

**NEW BUSINESS**

**2016-0035** Public Notice and request for a Tree Removal Permit - City File No. 15-019 - Stonecrest at Rochester Hills, for the removal and replacement of as many as five regulated trees for a proposed 81,073 square-foot senior living facility on 3.5 gross acres, located on the east side of Rochester Road, north of Hamlin, zone R-4, One Family Residential with an FB-2 Flexible Business Overlay, part of Parcel No. 15-23-300-035, NP Senior Living Development, LLC, Applicant  
*(Reference: Staff Report prepared by Sara Roediger, dated February 12, 2016 and site plan had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant was Jed Momot, NP Senior Living Development, 5015 N. W. Canal St., Suite 200, Riverside, MO 64150.*

*Ms. Roediger outlined the project and summarized the requests. She stated that the applicant planned to buy 2.54 acres of the subject parcel to put up a 100 bed, two-story, 81,703 square-foot assisted living and memory care facility. She noted that the proposed site was located on the east side of Rochester Rd., between Hamlin and Avon. The site was zoned R-4, One Family Residential with an FB-2 Flexible Business Overlay, and it was being developed under the FB-2 standards which required higher standards and other improvements. She noted that there would be off-site improvements to roads to connect to future development north of the site, and that a cross access easement would be required. Bike racks and sidewalks into and throughout the site had been provided to connect to Rochester Rd. and to the future internal road, in addition to a pathway along Rochester Rd. In accordance with FB regulations, an outdoor amenity space had been provided at the northeast corner of the site that would include large boulder outcrops, plantings and benches. Ms. Roediger advised that there would be minor wetland impacts due to construction activities and that a Wetland Use Permit Recommendation was required, for which a motion was included. She mentioned that the applicants had met with the neighbors on November 10, 2015 to conduct an open forum. Neighbors from the Avon Hills and Eddington Farms Subdivisions were invited to learn about the project and have an opportunity ask questions. The applicants stated that the outcome of the meeting was overwhelmingly positive. She said that she would be happy to answer any questions.*

*Mr. Momot advised that he would be the project manager, and that the developer managed about 55 other facilities. He stated that it would be a home for the aged. They had to go through the State for licensing Care*

*Model One, which was the highest level. He also advised that they would have 24-hour staff. He maintained that it would be a very low impact use. 55 rooms would be for assisted living with two stories in the front. It would transition to one story for memory care. There would be a mixture of studios and one and two-bedrooms. He showed the landscape plan and circulation to the north, east and south. He showed a slide of the floor plans and amenities. There would be a movie theatre, spa, salon and other amenities. He pointed out some other projects they had under construction and a showed a sample of the proposed materials and colors. It would be stone masonry with a Craftsman style theme to fit in with the adjacent residential. He said he was available to answer any questions, and he added that they were very excited to be doing a project in Rochester Hills.*

*Mr. Schroeder asked if the residents would not be allowed to have cars. Mr. Momot responded that it was very rare to have a resident drive - the average age was 84.*

*Mr. Hooper asked if they were purchasing the property, which Mr. Momot confirmed. Mr. Hooper observed that the grading went outside the limits of the property line.*

*Ms. Roediger said that the road along the northern border straddled the subdivision. Mr. Hooper asked if there should be a finding or condition regarding working outside the limits, and Ms. Roediger said that the City did have it in writing.*

*Mr. Hooper asked about connectivity for the whole site and if there would eventually be connection to Eddington Blvd. Ms. Roediger explained that as the site plan evolved, the connection could be made to the north at any time. She commented that the market would handle it, and added that it would be a service drive. Mr. Hooper clarified that when development did occur, a connection would have to be made at that time. He asked if it would always be a private road, which Ms. Roediger confirmed. She added that FB-2 was very restrictive. The construction of the road would be done so that in the future, no one would have to put pavement into the road and develop more than their share.*

*Mr. Hooper asked about the boulder wall and its limits. Mr. Momot pointed it out in the northeast corner of the parcel. Mr. Hooper had read through the EIS, which stated that the developer would rezone the property. Mr. Momot assured that was not the case, and that it was not necessary with FB-2 zoning, and he agreed to correct the EIS.*

Mr. Dettloff asked if it was the first type of project like this in Michigan for the developer. Mr. Momot said it was the second. The first was in Troy across from City Hall. Mr. Dettloff asked if the company was currently in Michigan, and Mr. Momot said not personally, but they came to Michigan. Mr. Dettloff asked if they had done a market analysis, which Mr. Momot confirmed.

Mr. Schroeder said that he could not picture the development in Troy. Mr. Momot clarified that it had not been built yet. Mr. Schroeder asked if there was an easement for the road on the adjacent property.

Mr. Anzek advised that there was. He said that anywhere along the northern border, a road could be continued. Mr. Schroeder questioned whether that should be a condition of approval, and Ms. Roediger offered that it would be requested as part of construction plan submittal.

Mr. Yukon noted that in the staff report, it stated that the applicant had a positive meeting with the residents. He asked Mr. Momot if he could elaborate. Mr. Momot said that the residents were shown a slide show, traffic patterns were explained, and the parking was discussed as were the kinds of services that would be offered. Many thought it was a great looking building. Mr. Yukon asked how many residents were at the meeting, and Mr. Momot said there were nine. Mr. Yukon asked how they got the information to the residents, and Mr. Momot answered that they used a 1,000-foot radius to send a mailer about the informational meeting.

Mr. Yukon said that in the EIS, it talked about the relocation of Eddington Blvd. He asked Mr. Momot if they were comfortable with that. Mr. Momot said they were and would agree to a right in, right out entryway. Mr. Yukon asked Mr. Momot if they had any interest in the properties to the south, and Mr. Momot said that they did not at this time.

Vice Chairperson Brnabic opened the Public Hearing at 7:25 p.m. Seeing no one come forward, she closed the Public Hearing. Subsequently, she received a card and reopened the Public Hearing at 7:27 p.m.

**Tanmay Kulkarni, 1710 Farnborough, Rochester Hills, MI 48307** Mr. Kulkarni said that his only concern was that there was an attempt to build on a wetland. He stated that his sump pump was always running. He asked how the excess water would be managed and who would be

responsible for building on a wetland.

Mr. Momot advised that there would be an underground detention system, so there would be less water released than it did currently. He was very comfortable that there would not be any flooding, and there would be minimal impacts to the wetlands. He also did not foresee any excess water flow.

Mr. Kulkarni thought that the boulder wall would impact the water on his side of the property and the flooding. Mr. Momot explained that the boulder wall would level the developer's side. Mr. Kulkarni asked if the City Engineers agreed with that. Ms. Roediger said that the storm water would be retained on site and would be handled in an underground system on the applicant's property. She stated that the City Engineers were comfortable with the detention system for the site.

Mr. Kulkarni asked if the wetland would be totally removed for future development. He stated that it would be an environmental disaster. He asked if people to the north would be able to build on the wetlands.

Mr. Anzek advised that building on a wetland was a process. The environmental consultant had stated that it was a low quality wetland, and it was suggested that it might be filled and that a proper drain could be put in to carry the water to the Honeywell Drain.

Vice Chairperson Brnabic closed the Public Hearing at 7:33 p.m.

Hearing no further discussion to come before the Planning Commission, Mr. Schroeder moved the following, seconded by Mr. Reece:

**MOTION** by Schroeder, seconded by Reece, in the matter of City File No. 15-019 (Stonecrest at Rochester Hills), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on January 20, 2016, with the following two (2) 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. The applicant is proposing to replace four regulated trees with four tree credits.

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** 6 - Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

**Absent** 3 - Boswell, Kaltsounis and Morita

2016-0036

Public Hearing and request for a Wetland Use Permit Recommendation - City File No. 15-019 - Stonecrest at Rochester Hills, for wetland impacts of up to 6,650 square feet for a proposed 81,073 square-foot senior living facility on 3.5 gross acres, located on the east side of Rochester Rd., north of Hamlin, zoned R-4, One Family Residential with an FB Flexible Business Overlay, part of Parcel No. 15-23-300-035, NP Senior Living Development, LLC, Applicant

**MOTION** *by Schroeder, seconded by Yukon, in the matter of City File No. 15-019 (Stonecrest at Rochester Hills) the Planning Commission recommends City Council approves a Wetland Use Permit to temporarily and permanently impact approximately 6,650 square feet for the construction of the proposed drive and site grading, based on plans dated received by the Planning Department on January 20, 2016, with the following two (2) findings and subject to the following four (4) 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.*

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

**Aye** 6 - Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

**Absent** 3 - Boswell, Kaltsounis and Morita

2016-0037

Request for a Natural Features Setback Modification - City File No. 15-019 - Stonecrest at Rochester Hills, for impacts to approximately 458 linear feet of natural features setback for a proposed 81,073 square-foot senior living facility on the east side of Rochester, north of Hamlin, NP Senior Living Development, LLC, Applicant

**MOTION** by Schroeder, seconded by Dettloff, in the matter of City File No. 15-019 (Stonecrest at Rochester Hills), the Planning Commission **grants Natural Features Setback Modification** for the permanent impacts to as much as 458 linear feet of natural features setbacks associated with the construction of the proposed drive and site grading, based on plans dated received by the Planning Department on January 20, 2016, with the following two (2) findings.

Findings

1. Natural Features Setback Modifications are needed to construct a portion of the road and for site grading.
2. The Natural Features Setbacks are of low ecological quality and the City's Wetland Consultant, ASTI, recommends approval.

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

**Aye** 6 - Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

**Absent** 3 - Boswell, Kaltsounis and Morita

2016-0038

Request for Site Plan Approval - City File No. 15-019 - Stonecrest at Rochester Hills, a proposed 81,703 square-foot senior living facility on Rochester Rd., north of Hamlin, NP Senior Living Development, LLC

**MOTION** by Schroeder, seconded by Yukon, in the matter of City File No. 15-019 (Stonecrest at Rochester Hills), the Planning Commission recommends that City Council approves the Site Plan based on plans dated received by the Planning Department on January 20, 2016, with the following six (6) findings and subject to the following eight (8) conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the zoning ordinance, as well as other

*City ordinances, standards, and requirements, can be met subject to the conditions noted below.*

- 2. The proposed project will have a cross access easement to a road to the north to Eddington Blvd. in case of future development. Access has been designed to promote safety and convenience of vehicular traffic within the site. Walkways have been incorporated to promote safety and convenience of pedestrian traffic.*
- 3. Off-street parking areas have been designed to avoid common traffic problems and promote safety.*
- 4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
- 5. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*
- 6. The Planning Commission has determined that proposed plan meets the required criteria for a modification to the FB district requirements and therefore approves the requested modifications from the FB dimension and design standards for front yard setback, building frontage build to area, and street design pedestrian and vehicle zones as described in this report to allow for programming and function of the building.*

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 \$166,000 for landscaping and replacement trees, prior to issuance of a Land Improvement Permit.*
- 3. Provide an irrigation plan and cost estimate, prior to final approval by staff.*
- 4. Payment of \$3,200 into the tree fund for landscaping deficiency of deciduous and evergreen trees, prior to issuance of a Land Improvement Permit.*
- 5. Approval of all required permits and approvals from outside agencies.*
- 6. Compliance with the department memo comments, prior to final approval by staff and Building Permit Approval.*
- 7. Provide a recorded use agreement and cross access easement between the applicant and the owner of the adjacent property to the north, prior to final approval by staff.*

8. *Revise the Environmental Impact Statement as discussed, prior to final approval by staff.*

*Mr. Anzek said that staff would make sure that they talked with the City Attorney, because the road was designed under the FB-2 standards. It was not just to service the subject facility, but would be made available for cross through traffic either on to Bordine's or from Bordine's to the site and to points northward. It was not just a dual use; it would be for any potential future users as well.*

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

**Aye** 6 - Brnabic, Dettloff, Hooper, Reece, Schroeder and Yukon

**Absent** 3 - Boswell, Kaltsounis and Morita

*After each motion, Vice Chairperson Brnabic stated for the record that the motion had passed unanimously.*

**2016-0034**

Public Notice and request for a Tree Removal Permit - City File No. 15-006 - Bloomer Woods, for the removal and replacement of as many as 280 regulated trees for a proposed 30-unit residential development on 12.8 acres, located on the east side of John R, north of Avon, zoned R-3, One Family Residential with an MR, Mixed Residential Overlay, Parcel No. 15-13-301-058, Lombardo Homes, Applicant

*(Reference: Staff Report prepared by Sara Roediger, dated February 16, 2016 and Preliminary Site Condominium Plan had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Greg Windingland, Lombardo Homes, 51237 Danview Technology Ct., Shelby Township, MI 48315; Donald Westphal, Donald C. Westphal Associates, 71 N. Livernois, Rochester Hills, MI 48307 and Gregory Bono from Community Engineering and Surveying, 6303 26 Mile Rd., Suite 110, Washington, MI 48094.*

*Mr. Roediger advised that the project was for a new single-family, detached site condo development on 12.8 acres on the east side of John R north of Avon. Sample elevations had been provided, and the applicants were proposing a mix of 30 one and two-story homes. There were requests for a Wetland Use Permit and Preliminary Site Condominium Plan Recommendation to City Council and for a Tree Removal Permit and Natural Features Setback Modifications. She noted that the wetlands were on the northern end of the property by the open space, which abutted the County drain just north of the property. There*