



BUILDING DEPARTMENT  
SCOTT COPE

From: <sup>D-L</sup> Dick Lange, P.E. Building Insp./Plan Reviewer  
Mark McLocklin, Ordinance Inspector  
To: Jim Breuckman  
Date: August 3, 2012  
Re: MJC Harvard Place, LLC, Attn: Louis Chirco, City File #04-037.2 Review #2  
Sidwell #15-24-100-009, 010, 018, 019, 028, 029, 037, 038, 040

The Site plan review for MJC Harvard Place, LLC, Attn: Louis Chirco, City File #04-037.2 Review #2 was based on the following drawings and information submitted:

Sheet # T-1.0-, T-1.1, T-1.2, T-2.0, T-2.1, LA-1.0, LA-1.1, LA-1.2, LA-1.3, LA-1.4, LA-1.5, LA-1.6, LA-2.0, Preliminary Site Plan

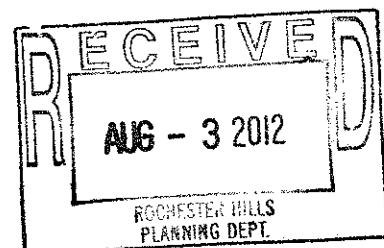
Building Code comments: Dick Lange

References are based on the Michigan Building Code 2009.

No Comments at this time. Outstanding comments listed in first review letter dated 5-18-12 shall be addressed at time of Site Plan Review.

Ordinance Comments: Mark McLocklin

No comments





From: William Cooke, Lieutenant/Inspector  
To: Planning Department  
Date: August 7, 2012  
Re: Harvard Place

SITE PLAN REVIEW

FILE NO: 04-037.2

REVIEW NO: 2

APPROVED \_\_\_\_\_

DISAPPROVED  X

1. Indicate construction type and square footage for each dwelling unit and for the manager's apartment on Sheet 01. This information is needed to determine number and spacing of fire hydrants.
2. A fire hydrant shall be located within 100 feet of the FDC.  
*FIRE PREVENTION ORDINANCE Chapter 58, Sec. 912.7*
  - The FDC's for buildings 2, 3, 5, 6 and 13 do not appear to be within 100 feet of a fire hydrant.
3. FDC's shall not be obscured or obstructed by landscaping, parking or by any other permanent or temporary materials or device.  
*FIRE PREVENTION ORDINANCE Chapter 58, Sec. 58-90*
  - The FDC locations as shown on sheet LA-1.5 appears to be obstructed by landscaping. Relocate FDC's so that they are not obscured or obstructed by landscaping, parking or by any other permanent or temporary materials or device, located visibly on the street front of the building, within 100 feet of a fire hydrant and within 50 feet of an approved fire department access road.
4. Provide note on Sheet 01 under heading "Fire Department Notes": "A Knox key system shall be installed, in a location approved by the Fire Code Official. Ordering information is available from the Rochester Hills Fire Department at (248) 656-4717."  
*IFC 2006 Sec. 506*
5. Provide note on Sheet 01 under heading "Fire Department Notes": "Fire lanes shall be designated by the Fire Code Official, and shall be conspicuously posted on both sides of the fire lane, with fire lane signs, spaced not more than 100 feet apart. Fire lane signs shall read "No Stopping, Standing, Parking, Fire Lane", and shall conform to the Michigan Manual of Uniform Traffic Control Devices.  
*FIRE PREVENTION ORDINANCE Chapter 58, Sec. 503"*
6. Provide note on Sheet 01 under heading "Fire Department Notes": "Construction sites shall be safeguarded in accordance with IFC 2006 Chapter 14."
7. Provide note on Sheet 01 under heading "Fire Department Notes": "Open burning is not permitted including the burning of trash, debris, or land clearing materials. Open burning for warming of sand and/or water for the preparation of mortar shall be within the City of Rochester Hills Burn Permit Guidelines.  
*FIRE PREVENTION ORDINANCE Chapter 58, Sec. 307.6.2 & 307.6.2.3"*

8. "No Stopping Standing or Parking Fire Lane" signs are required every 100 feet. Indicate these signs on Sheet 01 every 100 feet on the west and south side of the street.
9. Provide a "No Parking Fire Department Connection" sign at striped area in front of each building on east and north side of street. Indicate these signs on Sheet 01.

Lt. William A. Cooke  
Fire Inspector



DPS/Engineering  
Allan Schneck, P.E.

From: Don Harning *D.H.*  
To: Jim Breuckman  
Date: August 10, 2012  
Re: MJC Harvard Place LLC  
Preliminary Site Plan Review #2  
City File #04-037.2, Section 24

Engineering Services has reviewed the revised preliminary site plan received by the Planning Dept. on July 30, 2012. The plans are not recommended for approval based on the following comments:

**Cover Sheet (Preliminary Site Plan)**

1. Add "City File #04-037.2" to lower right hand corner of all sheets, including the landscaping plans.
2. Add elevation contours to site plan. It is suggested that several sheets be added with a scale of 1" = 50' to show greater detail, and facilitate the plan review. This will be required for the formal Site Plan.
3. Note "Pr. 20' Water Main Easement (Typ.)" and "Pr. 20' Sanitary Easement (Typ.)" above each respective utility line.
4. As a reminder, the 25' Natural Features Setback for both wetlands will need to be addressed in the PUD Agreement. This setback is not shown for the wetland at the southwest corner of this site.
5. The east half of this site will be connected to sanitary sewer in School Road when it becomes available. Until then, it will have to be connected to the sanitary sewer along John R Road. Provide calculations showing that the downstream John R sanitary sewer can accommodate the increased flow volumes without basement backups. This may affect the total number of units that can be built.
6. Show the proposed tap location on the Rewald Drain for the detention pond discharge structure.
7. A soil boring taken on April 30, 2007 in the area of the proposed detention pond indicated that the ground water table elevation is 741.2. This may affect the design and depth of the proposed detention pond. The pond must be designed so that it is not dewatering ground water and the adjacent wetland. This may require a larger detention pond and may eliminate several buildings or units. The Hydraulic Gradient Line elevation of the 66" diameter Rewald Drain in School Road must also be taken into consideration in the design.
8. As a reminder, written permission from the easement holders will be required for the road and utilities to cross the high-voltage electric transmission line, and high-pressure petroleum pipeline corridor.
9. Edit the typo in Note #5 and #7 for the "Oakland County Water Resources Commission". I mistakenly referenced this agency as the Water Resources Commission of Oakland County in my first review letter.
10. As a reminder, an item that still needs further discussion is the paving of School Road. The originally approved PUD included language about paying into fund for future paving. Original discussions also involved the potential paving of School Rd at time of the project development.
11. Upon Site Plan submittal, detailed dimensions pertaining to the public right-of-way road improvements and sight distance/landscaping issues will need to be identified. A 1" = 50' (or less) scale is required so that we can review and verify road and pathway comments from our earlier review have been addressed. The sight clearance zones do not have to be shown on the 1" = 100' preliminary site plan as the drawing becomes too cluttered to review.

C:      Allan Schneck, Director; DPS  
         Paul Davis, City Engineer; DPS  
         Tracey Balint, Public Utilities Engineer; DPS  
         Roger Moore, Stormwater Manager; DPS

         Paul Shumejko, Transportation Engineer; DPS  
         Sheryl McIsaac, Office Coordinator; DPS  
         Sandi DiSipio; Planning & Development Dept.  
         File

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*understood it would cost more to change the design, but he did not really feel that they needed the tag line on the sign. He asked if it was part of the branding.*

*Mr. Anzek said that it was part of the branding package. The actual brand was the tree with the hill and cloud and Rochester Hills underneath it. The Innovative by Nature was the tagline, which had been trademarked. They did not have to be put together to be used. Mr. Hetrick suggested that if it were possible and not exceedingly expensive, he thought it would be better to show Rochester Hills in a bigger font and eliminate the tagline.*

*Mr. Kaltsounis said that he was never a fan of the blue sign at Chase. He liked the new brand, but the blue sign reminded him of being on the Autobahn. It was too much and did not bode well with him, but he did like the new direction.*

*Mr. Dettloff referred to the rendering Mr. Cope showed on Avon and asked if the sign would have the ability to do graphics as well as letters. Mr. Cope agreed that there was the ability to do graphics. Mr. Dettloff asked if the cost would be included, which Mr. Cope confirmed. Mr. Dettloff asked if that was controlled through computer software, and Mr. Cope said it was radio controlled through software in the municipal offices. Mr. Dettloff clarified that the sign would be used just for City events, not for any other type of advertising. Mr. Cope said that was not the intention, and nothing was discussed in that regard.*

*Mr. Reece clarified that the rendering Mr. Cope showed on Avon was not the actual sign the City was getting. Mr. Cope said it was not; it was just shown for placement and was not the actual design the City chose.*

*Chairperson Boswell thanked Mr. Cope for bringing the information forward and thanked Mr. Beaton and Mr. Uhl for speaking.*

2010-0106

Discuss Revised PUD - City File #04-037 - Oakville Estates Apartment (formerly Oakville Estates PUD), located east of John R, north of School Road

*(Reference: Memo prepared by Ed Anzek, dated December 1, 2011 had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant was Louie Chirco, MJC Companies, 46600 Romeo Plank, Suite 5, Macomb, MI 48044 and Shamik Tripathi, President of Land Development Consulting Services, Inc., 46600 Romeo Plank, Suite 2, Macomb, MI 48044.*

*Mr. Anzek noted that the applicants had contacted the City a couple of months ago. Mr. Chirco had advised that he was entering into an arrangement to take control of the project the City knew as Oakville Estates PUD, approved in June 2007. It was a PUD targeted for empty nesters on the northeast corner of School and John R. There were a lot of different designs about the detention and roadway width and how the units would fit. He asked Mr. Chirco to show the plan for Oakville Estates, which was a mix of duplexes, triplexes and quads. There were one-story townhomes with garages facing the front that took up almost the entire 25 acres of the site. The area to the northeast was a regulated wetland and was proposed for a park amenity for the residents. There was a pathway through the development, and retention was on the south end on School Rd. As the economy hit, the applicant, Mr. Greg Cueter, lost control, and it went back to the bank. Several people had looked at buying portions of it or individual parcels. They were told about the PUD and that before anything could be approved, the PUD would have to be eliminated. Mr. Chirco now owned the entire development and was looking to do a different concept. Mr. Breuckman and Mr. Anzek had met with Mr. Chirco several times and told him what they thought were better ways to deal with the design. They asked Mr. Chirco to come before the Commission to get input regarding their proposal.*

*Mr. Chirco showed an aerial of the land from 2010. There were presently five abandoned houses on the property they were talking about tearing down. There were three houses in the middle that were torn down and filled in. He pointed out some large stands of trees. North of the property was an industrial building and a storage facility. To the east were various dumps, including the Highland Park dump. To the west there were seven homeowners on large parcels of land, and none of the houses were within 100 feet of the proposal's buildable area. They originally came up with a layout for a 12-plex building and came to the City. The concerns were that the road would be a racetrack, and Mr. Anzek said they needed to break up the roads to slow the traffic. The second drawing came in with*

*minimal changes, and they added a traffic circle, but Mr. Anzek said they needed more than that and suggested moving the buildings apart and creating some boulevards, giving the streets some scenic appeal and adding trees. They came back with a design whereby the traffic would be slowed down every 200-300 feet. They thought it looked too linear and had too much uniformity. They came back with three more designs, and the final one seemed to be everyone's favorite. There were islands about 65 feet wide and large green spaces, which Mr. Breuckman had suggested. There would be parallel parking in front of the buildings, which appealed to the City. They wanted to keep the stands of pines to the north intact, so the islands on the north were not as wide. They spent a lot of time maneuvering the buildings in such a manner to maintain large groups of trees.*

*Mr. Chirco showed the first PUD again, and said that the buildings took up literally most of the buildable space on the property. Virtually all of the trees would need to come down in order to put in the buildings and decks. There would not be much room after grading to maintain any of the trees on the site. They wanted to keep the site as natural as possible. The trees would also create a nice buffer from the industrial to the north. He mentioned that the buildings they were proposing could be viewed adjacent to the Oynx Ice Rink in Rochester, which they built in 2003. They were 12-plex buildings also, and they had built and sold over 1,500 units in the past 15 years. It was great condo for empty nesters and single moms and dads. It had a one-car garage, and 1,300 to 1,500 square feet. It was all inclusive and sold very well. They started building the units in 1985 in Clinton Township, and they presently lease about 600 of them. They were originally designed as apartments, and they started selling them as condos, and they became very popular. Over the past five years, the economy took a dive and financing dried up for that type of unit. It was still somewhat difficult, because banks did not want to lend in condo projects that did not have a certain percentage occupied. He noted that one of the reasons they pursued the subject parcel was because it is in Rochester Hills, which is a very desirable place to be. Secondly, they had a 286-unit condo project started on Dequindre and Hamlin, Ashford Crossing, for which they had sold about 85 units. Due to the fact that sales dried so much, they chose to start renting the units. They found a great demand for renters there, and they were in the process of finishing the project as an apartment complex. That project was about 2 ½*



*miles away from the proposed project. The other project had one-car garages, two bedrooms and two bathrooms that rented for about \$1,150.00. The project they were proposing was even more upscale with two-car garages, which was rarer. They felt that there was enough demand to support the project. They felt that they were proposing a very positive transitional use. It was quite possible that some day, when things turned around, they could sell the units.*

*Ms. Brnabic had viewed Mr. Chirco's development on Parkdale, and she asked if he was considering an almost identical development with the exception of the two car garages. Mr. Tripathi agreed. Mr. Chirco said they were able to widen the area where the garages would be, and the unit above the garage would be a little larger. Ms. Brnabic said that she definitely liked the idea of a garage versus a carport. Mr. Chirco agreed that automobiles were very expensive, and that would give people the opportunity to park vehicles inside. Ms. Brnabic said it appeared that there were some additional parking spaces other than the garages, and she asked if that was the standard.*

*Mr. Chirco explained that they added guest parking. Behind the two-car garages, there were two additional spaces. Mr. Anzek had suggested parallel parking in front, which would add parking. They would add other parking, because it was unrealistic to think everyone coming to a party could park on the street by someone's house. Ms. Brnabic said that she liked that aspect of the development. Mr. Chirco added that it helped with snow removal, and he suggested that when they did the layout, they could find areas to add parking. Ms. Brnabic had noticed that there was a lot of brick for the architecture, and that there was a lot of siding on the sides of the building. Mr. Chirco agreed that fronts of the buildings were virtually all brick.*

*Ms. Brnabic asked the estimated rental cost. Mr. Chirco said that it would be around \$1,300 a month. Ms. Brnabic wondered if that was practical in the current economy. Mr. Chirco answered that there were a number of people with bad credit, and some people found it easier to rent. They sold a lot of units to snowbirds who also went to Florida each year. The primary purchasers of their units would be the primary renters - single moms and dads; newly married couples; older folks who did not want to maintain a home any more; and people who wanted a quality project to lease. He felt there would be a lot more renters in the future.*

*Ms. Brnabic observed that it was a nice-looking development. She asked Mr. Anzek if the PUD would run with the land as an overlay. Mr. Anzek agreed, and stated that a PUD was a contractual agreement between the City and the applicant. The former applicant lost control of the property, and it went to the assignees. Staff felt the best approach was to develop it as an amended PUD. If they did a straight Rezoning to Multiple Family, they could not control the site design as well as with a PUD. Mr. Anzek noted that Mr. Breuckman and he had visited some of Mr. Chirco's other sites, and they liked the on-street parking, because it truly functioned as a traffic calming device and as a way of bringing the scale of the units into more of a neighborhood feel. They liked wide boulevards, and they used Great Oaks Boulevard across from Crittenton Hospital as an example. Kids might play Frisbee out there. There was a large desire to respect the trees by moving the buildings. He thought that the units were attractive, and that there was a need for them. Mr. Chirco had assured from day one that he would rather sell than rent. There was a lot more open space on the site than what was previously approved, and they would pursue the amended PUD to ensure they got a nice development.*

*Mr. Yukon complimented Mr. Chirco on his development. He realized that it was in the early stages, yet Mr. Chirco had taken a lot of time and effort. Mr. Yukon had served on the Commission for a couple of years, and it was the first time that a project had come before them in this format that really caught his attention so early in the process. He liked the architecture, the layout and the boulevard idea. He asked Mr. Chirco if there would be sidewalks for a walkable community. Mr. Chirco pointed out the sidewalks. Mr. Yukon was pleased they were going to preserve as many trees as possible, and he added that he liked the design.*

*Mr. Kaltsounis said that he liked the project, but he was concerned about the density. He asked how many units and was told 168. Mr. Kaltsounis indicated that they would be going from 122 to 168 units. He recalled their conversations previously about density. He asked if he would get to his garage through the outside or inside if he lived in the middle of one of the buildings. Mr. Chirco stated that they would all have individual entrances. Someone would walk from the garage right into a unit, and there would be sidewalks leading to the front*

*entrances for guests.*

*Mr. Kaltsounis asked where his guests would park their cars if he had a party with 15 cars and the neighbors' spots were filled. Mr. Chirco said there would be four spaces at the garages, and there would be parking in front and throughout. He could perhaps add some parking on the ends of the buildings. Mr. Kaltsounis reminded Mr. Chirco that it was important to talk with the neighbors, adding that a lot of them came to the meetings when the first PUD went through.*

*Mr. Chirco said that regarding density, it had to be managed and nicely done. They needed to generate enough income to take care of the property properly. It would also look better for the City. There were 25 acres to manage, and they needed so many units. He noted that the better maintained developments typically had more units, and he mentioned Cider Mill Village which had 388 units and several others with over 400 units. They needed a minimum number of units to hire a decent management team to sustain the project, including taking care of the larger roadway.*

*Chairperson Boswell said that he was concerned about the density initially, but when he looked at the layout, it showed a lot more open space. The other PUD had no open space except for the northwest corner where they could not put anything. Mr. Chirco added that the first project had decks very close to each other.*

*Mr. Reece commended Mr. Chirco because, as Mr. Yukon had indicated, he also thought he had done a great job. The Commissioners saw a lot of people who did not want to put in a lot of effort but wanted a rubber-stamp approval. Mr. Reece lived in a similar community, and he suggested that maximizing parking would be the biggest challenge. He thought two-car garages and two-car driveways were a tremendous improvement. He would also recommend integrating three-bedroom units into a few of the buildings, because there was a strong need for that. He clarified that there would not be association fees, unless they were converted to condos. He asked if there were plans for a pool, clubhouse or tennis courts or anything within the community the residents could use.*

*Mr. Chirco said that there would be a trail for a walkable community, and they denoted a portion for a play area. They had space*

*underneath the power lines to put something. He mentioned that he lived in downtown Rochester, and there were many gyms and things in town for people to use. He did not think there was a necessity for a three-month pool for what it would cost to maintain, when people could go down the road a mile and join a pool club. Mr. Reece thought that Mr. Chirco would be able to rent the units fairly quickly. People were finding it hard to get loans, and they did not have 20% to put down on a house. Renting used to be associated as taboo, but in today's world, he felt the need and demand for it would continue to grow. While it was denser than what was previously approved, he agreed with the comments that the development had the look and feel of something much less dense. If the graphic was correct, a lot more trees would be saved than previously. He thought they were off to a great start.*

*Mr. Schroeder concurred with his colleagues that it was a great development, and there were a lot of good thoughts that went into it. He asked if there would be basements in the units, and Mr. Chirco confirmed that there would not be. Mr. Schroeder asked if he had any intention of doing LEED building. Mr. Chirco said that they had not investigated it but thus far, they had not found it to be cost effective.*

*Ms. Brnabic asked if they would be willing to add some park benches, since they were going to add a play area. Mr. Chirco agreed they would have a lot of space for them. Ms. Brnabic thought it would be a nice amenity, and she was glad they were agreeable to that. Mr. Chirco said that as they worked through the design process, common sense would tell them they should add park benches.*

*Mr. Hooper indicated that he missed the ranch condos. He thought there was a definite need. In the first PUD, there were going to be ranch condos for sale, but the proposal before them was for apartments. He was unsure if an area that was all single-family homes was the right place for apartments. He stated that it was his initial thought. He believed that there was a market for ranch condos for empty nesters or single parents, and he could still see that concept in this location. He acknowledged that it was all in how something was done; if they had three-bedrooms and it was more upscale, it would become a different market than just another 168*

apartments.

*Mr. Chirco felt that the key was that the ranch condo project took up all the acreage, and it was not very appealing from a road standpoint. People would have to look at 122 garages, and every building looked identical. It was very contiguous in appearance. Mr. Hooper said that he liked what was proposed for green space and maintaining trees; he was just looking at the concept of another 168 apartments.*

*Mr. Dettloff asked if all the environmental work Mr. Cueter did would still apply to the new development, or if Mr. Chirco would have to do new soil borings. Mr. Chirco related that they had to do a Phase I and a Phase II assessment. There were four new gas monitoring wells that they monitored every three months. Thus far, the readings had been very minute, and it had not reached anywhere close to a dangerous nature. Mr. Dettloff asked who did the monitoring, and Mr. Chirco informed that it was the engineering firm he chose to do the Phase I and II assessments. They would do that once every quarter for a year, and then they could get an approval. He was not an expert, but he did not see a problem. Mr. Dettloff asked if it would continue to be monitored once the development was built. Mr. Chirco said that at some point, it would not need to be any longer. There would be an issue if they were using well water, but they would be using City water. There were precautions laid out now, and they did not feel that the dump would be an issue. He was doing a site in Shelby Township that was adjacent to a former dump, and there were no issues there. He was mentioning that to let them know that they had gone through that type of thing before, and they knew what they were doing. Mr. Dettloff said that Mr. Chirco had a good track record in the City, and he appreciated the fact that he still looked at Rochester Hills in a favorable light for new developments. Mr. Chirco agreed it was a nice town, and he reiterated that there was a lot of demand for people who wanted to live in Rochester Hills.*

*Chairperson Boswell summed up that by and large, there was a quite favorable response from the Planning Commission. Mr. Chirco thanked the Commissioners for entertaining his proposal, and Chairperson Boswell concluded that they looked forward to seeing him again soon.*

**Discussed**