prior, and it had been at least six years since business owners in the area had been approached. Mr. Anzek said that they would be asking for someone who had experience working with and organizing merchant's association and chambers of commerce. A merchant's association would be kind of a mini DDA without capturing taxes. They had to see if there were ways to bring about private investment. He would like to think that Council would do its part in putting in seed money for things like street furniture or public improvements to the street.*



*Chairperson Boswell asked if Shelby was doing anything with the other side of Dequindre. Mr. Anzek advised that Shelby did a plan about three years ago. He attended the public hearings, and there was a lot of enthusiasm from the business community. They did organize them, and the plan was going to happen naturally.*

*Mr. Reece said that when he took a planning class in school, the senior thesis involved picking a community and doing a redevelopment plan. He remembered what a good job Lawrence Tech did with Riverbend Park. He thought that they might want to consider using a university. He knew that Washtenaw County was going to build a new rec center, and the genesis of the design started with a senior class from U of M. It might be a way to get some creative juices flowing at a relatively inexpensive or free price. Mr. Anzek agreed that was a good idea. Mr. Reece would lean toward Lawrence Tech, since it was community based. Mr. Anzek said that they had a program that worked with communities. They did a Big Beaver study for Troy. They used the form based codes, bringing buildings toward the street and putting the parking in the back. They were finding out that the life style centers were working, such as the Village of Rochester Hills.*

*Mr. Dettloff asked if Mr. Anzek had heard from any of the merchants in the area. There had been a lot of change in the Olde Towne area, and Mr. Anzek said that he would have to go door to door and talk with people.*

*Mr. Schroeder stated that there were major obstacles in Olde Towne, and that it would be very difficult. Mr. Anzek said that the road owned by MDOT was a problem. There was no curb - it was all one continuous curb cut. That would all have to be defined. There were a lot of cars there that parked in the right-of-way. Mr. Schroeder added that there was a lack of depth for development and a lot of major opposition. Mr. Anzek believed that there was a design solution for those obstacles.*

*Mr. Dettloff liked Mr. Reece's idea of approaching Lawrence Tech. It would be cost effective, versus spending money with a design firm. Mr. Anzek liked the idea, too, and he did not see why they could not write it into the RFP. For someone who really knew implementation strategies and how to organize a merchant's association and who understood the market potential, it would take someone more than a Lawrence Tech student. It would have to be a joint effort.*

*Ms. Brnabic had previously asked if there was a possibility of grant*

*opportunities. She realized grants were hard to come by, but she knew that the City had grant writers.*

*Mr. Anzek said that a lot of Staff wrote grants. Ms. Presta in the Mayor's office was the point person, and she looked for them. With the grant he was mentioning, there needed to be a plan, and they needed to show people they were committed.*

*Mr. Dettloff asked if Staff had talked with the County Economic Development Group. Mr. Anzek said they had not, although they were aware of the issues. They had not talked to the County about doing something with the City or for the City.*

*Mr. Schroeder mentioned that there was snow fence at Twist Drill around the front of the building. They had soil erosion fabric there. Mr. Anzek advised that U-Haul bought it. They went to the Historic Districts Commission and got an approval for a parking area for the front office portion. The inside of the building would be indoor storage, and they were working with the Building Dept. on the renovations. He indicated that it was not the most ideal use, but it was pumping money back into the community. They were committed to the historic renovation of the building, and they were looking into energy efficiencies by taking the skin off the side, because it was all industrial glass.*

*Mr. Schroeder asked how the Rochester Retail development was going. Mr. Anzek said that he and Ms. Roediger met with the owner last week. He was getting amazing rents, and he had a lot of tenants committed. McDonald's was under construction. He was marketing it at \$38 NNN. He started at \$38 per foot, and it was going from \$30 to \$50.*

## **NEXT MEETING DATE**

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for May 19, 2015.

## **ADJOURNMENT**

Hearing no further business to come before the Planning Commission, and upon motion by Mr. Kaltsounis, Chairperson Boswell adjourned the Regular Meeting at 8:20 p.m.

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William F. Boswell, Chairperson  
Rochester Hills Planning Commission

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Nicholas O. Kaltsounis, Secretary