



Rochester Hills

Minutes - Draft

Planning Commission

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Rochester Hills, MI
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Chairperson William Boswell, Vice Chairperson Deborah Brnabic
Members: Gerard Dettloff, Nicholas O. Kaltsounis, Stephanie Morita, David A. Reece,
C. Neall Schroeder, Emmet Yukon

Tuesday, December 15, 2015

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 8 - William Boswell, Deborah Brnabic, Gerard Dettloff, Nicholas Kaltsounis, Stephanie Morita, David Reece, C. Neall Schroeder and Emmet Yukon

APPROVAL OF MINUTES

[2015-0523](#) November 17, 2015 Regular 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 8 - Boswell, Brnabic, Dettloff, Kaltsounis, Morita, Reece, Schroeder and Yukon

COMMUNICATIONS

A) *Planning & Zoning News dated November 2015*

NEW BUSINESS

[2015-0524](#) Public Notice and request for a Tree Removal Permit - City File No. 15-014 - for the removal of as many as 142 trees for Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, located south of Hamlin and west of Livernois, zoned R-3, One Family Residential with an MR, Mixed Residential Overlay, Parcel Nos. 15-28-226-001, -007, -008, -021, -022 and 15-28-204-004, Pulte Land Company, LLC, Applicant

(Reference: Staff Report prepared by Sara Roediger, dated December 11, 2015 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Joe Skore, Pulte Land Company, Inc., 100

Bloomfield Hills Parkway, Suite 150, Bloomfield Hills, MI 48304 and Carol Thurber, Fazal Kahn & Associates, 43279 Schoenherr, Sterling Heights, MI 48313.

Ms. Roediger stated the four requests for a 48-unit site condominium development proposed on almost 24 acres near the southwest corner of Hamlin and Livernois. The six parcels formed an L-shape with access to both Hamlin and Livernois. She advised that the site was zoned R-3, One Family Residential with a MR, Mixed Residential overlay. There were approximately 1.2 acres of wetlands that had been reviewed by the City's environmental consultant, ASTI. They had been deemed of low quality, and the proposed plan had minimal impacts to the wetlands, primarily to accommodate a crossing for a road and utilities because two access roads were required. Ms. Roediger also advised that there would be two small detention ponds on site. The site was subject to the City's Tree Conservation Ordinance, and the applicant proposed to protect 45% of the regulated trees. They were accommodating the required replacement trees, in addition to the required buffer, detention pond and other tree plantings. The remainder of the tree credits would be put into the City's Tree Fund. The applicant was requesting a minor Natural Features Setback Modification, which Ms. Roediger said was typical with many developments for grading, the road and utilities. She concluded that staff and outside agencies had recommended approval, and that she would be happy to answer any questions.

Chairperson Boswell asked Mr. Skore if he had anything to add, and he declined.

Ms. Roediger added that staff had encouraged the applicant to reach out to the adjacent neighbors, and they held a meeting on December 1.

Mr. Skore agreed that they had met with about 40 of the neighbors from the Whispering Willows Subdivision. It was mostly an informational meeting and to answer any questions. He felt that it was a positive meeting overall.

Ms. Brnabic pointed out a discrepancy with the ASTI report, the Environmental Impact Statement (EIS) and the site plan. The EIS stated 22.2 acres to be developed, and ASTI said they would be constructing 23 units on 22.2 acres. Ms. Roediger said that the applicant did add property after the original submission, and the information probably had a typo and would be updated prior to Final review.

Chairperson Boswell opened the Public Hearings at 7:11 p.m. Seeing no one come forward, he closed the Public Hearings.

Mr. Kaltsounis asked the applicants if they had met with the neighbor to the north of Logan Dr. Ms. Thurber said that he was at the meeting on December 1st. Mr. Kaltsounis asked if there was any discussion about screening. Ms. Thurber said that they did discuss the evergreen and deciduous mix and how they met and exceeded the buffer requirement. Mr. Kaltsounis asked Ms. Thurber to explain the buffer in that area. Ms. Thurber advised that it would be a typical Type B buffer, which was two deciduous trees per 100 feet, one-and-a-half ornamental per 100 feet, two evergreen shrubs per 100 feet and four shrubs per 100 feet. Mr. Kaltsounis said that if he lived in that house and there were trucks driving by every day around the corner, there would be headlights four feet in the air into the house. He pointed out the Anthony Waterer trees, and he asked how tall they would be. Ms. Thurber said that the evergreens would be ten feet and the deciduous would be 3' caliper as planted. She offered that they could certainly plant more evergreens if it would provide a better buffer. The trees were pretty thick, but they were more than willing to work with the neighbor and do whatever was desired to provide a satisfactory buffer. Mr. Kaltsounis asked how tall the bushes would be - he was concerned about those. He cited an example of a problem with headlights at the Walgreen's at Crooks and Auburn. It had the same setup with shrubs and trees, and the shrubs did not last as long as the trees. The headlights from trucks were always higher than the shrubs. He realized that businesses wanted people to see their signs, but some ended up cutting the trees too low. Ms. Thurber said that she could very much see Mr. Kaltsounis' point. She suggested that at the bend, they should switch to evergreens. Mr. Kaltsounis said that he could add a condition regarding changing the trees.

Mr. Reece said that he had reviewed the elevations, and he thought Pulte had a good-looking product. He asked the price point. Mr. Skore said that with all options and premiums, they expected it to be around \$475-500k. Mr. Reece asked if the back and side elevations would be predominately brick on the first floor and hardy board above or have more siding. Mr. Skore said that it would be predominately brick up to the first floor and above that would be either hardy or vinyl.

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

MOTION by Schroeder, seconded by Reece, in the matter of City File

No. 15-014 (Woodland Park Site Condominiums), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on November 11, 2015, with the following three (3) findings and subject to the following two (2) conditions.

Findings

1. *The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.*
2. *Of the 261 regulated trees onsite, 119 will be saved, resulting in a 45% preservation rate*
3. *The applicant is proposing to replace 261 regulated trees with 57 trees and will pay the balance of 85 tree credits (at \$200 per tree) into the City's Tree Fund.*

Conditions

1. *Tree protective and silt fencing, as reviewed and approved by the city staff, shall be installed prior to issuance of the Land Improvement Permit.*
2. *Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree Fund.*

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

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

2015-0525

Public Hearing and request for a Wetland Use Permit Recommendation - City File No. 15-014 - for impacts to approximately 14,133 square feet associated with the construction of Woodland Park Site Condominiums, a proposed 48-unit development on 23.6 acres located south of Hamlin, west of Livernois, zoned R-3, One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-28-226-001, -007, -008, -021, -022 and 15-28-204-004, Pulte Land Company, LLC, Applicant

MOTION *by Kaltsounis, seconded by Yukon, in the matter of City File No. 15-014 (Woodland Park Site Condominiums), the Planning Commission recommends City Council approves a Wetland Use Permit to temporarily and permanently impact approximately 14,133 square feet for the construction of several units, a portion of Logan and Conrad Drives and associated utilities, two culverts and a portion of the*

storm sewer, based on plans dated received by the Planning Department on November 11, 2015, with the following two (2) findings and subject to the following conditions.

Findings

1. *Of the approximately 1.12 acres of City-regulated wetlands on site, the applicant is proposing to impact less than one-third.*
2. *The wetland areas are of medium to low ecological quality and should not be considered a vital natural resource to the City.*

Conditions

1. *City Council approval of the Wetland Use Permit.*
2. *If required, that the applicant receives all applicable DEQ permits prior to issuance of a Land Improvement Permit.*
3. *That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to issuance of a Land Improvement Permit.*
4. *That any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City approved wetland seed mix where possible, prior to final approval by staff.*

Mr. Schroeder clarified that the disturbance to the wetland for utility installation by unit 39 would be replaced. He asked if any improvements were required by the Road Commission. Ms. Thurber said there would likely be for Livernois, but not Hamlin.

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

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

2015-0527

Request for Natural Features Setback Modifications - City File No. 15-014 - for impacts to approximately 965 linear feet in the Natural Features Setback area for Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, Pulte Land Company, LLC, Applicant

MOTION by Kaltsounis, seconded by Yukon, in the matter of City File No. 15-014 (Woodland Park Site Condominiums), the Planning

Commission grants Natural Features Setback Modification for the temporary and permanent impacts to as much as 965 linear feet of natural features setbacks associated with the construction and grading of units and Logan and Conrad Drives and associated utilities and the storm sewer, based on plans dated received by the Planning Department on November 11, 2015, with the following two (2) findings and subject to the following one (1) condition.

Findings

- 1. Natural Features Setback Modifications are needed to construct several units and a portion of the roads and storm sewer.*
- 2. The Natural Features Setbacks are of low ecological quality and the City's Wetland Consultant, ASTI, recommends approval.*

Condition

- 1. Add a note indicating that Best Management Practices will be strictly followed during construction to minimize the impacts on the Natural Features Setbacks.*

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

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

2015-0526

Public Hearing and Request for Preliminary Site Condominium Plan Recommendation - City File No. 15-014 - Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, located south of Hamlin and west of Livernois, zoned R-3, One Family Residential with an MR, Mixed Residential Overlay, Parcel Nos. 15-28-226-001, -007, -008, -021, -022 and 15-28-204-004, Pulte Land Company, Inc., Applicant

Mr. Kaltsounis stated that he had been on the Planning Commission a long time, and he felt that the proposal was the most straight forward Pulte development they had seen. He asked the applicants to please work with the neighbors and make sure things were made right for the future.

MOTION by Kaltsounis, seconded by Brnabic, in the matter of City File No. 15-014 (Woodland Park Site Condominiums), the Planning Commission recommends that City Council approves the Preliminary One-Family Residential Detached Condominium plan based on plans dated received by the Planning Department on November 11, 2015, with the following five (5) findings and subject to the following seven (7)

conditions.

Findings

- 1. Upon compliance with the following conditions, the proposed condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.*
- 2. Adequate utilities are available to properly serve the proposed development.*
- 3. The preliminary plan represents a reasonable street layout.*
- 4. The Environmental Impact Statement indicates that the development will have no substantially harmful effects on the environment.*
- 5. Remaining items to be addressed on the plans may be incorporated on the final condominium plan without altering the layout of the development.*

Conditions

- 1. Provide all off-site easements and agreements for approval by the City prior to issuance of a Land Improvement Permit.*
- 2. Provide a landscape bond in the amount of \$175,325 for landscaping, replacement trees, and irrigation, prior to issuance of a Land Improvement Permit.*
- 3. Payment of \$9,600 into the tree fund for street trees, prior to issuance of a Land Improvement Permit.*
- 4. Approval of all required permits and approvals from outside agencies.*
- 5. Compliance with the department memo comments, prior to Final Site Condo Plan Approval and Building Permit Approval.*
- 6. Submittal of By-Laws and Master Deed for the condominium association along with submittal of Final Preliminary Site Condo Plans.*
- 7. Replace Anthony Waterer Siprea at the northeast corner of Logan Dr.*

with ten foot evergreen trees to better screen headlights from the property to the north, as approved by staff.

Recess from 7:26 p.m. to 7:30 p.m.

Chairperson Boswell announced that there had been some miscommunication, and some people who wished to speak did not understand the procedure for the Public Hearings. He re-opened the Public Hearings at 7:30 p.m.

Jim Niks, 2179 Willow Leaf Ct., Rochester Hills, MI 48309 *Mr. Niks noted that he had talked with Mr. Skore and Mr. Khan. He had a severe problem with drainage when he moved into his sub. He thought everything would be fine after the City inspected it, but the runoff from the field came into his backyard, and it made a river into his neighbor's backyard. They tried to put pots underneath to try to take care of it without much luck. He wanted to make sure that Pulte did not exacerbate the problem. He thought that the plan was to catch the water before it went into their yards, but he wanted to make sure it was addressed.*

Syed Raza, 2084 S. Livernois, Rochester Hills, MI 48307 *Mr. Raza was the neighbor Mr. Kaltsounis was talking about, and he appreciated the extra buffer. He noted the trees that lined up at the south side of his property that currently existed in the buffer, and he asked how many of those would be cut. He asked about the grading and drainage, because the property dipped going north, and the rain water ran through the north line of his property. He knew there would be drains, but he asked if they could expect to see any problems, because the houses in Pulte would be higher. The homes drained by his neighbor's pond and creek that ran through the property. He mentioned traffic, and said that Livernois was a bottleneck at the roundabout, and there would be a couple of hundred cars added. He asked if the City was acknowledging what would happen five years down the road, and if there were plans to widen the road. There would be a lot of cut-through traffic on Logan to go west on Hamlin or south on Livernois. They had the same problem with Rochelle Park, and he anticipated an issue moving forward.*

Gordon Statz, 2196 Willow Leaf Dr., Rochester Hills, MI 48309 *Mr. Statz stated that he was the President of the Whispering Willows Homeowner's Association. He thanked Pulte for putting on the informational meeting, and he said that they answered a lot of questions up front. Their biggest concern was drainage. Livernois dropped down 23 feet. They got a lot of water into their system near home 42 from a couple*

of pipes by the upper retention pond, and it would flood into their system. The proposed system would connect the two ponds and collect the water, which would go into the storms underneath Hamlin. They thought that would be an improvement in their current drainage, because the water would be diverted away from their system. He surveyed the HOA board, and overall, the majority was in favor. The improved drainage along with the price point would help home appreciation in their sub.

Launa Beattie, 2135 Willow Leaf, Rochester Hills, MI 48309 Ms.

Beattie said that her concern was the two years of construction traffic. Her home backed up to the wetland area, which attracted the wildlife and wilderness that they had come to enjoy. She did not think anyone had ever sat on her deck and said that it would be great if there were condos in the back. She said that it would be nice if they could work together with the development in order to maintain some of the wilderness or draw it back after the two years of construction traffic. They could plant attractive types of foliage to bring the animals back, such as the migrating butterflies they got every year. She suggested planting milkweed. They had many ducks that made their homes in the back, and she commented that it would be disheartening to know that they would be missing from the area. She hoped that they could maintain as much of the wetland as possible.

Chairperson Boswell closed the Public Hearing at 7:40 p.m. He asked Ms. Thurber if she could address the comments.

Ms. Thurber said that as far as drainage, they spoke with both of the homeowners at the meeting on December 1st. She agreed that there was 22 feet of fall, but the drainage would all be intercepted, because it was required by the City. She believed that the adjacent homeowners would have a significant improvement. There had been some flooding issues because of the two pipes Mr. Statz mentioned. They would be bypassing that, and they were not outletting to the creek but to a structure on Hamlin. That would also improve the drainage concern. They had already done the preliminary grading for Logan, and they would meet at the property line and go down, so there would not be drainage issues or something higher than the existing property line. Ms. Thurber pointed out that the entire wetland area, with the exception of a small portion, was being untouched. She showed the trees that were being maintained and the additional trees to be planted in that area.

Mr. Anzek said that a question was raised about cut-through traffic. He advised that in past practice, they had found that it was best determined

after the fact, rather than trying to assume that a situation would occur. They would wait until the development was built and monitor it. If the neighbors had issues with cut-through traffic, speed humps could be installed at that time.

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

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

After each motion, Chairperson Boswell stated for the record that the motion had passed unanimously. He remarked that it had been the shortest time Pulte had ever been before the Commission. Ms. Roediger mentioned for the audience that the matter would likely go before Council on January 11, 2016.

DISCUSSION

2015-0533

Request to discuss redevelopment of the northwest corner of Rochester Rd. and M-59

(Reference: Memo prepared by Ed Anzek, dated December 11, 2015 and site plan and elevation had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Kenny Koza, Group 10 Management (no address listed).

Mr. Anzek related that for about a year-and-a-half, staff had been working with Mr. Koza, who had assembled property at the northwest corner of Rochester and M-59. They had worked on several alternative plans to redevelop the site. Currently, the site had a Sunoco gas station with a convenience store. There were two different zonings and a partial FB-2 Overlay zoning. Mr. Koza had been working on rebuilding the convenience store with a drive-through Dunkin Donuts, enlarging the convenience store and adding a 98-room, four-story hotel. Staff thought it best, because of the complexity of the site, that Mr. Koza came before the Planning Commission for input and guidance. There was a lot planned for the site, and staff had offered an opinion as outlined in Mr. Anzek's memo.

Mr. Koza thanked the Commission for having him. He wanted to come to have an open dialogue to hear the pros and concerns about the project. As Mr. Anzek mentioned, there might be a lot going on, but in terms of the

development, they were able to fit a 98-room hotel and to expand the gas station. The gas station was currently a little under 2,000 square feet, and it was over 30 years old. Those types of gas stations did not have longevity, and in order to be successful, gas stations needed to be 4,000 or more square feet. To be forward thinking and to make sure something could survive the test of time, it was necessary to bring in a tenant. Before they came before the Commission, they wanted to make sure that the gas station would be successful. About a year ago, they added beer, wine and liquor. They would not tear it down to redevelop it as a regular convenience store, because it would not survive. It would have to become a one-stop shop, competing with Walmart, Cosco and Kroger, which also sold gas and with electric cars coming into play. He felt that they had to diversify the convenience store. In addition, they acquired the properties to the west of the gas station (two homes). They thought it would be a prime location for a hotel. He was a hotel developer, and they looked for highway sites and intros to cities. That was why they had gotten a license from Marriott to do a Fairfield. They found it to be an incredible hotel site. He knew that the Holiday Express was coming to Rochester Hills and Rochester had the Royal Park, but he believed that there was a need for other hotels to take the demand from the market. Before he went any further, he wanted to give an intro about the project and himself and take the Commission's "temperature."

Mr. Yukon asked Mr. Koza if he had any discussions with the residents in the area. Mr. Koza said that he had only spoken with two residents behind him. He had heard their concerns, and they were addressing them. Mr. Yukon asked if he could share those concerns. Mr. Koza said that one was whether or not guests could look into their homes, which was also one of the first things the City had mentioned. Mr. Koza said that the hotel was originally placed horizontal, and it was turned on an angle to be more out of the views of the residents. The residents were also concerned about runoff and what kind of screening would be provided. Mr. Yukon asked the approximate distance between the hotel and the homes on Cherry. Mr. Koza said that the closest home would be a little over 150 feet. Mr. Yukon asked what Mr. Koza planned for screening. Mr. Koza said that they were planning evergreens, but they were open to any suggestions. Mr. Yukon asked if Mr. Koza performed a market study before developing a hotel, and what other factors were used to determine that a hotel would work in an area, other than being at a gateway to a city or on a highway.

Mr. Koza responded that they looked at office space, the nearest hospital, schools, location from other hotels and truck traffic. Mr. Yukon asked if the hotel would be an extended stay, and Mr. Koza advised that it would

be an overnight stay, and there would not be kitchenettes. The majority of the people would be business clientele, and they would check in between 5 p.m. and 10 p.m. and leave in the morning between 6 a.m. and 8 a.m.

Mr. Dettloff asked Mr. Koza if he had actually done a market study. Mr. Koza replied that they did their own internal market study. Mr. Dettloff asked if it was something Mr. Koza would share, to which he agreed. Mr. Dettloff asked if a traffic impact study would be done in relation to the market study. Mr. Koza stated that they had not done a traffic study, but he would be open to it. Mr. Dettloff said that given the nature of the traffic on Rochester Rd., he would recommend doing a traffic study to support the development.

Mr. Schroeder stated that it would be impossible to make a left turn out of the site. He questioned whether (assumed not) there would be a pool or bar. Mr. Koza said that it had an indoor swimming pool but no bar or restaurant. The gas station had two entrances onto Rochester Rd., and they had talked with MDOT, and the one furthest north would be closed. He felt that would increase the safety of the site. Mr. Schroeder asked if he had looked at acquiring more property. Mr. Koza said that the only property they could expand to would be to the three adjacent homeowners. The feedback was that the homeowners on Cherry liked their homes.

Mr. Kaltsounis thought that there would definitely be some challenges with the site. He noted the drop off area, and said that typically, hotels had alternative routes for that. He pointed out the canopied drop off area, and he said that if it were clogged, vehicles would have to go back around the gas station, which was a concern. The picture Mr. Koza brought showed an alternative swing around for the area, but Mr. Kaltsounis said that he did not see it on the plan submitted to the Commissioners. He realized that it had not been reviewed by the Fire Department, but if it was, some space might be lost for a driveway around the drop off area. One of Mr. Kaltsounis' biggest concerns was about the neighbors, and he would be interested in hearing their thoughts. He would also like to see a cross section of what the building height looked like compared with the homes across the street. He was concerned about a 50-foot setback and the building being 40 or 50 feet high, and he wondered how that would look to the people on Cherry. He would also be interested in knowing if the road met the length required for a cul-de-sac and how the driveway cutting off abruptly at the last house would be addressed. He said that Mr. Dettloff had a good point about doing a traffic study. Mr. Kaltsounis remarked that Mr. Koza would love the advertising he would get from all the cars

going down Rochester Rd. The problem was that he would have a hard time getting people onto Rochester Rd. The same conversation came up with the Meadowbrook Dodge site just to the north, and there were a lot of doubts about people getting in and out of that center. He learned that it got the highest rent in the City, and he acknowledged that people were figuring it out. He assumed that the debate could go either way.

Mr. Koza said that with technology these days, it would be easier to find. It would be four stories, and it was a corner. Mr. Kaltsounis said that there would be a lot of concerns regarding traffic for the people on Nawakwa. He indicated that people could make a right turn all day long out of the site, but a left turn would be very tough. He said that those were his concerns, and he was not sure if Mr. Koza could answer him about the cross section or the driveway, but they would have to be addressed. At this point, he did not know about the project, and he looked forward to hearing from the neighbors. He surmised that it would be a nice drive-through around the gas station. The City had been seeing a lot of those lately, and he was not too excited about them. That was another subject they needed to talk about as they moved forward, in terms of the sound to the neighbors and so on, because the sound board was pointed right at the neighbors. Mr. Koza offered that they could easily move the sound board to the north side, and they could reduce the decibels. He related that he had not met with the neighbors, but his partner, who ran the gas station, had, and those neighbors were his customers.

Ms. Morita thanked Mr. Koza for bringing the project before the Commissioners. She did have a few concerns. First was the 50-foot setback proposed for a four-story building next to residential. She believed that the western portion of the property where the hotel was proposed was zoned residential. She did not know how much resistance he would get proposing a commercial use. She noted that she travelled a lot for business, and she stayed in a lot of Marriotts, so she knew what the parking lots looked like. There was generally a transient population coming through. She had some great concerns about trash and what would go on in the parking lot next to the neighbor at the south end of Cherry Rd. and also how it would affect all the property owners there. Another concern regarded the detention pond, and she asked if Mr. Koza knew how many months a year he would expect it to be wet, but he was not sure. Ms. Morita suggested that the neighborly thing to do would be to explore an underground detention system, as opposed to putting in a pond right behind someone's house. That neighbor would have to deal with things like geese and mosquitoes that he did not expect to have to deal with when he purchased his property.

Mr. Reece said that most of his concerns had been raised, and he agreed that a lot was being crammed onto the site. He thought that four stories up against residential was way too much. He remarked that with 100 cars going out of the site onto Nawakwa and for the people going left onto Rochester, it would be close to suicide. In the evenings at 5 p.m., the traffic was stop and go, and there were numerous accidents along Rochester Rd. from the expressway north. In the morning, it was just as bad. He brought up people in the upper floors looking down onto the residents on Cherry, and said that it would be a problem for him, too.

Mr. Dettloff asked if the Fairfield Inn site would be a land lease. Mr. Koza said that they were licensing the franchise from Marriott, but they owned the property. Mr. Dettloff clarified that it would not be a corporate-owned and operated Marriott. He asked if Mr. Koza had other hotels in the area, which was confirmed. Mr. Koza added that his nearest development was at I-75 and Big Beaver in Troy (Hampton Inn Suites). He also had the Hilton Garden Inn, which was opening in March. He owned the Carrabba's Bone Fish that anchored it, along with Verizon and Jersey Mike's retail. He owned ten hotels as well as Quick Park and Airlines Parking, but the majority of his portfolio was hotel-based.

Chairperson Boswell acknowledged that there were a couple of overlays, but he pointed out that the property was largely residential. To him, it would be a big intrusion into the lives of the people that lived on Cherry Rd. As for traffic, to go north in the morning, people would not go onto Rochester Rd.; they would drive through a residential area up to Auburn and then head north. That would be another huge infringement on residents. No one would pull in going north on Rochester Rd. in the afternoon - they would have to pass by and come back. As Mr. Reece said, four stories would also be a huge encroachment on the neighbors.

Mr. Koza said that the reason for the height was because Marriott had mandated that as a new prototype. Three stories were considered outdated, and they did not allow for it. Chairperson Boswell had received two cards from people wishing to speak.

Gary Berry, 70 Nawakwa, Rochester Hills, MI 48307 *Mr. Berry said that he and his wife lived directly across from the subject property. He stated that they would be affected just as much as the people on Cherry. With a high impact placed inside of a residentially platted subdivision, they thought that it would be an extreme infringement upon not only the quality of their lives but also the value of their homes. All of their home*

values would go down because currently, they faced residential property, and they saw residential activities going on. If the development went in on a residential subdivision, all of the properties would be facing commercial development with a high intensity of traffic, noise, diesel buses, trucks, and with 100 rooms, there would be 100 cars leaving in the morning and 100 cars coming in the evening plus the workers. They would have to pull out onto Nawakwa, and he thought people would have to turn left between 4-6:30 p.m. because it was impossible to get onto Rochester Rd. People would take Nawakwa to get to Auburn, as Chairperson Boswell had indicated. Mr. Berry said that they would be totally against such a development on residential property. He claimed that he was not against commercial development, but he would not want it inside a residentially platted subdivision. He noted that they had been before the Commission several years ago when someone came up with a similar plan. The City assured them at that time that the residential property would stay residential, and he hoped that it would continue.

Ron Barnes, 3466 Cherry, Rochester Hills, MI 48307 Mr. Barnes said that he lived at the very end of Cherry Rd., and he felt that he would be the most impacted by the parking lot and the four-story hotel, which would have direct viewing into his house and yard. He lived alone with a small child, and his next door neighbor had small children as well. They were concerned about traffic and the people that would stay at the hotel. It seemed like a large complex for a very small footprint. He said that the Commissioners had addressed most of his issues, including traffic and ingress and egress onto all the roads. He agreed that Mr. Koza's partner spoke with him the day before and asked what his requests were. They talked about putting up ten-foot walls with trees, but there would still be stories above that. He pointed out that it would be extremely close to him. As Mr. Kaltsounis mentioned, the Fire Department would have to review the project, because Mr. Barnes was not sure how a fire truck could turn around at the end of the street. He asked if they were just holding an informal hearing, and Chairperson Boswell clarified that it was just a discussion.

Ms. Brnabic agreed with and supported previous Commissioner's comments, especially about the setback and four stories. If they even considered it, she asked if the project could not happen without the use of a PUD since there was residential zoning. She did not think that the project was appropriate with its size and the traffic, and she would need more information about using a PUD.

Mr. Anzek responded that staff had identified that to effect the plan, it

would take a PUD approach. A PUD supported mixed use development, and it was designed to be a benefit to the City. They would determine what the City was getting in return, and oftentimes it was high quality design, materials and landscaping. There were qualifying factors that would need to be addressed. An alternative would be a Rezoning, which he did not feel staff could support, because the Master Land Use Plan did not support it. Although it was outside the City's purview, there might be some deed restrictions that could be cumbersome if it was platted residential property, which would be a civil matter.

Mr. Kaltsounis asked how Mr. Barnes' house got so close to the lot line. Mr. Anzek said that it was before his time with the City. Mr. Kaltsounis said that the home was four or five feet from the lot line, and the Ordinance required ten. Mr. Anzek also noted that the two homes on the east side that Group 10 Management bought were bisected by a parcel line, and Cherry Rd. was barely in the right-of-way.

Mr. Barnes came to the mike and said that the homes were so old that no one paid attention. The garages cut through the property line, and the Master Plan showed that. The previous owner of the gas station had a tough time developing it because of the Master Plan. The road should have been moved over, but that could not happen. The garage should never have been built where it was. He explained that his builder pushed his home as far as he could to the property line, and Mr. Barnes bought it afterwards. Upon questioning, he advised that it was built in 2001.

Mr. Koza said that they were listening to the neighbors' concerns, and they did not want to upset anyone. They liked to work with the neighbors, and they would take anything they said into consideration and do their best to accommodate to possibly do the project.

Chairperson Boswell reiterated that four stories would be a big problem for the Commissioners. The fact that it was in a residential area would be a huge problem for them. The traffic patterns and cut-through traffic would also be very concerning especially going to Auburn from the hotel.

Mr. Koza said that he would contact a traffic consultant and determine whether he could put some of those concerns to rest. In addition, he would further his talks with the neighbors to see if he could minimize their concerns. If he could not do four stories, it would be a dead deal for him. If the hotel did not work out, he asked if the Commissioners would be open to the redevelopment of the gas station.

Chairperson Boswell said that a part of the station was zoned for that. Mr. Koza said that it was not something he was proud of the way it currently looked. It would not make sense to spend money and keep it the same use, because it did not make money as it stood. He added that almost all of their hotel sites were on highway corners, and generally speaking, he did not come across corner sites that were zoned residential. He knew a Rezoning would be difficult, but they really did not believe the property should be zoned residential.

Chairperson Boswell acknowledged that there was some agreement with that, because they put FB-2 Overlays on the corner itself, but the rest was left residential. Mr. Koza noted that across the street was senior living, which was considered commercial. He knew that the corner would be an anchor to the City, and they were hoping to make it a focal point and attraction to the rest of the community.

ANY OTHER BUSINESS

[2015-0529](#) Request for Approval of the 2016 Planning Commission Meeting Schedule

MOTION by Kaltsounis, seconded by Reece, the Rochester Hills Planning Commission hereby establishes its 2016 meeting schedule at the December 15, 2015 Regular Meeting as follows:

*January 19, 2016
February 16, 2016
March 15, 2016
April 19, 2016
May 17, 2016
June 21, 2016
July 19, 2016
August 16, 2016
September 20, 2016
October 18, 2016
November 15, 2016
December 20, 2016*

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

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

NEXT MEETING DATE

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for January 19, 2016.

ADJOURNMENT

Hearing no further business to come before the Commissioners, and upon motion by Mr. Kaltsounis, Chairperson Boswell adjourned the Regular Meeting at 8:34 p.m.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary