



Rochester Hills
Minutes - Draft
Planning Commission / City Council
Joint Meeting

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PLANNING COMMISSION

*Ed Anzek, Deborah Brnabic, Gerard Dettloff, Greg Hooper,
Nicholas O. Kaltsounis, Stephanie Morita, David A. Reece,
C. Neall Schroeder, and Ryan Schultz*

CITY COUNCIL

*Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, James Kubicina,
Stephanie Morita, Mark A. Tisdell, and David Walker*

Tuesday, January 29, 2019

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Deborah Brnabic called the Joint Meeting to order at 7:00 p.m. in the Auditorium. She welcomed David Walker, the newest City Council member and asked him to briefly present his background. She then asked the Commissioners to talk a little about themselves.

ROLL CALL

Present 14 - Deborah Brnabic, Gerard Dettloff, Greg Hooper, Nicholas Kaltsounis, David Reece, C. Neall Schroeder, Ryan Schultz, Susan M. Bowyer, Ryan Deel, Dale Hetrick, James Kubicina, Stephanie Morita, Mark A. Tisdell and David Walker

Absent 1 - Ed Anzek

Quorums present - Planning Commission and City Council

Also present: Mayor Bryan K. Barnett
Scott Cope, Director of Building
Matt Einheuser, Manager of Natural Resources
Ken Elwert, Director of Parks and Natural Resources
Michael Johnson, Captain of Police
Kristen Kapelanski, Manager of Planning
Sara Roediger, Director of Planning and Econ. Dev.
Leanne Scott, Deputy Clerk
John Staran, City Attorney
Bob White, Ordinance Supervisor

COMMUNICATIONS

A) Letter from M. Hill, dated 1/29/19 re: Master Plan

PUBLIC COMMENT

Chairperson Brnabic opened Public Comment at 7:06 p.m. Seeing no one come forward, she closed Public Comment.

DISCUSSION

[2019-0025](#) Auburn Road Corridor Update

(Reference: Memo from OHM, dated January 25, 2019 and estimated timeline and cost schedule had been placed on file and by reference became part of the record thereof.)

Present for the discussion was Ben Weaver, OHM Advisors, 34000 Plymouth Rd., Livonia, MI 48150.

Mayor Barnett started the discussion, stating that on behalf of Administration, he wanted to sincerely thank the City Council and Planning Commission, great teams at the City working together. As he traveled around meeting with Mayors across the country, he had heard how they could never do what Rochester Hills was doing, because they could not get something past their City Council or their Planning Commission did not think a certain way. There was oftentimes a bitterness between Administrations and City Councils. He said that he was proud to tell people that in articles about the City where government was involved, they would read about new businesses opening, that it was the safest City, that it was in the top ten places to live in the country and that it was a top ten place to start a business.

Mayor Barnett felt that it was important to talk about Auburn Rd. before the Master Plan, because it fit into the Master Plan. He indicated that it was Administration's job to listen to the direction of City Council and the Planning Commission, and Administration strove to meet the goals set forth by the City Council each year. They tried to do so in a creative and innovative way and a way that made sense and set the community apart. He wanted everyone to understand where they were going and what they were trying to do. He stated that Auburn Rd. was one of the most important projects they had done in his lifetime in the City, and he felt that the story of Auburn Rd. was important. It started with a lot of conversation. They heard that people there felt disconnected from the rest of the City, whether it was economically or from an investment standpoint. They felt that everything happened in the north part of town, and the investment did

not trickle down to the Auburn Rd. corridor. The City had tried in the past to invest in Auburn Rd., but nothing had ever been done. That kind of indicated to the residents that the City was not really willing to put its resources to where its "mouth" was. They really wanted to bring economic investment and rebirth to an area of the community that had never seen it. It was a significant area of the community, and it was where the people were incredibly proud to live. He heard over and over that the other part of town got its roads plowed, because there was more money up there, or they got all the new stuff, because that was where the money was. That really bothered him, and it sank in that they really needed to do something that indicated that not only did they care about that part of the community, but they recognized that it was a huge and important neighborhood. When they embarked, they did not want to trample on the residents' story, but they wanted to understand the residents' story and who the people in Brooklands were. In the past, the study had been done for what they called Olde Towne. He and Ms. Roediger met with a lot of residents and asked what they thought of the Olde Towne plan, and they asked what it was and where it was. They said that they were in the Brooklands, not in Olde Towne. Many people who lived there were second and third generation. The story they told was that they wanted to be better connected to the community and feel like they were a part of the Rochester Hills story people were proud to tell.

Mayor Barnett said that it was important to understand that the entire desire of the plan was to actually do something this time and invest, with a fairly significant amount, and listen to what the residents and business owners wanted. Administration would listen to the fact that they were proud and wanted to be recognized as the Brooklands and wanted to be connected to Rochester Hills. He noted that they were trying to get everything in place in 2019, although there might be some ancillary work for 2020. He felt that it made sense, as there were some great business owners and residents along the corridor that would be distressed the longer it took to get the project done. It was incumbent upon the City to move quickly and appropriately to try and meet the timeline so that the corridor was disrupted as minimally as possible.

Mayor Barnett showed a cross section of Auburn Rd. They would add boulevards and improve pedestrian and vehicular safety. He remarked that currently, someone could go storefront to storefront and not touch a blade of grass. It was gravel and pavement all along each side. He would not let his kids walk there, and that would all be changed. He indicated that pricing tended to go up as the project went further along. City Council had already been presented with the road and alley

discussion, and he wanted to talk about things they were proposing to do that had never been done in the City. He said that anytime a project like that was undertaken, it was difficult to have unanimous support. He wanted people to understand why the City was doing it, and the reason why it was important to him and why the leadership was passionate about it. He stated that this section of town deserved the investment. The people deserved to have their kids walk just as safely as his and others in the City did. This part of the City had been patient, and he was excited to bring their narrative.

Mr. Weaver stated that connectivity was a big word that kept popping up. They wanted to give the area an identity and give a unique feel to the corridor that was not present anywhere else in the City. He showed some gateway features. There would be welcome signs that would call out the neighborhood and tell people where they were. Throughout the corridor there would be some really neat features or threads that would stroll through the median. They would represent the hills and the streams and rivers that were very present in the community to connect the area to Rochester Hills as a whole. There would be unique, sculptural, tree-like features that would show the road. The materials would have two different finishes of metals to pay homage to the history that was very strong. They would juxtapose a fresh revitalization. He showed a slide from which they got some inspiration for materials. He had developed sketches of a completed streetscape, with sidewalks, rain garden and median plantings. They would try to calm traffic to make it easier to cross the street. He mentioned that he was a resident of Rochester Hills, and he was very excited about the proposed pocket park. They spoke to the residents, and family kept coming back. They wanted places they could go and create memories. There would be a four-season park with shade elements to sit under and have a picnic or read. They were adding landscape plantings to soften it and create visual interest. There would be turf land forms that could be lain on in the summer. In the winter, they could be used to slide down. There would be a fiber optic element in the concrete, which would create a magical effect. There would also be overhead lighting, such as that seen in bistros in downtown Detroit. The biggest thing was the splash pad that could be used for over half a year. It would still leave enough space around the perimeter to play. As a resident, he was very excited about taking his family there.

Mayor Barnett explained that they wanted to introduce the concepts. He noted that there would also be a bathroom facility. They heard from the residents, and it was the direction they wanted to incorporate. Council had been looking at it from a long game perspective. The City picked up

a couple of parcels for additional parking at two separate locations along the corridor. He wanted everyone to see where the City was headed, and he opened it for conversation.

Mr. Kaltsounis said that the engineer in him asked what would happen if one of the display pieces in the middle of the street was hit and how it could be replaced. He could imagine a young driver behind a truck having an accident. The Planning Commissioner in him was very excited about the project. He stated that a lot of the developments left in the City would be developed using a PUD. They had to work with developers and talk about a give and take. For example, if more density was wanted, the City should get something in return other than the development. Many recent developments had been sparse, in his opinion, about a benefit to the City. He said that the days were gone when they saw park features in exchange. He thought that what they were doing in the Auburn Rd. corridor would really set an example of how the City was looking at things differently and adding amenities and flair. He suggested that Auburn Rd. could be used as an example. He wanted to see it happen so the City could state that it was the standard they expected. If a developer wanted to come into the City and put in something different than the rules allowed, he wanted to make sure the City got something for it.

Regarding having a plan if something got hit, Mr. Weaver said that they had conversations about that concern. They could not guarantee that it would not happen, but the design of the corridor was meant to calm traffic. Should a car leave the road, there would be something assembled where portions could be repaired more easily. He assured that they were aware of it, and they were working on it.

Mr. Reece said that he supported Mr. Kaltsounis' comments. He noted that he was a Licensed Architect, and he was also COO of one of the largest construction companies in the State. He supported the plan wholeheartedly, but the industry was in unprecedented times. The bidding and construction timelines concerned him. April was about the worst time to bid projects, because most of the companies already had work lined up. There was unprecedented high demand for school bond work in the summer, which he said was great, because bonds had been passed for school districts, including Rochester's. He strongly recommended holding an open house and inviting the contract community to garner some kind of enthusiasm and get a gauge for bidding the Auburn Rd. project. They needed to find out who would participate. He was finding that subcontractors were turning down work left and right, and they had never experienced anything like it. Their recent

estimated cost models from last year had gone through the roof already. He cautioned them, and stressed that the best way to garner support of the subcontractor community was to hold an open house and invite the players. They could publish it in industry magazines. He stated that it was not a conducive timeline to go from bidding to construction. The school work would start June 1, and it would be extremely busy from June through September 1st. He pointed out that a lot of companies that would bid this project would be involved in that type of work.

Mr. Hetrick stated that he wholeheartedly supported Mr. Reece's comments. City Council had seen when things got bid a little out of sync, where the cost went from one thought to something considerably more. He agreed that anything they could do to limit their exposure to cost increases would be to their benefit. He mentioned vision, and said that they talked about family connectivity and destination and to him, that really created the opportunity for connectivity so the people living in the area could find a connection to the rest of the City. The City could also find a connection to the people in the Brooklands. He said that he had been behind the project 100%, and their conversation made him 120% behind it. They needed to do what it took to stay on track for construction, even if that meant starting the next day doing what Mr. Reece suggested.

Mr. Dettloff said that having been involved from the ground level as a member of the study committee, they clearly heard that some of the residents and business people had been "Doubting Thomas'." As the Mayor stated, it was a great opportunity for the City to put its money where its mouth was. To see how everything had come together was amazing to him. He felt that it could be a prime example of a cool addition to the town. He looked at it almost as a mini-downtown. He asked Ms. Valentik if there had been interest from the economic development side, and if there were people who wanted to get in from the ground level up.

Ms. Valentik stated that she was very excited, because nowhere else in the City was there a stronger concentration of business owners. There were big box and chain stores along other streets, but in the Auburn Rd. corridor, there were true entrepreneurs that were running great businesses. She noted that two were in the audience, and she introduced Shawn Lewellyn. She said that she liked to call him the Dan Gilbert of Auburn Rd. He had been instrumental in investing in properties and in bringing businesses that had been lacking. The City was definitely getting interest from businesses and developers. The prices were starting to go up. On Zillow, the corridor was being referenced as a place to shop and bring families. She mentioned that in the morning, there would be a

meeting with businesses at the DPS garage to give them an update about the project. For half of the meeting, they would talk about resources for the businesses. They knew that the construction process would be difficult for nine to 12 months. The City was developing personalized maps; bringing in small business consultants from the County and the Chamber to provide financial reviews and assist in putting together cash flow statements; doing marketing seminars, promotional ideas, a small business Saturday; and they were working with banks to sponsor some investment to the area. The City would do its best to support the businesses there, and they were already getting calls from new businesses.

Dr. Bowyer thanked everyone who helped bring the plan to fruition. In the early 1980's, she lived on Culbertson, and she stated that it had not changed since then. When she got on Council and heard that the area might be resurrected, she thought that it would be awesome to make the old neighborhood something noteworthy and a place where home values would rise. She knew that they still had to pay for some of it, but she was really happy to see everyone behind it.

Chairperson Brnabic said that it was amazing to her, too. She thought it was great that every department started coordinating, and she was amazed at the progress over the last couple of years. She thanked everyone for working together, and she stated that "the Auburn Rd. corridor would be!"

Mr. Deel noted that he represented the Auburn Rd. area, and he spent a lot of time walking door to door in the neighborhoods. The sentiment of the residents he could attest were accurate. He agreed that they would not be able to please everybody with the project, but he communicated with residents in Brooklands almost daily, and the excitement was building. He thought that the momentum would only get greater once they became aware of the new details and saw the tangibles. He said that they were grateful that the City was making the investment in the area and putting in so much work and effort, which he stated really showed. He cautioned them to be very careful with the artwork and features, pointing out that Sterling Heights had an issue recently with a feature they installed.

Mayor Barnett said that if Administration did not think it would have had the support from Council and Planning Commission to do some of the things they wanted, the road would just have been repaved, which would have been a lot easier. Because they were given the ability to do

something and dream bigger, he thought that they would realize some incredible results. If someone had said that the City's first splash pad was going to be in the heart of the Brooklands, no one would have believed it. The comments about the artwork were always well founded. He mentioned the City's motto of Innovative by Nature, and that the City was known for its giant Bebb Oak on Livernois. They wanted to take that concept and put on an innovative twist with the proposed trees that flowered on the top. A lot of thought had gone into those items. He thanked City Council, noting that the members would see and approve everything as the project went forward.

Ms. Roediger added that they would be hard at work to get the details on the streets as soon as possible. The consultants had been working with Engineering, and they were getting bid packets out. The streetscape element would follow two other phases, but the goal was to get as much done as possible in the coming year.

Discussed

UNFINISHED BUSINESS

2018-0095

Request for Adoption of the 2018 Master Land Use Plan update (Planning Commission only) and discussion regarding implementation of the Plan
(Reference: Memos from Sara Roediger and Giffels Webster, the 2018 Master Land Use Plan and other related documents had been placed on file and by reference became part of the record thereof.)

Present for the discussion were Jill Bahm and Eric Fazzini, Giffels Webster, 1025 E. Maple Rd., Birmingham, MI 48009.

Ms. Roediger recalled the joint meeting a year ago to kick off the start of the Master Plan update. During the past year, staff had been hard at work with the consultants on a substantial update with extensive public involvement. They had gone through all the requirements from the State, and were at the point where they hoped the Planning Commission would adopt the Plan. It would then go to the next City Council meeting for adoption as well to show unified support.

Ms. Bahm noted that the Planning Commission had seen modifications every month during the past year's process. She commented that it had been a really interesting project for them especially with all the public input opportunities. It started with a staff visioning to set some guiding

themes. They updated the City's demographics and the market assessment that had been done in 2016, and they looked back at some of the more recent planning documents. The public input included an online survey with 750 responses and two open houses, one at Rochester College and the other outside at The Village of Rochester Hills. She noted that a lot of the members participated in the open houses, which she stated said a lot about the community. They had "Picture This!" which allowed people to upload pictures of things they liked in the community, an art contest for youth, and they asked fourth graders taking a City Hall tour to answer some questions, such as what their favorite part of the City was.

Ms. Bahm advised that the goals and objectives had been updated. After considerable discussions, the Future Land Use Map was updated. Three different redevelopment sites were selected as places the City could envision redevelopment. Two were the landfill sites, and the third was the Bordine's site. They knew that those areas would be redeveloped at some point in the future, and it was their intent to provide some standards of what the City would like to see. She stated that housing was an important consideration. They wanted to make sure they could provide residents with housing now and in the future. There was an Implementation chapter, which she said was a very important part of the Plan.

President Tisdell mentioned that he had attended a conference in Grand Rapids for the Michigan Municipal League, and one of the breakout sessions featured Giffels Webster. The process of the City's Master Plan was held out as a benchmark for best practices in the State. He remarked that he was very proud to be sitting in on that. Also, there had been a particular focus on their outreach to get resident input. Ms. Bahm thanked him, and said that they really liked being able to do new strategies and approaches with a client and to be able to figure out a way to help other communities and transfer that knowledge. She thanked the City for letting them get out of the box. She noted that at one of the open houses, a resident said that she had read through the Master Plan, and she felt that the City was really listening to the residents.

Chairperson Brnabic thanked the consultants for an excellent job. She said that it was exciting just being able to work with them through the process, and they were proud of the finished product.

Hearing no further business, Mr. Kaltsounis moved the motion:

MOTION by Kaltsounis, seconded by Hooper:

WHEREAS, the City of Rochester Hills Planning Commission may prepare and adopt a Master Plan for the physical development of the City, as empowered by the Michigan Planning Enabling Act of 2008; and

WHEREAS, the City of Rochester Hills established a Master Plan theme of "Preserve, Enhance and Diversify," and contracted with a professional planning consultant to assist the Planning Commission with the technical assessments necessary to make the Master Plan for the City; and

WHEREAS, the Planning Commission and City Council held a joint meeting on January 17, 2018 to identify influencing themes for the Master Plan that included:

- *Age-Friendly Community: The Master Plan should explore what it means to be an "age-friendly" community and provide current and future residents of all ages with a variety of options for housing, transportation, goods and services, and community facilities/resources.*
- *Sustainability: The Master Plan should direct growth, development, and redevelopment in ways that preserve natural features, reduce storm water runoff, and enhance non-motorized transportation.*
- *Transportation: While the city will begin updating its Thoroughfare Plan in early 2019, the Master Plan should support connectivity throughout the city and anticipate how changing technology will impact our mobility; and*

WHEREAS, the Planning Commission held two public open houses in conjunction with the development of the 2018 Master Plan Update on April 23, 2018 and September 15, 2018; and

WHEREAS, the Planning Commission held a public hearing on its proposed 2018 Master Plan Update on December 18, 2018.

NOW THEREFORE BE IT RESOLVED that the Rochester Hills Planning Commission hereby adopts this Master Plan for the City, along with the text, maps, charts, graphs, and other descriptive materials contained in the Plan.

Chairperson Brnabic noted for the record that she had received a letter from Melinda Hill regarding the Master Plan.

Mr. Hooper mentioned that it was the fourth Master Plan he had gone through with the City. He was part of the selection team that hired Giffels Webster. They had never been used before, and he was very pleased with the product. It was a very professional team, and he thanked Ms. Bahm and Mr. Fazzini.

Voice Vote:

Ayes: All
Nays: None
Absent: Anzek

MOTION CARRIED

Ms. Bahm referred to the Implementation chapter, noting that they had done things a little differently. The Planning Commission would typically look at zoning ordinance amendments and Council would address advocacy action items, such as long term policies and other action items that might involve additional research and study. They stuck with some general timeframes; short-term was three years and mid to long-term was more than three. Those could change, depending on the resources to make some of those items happen. They identified a few short-term zoning items, one of which was the R-5 district. It was a new district that would provide the missing middle in the City in terms of density. She knew that the City was doing amazing things with the public investment in the Auburn Rd. corridor, and they needed to make sure that the area was ready for development to facilitate the kind of private investment the residents and business owners were expecting to see that would really make a difference.

Ms. Bahm explained that the R-5 district would replace the One Family Cluster district, which was not really a land use but more of a zoning style of development. R-5 would accommodate smaller and denser single-family residential dwelling units. The areas would generally be in the vicinity of four to six units per acre with smaller homes and lot sizes. The existing manufactured housing communities were put in the R-5 district. The manufactured housing site on Auburn had previously been shown as Industrial in anticipation of the housing going away due to financial issues, but it had come back and was being maintained very well. There were single-family homes and apartments in the City, but there were smaller things that fell in between, such as duplexes or tri-plexes. They would provide a little more density with a more walkable pattern over smaller footprints. She said that they wanted to get some direction from the members in terms of how the eventual language would

be crafted. A proposed ordinance would be reviewed by the bodies again with a public hearing. She showed some images of varied R-5 housing and the areas in the Master Plan identified for R-5.

Mr. Schultz related that at the last Planning Commission meeting, they heard from an applicant proposing a development that would fit in with the R-5 context. It was a community based around people with developmental disabilities (IDD), such as autism, and adult-aged children who needed some type of similar housing. It would be almost a companion situation, where the parent could live in a smaller, single-family home, and there would be a four-plex and a six-plex for the IDDs in the same neighborhood. He stated that it was one of the most well done presentations he had seen, and he believed that everyone on the Commission supported what the applicant was trying to do and the success he had in the past. Mr. Schultz said that he was really excited to try to help them navigate the process, and R-5 would fit right in. The applicant had previously done a development in the Ann Arbor area, and Mr. Schultz hoped that Rochester Hills would be the second place.

Ms. Bahm noted that Mr. Kaltsounis had mentioned using a PUD with certain developments. She agreed that it could be a great tool, but creating zoning district frameworks and standards that specified a type of development the City expected to see in certain areas would provide consistency. They would tend to see the same kinds of things, and it would also provide clear expectations for the development community about what the City envisioned. A PUD could be more general, and it was intended to be flexible, but having defined standards, such as form based standards that really spoke to where buildings should be on a site, what setbacks should be, how tall buildings could be, etc., would be beneficial.

Mr. Hooper said that the devil would be in the details with R-5 and with the parameters for developing. If developers found that they could not do what they wanted, they might go the PUD route, anyway. There could be different trade-offs and amenities in order to make it work for them from an economic standpoint. He commented that it would be interesting to see how it would turn out. He recalled that they talked a little about tiny homes. He was not sure what everyone felt about them. He added that the details would tell the tale of how the process would work.

Ms. Morita noted that one of the areas proposed for R-5 by Crooks north of the Trail was already completely developed. When the zoning ordinance was being crafted, she wondered if they would end up with existing nonconforming uses. She asked what the intent was when

drafting the language.

Ms. Bahm said that it was a great question. She stated that they did not want to do anything that would limit a homeowner's ability to get financing or something, so they would have to work through the details. They would have to make sure that whatever language they put forward, it did not render properties nonconforming. Ms. Morita said that she knew that the map was for potential future use, but she was very familiar with the area, and she knew that they probably already met the density requirements. She noted that it was the Streamwood Condos. She wanted to make sure they would not be creating a problem for those property owners already there. Ms. Bahm said that the development might just get an overlay rather than new zoning. Ms. Morita pointed out that there were two developments there - one in front and one in back.

Dr. Bowyer asked if the City could require R-5 developments to keep open space areas for a park, which she would like. Ms. Bahm agreed.

Mr. Hetrick asked the market for the R-5 style of housing. Ms. Roediger said that it was very good, based on the recent plans and PUDs staff had seen. There were often duplexes proposed. She mentioned Barrington Park, attached housing which sold out quickly. She said that the City was missing that middle housing, which was a national trend. People wanted to downsize, and they wanted more affordable housing, and alternative housing was selling.

Mr. Deel said that when they moved to Rochester Hills, they were not looking for density. They were interested in the family nature of the community. He felt that the City had to look at what it was as a community, and whether they were really a more densely packed community, or if they were more of a residential-natured community. He saw it more as the latter. He questioned whether the density they were discussing really fit in with the character of the community, and whether there was a reason it had not been developed in the City thus far.

Ms. Roediger claimed that it had been developed in the City in pockets. She agreed that the majority of the City had single-family, lower density housing, which would always be the primary land use for the City. They were trying to find alternative places for people who wanted to age in place and not have to leave Rochester Hills and who, perhaps, were waiting until later to start a family.

Ms. Bahm liked Mr. Deel's question, because it was both acknowledging

what the City was and what people liked about the community. It also showed that a lot of people who came and talked about housing through the process talked about how much they wanted to stay in the City, but they were not sure they could. They were not taking the whole density of the community and changing it. It was nice to have places where they could offer different housing styles or form while still preserving the single-family nature of the rest of the community. It was nice to have the opportunity to concentrate commercial and higher density residential uses in areas to take some of the pressure off other areas to be able to keep larger lots and less density. People would be able to find anything they wanted in the City.

Mr. Schultz heard a concern that alternate housing products came with lower values. He stated that it was certainly not the case. He pointed out Brewster Village, a 30-unit development on Brewster north of Walton that came before the Commission recently. They were single-story, smaller lot condos starting at \$450k. He suggested that people should not think that alternate housing came with lower value, because it was just not the case.

President Tisdell related that the City had about 20,000 large lot, single-family homes, and about 75% of baby boomers wanted to sell their homes before they retired. The Mayor recently spoke with AARP, and the City was featured about its efforts to retain seniors. He reminded that they also had to draw new people in. As the boomers wanted to sell their four-bedroom, two-and-a-half bath colonials, many residents wanted to come in, but a lot of them could not afford \$450k homes. He agreed that there was a missing niche, and it was not being proposed from fence line to fence line. He thought that those developments could bring in some younger families that would later be candidates for buying the larger single-family homes when their families grew.

Mr. Kaltsounis clarified that the properties designated for R-5 currently had a density similar to R-5. That was how the Planning Commission looked at it. There was one area that was questioned by people who visited during public hearing, and changes were made. Two of the areas were currently at that density, so there would not be much change over what there was already. He felt that they would see a revival of areas. He remarked that the City was a victim of its success, which was evident by the prices of homes. He was always amazed when he heard what properties were going for, but they were selling. He maintained that why certain areas were proposed for R-5 was well thought out.

Mr. Hooper added that R-1, 2, 3 and 4, which made up 95% of the City, were not changing. R-5 was a small portion of the City. He said that it would come down to economics, because land was expensive. There had to be a certain sized home to get a return on investment.

Ms. Roediger advised that staff would be working with Giffels Webster to start drafting some ordinance language, recognizing the comments made. She said that another important district was along Auburn Rd. They had to determine how to accommodate private investment, and they were proposing an ordinance for that area as well.

Ms. Bahm liked that they had a discussion about the public investment in Auburn Rd. prior to discussing the Master Plan. The residents and business owners would see the level of detail and investment being provided by the City, and she felt that it really upped the game in that area. There was a planning vision for the Auburn Rd. Corridor Plan, and they talked about the need for some zoning standards and a framework that would get at the heart of what was special about the area to direct growth in a consistent and critical manner. That would be the benefit of having a specific zoning district for the area rather than using a more general PUD to develop there. She noted that the area was designated as Commercial Residential Flex 2 in the Master Plan, and it was also identified as an area where additional housing was desired. They all agreed that it was suitable for the missing middle type housing, given its walkable nature and the opportunity for smaller units, which they wanted to make sure were well designed.

Ms. Bahm advised that there had been significant conversations with the Planning Commission about whether three stories or more might be appropriate along the corridor. The Master Plan text that accompanied a sketch showing a three-story building said that a zoning change should not be imminent in the area. They knew that there was a lot of public input in developing the Auburn Rd. plan, and people had expectations of what they would see based on that document. They talked about the feasibility of redeveloping properties that were viable and the cost of construction. She wished to talk about exploring additional heights for the area, and she asked for input before they went further down the road. The challenge for the district was about how to facilitate new construction and private investment, which they wanted to encourage. She stated that it was very important to mitigate the impact on adjacent residential neighborhoods. They had a lot of tools for doing that, such as form-based zoning standards for height, setbacks, design, uses and parking. She showed some images, which she said were ideas for conversation only, of three

and four-story buildings in other cities and how they were done to reduce the impact of the height.

Mr. Kaltsounis asked how the rear of the buildings and the height would affect the residents. Ms. Bahm said that it was important to consider that impact because of the shallow lots. It would be important to have language about not having blank walls, and perhaps using step backs and other things to reduce the impact of massing and height. They did not want to create a barrier from the residents to the street; they wanted to make it integrated and more welcoming. Mr. Kaltsounis reminded about the alleys, and Ms. Bahm agreed that they were important. Mr. Kaltsounis said that it would also be important to get public input about the height. Ms. Bahm agreed that they would not have ordinance language the next day, and that it would be important to go through a process, especially in light of the Mayor's comments about how the residents felt about the area. It would be important to use private buildings to create the public realm. The public realm was the sidewalks, the streets, the park and the parking lots. They wanted to make sure that the walls of the buildings were done right to create a walkable, friendly, nice space that was economically viable.

Mr. Hetrick felt that the comment about integrating the buildings so the front and back had an appeal to the residents was absolutely critical. That should include landscaping and whatever else could be done so the residents did not feel like they were looking at a giant brick wall. In terms of the building styles, the ones that stuck out to him were those that had some space in between. To have half a block of a two-and-a-half story building seemed a bit excessive to him. He would like to see patios and balconies recessed on both sides so the residents in the back were not seeing a giant wall. He asked if the R-5 standards would be strictly for the commercial district or if they would spill over to the residential district. The residential that abutted the corridor might want to look more like an R-5 district. He asked where the boundary of the proposed ordinance district would be.

Ms. Roediger responded that they were talking strictly about the Auburn Rd. corridor, which was a half-mile. The intention for the district was for it to be mixed-use; there could be first floor retail with residential above or there could be some first floor residential buildings. As the project evolved, it might expand further down Auburn towards John R. They were not looking to move into the neighborhoods to the north or south, however. Mr. Hetrick felt that it was a first good step. He was thinking more about how the residential properties might develop once the

corridor started building towards its vision.

Chairperson Brnabic asked if zoning in the area currently allowed more than two stories, and Ms. Roediger said that there was a two-story maximum. Chairperson Brnabic noted that the discussion was about considering additional height. She remembered talking about putting a committee together, consisting of residents, business owners, Council and Commission members and staff. Ms. Roediger said that initially, staff wanted to take the temperature of the two bodies. Chairperson Brnabic stated that she did not think she could support four stories, and she was not quite convinced about three stories, but seeing the examples gave another perspective.

Mr. Schroeder said that they needed to consider parallel parking and traffic with the two-lane road. They would be adding a lot of people and cars without adding parking, and they would have to provide parking.

Ms. Bahm said that there would be parking on both sides of the street. She suggested that perhaps some areas might be more residential so there would be fewer customers. It would be possible to live and work in a building. Mr. Schroeder did not think that there would be enough employment to consider having people live there.

Dr. Bowyer stated that she liked the idea of going to three stories, and she would be comfortable with that. She said that some of the examples helped, for example, with a stepped back level, it did not feel like three stories from the road. She reminded that once all the land in Rochester Hills was built out, they would have to go higher, and that it was the future. She suggested that with row housing, there could be garages underneath.

Mr. Reece agreed with Chairperson Brnabic. He was not at all in support of a four-story building, and he would marginally be in support of three. He did not think that those types of buildings were necessarily what the City needed to be in the future. He had been vocal about it at other meetings, and he reiterated that he was not supportive of four stories. He put himself in the residents' places who would have to look at the buildings every day. He felt that their lives would be impacted significantly. He did not think that the renderings represented their intended neighborhood. Regardless of the alley and what a rendering with trees might look like, and he reminded that in the winter there would be no leaves, if a three-story was put in someone's backyard, it would be like looking at a big wall. He stated that Rochester Hills was a residential community, and he agreed that they could not be all things to everyone.

He felt that they needed to stick to their roots and fit that type of development where it could. He stated that he would absolutely not be in favor of four stories, and he would have a hard time swallowing three.

Ms. Roediger summarized that as with R-5, they would start drafting language and come back for more discussion. They would start the process to engage residents and other groups. It would be the Auburn Rd. zoning district - a unique area with unique regulations.

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Approved . The motion PASSED by an unanimous vote.

2019-0027

Woodlands Ordinance Update

Ms. Roediger advised that over the past year, staff had been having discussions about the Tree Conservation Ordinance (TCO). The current Ordinance, in effect for about 30 years, was very selective in what it regulated and where it applied across the City. They were looking at updating the language and bringing it in line with today's best practices, and Mr. Elwert and Mr. Einheuser had done a lot of research.

Mr. Elwert noted that there was a new Natural Resources division that merged with Forestry. He and Mr. Einheuser, the Manager, had been diving into the code since he came on board. Mr. Elwert noted that the Master Plan called for a review of the TCO.

Mr. Elwert talked about site plan process for reviewing tree plans. The two main elements he wanted to discuss and receive feedback for were the preservation percentage and the concept of tree replacement. The preservation percentage applied to areas outside of a building envelope for residential developments. Currently, 37% of trees were required to be saved, but it did not include over the whole parcel. Tree replacement did apply to an entire lot, but it was for trees 6" or greater in diameter at breast height (dbh). At that point, a developer could replant or pay into the City's Tree Fund as a condition of approval by the Planning Commission.

Mr. Elwert stated that they had taken an in depth look at the TCO and had been in discussions with Planning and Mr. Staran. He noted that Mr. Staran wrote the original TCO. They came up with three focus areas to conserve more large trees, make the system simpler and consistent across the community and raise some of the protection standards to be in line with other communities on average. He maintained that things had changed substantially in the City in the last 30 years. They were going to suggest bumping up the averages a little. They did not want it to be a burden for developers but move it towards the average, and they wanted

feedback. The recommended change to the preservation percentage would go from 37% to 40%. He noted that Oakland Township was at 40%, and he had seen 80% in some cities. He said that it was hard to compare communities, because there were different ways their ordinances were approached. The other part would cover the whole community. Currently, the preservation percentage applied to one-family residential and only in areas that were not platted as of August 3, 1988. The development environment was different than what it was 30 years ago, as well. It would reduce confusion and help guide and apply a consistent standard throughout the community.

Mr. Elwert mentioned landmark trees, which he said were large trees listed in a variety of places after being nominated. They were proposing significant changes to them, and any living tree with a dbh of 24" or greater would be considered a landmark tree. It would not have to be nominated. There were some species that would never get that big, however, and Forestry would maintain a list of landmark trees. They could be 18" rather than 24". Developers had come to them asking why invasive species would be protected, and Mr. Elwert had responded that they still provided a community benefit. They provided water and air absorption, and given the choice, they were suggesting that they would not state that one invasive tree was not as valuable. He added that an invasive tree would never be considered a landmark tree.

Ms. Morita asked if staff would be going onto private property and marking trees. Mr. Elwert said that they would not. It was all driven by plans submitted to the City for development. Ms. Morita asked if, hypothetically speaking, she had an awesome large tree in front of her house and she wanted to cut it down, if that would not be a problem. Mr. Einheuser said that there were exceptions where a permit was not needed. If three trees or less were being cut down on a property that would be allowed. They were talking about bigger developments. Ms. Morita asked if it would not affect people living in their homes. Mr. Staran said that there was a blanket exception for that in the ordinance. That was a decision Council made at the onset. They would regulate at the development stage, but once someone had occupied a home, there was no restriction on people cutting trees down. Ms. Morita had seen in other communities where people had metal tags on their trees that looked awful. Mr. Elwert said that now three trees could be taken down without a permit and for more than that, a permit could still be obtained.

Mr. Elwert claimed that Rochester Hills was at the bottom compared with other communities as to how trees were protected. Currently, if a tree was

taken down that was regulated at six-inches or greater, it was only replaced with one, two-inch tree. They were suggesting a one-for-one replacement for trees that were not landmark. It would take 40 years to get a canopy back from a 24" tree. They were suggesting a 50% replacement, which was average for other communities. Some required 100%, but they felt that 50% would be a reasonable step. A 24" landmark tree would now require replacement of 12" of tree, which could be six trees at two-inches each. Currently, a 24" tree would require one, two-inch tree. Regulated invasive trees would remain at a one-to-one replacement no matter the size. The next steps would take it through the ordinance process. He said that they had also been working with Engineering, and they hoped to have a draft in the spring.

Mr. Kaltsounis said that a lot of developers replaced trees with shrubs, and he asked how that could be prevented. Mr. Einheuser said that for trees that were deciduous conifer, a six-foot high tree would have to be planted. Mr. Kaltsounis said he would like to see that specified. He gave an example at the Walgreen's at Crooks and Auburn. He drove by and saw bushes in front. Each one of the bushes were planted where a tree was. He felt that was horrible, and the bushes were in poor shape. They were too short to block headlights. Mr. Einheuser stated that replacement was supposed to be with a tree with similar characteristics. He wondered if the bushes were for a buffer requirement, and if the applicant paid into the Tree Fund rather than replaced trees. Mr. Kaltsounis just wanted to make sure the City was protected. Mr. Elwert said that if an applicant paid into the Tree Fund, the City would plant trees in the right-of-way in various places. They were going to be planting a significant number in Innovation Hills and along the Auburn Rd. corridor. Mr. Kaltsounis noted that pre-platted properties were very old, and he thought the date needed to be removed from the ordinance. Mr. Elwert said that it was being removed. Mr. Kaltsounis said that he was happy to see that the ordinance would apply to any site plan rather than just residential. The City was re-developing in places, and they would be able to save more trees.

Ms. Morita asked for the slide that showed which other communities were researched. She felt that it was interesting, because at least three of them had been sued because of their tree ordinances. Oakland Township was hit with a seven-figure judgment, because they were accepting money into their tree fund without planting any trees. She did not want a situation where the City continued to take payment for the Tree Fund, which was accruing a lot of funds. She did not know how much space was left to plant one million dollars' worth of trees. She suggested that it had to be

looked at with Mr. Snyder in Fiscal. She encouraged Mr. Staran to take a look at what happened in Oakland Township. She also knew that the City of Rochester had been in litigation over a landmark tree. She considered that the communities that they researched might not have been prime examples of great tree ordinances that had been defensible.

Mr. Elwert reiterated that the City would be planting a lot of trees in Innovation Hills and Auburn Rd., so the fund would be down about half. He said that he understood the issue, and they were looking at other creative ways to possibly plant on private land.

Mayor Barnett said that good points were raised. People might question why the City would not require 100% of the trees to be protected. As they ran the scenarios for what development had actually incurred, developers would probably not save a landmark tree in the middle of a development. They tried to find the right balance, because they wanted to protect trees. The challenge with trying to be the most protective was that the cost of development would go up. That would not necessarily protect more trees as much as it would add a cost to a project. They tried to find the appropriate balance that recognized their desire to be a tree city and value trees and also to do it in a way that did not end up having costs passed on.

Mr. Schultz asked if Oakland Township actually paid the money to the parties that sued or if the trees were installed. Ms. Morita said that they paid a judgment to a group of developers. She commented that it was a classic example of what not to do. Chairperson Brnabic had received one speaker card.

Ralph Nunez, Nunez Design, 249 Park St., Troy, MI 48083 *Mr. Nunez said that Mr. Elwert had answered all his questions except about a waiver process by City Council or Planning Commission. Mr. Elwert said that the possibility of a waiver had been discussed. If there was an unexpected burden for a project, it could be a way for the Planning Commission to decide differently. He was not sure what it would look like, but they would work with Mr. Staran about possibly bringing that element forward. Mr. Nunez knew that there were a lot of properties with wetlands and slopes, engineering and planning requirements and zoning and preservation requirements that could make it difficult for some projects. He felt that having that option would be good, because the current ordinance did not provide an avenue for a developer with a proven hardship. He said that he appreciated it.*

Mr. Hooper said that with a lot of developments, it was the number one topic. A resident came forward and said he liked looking at the trees next door or he always walked his dog there but could no longer. Asked if he owned the trees, he would reply that he did not, and that no one ever told him his neighbor would be taking trees down or that a house would be built. Mr. Hooper thought that going from 37-40% preservation was not a big deal. He thought that including everyone that was not previously might be. If someone wanted to redevelop, and a lot of trees had been planted, that it might be problematic. There were some potential cases involving larger lots and how the new requirements would apply for redevelopment that might be concerning.

Mr. Elwert said that they tried to come up with some scenarios with regards to cost increases and a mixed growth forest for a developer and came up with \$17k on the low end and \$80k on the high end. If someone wanted to cut down a lot of large trees to develop, the cost would be higher. Mr. Hooper considered a bowling alley lot where someone had taken a lot of trees down before it was developed to get out from under the ordinance. He wondered if that could be done. Ms. Roediger said that there would be exceptions for when trees could be taken down. Clear cutting would not be allowed. Mr. Hooper indicated that the City would not know about it unless someone said something.

Mr. Schroeder asked if that would control a developer from planting a lot of pine trees to meet the requirements. Mr. Elwert said that a recommended tree planting plan would be provided through the process. The City would sign off on what was being planted.

Ms. Roediger said that she was not hearing any major red flags, so staff would continue to work with Mr. Staran and draft some regulations to be vetted through the public process. She felt that it was moving in the right direction. They were very cognizant of trying not to create a financial burden and to balance the needs of natural features and affordability for the development community.

Mr. Paul Boulanger, 2025 Maple Ridge, Rochester Hills, MI 48309 *Mr. Boulanger stated that they did not have to be the same as everyone else and do what other cities did. He noticed that replacements were done by diameter, but he did not see anything about the type of trees. Mr. Elwert said that if he was asking if the City required the same type of tree to be planted, it did not. Mr. Einheuser said that there was a consideration to try to get it as close to the same characteristics. Mr. Boulanger asked what they were aiming for and if it was the size and look. Mr. Einheuser said*

that it was both. It would be the right type of tree for where it would be placed. Mr. Boulanger said that there could be a tree that worked better. He noted that the Arbor Society was working on trees and carbon dioxide from cars. As the community was developed up to five stories, he felt that they would need to do something that included traffic. He asked if trees could be planted on public property only or if they could be on private property. Mr. Elwert said they could be on private. Someone could pay into the tree fund or replant on a property. The City used that money to replant in other areas, both on public and private property, such as in road right-of-way in front of residential. Mr. Boulanger said that he had some pictures of trees that were being replaced because of development. He saw big trees, but a builder would not want a hill with trees, so the trees would be taken out and the ground leveled, which changed the whole climate of the area. Mayor Barnett suggested that Mr. Boulanger could meet with Mr. Elwert.

Discussed

2019-0028

Short-term Rentals

Ms. Roediger advised that a couple of months ago, the topic of short-term rentals came before City Council. Council directed Mr. Staran to draft a memo outlining some options the City could do to potentially regulate them. Since that time, staff had met with Captain Johnson from the Sheriff's office and looked at how other communities regulated short term rentals and talked about whether there were other issues that had arisen in Rochester Hills. She had talked with some Airbnb employees and received some stats for the City. She noted that Airbnb was not the only short term rental outfit in the City, but according to them, the City currently had 30 Airbnb properties. 70% of those 30 were for private rooms within a home. Out of all the homes in the City, only five were whole house rentals. To show the scale, she mentioned that 95 was the average of nights booked over the past year at an average rate of \$70 per night. She noted that many cities that had adopted ordinances had a lot of tourists, such as Traverse City or other coastal and large towns. Staff questioned what they were trying to accomplish and what it would take to combat any issues that arose. They questioned how large of a problem it was, and what it would look like to require registration. They talked about what it would mean from a staffing standpoint and how it would be enforced. Most ordinances were specific about a time duration and the presence of an owner on the property and things of that nature that would require regular inspections and enforcement that the City did not have the staff to handle. They also looked at public safety considerations. The concern

raised at City Council happened at an Airbnb, but the Sheriff's office and Building Dept. had never received any complaints from a safety or code standpoint specifically for short term rentals. She reminded that the City already had ordinances for nuisances such as noise and others, so they considered that drafting regulations would be jumping the gun a little. Staff's recommendation was to monitor it over the next year and see if there were changes. She knew that short term rentals were not going away, but they wanted to be realistic.

Mr. Dettloff said that he supported the idea of monitoring it. He asked if there were ordinance examples from other communities that regulated.

Mr. Cope stated that there were several examples that showed how short term rentals were regulated in various ways. He indicated that they had not seen complaints that would justify regulating them. They received six complaints from tenants renting a whole house, and they were able to deal with all of those with the City's property maintenance ordinance. If someone had an electrical complaint, for example, Building would set up a safety inspection and evaluate it, and they were able to deal with it through the codes and require an owner to fix the problem. He added that those six were at long term rentals.

Mr. Staran advised that there were ordinances for other cities primarily in high tourist areas but not nearly as many examples in communities like Rochester Hills.

Mr. Deel noted that what brought the whole matter up was an incident in a home that was being rented as an Airbnb. The person renting the home happened to be on a federally-wanted fugitive list. A team went there in the night, and it was quite dramatic. In light of the low frequency in the number of rentals, and he stated that the one he mentioned was really isolated, he did not think it warranted an ordinance. He suggested that individual HOA's could pass by-laws to prohibit short term rentals if they wished, and the current ordinances could most likely address nuisance issues. He thanked staff for looking into it, and he agreed that it could be monitored for the next year.

Dr. Bowyer also thanked staff for looking into it. She was a landlord, and she understood that there was nothing they could regulate that would do anything to prevent a bad renter. She noted that she had just signed a short term, 3-month rental agreement. It was for a couple from Rochester Hills who wanted to move to a new house in Rochester Hills that was not built yet. They just needed a place for three months. She maintained

that if the City tried to regulate, it would just add a burden for landlords who would have to pay more, and it still would not help get a good tenant. She did not think that creating more regulations would help the issue going forward. She pointed out that everyone wanted to have good, reliable tenants.

Mr. Hooper thought that the City probably had hundreds of short term rentals like that in the community. He would object to having a neighbor acting as a hotel hosting people of a transient nature every three to five days. Mr. Deel felt that his HOA could pass a by-law preventing that. Mr. Hooper kind of doubted that his would, and he felt that residents would ask the City to step in for something like that.

Ms. Morita said that if her neighbors decided to start renting their house on the weekend, she would not be happy. She agreed that her HOA would not do anything. She felt that they needed to look at a short term ordinance (two weeks or less) and give authority to the City to prevent people from turning their property into a hotel. Mr. Staran reminded that the City did permit bed and breakfast establishments. He recalled when the Planning Commission and City Council decided that it would be a good thing, and that the ordinance should be amended to expressly allow them.

Ms. Morita said that the owner would still be on the premises, and Mr. Staran agreed that would usually be the case. Ms. Morita said that she was concerned about having an absent owner. She commented that if there was a vacant house that had a new family in it every weekend, she would lose her mind. No one would know who they were. She said that everyone might not think it was a problem because they only knew of one issue, but it was not a problem because it was not next door to them. She would not want any other resident put through that. If there could be an ordinance on the books that would allow the City to assist those residents, she felt that they should follow up with that.

Mr. Cope said that he did not know of any kind of ordinance that could solve the problem that arose. The person in the home could have been a friend of someone. He did not think it had anything to do with the rental of the house; he thought it had to do with the person who lived there.

Ms. Morita said that it did not mean that just because other people who came in were not on a most wanted list that it would not lead to a problem. She stated that it was still a problem.

Mayor Barnett considered how they could write something that was enforceable. They would have to identify people staying for less than 10 days in a location and have the ability to enter the property to determine whether or not they were actually guests or not. He agreed with Ms. Morita that he would not want to live next to a hotel type situation, either. The problem was the next step. They would have to determine how to give Mr. Cope and his team the ability to enforce and to know when. That was the challenge. He did not think that they should create something that was not enforceable. As they discussed it with everyone, they were struggling to find a way that they would be able to identify someone moving in short term. He noted that in Grand Haven, there were twelve short term rentals next to each other, and there was an ability to understand that it was the rental block, and it could be monitored. In Rochester Hills, it was much more difficult to enforce and to try to determine if that was the same car that had been there for awhile.

Ms. Morita said that she would imagine that as with most issues in the City, something got resolved after a complaint. If a neighbor complained that people were coming in and out, selling drugs or doing something else, the City would start watching the house. If there was not an ordinance on the books, there was nothing the City could do. If there was an ordinance, the City would have the ability to do something for that "problem child" house. She claimed that having nothing was not acceptable.

Mayor Barnett said that if a resident called and said that there was a lot of activity next door, the City would typically call the Sheriff's department and use the tools they already had. The problem was if nothing popped up, he questioned what the Building Dept. would do next. He wondered if they would knock on a door and send in a team. Ms. Morita felt that there had to be a way to do it, and she knew that there were sample ordinances out there. Even if they never had to enforce or never had an issue, that would be great, but she stated that they needed to have one on the books just in case.

President Tisdell clarified that the proposal from staff was to just continue to look at it, and it was on the City's radar. There was a heightened awareness that was not there in the past. He reminded that 70% of the rentals were rooms only. Mr. Staran brought up that the City did allow bed and breakfasts, and that required the owner residing on the premise. If that became an issue in the future, they could require the owner to reside on the premise. That would cover 70% of the exposure, and only five houses were whole house rentals. He suggested that they should take

staff's recommendation and continue to look at it.

Mayor Barnett gave two scenarios where neighbors called and said that there was a ton of activity next door and had asked the City to do something. One ended up being a house a company rented for a series of eight engineers. They looked at the lease, and all of them were listed on it for a year. The neighbors were a little mad, because there were always cars in and out, but there was nothing the City could do. The other one was for members of a semi-pro football team trying to make the pros. Neighbors called about the level of activity. Mr. Staran realized that they were not on a lease, and he was able to have them removed. Mayor Barnett said that he would not say that the City was completely toothless. He agreed that he would have been just as upset if he was living in the house next to where the fugitive was. He knew that five people were waiting to hear from him after the meeting to find out what happened, and he was very sensitive to it. However, he only wanted to spend time on something that could be legitimately enforced. It would be similar to the fireworks ordinance, sending officers after booms only to find out it was the wrong house or person. He did not want to seem insensitive to the situation. They were talking about situations that were very erratic where they had a single complaint over the last five years. The concern was sweeping up other people that were doing rentals. Some people might get caught up that were running legitimate operations. The Administration was sensitive, and they were trying to find a solution to a single problem. He felt that monitoring would be a responsible solution. The enforcement had to be something that the City could legitimately do and sending Building staff around with warrants was not something that seemed right.

Mr. Hetrick said that as far as monitoring, if they knew where the Airbnb's were on a regular basis, a complaint could be correlated to an Airbnb. Mayor Barnett said that prior to the complaint, he did not think the City knew how many Airbnb's were in the City. The site was being monitored every 48 hours to understand what was out there and where. The idea of monitoring would have a new definition. Ms. Roediger had talked with some Airbnb folks in Washington, D.C. the previous week about ordinances and how people were dealing with the issues. The City was much more schooled about it than two months ago. They would follow the Council's lead, but he felt that they might be better able to respond if they had continued data.

Mr. Walker asked what they were trying to defend against. He asked if it was a specific situation or example of what they were trying to prohibit,

and if so, he thought that they should focus on that. He asked if there was concern enough to say the City did not want short term rentals because of something specific. He felt that it was too ambiguous.

Mr. Deel thought that any monitoring should be complaint-based. If there were complaints, they would be able to see a pattern and know what to address. If there were not, it was a perceived problem, and he did not think they should pass ordinances for perceived problems.

Ms. Roediger noted that short term rentals were not a new concept. People had been renting lake homes and vacation homes for a long time. People even rented a room to a college student or someone who needed a place for a short period of time. They would try to monitor a neighborhood to see if there were any impacts. Places that had seen that were typically the touristy towns with multiple Airbnbs. It was staff's recommendation to monitor, and there were police and ordinance officers to address 90% of the issues. If there was a growing concern over the next six months or a year, they could modify the bed and breakfast language. However, to do it preemptively might cause some unintentional harm for people who depended on rental income. She concluded that staff would continue monitoring and touch base with the members in the future.

Discussed

ANY OTHER BUSINESS

2019-0029

Request for Acceptance of the 2018 Annual Report for the Planning and Economic Development Department (Planning Commission only)

Ms. Kapelanski advised that the report was done in a similar format as the 2017 report. She noted that the Michigan Planning Enabling Act required the Planning Commission to prepare an annual report. Staff had expanded the scope of the report to include all of the boards and commissions that worked with the PED department, some administrative work, a section on economic development, and some items for the upcoming year were outlined. She said that if there were any edits requested, those changes could be made. If not, they were asking the Planning Commission to accept the 2018 Annual PED Report, which would be forwarded to City Council in February.

Mr. Hooper said that it was a great report again, and he moved the following:

MOTION by Hooper, seconded by Reece, the Rochester Hills Planning Commission hereby accepts the 2018 Annual Report for the Planning and Economic Development Department.

Mr. Kaltsounis joked that as the Secretary, it was his job to put the report together and present it to Council, so he thanked staff.

A motion was made by Hooper, seconded by Reece, that this matter be Accepted . The motion PASSED by an unanimous vote.

As Chairperson Brnabic had stepped out briefly, Vice Chairperson Hooper took over and stated for the record that the motion had passed unanimously.

NEXT MEETING DATE

The next Planning Commission meeting was scheduled for February 19, 2019 and the next City Council meeting was scheduled for February 11, 2019.

ADJOURNMENT

Hearing no further business to come before the members, Vice Chairperson Hooper adjourned the Joint Meeting at 9:50 p.m.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

Mark Tisdell, President
Rochester Hills City Council

Nicholas O. Kaltsounis, Secretary