



# Rochester Hills

## Minutes

### Planning Commission

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

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Tuesday, July 31, 2012

7:30 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

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

#### ROLL CALL

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

Quorum present

Also present: Ed Anzek, Director of Planning and Economic Development  
James Breuckman, Manager of Planning  
Maureen Gentry, Recording Secretary

#### APPROVAL OF MINUTES

2012-0272 June 26, 2012 Special Meeting

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

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

#### COMMUNICATIONS

- A) Planning & Zoning News dated June 2012
- B) Memo from J. Breuckman dated 7/31/12 re: Master Land Use Plan Review

**NEW BUSINESS**

- 2012-0126** Request for review and Recommendation of the Historic District Study Committee's Report for 1631 W. Avon, located on the south side of Avon, west of Livernois, zoned RE, Residential Estate, Parcel No. 15-21-126-036, as it relates to the City's Master Land Use Plan.

*(Reference: Memo prepared by James Breuckman, dated July 27, 2012 and Historic Districts Study Committee Report had been placed on file and by reference became part of the record thereof.)*

*Chairperson Boswell read the agenda item and asked for a motion. He felt that it was clear, and that there really was no need for discussion. Mr. Hetrick agreed and moved the following motion:*

**MOTION** by Hetrick, seconded by Schroeder, Resolved, that the City of Rochester Hills Planning Commission has reviewed the Historic Districts Study Committee Report regarding the delisting of the Designated Historic District located at 1651 W. Avon, and has determined that the delisting **will not** have any impact on the property with respect to the City's Master Land Use Plan or any other development-related issues.

**A motion was made by Hetrick, seconded by Schroeder, that this matter be Accepted. The motion carried by the following vote:**

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

- 2012-0142** Master Land Use Plan Update Discussion

*Mr. Breuckman pointed out that it was a little past the five-year anniversary of the adoption of the 2007 Master Land Use Plan (MLUP). By State law and good practice, it was time to review the Plan and make sure it was still viable and to consider any amendments they might wish to add. The Commission had talked about potential amendments to the Plan over the past six months or so. Staff now wished to formally move the process forward, and he had put together a list of six items that could be part of the amendment package for 2012. They would not be looking at the demographics; he did not believe they had significantly changed, and he felt that part was still valid. They were proposing to adopt two studies into the Plan and to give them a formal "force of law." They were the Rochester Road Access Management Plan and the M-59 Corridor Plan, and both would serve as basis for decisions and potential Ordinance amendments. The City also adopted the Complete Streets Policy about a year or two ago in accordance with a State law. He suggested that to provide direction for the next Master Thoroughfare Plan update, there should be a statement included that the Complete Streets principals should be incorporated in accordance with State law. He*

*reminded that the Master Thoroughfare Plan was the companion document to the Master Land Use Plan.*

*Mr. Breuckman had prepared a power point presentation. He pointed out one location in the City that was on the market that had been garnering a lot of requests in the Planning Department. It was the former Sikh Gurdwara Temple off of Old Orion Ct. It was planned and zoned residential, but none of the interest was for residential uses. There was a large parking lot and a church building on the site, and after looking at it several times, it did not really appear to him to be very amenable to residential uses. Staff was proposing an alternate land use designation that would be more consistent with the developed character of the site. It did have frontage on Orion and Old Orion Ct., which was not a major thoroughfare, but it was not a local street either. He indicated the platted lots on the site, which were actually five lots that bisected the property. There was a wet portion, but there was a buildable area to the northwest. Staff was suggesting that the Commissioners considered the four lots that fronted Old Orion Ct. for an office or FB-1 zoning, which would permit office, not retail, or potentially a restaurant. They could retain the western portion of the site as residential because it fronted on a residential street (Ann Maria Dr.). He said that he would like to get input from the Commissioners.*

*Mr. Dettloff asked how large the parcel was. Mr. Breuckman said he was not sure, although the platted lots were 100 x 200, so he determined that it was about two acres. Mr. Dettloff asked if there was a for-sale sign on the property, which Mr. Breuckman confirmed.*

*Mr. Anzek added that there was a rather large right-of-way because of the realignment of Orion Rd. When Papa Joe's was first proposed, they found that the right-of-way was owned by the Road Commission, and it was the old inter-urban trolley line that ran from Detroit to Lake Orion. It was virtually impossible for even Papa Joe's to pursue the vacation of that. The Road Commission did not want any part of it. He thought it would make the site more attractive for medical office, and mentioned that there was a medical office right across the street. He was not sure if the right-of-way could be vacated and attached to the property.*

*Mr. Breuckman asked if there were any general comments or thoughts about looking at the site for something other than residential.*

*Mr. Kaltounis thought it would probably be appropriate for a doctor's office or something similar - something that blended in and was not too*

*offensive. He agreed it was a quiet, back road. Mr. Breuckman suggested that there was really not enough traffic to support any type of retail.*

*Mr. Reece said that his first reaction was to keep it residential. If he was a resident on the cul-de-sac, he would not be overly enthusiastic to have retail or mixed use. He said that he would have to take a closer look at it, but restated that his initial reaction was to keep it residential.*

*Mr. Anzek related that it was not something that would have to be decided right away. He said that there had been numerous inquiries for office uses. Mr. Breuckman also noted that a couple of non-profits were looking at it for offices and storage of donated materials. Mr. Reece clarified that the building there now was a church. Mr. Breuckman said it was a temple, so it did not look like a typical church. Mr. Anzek advised that there had been a lot of piecemeal renovations to it, and it did not even have the character of a house, which it once was, and it was rather plain. He suggested that a Conditional Rezoning might be possible to get more controls and to keep it as minimally disruptive as possible. There could be a reasonably low intensity use like a dentist's office. A Conditional Rezoning would stop a 24-hour 7-Eleven or something similar.*

*Mr. Breuckman pointed out that someone would come in and go out straight onto Orion Ct. That part of the site was isolated from the remaining portions. Mr. Anzek said that immediately south of the church site, there was a house that was somewhat forced onto the site, and it had never been occupied. It was built in what seemed to be a wetland. There was so much water during construction that they were surprised the house could even be built. The owner walked away from it. Mr. Breuckman said that the site was shown as water on the 2007 Future Land Use Map. It was built about three or four years ago, and Mr. Anzek was not sure how it got a permit. He was not sure if it was something that would come down in the future and create different zonings. That vacant property would probably become blighted over time, and they would like to get something positive as an adaptive reuse. Mr. Breuckman said that Staff would bring some options back - most likely office.*

*Mr. Kaltsounis asked if the matter was a particular Master Plan subject. Mr. Breuckman said that they would have to amend the Future Land Use Map, and that would be the sum total of the amendment. Mr. Kaltsounis wondered about looking at just one property in the entire City and questioned if that was a story they wanted to tell. Mr. Breuckman explained that when people came to the counter inquiring about land*

uses, they looked at the Future Land Use map, and most of the time it was spot on. In this case, it was one of the few times there was a mismatch because conditions had changed there. When Papa Joe's was built and the road was realigned and the church moved out, there was a significant change in the area. Mr. Kaltsounis said that he was concerned about setting a precedent for one property. He recalled working with the properties on Dequindre (Rezoning request), and said that it was better suited for just reviewing one property. Mr. Breuckman said that he was comfortable about looking at the property on Orion Ct. and did not see an issue.

Mr. Breuckman referred to the next item, the Tienken Small Area Plan, and said that as he and Mr. Anzek discussed it, particularly given the timing of the Tienken Rd. project in 2013, they saw an area that was developed before most of the City. It was a suburb of Rochester before anything else was there. The area was fairly piecemeal and older. There was a lot of open and undeveloped space, and there was a lot of development potential. Staff was suggesting that this area be the first Small Area Plan to be tackled, because there was the highest chance of a return on a planning investment. He thought that they could do the first four items he had listed in the memo within the next few months. The Small Area Plan was probably one they would chip away at, because it would take a little more work. He indicated that they would like to get any feedback about whether there were other areas of town that made more sense, otherwise, they would start to pull information together about how to approach the Tienken Small Area Plan.

Mr. Kaltsounis felt that the Tienken Area Plan was more of a MLUP project. It was totally different than an office building on Orion Ct., and it was a large scale project. He felt that it was more suited for the MLUP update. He brought up Rochester Hills having a downtown and asked about that plan. Mr. Anzek asked him to which plan he was referring and if he meant for the Olde Towne area, which Mr. Kaltsounis confirmed.

Mr. Anzek said they had discussed capital improvements for Auburn Rd. ten or twelve years ago. They used to have \$50,000 in the budget for a study and \$450,000 in the Capital Improvement Plan (CIP) for street furniture and workings. When he first came to the City in 2000, Staff started working with the business owners in that corridor, and there was no unifying voice or common intent. It was very difficult to try to organize anyone into an agreement for the illustrative concept done in the 1998 version of the MLUP. It was frustrating working with the owners, and they let it sit for awhile. Eventually, it was pulled out of the CIP because of

money, and he claimed that it would be more difficult to get money now. It was complicated because the State owned Auburn, although they wanted to give the City the road before they would help the City clean up the Olde Towne area. Staff could take a look at things like access from the neighborhoods to Auburn, deciding which streets might be closed off to control access. When Mr. Delacourt was with the City in 2001, he tried to get the owners together for a common vision, and he had run into the same brick wall. Mr. Anzek stated that it was a tough area, and it would take a massive reinvestment. There was not a lot of massing to bring about significant reinvestment. He referred to Birmingham or downtown Rochester, which gave the opportunity to move on foot from one building to another. The buildings on Auburn were spread out, and there was no theme to build on. They had talked to the Mayor about it, but the Mayor said there were limited resources, and he thought that what they had could be put to better use in other areas of town.

Mr. Kaltsounis said that he agreed - he just was asking if anything had changed. Mr. Anzek said they would like to do something there, but they could not throw the money into it unless it would work. Mr. Kaltsounis pointed out the area Auburn Hills had put money into developing. Mr. Anzek observed that it sat vacant for a long time.

Mr. Kaltsounis brought up the corridor along South Boulevard south of M-59 between Rochester and Dequindre, noting there were new office buildings and vacant properties. Mr. Anzek said that they had been promoting office for that area. They have had some success, and it was working because the City added water and sewer. The owners of the land immediately to the west of the Beaumont Health and Wellness Center also owned the vacant land north of the office building on Rochester Rd and South Blvd. The owners had met with Staff several times, and there were some wetland considerations on the site. He felt that the market would take care of it, and that there would eventually be an office corridor along there. He and Mr. Breuckman had recently discussed the area on Rochester Rd. from South Blvd. to M-59. There was the Bolyard Lumberyard and a Big Boy restaurant, and the owner of the lumber yard was interested in selling. He felt that the value of the land was better suited for something else. Across the street were a series of small buildings, all which had individual driveways. There was a liquor store, a BP gas station and a single-family home at Nawakwa and Rochester. Several people had wished to convert the home into something like an ice cream parlor, but the mass was not right. There were too many problems with the house to make it cost effective. Mr. Anzek concluded that Staff welcomed any thoughts to put on a list of targeted areas for the

*Small Area Plans.*

*Mr. Reece thought that particular area on Tienken offered the greatest opportunity. Mr. Anzek agreed, and said that with the amount of work to be done on Tienken, people would be eager to get in there. The retail, commercial and office markets were growing. Mr. Reece said that if they were looking to develop a walking area, and to extend what they had in Rochester, people could walk to the intersection and to all the restaurants and shops at the corner of Rochester and Tienken. He felt there was a lot of feasibility for that area.*

*Mr. Breuckman stated that Mr. Reece was absolutely right. The whole quarter-mile rule of thumb for walking fit in well. He said that there were a lot of accesses, and they could develop a block structure that was walkable. He had some ideas he would bring forward, and Mr. Reece commented that it was pretty exciting. Mr. Breuckman thought there was enough potential for change, and they could see some things coming forward. Mr. Schroeder remarked that they needed more than Christmas trees and fireworks there. Mr. Anzek had always wondered why the strip center was put so far off the road. Mr. Hooper recalled that at one time, there was a strip club there. Mr. Schroeder also remembered that the detention pond was buried on the wrong side. It was a very poor structure, and a car went through it and broke the water main, which froze.*

*Ms. Brnabic referred back to Olde Towne, and noted that there had been quite a few discussions over the years. She went through old Minutes that referred to a plan for the area that was never implemented. She wondered what the City might see as an overall scheme or picture for the area. She questioned whether they were more interested in getting the owners' interest and coordination for reinvestment or if they were looking for other outside investment possibilities. She asked if anyone had considered going across Dequindre into Utica to try to do a joint venture. She wondered if there was a possibility of some City funding for the project. She realized there was not a new coordinated plan, but she was curious about any opinions or possibilities.*

*Mr. Anzek said that the answers to her questions were all yes. They would very much like to see private and personal investment, however, some of the businesses were not in the position to bring money forward. They would be very interested in outside investment and have talked to some people about it, but they shared that they did not quite have the vision yet. The City was looking at the option to hire design services just to answer the question about the vision for the corridor. They were working through*

*the RFP process now. There was not money budgeted, but they were looking for someone to assist the City to try to communicate an idea. They were not ignoring the area, and they would love to go after grants, whether it was for traffic enhancement or something else. The City got a huge grant for the Avon and Livernois intersection, and it might be tough to get another one, but that would not stop them from trying. There were numerous opportunities for grants out there. He noted that the City had just retained the services of a Communications Strategist company. They hoped to use them significantly on retention of businesses to town and to get grants for the City. He maintained that he had never forgotten the area; he was just not sure how to begin. He did not want to put a lot of time and resources into it if MDOT was going to be a stumbling block. He said that former Mayor Somerville told him that three studies had been done, with a lot of money spent, and they never got the people organized or excited about going forward.*

*Mr. Schroder observed that if they took the right-of-way, it would take the majority of the buildings. There would not be enough room. Mr. Anzek noted that there was one big curb cut through that stretch, and to try to organize it would be difficult. Mr. Schroeder said that to really do the job right, they would have to take a lot of the homes.*

*Ms. Brnabic believed that parking was a problem years ago, although some of that was alleviated with the new MLUP. Mr. Anzek thought that some of her questions could be addressed through the State's proposed incentives for brownfields, historic preservation and business development. They might try to work with Mr. Dettloff to get some advice and guidance as to how they might be able to go after money to assist with re-investment. If a project created adaptive reuses for historic places or created a sense of place and added jobs, the City might get positioned to get State money.*

*Mr. Dettloff suggested that before the City contracted for design services that they might get in touch with some of the planning people from Oakland County. Even though the Auburn corridor would be a manufactured downtown versus a traditional downtown, he felt that it might be good to get the County's input before going forward. He offered that he would be happy to participate in any of those discussions.*

*Mr. Anzek advised that Mr. Breuckman did the Master Plan for Shelby Township before he joined the City. He and Mr. Breuckman met with the Planning Director there and had gotten to know him pretty well. They worked with a firm that did a corridor plan for that stretch of Auburn Rd.*



*He saw a public presentation on it, and he did not think it was an overly expensive recommendation, and it was a nice way of unifying the corridor. They talked about doing a plan from Dequindre west a block or two and about investing in something that might generate activity. He answered Ms. Brnabic that they had met with Shelby Township.*

*Ms. Brnabic indicated that in a prior experience, something was mentioned about getting current business owners together and that it was hard to get them to agree on much. She asked whether Mr. Anzek had observed a lack of interest, a lack of financial resources or a lack of vision. She asked how the businesses in the area really felt or if he had even queried many business owners.*

*Mr. Anzek replied that he had met with four key owners several times. He met with those that were on the major corners from the concept of the 1998 MLUP. One owned a generator rebuild shop and one had an insurance company, and no one had the means to financially invest. A main outstanding issue was that they did not have a common vision. They could not look at the illustrative plan and convert it to what might happen on the street. Their concerns were getting more parking, and they already had excessive parking for the concept to work. After talking for six months, he had lost some drive. He stated that there was just not that magic of "spirit," and perhaps that was what they had to work on moving forward. They maybe needed to spend a little money to do a vision for the area to start generating interest and to show people how things could work. Then they would figure out the implementation strategies.*

**Discussed**

## **ANY OTHER BUSINESS**

*Mr. Anzek explained that the light agenda for this Special Meeting was because they had planned to have a Public Hearing for Christenbury Estates PUD. The Planning Commission had talked about it at the last meeting. The applicant had put together a plan for a seven-unit PUD on Dequindre Rd. Staff worked closely with the applicants, because they wanted to get going on the development and had lost some time with the Rezoning request that was denied. The applicant called him Friday morning and said that he did not have that strong enough of a deal with the seller, and the seller came back with a higher price that now made the project cost-prohibitive for seven units. The seller liked the seven-unit concept and raised the price. The applicant asked for Mr. Anzek's advice, and he told him that he did not feel he should go in front of the Planning*

*Commission and seek an approval for something he did not control. He did not think the applicant should put the investment, time or energy into something someone else could grab from underneath him. They pulled it from the agenda, which left it a little light, but they did have the Lawrence Tech presentation for those that could make it.*

*Mr. Anzek said that the previous night, he and Mr. Breuckman provided City Council a presentation about where the State was going, under Governor Snyder, with incentives to attract business development with historic preservation and brownfield development. The Planning Department was responsible for those elements, and they had been tracking it closely at the State level. They were starting to see some ideas firm. The Snyder administration put \$100 million toward the initiatives. There was \$50 million for business development and \$25 million each for historic preservation and brownfield development efforts. There were about 20 different criteria within the law that had to be met - most of them - to qualify for grants or loans. Mr. Breuckman then showed a power point.*

*Mr. Breuckman stated that last year, there were a series of five public acts passed toward the end of the year. Those replaced the old MEGA and brownfield and historic tax credits. Those happened under the old Michigan Business Tax, which had been Governor Snyder's priority to eliminate. When the Business Tax went away, the tax credits ceased to have any meaning. Last year, the administration came up with successor programs, and created two umbrella programs - one was the Business Development Program, which was about funding job creation activities and was fairly similar to how the MEGA program worked. It changed some of the formulas within the law, but did not impact what the Planning Commission did much. There was now a Community Revitalization Program, which were brownfield and historic tax credit replacements. There was a \$10 million cap for loans per project and \$1 million for grants. He explained that eligible investment was for demolition, construction or rehabilitation of buildings, site improvements, machinery, fixture and equipment. Some soft costs could be covered as an investment, such as architecture, engineering, title work and legal. The criteria to access the money under the Community Revitalization Program included that something would increase density, promote mixed-use and walkable communities and promote sustainable development. Those were things they had not seen before in State economic development incentives. It tied back to one of Governor Snyder's other signature initiatives, which he was pursuing with a lot more vigor than State government had pursued in the past. Governor Granholm started the "Cool Cities" initiative, but Governor Snyder had*

*really taken the placemaking issue as a guiding philosophy. It was a new policy that coordinated almost any State agency that touched physical development. There was a real focus on downtowns and commercial cores. One criterion that was initially adopted by the Michigan Strategic Fund about a year ago stated that a project must be in a downtown or commercial core. The State law softened that a bit for communities such as Rochester Hills. On the placemaking front, the State launched the MIPlace initiative about a month ago. It was under the leadership of MSHDA, but it took into account MDOT, the MEDC, legal and regulatory affairs, the DEQ, the DNR, Agriculture and Rural Affairs, etc. The State was very serious about this.*

*Mr. Breuckman showed a book put out by the Michigan Municipal League, which he offered to make available if any Commissioner wished a copy. The MML was also very strongly behind the placemaking economic development policy.*

*Mr. Anzek added that Staff was hearing more about placemaking. Their competition was New York, Chicago, Los Angeles and Atlanta, etc. for young talent. Placemaking was the creation of an exciting environment to keep graduates in the state. There were singles and new families, and Rochester Hills should be geared toward the new families and how the City could create an exciting atmosphere for them. At the Mayor's Business Council and networking events, he always asked companies if they were actively hunting for people, and eight out of ten always said they could not find talent to fill jobs. At the City Council meeting, a company that received a tax abatement from the City gave a presentation about its business growth, and they said they had gone from six employees to just about 32, and they hoped to be at 40 by the end of the year. They were having trouble finding the talent, though. Hopefully, the State's new initiatives would bring talent back and keep it here.*

*Mr. Breuckman said that it tied in with another initiative of Governor Snyder's called Economic Gardening, which focused on growing businesses already here instead of trying to attract using the incentive game and hoping for a home run. To do that, the State had to be a place where the talent wanted to be. Placemaking was taking the person, rather than the car, as the increment of development, and that was where the ¼ mile walk came into play. They would build a finer street network, with buildings closer to the street so there was interest for people walking rather than designing everything for the car. It was not a war on cars, but it was making sure places were made interesting and exciting for people to be, as well. He noted that the Governor was from Ann Arbor, and that was*

*driving a lot of his world view. Economic Gardening came from his experience with Ann Arbor Spark, which was a very successful INCubator in Ann Arbor. He saw how important it was to capitalize on the University. Mr. Breuckman recalled the Value Per Acre study he rolled out recently. He showed a picture of a shopping center (Hampton Village). It was not mixed-use or anything special; it was just a shopping center where people had to drive to get there. People got there and parked, shopped and got back in their cars to drive from Target to Best Buy, for example. It was the same distance as walking from one end of the Village of Rochester Hills to the other, but it was not very friendly or interesting. The Village was an example of placemaking. The value at the Village was four to ten times the value of the average commercial development. The City was well positioned, and part of the trick was making sure they could do placemaking so they could access State funding and economic development incentives. They had a good start with the flex business overlay districts, and they had put walkable development in the mix. If someone wanted to build a Village of Rochester Hills ten years ago, it was a major headache, and it was illegal under the zoning at the time in many ways. Today, it could be done by right using the flex districts, which co-existed with the standard zoning districts. They had put walkable and driveable development on equal footing, and it would be the property owner's choice.*

*Mr. Breuckman continued that they would keep working on it. The REC zoning district and the M-59 Corridor Plan would take some of the placemaking ideas and apply them to the industrial areas. They would not have a warehouse district with mixed-use lofts in the industrial area, but there were a lot of things they could do to improve the industrial areas. There were no sidewalks in the industrial areas, and people walked in the streets at lunchtime. They could start with simple things like sidewalks. The Tienken Small Area Plan was a perfect place to start doing placemaking. Staff wanted to let Council and the Planning Commission know that they were positioned. He asked if there were any questions.*

*Mr. Schroeder asked if what was starting to happen in downtown Detroit was part of a placemaking effort. Mr. Breuckman believed so. He thought it was interesting in downtown Detroit that there were a few business leaders who got it. Dan Gilbert understood what young people needed. Downtown Detroit had to be a functional urban core, and Mr. Gilbert bought seven skyscrapers on sale. However, if there were no retail or services to support the residential, people would not want to move there, and retailers would not want to move there if there was no residential to support them. Mr. Gilbert was working on the "big bang,"*

where he was trying to open everything at once and create a market that would start to sustain itself. Downtown Detroit was exactly placemaking - where one or two person households under 30 and over 55 years old wanted to be. Mr. Hetrick thought that the Tienken corridor project was a perfect match.

Mr. Anzek advised that he and Mr. Breuckman had been working with a prospective redeveloper for a corner of a large intersection. They brought forward a site plan that, in his opinion, ran totally contrary to the good things they were trying to do in the City as far as sense of place, good design and things that worked. They have had some difficult meetings, and what the applicant had proposed would need a Rezoning, which the applicant filed. It was scheduled for the August 21 Planning Commission meeting. He stated that it was difficult, and he showed the concept to the Commissioners. He felt that it was very contrary to a lot of things they were talking about, and it would have to be closely scrutinized. Staff tried to redesign the concept, which was met with roadblocks.

Mr. Schroeder asked where it was, and Mr. Anzek advised that it was the southwest corner of Rochester and Auburn (location of the former Meadowbrook Dodge, including the gas station on the corner). Mr. Dettloff said that he saw the sign, and he was curious about what was going on. He clarified that the applicant had already filed a request to Rezone. Mr. Anzek wanted to be cautious to maintain the character the Commissioners had worked hard to keep. When he first saw the proposal, there were four drive-thrus. They included a copy of the Site Plan in the Rezoning application, even though the Commission would not consider a Site Plan with the Recommendation. He was not going to censor the information submitted, so the Commissioners would see it. Upon questioning about the drive-thrus, Mr. Anzek said that the applicants had brought in a manager from McDonald's, and the design was being driven by whoever they could lease to first. They proposed a Tim Horton's in the southeast corner and the initial plans for the retail building facing Rochester Rd. showed another drive thru. The most westerly building showed a potential bank or restaurant with a drive-thru. He cautioned that they could not get into Site Plan issues; they had to determine whether B-2 was appropriate for a B-3 corner.

Mr. Schroeder stated that the traffic would be a disaster. Mr. Anzek told them that the traffic impact would be great. Rochester and Auburn was the worst intersection for traffic crashes and four drive-thrus would have many conflict points on site. They showed a left turn off the southeast driveway from Tim Horton's. He stated that no one would be able to make

*a left turn out of there. MDOT would probably make it right-in, right-out only if they even got an access. It would go against the Access Management Plan that was recently adopted. He said that he just wanted the Commissioners to be aware of the issues. The applicant had to prove that B-2 was better than B-3, and to them, it was strictly an economic matter. They could divide the property if it were Rezoned to B-2 and possibly sell a portion to McDonald's. Mr. Schroeder asked if it was a local developer, and Mr. Anzek was not sure, but he believed it was a relative of someone in the business.*

*Chairperson Boswell announced that the Mayor wanted him to thank the Planning Commission for all the quality redevelopment they had approved, and he wanted to tell them that Rochester Hills has led the County in the last year in redevelopment, which he felt was very significant. They were growing out of the recession faster than the rest of the County.*

*Ms. Brnabic asked if anything was going on in the former Dunkin Donuts building north of Avon. Mr. Anzek responded that Tim Horton's had filed to do a knock down and rebuild, and there was a technical review underway.*

*Mr. Kaltsounis said that one of the biggest concerns he would encounter with B-3 to B-2 development would be the significantly serious issue with strip malls, restaurants and parking. More parking spots would be required and used. Mr. Anzek said that there would be many issues. If they subdivided the parcel and put in a McDonald's today, they did not know what might be there tomorrow. Mr. Kaltsounis commented that they would need an overpass to get out of there. Mr. Anzek said they were warned that traffic would be a huge issue at that corner. Depending on the use mix and peak hour traffic, it would be hard to get on and off the site, which could cause a failure.*

*Mr. Kaltsounis asked that Staff include a lot of reference materials about the different zonings in the packet. Mr. Breuckman said that the major difference between B-3 and B-2 was minimum lot area. B-3 was intended for major shopping centers. B-2 had no minimum lot area. It was Staff's determination that what they wanted to do was not permitted in the B-3 district because it did not meet the intent. There would be four separate parcels and even if they were just doing land leases, it would not be in keeping with the intent of the B-3 district. Looking at the uses permitted in each, there was a very slight difference. In terms of parking, it was the same in the two districts. Setbacks might be slightly different, and Staff*

would point those out.

*Mr. Hetrick confirmed that the applicant could not do what they proposed if it remained B-3. He asked if they could build a McDonald's as one development on one piece of property if it was B-3. Mr. Breuckman said they could not, because where there were outlots, there was always a major shopping center as the anchor. The proposal did not have that. If they got rid of three of the buildings and had one retail building, that would be in keeping with the intent of the B-3 district. It was because they were coming forward with a piecemeal development that it needed to be B-2.*

*Mr. Hetrick asked if one building with four restaurants would be acceptable. Mr. Anzek said it could be, but they would probably not be drive-thrus. Mr. Breuckman said that McDonald's had its own unique parking layout and curb requirements.*

*Mr. Anzek summarized that Staff would tell the Commissioners what they felt were complications with B-2 versus what they felt was the intent. They also would make sure they were all on good ground. He stated that it was a critical intersection for the City. Mr. Kaltsounis asked about the other uses. Mr. Anzek said that the applicants claimed that they were in a financial pinch and needed the McDonald's lease. He said that he was not too excited about uses, but he was excited about a piecemeal, disjointed plan that would not work.*

*Chairperson Boswell asked if it was the 1998 MLUP that indicated there should be a certain percentage of regional shopping, which would be in mainly B-3 zoning, and they wanted it at the main corners such as Auburn and Rochester Rd. Mr. Anzek said that he would look back into that for some guidance. Chairperson Boswell believed that it was called Regional Retail. Mr. Anzek agreed that was the intent of the market place.*

*Mr. Reece asked if there were any written guidelines for a Rezoning that would give the Commissioners direction. Mr. Breuckman said that there were standards in the Zoning Ordinance for consideration of a Rezoning. Mr. Reece asked if Staff could point those out and include detailed information in the packet. Mr. Anzek likened it to a Conditional Land Use, where there were five criteria that had to be met. He related that he would outline the zoning process for the members and include appropriate pages from the Zoning Ordinance. He added that John Staran had always advised that with a Rezoning, the burden of proof was to demonstrate and establish for the Planning Commission's acceptance*

*why the current zoning was not acceptable or valid.*

*Ms. Brnabic asked if there were any new businesses coming into any empty buildings. Mr. Anzek said that the City was getting a lot of requests to fill vacant space. There were plans submitted to fill the gap between The Boulevard Shoppes and the Walgreens across from Crittenton Hospital. It was in keeping with the Site Plan that was originally approved. The owner of The Boulevard Shoppes bought the land, and he said that retail was strong. He had five centers under construction in southeast Michigan currently, and he wanted to expand in Rochester Hills.*

*Mr. Breuckman also advised that the former Oakville Estates PUD was being redone. The applicant was before the Planning Commission for a discussion about five months ago. They filed plans, and were expected to be on the August 21st agenda, but if the plans were not quite technically ready, it would be September. Mr. Anzek added that the American House on Adams was moving forward with a nursing home, rather than independent living center. Staff met with their architects and the matter would be coming in the near future. He noted that the City had 238 housing units approved in 2012 so far, so residential was strong. Country Club Village only had two lots left, but he believed that they were sold. He stated that it felt really good to be busy and to see things stirring up. There was a lot of activity at the counter from people wishing to find a site to do something. If the market stayed strong, redevelopment would keep going at a fast pace.*

*Ms. Brnabic referred to the former Pet Supplies Plus building at the Target mall that had been empty for quite a long time. She asked if there had been any interest in that building. Mr. Breuckman said that he had not heard of anything. Mr. Anzek thought it was a tough place to lease because there was no immediate parking. Mr. Breuckman agreed, and said that the problem with those spaces was that the entrance to Auburn was right there, and it eliminated a big stretch of parking. Ms. Brnabic noted that there was a mini parking area, which was o.k. in the summer, but in the winter it was more difficult.*

*Mr. Hooper offered that he had some free 1916 bricks that had been dug up from underneath Rochester Rd. during the recent construction. He even had some takers.*

## **NEXT MEETING DATE**

Chairperson Boswell reminded the Commissioners that the next meeting was scheduled for August 21, 2012.



## ADJOURNMENT

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

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William F. Boswell, Chairperson  
Rochester Hills Planning Commission

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Maureen Gentry, Recording Secretary