

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

MOTION by Kaltsounis, seconded by Reece, in the matter of City File No. 16-018 (Cedar Valley Living), the Planning Commission **denies the Revised Site Plan Elevations** based on revised elevations dated received December 4, 2018.

A motion was made by Kaltsounis, seconded by Reece, that this matter be Denied. The motion carried by the following vote:

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

Chairperson Brnabic stated for the record that the motion had passed unanimously; the Planning Commission had reaffirmed the original approval and did not care for the proposed changes.

DISCUSSION

2018-0585

Penelope's Place, a proposed mixed-use Planned Unit Development consisting of apartment units and commercial space on 3.3 acres on the east side of Adams, south of Forester Blvd., zoned O-1 Office Business, parcel No. 15-30-302-034, Ziad Kassab, Applicant

(Reference: Letter from AMAG, dated December 10, 2018 and plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Charles Sawdon, AMAG, 4488 W. Bristol Rd., Flint, MI 48507 and Sam and Ziad Kassab, Penelope's Place, 1701 Northfield Dr., Rochester Hills, MI 48309.

Ms. Kapelanski advised that the subject site was 3.3 acres located on the east side of Adams, south of Forester. It was currently zoned O-1 Office Business, and the applicant was proposing a mixed-use building using the PUD option. There would be approximately 90 multiple-family units and 3,500 s.f. of commercial space. She noted that the site was master planned REC Regional Employment Center. The applicants were looking for some initial feedback on their concept.

Mr. Sawdon said that they had brought the proposal to the Planning Dept. as a concept and got feedback from several departments. They had taken those considerations and made some modifications. A major issue was the height of the building, so they took it from five stories to

four, for which they would like direction. He showed a power point and noted that the site was surrounded by industrial zoning. They felt that their proposal would be a good fit positioned at the edge of the community where there were other apartments. There were large, mature trees, and the site lines would not be much of an issue for the surrounding neighborhoods behind the development. On the other side of Adams, in Auburn Hills, there were apartment buildings and dense residential. He said that the overall project was intended to have high quality materials and be an attractive addition to the community. They did not prepare elevations, because they were in between heights, and they needed to know what direction they could go with height, and if they would be allowed to build a four-story building.

Mr. Anzek remembered that many years ago, when Adams Rd. was realigned, the subject parcel was square. In negotiating the right-of-way, there was a lot of trading back and forth with the owner, Mr. Pampalona and his partner over how they might offset costs to the City. In the settlement, the City gave quite a bit of relaxation for the setbacks and some uses to be more flexible. He did not remember if height was discussed, and he suggested that they needed to find the paperwork that ran with the land.

Mr. Staran did remember, and he said that he discussed it with Ms. Roediger. There was paperwork, and Mr. Anzek had referred to the fact that the City had been in the process of acquiring right-of-way for the realignment of Adams. It was an expensive and difficult proposition to acquire those rights-of-way, and the City had to go to court over several parcels, the subject parcel being one of them. The settlement agreement did not get into all the details, but the City recognized that as a result of the acquisition, it would limit the development flexibility of the site. In the settlement agreement, the seller would have the right to proceed under a Planned Unit Development approach. There was further caveat that the uses would be limited to office. That was the principal issue he had discussed with Mr. Roediger, and he advised her that the City had provided a consideration alternative to money, which was flexibility in the development approach. It was clear that the City did not intend to convey carte blanche on the land uses that could go there. There was the expectation that it would continue to be used as zoned. He viewed the way it was done and the context in which it arose, which was a condemnation case, that it was the City's intent to maintain the existing zoning. He would not construe that now as restricting or preventing the Planning Commission from considering other types of land uses under a PUD. There was a settlement agreement, and it could be amended if

they wanted. It was not like a Consent Judgment that would need a judge to approve an amendment after a Public Hearing, etc.

Ms. Morita said that she drove by there quite a bit each week. She asked if there was a single-family home just south of the property. Mr. Sawdon agreed it was a home that was zoned Office. Ms. Morita pointed out a home next to it, and Mr. Sawdon said that it was an office. Ms. Morita noted the Clinton River Trail, and that everything to the south of the subject site was single-family. She asked if the townhouses across Adams had two stories, and Mr. Sawdon said that right across the road they were two stories, and there were three-story homes north of that. Ms. Morita clarified that nothing was four stories. She asked how tall the industrial building to the east was, and Mr. Sawdon believed that it was 36 feet, although it was only one story. Ms. Morita asked if 36 feet was the equivalent of two-and-a-half stories, which was confirmed. She said that they were talking about putting up a much taller building when everything around it was not as tall. She was concerned about the people to the south. They dealt with a lot already with the Trail and the industrial, and she thought that four stories was a little much. She asked if they were proposing parking underneath the building. Mr. Sawdon said that it would be covered parking, and on one end of the building, the cover was attached, so it looked as if it was underneath the building. He said that it was not technically under the building. Ms. Morita asked if there would be ground floor apartments, which Mr. Sawdon confirmed. Ms. Morita asked if the coffee shop on the end would be a drive-thru.

Mr. Kassab said that was proposed as a coffee shop/restaurant. It would be a coffee and pancake bar, and it was a breakfast place that was unique. It would be for the residents in the building and those is the area. There would be griddles in the tables, and it would be an interactive experience.

Ms. Morita felt that it would be a great location for something like that being right off the Trail. She was not opposed that kind of a mixed-use, but she felt that they were trying to put a lot on the property. If they had that type of a restaurant, they would want to make room for bike racks for people using the Trail. Mr. Sawdon said that there would be a lot of open space left, and it would be designated for residents and users of the commercial space. Ms. Morita said that they would need lots of bike racks and probably more parking. She asked how many units there would be. Mr. Sawdon said that they were at 91, and they proposed 171 parking spaces. Ms. Morita asked how many bedrooms, and Mr. Sawdon did not know what the final makeup of one and two bedrooms would be. Ms.

Morita said that she read 140. She thought that the building was too tall at four stories, but she liked the restaurant.

Mr. Sawdon said that residents to the south, because it was an older neighborhood, had a lot of old growth trees. Ms. Morita agreed, but she reminded that they all lost leaves in the winter, and the winters were long. She suggested that they should take the height down a story. She noted that there was an apartment complex going in at Adams and Hamlin, which was allowed four stories, but the owners were also dumping \$14 million into an environmental cleanup. That was the tradeoff. If the applicants would also like to dump \$14 million into the City for something, perhaps they could talk four stories. Mr. Sawdon said that they would be putting a lot of money into the City's Tree Fund, but not that kind of money.

Mr. Kassab asked for a little more clarification about the tradeoff. Ms. Morita said that it was all part of a brownfield plan and to make the cleanup economically viable, the City was allowing more density. Mr. Kassab pointed out that there would be a four-story skyline up the street from them. Ms. Morita said that for the apartments at Adams and Hamlin, there was also a minimum 100-foot buffer required from the buildings to the residences from the two-story buildings and at least 200 feet from the four-story buildings. It was not really a comparable site. She liked the fact that Penelope's Place was being named after Mr. Kassab's daughter.

Mr. Kaltsounis noted that there were no colors or dimensions included. He reminded what they went through with the last applicant, but he did realize that it was just a discussion. He observed that there was siding and balconies, and it reminded him of an old 1970's hotel. He wondered about an enclosed pool somewhere in the middle. He would like to see something different. He agreed with Ms. Morita about the height. There was nothing that high in the area, and that was concerning. He drove by the site every day, and he did not want to kick himself later for approving something 56 feet high up against the road. He agreed that having the mixed-use and a restaurant was fine. He pointed out that it was not on the highway, and there would not be a great buffer. It would be the buffer for the neighbors, and he asked them to think about that with regards to the height. He thought that if the proposed type of development was done appropriately in size and shape, he would not disagree with it. Mr. Sawdon asked if three stories would be applicable. Mr. Kaltsounis said that it would depend on how it was done. Mr. Sawdon said that was why they did not put much time into the design. They did not want to spin their wheels and waste anyone's time. Mr. Kaltsounis said that was the benefit

of having a discussion first. They would find out if they had to lop a floor or two off and determine the business case.

Mr. Anzek felt that the use was fine. There was intense residential across Adams. He thought that something to consider for three or four stories was that the site was in a hole. There was a 10-12 foot drop off the road. Unless they were going to fill it, which would be expensive, they could take the drop into consideration, and four stories could look like three stories from the road. He remembered discussing the site constraints with the previous owner, Mr. Pampalona during the negotiations. That was why the City was agreeable to using the flexibility of a PUD. He asked Mr. Kassab if he owned the land, and Mr. Kassab said that he had acquired the property. Mr. Anzek suggested that regarding the northern access, they needed to figure out a way to get it pushed a little further north by either purchasing or obtaining an easement from Grand Sakwa. That would allow the access to be lined up with the traffic signal better. It would help the residents, and it would help Grand Sakwa to develop the little wedge piece they owned. Mr. Sawdon said that was their intent. Mr. Anzek felt that it was definitely worth having the conversation. He said that he liked the project and the use, and he felt that it would be a fine fit.

Mr. Schultz remarked that Mr. Anzek stole his thunder. Mr. Schultz said that he did not have as much of an aversion to four-story buildings, when done tastefully, as some of the other members. He thought it caused a bit of a struggle when the roof line was continuous and felt very monolithic. Showing it as a gray box in Google Earth was somewhat of a struggle, but he knew that it was just a massing study. If they got creative, and given the topo on the property, he thought that four stories would go away very quickly. Contextually, he felt that it would fit in the area, and he was all for seeing something happen at the corner.

Mr. Schroeder felt that it was a great project. He agreed that it would not look like four stories. He asked if they had control over the trees, and if they were on the applicant's property. Mr. Sawdon said that they were. Mr. Schroeder said that he did not quite understand moving the driveway to the north. Mr. Anzek said that it would just be realigned better with Forester to the north. Mr. Schroeder asked if the City owned Forester. Ms. Roediger said that the City just took jurisdiction of Forester and Old Adams from the County. Mr. Staran agreed that it was on the verge of being a City road.

Mr. Hooper referred to the topo. He advised that the south end of the project had a five-foot change; the middle had a seven-foot change; and

at the north end, there was about a 15-foot elevation change. He said that he was not opposed to four-stories. His main objection was the plain, straight walls. He suggested that they needed some reliefs or in and outs. He noted that A-100 showed straight walls everywhere, but he felt that the elevations should vary. He said that as far as the griddle on the tables, it sounded like a Black Rock concept for breakfast. He could see kids burning their hands. Mr. Kassab assured that the griddles were safe on the outside, although they got hot in the middle. Mr. Hooper remarked that when he went to Black Rock, he felt that he should have worn safety glasses. Mr. Kassab said that the breakfast concept had been done before in a lot of places, and he saw it in Maui.

Mr. Anzek asked Mr. Kassab if he got the little triangular piece on the west side of new Adams when he bought the land. It was an orphan piece left to Mr. Pampalona when the City bought the right-of-way and was part of the original square. Mr. Kassab believed that it came with the property, but he would have to check. Mr. Anzek said that it would be too small to do anything with, and he might even want to sell it to Forester Square across Adams to use for a sign.

Chairperson Brnabic asked the applicants if they had any further questions. Mr. Kassab said that they would go back to the drawing board and work with staff. He thanked staff for their time. Mr. Sawdon said that they had received some good direction. Mr. Anzek reminded that they should seriously work on obtaining the easement, which would benefit their project. Ms. Morita said that if Mr. Kassab owned that little piece, he could make the driveway line up and he would not have to involve Grand Sakwa. Mr. Kassab believed that there were two one-ways on their side. He asked if he could put in a boulevard on his side. Mr. Anzek said that he could if he got enough easement. Ms. Morita cautioned that they had to be really careful with the traffic in the area. People regularly drove 50-55 m.p.h. around the corner.

Discussed

2018-0584

Rochester Hills Research Park - City File No. 18-021 - a proposed office/research and warehouse/production Planned Unit Development campus addition to the EEI Global site on 25 acres located at 1400 S. Livernois, on the west side of Livernois, south of Avon, zoned REC-W Regional Employment Center - Workplace, Parcel No. 15-21-276-013, Designhaus Architecture, Applicant

This item had been removed at the request of the applicant.