

- C) Letter and CD from Oakland County Planning dated July 16, 2008 re: Troy Master Plan
- D) Cancellation Notice for August 5, 2008 Planning Commission Meeting
- E) PC Minutes from April 2002 and October 2001 re: Crittenton Building Plans
- F) Letter from Walter and Allison Murphy dated July 29, 2008 re: Crittenton Deck Expansion

NEW BUSINESS

2007-0776 Revised Conditional Land Use Recommendation (Public Hearing) - City File No. 89-153.8 - Crittenton Hospital Medical Center Parking Structure, a new 479-space, four-story parking deck proposed for the east side of the existing parking deck located behind the hospital near University and Livernois, zoned SP, Special Purpose, part of Parcel No. 15-15-101-003, Crittenton Hospital Medical Center, applicant.

(Reference: Staff Report prepared by Ed Anzek, dated July 29, 2008 and accompanying site plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Monte Oberlee, Administrator, Crittenton Hospital Medical Center, 1101 W. University, Rochester, MI 48307 and Richard Whedon, Senior Project Manager, Albert Khan Associates, Inc., Albert Kahn Building, 7430 Second Ave., Detroit, MI 48202-2798.

Mr. Whedon advised that the proposal was to expand the existing parking structure and add approximately 476 parking spaces. They would net about 273 more, due to the fact that they were going over the top of an existing parking lot on the site. The new structure would be identical to the existing structure in character and finishes, and it would be four stories tall. Access-ways would be the existing structure entrances and exits. Wishing to be sensitive to the neighbors, they decided that the east elevation would be solid brick and pre-cast, so no lights would shine through. They also created a main route through the new structure rather than around the east side. This would allow the traffic to be further away from the neighbors. There would be a fire access lane on the east as required by the Fire Department. He further advised that the plans had been reviewed extensively by the Engineering and Fire Departments, and they complied with all requirements. He noted that in August 2007 they went before the City of Rochester's Planning Commission to review the plans. At that meeting, they gave unanimous approval for the expansion with no objections. Rochester deferred to the City of Rochester Hills, and once that process was finished, the project would have to go back to Rochester for a review of any comments and changes made by Rochester Hills. He referred to a photo of the expansion, and said they

would be adding two additional towers, one with an elevator. One tower on the southeast corner would be primarily an exit staircase. He pointed out that the new deck was in anticipation of the new bed tower, as shown on the hospital's overall Master Plan (on file). As part of the expansion, they would be moving the salt shed, which was a dilapidated structure that housed the salt for the winter. It would be relocated further to the southwest, adjacent to the retention pond. He stated that they would not be impacting any woodlands or wetlands. He showed photos of the current structure, and said that the proposed north elevation of the new structure would have a series of openings, and the façade would match the new structure identically. Likewise, the south elevation would be the same. The west elevation would tie into the existing structure. He pointed out the east elevation, which would face the residential area in Rochester, and reiterated that it would be solid brick. There would also be a solid area in the middle of the south side, which would be for snow dumping from the top deck. He showed photos of the lightpoles on the top of the existing structure, and said the new ones would match. He indicated that they were very sensitive to the light levels shining onto the neighbors, and he noted that there would be zero footcandles at the property lines, and that the fixtures would reduce the amount of glare. He concluded that the area to the east was highly vegetated, with mature trees, and that any holes in the existing vegetation would be filled as part of the additional landscaping installed.

Mr. Delacourt summarized that the applicant was requesting a Revised Site Plan Approval for the new parking deck and a Recommendation of Approval to City Council regarding a Revised Conditional Land Use. He advised that the Site Plan had been reviewed by all applicable internal and external departments, and that it met all the City's Ordinance requirements.

Ms. Brnabic asked if it was safe to assume that the general public would be using the new parking structure, which Mr. Whedon confirmed. Ms. Brnabic said she was curious as to why they were not adding handicap spaces in the proposed structure.

Mr. Whedon explained that when they first designed the structure, they planned to add handicap spaces; however, after a review with the City, it was recommended that they take those spaces and move them to the existing deck. Until the expansion was completed, with a connecting link to the tower, the most convenient and accessible route for handicap was through the existing deck.

Ms. Brnabic noted that she had reviewed prior Minutes regarding the first deck, and she wondered if there were still handicap spaces only on the first and third floors. Mr. Oberlee explained that they were on all levels. They put more on the level to the bridge, because that was where a lot of folks parked that came for cardio rehab and similar services. They added more handicap spaces than on the original design, and in fact, added handicap parking to all the lots at the hospital, including the main lot in front.

Ms. Brnabic asked if there would be signage to direct people to the deck with handicap parking. She questioned how people would know where to park if they were not aware it was only in one deck. Mr. Whedon agreed that was a very valid point. He relayed that they had not finalized signage yet, but he felt it would be very easy to direct people to the handicap parking. He noted that the primary access to the hospital was off the third level of the existing deck. He advised that when they took out the designation for the handicap spaces in the new deck, they left the spaces the same size. If they wanted to add handicap spaces to the new deck, it would just be a matter of putting a symbol on the spaces without having to re-stripe anything. There was anticipation that when the tower expansion was completed, that they would need additional handicap spaces, and they would be added then.

Ms. Brnabic said that made her feel a little more secure. Mr. Oberlee said that the handicap signs in the current deck were very clearly marked, and he agreed that they could point them out in the new deck. Ms. Brnabic confirmed that if they felt there was a demand for handicap parking in the new structure that it would be added, which Mr. Oberlee maintained was absolutely true. He added that his wife was handicapped, which made him very sensitive to the issue.

Mr. Dettloff observed that a concern from the residents regarding lights and noise was raised, which the hospital seemed to be addressing, but he wondered if he could presume that they had actually met with the neighbors to gather their input.

Mr. Whedon said that in 2002, when the original deck was before the Commission, he had presented. He recalled the sensitivity of the light issue at that time, and he had been working with Crittenton since then. When they designed the new facility, they took that into consideration, and that was primarily why they made the east wall solid and put the main drive through the deck. It would be more efficient for the drive to go around it, but it was changed because of the neighbors. A lot of what they

did was built on prior discussions with the neighbors. Mr. Dettloff clarified that they addressed concerns from a number of years back, but that there had not been any recent interaction with the surrounding neighbors. Mr. Oberlee added that at the hearings in the City of Rochester, there was no one in attendance.

Ms. Hardenburg asked the applicants why they needed additional parking. Mr. Oberlee said they actually suffered with a lack of parking last winter. The snow caused lost parking and they were hurting for parking. The more significant reason was the potential for a new tower in the reasonable future, and the deck was the first step in the process. Ms. Hardenburg said that when the photo was shown from the top of the existing deck, the parking lot to the east was empty. Mr. Whedon said the photo was taken on a Sunday afternoon, but Ms. Hardenburg thought that would be a busy time. Mr. Whedon said it was not, because the employees were not as plentiful. Mr. Oberlee added that many of the outpatient ancillary services were not open then. Ms. Hardenburg suggested that more people could be visiting patients in the hospital that day. Ms. Hardenburg asked if the reason they needed more parking was for snowy days. Mr. Oberlee responded that they would be expanding the cardiac program and as the programs got more intense, patients had more people accompany them and therefore there were more cars. Ms. Hardenburg asked if they were trying to maintain all of the specialties of Crittenton at the one campus or if they were looking at other areas to expand.

Mr. Oberlee said they were always looking to expand in other communities, but the effort for expansion so far had been more on the diagnostic side, with x-ray centers and blood draw stations. When it came to the larger things, they would still be on Crittenton's campus. He noted that one of the things changing in health care was the need for private rooms. When they created the joint center in the west tower, they went from rooms for 44 semi-private beds to 20 private rooms. It was becoming the standard to have private rooms for patients, and they needed more square footage to add private rooms.

Ms. Hardenburg wondered why they would need more parking if they had fewer beds. Mr. Oberlee said that they had to by definition, because it had to do with the processes and size of the building. Ms. Hardenburg asked if the property was large enough for them to do everything they wanted. Mr. Oberlee verified that it was for the things shown on the Master Plan, and he stated that the parking deck was a key piece of the puzzle.

Chairperson Boswell asked if the oncology radiation would be going to the new building off of M-59, which was confirmed. He asked what would happen with that area. Mr. Oberlee said it had not been designed yet, but he thought that the overall intent would be to have a fixed MRI, rather than one that pulled up to the dock as it currently did. It would still be used for diagnostic reasons.

Chairperson Boswell opened the Public Hearing at 7:59 p.m. He asked the speakers to direct any comments to the Chair, and he stated that they would be addressed by the applicants and Planning Commission after the Public Hearing.

Allison Murphy, 241 N. Alice, Rochester, MI 48307. Ms. Murphy had submitted a letter to the Commissioners prior to the meeting. She advised that she and her husband were homeowners in the City of Rochester, and that their home abutted the property of the proposed expansion. She read her letter into the record, which is on file with the City, as follows:

Comment/Question 1: "The Hospital's intent was to expand the parking structure within 60 feet of their backyard. After making a preliminary review of the documents displayed at the Rochester Hills City Hall, they have the following comments, questions and requests of the Rochester Hills Planning Commission. Does the current site accommodate all of the Crittenton Hospital's long range planning needs?" (She thanked them for addressing some of them). "Crittenton Hospital performs a very valuable service to the Rochester community. We do not wish to diminish or restrict their efforts to provide the highest quality of care and services available, but the desire to compete with large regional hospitals in volume and specialties is not realistic or sustainable. Our concern is that Crittenton may desire to provide regional hospital type services at its current location, but the site and its accessibility may not support their long-term vision."

Question 2 (included data from the State of Michigan regarding a Certificate of Need, which compared Crittenton, Troy Beaumont and St. Joseph Mercy - Pontiac): "Has the Planning Commission made any attempt to evaluate the need and utilization for this proposed expansion? The State of Michigan has a Certificate of Need program that all hospitals within the State must abide by. The Commission monitors and controls services, utilization and capital expenditures of hospitals. The proposed parking deck expansion would not require a State comparative review but a new patient tower would. If a parking deck expansion is justified only by

the proposed patient tower expansion, then the sequence for approvals and construction is not justified without approval of a patient bed expansion by the State. The Oakland Press reported that the hospital is currently having difficulty meeting patient quotas in some of the expanded service departments such as their cardiac and stroke center. The original vision for Crittenton Hospital when it relocated from Detroit in 1967 was to be a community hospital, which allowed it to be located in close proximity to residential neighborhoods. We are concerned that Crittenton Hospital may be master planning on the concept of "build it and they will come" philosophy. Because the property is zoned "Special Purpose" in an otherwise residential zoning, the Planning Commission needs to evaluate the utilization, over building, and potential for abandonment of the property due to under utilization."

Question 3: "Has the Commission evaluated the effect this expansion would have on the residential neighbors? There will be considerable adverse impact to the residents on North Alice. The proposed parking deck expansion indicates an elevation height of 48 feet. The proposed height does not take into consideration a drop in grade from the west end of the existing parking deck to the east property line. The existing parking deck first floor is almost 10 feet higher than its original grade. An expansion of the existing first floor elevation to the east would elevate the first floor 15 to 20 feet above the residential property line, making the deck 60 to 80 feet higher than the existing residential properties. A parking structure at the proposed elevations will adversely impact the value of the homes and the quality of living on North Alice. A building of this size will tower over these existing homes. A towering parking structure would obstruct light and ventilation as well as be a visual mass without any architectural form. It is just a brick wall. Any future construction height restriction along the east residential property line should take ventilation and light into consideration. The first floor of any parking deck expansion should be at least one level lower than the existing. This could also reduce the overall height of the structure. We propose the east façade should also take on a residential type texture and form (refer to the City of Royal Oak parking deck or Bon Secours Hospital in Grosse Pointe, which went lower into the ground with their parking structures so they would not tower over the residential community)."

Question 4: "Has the Commission evaluated the effect of site lighting on the residential neighbors? We notice that the east wall of the proposed parking deck is to be solid. This shows that the hospital is aware of the light that is reflected from the existing parking deck interior lighting and

car headlights. This, along with the proposed lighting level of (1) footcandle along the service drive without adequate setbacks, screenings and berms, would continue to be objectionable. The reflected light from the surface lights and interior parking structure lights would continue to create a glow all night."

Question 5: "Has the Commission evaluated the existing and proposed effect of noise pollution on the residential neighbors? We notice that the east wall of the proposed parking deck is to be solid. This shows that the hospital is aware of the noise that generated from the existing parking deck via vehicle engines, midnight car alarms and loud conversations that echo through the concrete parking deck. The solid east wall will help diminish the noise but the noise will still be reflected through the north and south openings. Landscaping is not effective in controlling noise, only materials with mass. The proposed roadway around the addition that is indicated as 30 feet from the residential lot lines is unacceptable. The drive lanes need to be out of the setback."

Question 6: "Will this development impact the existing and future neighboring land uses? This parking deck expansion as proposed would greatly impact the current and future value of the single-family residences along their east property line. A future expansion of the hospital, if allowed to be constructed to the same height as the existing, would tower over the residences casting a shadow on the residences. The hospital needs to consider expansion to the west, along Livernois, to avoid the residential neighborhoods. The cost of commercial land vs. the overall cost of a new patient tower is very low and not overly restrictive. A Livernois exposure would help with the hospital community exposure and desire to become a regional healthcare facility."

Question 7: "Does the City of Rochester and Rochester Hills require the same site plan minimums as the City of Troy (Troy Beaumont) where the site abuts single family residential?" Two of the City's current Zoning Ordinances, and the City of Troy's Zoning Ordinances regarding setbacks and screening requirements were listed. She read two sections from The City of Troy (D): "The minimum distance of any main or accessory building or structure from any boundary property line or street shall be two hundred (200) feet. Building height in excess of two (2) stories may be permitted. For each story above two (2) stories, the minimum yard distance shall be increased by twenty (20) feet. A minimum depth of one hundred (100) feet of such required yards, adjacent to boundary property lines, shall be kept free of off-street parking." She continued with (E): "Any required yard abutting residentially developed property or potentially

developable residential property, as described, shall contain within the first fifty (50) feet of said yard, a five (5) foot high earth berm. The top of the berm shall be landscaped with a minimum of a double row, ten (10) feet apart, of upright coniferous evergreens (pine or spruce species, as acceptable to the Department of Parks and Recreation), five (5) to six (6) feet in height, twenty (20) feet on center, staggered ten (10) feet on center."

The next paragraph was read: "We believe that the existing buffer should be in compliance with your sections as well as these; they are not. The existing and any proposed expansions must include an increased buffer dimension, a permanent brick masonry wall and landscaping improvements."

Question/Comment 8: "Typical parking requirements for a general hospital is (3) parking spaces for each patient bed. Crittenton's 270 beds would require 810 spaces plus spaces for the ancillary buildings. The hospital proposes an additional 479 parking spaces to the existing spaces. What is the total number of parking spaces currently provided? Will this parking expansion accommodate future building expansions?"

Question/Comment 9: "Most jurisdictions require a minimum green area/open space and a maximum percent of lot area covered by all buildings for this type of development. What are the City minimums and maximums, and what has the hospital proposed for this site?"

Question 10: "Was an independent Traffic Study provided to or obtained by the City? If so, what are the findings and recommendations? Are additional onsite and offsite traffic control measures required?" She concluded by thanking the Commission for their consideration of the questions and concerns, and said they could feel free to contact her or her husband.

Ann Peterson, 233 N. Alice, Rochester, MI 48307 *Ms. Peterson related that they were present because they were not invited to the meeting that took place August 6, 2007 (in Rochester). She brought that up to the Rochester City Council the night before, and they came out to look at their properties and hoped to be back in touch with Crittenton and Rochester to find out why they were not notified. She stated that there were a lot of discrepancies in what was taking place with the proposal. She noted that she had gone to Crittenton the day before between 2:00 and 2:30 p.m. and there were over 100 empty parking spaces in the existing structure. She described that there was permitted parking on the*

bottom level for the general public; there were 19 handicap spaces not fully utilized; the employee parking on the third level was not fully utilized; and the top level was not fully utilized. At 5:00 before the meeting, she said she found many empty spaces in the structure as well as on the ground. She stated that they had lived in their house for ten years, and they had not complained about what Crittenton had or had not done to help protect the citizens that lived there. They spent six years fighting the flooding of their properties, and many homes had sustained a lot of damage during that time. A retaining pond was finally put in, but before that process, no one had paid attention to the residents' needs. Currently, the lighting went full force into their homes all the time. She indicated that they did not call the City all the time to complain - they knew it was a business, and they knew that when they moved in. However, they did not expect to have their entire backyards to be over-towered with another structure that was only 60 feet from their property lines. That property line also included a 15-foot berm, which had not been maintained in the past six years. She insisted that Crittenton did not pick up the trash or the dead pine needles, and she recalled a fire from a cigarette about three years ago from the parking lot. She criticized the fact that there were many issues with their properties that were not being addressed. Their property values had already diminished because of the economy, and she was fearful that they could not sell their homes with a big brick wall in the back. She continued that they very seldom got a nice breeze because they were on a lower elevation than the hospital, which occurred mostly because they lost about a foot of ground from flooding over six years. She stated that they were at a total disadvantage. The rendering did not show anything about an additional 20 feet being added to the center, and the structure would be right next to the berm. There was only a little roadway between the proposed structure and the properties, where there currently was parking. On the lot where they proposed to put the structure, there were 15 cars per row and over ten rows. The employees parked there mainly, and the lot was not filled. On weekends there were not as many people at the hospital, and the parking lot was not being utilized, but she did not feel that would account for the way they would suffer. She pointed out that the noise and trash were bad, and that a lot of things needed to be addressed. The applicants said that there was currently a dense berm of evergreens, but she corrected that there was not. Nothing had been addressed about replacing the trees or open areas. She indicated that there were three different pages that showed three different numbers of parking spaces proposed. She realized they might vary, but it started with 425, then she saw 455 then 479. She read number four of the general requirements for a Conditional Land Use: "It will not be detrimental, hazardous or disturbing to existing or future

neighboring land uses, persons, property, or the public welfare." In various reports and letters it stated: "The proposed development should not be detrimental, hazardous or disturbing to existing or future neighbors" and "The proposed development will not have an unreasonably detrimental or injurious effect on existing or future neighbors." She did not think that anyone knew what the proposal would do to the homes or the neighborhood. She did not think it was fair to start the project and think that no one cared because no one went to the Rochester meeting. She stressed that they would have been at that meeting had they known about it, to make sure nothing would have gotten this far without their input. She did not believe that the size of the parking deck was realistic for the size of the area, and she felt that it would cause undue grief to the property owners and detrimental property values. The air quality from the exhaust fumes interfered with their health and well-being. There was not enough cross breeze to help, and she indicated that she did not want to breathe them in her backyard. The applicants said the berm was dense, but she said she could see all the way through the current landscape and they could hear conversations in the parking lot. They did not complain about that - it had always been that way. They could hear doctors being announced over the intercom. There were a lot of things they lived with, but there were some things they could not live with any longer. She stated that the impact on the existing and future neighbors would be huge. She read that, "The project should not compromise current and or future neighboring uses, persons, property or public welfare." She said that the proposed design was the same as the existing parking structure, except that it would tower over their homes. Mr. Whedon had said that they previously received approval, but she said that they did not. It was a preliminary approval, based on the applicants going back to Rochester with the lighting and landscaping issues. She noted that the Ordinance stated that for this sized structure, abutting a residential property, there should be a wall. She noted that they put one behind the condos to the south and added a nice berm. She talked about providing shielding for the neighbors, and she stated that someone needed to look at their properties to see that there was not an extremely dense berm. It was said at the Rochester meeting that they would plant 55 trees. She did not feel the trees would be able to breathe because of the big brick wall that would overpower and overshadow their properties. They would not have sunlight. She did not think anyone could realize what a big tower of brick would be like until it was put up. She said she would like it if the Commissioners could come and look at her property, as the Rochester Council did. She indicated that they had a new City Council who actually cared about the City of Rochester, and that the deck was preliminary approved before the election last year. She ended by

saying that she hoped the Commission would help address their concerns.

Steve Ciraulo, 245 N. Alice, Rochester, MI 48307 Mr. Ciraulo thought that the ladies before him covered it pretty well. He said that they objected to having a 60-foot wall 60 feet from their homes, and he did not think anyone else would like to live with something like that. He did not think many of the neighbors were aware of it, and he thought they should get together, meet with the City of Rochester and start all over.

Jeremy Brown, 221 North Alice, Rochester, MI 48307 Mr. Brown said that he was at the meeting in 2002 at Rochester Hills for the first deck. He thought that it was more of a presentation of what they were going to put in, and they did address some of the residents' concerns such as lighting. He invited the Commissioners to come to his house and stand in his bedroom where there were two main lights from the deck that shined right in to his bedroom. He had to put up two sets of sheets to keep the lights out. The City of Rochester had recently contacted the hospital three separate times, and those letters had gone unanswered. At the back of his property there were no trees, only bushes. The City recently went in to fix the flooding issue and tore out a bunch of tall Lilacs and replaced them with 2 ½ foot bushes. He remarked that he had a beautiful view of the structure currently. He stated that there had been no involvement with the hospital and the local residents. If the applicants wanted to meet with the residents, he offered that they were ready, and that they were neighbors.

Kim Klein, 245 N. Alice, Rochester, MI 48307 Ms. Klein stated that she had lived in her home at the corner of Alice and Third for 25 years where she had raised her kids. She used to work for Crittenton, and she proclaimed that the proposal was astounding to her. She commented that she sat on her deck all the time, and her view was the Crittenton Hospital parking lot. There were a few little shrubs along the property line, but they were not taken care of and some were dead. They did not complain, and she heard the overcom daily, and they lived with it. If she sat on her deck and had to look at a brick wall, she would wonder who would ever buy her house if she needed to sell it. She stated that no one would want to live like that and look at a big brick wall. She said that she knew a lot about the hospital, and she felt that the parking was unnecessary and unwarranted. She agreed they should re-think it.

Mr. Ciraulo asked if they knew the percentage of parking used now, and Chairperson Boswell responded that they did not have that information.

Mr. Ciraulo reiterated that there was a parking lot behind their house now, and he was not sure how many spaces it had, but he said he could guarantee that it was not even 20% full on any given day. He did not see a reason for a parking structure. He asked what the new structure would do to University Drive. He maintained that it was already terrible from 3-6 p.m. every day. There would be one exit onto University and one out the back onto Livernois, and he did not see how it would be a good idea.

Chairperson Boswell closed the Public Hearing at 8:27 p.m.

Chairperson Boswell said that the Commissioners were aware of plans for future expansion with the tower, but he recalled the comment about whether that was putting the cart before the horse. If the hospital did not need the parking, he questioned why they were building a deck now.

Mr. Whedon said he had been working with the hospital since 2001, visiting almost on a weekly basis. He acknowledged that there were times when the deck was not full, but there were times when he could not find a place to park. He also acknowledged that there were empty surface lot spaces. What had not been realized was the impact the medical office building would have when completed in a very short time. That would generate additional cars onto the site, and he assumed it was addressed when the site was approved. He reiterated that the expansion would net an additional 293 spaces, because the first level of the deck was an existing parking lot. He said he could appreciate the concerns of the residents regarding the height, but he corrected that it would actually be 45 feet tall. The towers would be up to 58 feet tall, and the closest one would be about 100 feet away. If the concern was about the design of the east wall, he said he was sure it could be looked at to improve the appearance. Regarding the density of the trees, he acknowledged that there were some holes, but he advised that there was a landscaping plan that proposed to fill them.

Chairperson Boswell asked when the second medical office building was approved, and Mr. Delacourt replied that it was July 2007. Chairperson Boswell remembered that at the time, it was indicated that there would be enough parking. Mr. Oberlee said that at the time, they were questioned about when they were going to add onto the parking deck. Mr. Anzek then asked him for a copy of the Master Plan, which showed the overall plans for their campus and what the parking needs would be, which they provided.

Chairperson Boswell referred to the notification to the neighbors, and

clarified that it involved the City of Rochester. He brought up the several complaints about the area not being maintained properly. Mr. Oberlee advised that he would look into that.

Chairperson Boswell said a question came up about whether a traffic study was done. He did not believe one was required. Mr. Whedon agreed one was not done, and Mr. Delacourt added that Staff did not usually require one for additional parking, and that expansions to a facility would generate a study.

This matter was Withdrawn

Chairperson Boswell asked Mr. Delacourt if the deck would meet the City's setback and buffer requirements if it were being built completely inside the City of Rochester Hills. Mr. Delacourt said it did, and met at least two of the buffer requirements. The property line was in Rochester, so he was not sure of their requirements. If the existing berm were six feet, it would meet the opaque requirements. Chairperson Boswell said there was a one-way fire lane around the building and he asked if that was conventional. Mr. Delacourt said that any structure would have to be farther than 25 feet away from the property line. Chairperson Boswell asked about the height requirement for the deck. Mr. Delacourt said that the height requirement was 30 feet in a Special Purpose district and footnote (i) allowed the Planning Commission and City Council to increase that as long as the setback was increased in accordance. If the building was 48 feet tall, then the setback had to be at least 48 feet.

Ms. Hardenburg stressed that she was very disappointed, explaining that one important thing the Commission asked from developers was that they meet with the neighbors, which should have been done a long time ago. She stated that it seemed that Crittenton had a reoccurring problem maintaining their property. The Commission heard it last year when the medical office building came forward. The residents on the south side complained about how trashy the back of the building looked. She said that it was very shameful. She recalled that when the medical office building was before the Commission, she had specifically asked about parking, and was assured there were plenty of parking spaces. There was a lot of parking that was not being utilized, and she stated that it was not true when the applicants said there was not going to be enough and that they were going to provide another parking structure. She reiterated that she was very disappointed.

Mr. Schroeder said that a question about drainage was raised, and he clarified that the drain for Rochester was newly built. Mr. Oberlee said it was on land they gave to the City of Rochester to fix the drainage problem

along the street. Mr. Schroeder asked if Crittenton or the City of Rochester did the work. Mr. Oberlee advised that they paid for 70% of the project. Mr. Schroeder surmised that they provided a solution to the drainage problem, to which Mr. Oberlee agreed and added that a lot of money was paid.

Ms. Brnabic clarified that the flooding problem had been resolved. She said she agreed with Ms. Hardenburg, and she was also disappointed she had heard that the berm was not being maintained, that there was trash everywhere, and that there were lights shining in peoples' bedrooms. She mentioned it in light of the fact that people had taken the time to notify the hospital about it. As good neighbors, she avowed that everyone should be working together for the best resolutions, even if someone did not get everything they asked. She generally did not have a problem with parking being added to a facility, and she hoped to see the hospital and patients adequately served, but she could understand the neighbors' concerns about a towering structure and their other issues raised. She had enough of a concern that she would not feel comfortable moving forward with the project currently. She would rather see the matter tabled until the groups got together and further questions were answered. She could also understand planning for the future, but it was questionable at this point. She hoped the applicants would take steps to resolve all the concerns before the matter moved forward.

Mr. Oberlee indicated that it was the first time that they had heard about problems. He wished to clarify the statement he made about adding a parking deck. He meant to say that right after the last hearing, Mr. Anzek asked him for a Master Plan and to show what they planned to do for parking, including doing something about the parking structure. If he did not mention it at the meeting, he apologized, but they did get asked by the City to provide information about a parking deck. He expressed that the new deck had been designed with good intent. Regarding light shining, they had taken care of it with the new design. When the City of Rochester called them about light shining into homes, they made adjustments to the lights. Weeks later, he got another call and a picture from Rochester saying they were still getting complaints. He found that the light shining into the homes was actually on a light pole - it was not part of the deck. They disconnected the light within two days, so it showed that they were trying. Regarding the back corner of the parking lot looking poorly, he agreed that it did, and he said that construction from the tower and the new additions were staged out of that lot, and it was falling apart. The hospital did not want to put a lot of money in something in that bad of shape when they were planning a parking deck there. He asked the

Commission to take a look at the entire site before judging the back corner, because he felt it looked very nice.

Ms. Hardenburg remarked that it did not take much to keep the trash picked up. Mr. Oberlee advised that they had someone out there on a regular basis picking up trash. He recognized that there might have been spots they missed, and he said he would certainly take the hit. He believed that it looked "pretty darn good" and much better than a few years ago. Ms. Hardenburg said they also talked about the salt shed a year ago, which was supposed to be addressed.

Mr. Oberlee asked why Crittenton or any other organization would come before the Commission with a request to put ten million dollars into their facility if they did not feel they had a need. He urged that it was a reality.

Chairperson Boswell asked if there were spots where the six-foot berm was not six feet high. Mr. Oberlee said they would check it out and if it were not tall enough, they would be willing to make it so.

Mr. Dettloff said that one of the concerns of the residents was that they would have to look at a brick wall. The applicants had agreed that they would take that into consideration and perhaps do a different design, and he asked if they could comment about how it could be modified.

Mr. Whedon proposed that they could work with the residents and see what they wanted. Mr. Dettloff declared that would be a great idea, and he reiterated that the Commission always encouraged that. Mr. Whedon suggested that they could make it look like the side of a house. Mr. Dettloff said that communication would be very valuable, because at the end of the day, it all boiled down to the relationship. Mr. Whedon was curious about what happened with Rochester and the communication. He wanted to assure the residents that if the issues had been brought forward earlier, they would have been addressed. He had worked with Crittenton since the new administration came in, and he knew they had the community at heart. He stated that it was the best organization he had worked with in his entire career as an architect. Mr. Dettloff thanked Crittenton for their support and involvement in the community, and said that none of the Commissioners were there to oppose any future plans because health care was an important component in society today. They would just like to see some improved communication that would ultimately help the process, not hinder it.

Mr. Schroeder said it was interesting to note that Troy Beaumont just went

through the same thing Crittenton was going through. There were times when their parking lot looked as if it were not being utilized. They entered into an agreement with the City of Troy to use the park next door for their overflow parking for their employees and for an access to that park from the hospital and from South Boulevard. They were expanding also, and the situation was very similar.

Ms. Brnabic asked the applicants if they would be willing to postpone until they could meet with the neighbors. She said she did not have a problem with Crittenton trying to service their needs, but she maintained that the neighboring community had to be considered also. She said she had too much doubt with everything she had heard, and she would like to see some resolutions. She was uncomfortable at this point, and she wondered if they would be willing to meet with the neighbors and come back with steps that they could do.

Mr. Whedon referred to Sheet C-500, which showed a construction sequence that indicated they would start in March 2008. Obviously, the project had been postponed, but the new schedule showed a little bit of float time. They could not complete the project in the winter. If they started in August 2008, they planned to finish in July 2009, so they had a couple of months before they would conclude that it was or was not going to be built in 2008. He assured that if the directive of the Commission was to meet with the neighbors, that was what they would do.

Chairperson Boswell said that the Rochester City Council planned to look at the property. He had read the Minutes from the Rochester Planning Commission meeting of August 2007, and the residents did not have any idea that meeting took place until recently. He observed that the City of Rochester might want to look at things again. Mr. Oberlee said he had the same thoughts. Mr. Whedon confirmed that they got a preliminary approval from Rochester, and he understood that it would become an approval based on what happened with Rochester Hills. He apologized if he said it was fully approved.

Ms. Brnabic asked how much time they would need to accomplish things if it were postponed. Mr. Whedon said they would need to come back as soon as possible. They had to plan for inclement weather also. If they got through the process with Rochester Hills, he reminded that they still had to go before the City of Rochester. The Administration had changed quite a bit, so he indicated that it might not be as simple as it sounded.

Chairperson Boswell asked Mr. Delacourt what was planned for the next

few meetings. Mr. Delacourt said there were a few things, but he thought that the hospital could be fit in the schedule as soon as the issues were resolved. Mr. Delacourt suggested that a special meeting could be scheduled if necessary, since September 2 was right after the holiday and the August 19 meeting was probably a little too soon.

Mr. Hooper encouraged Crittenton to do what was discussed, such as holding a town hall meeting with the neighbors. He would like the neighbors to focus not on the fact of the deck's height, but on the mitigating factors such as height of the berm, the landscaping, and solutions for light and noise pollution. He hoped for a good outcome for those issues. He said he looked forward to seeing the applicants before them again.

The applicant requested to withdraw, so a motion to postpone was not necessary.

This matter was Withdrawn

2008-0360

Request for Tree Removal Permit- City File No. 01-020.2 - Goddard School, a proposed 10,336 square-foot early childhood learning center on 1.46 acres located north of Avon, west of Rochester Road (north side of Lifetime Fitness' access drive), zoned B-2, General Business, Parcel No. 15-15-476-021, Marty Ginzinger, applicant.

(Reference: Staff Report prepared by Derek Delacourt, dated July 29, 2008 and accompanying site plans had been placed on file and by reference became part of the record thereof.)

Present for the applicant was Bill Mosher and Nathan Robinson, Apex Engineering Group, 47745 Van Dyke Ave., Shelby Township, MI 48317 and Marty Ginzinger, 400 Antoinette, Rochester Hills, MI 48309, applicant.

Mr. Delacourt advised that the applicant was requesting approval to construct an approximately 10,000 square-foot Goddard School on an existing, vacant, B-2 zoned parcel. He noted that the parcel was located north of Avon, west of Rochester Road, off of the Lifetime Fitness access drive. He indicated that the request was relatively straightforward; there was enough parking provided, and the setbacks and buffers met all the applicable Ordinances. The project had been reviewed by all internal and external departments, and the applicant had addressed any issues raised. The requirement for a Tree Removal Permit had been met - all regulated trees removed would be replaced with tree credits. He noted that there was a small Natural Features Setback Modification being requested, which was indicated