



# Rochester Hills

## Minutes - Draft

### Planning Commission

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Rochester Hills, MI  
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Home Page:  
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*Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper*  
*Members: Gerard Dettloff, Nicholas O. Kaltsounis, Stephanie Morita,*  
*David A. Reece, C. Neall Schroeder, Emmet Yukon, Vacant Position*

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Tuesday, June 21, 2016

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

Chairperson Deborah Brnabic called the Regular Meeting to order at 7:00 p.m. in the Auditorium.

## ROLL CALL

**Present** 8 - Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, Stephanie Morita, David Reece, C. Neall Schroeder and Emmet Yukon

Quorum present.

Also present: Ed Anzek, Director of Planning and Economic Dev.  
Sara Roediger, Manager of Planning  
Maureen Gentry, Recording Secretary

## APPROVAL OF MINUTES

[2016-0235](#) May 17, 2016 Regular Meeting

A motion was made by Schroeder, seconded by Kaltsounis, that this matter be Approved as Presented. The motion carried by the following vote:

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

## COMMUNICATIONS

- A) *Planning & Zoning News dated May 2016*
- B) *Notice of Public Hearing dated 6/10/16 re: Troy Master Plan*

## NEW BUSINESS

[2016-0233](#) Public Hearing and request for Rezoning Recommendation - City File No. 16-013 - An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to Rezone 24 parcels of land totaling approximately 70 acres from B-2 General Business

(Parcel Nos. 15-29-427-011 and part of 15-28-151-004), B-3 Shopping Center Business (Parcel Nos. part of 15-29-276-009, -010, -011, -012, -013), B-4 Freeway Service Business (Parcel Nos. part of 15-28-151-004, -006, -007, 15-29-427-018, -033, -037 and 15-28-301-040), B-5 Automotive Service Business (Parcel Nos. 15-28-151-003, 15-29-276-001) and REC-W Regional Employment Center - Workplace (Parcel Nos. 15-28-301-039, 15-29-427-010, -017, -029, -036), and I Industrial (Parcel Nos. 15-29-276-006, -007, -008 part of -009 and -014) to REC-I Regional Employment Center - Interchange, City of Rochester Hills, Applicant.

*(Reference: Staff Report prepared by Sara Roediger, dated June 15, 2016 and Ordinance Amendment had been placed on file and by reference became part of the record thereof.)*

*Ms. Roediger advised that the request was to recommend Rezoning 24 parcels surrounding the Crooks Rd. and M-59 interchange. There was a mixture of zoning currently, including B-2, B-3, B-4, B-5, REC-W and I. The purpose of the Rezoning to REC-I Regional Employment Center - Interchange was to implement the recommendations of the M-59 Corridor Study, and the intention of the REC-I district was to "create a gateway into the City at the interchange." With the recent activity in the corridor, staff felt it was a good time to implement the recommendations. Because the parcels were located around the interchange, they were not adjacent to any residential development and had direct access to M-59 and Crooks, making it an appropriate location for some higher intensity land uses. Staff sent a letter to all the property owners, indicating what was intended (included in the packet and placed on file). There were only a couple of calls from interested property owners, and they were assured that everything allowed in the current district would still be permitted. She said that she would be happy to answer any questions.*

*Mr. Kaltsounis remembered that a large area around M-59 was planned or zoned Regional Employment Center, and he asked what the next steps would be.*

*Ms. Roediger explained that the area Mr. Kaltsounis was referring to called for everything to be REC in general. The City had already implemented the REC-W, Regional Employment Center - Workplace district. A lot of the parcels between Auburn and Hamlin were Rezoned to REC-W in 2014. There were still two additional REC districts in the Zoning Ordinance that were not implemented. For the subject request, staff wanted to help spur some investment in the proposed REC-I areas.*

*Mr. Kaltsounis asked how they would help promote development. Ms. Roediger said that there was already some interest in the parcels. The Rezoning would help immediate development and would also set the*

*stage for longer term investment in the area. She mentioned the Red Roof Inn and the storage facility, and said that the Rezoning would help make that land a little more valuable and open to more uses.*

*Mr. Schroeder had wondered if there had been some current interest or if anyone was investigating the zoning area. Ms. Roediger noted that at the last meeting or so, she had mentioned that Griffen Claw Brewery was coming to the area, and under the current zoning, they would not be permitted to do what they wanted with their operation. They wanted a production facility, which would be allowed under REC-I but not B-4, the current zoning. Mr. Schroeder believed that the City needed coordination and consistency in the zoning in that area.*

*Mr. Hooper noted that the letter to the property owners referenced 55.5 acres, but the staff report stated 70 acres to be Rezoned. Ms. Roediger explained that the acreage had been miscalculated. The parcels were correct, and it had been corrected in the staff report.*

*Mr. Hooper knew that the City had come to a vision for the area in the past, and he was all for improving the flexibility associated with the REC-I district, which fell in line with the City's planning. He moved the following, seconded by Mr. Schroeder:*

**MOTION** by Hooper, seconded by Schroeder, in the matter of City File No. 16-013 (City-initiated REC-I Rezoning) the Planning Commission **recommends approval** to City Council of the proposed Rezoning of 24 parcels of land **from** B-2 General Business (Parcel Nos. 15-29-427-011 and part of 15-28-151-004), B-3 Shopping Center Business (Parcel Nos. part of 15-29-276-009, -010, -011, -012, -013), B-4 Freeway Service Business (Parcel Nos. part of 15-28-151-004, -006, -007, 15-29-427-018, -033, -037 and 15-28-301-040), B-5 Automotive Service Business (Parcel Nos. 15-28-151-003, 15-29-276-001) and REC-W Regional Employment Center - Workplace (Parcel Nos. 15-28-301-039, 15-29-427-010, -017, -029, -036) and I Industrial (Parcel Nos. 15-29-276-006, -007, -008, part of -009 and -014) **to** REC-I Regional Employment Center - Interchange with the following four (4) findings.

**Findings for Approval**

1. *REC-I is an appropriate zoning district at this location as it is compatible with the Future Land Use Map the goals, policies and objectives of the Master Plan, and implements the*

*recommendations of the M-59 Corridor Study.*

- 2. The proposed boundaries will create a logical zoning transition from the M-59 interchange to the surrounding REC-W, I, and B-3 zoning districts.*
- 3. Approval of the proposed rezoning will allow for flexibility in uses that will increase potential for development and redevelopment that will provide as an employment center for the City while being compatible with the surrounding area.*
- 4. The proposed rezoning is consistent with the criteria for approval of an amendment to the Zoning Map, listed in Section 138-1.200.D of the Zoning Ordinance.*

*Chairperson Brnabic opened the Public Hearing at 7:10 p.m.*

**John Trumble, 2360 Devondale, Rochester Hills, MI 48309 Mr.**

*Trumble said that he was trying to figure out where he fit in. His property was right next to Beck Roofing, and they were about 135 feet from M-59. They wondered if they had been left out of the process. He asked if they were being disadvantaged for future development by being left out of the zoning change. He thought that if someone wanted to purchase Beck's property and develop it that they would probably want to pick up his.*

*Mr. Anzek pointed out that Mr. Trumble's property was zoned REC-W, which would still support flexible use and encourage redevelopment of Mr. Trumble's property. The roofing company was a little more of an industrial use, and REC-W supported that more than REC-I did. He did not think Mr. Trumble was being denied anything - his land was still zoned for flexibility and a variety of businesses, more so than industrial zoning allowed.*

*Chairperson Brnabic closed the Public Hearing at 7:18 p.m.*

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

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

*Chairperson Brnabic stated for the record that the motion had passed unanimously.*

2016-0234

Public Hearing and Request for Ordinance Amendment Recommendation - An Ordinance to amend Article 4 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to modify uses in the REC-I Regional Employment Center - Interchange districts and delete the B-4 Freeway Service Business district, repeal inconsistent provisions and prescribe a penalty for violations, City of Rochester Hills, Applicant.

*(Reference: Memo prepared by Sara Roediger, dated June 15, 2016 and draft Ordinance Amendment had been placed on file and by reference became part of the record thereof.)*

*Ms. Roediger stated that in addition to the Rezoning request, there were proposed text changes to the Zoning Ordinance as a result. If the Rezoning were approved by City Council, there would no longer be property zoned B-4, Freeway Service Business. She had to remove all references to that district and make other accompanying changes. Staff also evaluated the uses in the REC-I district to ensure that all existing properties would continue to be conforming uses. They wanted to maximize opportunities for development and re-development, consistent with the character in the area. There was currently a separate REC Table of Uses in the Zoning Ordinance, which some claimed was confusing, so she was planning to get all the districts into one table. There were also a couple of use specific standards that would be removed because of eliminating the B-4 district. There were some uses at the end that were not in alphabetical order, so there were re-numberings and shuffling to put things back in alpha order for ease of use. She updated the appropriate references throughout the Zoning Ordinance, including those for landscaping, parking and so forth. She said that she would be happy to answer any questions.*

*Mr. Hooper said that he agreed with the proposed changes. There were three principal uses in the B-4 district that would now be conditional uses - Colleges, Universities and other Institutions of Higher Learning; Automotive Gasoline Service Stations and Associated Retail Use; and Wireless Telecommunication Facilities - and he supported all three. He observed that the B-4 district mimicked the REC-I district completely, and it was a "clean-up" and organization of the Zoning Ordinance, which he fully endorsed.*

*Chairperson Brnabic opened the Public Hearing at 7:22 p.m. Seeing no one come forward, she closed the Public Hearing.*

*Mr. Kaltsounis agreed with Mr. Hooper that the changes proposed made a lot of sense, and he moved the following, supported by Mr. Yukon.*

**MOTION** by Kaltsounis, seconded by Yukon, the Rochester Hills Planning Commission hereby **recommends** to City Council **approval** of an Ordinance to amend Article 4 of Chapter 138, Zoning of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to modify uses in the REC-I Regional Employment Center - Interchange districts and delete the B-4 Freeway Service Business District, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations.

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

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

*Chairperson Brnabic stated for the record that the motion had passed unanimously.*

**2016-0254**

Public Hearing and request for Ordinance Amendment Recommendation - an Ordinance to modify Section 84-4(a)(1) Property Maintenance Code, repeal Sections 84-16 of Chapter 84 Property Maintenance Code and 138-10.308 of Chapter 138, Zoning and adopt new Section 138-10.308 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to re-adopt regulations regarding Parking and Storage of Commercial and Recreational Vehicles, Equipment and Junk Vehicles in the Zoning Ordinance, repeal conflicting or inconsistent Ordinances and prescribe a penalty for violations, City of Rochester Hills, Applicant

*(Reference: Memo prepared by Sara Roediger, dated June 15, 2016 and draft Ordinance Amendment had been placed on file and by reference became part of the record thereof.)*

*Ms. Roediger noted that the Building Dept. and Code Enforcement had been asking for the proposed changes for a while. The regulations for commercial and recreational vehicles would be taken out of the Code of Ordinances and moved into the Zoning Ordinance. That would allow people to go to the Zoning Board of Appeals (ZBA) and request a Variance, rather than having to go to Circuit Court. The language had also been cleaned up somewhat - the Ordinance would read more in the positive rather than the negative. It had not been included, but she realized that the definitions of the vehicles also needed to be moved. She advised that the Ordinance had been drafted by City Attorney John*

*Staran.*

*Mr. Hooper indicated that he wished the Building Dept. was present to go over some things and add some light. There was a paragraph about allowing parking if someone was in the military, and he asked if that had been a huge issue in the City. Ms. Roediger said it had not, but that language had not been added; it was just being relocated. It was a current regulation in the Ordinance. They would delete the entire Section 84-16, except for that section, and it would be moved to parking and storage of vehicles in the Zoning Ordinance.*

*Mr. Hooper said that he understood that it was more appropriate for that section to be in the Zoning Ordinance, but he wondered if that would open the door to more Variance requests. He asked if staff could see a potential increase.*

*Mr. Anzek assured the members that the ZBA toed the line very well. They truly had to identify a hardship to allow a Variance. He did not think putting it in the Zoning Ordinance would open the door to more; it would just give Code Enforcement a better footing to enforce violations. It was a question of use, so he felt that it belonged in the Zoning Ordinance.*

*Mr. Reece commented that one person's junk was another person's treasure. He asked how the City defined a junk vehicle.*

*Ms. Roediger knew that Building could answer that better, but she believed it was defined as an unlicensed, inoperable vehicle. Mr. Reece asked if everything in paragraph one under section one related to junk vehicles. Ms. Roediger thought that it was somewhat discretionary, but she believed that was used for guidance. If something was rotting out and sitting on a cinder block, for example, it would be considered junk. Mr. Reece wondered about someone with an old vehicle that planned to restore it. In a lot of people's minds, that would be considered a junk vehicle, and he asked if that would fall into play.*

*Mr. Anzek maintained that Code Enforcement was very good at what they did, and they would work with a property owner and provide adequate time to either conceal a vehicle or have it moved somewhere where it was not a nuisance. It could also be covered.*

*Mr. Kaltsounis remarked that one Ordinance that gave him heartache regarded the sale of cars within 100 feet of a street. He asked what the violation would be for that offense, noting that he had gotten in trouble for*

it several times. Ms. Roediger said that the violation would be the same as others at \$500. Mr. Kaltsounis did not observe any details for violations. Mr. Anzek pointed out that section five carried a penalty clause for violations. Ms. Roediger said that it was standard for any zoning violation, whether it was a car for sale or an RV parked in the wrong place. Mr. Kaltsounis asked if that was a City applied offense or if it was ticketed by the Sheriff. Mr. Roediger explained that it was from Code Enforcement. Mr. Anzek believed that the \$500 amount was established by State law as a maximum.

Ms. Morita suggested that there might be a reason to keep the definitions in the Code of Ordinances as well as the Zoning Ordinance. Instead of removing them, she thought that they should be copied and placed into the Zoning Ordinance until it could be confirmed that they were not needed anywhere else. Mr. Anzek agreed that could be added as a condition to the motion.

Chairperson Brnabic opened the Public Hearing at 7:32 p.m. Seeing no one come forward, she closed the Public Hearing.

Hearing no further comments, Mr. Kaltsounis moved the following, seconded by Mr. Yukon:

**MOTION** by Kaltsounis, seconded by Yukon, the Rochester Hills Planning Commission hereby **recommends** to City Council **approval** of an Ordinance to modify Section 84-4(a)(1) Property Maintenance Code, repeal Sections 84-16 of Chapter 84 Property Maintenance Code and 138-10.308 of Chapter 138, Zoning and adopt new Section 138-10.308, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to re-adopt regulations regarding parking and storage of commercial and recreational vehicles, equipment and junk vehicles in the zoning ordinance, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations, with the following one (1) condition.

Condition:

1. That the Definitions in the application section of the Code of Ordinances remain and be added to the Zoning Ordinance.

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

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Yukon

*Chairperson Brnabic stated for the record that the motion had passed unanimously.*

## DISCUSSION

2016-0236 Request to discuss 2860-2896 Crooks Rd. for possible mixed-use development, located on the west side of Crooks, between M-59 and Auburn, zoned O-1, Office Business, Parcel Nos. 15-29-477-043, -045, -049, Peter Stuhlreyer, Designhaus, Applicant

*(Reference: Memo prepared by Sara Roediger, dated June 15, 2016, letter from P. Stuhlreyer and conceptual plans had been placed on file and by reference became part of the record thereof.)*

*Present for the applicant were Peter Stuhlreyer and Justin Roberts, Designhaus Architects, 301 Walnut Blvd., Rochester, MI 48307 and Arban Stafa, Sterling Construction, Inc. Homes.*

*Ms. Roediger advised that the applicants came to the City several weeks ago to ask how staff felt about the proposed development for the subject property. She thought it would be a good idea to run it by the Planning Commission to see if they might or might not be interested. She added that there had been no formal review of the plans by the City.*

*Mr. Stuhlreyer noted that the site totaled about 4 ½ acres on a commercial thoroughfare. The uses they were proposing were a mix of retail, medical office and a small hotel. He felt that the development was put together in a way that was cohesive with the context, and that it felt right in terms of the mass and scale. They pushed the buildings forward, observing that it was the direction of most commercial along similar corridors. They would break the parking up and even share it to the degree that they could operate the businesses efficiently but not have seas of asphalt. He realized that a hotel sounded like an intense use, but they would be preserving the wetlands as a buffer, and it would be about 500 feet away from the residential. In terms of line of sight and visual hazard, he felt it would be fairly minimal. The shared parking came from the fact that the office, the retail and the hotel would operate at different times/days. They felt that they could manage the site that way. He commented that they hoped to have a good conversation with the Commissioners.*

*Mr. Schroeder had looked over the drawings of the hotel, medical offices and retail, and it did not look like there would be sufficient parking. Mr.*

*Stuhldreier said that he understood, because if each of the uses had to park themselves, 240 spaces would be needed. They were providing 170. He maintained that the hotel was busiest in the evening and on weekends, but the opposite was true for a medical office. He offered that as the developers, they could also control the hours for the businesses. They thought that sharing would be quite feasible.*

*Mr. Schroeder asked how many beds would be in the hotel, and Mr. Stuhldreier said that they were targeting 100. Mr. Schroeder asked Ms. Roediger if she had reviewed the parking. Ms. Roediger said that there had been no official review, and Mr. Schroeder reiterated that it did not look sufficient, but he would leave it up to staff. He asked if the property to the west was all residential, which was confirmed.*

*Mr. Yukon asked the phasing plan of development for the site. Mr. Stuhldreier said that he had not given that thought. Mr. Yukon asked if it would be an extended stay hotel and was told no. Mr. Yukon asked Mr. Stuhldreier if he had developed this concept with a hotel in other areas. Mr. Stuhldreier advised that Mr. Stafa had relationships in the hotel industry that were interested in the location, but he had not personally developed the proposed concept.*

*Mr. Reece agreed with Mr. Schroeder, and stated that the site was overdeveloped and under parked. He thought that a four-story hotel in that location was inappropriate. The Commissioners had reviewed another proposal for a four-story hotel at Rochester and M-59, and they struggled with that. He indicated that the subject location would be an even greater struggle.*

*Mr. Hooper said that he liked the concept of complimentary parking. He liked the idea of opposite uses sharing the same parking, and he felt that it made sense. Regarding density, by the time they did the storm sewer analysis, and he was not sure if the wetland would be used for detention, he thought the intensity would be challenged.*

*Mr. Stuhldreier felt that the density would allow them to have the income to afford underground sewer systems. A reduction in density would allow open space. He considered that it would be a trade, where the static issue was the land value.*

*Mr. Hooper agreed that the intensity of uses might be the breaking point as to whether it was viable for the applicant and whether it worked for the City. He liked the idea of sharing parking with the neighbor to the south*

*and the concept of traversing back and forth. He questioned whether the landscaping shown behind the hotel would be feasible. The trees were depicted as very large, but he thought it would take about 15 years to reach the height as shown. Mr. Stuhlreyer said that the trees shown existed. Mr. Hooper said that the question would be what type of hotel they would develop. He remarked that the last thing the City needed was another Days Inn, and he would not support something like that. Mr. Stuhlreyer did not think they were big enough to attract that franchise, and Mr. Hooper said he would not want it - he would want something more higher class such as a boutique style hotel.*

*Mr. Stafa asked how the Commissioners felt about the Hilton chain. Mr. Hooper said that it would have to be three star or above. Mr. Stuhlreyer felt that the biggest issue looming for the development was that it was zoned and master planned office, and they did not have any desire to develop 100% office. He was not sure if that was market driven or data driven. They could generate different densities, looks, heights, blends and arrangements of the hotel. He asked how they should thread a needle with a mixed use site that felt like it was financially feasible on a site zoned office. If they moved forward, they could develop traffic studies, hotel analyses and come to the table with franchisees. Mr. Hooper noted that the City had done a number of Planned Unit Developments (PUDs), and that would be how the City would control the development. They could control the look, the feel, colors, textures, height, how it fit in, and the shared parking arrangements, for example. Mr. Stuhlreyer remarked that he could not bring something that would not work. Mr. Hooper indicated that most people tried to pack in as much as they could at first and then went from there. At the end of the day, the applicant would need to come up with something financially viable that really worked for the site.*

*Mr. Kaltsounis noted that he lived in the area, and he drove by the site every day. As a Planning Commission member, the first thing he looked at was the proposed density of a project compared with what surrounded it. There was a dense center across Crooks, and he thought that the proposed project was a little denser. He looked at the hotel, and it would be the tallest one in Rochester Hills, and the tallest hotel next to a residential community. The Holiday Inn at Marketplace Circle had three stories; the Red Roof Inn had two and Concorde Inn had two. He would have a very hard time approving a four-story hotel next to a residential area, regardless of the tree sizes. He recalled that the CVS across the street had wonderful trees and bushes originally planted, but today it was sparse. He said that he could see the front two buildings happening, but they lost him at the hotel. He might consider two stories. He realized*

*there was a business case for what they wanted to do. Regarding threading the needle, there were many options they could discuss with staff. He thanked the applicants for considering Rochester Hills.*

*Mr. Dettloff asked Mr. Stafa if he had done any other development in the City. Mr. Stafa said he had not in Rochester Hills; he worked mostly in the Troy area. Mr. Dettloff asked if the client owned the land, but Mr. Stafa was not sure about the ownership. Mr. Dettloff asked what was previously on the site, and Mr. Anzek advised that it was a greenhouse. Mr. Dettloff clarified that there were no environmental issues. He said that Mr. Stuhldreier talked about the market feasibility, but he did not believe anything had been studied. Mr. Dettloff understood that it was very conceptual. Mr. Stuhldreier remarked that he was ready to spend thousands of dollars of his client's money, but the meeting came first. Mr. Dettloff asked where the City stood with regards to office space and if there was a void in the office market.*

*Mr. Anzek said that there was. There were a lot of vacancies, but that was because they were obsolete buildings. They did not meet today's current medical needs. The big elephant in the room had been the former Volkswagen building on Hamlin. It had been purchased and was soon to be occupied. The vacancy rate for office was dropping considerably. He believed the rate was 7 to 8%. He added that Rochester Hills was a strong medical office community.*

*Mr. Stuhldreier said that in his experience, medical was still reasonably strong, but he had not designed an office building in the last 15 years. He maintained that it was all multi-family, retail, restaurant and mixed-used, and office got built in the early 2000s like crazy. Mr. Dettloff agreed that a four-story hotel in that location backing up to residential would be an issue. Mr. Stuhldreier said that he would not have brought the project forward had it not been legitimately buffered and 500 feet from the homes. He believed that when he cut sections and took pictures from the homes and brought in that evidence that the Commissioners might look at it a little differently. He said that he could, however, understand the height issue.*

*Mr. Schroeder said that when City Hall was built, the Ordinance did not allow buildings higher than two stories. When Danish Village was built, they put the third floor into the ground. Mr. Anzek said that Danish Village was four stories from Walton Blvd., and then it disappeared into the hill and became three. Mr. Schroeder agreed that they did a lot of manipulating. He asked if four stories was now allowed. Mr. Anzek said*

*that it was in certain cases. He reminded that City Apartments were approved for four stories. He noted that Mr. Stuhlreyer was the designer. There was a hotel proposed next to the Holiday Inn that was coming back on line which was four stories. The Consent Judgment for that area permitted hotels up to eight stories.*

*Mr. Schroeder asked Mr. Stafa what he developed in Troy. Mr. Stafa said it was in the Crooks/Big Beaver areas, and one was Muir's Gardens. He also did luxury homes in the Charnwood area near Square Lake and Adams. Mr. Schroeder noted that it was a much older area. Mr. Stafa agreed, but he maintained that there were very large lots and large estates being redeveloped.*

*Ms. Morita thanked the applicants for bringing the project before the Planning Commission, and she appreciated the extra effort to get input from the Commissioners. She did agree with a lot of the comments that a transient hotel right next to residential was not appropriate. She indicated that there was a reason it was zoned Office. There would be a buffer between the residential uses and other commercial uses. She suggested that if they moved the office to the west (back) of the property and moved the hotel forward, she would find it more acceptable than having the hotel back right up to the residential properties. She did like the look of the proposal. She felt that it was very high end, and that it would be a nice asset to hopefully encourage some of the other property owners to invest in their properties. As proposed, she felt that it was too intense of a use right next to residential. Mr. Anzek had mentioned City Apartments, and she had struggled with that development. She was one of two no votes, because she thought it was too intense of a use next to residential. She stated that overall, she liked the proposal, but she thought it should be "re-arranged."*

*Chairperson Brnabic summarized that the feedback to the applicants was that there was a concern that there was not enough parking; the site was overdeveloped and too dense; and the majority of the Commissioners were not in favor of a four-story hotel for that location. She considered that there was the PUD option.*

*Mr. Stuhlreyer responded that they had to start somewhere, and they appreciated the Commission's time. Mr. Stafa asked how the Commissioners felt about multi-family rather than a hotel to the west in order to create a better buffer than a hotel. He asked how they would feel about not having office at all because of demand and to lower the density in terms of parking. Mr. Kaltsounis asked what he would propose other*

than office. Mr. Stafa suggested having retail on the first level and multi-family or the hotel in the back and lowering the density of the development overall.

Ms. Morita said that she understood what Mr. Stafa was trying to accomplish, but he had to keep in mind that it would still back up to people's homes, and what went in there would be in their backyards. She did not consider having multi-family above retail backing onto residential properties a less intense use. They had to be cognizant of the people who bought knowing what the zoning and potential uses of the properties were. They knew there was a greenhouse, but they knew it was zoned Office. The Commission had to balance what the owners wished to do with the people who were already there and their expectations based on the Ordinance. Mr. Stuhlreyer stated that it was a very good point.

Mr. Kaltsounis said that he agreed with Ms. Morita. He commented that there were a lot of shell games that could be played, but the bottom line was how to transition to the development and how to make it harmonious for the area. The pictures looked great, but he had to think about when the trees did not have leaves. It was like that for a long time in Michigan. If he was the neighbor 500 feet away, he would want to know what he would see or what the people on the fourth floor would see looking into the homes. If the applicants had brought just the first two buildings to them, he would probably say yes. The hotel was an issue, however. He suggested that when they went back and looked at the parking and the storm water, etc., the development would fall into place. He knew that there was a lot of potential for office, restaurants and other ideas, and he wished the applicants good luck.

Chairperson Brnabic thanked the applicants.

## **ANY OTHER BUSINESS**

Mr. Anzek mentioned that the ZBA recently had a request for a front yard setback Variance for a parcel of land south of M-59 on Rochester Rd. It was an irregular shaped parcel, and if they built something within the setback guidelines, the building would have been hidden from traffic moving northbound by the building next to it. Staff recommended that they considered pursuing a Variance, but it was quickly established by the ZBA that there was no hardship. The ZBA had always been strict in that interpretation. He was asked by the ZBA if there was anything else that could be pursued, and he advised that the City had adopted Flexible

*Business districts to promote flexibility in setbacks and siting on property. The ZBA felt that they would rather see that zoning applied to the area to help the applicant redevelop. Mr. Anzek noted that the BP gas station several parcels to the south had been approved for a Conditional Rezoning to B-2 fairly recently. He felt that FB-2 would be appropriate for the corridor and perhaps FB-3 for the western side of Rochester, where Bolyard Lumber was. Mr. Bolyard wanted to do something with his piece, so the Commission might see something for that in the future.*

*Mr. Kaltsounis asked what kind of use the applicant wanted. Mr. Anzek said that it would be a liquor store, which was also in the building to the south. The tenant of that building wanted to build something on the subject site, but Mr. Anzek did not think there would be two liquor stores next to each other. Mr. Anzek felt that the area was going to be redeveloped, and he would rather see the City have a set of standards to deal with that rather than having something done piece meal.*

*Mr. Schroeder recalled that when Haley's Stone Supply at Rochester and South Boulevard wanted to tear down and rebuild when they found out what the setbacks were, they decided not to do anything.*

*Mr. Kaltsounis asked what the progress was for the BP station. Mr. Anzek said that he had been getting calls. The owner was trying to get the building leased, and he probably wanted to get it to a point where he was assured of breaking even before he commenced construction, which was not unusual for developers.*

*Mr. Anzek informed that staff was not sure there would be a July meeting. There was only the issue he just mentioned, and they could wait until the August meeting for that. At this point, there were no projects ready.*

*Mr. Reece said that he had heard that the cigar shop that was going to add alcohol had been "canned" (Wild Bill's Tobacco). Mr. Anzek agreed. Relatives in the business did not like the idea of having liquor. Mr. Reece claimed that the proprietor was very disappointed about it, and Mr. Anzek felt that it was unfortunate.*

*Mr. Dettloff asked if there were any other plans for that center. Mr. Anzek said that Mr. Jonna (owner) told he and Sara that there were two prospective tenants for the former Whole Foods store. The lease with Whole Foods was finally up, but Mr. Anzek was not sure when the City would see plans to break it into two spaces.*

**NEXT MEETING DATE**

Chairperson Brnabic reminded Commissioners that if not cancelled, the next Regular Meeting was scheduled for July 19, 2016.

**ADJOURNMENT**

Hearing no further business to come before the Planning Commission and upon motion by Mr. Kaltsounis, Chairperson Brnabic adjourned the Regular Meeting at 8:10 p.m.

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Deborah Brnabic, Chairperson  
Rochester Hills Planning Commission

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Nicholas O. Kaltsounis, Secretary