



Rochester Hills

Minutes - Draft

Planning Commission

1000 Rochester Hills Dr
Rochester Hills, MI
48309
(248) 656-4600
Home Page:
www.rochesterhills.org

Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Gerard Dettloff, John Gaber, Nicholas O. Kaltsounis, Stephanie Morita,
David A. Reece, C. Neall Schroeder, Ryan Schultz

Tuesday, July 16, 2019

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Deborah Brnabic called the Regular Meeting to order at 7:02 p.m. in the Auditorium.

ROLL CALL

Present 7 - Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, Stephanie Morita, C. Neall Schroeder and John Gaber

Excused 2 - David Reece and Ryan Schultz

Quorum present.

Also present: Sara Roediger, Director of Planning & Economic Dev.
Paul Davis, Deputy Director of DPS/Engineering
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

[2019-0284](#) May 21, 2019 Regular Meeting

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Approved as Presented . The motion PASSED by an unanimous vote.

[2019-0285](#) June 5, 2019 Regular Meeting

A motion was made by Schroeder, seconded by Kaltsounis, that this matter be Approved as Presented . The motion PASSED by an unanimous vote.

COMMUNICATIONS

- A) *Planning & Zoning News dated July 2019*
- B) *Road Commission for Oakland County 2nd Qtr. Report*

PUBLIC COMMENT

Chairperson Brnabic opened Public Comment at 7:05 p.m. Seeing no one come forward, she closed Public Comment.

UNFINISHED BUSINESS

2019-0214

Request for Conditional Use Recommendation - City File No. 18-002 - to add a drive-through to a new 8,154 s.f. retail/restaurant outlot building at Hampton Plaza, located at the southeast corner of Rochester Rd. and Hamlin Rd., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-26-100-007, Kevin Biddison, Biddison Architecture + Design, Applicant *(Reference: Staff Report prepared by Kristen Kapelanski, dated July 12, 2019 and site plans and elevations had been placed on file and by reference became part of the record thereof.)*

Present for the applicant were Kevin Biddison, Biddison Architecture + Design, 320 Martin St., Suite 10, Birmingham, MI 48009 and Stuart Frankel, Hampton Plaza, 1334 Maplelawn, Troy, MI 48084.

Ms. Roediger outlined that the request for a new outlot building at Hampton Plaza had been tabled at the May meeting. There had been concerns about the access to the drive-through and stacking spaces. The Planning Commission asked the applicants to consider flipping the building to allow the stacking to occur on the north side, thereby alleviating concerns that it could extend out onto Rochester Rd. The applicant had revised the plans per the request; other than that, the site plan was essentially the same as previously presented. The island at the southern driveway had been extended so there could not be direct left turns into the site from the southern entrance. She noted that there was another drive to the north of the proposed building. As a conditional use, she advised that it was a request for a recommendation to City Council, and that the site plan was also under review. She said that she would be happy to answer any questions.

Mr. Biddison indicated that they had heard the comments from the last meeting, and he believed that they had come up with a solution that answered the concerns about the drive and circulation for stacking. He agreed that the building was otherwise the same. He thought that how the traffic could flow around the building was fairly self-explanatory, and he felt that it would be a cleaner and safer entry from Rochester Rd.

Mr. Kaltsounis thanked the applicants for hearing the Commissioners. He commented that they had a good and a bad day at the last meeting. He felt that the changes recommended and accepted would definitely make the corner of the property much safer, and he indicated that every time he drove by, he would make sure it was. Hearing no further discussion, he moved the following:

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 18-002 (New Outlot Building at Hampton Plaza) the Planning Commission **recommends** to City Council **Approval of the Conditional Use** to allow a drive-through in the B-3 district, based on plans dated received by the Planning Department on June 21, 2019, with the following seven (7) findings.

Findings

1. *The proposed drive-through and other necessary site improvements meet or exceed the standards of the zoning ordinance.*
2. *The expanded use will promote the intent and purpose of the zoning ordinance and Master Plan.*
3. *The proposed drive-through has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.*
4. *The proposal should have a positive impact on the community as a whole and the surrounding area by offering other dining experiences as well as supplying jobs.*
5. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.*
6. *The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
7. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion PASSED by an unanimous vote.

2019-0215

Request for Site Plan Approval - City File No. 18-002 - a new, 8,154 s.f. retail/restaurant outlot building at Hampton Plaza, Kevin Biddison, Biddison Architecture + Design, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 18-002 (New Outlot Building at Hampton Plaza), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on June 21, 2019, with the following six (6) findings and subject to the following three (3) conditions.

Findings

1. *The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.*
2. *The proposed project will be accessed from Rochester or Hamlin Roads., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Paths and bike racks 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 customer safety*
4. *The parking setback in the rear and side yards are modified based upon the*

Planning Commission's determination that it is compatible with a comprehensive parking plan.

5. *The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the vicinity.*
6. *The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

Conditions

1. *Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.*
2. *Provide a landscape bond for landscaping and irrigation in an amount to be determined, plus inspection fees, as adjusted as necessary by staff, prior to temporary grade certification being issued by Engineering.*
3. *Payment into the City's Tree Fund for any trees that are not replaced onsite in the amount of \$216.75 per tree.*

Chairperson Brnabic asked the applicants if they had considered some color variation to break up the building façade. Mr. Biddison said that they had looked at some additional things, but they felt that with the brick and the other three or four colors and materials that it would be sufficient to break up the façade. Chairperson Brnabic clarified that no changes had been made since the last meeting and asked if staff found that acceptable, to which Ms. Roediger agreed.

Mr. Kaltsounis said that when he first saw the revised plans, he had the same thought. He had observed the applicant's development on Livernois (Campus Corners) which was similar, and he felt that it brought the inside out.

Chairperson Brnabic said that she had no doubt that the other comments by staff that had not been addressed would be before final approval. She was a little surprised that the handicap parking spaces were not relocated. There had been more than one comment that it had not been properly addressed. Mr. Biddison said that because they were adding double rows of parking across from the new drive-through, they thought that it made sense to try to center the spaces on the parking areas. They were willing to flip those to the other side of the center island if staff felt that was a better location. It would not affect the property either way. Chairperson Brnabic thought that it was better. Ms. Roediger noted that the Building Code required ADA spaces to be as close to the doors as possible, and staff would make sure they were relocated.

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Approved . The motion PASSED by an unanimous vote.

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants. Mr. Hooper thanked the applicants for their investment.

2018-0173

Request for Final Site Condominium Plan Recommendation - Cumberland Village, a proposed 57-unit site condo development on approximately 23 acres,

located on the east side of Livernois, south of Hamlin, zoned R-3 One Family Residential with a MR Mixed Residential Overlay; Various Parcels, Lombardo Homes, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated July 12, 2019 and site condo plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Greg Windingland and Brandon Wagner, Lombardo Homes, 13001 23 Mile Rd., Shelby Twp., MI 48315.

Ms. Roediger noted that this matter had been tabled at a previous meeting. The applicants were hoping for approval of the Final Condo plans, for which Preliminary approval had been granted a little over a year ago. At the last meeting, there was one outstanding item regarding the northern access. There was discussion about whether it should be an emergency only access with a decorative gate or a right in, right out only access. The applicant was amenable to either option. They had worked with the Road Commission, and staff and had provided additional information from the City's Engineer who believed that one access was adequate for the size of the development. The applicants realized that there were mixed feelings on the Commission, so they tried to downplay the presence of the gate and created more of a fence-like detail. That was option A, which would satisfy the Fire Dept. Alternatively, the applicants were willing to put in a pork chop to allow a right in, right out onto Livernois as well. She noted that Mr. Davis, City Engineer, was present to answer any questions related to access. The applicants hoped to get consensus from the Planning Commission as to how it should be resolved. She said that she would be happy to answer any questions.

Mr. Windingland said that their preference would be for the modified gate entrance, because they already had a Road Commission ROW permit and Engineering plan approval, subject to Planning Commission approval. If they went with the right in, right out option, which they would agree to, it would cause them to have to go back to the Road Commission and revise the plans and permit and also have to revise the Engineering plans with the City.

Mr. Kaltsounis said that it sounded as if the Commission would have to have a straw vote, and his vote would be for the pork chop and right in, right out.

Mr. Gaber stated that contrary to his colleague, he preferred the gated option. The reason he felt that it was the way to go was because of the traffic and safety issue that staff had raised. In Mr. Shumejko's memo in the packet, he had outlined that a curb cut would be minimized onto a busy road close to the traffic circle which could get congested. In addition, it would be hard to enforce the right in, right out, because it was not a large pork chop, and it would not force a right turn out of the subdivision. He thought that there would be violations, which would create a safety issue. He felt that the applicant had done what the Commissioners had suggested when it was tabled at the last meeting in terms of looking at alternatives to increase the aesthetics of the gated entrance, making it look less like a fortress barrier and making it blend in to the surrounding area. For those reasons, he felt that the gated option was the way

to go.

Ms. Morita asked the applicants the plan for handling snow and ice removal with a gated emergency access. Mr. Windingland said that the gate would be locked. The streets would be private, and the HOA would have to engage a private company to plow them. The contract would include the obligation to open the gate, clear the access and reclose and secure the gate. Ms. Morita asked if there was a safety path in the area, which was confirmed, and she asked how it would work clearing the snow across the path.

Mr. Davis said that even with right in, right out only, it would be a private road entrance. The snow would have to be removed from the path as well, and the contractor would probably remove snow before the City got to clearing the pathway. Whether the entrance was gated or a right in, right out configuration, the contractor would remove the snow and later, the City would go and plow the pathway after doing the road network.

Ms. Morita asked what material would be used under if the gate option was selected. She knew that the Fire Dept. had given a couple of options. Mr. Windingland agreed that the Fire Dept. gave three options - concrete, asphalt and stamped concrete. The only criterion was that it had to support 75,000 lbs. for their vehicles. Ms. Morita asked which material they would use. Mr. Windingland said that they would be glad to let the Planning Commission make the call, as they did not have a preference. Ms. Morita asked how wide the emergency access would be, and Mr. Windingland advised that the opening would be 20 feet. Ms. Morita said that she would be in favor of the emergency access, but she would like decorative, stamped concrete used to make it look more like a pretty sidewalk as opposed to concrete where someone could get confused and think it was a place they could turn into and figure out how to unlock the gate.

Mr. Hooper said that the only way he would vote yes would be for the pork chop option. Going back to the beginning when the project was first before them, if it had been presented with only one access, he never would have voted for it. He said that he was looking at the bigger picture for future developments. The proposal was for 57 units, but someone might ask what was wrong with 80 or 100, and he questioned where it might stop. He stated that he supported the development. He observed that with a gate, there would be more parking for lot one. He appreciated that it was a private road, but it would not be enforced, and people would park there. He reiterated that his only support would be for the pork chop.

Mr. Schroeder said that his personal preference would be for the pork chop, but he agreed that it would be violated, and people would still make a left turn out, which would be worse. He would prefer the gated entrance with stamped concrete to make a difference between the driveway and sidewalk.

Mr. Dettloff said that he supported the gated emergency access and Ms. Morita's idea to have stamped concrete. He felt that Mr. Shumejko had outlined some good reasons.

Chairperson Brnabic said that she also supported the gate for the reasons mentioned, with stamped concrete.

Mr. Kaltsounis confirmed with the applicant that they would work with staff on the agreed upon gated option, and hearing no further discussion, he moved the following:

MOTION by Kaltsounis, seconded by Morita, in the matter of City File No. 17-019 (Cumberland Village Site Condominiums), the Planning Commission recommends that City Council **grants Approval of the Final Site Condominium Plan**, based on plans dated received by the Planning Department on April 22, 2019 and July 3, 2019 with the four (4) following 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 final plan represents a reasonable and acceptable plan for developing the property.
4. The final plan is in conformance with the preliminary plan approved by City Council on June 4, 2018.

Conditions

1. The northern access, as depicted in the provided sheet titled "Emergency Exit Details" shall be gated for emergency purposes only and styled as such that it does not look like a driveway with decorative stamped concrete that holds appropriate vehicle weight as approved by staff.
2. Engineering approval of all permits and agreements prior to issuance of a land improvement permit.
3. Inspection and approval of tree protection and silt fencing by the City prior to issuance of a land improvement permit.
4. Post a landscape and irrigation bond in the amount of \$72,234.00 plus inspection fees, as adjusted as necessary by the City, prior to issuance of a land improvement permit.
5. Payment of \$12,355.00 into the tree fund for street trees prior to issuance of a land improvement permit.
6. Compliance with all outstanding staff review comments, prior to final approval by staff.

7. *The emergency access gate shall be built in conformity with the plans presented to the Planning Commission at the July 16, 2019 meeting.*

Mr. Kaltsounis indicated that he would be watching the development. He would vote yes based upon the discussion, but he wondered if it was setting a precedent and how it would work out, noting that someone else could come in with the same plan or the applicant could come back to change it, because the residents were upset (Mr. Windingland promised that would not happen).

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

Aye 6 - Brnabic, Dettloff, Kaltsounis, Morita, Schroeder and Gaber

Nay 1 - Hooper

Excused 2 - Reece and Schultz

Chairperson Brnabic stated for the record that the motion had passed six to one, and she congratulated the applicants.

2019-0065

Request for Preliminary Planned Unit Development and Conceptual Site Plan Recommendation - City File No. 18-016 - Rochester Hills Trio, a proposed mixed use development consisting of residential units, office and retail space on 5.77 acres located at the northeast corner of Auburn and Livernois Rds., zoned B-1 Local Business with an FB-2 Flexible Business Overlay and RM-1 Multiple Family Residential with an FB-1 Flexible Business Overlay, Parcel No. 15-27-351-009, Designhaus Architecture, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated July 12, 2019 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Peter Stuhlreyer and Joe Latozas, Designhaus Architecture, 301 Walnut Blvd., Rochester, MI 48307 MI 48315, Fred Haddid, OYK Engineering, 30700 Telegraph Rd., Suite 2665, Bingham Farms, MI 48025 and Aaron Fales, Attorney, 1080 Canyon Creek Dr., Rochester Hills, MI 48306.

Ms. Roediger noted that the project had been seen several times by the Planning Commission and was most recently tabled at the June 5 Planning Commission meeting. There had been some outstanding issues: The Planning Commission wished to see more clarification regarding the public benefit; there was direction to soften the façade of the elevations; and there were many concerns about maintenance, construction and screening of the garages. She advised that the garages along the northern property line had been replaced with carports, and a row of evergreens were added along the property line. The applicant was adding a safety path along Auburn to extend beyond their property line east to connect to the bridge that went over M-59.

Mr. Stuhlreyer recalled that in March of 2018, they approached staff with a project. They were aware that a project had been proposed previously for

townhomes that was looked down upon, and they were driven to get a better project for the site. They talked about the improbability of obtaining the gas station on the corner. They also talked about the PUD process and the FB Overlay. The crux of the discussion was about obtaining the gas station, taking out four curb cuts, and cleaning the site and incorporating it into a mixed-use development. The public benefit would be all of that, and the trade-off allowed in the PUD would be having a partial third floor. In the following month, they brought the plan as a discussion item to the Planning Commission. They felt that the proposal was received very positively among the members. As they developed, they engaged things like materiality and other code concerns. They found that the gas station had deed restrictions which did not allow residential and other uses. They could not sell packaged alcohol or have a convenience store. That was what drove the major change to the design. He claimed that the three-story version was always the full width of the easterly buildings, and it was now less because of the topography. He advised that the rear elevation had been modified to engage a more architecturally complete front so that the apartments to the north had a more pleasing elevation to view. They spoke with staff again because of an issue with the fire lanes. That was resolved, but they were asking for a modification for the minimum setback. The building on the west was further from the street than the FB Overlay allowed. MDOT had an issue with the ingress/egress points, which they initially fought. They decided to take the recommendation, and the right in right out at the west had become right in only. The Commissioners thought that some of the materials were not warm enough, and they made a modification. They changed the brick, which really was not black brick. It had some copper and brown tones, and was a much softer color than previously. The lighter of the gray panels was softened from a more stark white to a more neutral gray. He stated that the design was a very classic, contemporary but warm building, and he felt that it was a perfect transition for a major intersection that was primarily commercial to the apartments and single-family homes. He pointed out that the mosque across the street was at least 20 feet higher and more massive than their buildings. Upon the City's request, they met with the ownership of Pine Ridge, who were very positive about the development. They were not opposed to the garages or the screen wall in the rear or the dumpster locations. They had removed the large brick wall and made the north garages into carports, which reduced the height of the brick wall to, at its worst case, eight or ten feet. Most of it was behind the dog park and the dumpsters and a large hill, so it would not be an eyesore for the apartment dwellers. He noted that there had not been public opposition at the Public Hearing.

Mr. Stuhldreier said that they removed the garages and pulled the asphalt back from the north property line and added about 70 trees to screen the parking and carports from the apartments to the north. They could fit the required vegetation on site. They were retaining the easterly garages, but they were set back from the street about 30-40 feet, which was shown at the last meeting. They would be hard to notice traveling west down Auburn, and it did open up the building. He also noted that they had added more of the wood product at the Commission's request. They added an extensive pathway (1,900 linear feet) east to the bridge to provide neighborhood connection. He stated that he went to great lengths to push some commercial and live/work activity out towards the edges of the property so that the streetscape was activated. All the end caps would be

commercial, and not everything on the street would be straight up apartments. There would be retail in the west building, including a restaurant on the ground floor, and on the second floor, there would be about 10,000 s.f. for a medical lab. He said that they would be happy to answer any questions.

Chairperson Brnabic said that before going forward, she wished to take the opportunity to address a memo to the Commission dated June 20, 2019, because she felt that there was a decent amount of inaccurate information stated. The memo stated that at the April 17, 2018 meeting, the design aesthetics were unanimously supported by all nine members of the board. She reviewed the minutes from that meeting, and only five Commissioners spoke that night. To state that the design aesthetics were unanimously supported by all nine members was inaccurate. The meeting was to get feedback on a very basic concept plan, and no vote was taken. The memo stated that the only material issue at the time was the board asking if the applicants could clean up the gas station and incorporate it into the design. She stated that the reference to the gas station in the April 17, 2018 minutes involved a question asking if the applicant owned all the property. The response was, "all but the Speedway, which was under contract." There was also a statement by Ms. Morita that the applicants were willing to use a former gas station and turn it into residential, which was very brave, and she hoped that it all worked out. Mr. Anzek made a statement that he was glad to see it totally incorporated into the development along the corridor. She reiterated that it was also inaccurate that the only issue at the time was the board asking the applicants if they could clean up the gas station. At that meeting there had also been questions about the elevation, drainage, wetlands and caution that the Commission would be critical of building materials used. The next mention was the February 19, 2019 meeting, which stated that the outstanding items were raised and addressed, and none were about aesthetics, and the applicants asked to come back to a subsequent meeting. She stated that was not true, because the garages were in question. More detail was asked for in regards to the garage design, elevation, height, retaining wall, roofline, three-story design, façade transparency and building materials which were short of the requirements, and the PUD option was questioned by Ms. Morita. Next, they skipped to the last meeting on May 21, 2019 and stated that after addressing outstanding items, several members changed their position on aesthetics, and the public benefit was raised for the entire project. They did not mention the April 16, 2019 meeting. At that meeting, in addition to the above, questions were raised in regards to the proposed balcony design and detail, the use of a PUD and the public benefit. There were comments by three members that night, so it did not just come up at the May meeting. There had been comments about amenities and increased quality, whether the owner got the major benefit of the PUD, and that the benefit to the community did not stand out. Their statement that the PUD qualifications were never an issue until the last meeting was not correct. The applicants did provide a list of the PUD benefits at the May 21 meeting. At that meeting, another Commissioner questioned the public benefit and whether the project qualified for use of a PUD. There were three additional Commissioners who spoke, raising the number to six that had questioned the public benefit and qualification for the project's use of a PUD.

Chairperson Brnabic stated that she objected to the fact that on page two, as

part of the qualification, the applicants said that they were developing a contaminated site and repurposing it. She maintained that the site was not contaminated. The gas station owners did all the work to remove the building, to remove the pumps and tanks and to totally clean the site. It should have stated that it was a previously contaminated site. At the February 19 meeting, Ms. Morita asked if the gas station was contaminated, and the applicant stated that there was almost none, because it had been cleared by the previous owner. Chairperson Brnabic referred to comment 7, for which the applicant stated that they were strongly encouraged to purchase and incorporate the gas station into their plan, and they relied upon the belief that the Planning Commission would approve the plan once they did that. It said that they were providing a viable alternative to the use of an otherwise obsolete and dangerous site. She said that she would agree with obsolete, but she did not consider the site dangerous. She wondered why the applicants relied upon the belief that the Planning Commission would automatically approve the plan if they contracted for the gas station property, because there was nothing in any of the minutes she read that would give that impression. The Planning Commission would never automatically approve any plan due to a purchase. She could say that perhaps if that property had been totally contaminated and the applicants had to demolish everything, take the tanks out and do the cleanup that it would weigh heavily as a benefit to the community. She knew that the applicants were proposing an extended pathway, which would be another benefit of the PUD. Regarding open space, the applicants had mentioned pocket parks, and she asked how the open space was distributed. She asked how many parks there would be and where they would be located.

Mr. Stuhlreyer replied that there were two components to the pocket parks that were public, and one was more of an outside dining component. He showed the parks, which he said would have cut-ins and sidewalks, small shelters, public art, water features and benches. They would provide pauses along the new pathway. They were "niches" to be used by pedestrians, joggers and bike riders, whether they were residents or not.

Mr. Kaltsounis asked what the letter was about. He appreciated Chairperson Brnabic going through it in detail and pointing out some of the comments and comparing them to the minutes. Mr. Stuhlreyer responded that the letter was a summary of what the team had felt were either housekeeping items, such as balcony details not matching on plans or unsurmountable ideas such as the Planning Commission could see no way to agree to a third floor. It was a summary, and he said that there was some rather harsh language. In defense of the document, it went through the entire team, and everyone had input on the wording. He felt that it was a reasonable summary, and some things talked about the unanimousness of what people liked when they were first showed the plans, because no one was in opposition to the project scope or architecture at the beginning. He agreed that it did not guarantee an approval, nor did the acquisition of the gas station. Their role in the gas station work was not a small piece. The rights that were given up to own that property was not a small thing, either. They felt that it was a good thing to redevelop a vacant site. Their ask to have half of the buildings have a third floor that was, in their opinion, conditioned upon the dropping of the grade, was not a giant chasm between benefit and cost. They were surprised that it was not a public benefit. He said that not every

community treated public benefits the same. They were a little gray. They had not come before the Planning Commission and gotten any kind of absolute debate about insurmountable ideas. When it came to access, fire, retaining walls, views and neighbors' approval, they had been able to accommodate. They softened the materials. He maintained that the density was not that great with regards to units per acre. They never felt as if they were up against a great wall. They thought that they had a very complicated site with a lot of issues they could housekeep their way through meeting by meeting. He suggested that perhaps the letter reflected frustration about that, and he apologized for that. He agreed that it could have used softer language and less summative language.

Mr. Kaltsounis said that he was concerned why the Commissioners even got a letter like that. Chairperson Brnabic had pointed out that there were a lot of statements in it that were contrary to the minutes. He said that if the project went forward, he would want the letter thrown out. He was not sure that they could, but he did not want it as part of the record, because it was untrue in most cases. They were not trying to swing public opinion. The first day he saw the development, there were garages on one level and massive walls of black 17 feet tall that went right up to Auburn Rd. They questioned the buildings and asked them to talk to the neighbors. He was particularly upset at the last meeting when they came and had changed the style of the outside of the building altogether. He had looked at a picture of a white industrial building with white vertical metal on the sides and back. It looked like what the applicants had shown at the last meeting. They had been going down a good path, and things were sort of pulled out from under the Commission. He was upset about that. The applicants were talking about changes again. As the development had progressed, it was looking like a property they could probably build compared with what was first presented. A lot of the back and forth were things to improve the development so as to be a benefit to everyone. Personally, he liked the site plan. It was a PUD, and there had to be give and take, but at the last meeting, he agreed with other Commissioners that it was more about density, and more one-sided. He questioned whether they would want to go into an agreement with an applicant that had slapped them across the face. He said that he would be interested to hear what others had to say.

Chairperson Brnabic felt that in many ways, Mr. Stuhlreyer's response was a spin. She used the minutes to back up her comments. She looked at the statements in the letter and went over the minutes, and the information was inaccurate. She did not know how five people could have worked on one memo. It should have been done by someone who was at the meeting. They should all have conferred. She read, "All of a sudden at the May 21 meeting, the qualification came up for the PUD." She reminded that it had been mentioned in February and in April. On May 21, three additional members chimed in. She did not feel that he had taken responsibility for some of the inaccurate information.

Mr. Gaber stated that the points were well made about the June 20 letter. As a matter of proceeding forward, the comments would be on the record and would be transmitted to City Council for consideration, in terms of deciding what to do with the Preliminary PUD proposal. He wished to move beyond it and try to move the discussion forward. He had asked for clarification about the

ordinance deviations being requested. He knew the setback of the corner building had been mentioned, but he asked about the other deviations being requested as part of the concept plan.

Mr. Stuhlreyer did not think that there were many. One regarded the front minimum setback for the westerly building, and another was having a 3rd floor on half of the center and easterly building.

Ms. Roediger said that there were some building design and façade transparency modifications being requested for the FB Overlay as well as for the front yard landscaping and parking lot setbacks. Mr. Stuhlreyer added that there was more open space than required by ordinance.

Mr. Gaber noted the eastern area of the project. The garage was still shown, and he wondered why they were going to carports on the north side but keeping the garage on the east side. They had added a carport on the east side as well. Mr. Stuhlreyer stated that the carport would add a feature and benefit for the residents. Taking out the garages was taking the quality for some. He believed that garages would be preferred, but carports were a requirement at the level of apartment they were proposing. He felt that leaving the easterly garage was the least visually impacting, because it would be tucked into a very large stand of trees. Mr. Gaber asked if he felt that the retaining wall at the rear and the garage on top of it would be covered, and if the visibility for people driving westbound on Auburn would be minimal. Mr. Stuhlreyer agreed that it would be minimal and maybe zero. There would be eight feet of space behind the garage on their property, which would alleviate the concern about maintenance of the rear of the structures. Mr. Gaber asked Mr. Stuhlreyer if he had any diagrams or cross sections of the carports, which were shown on the overhead. Mr. Gaber asked if there was any concern about nighttime and lights from vehicles facing north into the apartments across the open space. Mr. Stuhlreyer said that there would be a brick wall to shield and a tremendous amount of trees along there. He noted the photometric, and said that there had been a bright spot that exceeded code, but it was 50 feet within their property. There would not be any light bleeding offsite.

Mr. Gaber asked to see the plan for the pathway. He asked if the IAGD was building any sidewalk with its expansion project on the south side. Ms. Roediger believed that they were required to add a pathway along their property, which she would confirm. Mr. Gaber said that Mr. Stuhlreyer had mentioned the pathway over the bridge, and he asked if there was a pathway to the east of that on the north side, which he did not recall. Ms. Roediger said that the pathway started immediately east of the first residential road. Mr. Gaber agreed that extending the pathway as far as they could to the east would be a public benefit of the project. He asked Mr. Stuhlreyer to talk about their plan.

Mr. Stuhlreyer advised that there was not a long-term phasing plan. It would not be doing one building and then two years later doing another. The site work would be done on the eastern side and the first building would be constructed, and they would work on the west. They would not want to create impassable parts of the site while it was being constructed. There would be a single-phase of construction, but it would be building by building by building. They would not

wait for a building to get full before starting another one. He reminded that it would only be 120 units. Mr. Gaber asked if there would be no objection to stating in the PUD Agreement that it was a single-phase that would be done as one consistent development at one time and to put up a completion guarantee. Mr. Stuhlreyer said that would be up to the developer, but the goal was as he had explained. Mr. Gaber realized that was the objective, but unless it was written into the PUD Agreement with a performance guarantee to ensure that, all they would have would be a statement on the record. Mr. Stuhlreyer agreed that it would be in the Agreement.

Mr. Gaber wanted to make sure that the two pocket parks were not too dense with trees and shrubs. He said that it looked like they were putting quite a bit into very small areas, but the occupants would need the ability to enjoy the area and not just look at it.

Ms. Morita said that she assumed that Mr. Staran would review the PUD Agreement before it was signed, but she asked who would draft it. Ms. Roediger said that it would be the applicant. Ms. Morita asked if there was an escrow for Mr. Staran's legal fees. Ms. Roediger advised that there was an escrow for all reviews. She would confirm how Mr. Staran billed for his time. Ms. Morita asked if there was a limit as to how much the applicant was charged for legal reviews. Ms. Roediger agreed that it was a pass-through. Ms. Morita said that she did not appreciate the letter, either. There had been some blatant mistruths that she found extremely troubling, and if the City was entering into an agreement with the applicant that was highly problematic. There had been a lot of issues with the plans that came forward, including the zero setbacks, the lack of trees, drainage and the plethora of other issues to be addressed meeting after meeting. The Commissioners tried to work with the applicants. If there was an issue, they brought it up and expected it to be handled. She agreed with Mr. Gaber that the plan was better than what they had seen in the past, and she liked it better, but they did a lot of damage with the letter. Her concern was that the City would enter into an agreement with someone who, despite the minutes, which were public record, would try to submit something into the record that was not accurate. She said that she would appreciate an apology letter. She thought that it would be nice to have it as part of the file to explain that they had an opportunity to review the minutes, and that maybe some of things that were said in the letter were not quite accurate. The fact that the applicants indicated at a prior meeting that the site was no longer in need of clean up, and it was not contaminated anymore when she questioned them, and that the client did not do the cleanup - it had been cleaned to nonresidential standards before the purchase - would go a long way towards mending the situation if stated. She said that it would be helpful if the applicants looked at the minutes. Mr. Stuhlreyer had said that it was his signature on the letter. Ms. Morita felt that he should read the minutes and not leave it up to his staff, and that he should write the letter himself. That said, she appreciated the changes that had been made with the carports versus the garages, because it made it look less like a building behind a wall. She liked the trees bordering the carports, which she felt was more inviting. The things they were looking for the PUD Agreement such as the allowance for a two-foot setback instead of a ten-foot required setback with the changes with the trees and carports as opposed to the garages, were much more acceptable. The colors were better, and she appreciated the variation.

Going back to the original design scheme from April 17, 2018, there were no garages behind the building. In June, there were carports. They were missing that in between when the garages came in. She felt that it was important to note that the plan had gone through several changes. She was not convinced that the pocket parks would provide any public benefit at all. She did not think that they would be used by the public. She liked the fact that they were extending the trailway as a public benefit. She said that she would like to see a letter clarifying the misunderstandings which would help her a lot. She would like it to become part of the file.

Mr. Dettloff said that Mr. Stuhlreyer indicated that he met with the Pine Ridge owners and received a letter from them in support. He asked if Mr. Stuhlreyer would share some of the discussion or their initial concerns and the remedies that were proposed.

Mr. Stuhlreyer said that the owner and the property managers came to his office two versions ago with the garages. They were shown all the different elevations and different photo inserts of the back wall which would be brick and 17 feet tall. The neighbors would be getting 70 trees if they wanted. They said that they liked the brick wall and the security. They did not want the future residents to drive through their development, so a "Residents Only" sign would be at the cross access easement entry point into Pine Ridge. The Pine Ridge people had some problems with their retention pond, and they did not want that made worse. The applicants added underground detention, they pulled the outlet back, and it would be dumped back in the same course and volume that had existed. They would not be adding load to the neighbor's pond. Pine Ridge did not want their trash bins used for construction debris. They were very nice, welcoming people. They were excited about having a little commercial nearby.

Mr. Dettloff asked about the split rail fence, and Mr. Stuhlreyer said that it was a detail for the southeast corner of the parking lot where there was an elevation change. It would give a rural landscape feel. Mr. Dettloff said that he thought that some of the changes made were good, but he considered that the letter could come back to bite. He agreed with Ms. Morita that addressing it in a timely fashion would be good so things did not linger, and there was a sense of trust going forward.

Mr. Hooper said that from the last meeting, the items left that did not technically comply were the front yard setback, which was greater than the ordinance requirement; the minimum façade transparency, where the two buildings could be averaged and the intent would be met; building materials, which he thought were fine as presented; a spot on the photometric that was not compliant for which the fixture would be adjusted; the minimum parking setback of two feet proposed when ten was required, which he did not have an issue with since it would be surrounded by vegetation; and a waiver for eight trees. He thought they said they would be able to plant all the trees and not need a waiver.

Mr. Latozas said that they were short eight trees in the right-of-way of Auburn Rd. There was not enough room due to the building having to be so close to the road, the utilities and the drive around the west building. They were providing eight, but they were on the northern property line in between the proposed

project and Pine Ridge.

Mr. Hooper said that on the whole, he felt that they had met the intent of the standards for using a PUD. He supported the project's most current iteration. He thought that it would be a good benefit for the community. There was an obsolete corner that would be put back into appropriate use. He felt that they should move forward, and he intended to support. He indicated that he would not belabor the letter. He had seen it before in his line of business. He did present that "you don't poke someone in the eye when you're shaking their hand."

Mr. Kaltsounis proposed additional conditions regarding single phasing for the PUD Agreement and about providing a letter that apologized and corrected all the inaccuracies listed in the June 20, 2019 letter to staff. The applicants accepted the conditions. Mr. Kaltsounis recommended doing a short and sweet letter that did not get into much detail. Hearing no further discussion, he moved the motion below (with the two additional conditions).

Mr. Gaber realized that he was the newest member, and he was trying to get up to speed with the project. He felt that it had come a long way from what he had originally seen. He felt that the public benefit had been demonstrated to justify the use of the PUD option, and that it made sense to have the proposed, high quality development at that intersection to improve and enhance the corner. He thought that the project was warranted for the location. He appreciated the changes and upgrades that had been made and that the applicants had worked with the Planning Commission to address the concerns to move the project forward. He restated condition eight for clarification (see below). Mr. Kaltsounis asked if a financial guarantee would be made.

Mr. Davis said that it had not happened much since he had been with the City, but he recalled an instance when the Village of RH was redeveloping, and there was a big incentive for that to happen, because there was a \$2 million forfeiture bond. That bond guaranteed that the property was redeveloped as it was currently. As far as getting a bond to ensure the improvements were in place, he remembered that Arcadia Park Subdivision had something like that. The infrastructure went in before the developer went belly up, and ultimately that subdivision was redeveloped. The second owners were handicapped by some of the utilities that were already in place, so he cautioned that they would not want to install something for a future developer that might want to do something different and perhaps not want water or sewer lines in a certain location. He felt that it would be better to have more of a forfeiture cash bond put up to the City's benefit. It would take a lot for the City to try to pursue a performance bond to make sure improvements were done.

Chairperson Brnabic reminded that they were reviewing the Preliminary PUD, so the issue of timeframes and other items would be addressed when there was a PUD Agreement at Final. Mr. Gaber said that was fine; he could not recall if the PUD Agreement went straight to City Council or if it came before the Planning Commission. Chairperson Brnabic advised that it went before Planning Commission first.

Mr. Gaber thought that having a second condition about the letter was a little heavy handed. He felt that in the spirit of cooperation and good faith that instead of obligating the applicants to do that, he would expect that. The project would come back at Final, and he would expect to see something then. He did not think that it needed to be a condition.

Ms. Morita said that she agreed. She did not think that it needed to be a condition. Mr. Stuhldreier came before the Planning Commission regularly on different projects, and she was sure that he wanted to maintain a good working relationship with the City. She was sure that he would do what he needed to keep that relationship. She was certain that Mr. Staran would be put on notice so that when he was reviewing the PUD Agreement, there would be no issues. There had been several Commissioners expressing displeasure, including one who also sat on Council, so hopefully, the right thing would be done. She asked Mr. Kaltsounis if he would amend his motion to remove that condition unless the rest of the Commission felt that it should be there.

Mr. Hooper agreed that in his perspective, it was not needed. Chairperson Brnabic also agreed that it did not have to be a condition. She felt that it was pretty plain what the applicants needed to do. Mr. Kaltsounis said that hearing the will of his fellow colleagues, he would remove the condition about the letter. Mr. Dettloff agreed, because, he joked, he had never been one to disagree with two attorneys. Chairperson Brnabic asked about the other condition (eight). Ms. Morita said that she felt that it should remain. The applicant could at least clarify that the phases would not be how they were normally thought of but that the development would be constructed at the same time. Mr. Kaltsounis agreed that Council needed to know that at the concept level. Ms. Morita said that the idea was not to have one building done one year and another done another year - it should be a continuous build.

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

Aye 6 - Dettloff, Hooper, Kaltsounis, Morita, Schroeder and Gaber

Nay 1 - Brnabic

Excused 2 - Reece and Schultz

MOTION by Kaltsounis, seconded by Dettloff, in the matter of 18-016 (Rochester Hills Trio PUD), the Planning Commission **recommends** that **City Council approves** the PUD Concept plans dated received May 2, 2019, with the following seven (7) findings and subject to the following eight (8) conditions.

Findings

1. The proposed PUD Concept Plan meets the criteria for use of the PUD option.
2. The proposed PUD Concept Plan meets the submittal requirements for a PUD concept plan.
3. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.

4. *The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*
5. *The proposed development is consistent with the Master Land Use Plan to provide an alternate housing option and flexible uses.*
6. *The front yard arterial setback for Livernois, minimum façade transparency, building materials and parking setbacks are modified as part of the PUD to allow flexibility and higher quality development.*
7. *The minimum number of deciduous trees required along Auburn Road as part of front yard plantings in an FB District is modified from 16 required to 8 due to lack of planting space.*

Conditions

1. *Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.*
2. *The site plans, including but not limited to landscaping, engineering, tree removal and setback modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.*
3. *The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.*
4. *Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.*
5. *Obtain a Tree Removal Permit at Final PUD Review.*
6. *Provide landscape and irrigation bond in the amount of \$107,009.00, plus inspection fees, as adjusted as necessary, prior to issuance of a Land Improvement Permit.*
7. *Address comments from applicable City Staff memos, prior to Final PUD submittal.*
8. *Developer shall provide in the PUD Agreement that the development will be constructed simultaneously (not phased) and a completion date.*

Voice Vote:

Ayes: *Dettloff, Gaber, Hooper, Kaltsounis, Morita, Schroeder*

Nays: *Brnabic*

Absent: *Reece, Schultz*

MOTION CARRIED

Chairperson Brnabic stated for the record that the motion had passed six to one. She congratulated the applicants on moving forward. There was a break from 8:48 p.m. to 9:00 p.m.

NEW BUSINESS

2019-0286

Public Hearing and request for a Permit to have a Private Horse Stable - City File No. 19-024 - Trimble Private Stable, proposed for up to three horses on four

acres located at 1381 N. Livernois, on the west side of Livernois between Tienken and Dutton Roads, zoned RE Residential Estate, Parcel No. 15-04-427-019, Aubrey Trimble, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated July 12, 2019 and application documents had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Eric Trimble representing Aubrey Trimble at 1381 N. Livernois, Rochester Hills, MI 48306.

Ms. Roediger outlined that the request was to have horses on property that had historically been used to house horses. The applicant would like to have three horses on four acres. She advised that private stables were permitted uses in residential districts subject to conditions. The proposed site met all of the requirements, with the exception of the condition requiring a 100-foot separation from the property line for any building where horses would reside. She said that there was an existing barn that did not meet the criteria, but the Planning Commission had the ability to waive that condition, providing that the use was still generally in compliance with the surrounding neighborhood. The properties within 300 feet were noticed, and staff had not received any opposition to the request. She did get a chance to speak to a gentleman in the audience who was the neighbor immediately to the north. He indicated that he was supportive of the project, and he had spoken to other property owners in the area who agreed that they would love to see horses on the property. She said that she would be happy to answer any questions.

Chairperson Brnabic asked Mr. Trimble if he had anything to add. Mr. Trimble agreed that there were four acres, and he believed that three horses were permissible. It was Ms. Trimble's intent to bring two horses this year, and it would be for personal use only. She currently boarded a horse in Metamora. She and her husband just bought the house, and they expected to do upgrades to the fencing and the house.

Chairperson Brnabic recommended that finding five, "There will be no storage of manure, odor producing or dust producing substances or any activity producing odor dust within 100 feet of any property line" be a condition rather than a finding.

Mr. Gaber asked where the composting area would be located. He said that it had not been notated. He asked where the fence for the pasture was. Mr. Trimble said that the barn was just about in the center, and the intent was to put it toward the rear of the property, not near the property lines. Ms. Trimble planned on composting the manure in the back area

away from existing property lines and not in huge piles. He said that there was a lot of space in the back for that. Mr. Gaber asked if there was a map to show where other homes in the area were located to see how close they might be to the composting area. He wanted to ensure that the activity would not happen too close to the homes. Mr. Gaber asked about the fence. Mr. Trimble said that there was a fence around the barn - less than an acre area. There was an old fence in the back along the rear property line. There was a path around the property for walking, tractors and for the horses.

Mr. Kaltsounis asked if any trees would be removed, noting that there appeared to be a lot of trees on the property. Mr. Trimble agreed, but he did not know the rules for that, and he did not know the owners' intentions. Mr. Kaltsounis asked if the property was pre-platted, and Ms. Roediger said that it would be exempt from the Ordinance.

Ms. Morita observed that the property appeared to be land locked. Ms. Roediger said that it was split a long time ago. Ms. Morita asked if there was an easement through the property to the east on Livernois. Mr. Davis agreed that there had to be. He pointed out that the physical Livernois road was not even in the right-of-way of Livernois. The area had a lot of unique characteristics since it was so old. Ms. Morita asked how far the barn was from the house to the south. Mr. Trimble said that it was just over 100 feet. Ms. Morita asked where the compost pile would be, and Mr. Trimble said that it would be about 250 feet to the west of that. Ms. Morita asked if they would haul the manure out of the barn 250 feet, which was confirmed.

Mr. Trimble brought up the access, and said that there was a long driveway, which was shared until the first house, and it continued to the subject house. The house immediately to the east on Livernois was the closest neighbor. Ms. Roediger related that the lot split would not be allowed today.

Mr. Schroeder asked if there were any other animals intended for the property, such as chickens or goats. Mr. Trimble said that they had a dog. The lady who sold them the house had multiple kinds of animals, but he did not believe that was their intent. Ms. Roediger said that they would be allowed to have chickens because of the size of the site, but there would be a limit to the animals.

Chairperson Brnabic opened the Public Hearing at 9:15 p.m. Seeing no one come forward, she closed the Public Hearing.

Mr. Kaltsounis said that it was the first time that he had seen a request for a private stable. Hearing no further discussion, he moved the following.

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-024 (Trimble Private Horse Stable), the Planning Commission **approves a Permit** for Aubrey Trimble for a private horse stable at 1381 N. Livernois based on the application dated received by the Planning Department on May 22, 2019, with the following five (5) findings and subject to the following one (1) condition.

Findings

- 1. Prior to granting the permit, a Public Hearing was held on July 16, 2019, and neighbors within 300 feet were notified by mail 15 days in advance of the Public Hearing.*
- 2. The proposed stable will have up to three horses on four acres.*
- 3. The stable will be located in the rear yard, and the horses will be confined to a fenced pasture.*
- 4. The Planning Commission has waived the finding that the barn must be no less than 100 feet from the perimeter of the site, finding that the location of the building is not likely to create a sanitary or noise problem for adjacent residents.*
- 5. There has been compliance with the conditions of Subsection 138-4.437, and the activity of a private stable will not be a nuisance to residents in the area, is compatible with adjacent land uses and is consistent with the public health, safety and welfare of the City.*

Conditions

- 1. Any storage of manure, odor-producing or dust-producing substances or any activity producing odor or dust must be centered north/south on the property and at least 200 feet from any neighboring homes.*

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Approved . The motion PASSED by an unanimous vote.

Chairperson Brnabic stated for the record that the motion passed unanimously, and she congratulated Mr. Trimble on getting a permit.

2019-0293

Public Hearing and Request for Conditional Use Recommendation - City File No. 19-015 - to construct a drive-through associated with Level One Bank, a proposed 2,587 s.f. bank proposed for a portion of the former Outback Steakhouse at the northwest corner of Rochester and Hamlin, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-451-031, Level One Bank, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated July 12, 2019 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Tim McKay, Level One Bank, 32991 Hamilton Court, Farmington Hills, MI 48334 and Mark Alfonsi, ABD Architects, 2601 Wendover Rd., Bloomfield Hills, MI 48302.

Ms. Roediger outlined that the project was a creative reuse of the former Outback restaurant. She noted that a drive-through was proposed, which was a conditional use the zoning districts they were allowed. The site was zoned B-3 and FB-3, and it was being developed under the B-3 standards. Staff had all recommended approval with some minor comments. She said that she would be happy to answer any outstanding questions.

Mr. McKay stated that Level One was a community bank headquartered in Oakland County. They would be bringing six to eight permanent jobs and two to three part time.

Chairperson Brnabic opened the Public Hearing at 9:22 p.m. Seeing no one come forward, she closed the Public Hearing.

Mr. Kaltsounis noted the renderings in the packet where the colors appeared to fade to black. He asked for an explanation of the renderings and about the railing on the roof. Mr. Alfonsi said that it was an existing railing. Mr. Kaltsounis asked what the building would look like, as it was hard to see. Mr. Alfonsi stated that it should not be so dark. He said that the top would have a painted aluminum panel with a reveal. At the center below the logo, there would be a limestone based, thin block. The storefront would be bronze, anodized aluminum which would frame the glass. He claimed that it would be a very light palette.

Mr. Gaber asked about the block and what it would look like. He said that it looked like there was quite a bit around the windows. Mr. Alfonsi said that it would be the limestone block. Mr. Gaber asked if it would all be the same color, which Mr. Alfonsi confirmed.

Chairperson Brnabic asked if there would be only one drive-through window, which was confirmed. Mr. Alfonsi said that it would be a digital screen (camera system). Chairperson Brnabic asked if there would be four stacking spaces, and Mr. Alfonsi said that there were five proposed. Chairperson Brnabic asked the projected timetable. Mr. McKay said that they would like to open by late October. Chairperson Brnabic asked which month they would like to start, and Mr. McKay said that if they were approved, in August. Chairperson Brnabic realized that the Environmental Impact Statement had been filled out at an earlier date, but she asked if Part 3c. could be corrected. It said that construction was scheduled to start in early June of 2019 and completed by the end of August 2019. She asked if that could be corrected before the matter went to City Council.

Ms. Morita asked if someone drove up to the drive-through, if they would drive

on the left side of the road. Mr. McKay said that it would be the driver's side. Ms. Morita asked if traffic would be coming south on the left side. Mr. Alfonsi said that the intent was that it would be one-way. It was two-way currently. They liked the idea of being able to bypass off to the side and loop around. Ms. Morita asked how they would keep people from going the wrong way. Mr. Alfonsi said that they would use signage and indications on the asphalt. Mr. McKay said that people would enter the parking lot from the southern part of the building. Ms. Morita considered that someone could come from the south. Mr. Alfonsi said that if someone was coming from the east, west or south, it would funnel to the drive-through. At the end of the drive, people would turn right and loop back out easily, or they could go to the left behind the building. Ms. Morita said that there would be other traffic that could be driving on the north property line. Mr. Alfonsi said that there was kind of an alley behind. Ms. Morita meant that there could be trucks making deliveries, for example. People would drive in the drive-through and be in the left lane, and there could be truck traffic coming from the west. Mr. McKay agreed that was conceivable. Mr. Alfonsi suggested that they could have turn right only signage. Ms. Roediger noted that at the corner, it could be seen through, so there was a visibility triangle. Ms. Morita acknowledged that, but if there was a delivery at the back of the building at 7 or 8 in the morning and the truck was not expecting a car to come through, she would worry about a driver side impact.

Mr. Davis said that it was a good point. He thought that a turn right only sign with some pavement legends to indicate a right arrow would be warranted to not have someone make a left turn into the alley behind the building. He did not feel there was any need for anyone to go that way. Ms. Morita asked about signage in the alley to alert truck drivers. Mr. Davis did not think that a stop sign was necessary, but he thought signage was warranted to make it more clear.

Mr. Dettloff asked if the length of the lease was five years with renewables, to which Mr. McKay agreed. Mr. Dettloff asked who the landlord was, and Mr. McKay advised that it was the Jonnas.

Mr. Kaltsounis asked the applicants if they would agree to add signage as discussed, which they did. Hearing no further comments, he moved the following:

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 19-015 (Level One Bank), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow a drive-through at a proposed bank on site at 1880 S. Rochester Rd., based on plans dated received by the Planning Department on May 21, 2019, with the following six (6) findings.

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.

3. *The proposal will have a positive impact on the community as a whole and the surrounding area by further offering jobs and another financial institution.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.*
5. *The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Recommended for Approval to the City Council Regular Meeting

2019-0288

Request for Site Plan Approval - City File No. 19-015 - Level One Bank, a proposed 2,587 s.f. bank proposed for a portion of the former Outback Steakhouse at the northwest corner of Rochester and Hamlin, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-451-031, Level One Bank, Applicant

MOTION by Kaltsounis, seconded by Dettloff, in the matter of City File No. 19-015 (Level One Bank), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on May 21 2019, with the following five (5) findings and subject to the following four (4) conditions.

Findings

1. *The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.*
2. *The proposed project will be accessed from Hamlin and Rochester Rds., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.*
3. *Off-street parking areas have been designed to avoid common traffic problems and promote customer safety.*
4. *The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
5. *The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

Conditions

1. *Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.*
2. *Provide a landscape cost estimate for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$5,875.00, and posting of bond prior to temporary grade certification being issued by Engineering.*
3. *Signage plan be submitted to staff to address one-way traffic down the*

drive-thru, left turn issues with the drive-thru and warning signs for traffic in the back of the building, prior to final approval by staff.

4. *Update Environmental Impact Statement prior to the City Council meeting.*

Approved

Chairperson Brnabic stated for the record that the motions had passed unanimously, and she congratulated the applicants.

Mr. Gaber recused himself from the next item because he had a conflict of interest. He said that he did not personally represent the owners of the property, but one of his partners in the negotiation of the purchase agreement did.

2019-0289

Public Hearing and Request for Conditional Use Recommendation - City File No. 19-018 - to construct a drive-through associated with Genisys Credit Union, a proposed 3,528 s.f. new building proposed at the southeast corner of Rochester and Eddington Blvd., zoned R-4 One Family Residential with an FB-2 Flexible Business Overlay, Parcel No. 15-23-300-041, Genisys Credit Union, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated July 12, 2019 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Thomas Alter, Genisys Credit Union, 2100 Executive Hills Blvd. Dr., Auburn Hills, MI 48326, Jim Butler, PEA, Inc., 2430 Rochester Ct., Troy, MI 48083, John Debruyne, SDA Architects, 42490 Garfield Rd., Clinton Township, MI 48038.

Ms. Roediger said that similar to the previous approval, a conditional use approval was requested for a banking facility. Unlike the previous request, the site would be developed under the FB-2 district, which had some additional requirements in terms of building façade, open space, public amenities and other things. She noted that the property was located on the southeast corner of the newly realigned Eddington Blvd. As part of the design for that road, the eastern portion of the property would continue the road and the streetscape started by the City. She advised that a couple of waivers were being requested for the FB requirements, including for transparency, building materials and parking spaces (the applicant was requesting more than the Ordinance allowed, but the applicant stated that they were needed based on their employees and membership). A Tree Removal Permit was required to remove and replace 20 trees, which would be replaced on site. The sidewalk on the eastern side would be continued along the property line, and landscaping would be added. Evergreen trees would be added on the City's property where the berm was to replace any gaps in the buffering. On the west side of the new Eddington Blvd., the applicant would be adding some parallel spaces and as part of their public amenity space, they would add a sitting area and a meandering path along the rear of the site. She noted that a slight Natural Features Modification was being

requested because of the drainage, and that staff had recommended approval with some minor comments.

Mr. Alter stated that they were excited about the project, noting that Genisys had been part of Rochester Hills for over two decades. They served about 6,800 members in Rochester Hills who had \$78 million in deposits and \$59 million in home and consumer loans. They had been involved with the community for a number of years, and he hoped that people had seen their sponsorship at many community events. He indicated that one of the reasons they really liked the plan was that they felt it was a good use of the property. The plan was very conducive to the area around it, and he felt that it should be a minimum distraction for the residences in the area.

Mr. Butler said that Ms. Roediger did a good job of explaining the project. He related that there were some challenges and grade issues. There would be a temporary disruption to the natural features setback of about 300 lineal feet to install the landscaping and build a retaining wall because of the grade differential. They were asking for some waivers. One related to the front to build along Rochester Rd. The City's requirement was 40%, and they were proposing 36%. Along Eddington, the Ordinance required 90%, and they were providing 13.7%. In the FB district, nine parking spaces were required, and they were asking for 31. Based on conversations, Genisys felt that they needed that amount of parking to support their members and their employees. As Ms. Roediger had mentioned, they worked with staff regarding screening. The building was set approximately 304 feet from the east property line. There was another 30-foot buffer (berm), which was four to five feet high which they would supplement. There had been some discussion about adding a building to the east side of the property, but when they started to look at everything, there was not much area left. Genisys was committed to making some sort of an amenity, and that was why the pathway was added. There would be connectivity from Rochester to Eddington. He felt that it would be a nice feature for potential residents and the bank employees.

Mr. Debruyne advised that the building would be a 3,500 s.f., single-story credit union. The building materials would be primarily face brick with aluminum composite material for the upper roof areas with clear, anodized aluminum frames. There would be a three-lane, connected drive-through of face brick and aluminum composite material. They would be asking for waivers for building transparency. They complied with a majority of the building, but in the northeast corner, there were some interior functions that would not lend themselves well to glass, such as electrical rooms, cash rooms and various work rooms. They were also asking for a waiver to the front entry location, based on building function and security requirements. They needed one main entrance to the building, and they needed to also accommodate pedestrian traffic and parking in the rear. They decided to locate the entry at the south side of the building, which would be centrally located to both customer access points.

Chairperson Brnabic opened the Public Hearing at 9:49 p.m.

Lisa Winarski, 198 Bedlington, Rochester Hills, MI 48307. *Ms. Winarski mentioned that the project needed a land division. When the property was*

originally taken out of the PUD, it was stated that there were three parcels and that those parcels would not be cookie-cuttered, but she claimed that it was exactly what they had. The Planning Commission had agreed that the three parcels would not be sliced and diced. She stated that the drainage issue was the biggest concern for Eddington Farms. The sub would be the lowest, topography wise, with the new developments. That had created an enormous amount of detrimental impact on the residents that backed up to the wetlands. The backyards had flooded, and she stated that the City was well aware of it, including the Planning and Engineering Departments and City Council, and yet nothing had changed. There was now another plan that would dump into the wetlands. There had been numerous complaints, and nothing had changed, so it was like falling on deaf ears. She did not feel that the residents should have to bear burden of someone else's financial gain. When Eddington Blvd. was realigned, there were not supposed to be entrances off of the new Eddington Blvd. Now there was a new entrance from First State Bank, and there would be a new one from Genisys Credit Union. She said that Eddington Blvd. was a main entrance to a subdivision of over 300 homes. To the north of Eddington there were power lines and a major liquid line, and that was a major concern. It looked as if there were not two entrances to the new Genisys, and she thought that all commercial buildings required that. She was not sure why that was happening. Also, she was not sure what the applicants had provided as proof of why they needed more parking spaces. She asked what the parking was at their existing building and why the new building needed so much more. It appeared that any time she passed the current Genisys, there were only about seven or eight cars in the lot. In the Planning memo for the zoning and existing land usage, there was no mention of Eddington Farms to the east. She felt that needed to be corrected, because Eddington Farms was taking a hit regarding new development and drainage. She reiterated that her biggest concern was why things were not tied into existing systems instead dumping into the wetlands. She passed her phone around which showed pictures of the back of the properties on Bedlington since the restructuring of Eddington Blvd. She said that they had never had drainage issues before, but ever since the developments began, they have had nothing but drainage issues.

Tanmay Kulkarni, 1710 Farnborough Dr., Rochester Hills, MI 48307 Mr. Kulkarni was also concerned about drainage. He said that in previous meetings when the realignment was going to take place, there was a drainage issue. They were told by City Council that the drainage would be connected to City drainage and would not be left open. The runoff was being left in the yards in the open. There was a lot of puddling behind the First State Bank, so the grading was a problem. He was a runner, and he had to run through that water. His second concern was the lack of safety getting in and out of Eddington Blvd. because there were no sidewalks. He and his family ran into traffic and cars getting in and out of the newly realigned Eddington Blvd. With the addition of two banks, there was a big safety concern for walkers. He said that he would like to see sidewalks added on both sides, or at least one side, of Eddington Blvd. He maintained that his backyard was getting eroded because of all the water, and that his sump pump was running every ten minutes. He reiterated that safety was his biggest concern.

Ayyappa Kondapanent, 1662 Farnborough Dr., Rochester Hills, MI 48307

Mr. Kondapanent noted that his house was right behind the proposed bank. When he moved into his house, there had been privacy, but now there were two roads. He had two sons, seven and ten, who he used to let stay in the backyard. He asked what the plans were for privacy and who would maintain the berm behind his house. He noticed that trees would be planted on the berm, and he asked how soon that would be done. He asked if the road would end at the south property line of Genisys or if there was a plan to connect it to Rochester Rd. He did not see a driveway to their parking lot, and he wondered what the point of the road was and what the traffic would be.

Mr. Davis agreed that Ms. Winarski had a long standing drainage complaint that had been addressed by their department. Mr. Schneck (Director of DPS/Engineering) had been out there several times. The site drained to where it should and where it previously did. Accommodations had been taken into account for the proposed site's drainage. It was typical of any other development, and it was being offset by detention on site. It was being done in accordance with the City's standard requirements for detention and discharge. The pipe that went along the portion of private Eddington Blvd. going south was previously designed to handle it, and water would discharge to that area. They might have a continuing issue with Ms. Winarski, whether the site went in or not. They had heard the same issues for a couple of years, and they had tried to address it. He suggested that perhaps through future development the wetland area would be handled a little differently as the properties continued to develop, however, the subject property was being developed in accordance with what the City would accept for detention standards.

Chairperson Brnabic asked how the previous flooding problem was dealt with through Engineering. Mr. Davis said that portion of the drain was privately owned. It was not a County or City drain. Ms. Winarski had stated that it had worsened since the Eddington project went into construction, but the City did not know if that was necessarily true. They had looked at how the original plan was developed for her rear yard, and there was a wetland area that had been encroached upon. Whether it was a seasonal issue that had caused it or whether it was related to a change in degradation of the wetland and its ability to pass through the flow properly, they had not been able to agree. He knew she felt very strongly that it was because of the new developments, but as far as the correction, that was still ongoing, and the City had been trying to address it with her. He knew that Mr. Schneck had met with Ms. Winarski and traded correspondences with her a number of times about the issue.

Chairperson Brnabic said that there was also a question about the land division. She said that she would like some clarity about Ms. Winarski's statement that the parcels were never supposed to be split.

Ms. Roediger noted that the project predated her time at the City. At one point, there had been a PUD proposed for the property that never came to fruition. There might have been some conditions along with that PUD, but the PUD no longer applied. In terms of the site now, there was property, and the owner was in the process of selling off different pieces. As part of the realignment of Eddington, there was discussion about global access. There was not to be any access off of Rochester Rd., and that was the point of Eddington Blvd. It was to

allow for cohesive access from the rear of the properties. The long term plan for Eddington Blvd. was to connect from the Cedar Valley Apts. down to Bordine's to the south. The plan was not to connect around to Rochester Rd. It was to create a secondary access off of Rochester Rd. for the properties and the neighborhood to avoid Rochester Rd.

Regarding the sidewalk concerns, Ms. Roediger advised that when they realigned Eddington, they continued the existing sidewalk from the previous Eddington. As part of the subject site plan and the plan to the north, the applicants were to install the sidewalks on both the north and south side of the new Eddington. The proposed project would create a nice walking loop in the area, and it should definitely enhance the sidewalk connectivity in the area.

Chairperson Brnabic mentioned the concern about additional parking spaces. Mr. Alter said that at the existing location had 33 parking spaces, and they were asking for 31. The employees would take six to ten parking spaces at any time. There were some employees, for example, mortgage officers and investment counselors, who were not always at the branch but who came and met with members. They looked at peak activity, and from a recent month, they saw that the branch averaged 62 transactions per hour. About 30-40% of those transactions were conducted through the drive-through. That left 40 lobby transactions, which generally took a little longer. He said that it was feasible to have 20-25 during peak times.

Chairperson Brnabic noted the question about entrances. Ms. Roediger stated that there was no requirement for two entrances for a property of the proposed size. The site met the ordinance requirements from Building, Fire, Engineering and Planning. She reiterated that the restriction for driveways was for Rochester, and it was always envisioned to have driveways off of the new Eddingtons.

Chairperson Brnabic closed the Public Hearing at 10:07 p.m.

Mr. Schroeder noted that the plans showed that the future Eddington Blvd. would be graded, not paved, and he asked if that was correct. Mr. Butler advised that the north/south section would be paved to their south property line. Mr. Alter added that it was a requirement to connect that to any future development to the south. Mr. Schroeder asked why there were parking spaces. Ms. Roediger said that was also the City's requirement. Mr. Schroeder thought they would want to keep parking spaces off of Eddington. Ms. Roediger advised that on-street parking was required as part of the FB Overlay. Mr. Schroeder asked if the sidewalk would be in the median on the east side. Ms. Roediger said that as part of the realignment, the City received a long, narrow piece of property that acted as a buffer and open space between the subject property and the neighborhood. There would be landscaping and a continuation of the sidewalk that the City started just north of it. It was not a median; it was a landscape buffer. Mr. Schroeder asked if the sidewalk would go into the property. Ms. Roediger agreed, and she pointed out the location of the sidewalk and landscaping.

Mr. Kaltsounis said that he had considered the drainage. He had noticed that

Eddington Blvd. was a non-impervious surface that slanted toward the south, but he did not see any catch basins. He asked the plan to drain water on the road.

Mr. Butler advised that there would be two catch basins at the far south end just off their site. That was on C4.0, the Utility Plan. Mr. Kaltsounis did not see catch basins. Mr. Butler said that there were two structures, and there was a note regarding a temporary easement that was required. Mr. Davis added that the structures were south of the subject property. Mr. Kaltsounis wondered if they would be enough for that surface. Mr. Davis reminded that the storm calculations would be reviewed during construction plan review. He assumed that the applicant's engineering had calculated and determined that just two structures were needed for that section of roadway. He pointed out that when Eddington was realigned across from Drexelgate, there was a public portion of Eddington that went east from Drexelgate then north then east again to line up with Eddington Farms' Eddington Rd. The other north/south extensions would be private roads that would connect to the public road. There was an offset road section and then private roads going north or south from that. They would have to figure out if it should be called Eddington Blvd. He said that they could have Eddington Blvd. east and west and north and south for a stretch or they could do something different with the private road sections. The plans showed that the proposed road for the project was a 76-foot private easement. The private road extensions were taken into account for the drainage calculations for the storm sewer that went south of the subject property and east into the wetland. Mr. Kaltsounis had just wondered if there would be enough catch basins. Mr. Davis said that if there were not, they would have to build more, and it would be part of the process. Mr. Kaltsounis said that the sanitary sewer was average for five people, but there would be more than five people there. He thought that might have to be looked at also. Mr. Butler said that it was the equivalent flow in REUs. That was how they calculated the flow of sanitary sewer. He agreed that the Engineering Dept. would certainly look at it. Mr. Davis was sure that what had been presented was fine. Mr. Kaltsounis said that he would appreciate it if he did look into because of the questions from the residents. He wanted to make sure that there was not a flooding situation at the end of the road that compounded the situation.

Mr. Davis said that the drainage issue discussed by the residents was for east of the proposed development. On Sheet C4.0, it showed the storm system. There was a wetland going diagonally from the northwest to the southeast, and that was the drain. It would end up heading east. The drainage problem that had been discussed was much further east of the development.

Hearing no further discussion, Mr. Kaltsounis moved the following:

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-018 (Genisys Credit Union), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow a drive-through at a proposed credit union on site at the southeast corner of Rochester and Eddington Blvd., based on plans dated received by the Planning Department on July 9, 2019, with the following six (6) findings.

Findings

- 1. The use will promote the intent and purpose of the Zoning Ordinance.***

2. *The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.*
3. *The proposal will have a positive impact on the community as a whole and the surrounding area by further offering jobs and another financial institution.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.*
5. *The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

A motion was made by Kaltsounis, seconded by Hooper, 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, Kaltsounis, Morita and Schroeder

Abstain 1 - Gaber

Excused 2 - Reece and Schultz

2019-0291

Request for Tree Removal Permit - City File No. 19-018 - for the removal and replacement of as many as 20 trees for Genisys Credit Union, a proposed 3,528 s.f. new building proposed at the southeast corner of Rochester and Eddington Blvd., zoned R-4 One Family Residential with an FB-2 Flexible Business Overlay, Parcel No. 15-23-300-041, Genisys Credit Union, Applicant

MOTION *by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-018 (Genisys Credit Union), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning Department on July 9, 2019, 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 remove 20 regulated trees and replace on site.*

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 at a rate of \$216.75 per tree.*

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

Aye 6 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita and Schroeder

Abstain 1 - Gaber

Excused 2 - Reece and Schultz

2019-0292

Request for Natural Features Setback Modification - City File No. 19-018 - for temporary impacts to 300 linear feet of natural features setback for grading for Genisys Credit Union, a proposed 3,528 s.f. new building proposed at the southeast corner of Rochester and Eddington Blvd., zoned R-4 One Family Residential with an FB-2 Flexible Business Overlay, Parcel No. 15-23-300-041, Genisys Credit Union, Applicant..Body

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-018 (Genisys Credit Union), the Planning Commission **grants a temporary natural features setback modification** for 300 linear feet for impacts from grading in the southern portion of the site and near the southwest corner of the site, based on plans dated received by the Planning and Economic Development Department on July 9, 2019 with the following two (2) findings and subject to the following three (3) conditions:

Findings

1. *The temporary impact to the Natural Features Setback area is necessary for grading portions of the site.*
2. *The proposed construction activity qualifies for an exception to the Natural Features Setback per the ASTI Environmental letter dated May 30, 2019*

Conditions

1. *Work to be conducted using best management practices to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted.*
2. *Site must be graded with onsite soils and seeded with City approved seed mix.*
3. *Show natural features setback areas in linear feet, not square feet, prior to final approval by staff.*

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

Aye 6 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita and Schroeder

Abstain 1 - Gaber

Excused 2 - Reece and Schultz

2019-0290

Request for Site Plan Approval - City File No. 19-018 - Genisys Credit Union, a proposed 3,528 s.f. new building proposed at the southeast corner of Rochester and Eddington Blvd., zoned R-4 One Family Residential with an FB-2 Flexible Business Overlay, Parcel No. 15-23-300-041, Genisys Credit Union, Applicant
Mr. Kaltsounis said that there would obviously have to be some engineering

work done for the drainage, for which he knew staff was well aware. He indicated that he had been on the board for a long time, and the development had come up over and over again. It was interesting to see how it was settling in, and he was happy to see it, and he thanked staff for their hard work. He never did imagine that there would be so many banks in one area. He was not sure if it was becoming "financial row" but with all of the homes, restaurants and shops that had been proposed for the property, it was interesting to see how things had turned out. He felt that it would be lower activity than planned.

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 19-018 (Genisys Credit Union), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on July 9, 2019, with the following seven (7) findings and subject to the following three (3) conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from Eddington Blvd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas have been designed to avoid common traffic problems and promote customer safety.
4. The minimum building frontage build-to area (Rochester Rd. and Eddington), minimum facade transparency and building materials have been modified upon determination by the Planning Commission that the proposed requirements meet the intent of the FB district.
5. The maximum number of parking spaces has been modified upon determination by the Planning Commission that evidence has been submitted by the applicant showing that additional parking is required due to the number of employees.
6. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
7. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
2. Provide a landscape cost estimate for landscaping and irrigation, plus inspection fees, as adjusted as necessary by staff in the amount of \$64,185.00, and posting of bond prior to temporary grade certification being issued by Engineering.
3. A land division must be obtained prior to the plans being stamped approved.

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

- Aye** 6 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita and Schroeder
- Abstain** 1 - Gaber
- Excused** 2 - Reece and Schultz

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants. Mr. Dettloff thanked the applicants for their investment.

ANY OTHER BUSINESS

There was no further business to come before the Planning Commission.

NEXT MEETING DATE

Chairperson Brnabic reminded the Commissioners that a Special Meeting was scheduled for July 31, 2019.

ADJOURNMENT

Hearing no further business to come before the Planning Commission, and upon motion by Mr. Kaltsounis, Chairperson Brnabic adjourned the Regular Meeting at 10:25 p.m.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Nicholas O. Kaltsounis, Secretary