



Rochester Hills

Minutes

Planning Commission

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Chairperson William Boswell, Vice Chairperson Deborah Brnabic
Members: Gerard Dettloff, Greg Hooper, Nicholas O. Kaltsounis, Nathan Klomp, David A. Reece, C. Neall Schroeder, Emmet Yukon

Tuesday, December 2, 2008

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson William Boswell called the Regular Meeting to order at 7:30 p.m. in the Auditorium.

ROLL CALL

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

Quorum present.

Also present: Derek Delacourt, Deputy Director, Planning and Dev.
Maureen Gentry, Recording Secretary

APPROVAL OF MINUTES

2008-0598 November 18, 2008 Regular Meeting

A motion was made by Schroeder, seconded by Yukon, that this matter be Approved as Presented.

The motion CARRIED by the following vote:

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

COMMUNICATIONS

- A) Digital copy of the City of Troy Master Plan
- B) Planning & Zoning News dated October 2008

NEW BUSINESS

2006-0718 Request for Extension of Site Plan Approval until November 15, 2009 - City File No. 05-015 - Sikh Gurdwara Temple, a 21,500 square-foot place of worship and education center on 4.5 acres located at the southeast corner of Auburn and Norton Lawn, zoned R-3, One Family Residential, Parcel No. 15-34-226-036, Sikh Gurdwara, applicant.

(Reference: Memo prepared by Derek Delacourt, dated December 2, 2008 and Approved Site Plans received September 5, 2006 had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Raj Nijhon, Nijhon Associates - Architects, 1844 Rockledge Lane, Bloomfield Hills, MI 48304.

Mr. Nijhon offered to answer questions, if any.

Mr. Yukon noted that in the letter to the City requesting an Extension, the applicants stated that they would be reducing the size of the building, and he asked Mr. Nijhon to explain what that entailed.

Mr. Nijhon advised that he was an architect who had been retained to re-analyze the plans. They had to determine what they could afford to build. He did not think it was the most user-friendly building, and there were too many spires inside and out. His job was to simplify the building. They were not going to change the Site Plan, and they would basically follow the same footprint.

Mr. Kaltsounis asked if it would be simpler on the inside only, rather than the outside. Mr. Nijhon said it would be both. In his opinion, there were too many domes and other elaborate elements. They wanted to make it fit better into a residential neighborhood, and cost was a main factor. Hearing no further discussion, Mr. Kaltsounis moved the following motion:

MOTION *by Kaltsounis, seconded by Yukon, in the matter of City File No. 05-015, and as permitted by Section 138-141(i) of the Zoning Ordinance, the Planning Commission grants a one-year extension of Site Plan Approval, from November 15 2008 until November 15, 2009, for the construction of a Sikh Gurdwara Temple on Parcel No. 15-34-226-034, 4.5 acres at the southeast corner of Auburn and Norton Lawn, based on plans dated received by the Planning and Development Department on September 5, 2006.*

Condition:

- 1. All necessary changes needed to meet the new Engineering Standards must be shown on Construction Plans, prior to Issuance of a Land Improvement Permit.*

Chairperson Boswell asked if the project would have to come back before the Commission as a Revised Site Plan if the footprint stayed the same and there were just minor changes to the architecture. He believed it would have to come back if there were any great changes, but he questioned at what point there would be cause to come back before the Commission.

Mr. Delacourt responded that if the building and elevations were substantively the same, it could most likely be administratively approved. If there were significant changes, i.e., if the building looked different than what was approved, Staff would ask that the applicants come back for a Revised Site Plan or Revised Elevations Approval.

A motion was made by Kaltsounis, seconded by Yukon, that this matter be Granted.

The motion CARRIED by the following vote:

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

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

DISCUSSION

2008-0599

Proposed KeyBank branch for an outparcel on Sears' parking lot, near the southwest corner of Rochester and Avon Roads, KeyBank Real Estate Services, applicant.

(Reference: Memo prepared by Ed Anzek, dated December 2, 2008 and Concept Plans prepared by Vocon Architects, had been placed on file and by reference became part of the record thereof. Mr. Anzek was ill and unable to attend the meeting).

Present for the applicant was John Gaber, Williams, Williams, Rattner & Plunkett, 380 North Old Woodward Ave., Suite 300, Birmingham, MI 48009 and Scott D. Wallenhorst, architect, Vocon, 3142 Prospect Ave., Cleveland, OH 44115-2612.

Mr. Gaber thanked the Commissioners for the opportunity to appear on the Agenda. He advised that Mr. Wallenhorst had previously met with Mr. Anzek to discuss the project. They felt it would be a good idea to come in front of the Commission to talk about the project

before they put time and money into Site Plan drawings. They wanted to make sure that if there were any issues that they could try to address them. They were most concerned about the configuration of the site, and they wanted some feedback from the Commissioners. They also wished to get feedback regarding the building design. He noted that the bank would be on a 1.3 acre site on an outparcel of the Sears parking lot. The proposed building would be 4,300 square feet. The property was zoned B-3 and master planned for commercial use. He asked Mr. Wallenhorst to explain the key components of the plan.

Mr. Wallenhorst pointed out the entrance from Rochester Road, and said that people would make a right turn into the KeyBank parcel from that access. The main entrance to the building would face Rochester Rd. Going around the building toward the west, there was an easement to the T&C Credit Union. People could leave the bank property and enter the mall parking lot or go around to the drive-thru lanes. The first lane would have an ATM and after hours depository. The next two lanes would have video automated tellers, and the last lane would be an escape lane, if someone did not want to use the drive-thru lanes.

Mr. Wallenhorst showed the 75-foot front yard setback line, and said that the building would be 156 feet back from Rochester Road. The ATM would start at about 180 feet back. There was a 25-foot side yard setback line shown on the north side and also a ten-foot parking setback along the north and east property lines. He showed the proposed landscaped areas and the interior floor plan. He referred to the elevations and said they would use very neutral earth tones. There would be red fabric awnings, a clear anodized aluminum storefront system, with clear anodized aluminum panels on the bottom. There would be two different bricks; one to accent the towers and the other to accent the main portion of the building. KeyBank preferred to use a stone band around the building and a metal cornice that wrapped the towers and the main roof. Mr. Wallenhorst showed the location of the dumpster screenwall, which was in the southwest corner of the site and would be easily accessible for the trucks. He added that there would be screen walls behind the building for the mechanical units, which would be on the ground, not the roof. He passed around the materials board, which showed the colors to be used and the building materials.

Mr. Gaber noted that the building would be set back quite a ways from Rochester Road, and he said that the buffer would have about 80 feet of landscaping. The landscaping would include more than just a grass lawn; there would be shrubbery, trees and other plantings. Mr. Gaber also noted that the building would have four finished sides, because they realized that Rochester Hills did not want people to have to look at a normal "backside" of a building. He said that concluded the presentation, and reiterated that they would like feedback from the Commission, particularly about the layout of the site.

Mr. Kaltsounis amusingly asked what would happen to the carnival and the fruit market. He suggested that they make sure there was enough parking for the other businesses, which he acknowledged was something that would be handled during Site Plan review. He thought that the building looked good, and the only real issue for him was the prominent feature - the drive-thru lanes. He recommended that they switch the lanes to the north side of the property. In that location, they would be covered by the other two buildings on the north side - the gas station and the credit union. He asked if the front yard would be all grass, and Mr. Wallenhorst said it would be a mixture of grass and bushes. Mr. Kaltsounis asked if they could add some trees. He observed that when he pulled into Sears, the first thing he would see was an ugly drive-thru rather than the bank, and he reiterated that it would be nice if they could move them to the north side.

Mr. Dettloff asked who owned the site, and Mr. Gaber advised that it was Winchester Associates LLC and Mr. Joseph Pearlman. Mr. Dettloff said it would obviously be a land lease, and he asked in what type of increments. Mr. Wallenhorst said he did not know the exact terms of the lease. Mr. Dettloff noted that he had seen some KeyBanks in other communities, and he felt they looked really nice. He agreed with Mr. Kaltsounis, and said his preference would be to see a bank versus the drive-thru. Other than that, he thought that if it were maintained like the KeyBanks in other communities, that it would be a nice addition to Rochester Hills.

Mr. Gaber asked Mr. Wallenhorst to address why the site was laid out as it currently was. Mr. Wallenhorst responded that they had

looked at the option of putting the drive-thrus on the north, but due to the easement they had to abide by with T&C Credit Union, it would make someone pull right into a drive-thru lane if they pulled out of the credit union. That could create quite a bit of congestion for someone sitting at the drive-thru. It would essentially eliminate the pass-by lane. Mr. Gaber mentioned that the drive from T&C was already there, and that they would not have to install a new one for cross access.

Chairperson Boswell said he was not sure why they could not have a pass-by lane. Mr. Wallenhorst said it would be more of a safety concern, because there would be cars trying to exit and cars trying to get in. The drive-thru lanes would be right there and it could cause congestion.

Mr. Schroeder asked Mr. Delacourt if he had checked into the existing parking, noting that he had not really ever seen the parking lot full. Mr. Delacourt said he was not part of the concept review, but he believed that there would have to be changes to the existing approved Sears Site Plan. It looked as if the mall owners were proposing changes to their parking calculations. He asked Mr. Gaber if that would be part of KeyBank's approval or if the owners would request a separate approval.

Mr. Gaber said it was his understanding that the parking requirements would be met even with the new development. Mr. Pearlman and Mr. Anzek met to discuss how the Bank would affect the rest of the site. Mr. Gaber believed the results showed that the parking would still be in compliance. Mr. Delacourt asked if the owners would be asking for a separate approval and if the Bank would only do a Plan for the outparcel. Mr. Gaber said he was not sure what would be required.

Mr. Schroeder asked the applicants if there would be separate drainage provided for the site. He said there was a major pond and large structures were a part of the detention facility, with which he was originally involved when it was built. There were a lot of problems with the drainage structures functioning. He asked if any of the structures would be on their property.

Mr. Wallenhorst said that issue would be addressed once the civil

engineer was involved with the site to ensure there was proper drainage. Mr. Delacourt said that the City had done recent improvements to the underground detention, and it had been appropriately sized for future development. They would be building over impervious surface. Mr. Schroeder commented that they had done a nice job with the building.

Chairperson Boswell said he would be surprised if Sears did not have enough parking. Mr. Delacourt agreed they probably had more than enough, but if there was change to a site, it should be reflected on a Plan approved by Staff. He was not concerned about the number of spaces, but there would be elimination and re-striping, and it needed to be documented. Chairperson Boswell clarified that it would not trigger any major changes to Sears' parking lot, such as the provision of islands or something else. Mr. Delacourt said he would have to see the extent of the changes being proposed before he could advise.

Mr. Hooper expressed that with regards to the impervious area, they would be decreasing it, so he did not think that would be an issue. He asked if the front yard setback had been measured from the future fight-of-way of Rochester Road. Mr. Wallenhorst said that it was from the current right-of-way. Mr. Hooper did not think that would preclude anything, he just recommended showing that on the plans. He noted that the gas station had a cross-access driveway coming out onto the subject parcel at the 25' side yard setback. He claimed that someone could drive out of the gas station right onto the Bank parcel, and he was not sure if that was legal or not.

Mr. Wallenhorst said that the gas station easement was abandoned once the credit union easement was put in place. There were a couple of barriers put there. Mr. Hooper said he drove through it two weeks ago. Mr. Delacourt recalled that Staff approved a revised cross access and it was moved back. Mr. Hooper asked if people could use that access, and Mr. Gaber said that they might be able to drive onto the parcel, but they did not have the legal right to do so.

Mr. Hooper clarified that there would be no buffer screening required on the west and south sides because of the zoning, and Mr. Delacourt said it was only required along Rochester Road. Mr. Hooper thought they would have to recount and restripe the Sears lot, but with the new parking standards for commercial buildings, the

requirements would be decreased. He agreed with Chairman Boswell that no one parked there except when the carnival or fruit market came.

Ms. Brnabic agreed with Mr. Kaltsounis and said she would like to see the plan re-reviewed regarding the drive-thru lanes. She understood the concern, but she reminded that the exit from the credit union was not its main access; there was one on Avon. If people used the outside lane as a pass-by lane, it would work on the north side, because if someone chose to turn right from the credit union, they would watch for traffic. Traffic would be flowing in the same direction because it would be right out only from the credit union. She doubted that most people would pull into the bank lot to enter the credit union, but if they chose to, it would work because they would be in the outside lane, not in the drive-thru lane. She would like to see them take a second look at moving the lanes, and she thought that would make the layout better. She was not worried too much about it presenting a safety issue. The people would have to use caution, just like on any road.

Mr. Wallenhorst said he could go back to his client and reinvestigate moving the drive-thru lanes.

Mr. Reece stated that he could appreciate the safety concerns relative to the drive-thru lanes. He thought it would encroach too closely upon the access to the credit union site. If it could not be flipped, he would rather see it stay where it was currently depicted on the Site Plan, with the addition of landscaping in the greenbelt on the south side and along Rochester Road to screen it more appropriately. He asked if there would be a transformer on site, and Mr. Wallenhorst said there would not, but there would be an electrical room inside the building. Mr. Reece asked if the power would come under the ground into the building, which was confirmed. Mr. Reece said he would like to see more screening added around the dumpster even though there was a wall. Regarding the elevations, he did not have a significant problem with the palette of colors and materials, but he was a little concerned with the fabric awnings. He asked the material, and Mr. Wallenhorst gave him a sample. Mr. Reece asked if the awnings were a KeyBank standard, which was verified, and he asked about the shape. Mr. Wallenhorst said they sloped off the building, and they used an aluminum framing system. Mr. Reece

asked what was on the bottom, and Mr. Wallenhorst said it would be open to above so people could see the windows. Mr. Reece asked if they were at all concerned about birds nesting in the open area. Mr. Wallenhorst said that the way they were designed, there was no place for birds to rest. Mr. Reece asked if there was a bank in the area with the awning that they could see. He was informed that there was one in Ypsilanti, and it was explained that KeyBank had just begun requiring the red awnings in 2007. Mr. Reece asked if metal siding would be an option rather than fabric. Mr. Wallenhorst clarified that he meant a corrugated metal of some type, and said they could look into it. Other than a concern about fabric awnings, Mr. Reece thought the elevations were well done.

Mr. Dettloff was not certain how long the gas station had been at the corner, but he wondered if the applicants would have to do a Phase I Environmental because of the proximity to the gas station. Mr. Wallenhorst said he would have to ask the civil engineers about that. Mr. Dettloff assumed they would, but regardless, he thought it would be a wise move to look into it. Mr. Wallenhorst assured that they always took the proper precautions to make sure a site was safe for building.

Mr. Klomp indicated that it was an exciting project. When he currently looked at the parking lot, he saw a wide-open slab of concrete, so it was exciting to think that something might be going there. He definitely would like to see some trees to soften the area and take away the industrial feel. He wondered about the option of putting the drive-thru lanes in the back of the building. Mr. Wallenhorst said that they were a high security concern for KeyBank because of the ATM. They wanted the lanes to be visible from a major road. The bank would be so far back from the road that it would be even a greater concern for the bank and for customers.

Mr. Hooper pointed out that the Fifth Third on Rochester north Hamlin had an ATM in the back, and there was a Detroit Edison easement in the back. The KeyBank would have a shopping center behind it, so he was not sure about the reasoning. Mr. Wallenhorst said that KeyBank had never put an ATM off the back of a building. Mr. Hooper presumed that it was a KeyBank requirement when they built.

Mr. Klomp added that the Chase Bank off of Adams and the Charter

One off of Adams and Walton both had ATMs in the back of the building. He suggested that if they moved the drive-thru lanes to the north side of the building that they would still be sandwiched between two buildings and not too visible. He thought that was something to consider.

Mr. Gaber said that those were all very good concerns. Mr. Anzek had thought the Planning Commission might have a preference for seeing the drive-thru lanes in the back. Mr. Gaber explained that it was KeyBank's policy from a security and safety standpoint to have the drive-thrus on the side, directly visible from a main road. They felt very strongly about it. There might be some older KeyBanks, that used to be other banks, that were configured with the drive-thrus in the back, but they were not building any that way. He stated that this issue was key, and it was very important to KeyBank.

Mr. Wallenhorst noted that for the other banks with ATMs in the bank, the buildings were closer to the street. KeyBank would be about 180 feet off of the main street and that security concern was brought up from day one. The drive-thrus could not go anywhere except the side of the building and that was the way they had designed all the banks since he had been involved - about ten years.

Mr. Klomp asked if it they would be agreeable to putting the drive-thrus on the north side if the access was not an issue. Mr. Wallenhorst said he would have to ask the client, because he really could not answer for them. Mr. Klomp clarified that the back for the drive-thrus was definitely not an option.

Chairperson Boswell agreed with Mr. Kaltsounis that the drive-thrus would be better placed on the north side of the bank if KeyBank accepted it, and if the safety concerns could be addressed satisfactorily. He added that there were a majority of Commissioners that agreed. He stated that landscaping would be very important, including buffering of the dumpster. He reminded that it became a sore point for some when dumpster doors were left open and papers were blowing around. Mr. Reece had brought up the materials for the awning, and Mr. Dettloff suggested looking into an environmental study.

Mr. Dettloff asked about the timeframe. Mr. Wallenhorst thought the

plan was to open in 2009, but he was quite sure that it would be either the end of 2009 or early 2010, and it would depend upon the City's processes.

Mr. Reece referred to procedure and asked if the Commission could approve the Site Plan without approval of the updated parking plan for the Sears lot. Mr. Delacourt said he would have to look into it. He did note proposed changes to the Sears lot - islands installed and removal of some parking. If the changes were small enough it could be done administratively. Mr. Reece suggested that KeyBank follow up, so there was no hold up relative to that aspect.

Mr. Gaber concluded that they looked forward to coming back with full plans.

This matter was Discussed

ANY OTHER BUSINESS

2008-0581 Zoning Ordinance Re-write: Continue discussion regarding draft, if needed.

Chairperson Boswell explained that Mr. Anzek had planned to be in attendance to answer any questions or hear any comments, but unfortunately he was ill. Anyone that had comments or questions was encouraged to email or telephone Staff.

Mr. Delacourt advised that Staff was moving forward and isolating map amendments, and they would put together some packets for the Planning Commission to consider. He noted that the Commissioners had been given the Final Draft of the Zoning Ordinance, and he asked them to please send any concerns or comments. He announced that there would be a Public Hearing on December 16. He did not believe that there would be any action taken that night, but they wanted to give the public an opportunity to speak. After that meeting, Staff would be better able to determine the process for adoption.

Chairperson Boswell was not sure how an item such as this could be publicized enough, because they would likely end up with three people in attendance, but in six months, there would be 300 complaining.

Mr. Kaltsounis recalled a lady who came to one Tech Committee meeting, who got bored after an hour and never came back! Mr. Delacourt advised that the meeting would be publicized on the City's web page and Channel 55. Mr. Reece suggested that it be announced at the next City Council meeting.

Mr. Klomp asked if the public would be given 15 days' notice. Mr. Delacourt said they would be for a rezoning, but he related that the Public Hearing for the 16th had been noticed 15 days in advance to give ample time.

Mr. Schroeder mentioned that Bob Lovell, the former Public Works Director for the City, from 1975 to 1988, had passed away on Thanksgiving Day at 63 years of age. He said Mr. Lovell was an excellent person and top-notch director, and that he would be greatly missed.

Ms. Brnabic asked Mr. Delacourt if he knew anything about the Ram's Horn off of Crooks, which had been closed down for renovations. Mr. Delacourt said he did not, but there had been a question about allowing it to be redeveloped as a banquet facility. Mr. Kaltsounis added that they had recently put up a For Lease sign.

This matter was Postponed

NEXT MEETING DATE

The Chair reminded the Commissioners that the next Regular Meeting was scheduled for December 16, 2008.

ADJOURNMENT

Hearing no further business to come before the Commission, and upon motion by Kaltsounis, the Chair adjourned the Regular Meeting at 8:27 p.m., Michigan time.

William F. Boswell, Chairperson
Rochester Hills Planning Commission

Maureen Gentry, Recording Secretary

