

2024-0203 Public Hearing and Request for Conditional Use Recommendation - File No. PCU2024-0003 - to allow construction of a third floor (with a maximum height of 45 ft.) for the proposed Gerald Plaza, a three-story mixed use residential and commercial building located at 1760 E. Auburn Rd., located at the southwest corner of Auburn Rd. and Gerald Ave., Parcel No. 15-30-226-068, zoned BD Brooklands District, Mike Chaudhary, DMC Consultants, Inc., Applicant *(Staff Report dated 4/10/24, Reviewed Plans, Updated Renderings received 4/9/24, Development Application, Environmental Impact Statement, Public Hearing Notice, Previously Approved Plans from 2021, City Council Minutes of 2/22/21 and Planning Commission Minutes of 2/16/21 had been placed on file and by reference became a part of the record hereof.)*

Present for the Applicant was Mike Chaudhary, President and CEO of DMC Consultants, developer and general contractor for the project, and Hisham Turk, Turk Architects.

Chairperson Brnabic introduced this item for conditional use approval recommendation and site plan approval to allow construction of a third floor with the maximum height of 45 feet for the proposed Gerald Plaza, a three-story mixed use residential and commercial building located at 1760 East Auburn Road, at the southwest corner of Auburn Road and Gerald Avenue. She called for the Staff Report.

Mr. McLeod explained that this item consists of two different requests - one for Site Plan Approval and one for Conditional Use Recommendation to City Council for the proposed mixed use development, formerly known as Zeenat Plaza, and now called The Gerald. He stated that it is the same project as was originally approved several years ago, and explained that the conditional use is specific to the third story of the building within the Brooklands District.

He noted that this will be a 33,000 square foot building in total between all three floors, and encompasses 10 residential units, which he stated he believes will be sold as condominiums, along with 8,400 square feet on the first floor dedicated to non-residential use between commercial and office. He stressed that there are no significant changes from the previous approval granted in 2021; however, due to unforeseen circumstances the site plan expired and that is why the applicants are before the Commission seeking reapproval.

He displayed an aerial photograph which he noted is a bit older as there are now parking lots near the proposed project which have not made it to Google Earth images. He noted that the surrounding zoning district is the Brooklands District, with the exception of to the south across the alley where it is R4 one-family residential, and all uses conform to the zoning designation for the most part. He stated that it basically meets all of the requirements of the Brooklands District and they are providing parking on-site relative to the residential uses that are on floors two and three.

Mr. McLeod explained that in terms of landscaping, the streetscape will serve as the landscaping. He pointed out that the Brooklands District requires buildout along two lines on Auburn as well as the Gerald roadway. The third

story of the building is required to be stepped back 10 feet to help minimize the impact on the surrounding environment, and he noted that this is one of the conditional use requirements. He noted that the landscaping plan is pretty minimal, and he mentioned that one of the items suggested was some additional plantings in the landscape island against the alleyway to provide a little bit more buffer between the site and the residential structure to the south. He mentioned that it is already buffered somewhat with the fence that was put in place as part of the overall Brooklands redevelopment. He noted that staff has had conversations with the applicant leading up to the meeting about slight changes or discrepancies between building materials particularly on floors two and three. He stated that where it appears tan on the rendering, it is noted as either brick or a composite material, and he pointed out that on the original site plan approved in 2021 that material was shown as all brick. He stated that the applicant did not seem opposed to having the facade being brick to match what was originally proposed.

He reviewed parking, showing the parking for the units and some additional on-street parking and parking that abuts the alleyway. He mentioned that the Brooklands District requires onsite parking for all residential uses. He reviewed the floor plans, noting that the first floor buildout will probably fluctuate depending on who the ultimate tenants will be.

Chairperson Brnabic invited the applicant to comment.

Mr. Turk stated that he just read the staff report from the Planning Department and would concur with the recommendations. He suggested that his viewpoint is that they are thinking that the first floor would be brick, the second floor would be brick, and the third floor would be composite site panels, noting that in his opinion it would look better. He stated that if it is still desired for the third floor to be brick, they would do that.

Chairperson Brnabic stated that she personally agrees with the Planning Department and would like to see the additional brick put back on the facade and have it look identical to what was approved in 2021, unless they would like to add more somewhere else.

Mr. Turk responded that would be fine.

Mr. McLeod reviewed the elevations that were approved in 2021.

Mr. Turk stated that while they proposed brick or composite material, when they did the construction documents for the permit, they decided to do the second floor brick and the third floor composite. He stated that they could do the third floor in brick.

Chairperson Brnabic stated that this would be one of the conditions, and wanted to confirm they were agreeable to that.

Mr. Chaudhary responded that they were agreeable to that.

Ms. Neubauer noted that the report dated April 10 included a denial from the

Fire Department, pointing out that an additional hydrant was required along Auburn Road. She asked if that had been resolved, along with Engineering comments regarding land improvement permit, storm sewer maintenance agreement and utility easements. She stated that those should be added as conditions as well to ensure they are resolved. She commented that she does not have a problem with changing the style of brick on the third floor to make it a lighter color to match the composite color shown, but she does want the second and third floor to be brick so it matches the rest of the area.

Chairperson Brnabic stated that as this will be the first three story building in the Auburn corridor, and it should stand out as a very good example.

Ms. Neubauer asked if they were agreeable to adding the extra plantings as buffering. Seeing the applicant's concurrence, she noted that this should be added as a condition as well.

Mr. Dettloff stated that he was glad to see this moving forward, and asked for the previous renderings to be shown.

Mr. McLeod displayed the elevation set that was submitted and approved as a part of the 2021 approval. He stated that Mr. Turk is correct that there was a sheet included that showed alternative materials; however, he pointed out the rendering that was approved. He stated that those materials had been changed on the current elevation drawing, and that is why it was marked up by the office in terms of different materials. He explained that if the composite material is removed and brick goes back up in those designated areas, it is basically back to the 2021 approval.

Mr. Dettloff stated that he was a part of the planning stages of that project, and he thinks that it will add to the enhancement of the whole area and provide a neighborhood district mini-downtown type of setting. He asked whether they had any idea what the rents of the units will be.

Mr. Chaudhary responded that this is a new development, and they do not have any comps to compare. He commented that the City has spent a lot of money to make this a downtown area, and he is currently thinking \$2,600 to \$2,800; however, their plan is to sell condominiums so they can reinvest the money in other opportunities in the same corridor. He commented that they have a lot of projects in Detroit and are happy to come to the city and are anxious to start their project.

Mr. Dettloff asked what other communities they are in.

Mr. Chaudhary responded that he has worked in several communities all in the Metro-Wayne area, and in Ann Arbor. He commented that they have not done the commercial construction for their own development, but have worked all around the state of Michigan.

Chairperson Brnabic noted that the EIS states they are planning on having five two-bedroom and five three-bedroom condominiums in a projected price range of \$385,000 to \$455,000, and asked if that is correct.

Mr. Chaudhary responded that this may go up a bit as the project has been pushed back, but he would think this would be close to those numbers. He commented that they want to work six days a week to catch up with a month-and-a-half loss of time, and will know more once the project is done and they start advertising. He added that they have had a lot of inquiries and thinks that before they are finished it will be sold out.

Mr. Struzik stated that the Brooklands is a great neighborhood that has seen a lot of redevelopment north and south of Auburn Road, and is a success story. He commented that he is excited by this proposal and has been following it since 2021. He noted that it is a short walk from where he lives and hopes it becomes a blueprint for future development projects. He stated that he would hope that the developers will take some of the proceeds and replicate this elsewhere in the corridor, and noted that there are a number of lots along Auburn Road that could accommodate a similar development. He stated that he would agree with Council Member Neubauer and Chairperson Brnabic that he would like to see the original brick material back, and agreed that the color could vary a bit.

Ms. Denstaedt asked if the applicants had again reached out to the neighbor immediately behind, and if they knew what retail might be in the building.

Mr. Turk responded that it is the same neighbor. He explained that they did not reach out to him this time, but previously they had reached out and there was no problem and they were happy with the project. He noted that there are some restaurant restrictions, but the previous owner had mentioned that there were a lot of inquiries for this particular retail. He explained that they wanted to make sure that everything is clear with City Council first before advertising. He stated that he is confident that this will be sold out before it is built.

Mr. Weaver referenced the landscape plan, and noted that the tree grate is labeled on the landscape plan, but the image is not correct, and that should be cleared up prior to a contractor installing the wrong thing based on the image. He stated that he would concur with the need for additional plantings along the back end of the alley, and noted that it would have to be something that can handle salt spray as the alley will most likely be heavily salted. He mentioned the lone planting area and commented that he thinks it is overstocked with trees and the Serviceberry and Sweet Gum will grow together and quickly choke each other out. He stated that he would recommend moving the Serviceberry to the ends of the islands at each end of the parking area, and add grasses or a low shrub. He commented that he is excited for this project. He added that he would concur with Ms. Neubauer's suggestion of a lighter brick on the third floor.

Mr. Hooper asked if the applicants had any issues with the additional conditions in the proposed motion along with those raised today. Seeing the applicant's agreement, he moved the motion in the packet to recommend conditional use approval, with the six findings and four preprinted conditions.

Chairperson Brnabic stated that this item requires a Public Hearing, and noted that she did not have any cards or sees anyone wishing to speak, so she

closed the Public Hearing. She asked if the applicant was willing to contact the neighbor one more time prior to this item moving on to City Council.

Mr. Chaudhary responded that he would contact them as early as tomorrow morning.

Chairperson Brnabic noted that the timeframe for construction was approximately 14 months.

Mr. Chaudhary responded that he would check with this construction team, but the answer is yes.

Mr. Hooper moved the motion in the packet to recommend approval of the conditional use and was seconded by Mr. Dettloff.

Chairperson Brnabic read the motion in the packet for conditional use approval recommendation, noting that the additional conditions the Commission discussed would apply to the site plan. After calling for a roll call vote, she noted that the motion passed unanimously.

Mr. Hooper moved the motion in the packet to approve the site plan and was seconded by Mr. Dettloff, noting the conditions regarding the additional fire hydrant required, the additional brick for the second or third floors along with reference to color, relocation of the additional tree plantings as discussed and approved by staff, and correction of the tree grate reference and image on the plans.

After calling for a voice vote, Chairperson Brnabic noted that the motion to approve the site plan passed unanimously. She congratulated the applicants.

Mr. Chaudhary thanked the Commissioners, and stated that he looks forward to the opportunity to work with Rochester Hills.

Mr. McLeod noted that the target date for this item to go to City Council is May 6th.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of File No. PCU2024-0003 (The Gerald), the Planning Commission recommends to City Council Approval of the Conditional Use to allow the proposed development of a three (3) story building within the BD Brooklands District, based on documents received by the Planning Department on March 1, 2024 with the following findings and subject to the following conditions:

Findings

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The proposed building and proposed conditional use have been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposed mixed use development building should have a positive impact on the community as a whole and the surrounding area by providing additional shopping opportunities and residential housing options within the Brooklands District.
4. The proposed development and proposed uses are served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal, subject to the conditions noted below.
5. The proposed mixed use development should not be detrimental, hazardous, or disturbing to the existing or future neighboring land uses, persons, property, or the public welfare as the use is fully compliant with all zoning ordinance requirements, meets the intended development and use patterns as outlined in the City of Rochester Hills Auburn Road Corridor Plan, is separated from the abutting residential uses to the south by the existing alley and privacy fence.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions

1. City Council approval of the Conditional Use.
2. The applicant must provide the additional fire hydrant as required by the City's Fire Department. All original comments from City departments on the reviewed site plans, this staff report, and outside agency review letters, remain applicable.
3. The applicant must provide additional brick on the facades of the building as discussed during the public hearing of April 16, 2024, specifically to add brick on the second and third floors as depicted with the beige color on the renderings discussed and as previously shown in the 2021 approved plans.
4. Additional tree plantings must be provided within the landscape island along the alley to provide buffering to the residential properties to the south, as approved by Staff in regard to location, species and height.

2024-0202

Request for Site Plan Approval for The Gerald Plaza - File No. PSP2024-0005 - for a three-story mixed use residential and commercial building located at 1760 E. Auburn Rd., at the southwest corner of Auburn Rd. and Gerald Ave., Parcel No. 15-30-226-068, zoned BD Brooklands District, Mike Chaudhary, DMC Consultants, Inc., Applicant

See Legislative File 2024-0203 for Discussion.

A motion was made by Hooper, seconded by Dettloff, that this matter be Approved. The motion carried by the following vote:

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Weaver

Excused 1 - Hetrick

Resolved, in the matter of City File No. PSP2024-0005 (The Gerald), the Planning Commission approves the proposed Site Plan, based on plans received by the Planning Department on March 1, 2024, with the following findings and subject to the following conditions:

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from the public ally along the south side of the building and providing access to Gerald Ave. and Eastern Ave., thereby promoting current and future safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas for the residential uses have been provided onsite and the nonresidential uses will have access to dedicated onstreet parking spaces and the newly constructed Eastern Ave. parking lots thereby avoiding common traffic problems and promoting customer safety.
4. The proposed development and associated improvements should have a satisfactory and harmonious relationship between the development on-site, the existing development in the adjacent vicinity, and the overall vision of the Brooklands District.
5. The proposed development will not have an unreasonably detrimental or injurious effect upon the existing characteristics and features on the site or those of the surrounding area.

Conditions

1. The applicant must provide the required additional fire hydrant as required by the City's Fire Department.
2. All original comments from City departments on the reviewed site plans, this staff report, and outside agency review letters, remain applicable.
3. The applicant must provide additional brick on the facades of the building as discussed during the public hearing of April 16, 2024, specifically to add brick on the second and third floors as depicted with the beige color on the renderings discussed and as previously shown in the 2021 approved plans, or color as discussed during the public hearing.
4. Additional tree plantings must be provided within the landscape island along the alley to provide buffering to the residential properties to the south, and applicant must provide revised planting types and locations for the eastern planting area, as approved by Staff.
5. Provide a landscape bond in the amount of the landscape installation cost estimation shown on the site plan, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering. This bond must include additional costs for additional tree plantings noted in #4 above.

6. Tree grate labeling and image to be corrected on the plans.