

steps.

Mr. Anzek said that Mr. Burton said it very well in his presentation as to why they broke it into several phases. Initially, it was kind of fast tracked because the donor really wanted it done as quickly as possible. A more important point was that the plan was done with MDEQ in mind because they really needed their approvals and permits as quickly as possible. The City did not want to put in a lot of the "wow" portion yet, and it was a conscious decision. The Planning Commission would see the plan again as those things were polished and they had more time to work the MDEQ. If they did want to do something extreme, like build a big bird's nest that hung out over a pond, it would not have been permitted in this type of proposal. He assured that the Planning Commission would see future amplifications of the plan.

A motion was made by Schroeder, seconded by Hetrick that a Resolution of Support be approved.

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

2006-0226

Proposed single-family residential development - City File No. 03-009 - Rochester Enclaves, on 30 acres located on the east side of Rochester Road, north of Tienken (north of Cross Creek Sub), Parcel Nos. 15-02-177-001 and 15-02-102-023, TJ Realvest, LLC, applicant.

(Reference: Memo prepared by James Breuckman, dated June 13, 2013 and letter from Jerry Kisil of TJ Realvest, LLC dated June 7, 2013 had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Jerry Kisil and Tom Cooney TJ Realvest, LLC, 54153 Deer Ridge Ct., Rochester, MI 48307 and Ralph Nunez, Design Team Plus, 975 E. Maple Rd., Birmingham, MI 48009..

Mr. Kisil stated that the proposed development was tentatively named Rochester Enclaves, and it was located north of Tienken on the east side of Rochester Road. The property bounded the Cross Creek Subdivision to the south, and it was on approximately 30 acres on two parcels. He showed a concept of the layout of the development. They proposed 25 single-family units. Their intent was to develop a luxury home development, and the homes would start at 4,500 square feet. The tentative pricing would be \$700,000.00 and up. They hoped to have a gated community, which he knew would be subject to discussion. They intended to preserve approximately one-half of the property. Mr. Kisil showed some home elevations that they were currently building or had recently completed, and said that the proposed development would have similar styles.

Mr. Kisil noted that he and Mr. Cooney were both members of TJ Realvest, LLC, the proposed developers, and they were each owners and presidents of other companies. Mr. Kisil was President and General Counsel of JBK Construction Co., which was established in 1987. Mr. Cooney was President of Lakeview Contracting, which was established in 1956, and they joined forces in 1999 to form TJ Realvest. Mr. Kisil mentioned some of the projects that had completed. They were finishing up Deer Ridge in Rochester - 13 luxury homes priced up to \$900,000.00. Their most recent project in Rochester Hills was Hazelwood at Livernois and Auburn, which was done about nine years ago and had 35 units. They had a large project outside Lansing called Centennial Farms, which was a PUD with 177 lots, and they did a recent condominium project in Sterling Heights with 35 units. Mr. Kisil recalled that they had approached the Planning Commission about seven years ago, before the recent economic downturn, and presented a conceptual review for the same property for 35 condominium units, for which they gained support. The condos were two and three unit buildings. They had made substantial modifications for the current project, while still preserving the wetland areas and other areas. They reduced the total units from 35 to 25. He turned the discussion over to Mr. Nunez.

Mr. Nunez commented about the Riverbend Park concept and how it was an honor to work in the City with an excellent Staff. The City opened Riverbend Park last summer for 18 students to get a real world experience working on a project. The students camped out and had a blast, and they were still talking to him about the park. Mr. Nunez said that he planned to talk with Mr. Anzek about another team they had that would like to do something in the City again. He reiterated that there were some excellent people working for the City.

Mr. Nunez noted that he was a registered Landscape Architect and Urban Planner. He had been in practice for 30 years with Design Team. This past year, he changed the name to Design Team Plus, and he had an architect and an interior designer on board, and they had expanded their services. He was going on his 20th year teaching at Lawrence Tech., and he had done a number of successful, challenging projects in the City. The last one he worked on was Harvard Place.

Mr. Nunez commented that a lot of the easy sites were built. The subject site was not one of those. There were 30 acres with sloped areas, and about 10.4 acres of wetlands, and it was heavily vegetated. There was a good upland woodlot and a healthy mix of trees onsite. There were some

problems with ash trees and some dead elms in the lower region. They looked at the previous plans again, and they started talking with Staff. They wanted to make the new development an up north kind of development. Mr. Anzek had always challenged him on the goal for the site, and Mr. Nunez had to figure out how to make it work. There was an existing lane on the north side (Tree Top Lane) that went into two properties to the east. They created a boulevard entrance and worked the road the best as they could with the existing grades in order to try to minimize the impact. They had to balance the the City's goals and the development goals, including working with the Fire Department and the Engineering Department, so they had some work cut out. They tried to identify the length of the cul-de-sac. They wanted to minimize the impact to the existing neighbors to the north and the two to the northeast. They wanted to create a complete neighborhood in bringing the traffic in to the end. They were working with the Fire Department on the road widths. They had a 60-foot right-of-way and a driveway coming to the south for two units. Engineering would have to look closely at the wetland crossings and the wetland mitigations. They wanted to keep it within the one-third rule, so they did not have to take it to the Federal level. Stormwater detention would be at the low end of the site before it went into the wetlands.

Mr. Nunez noted that the pads would be 70 x 70 feet, with 30 feet between each of the units. They met the setbacks of 30 feet from the front and a minimum of 35 feet in the back. Any development along Rochester Road was pushed even further back to a minimum of 50 feet, so they could keep a lot of the existing vegetation and augment it with additional plantings. They would try to do something similar to what the City had done with its entrance road and the bike paths. The Fire Department wanted 26 feet of pavement because of the outriggers, and the developers would like a sidewalk. He understood that most fire trucks did not have a reverse, so they had to make sure the loop worked. They would have a meeting with the Fire Department to see if they could do an integral sidewalk curb and have the storm drain on one side. It would give a narrower looking width, and it would reduce the speed.

Mr. Nunez showed an aerial of the site, reiterating that it was heavily vegetated. They looked at Walnut Brook Estates, and one of the things he liked about that was the large vegetation at the end of the cul-de-sac. The site did not have requirements for woodland replacement, but the developer still placed large trees. He showed another subdivision road in Rochester Hills. It had a normal roadway width and sidewalks and not a lot of trees. They would like to keep the sidewalk more toward a narrow

road for their project and have more trees in front of the homes.

Mr. Hooper asked what the current zoning was. Mr. Nunez replied that it was RE, Residential Estate. Mr. Hooper asked why they could not develop it under RE rather than going the PUD route. Mr. Nunez said that it was because of the extensive wetlands, woodlands and also the slopes. The density they showed was .81 per acre. Mr. Hooper asked if they would not be able to put in 25 homes under RE. Mr. Nunez said that doing a more conventional subdivision would restrict what they could do. They especially wanted to do private roads. Mr. Hooper said that other than a revised street layout and size of the lots, he did not see another issue to use a PUD over conventional zoning. Mr. Nunez believed that the site lent itself to preserving as much of the vegetation as they could versus what could be done in an RE development.

Mr. Kisil responded that with RE single-family lots, it would allow individual homeowners to be able to remove all vegetation within a large footprint. In their case, they would condense the development to the uplands and outside the heavily treed areas and preserve as much of the vegetation and leave a larger buffer zone around the wetland areas. It would give the overall appearance of a large, open park atmosphere with the housing being in a tighter neighborhood layout.

Mr. Hooper said that Mr. Kisil mentioned having a gated community, and he asked Mr. Kisil if he was considering putting gates at the two entrances shown. Mr. Kisil said that they would just be at the boulevard entrance. Mr. Hooper thought that would defeat the purpose of having a gated community, noting that someone could come into Tree Top Lane and go right into the sub. Mr. Kisil explained that it would not necessarily be for security purposes, but for aesthetics.

Chairperson Boswell remembered traipsing the property about six or seven years ago, and at that time, he thought that a PUD was about the only avenue that would work. He realized that it was zoned RE now, but a lot of the land would not be able to be used.

Mr. Kaltsounis recalled that when he was a new Planning Commissioner, he heard a lot of complaints about the Hazelwood Condos when he had lived down the street from there. It was approved right before he got on the Commission, and then it was built, but he was aware of it. He had mentioned Hazelwood because of the density. His concern would be how close the proposed development would be to the surrounding environment. They might be able to make a case based upon the people

to the south. He was concerned about the sidewalks proposed and that they would be connected to the road, acknowledging that everything had not been worked out yet. He liked the idea of the development personally, but he was dead set against the sidewalks being connected to the road. He mentioned that in Walnut Brooks Estates, families that had purchased one of those homes had moved nine families in. He wondered where all the cars would go if that happened. Those were things he had to consider, because it was something people complained to him about. He was not always wild about PUDs, and he always tried to see if there were other creative options they could use, but if they had to use one, they had to. He would like to see the sidewalks separated by a couple of feet, because people would drive right next to the road and use every bit of it. He added that he liked the general direction of the project.

Mr. Kisil noted that they had presented the property to the Open Space Advisory Board about two years ago. The Board encouraged them to stay at the type of development they had originally proposed to move and condense the development to one portion of the property. They were excited about the fact that there would be a lot of open green spaces that would maintain. Regarding the attached sidewalks, Mr. Kisil said that he would leave those technicalities to Mr. Nunez and Planning. They could certainly do some enforcement and require onsite parking. They anticipated having four-car garages with driveways for an additional four to six cars. He felt that would have a bearing as to how much parking would be on the street.

Mr. Breuckman brought up the sidewalk issue, and said that Staff had some conversations about it. The whole goal was to try to keep the street as narrow as they could to keep traffic speeds down. They would like to have a 25 m.p.h. design speed, and in order to do that, they had to have a narrower street. Regarding the issue of separating the sidewalk, the sidewalk would have dual purpose. It would be identified as pedestrian space, but it would also serve the Fire Code requirements. The Fire Code required a 26-foot wide roadway. If they moved the sidewalks off the road, they would still have to have a 26-foot wide roadway and a five-foot sidewalk and then they would have to move the sidewalk back eight feet from the edge of the pavement to have room to plant trees. All of a sudden they would go from being able to move away from the wetlands and trees to pushing everything 20 feet further out in order to accommodate the sidewalks. 25 units would not generate high traffic counts, and he felt it might be worth considering attached sidewalks like the City had at its entrance drive, treating the side of the road differently to identify that it was not driver space but pedestrian space. He maintained

that they were going after efficiencies.

Mr. Kaltsounis stated that it was beneficial to have discussions before an applicant spent a lot of money and presented plans. Mr. Nunez said that he appreciated it, and they would look at different alternatives. They still had to bring the other players into the meeting. He acknowledged that it was a safety issue, and they understood the Fire Department's concerns. They had to come up with creative solutions that met everyone's goals. He noted that they were also proposing a safety path along Rochester Rd. and stop off areas for bikers or walkers. There was a piece of real estate that was upland and there was an area at the southern portion of the site that they could put in naturalized benches that were more rustic-looking.

Mr. Schroeder asked if it would be possible to put in a very low, mountable curb adjacent to the pavement and sidewalk. The curb would delineate and be easily mounted. Mr. Breuckman thought they could, but it would be a detail they would have to look into. Mr. Schroeder felt it would be a good solution, and he added that it was a very nice development.

Mr. Reece said that based on the layout, and the issue with the sidewalks, he rather liked where they were going with the plan. There would be a very limited number of houses, and if they looked at the main road going back to the end, there would only be 14 along that route. There would be bigger homes, wider driveways and bigger garages, and that would get the cars off the street. They would expect to have cars parked in garages or in the driveways in a sub of this type, not in the road. There would always be the case of someone having a graduation party or similar event, but that would not be the norm, and they had to plan better for the norm. He stated that the unusual circumstances should not dictate what they were doing. He said that he liked the layout, and although they had some work do to going forward, he felt that they were on the right path.

Mr. Kisil commented that between Mr. Anzek, Mr. Breuckman and Mr. Nunez, they really pushed the bounds of what he was normally accustomed to in development. They suggested that it be developed into something quite unique and something very special, with a winding road and up north feeling. They became excited about the opportunity, and he added that he would probably become a resident of the community. He did not think this type of development was found in most communities, especially in urban centers with the type of atmosphere it had. He thanked Staff for "pushing their envelopes."

Mr. Schroeder remarked that the curbing road they had designed was a traffic engineer's dream. It cut down on speeds and was a great advantage.

Chairperson Boswell felt that a majority of the Commissioners liked the plan and would like to see it come forward. Mr. Nunez said that they would be back shortly, and he thanked the Commissioners.

Discussed

ANY OTHER BUSINESS

Mr. Kaltsounis brought up that on April 10, 2013, an old house on Auburn between Crooks and Adams caught on fire and burned down. The house had since been torn down, but there were a rather large amount of contents from inside the house that did not burn down, and they were sitting on two bus-sized large piles on either side of the house. They looked like giant piles of clothes. The house was mainly gone - there was a back porch and entrance - but there was a lot of junk left, and he asked if Staff could look into it.

Mr. Reece said that on a similar vein, there was a house that had been under construction in Hillside Creek that had been waiting to be bricked for a year or so. It looked like the developer had walked away from it. It was the second house in, and it had been sitting for months with the bricks scattered across the site and sand and mortar everywhere. Mr. Breuckman said that he would look into that also.

Mr. Hetrick mentioned that the work had started on the Taco Bell on Walton.

NEXT MEETING DATE

Chairperson Boswell reminded the Commissioners that the next Regular Meeting was scheduled for July 16, 2013.

ADJOURNMENT

Hearing no further business to come before the Planning Commission, and upon motion by Kaltsounis, Chairperson Boswell adjourned the Regular Meeting at 8:43 p.m.