

"Not yet approved"
**CITY OF AUBURN HILLS
PLANNING COMMISSION MEETING**

June 2, 2005

CALL TO ORDER: Chairperson Hurt-Mendyka called the meeting to order at 7:00 p.m.

ROLL CALL: Present. Beidoun, Hurt-Mendyka, Hitchcock, Luenberger, Ouellette, Pierce, Verbeke
Absent. Doyle, Kresnak
Also Present. City Planner Cohen, TIFA Chair Bennett
Guests 27

LOCATION: City Council Chambers, 1827 N. Squirrel Road, Auburn Hills MI 48326

PERSON WISHING TO BE HEARD

Mr. Ted McKissack, 3178 N. Shimmons Road notified the Planning Commissioners that he and three of his neighbors might possibly be seeking a rezoning for their properties in the near future.

Ms. Hurt-Mendyka stated recommendations from this meeting will be presented to the City Council at their June 20, 2005 meeting in the City Council Chambers.

PETITIONERS

RZ 05-04, City of Auburn Hills– Public Hearing

(Sidwell Nos. 14-09-252-006 and 14-09-276-001)

Ms. Hurt-Mendyka presented the request for approval of a rezoning from R4, One-Family Residential district to R-1A, One-Family Residential district or any other appropriate zoning district. The property is generally located south of Vinewood, between Joslyn Road and Hill Road.

Mr. Cohen reviewed his letter dated May 26, 2005 with the following recommendation:

The purpose of the proposed zoning map amendment is to implement the future land use and density recommendations of the City's Master Land Use Plan.

The Vinewood Neighborhood Master Plan, an amendment to the Master Land Use Plan, depicts subject parcels as "single family residential" with a recommended density of 2.0 units per acre.

Therefore, we are recommending Approval of RZ 05-04 from R-4, One Family Residential district to R-1A, One Family Residential district based upon the Adopted Plan.

It was explained this property would only be rezoned to the R1A district in the event the Vinewood subdivision does not proceed for any reason. Ms. Hurt-Mendyka explained this was left out of the previous rezoning for this area because the project was underway. Ms. Hurt-Mendyka stated this would not be spot-zoning.

Ms Hurt-Mendyka opened the public hearing at 7:07 p.m.

Mr. Roger Ingeles, developer for Vinewood subdivision requested that the rezoning be denied. He felt the rezoning was unnecessary and suggested this would be a "taking" of his property.

Since there were no further questions, Ms. Hurt-Mendyka closed the public hearing at 7:18 p.m.

Moved by Ms. Verbeke to recommend to City Council approval of RZ 05-04 from R-4 to R-1A District.

Supported by Mr. Beidoun.

**VOTE: Yes: Beidoun, Hitchcock, Hurt-Mendyka, Kresnak, Pierce, Verbeke
No: Luenberger, Ouellette**

Motion Carried (5-2)

Sunset Terrace Site Condominium

(Sidwell No. 14-36-153-001)

Ms. Hurt-Mendyka presented the request for approval of a site plan to facilitate the creation of an eight (8) unit one-family residential development on a site zoned R-3, One-Family Residential district. The property is generally located south of Waukegan, east of Schoolcraft.

Mr. Cohen reviewed his letter dated May 26, 2005 with the following recommendations:

We are recommending Approval of the Site Plan and offer the following discretionary findings of fact:

- 1. The Site Plan contains sufficient basic information required by Zoning Ordinance No. 372 for a recommendation.*
- 2. The requirements of Section 1815, Items 7A-7E of Zoning Ordinance No. 372 can be met as follows:*
 - A) All requirements and standards of the Zoning Ordinance, and other City Ordinances, can be met.*
 - B) Safe, convenient vehicular and pedestrian ingress/egress has been depicted; primary access will be to Waukegan (Lot 1) and Schoolcraft (Lots 2-8).*
 - C) Traffic circulation features within the site, and the location of parking areas, avoid common traffic problems and can promote safety.*
 - D) A satisfactory and harmonious relationship will exist between the proposed development and surrounding area.*
 - E) The proposed use will not have an unreasonable, detrimental or injurious effect upon the natural characteristics of the subject parcel, or the adjacent area.*
- 3. The proposed units will meet the required frontage width (50 ft.) and area (6,600 sq. ft.) requirements for the R-3, One Family Residential District.*
- 4. A five foot sidewalk will be provided along Schoolcraft. A sidewalk already exists along Waukegan.*
- 5. Landscape requirements will be met and calculations have been submitted.*
- 6. A draft development agreement has been provided by the applicant per Section 1829, Item 4.*
- 7. A tree removal permit is not required for this project. The applicant is commended for working with the City's Woodlands Consultant to save a landmark tree on Waukegan by adjusting his utility plan*

Mr. Cohen explained this is a site condominium which does not mean attached units.

Mr. Roger Saylor, property owner and developer explained the homes will be colonial style with square footage ranging from 1,700 to 2,100 square feet and garages set back. Mr. Saylor noted there would be no artificial fence at the rear of the lots; the vegetation would remain as a barrier. Mr. Saylor stated there would be additional pine trees added and the landmark tree would be saved.

Mr. Saylor stated there are full basements under the homes and these homes are built on site, no pre-fabs.

Dr. Derrick Fries, Avondale Schools Deputy Superintendent, explained the property was sold to the Saylor Building Company, the highest bidder on the land sale. Dr. Fries noted that after the initial bid

process resulted in lower than expected bids, the property was re-bid. Mr. Fries also noted the City in the past has rented the vacant property for soccer leagues through the recreation sports programs.

Mr. Terry Rowe, 3207 Waukegan, opposes the development and taking the property from the children that play there. He also doesn't feel the two-story homes fit with the character of the neighborhood.

Mr. Steve Melton, 3201 Waukegan, stated he understands progress but is concerned the houses will not be consistent with the neighborhood such as garages in front of the homes and different types of fences. In addition, the neighborhood kids will lose play space.

Mr. Roger Ingeles is in favor of the development and stated the need for additional residential homes in the City.

Mr. Pierce reminded the Planning Commissioners and explained to the residents that the issue before them was the site plan for the development of an eight unit single-family development. The site plan meets all zoning requirements and therefore, there is no reason to not recommend approval to the City Council.

Ms. Hurt-Mendyka noted the Planning Commission is a recommending body to the City Council and the City Council has the final say. She also reminded residents they could attend the City Council meeting on June 20, 2005 and voice their concerns.

Moved by Mr. Pierce to recommend to City Council approval of the site plan for Sunset Terrace Site Condominiums. Approval shall facilitate the development of an eight (8) lot site condominium on property zoned R-3, One-Family Residential district. The property is generally located south of Waukegan, east of Schoolcraft (Part of Sidwell No. 14-36-153-001). This is to include the discretionary findings of fact found in Mr. Cohen's letter dated May 26, 2005 and all applicable City consultants and agencies.

Supported by Mr. Ouellette.

VOTE: Yes: Beidoun, Hitchcock, Hurt-Mendyka, Luenberger, Ouellette, Pierce, Verbeke

No: None

Motion Carried (7-0)

Golden Triangle Centre

(Sidwell No. 14-13-176-017)

Ms. Hurt-Mendyka presented the request to construct a two-story, 20,419 sq. ft. office/retail/ restaurant building on a site zoned B-2, General Business district. The property is generally located north of University Drive, west of Squirrel Road.

Mr. Cohen reviewed his letter dated May 26, 2005 with the following recommendations:

We are recommending Approval of the Site Plan and offer the following discretionary findings of fact:

1. *The Site Plan contains sufficient basic information required by Zoning Ordinance No. 372 for a recommendation.*
2. *The requirements of Section 1815, Items 7A-7E of Zoning Ordinance No. 372 can be met as follows:*
 - A) *All requirements and standards of the Zoning Ordinance, and other City Ordinances, can be met.*
 - B) *Safe, convenient vehicular and pedestrian ingress/egress has been depicted; primary access will be an access drive which outlets to both Squirrel Road and University Drive.*
 - C) *Traffic circulation features within the site and the location of parking areas, avoid common traffic problems and can promote safety.*
 - D) *A satisfactory and harmonious relationship will exist between the proposed development and surrounding area.*

- E) *The proposed use will not have an unreasonable, detrimental or injurious effect upon the natural characteristics of the subject parcel, or the adjacent area.*
3. *Based upon the project's proposed usable floor area, 140 total parking spaces are required and 142 parking spaces are depicted.*
 4. *The parking layout meets minimum requirements and parking spaces are provided for the handicapped (5 are required and 5 are provided). One space is van accessible.*
 5. *Building and parking setback requirements will be met.*
 6. *Greenbelts will be provided.*
 7. *Landscape requirements will be met and calculations have been submitted.*
 8. *Loading/unloading area will be met.*
 9. *A note indicates that exterior lighting shall meet the requirements of Zoning Ordinance No. 372. Pole and wall-mounted lighting shall be shielded and directed downward. Lamp bulbs and lens shall not extend below the light fixture shields. Light poles shall not be taller than the building.*
 10. *A note indicates that signs shall meet the requirements of Zoning Ordinance No. 372. The sign on University Drive is proposed as a low-profile monument sign.*
 11. *A note indicates that parking spaces shall be double striped.*
 12. *Ground-mounted and roof-mounted mechanical equipment will be screened.*
 13. *A note indicates that there will be no pallet storage, overnight vehicles, or trailer storage.*
 14. *An eight foot pathway has already been installed along University Drive.*
 15. *A tree removal permit was approved for the project on February 21, 2005 by the City Council.*
 16. *A special land use permit for outside seating (SLU 04-12) was approved on February 21, 2005 by the City Council.*

Mr. Ryan Marsh, developer explained the site plan has been revised to omit the drive-thru bank and to expand the retail space. Mr. Marsh stated he is pleased with the impending Auburn Financial Center that should generate customers for the retail and restaurant businesses in his building.

Mr. Ouellette thanked Mr. Marsh for changing the location of the handicapped parking, which was originally near the outdoor seating.

Moved by Mr. Pierce to recommend to City Council approval of the site plan for Golden Triangle Centre. Approval will allow the construction of a two-story, 20,419 sq. ft. office/retail/restaurant building on a site zoned B-2, General Business district. The property is generally located north of University Drive, west of Squirrel Road (Sidwell No. 14-13-176-017). This is to include the discretionary findings of fact found in Mr. Cohen's letter dated May 26, 2005 and all applicable City consultants and agencies.

Supported by Ms. Verbeke.

VOTE: Yes: Beidoun, Hitchcock, Hurt-Mendyka, Luenberger, Ouellette, Pierce, Verbeke

No: None

Motion Carried (7-0)

Forester Square PUD
(Sidwell Nos. 14-25-429-032 thru 035)

Ms. Hurt-Mendyka presented the request for approval of a revised site plan/PUD Step 2, to allow a single-family lot size modification. The property is generally located east of Jotham Avenue, between Andover Avenue and Forester Boulevard.

Mr. Cohen noted the following:

- The applicant wished to modify the site plan to convert four of the single-family lots into three wider lots.
- The development agreement requires City Council approval to reduce the number of single-family lots.
- The purpose of the change is due to slow sales of the single-family homes. The narrow lot width is a concern among potential buyers.
- The sale of these lots will predicate the necessity of amending the site plan to include the conversion of the remaining lots.
- The staff recommends approval.

Mr. Loren Zalesin, Vice President explained the sales for the single-family homes has been much less than expected. He noted many of the potential buyers have commented on the small lot size. Seeing the results of this proposed change will determine if the remaining sites should also be adjusted.

Ms. Verbeke was very much in favor of decreasing the density and increasing the green space.

Mr. Ouellette was concerned that approximately 30 residential lots would be lost.

Mr. Paul Samartino, 3875 Andover Avenue, is all for the lot size change and is anxious to have some neighbors.

Mr. Mike Henderson, 3875 Forester Boulevard noted he has lived in his condo for the past year, and he and some of his neighbors are concerned that the lots are not selling. He is in favor of the lot size change, hoping it will bring in home buyers.

Ms. Robin Maroy, 3864 Forester Boulevard thinks it is a very good idea to get the homes selling which in turn will generate tax money for the City.

A resident residing at 3895 Forester Boulevard is in agreement with the larger lots if that's what it takes to get buyers motivated.

Ms. Verbeke requested an update on the progress of the sales.

Moved by Mr. Luenberger to recommend to City Council approval of the revised site plan/PUD Step Two for Forester Square. The approval will allow the conversion of four of the single-family lots into three wider ones. The property is generally located east of Jotham Avenue, between Andover Avenue and Forester Boulevard (Sidwell Nos. 14-25-429-032 thru 035).

Supported by Mr. Hitchcock.

VOTE: Yes: Beidoun, Hitchcock, Hurt-Mendyka, Luenberger, Ouellette, Pierce, Verbeke

No: None

Motion Carried (7-0)

Text Amendment to the Zoning Ordinance – Public Hearing

Ms. Hurt-Mendyka presented the request for approval of an amendment to Section 1832. Wireless Communication Facilities.

Mr. Cohen noted the following:

- This request was made by Planning Commissioners at their March 17, 2005 meeting to allow administrative review for all co-location proposals for wireless antennae.
- The change will encourage the co-location of wireless antennae on existing structures.

- The wireless antennae can be designed to be integral with the structure.
- Co-location is only permitted in the B-2, T&R, I-1, I-2 and I-3 districts.

After a brief discussion, it was determined co-location did not mean that an antennae already existed at a specific location, but a site for an antennae was in existence such as a building, tower, or an existing wireless communication facility.

Mr. Pierce requested that the language in the Zoning Ordinance be re-written to read:

- K. Administrative Review
 1. Antennae placed upon *a building, structure or an existing wireless communication facility* (tower or monopole, within those zoning districts said use is permitted...

All were in agreement with the reworked language.

Ms. Hurt-Mendyka opened the public hearing at 8:37 p.m.

Since there were no questions, Ms. Hurt-Mendyka closed the public hearing at 8:38 p.m.

Moved by Mr. Pierce to recommend to City Council approval of the proposed text amendment to Section 1832. Wireless Communication Facilities, as amended by the Planning Commission. Supported by Mr. Ouellette.

VOTE: Yes: Beidoun, Hitchcock, Hurt-Mendyka, Luenberger, Ouellette, Pierce, Verbeke

No: None

Motion Carried (7-0)

APPROVAL OF PREVIOUS MINUTES

Moved by Mr. Luenberger to approve the May 5, 2005 minutes as submitted.

Supported by Mr. Pierce.

VOTE: Yes: All

No: None

Motion Carried

COMMUNICATIONS

A letter from Joseph Judge regarding the master plan for a lot on Adams Road, south of Auburn Road.

Mr. Cohen explained where the specific lot was located. The area will be reviewed as part of the Master Plan update.

OLD BUSINESS

Master Plan for Joswick – Wheatley Property

Mr. Cohen explained Ms. Wheatley has requested the possibility of rezoning her two lots on Joswick to accommodate two duplexes. She has been approached by developers wishing to purchase her property. Mr. Cohen noted the property across the street from Ms. Wheatley is zoned commercial.

Ms. Dorothy Wheatley stated she was revising her request and passed out letters to the Planning Commissioners. Ms. Verbeke read Ms. Wheatley's letter into the record as follows:

June 2, 2005 This request is for the Board to consider rezoning property on the west side of Joswick Road to limited business. My letter dated May 4, 2005 was impromptu but after reflecting on the surrounding development pattern this request seems more appropriate.

Joswick is a transitional street and the entire east side of the street is already zoned commercial. The west side of Joswick faces brick walls and general business. My lots have a depth of 297 feet giving adequate barrier to the homes on Snellbrook Street at the rear of the property. Please

note there is a bank on the corner and next to the bank the property is zoned B-1. The Adams McAlpine Office Building is located near the bank.

I am sure that you can see that engulfed by general business residential inters is discouraged; however, many inquiries by small business men have been made desiring limited business use. Please consider zoning my property to B-1.

Thank you for giving this request your thoughtful consideration. Dorothy Wheatley.

Ms. Verbeke suggested holding a meeting for the residents on Joswick to hear the thoughts of all residents in regard to rezoning this property.

Mr. James Spruill, 2303 Joswick stated he was against changing any zoning. He does not plan on selling his property and does not want this property rezoned especially to a commercial zoning.

Ms. Patty Hassett, 2471 Joswick stated she too was against a commercial rezoning of this property. She had no plans on moving, nor did the majority of her neighbors. Ms. Hassett noted she has a couple of elderly neighbors who are not able to attend the evening meetings and suggested a meeting be held in their neighborhood if possible.

Ms. Tracy Spruill, 2303 Joswick was against this rezoning, as well.

It was decided that Mrs. Wheatley's property would reviewed as part of the Master Plan update.

Master Plan/Planning Commission Priorities

Mr. Cohen explained changing the master plan requires the following process:

Plan of Action

1. Place notice(s) in the Oakland Press stating the City is reviewing potential amendments to its Master Plan.
2. Meeting # 1 - Hold public hearings on each area of change. Notify property owners within 1,000 ft.
 - Present Requests
 - Obtain Input / Hold Discussion
 - Decision not made at that meeting
3. Meeting # 2 - Hold a meeting - Make a decision on each area – “Draft Plan”
4. Meeting # 3 - Send Draft Plan to City Council for review and comment
 - City Council grants approval to send Draft Plan to adjacent communities, Oakland County, and others -
 - Adjacent communities - 65 days to review and comment on the plan
 - Oakland County – 75 to 95 days to review and comment
5. Planning Commission reviews the County's recommendations and determines if changes should be made
6. Meeting # 4 – Hold Public Hearing – 95 days after request for comments sent out
7. Meeting # 5 – City Council decides whether or not to approve or reject the plan

Timing

1. Notice in Paper – **June 2005**
2. Meeting # 1 - Hold public hearings on each area of change. **July 2005**
 - Meeting # 2 - Make a decision on each area – “Draft Plan” – **August 2005**
 - Meeting # 3 - Send Draft Plan to City Council – **September 2005**
 - Adjacent communities, Oakland County, and others review (95 days) – **Review Done - January 2006**
3. Planning Commission reviews the County's recommendations – **January 2006**
4. Meeting # 4 - Public Hearing is Held – **February 2006**

5. Meeting # 5 – City Council decides whether or not to approve or reject the plan – **February 2006 / March 2006**

Mr. Cohen noted a decision does not have to be made this evening and suggested they continue with reviewing -

What is the Planning Commission's first priority?

- Opdyke Road Corridor Study

- Amend Master Land Use Plan to address property owner requests
 - Collier Road / East of Baldwin
 - Shimmons Road, west of Shimmons Woodgrove Subdivision
 - Adams/ south of Auburn
 - Joswick
 - Avondale School Property
 - AH Free Methodist Church Property - Squirrel

Mr. Cohen noted the Woodlands Ordinance is near completion but must be reviewed again.

Ms. Verbeke questioned if funeral homes had been removed from the residential zoning districts, and if not she would like to proceed with that amendment.

Ms. Hurt-Mendyka reminded Mr. Cohen an amendment to Pole Signs still has not been completed.

Ms. Verbeke requested that the sign ordinance be amended to allow voting signs to be placed in the road right-of-way for 48 hours at election time. She stated at minimum the signs could be as generic as "Vote Here" or "Vote Today".

Mr. Cohen mentioned he had visited a Camp Bow-Wow in Troy and suggested there be some type of zoning district that would allow a doggy day care. He has been approached with such a request. Mr. Cohen suggested an area such as Doris Road where there is no residential close by.

Ms. Hurt-Mendyka requested that Mr. Cohen compile a punch-list of topics discussed by the Planning Commission and the status of each item.

NEW BUSINESS

Dutton Place PUD – PowerPoint Slides

Mr. Cohen provided a concept of Dutton Place using a PowerPoint presentation. Mr. Cohen stated the petitioner would like to present the site plan to the Planning Commission in the very near future.

It was suggested that a feasibility study be done on the need for such a complex. Competition that would destroy Great Lakes Crossing wouldn't be in the best interest of the City.

Mr. Dave Heilbrun, 4260 Bald Mountain Road stated he was not pleased with the proposed development, feeling that it would create a huge amount of traffic and the site from his home wasn't very appealing.

ANNOUNCEMENT OF NEXT MEETING - The next regularly scheduled meeting is June 16, 2005.

ADJOURNMENT

There being no objections the meeting was adjourned at 9:43 p.m.

Kathleen Novak
Records Retention Clerk