

AGENDA

The City of Auburn Hills
Planning Commission Meeting
Wednesday, December 14, 2016 ❖ 6:30 p.m.

LOCATION: Robert W. Grusnick Public Safety Building
1899 N. Squirrel Road ❖ Auburn Hills MI

PHONE: 248-364-6900 ❖ www.auburnhills.org
Meeting minutes are on file in the City Clerk's office.

POT LUCK DINNER

- 1. MEETING CALLED TO ORDER**
- 2. ROLL CALL OF PLANNING COMMISSION**
- 3. PERSONS WISHING TO BE HEARD** (regarding items not on the agenda)
- 4. APPROVAL OF MINUTES** – November 20, 2016
- 5. PETITIONERS**
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
 - 7a. Discussion of various planning items
- 8. COMMUNICATIONS**
- 9. NEXT SCHEDULED MEETING** – January 11, 2016 at 7:00 p.m. in the City Council Chamber
- 10. ADJOURNMENT**

➤ **NOTE:** Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-370-9402 or the City Manager's Office at 248-370-9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements. If you wish to receive the Planning Commission meeting agenda on a regular basis via e-mail please call 248-364-6900 and request to be added to the distribution list.



CITY OF AUBURN HILLS PLANNING COMMISSION MINUTES

November 16, 2016

1. **CALL TO ORDER:** Planning Commission Chairperson Ouellette called the meeting to order at 7:20 p.m.

2. **ROLL CALL OF PLANNING COMMISSION:**

Present: Beidoun, Ochs, Ouellette, Pierce, Shearer
Absent: Burmeister, Hitchcock, Mendieta
Also Present: Assistant City Planner Keenan
Guests: 10

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

3. **PERSONS WISHING TO BE HEARD** - None

Moved by Mr. Pierce to approve the minutes of October 5, 2016.

Supported by Ms. Ochs.

**VOTE: YES: All
NO: None**

Motion Carried (5-0)

5. **PETITIONERS**

5a. Public Hearing / Motion - Rezoning from R-1A, One-Family Residential District to T&R, Technology & Research District / Kensington Church (7:21 p.m.)

Mr. Keenan introduced the request from Kensington Church to rezone a 19.5 acre parcel of land, located at southeast corner of Dutton Road and Bald Mountain Road from R-1A, One-Family Residential District to T&R, Technology and Research District.

Mr. Keenan noted that the parcels to the east and south are zoned R-1A, One Family Residential. Parcels on the west side of Bald Mountain Road are zoned PUD / T&R Technology and Research and the parcels on the north side of Dutton Road, in Orion Township are zoned SP-2, Special Purpose. He explained that the T&R, Technology and Research district designation for this site reflects the City's long range plan for the area as identified in the City's Northeast Corner Neighborhood Master Plan, which characterizes the use classification as Non-Residential Transitional, which is for uses such as Technology and Office Development. He also mentioned the rezoning of the parcel to T&R, Technology and Research district will help fill the demand for additional high-tech land.

Mr. Keenan indicated the City Adopted Northeast Corner Neighborhood Master Plan depicts the subject parcel as non-residential transitional, which is why staff is recommending approval of the rezoning from R-1A, One Family Residential to T&R, Technology and Research district.

Mr. Rick Rattner, Kensington Church, 1825 E. Square Lake Road, Troy, MI 48085, had nothing to add as he knows the issue has already been discussed in depth during the Master Plan discussions.

Ms. Shearer asked if the environmental concerns referred to in the petition were about methane gas and Mr. Rattner responded that they were, along with some other concerns.

Mr. Ochs wanted to know if there had been any other communications from the surrounding properties recently and Mr. Keenan stated that the City did not receive any calls or correspondence from anyone regarding the proposed rezoning.

Mr. Ouellette opened the public hearing at 7:26 p.m.

Mr. Ouellette closed the public hearing at 7:26 p.m.

**Moved by Mr. Pierce to recommend to City Council approval of the rezoning of sidwell No. 14-01-100-028 from R-1A, One-Family Residential District to T&R, Technology & Research District.
Supported by Mr. Beidoun.**

**VOTE: YES: Beidoun, Ochs, Ouellette, Pierce, Shearer
NO: None**

Motion Carried (5-0)

5b. Motion - Recommendation to City Council for Site Plan approval to construct a building addition / Legend Valve. (7:27 p.m.)

Mr. Keenan introduced the request from Legend Valve and Fitting, Inc. to construct a 59,826 square foot building addition on the west side of their building located at 300 North Opdyke Road, which is just south of M-59. He indicated the 21.6 acre parcel is zoned I-1, Light Industrial.

Mr. Keenan explained the proposed 59,826 building addition is intended to be used as warehouse and will increase the building size to 205,992 square feet. The plans include demolishing a 5,170 square foot section of the building and removing 138 parking spaces. The site will still have 687 parking spaces on site which is 511 spaces more than the ordinance requires. He mentioned the proposed addition will allow the company to grow their business.

Mr. Keenan indicated the total investment in the project is estimated at \$3.5 million. Construction is expected to begin in June 2017 with completion taking place in October 2017.

Mr. Larry Emmert, Legend Valve, 300 N. Opdyke, Auburn Hills, MI 48326, stated they have been at the existing site for five years now and they are very much looking forward to expanding. They converted the former Walmart site which had a positive impact on the community. They are now doing so well they need this addition.

**Motion by Mr. Beidoun to recommend to City Council approval of the Site Plan for Legend Valve and Fitting, Inc., subject to the conditions of the administrative review team.
Supported by Mr. Pierce.**

**VOTE: YES: Beidoun, Ochs, Ouellette, Pierce, Shearer
NO: None**

Motion Carried (5-0)

5c. Public Hearing / Motion – Recommendation to City Council to approve the Special Land Use Permits and Site Plan to allow the construction of a three-story Hilton Garden Inn Hotel. (7:30 p.m.)

Mr. Keenan introduced the request from Ring Hospitality Investment to construct a three-story, 96 room hotel on the eastern portion of a 4.46 acre site located east of Baldwin Road, between Great Lakes Crossing Drive and the Great Lakes Crossing Outlets ring road. The site is zoned B-2, General Business.

Mr. Keenan described four key issues related to the development. The first key issue related to the plans for a unified development. The developer, Basil Bacall, will own and operate both hotels on the site. He explained that parking, landscaping, utilities, driveways, property and building maintenance, and staff will be shared between the hotels. Mr. Keenan also mentioned Mr. Bacall acquired the use of 22 non-handicapped parking spaces within the existing shopping centers parking lot to meet the City's parking standards for the overall hotel development.

Mr. Keenan indicated the second issue relates to the building height. A Special Land Use Permit is required for a building taller than two-stories/30 feet in height. The height of the building is 44.42 feet. The Special Land Use Permit would allow a 14.42 foot increase in height over the 30 foot zoning standard. He mentioned additional greenbelt widths and greater setbacks are provided on all sides of the project to mitigate this increase in height as required by ordinance. Mr. Keenan also pointed out that the height of the hotel's main entrance side (west elevation) is 38.5 feet in height, matching the building height of the adjacent TownPlace Suite Hotel's front elevation.

Mr. Keenan mentioned the third issue relates to the materials used on the building's façade. He explained that Mr. Bacall proposes to utilize high quality building materials on the building. The building will have four-sided architecture with all sides utilizing brick, stone and split face CMU.

Mr. Keenan stated the fourth issue relates to the lower level of the hotel. He explained the lower level of the proposed hotel is considered a basement, since the vertical distance from the average finished grade to the floor is greater than the vertical distance from the average finished grade to the ceiling. Basically what that means is more of the lower floor is below ground than above.

Mr. Keenan noted that the City’s current definition states that a basement shall not be habitable and that staff believes the City’s current definition of a basement, as it relates to basements not being habitable, does not meet modern day standards allowed by the Building Code. He indicated that staff is proposing a text amendment to bring its definition of a basement up to modern day standards which will allow basements to be habitable.

Mr. Keenan indicated the total investment in the project is estimated at \$8.2 million.

Mr. Basil Bacall, Ring Hospitality Investment, 2350 Franklin Road, Suite 140, Bloomfield Hills, MI 48302, thanked the Commission for the presentation opportunity.

Mr. Pierce was concerned that the additional parking spaces may be taking away from the retail business surrounding the two hotels on the site. Both Mr. Bacall and Mr. Keenan stressed the fact that the hotel parking would occur mainly in the evening and overnight hours and the retail parking would occur mainly during the daytime hours and also be very short term parking. The businesses such as the Post Office Annex and Subway were in and out type of businesses. They are very confident that parking will not be a problem and Mr. Pierce was satisfied with that response.

Mr. Ouellette opened the public hearing at 7:42 p.m.

Mr. Ouellette closed the public hearing at 7:42 p.m.

Motion by Beidoun to recommend to City Council approval of the Special Land Use Permits and Site Plan for the Hilton Garden Inn Hotel, subject to the conditions of the administrative review team. Supported by Ms. Ochs.

**VOTE: YES: Beidoun, Ochs, Ouellette, Pierce, Shearer
NO: None**

Motion Carried (5-0)

5d. Motion – Recommendation to City Council to approve the establishment of a two unit condominium / TownPlace Suites Hotel and Hilton Garden Inn Hotel. (7:43 p.m.)

Mr. Keenan introduced the request from Ring Hospitality Investment to establish a two-unit condominium for the site of the TownPlace Suites and Hilton Garden Inn Hotels, which is located east of Baldwin Road, between Great Lakes Crossing Drive and the Great Lakes Crossing Outlets ring road. He mentioned the condominium units are the hotel buildings and all other property is designated as general common area.

Mr. Keenan explained that staff recommended this form of parcel division to the applicant as the easiest way to address all the shared agreements between the two hotels. If ownership were ever to change in the future, all shared easements and agreements would be memorialized in the condominium Master Deed with all rights and responsibilities clearly outlined.

Mr. Beidoun just wanted the benefits of this type of condominium establishment to be clarified again and Mr. Bacall stated that it keeps all agreements in place between the two hotels on the site in case one of them may be sold to a different owner and also for financing reasons because the banks want clear boundaries established when two hotels are sharing the same space.

Motion by Beidoun to recommend to City Council approval of the establishment of a two-unit condominium for the TownPlace Suites Hotel and Hilton Garden Inn Hotel development, subject to the administrative review team’s conditions. Supported by Pierce.

**VOTE: YES: Beidoun, Ochs, Ouellette, Pierce, Shearer
NO: None**

Motion Carried (5-0)

5e. Public Hearing / Motion – Recommendation to City Council for approval of a text amendment to amend Article II. Definitions of the Zoning Ordinance (7:45 p.m.)

Mr. Keenan explained that as part of our review of the Hilton Garden Inn Hotel, staff found that the existing zoning definition for a basement is outdated and somewhat complicated to interpret. The proposed text is intended to simplify the language. He indicated the updated diagram was obtained from the City of Northville’s Zoning Ordinance and should help clarify intent of the definition.

Mr. Keenan indicated the amendment has been reviewed and found acceptable from a legal standpoint by City Attorney Derk Beckerleg and that staff recommends approval.

Mr. Pierce thought the definition could be misunderstood because it removed the words “a basement cannot be habitable.” He thought it might be over simplifying whether or not a basement was habitable or inhabitable. Mr. Keenan stated the more simple term actually does make it easier to follow because as we all know basements can indeed be habitable with the required egress. He explained the rules established under current building code will determine if a basement can be habitable, which is why it doesn’t need to be stated in the Zoning Ordinance. Mr. Pierce agrees to it as long as the administrative staff and the City Attorney found the verbiage to be sufficient.

With regards to the Hilton Garden Inn, Mr. Keenan stated it allows the bottom floor to be habitable even though it is considered to be a basement and that it meets the current building codes for a habitable space because it provides all the proper egress. It was the Hilton Garden Inn project that brought the City to the conclusion that the definition of a basement needed to be updated in the Zoning Ordinance.

Ms. Ochs was curious to know if the change in definition would change the way taxes would be assessed on a property whether it was residential or commercial. Mr. Keenan noted that the City Assessor would have a better understanding on how the buildings assessed value would be determined. He then indicated it should not impact assessments since the only thing the text amendment provides is to allow basements to be habitable which has been allowed by the building code for quite some time. The zoning ordinance just needs to be updated to allow what the building code allows already.

Ms. Shearer asked exactly what would be located in the basement of the new Hilton Garden Inn. Mr. Keenan stated there would be eleven rooms along with a fitness room and pool.

Mr. Ouellette opened the public hearing at 8:00 p.m.

Mr. Ouellette closed the public hearing at 8:00 p.m.

Motion by Beidoun to recommend to City Council approval of the enclosed Text Amendment to Article II. Definitions of the Zoning Ordinance relating to the definition of a basement. Supported by Pierce.

**VOTE: YES: Beidoun, Ochs, Ouellette, Pierce, Shearer
NO: None**

Motion Carried (5-0)

6. OLD BUSINESS None

7. NEW BUSINESS - Mr. Keenan informed the Planning Commission that a concept schedule for next year’s Planning Commission meetings has been provided to Commissioners.

Motion by Mr. Beidoun to recommend to approve the concept 2017 Planning Commission meeting schedule. Supported by Mr. Pierce.

**VOTE: YES: All
NO: None**

Motion Carried (5-0)

8. COMMUNICATIONS - Mr. Keenan mentioned there were letters from City of Pontiac and Oakland County Coordinating Zoning Committee regarding Pontiac’s Complete Streets Master Plan Amendment. A web address is provided in the City of Pontiac’s letter for anyone who is interested in viewing the plan.

9. NEXT SCHEDULED MEETING - Wednesday, December 14, 2016 at 7:00 p.m. in the Robert W. Grusnick Public Safety Building (Police/Fire)

10. ADJOURNMENT - The meeting was adjourned at 8:09 p.m.

Respectfully Submitted,

Christy Worrell
Clerk III