

*one come forward, she closed Public Comment.*

## UNFINISHED BUSINESS

**2018-0426** Request for Preliminary Planned Unit Development and Site Plan Recommendation - City File No. 18-022 - Redwood at Rochester Hills, 121 single-story, ranch style rental units with attached garages on 29.96 acres located near the southwest corner of Avon and Dequindre, zoned R-3 One Family Residential with a MR Mixed Residential Overlay, Parcel No. 15-13-476-005, Redwood USA, Applicant

*(Reference: Staff Report prepared by Kristen Kapelanski, dated November 14, 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 Richard Batt, Redwood USA, 7510 East Pleasant Valley Rd., Independence, OH 44131 and Paul Furtaw, Bergmann, 7050 W. Saginaw Hwy., Suite 200, Lansing, MI 48917.*

*Ms. Kapelanski noted that the applicant had appeared before the Planning Commission one month ago. Since that time, they had made some changes to address the concerns raised. Colored renderings of the elevations and a colored landscape plan had been provided, and the elevations had been updated. There used to be a storm water basin behind several units, and there had been some concern expressed about how close the units were to the basins. The applicant had eliminated the basins that were in close proximity to the units, and they had instead provided mechanical pretreatment. They added two additional units, since they did not have to be confined by the size of the basins. She advised that a number of modifications were being requested, similar to what was requested at the October 15 meeting. Those included density, the perimeter rear yard setback, front porch design features (columns, etc.) and the percentage of exterior finishes. There had been a request previously for a modification for the percentage of windows and doors. Since the elevations had been modified, that request had been removed. They were closer, in terms of the exterior finishes, to meeting the Ordinance requirements, so that modification request was lessened. She recalled that the proposed public benefit was discussed at length. There was some ambiguity as to what sort of benefit would be the most appropriate for the area, between the PRV and the pathway improvements. The applicant was proposing to put \$100,000 towards one of those or towards other improvements identified by staff or the Road Commission. The applicant was providing an easement to allow for the relocation of the PRV if necessary. She said that all reviews had recommended approval, and she introduced Mr. Jason Boughton of*

*DPS/Engineering if anyone had engineering questions.*

*Ms. Roediger mentioned that it was Mr. Boughton's first Planning Commission meeting. She did not know if any Commissioners had ever met him, but he was behind the engineering reviews. A lot of times, Mr. Davis or Mr. Schneck came to the meetings, but Mr. Boughton was filling in.*

*Chairperson Brnabic asked Mr. Batt if he had anything to discuss. Mr. Batt said that when they were last there, there had been a handful of requests, some of which were depicted on the plans. There had been a request for them to meet with the neighbors, which he had done and explained what they were doing. Relative to Richard and Christine Stuhlsatz at 51170 Dequindre, they had requested that some landscaping be added on their property to block headlights coming out of the Redwood entryway, which he agreed to do. Relative to Dennis and Debbie Hayden at 51172 Dequindre, there was a little tougher request. They were concerned about the safety with the curve in the road in front of their house that people often ran off. They had asked him to help get a guardrail. He had contacted the Road Commission, but they had not gotten back with him. He believed that all the other items had been addressed.*

*Chairperson Brnabic called on the first speaker at 7:11 p.m.*

**Dennis Hayden, 51172 Dequindre Rd., Rochester Hills, MI 48307** *Mr. Hayden agreed that Mr. Batt had met with them, "true to his word." They talked about the guardrail, and Mr. Hayden's main concern was that in the eleven years that they had lived there, there had been seven incidents of people running off the road onto their property and three fatalities. Mr. Batt had agreed to try to work with the County to get a guardrail. Since the last meeting and from some of the concerns raised by the Commissioners, he had viewed another one of Redwood's developments at 26 Mile and Hayes. He remembered at the last meeting, that a variance was being requested for the aluminum siding allowed on the units. The roofline came into question. The other Redwood development was occupied, and the units were fully bricked up to the gutters. He wondered why Rochester Hills would not hold the proposed development to the same accountability as other townships when brick gave a better appearance, although he realized it was more costly.*

**Richard Stuhlsatz, 51170 Dequindre Rd., Shelby Township, MI 48315** *Mr. Stuhlsatz stated that his only concern was adding another 120 cars on*

*Dequindre. They lived right there, and it backed up at Avon all the way up the hill. He noted that at Avon and Dequindre, there was a river and a little bridge, and he did not know how a roundabout would fit there. He said that he was not an engineer, but he did not think a roundabout would physically fit. People went north and east, and they would ruin the Yates Cider Mill with two roundabouts at each end. He thought that the development was okay, but the traffic was a big concern in that area.*

*Chairperson Brnabic asked Mr. Batt if he had a response to Mr. Hayden's comment about the development on 26 Mile. Mr. Batt pointed out that it was a different neighborhood, a different municipality and a different level of density. It was a requirement of the township to be all brick, but that was something they were trying to avoid with the proposed development. He felt that it gave too much of a monolithic appearance. It was their opinion that a mixture of materials was much more attractive. There had been commentary at the last meeting about the monolithic appearance of the back of the units. He did not think it would do much to brick those. The other community had different economics, and other accommodations were made by Redwood because they wanted brick. He said that it was just a flat wall of brick, and he did not know that it would accomplish what the Commissioners had talked about the last time they met. Chairperson Brnabic indicated said that what was originally presented was way too sparse, and it needed the addition of stone and brick. Mr. Batt said that they made adjustments based on the comments.*

*Mr. Gaber asked Mr. Batt to take the Commissioners through what changes had been made to the plans from the last meeting. He knew that Ms. Kapelanski and Mr. Batt had mentioned some, but he asked Mr. Batt to go through each.*

*Mr. Batt first talked about the site plan. The last time, there had been two onsite detention ponds, and some of the Commissioners did not think that was a good idea having them so close to the patios, and they had been taken out. They had been there for water treatment, not for retention or detention, and the water would flow into the wetlands. They were replaced with a water treatment, which was like a cyclone that acted like a centrifuge. The particles would get cleared out mechanically. There were a couple of units added, because they no longer needed the space for the basins. Other than providing a colored drawing, he did not think that there were any other site plan changes. Regarding the elevations, he showed the Haydenwood, which would be along Dequindre. They were kind of two-sided units. Typically, their units had front garages and rear patios, but in that case, they almost had two elevations - a front elevation that*

would face towards Dequindre and a rear elevation with a garage. They had increased the amount of masonry, and they had increased the amount of upgraded shake siding. He explained that a majority of the buildings had steps because of the topography. There was a foot differential between units. They added upgraded shake siding to the side elevations as well. Their Forestwood unit had more pronounced steps, and they added shake siding and windows to the sides, and they added masonry and stone to the front elevations. They also added pergolas to every third unit on the rear elevation, and they added stone to the rear elevation. He showed the Willowood unit and the addition of brick and shake siding on the front.

Mr. Gaber thought that the elevations definitely looked improved over what they first saw, and he thanked him. He said that regarding the exterior features, the Ordinance required a maximum of 33% wood or vinyl siding, and the applicant had shown 78%. It did not seem that high to him looking at the elevations. Mr. Batt explained that some of the vinyl siding was regular, flat siding, and some was the vinyl shake siding. Ms. Kapelanski said that was correct; they were both types of vinyl siding.

Mr. Gaber said that he was curious about the improvements to the road. He read the Road Commission's letter and the traffic impact study. The TIS seemed to contradict the letter from the Road Commission, so he asked Mr. Batt to explain exactly what improvements would be made to the roadways at both entrances.

Mr. Batt advised that they were proposing a center turn lane on Dequindre. If people came to their neighborhood and wanted to turn left, they could do so from the center lane, which would allow traffic to keep moving around them. On Dequindre, there was a small street across from them, and it would allow those residents safer passage into their neighborhood by using the turn lane. There would be excel and decel tapers in and out of the development at both entrances, and the Avon entrance would be right in, right out. Mr. Gaber agreed that it would make sense, given the traffic congestion in the area. Mr. Batt added that there were more substantial plans by the Road Commission for Avon.

Mr. Gaber said that in terms of tree replacement, there were 45 regulated trees that would have to be replaced. He asked if they were planning to replace onsite or paying into the City's Tree Fund. He had noticed that they complied with the landscaping requirements, and he asked if the 45 trees would also be planted onsite. Mr. Batt maintained that they were very pro tree. They have had situations where there had been so many

*replacements that it was difficult to get them onsite, but in this situation, he felt that they should be able to do that.*

*Mr. Gaber considered that the density was being increased, but the site looked denser than it really was, because of the large open space areas and clustering the units together. The topography and site features required that. He said that he appreciated the improvements made, and he liked the development. With the changed elevations, it was an improvement, and they had addressed the concerns he had raised. He wondered about the \$100,000 payment. He read the condition in the motion, "Provide a public benefit in the amount of \$100,000 for engineering projects to be determined, prior to obtaining a Land Improvement Permit," and he indicated that it was pretty wide open. They had been talking about either extending the pathway offsite or dealing with the PRV, but the condition did not state that.*

*Mr. Batt said that there had been a lot of conversation over the issue. There had been some internal departmental talks about what the right benefit at the right time was, and the decision was proposed that they would leave the definition of the use of that somewhat open. There were a lot of things going on with the Road Commission and Avon, and the pathway that could go there. There was a lot of uncertainty about what the Road Commission was or was not going to do and what the City could or could not hold them responsible for. Their first intention was to pay for the pathway, but the City felt that there might be a better use for the money than improving the pathway, especially if it was going to be part of the Road Commission project. He said that he was okay with it being open, although he understood the want for specificity, but there were some balls in the air the departments were trying to balance that went against that.*

*Mr. Gaber said that his preference would be to put a prioritization on it. He would like to see the outside pathway connected in the corner as a first priority, if that could be done. His second priority would be the PRV and then for whatever purposes engineering needed the money if the first two were going to be covered by other funding. He asked if the condition could be structured that way.*

*Ms. Kapelanski said that would be fine. She said that the reason it was so ambiguous was because the City did not know if the Road Commission would construct the pathway, and they would not want to tag money if they were willing to do it as part of the road improvement projects. She did not think that prioritizing things would create any issues.*

Mr. Schroeder had observed that the deceleration lanes were too short. Mr. Batt said that they would be finally engineered and approved by the Road Commission, and it was just a rendering. Mr. Schroeder requested that the engineering department aided the Road Commission in moving the project along. He received clarification that additional landscaping had been added behind the units backing to Dequindre and about the location of the maintenance building.

Chairperson Brnabic thanked Mr. Batt for meeting with the neighbors, for agreeing to additional landscaping to block headlights and for taking the time with Mr. Hayden and contacting the Road Commission regarding his concern about accidents and traffic. She hoped that there would be the possibility of getting a guardrail. She indicated that she might agree about the roundabouts, but she knew that it was out of the City's hands. They all agreed that traffic was horrible in that area. She also thanked the people who took the time and came to share their concerns, because the Commissioners did listen.

Mr. Kaltsounis remembered that the last meeting was sort of tough. What the applicants had presented was a lot better than before. He was happy they had talked with the residents and were on the same page, and happy they fixed the reservoir and a lot of other things. It had made it a much better development. He went over a revised condition seven: The Planning Commission's first and second preferences for use of the money would for the pathway and pressure valve. Ms. Kapelanski suggested including "as priority three, other such improvements that Engineering may deem necessary."

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

**MOTION** by Kaltsounis, seconded by Reece, in the matter of 18-022 (Redwood at Rochester Hills PUD), the Planning Commission **recommends** that **City Council approves** the Preliminary PUD plans dated received November 6, 2019, with the following six (6) findings and subject to the following nine (9) 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 density, minimum perimeter rear yard setbacks, porch square-footages, design features, and the exterior finishes percentage of wood or vinyl are modified as part of the PUD to allow flexibility and quality development.*

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.*
5. *Approval of a Wetland Use Permit, Tree Removal Permit and Steep Slope Permit at Final PUD review.*
6. *Provide landscape and irrigation bond in the amount in an amount to be determined at Final PUD, plus inspection fees, as adjusted as necessary, prior to issuance of a Land Improvement Permit.*
7. *Provide a public benefit in the amount of \$100,000, and the Planning Commission's preferences for use of the money shall be improving the pathway, installing the PRV and/or any other such improvements that staff chooses, prior to obtaining a land improvement permit.*
8. *Address applicable comments from City Staff memos, prior to Final PUD submittal.*

*Mr. Hooper asked if a ninth condition could be added about the landscaping for the front yard of Mr. Stuhlsatz at 51170 Dequindre in Shelby Township, which was added below. He commented that it had been a nice improvement with the change in elevations, and that he supported it.*

9. *Add landscaping for Mr. Stuhlsatz at 51170 Dequindre, Shelby Township to block headlights, prior to final approval by staff.*

*Ms. Deborah Hayden, 51172 Dequindre asked to speak, which Chairperson Brnabic allowed, stating that she had some questions for Mr. Batt. She noted that when he came to visit, he said that he would get back to them, and that he knew the gentleman with the Road Commission, but he had not gotten back with them. She understood that he made a phone call. She asked when he would be getting back to them.*

*Mr. Batt said that he sent the gentleman an email, and he would get back with them as soon as he heard from him. He explained that the person he knew might not be the decision maker, but he would answer at some point, and he would follow up with him until he got a definitive answer.*

*Chairperson Brnabic reminded that it was the Road Commission that would make that decision, and Mr. Batt was trying to help them with the process. Ms. Hayden said that Mr. Batt stated that he would help with the process. At the last meeting, there was a comment that the brick should be a little higher. She and her husband looked at the 26 Mile Rd. development, which she claimed looked lovely. She said that the landscaping also looked lovely. She asked what the difference was between Rochester Hills and Washington. Mr. Batt said that it was not necessarily the difference in the cities; it was the difference in the type of project. It was much denser in Washington. In his view, a mixture of materials looked better.*

*Mr. Reece brought up the elevations. He related that he was a Licensed Architect, and he indicated that he would much rather see what had been presented than a solid wall of brick. The elevations were broken up with different materials, and there was texture added to the fronts of the buildings. From a professional point of view, he believed that they were getting a better product than a solid brick wall. He realized that everyone was entitled to their own opinions, but he felt that the revised proposal was much, much better than the first time around. He added that the elevations that would face Dequindre were dressed up significantly, so they would not be looking at a flat wall of brick. The intent was to break up the elevations with different materials and different planes, and that had been accomplished.*

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



Aye 9 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder, Schultz and Gaber

*Chairperson Brnabic stated for the record that the motion had passed unanimously, and she congratulated the applicants. Ms. Roediger advised that the matter would go to City Council on December 2nd.*

## DISCUSSION

2019-0497 The Barns Senior Living, a 12-resident senior living facility proposed at 1841 Crooks Rd., south of Avon

*(Reference: Memo prepared by Kristen Kapelanski, dated February 16, 2018 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 Lijo Antony and Heather McKay, Walnut Creek Living, LLC, 49228 Walnut Creek Dr., Macomb, MI 48044.*

*Ms. Kapelanski noted that it was a discussion item, so the proposal had not been reviewed at the staff level. The applicants wanted to come forward and get the Commission's initial thoughts. They were proposing a 12-bed senior living facility, which would be a conditional use in the district. 1841 Crooks used to have a house on it, and it was demolished a little less than a year ago, because it fell into disrepair and could not be salvaged. The site was a designated historic district, so the barn had to stay. It was staff's understanding that the barn was salvageable and had been maintained structurally. The matter would also have to go before the Historic Districts Commission for consideration and approval as well.*

*Mr. Antony stated that he was a nurse by profession, and he was a Rochester Hills resident. Most of his other senior living facilities had six beds and were in the Macomb Township area. He had five facilities. He realized that senior living was popping up all over the place, from low to high end (\$10,000 per month), and a lot of families had asked him why he did not do something in Rochester Hills. He had driven by the subject location every day, and he had looked at the property for a long time and finally made a decision to call the realtor. He found that there were a lot of problems associated with it, but he did not give up. He decided to move forward, noting that there was also vacant property adjacent owned by the same owners, and he wished to purchase both properties. He would like to offer affordable level, senior living for 12 residents. He introduced his partner, Heather, who had a Masters in Social Work and*