

NEW BUSINESS

2024-0365 Public Hearing and Request for Conditional Use Recommendation - PCU2024-0006 - for Deborah's Stage Door, a health, recreation and physical education facility to occupy space in the EC Employment Center zoning district at 1954-1958 Star Batt Dr., located on the north side of Star Barr and east of Crooks Rd., Parcel No. 15-28-102-019, Deborah Agrusa, Applicant

(Staff Report dated 7/30/24, Applicant's letter, Development Application, Environmental Impact Statement, Floor Plan and Public Hearing Notice had been placed on file and by reference became a part of the record thereof.)

Present for the applicant were Deborah Agrusa, owner and Erin Bishop, Assistant Director of Deborah's Stage Door.

Chairperson Brnabic introduced this item and invited the applicants to the presenter's table to introduce themselves.

Ms. Agrusa and Ms. Bishop introduced themselves, and Ms. Bishop noted that she grew up in the studio and is now Assistant Director.

Mr. McLeod presented the Staff Report, noting that it is a conditional use request for Deborah's Stage Door, which the City considers to be a health, recreation and physical fitness place of business within the City's Zoning Ordinance. He reminded the Commissioners that last year a modification was made to the Zoning Ordinance that made these types of uses as a conditional use within the zoning district. He reviewed the location, noting that it is set one building back from the actual intersection and faces to the west, and access is made off of Crooks. He pointed out that the parking lot has multiple interconnections.

He noted that the area is zoned Employment Center with industrial-type uses and with a number of recreational uses mixed in, and commercial uses toward Crooks and the southwest. He noted that there is more commercial activity on Crooks and more industrial, recreation and office to the east; and mentioned that Community Business was across Crooks. He explained that there are a myriad of uses including recreational, and even some educational uses in the district. He pointed out that directly to the east of this particular building there is more of a truly industrial use of a machining business in a separate building on a separate property. Office uses are further north. He reviewed the zoning districts and future land use for the area.

He reviewed the floor plan that was submitted, and mentioned that the applicants state that dance, theater, vocal and a number of other different arts will be offered, along with some production of costumes. He stated that the hours of operation will be relatively limited and are typically after-hours from the truly industrial and other nine-to-five businesses, including 4:30 p.m. to 8 or 8:30 p.m., and then Saturday mornings until early afternoon. He noted that the application states that approximately 50 students take classes in some form or fashion, on two different levels. Some of the students come multiple times each

week, and others are more recreational in terms of their status coming only one time per week. He added that there is a lot of in-and-out type of traffic, but it was stressed by the applicant that parking should not be an issue as parents have a tendency to drop their kids off and leave and then come back. He commented that there is a transition point where parents are picking up one set of kids at the time that others are dropping off which may be a little chaotic. He noted that the application stated that employees would be designated to park at the rear of the building, and he pointed out that the rear doors are on the side by a fence.

He reviewed the standards for consideration of the conditional use recommendation, and he pointed out that the building has been in existence for quite some time with a number of different uses over time.

Chairperson Brnabic asked how many students attend each class and if large variations might exist between days of the week.

Ms. Agrusa responded that numbers can be from five to 12 to 15 at the most. She noted that the large group that is on site for several hours each evening is the bulk of the business.

Mr. Hetrick asked if a formal site plan would be submitted for the Council Meeting as the one included was only a sketch.

Ms. Agrusa stated that she would.

Mr. Hetrick stated that he had no issues with the request from a conditional use standpoint. He mentioned that his daughter danced at Deborah's Stage Door for a number of years and the quality of dance instruction they received and quality of character they get from dance instruction is exceptional. He stated that he cannot imagine that there would be any detriment to the surrounding businesses based on what they do.

Mr. Struzik asked how many classes there are per day or evening, and whether there were multiple classes or one long class. He mentioned Monday, Tuesday and Wednesday from 5:15 to 7:30 or 8:00 p.m. and asked if that was all one class.

Ms. Agrusa responded that they are currently in a very large building and at this point they are bringing down the number of students and planning to minimize the business. She explained that she has had two major medical issues in the past three years and has chosen to do this because it has become too much for her. She stated that she still wants to teach children, and wants to have less students so her responsibilities are not overwhelming. She noted that the classes per day will vary, and stated that there are three rooms that may be doing different types of activities including dance, tumbling, and beam. She stated that the most number of concurrent classes they would have would be three, and a pullout wall can make it one big room if desired. She commented that they run classes for three to 12 children.

Ms. Bishop stated that the classes are usually 45 minutes to one hour in length, and ballet classes are longer and are approximately an hour-and-a-half

depending on the class level.

Mr. Struzik commented that when he goes to soccer practice, more parents stay because it is only for one hour; however, for orchestra practice, while he stays, most parents go. He stated that he was trying to get a gauge for how many people would be staying.

Ms. Bishop responded that most of the competitive dancers will be there on Monday from 5:15 p.m. to 8 p.m. She explained that they have 45-minute to one-hour classes, but the competitive dancers stay the whole time.

Mr. Struzik commented that his main concern is parking and congestion at pickup time. He mentioned that they have seen other industrial uses where there is a gymnastic studio, and a dance studio was allowed go to in, and noted that the parking lot was already maxed out from the gymnastics and there were literally no parking spots available when he visited. He commented that he believed this situation is different, noting that he did two site visits in the evening; and on his first visit there were 14 free parking spaces in the immediate area and on the second visit there were 17 open spaces. He mentioned that there were additional spaces farther out as well, and commented that he did not feel that this would be a problem. He stated that he would ask that if this does get approved, that they closely monitor the situation and address it if the line backs up to Star Batt to ask that the line go north instead of south.

He added that if the applicant is in talks with the owner, they might want to mention that while these buildings in the area can accommodate this use, the next gym or studio might not be accommodated and he would not necessarily be in support.

Ms. Bishop mentioned that a lot of the students carpool and one parent may bring four kids.

Alan Buero explained that he is the current tenant at 1956 Star Batt. He stated that before he moved in there was a dance studio previously in the same parking lot as the Brain studio, and a painting place now. He stated that his business sells Amazon printing items and they print all night long to ship out in the morning. He noted that they are not open to the public and just ship their merchandise out.

Ms. Denstaedt stated that she noticed that there were two doors to the building for 1956 and asked which door they would be using.

Ms. Agrusa responded that she would be using the two doors right next to the gym.

Ms. Denstaedt stated that she noticed a lot of people were coming in and out of the gym; and commented that the parking lot is interesting in the way that people snake through there, which gives her concern. She stated that they should let parents know that traffic will be coming from everywhere and to be careful. She asked if the garage doors will be opened up.

Ms. Agrusa responded they would not because the building will be air conditioned.

Chairperson Brnabic noted that the application states they have 12 staff members and asked if they will all park around the back.

Ms. Agrusa responded that they do not ever have all 12 staff members at one time and as they are going smaller they will probably have around six.

Mr. Dettloff offered congratulations to Ms. Agrusa for her long history in business and in Rochester Hills. He commented that it is a very well respected name and he would thank her for staying in Rochester Hills. He noted that it seems like there is adequate lighting and commented that he would ask if there have ever been any security issues.

Mr. Buero responded that he felt very safe and was there late by himself.

Chairperson Brnabic noted that this item requires a public hearing and opened it. Seeing no additional members of the public wishing to speak and no cards, she closed the public hearing at 7:20 p.m.

Ms. Neubauer moved the motion in the packet to recommend approval of the conditional use request with the six pre-printed findings and two pre-printed conditions. Mr. Struzik seconded the motion.

Mr. Hooper stated that in the past a condition was added that if the use changes it would be subject to review by the Planning Commission. He noted that the only condition included in the draft motion was regarding outdoor uses.

Mr. McLeod responded that an added condition has been included into some of their uses and if the Commission feels more comfortable, it can be added.

Mr. Hooper stated that he would have a concern if the center becomes more of a recreation center instead of a multiple-use type of center.

Mr. McLeod stated that if the motion maker is willing to add to the motion, he suggested that it could be a condition stating that if the use intensifies and it is determined by staff to be at a point where it needs to be reviewed, it could be brought back to the Planning Commission for additional review.

Chairperson Brnabic asked if Ms. Neubauer and Mr. Struzik were in agreement to add that condition to the motion. Seeing their concurrence, she noted the condition was added to the motion in the packet and asked for a roll call vote.

After the vote, Chairperson Brnabic announced that the motion passed unanimously.

It was noted that this item was expected to move on to City Council for the August 26, 2024 meeting.

Mr. McLeod noted that the applicant will need to be in attendance, and stated

that any additional information or updated floor plan needed to be submitted no later than August 16th.

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

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick and Struzik

Excused 1 - Weaver

Resolved, in the matter of File No. PCU2024-0006 (Deborah's Stage Door), the Planning Commission recommends to City Council Approval of the Conditional Use to allow for a health, recreation and physical education facility, based on documents received by the Planning Department on June 20, 2024 with the following findings:

Findings

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The existing building and proposed conditional use have been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposed addition of a health, recreation, and physical education facility should provide additional services being sought within the greater Rochester Hills community.
4. The existing development and proposed use are served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The existing development and proposed use should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare as the overall complex of buildings already includes a several other health, recreation and physical education type uses. Those other uses in the complex are of such a nature that they shouldn't necessarily be impacted by the introduction of the proposed use, as there is no proposed outdoor activity area, and the proposed days and hours of operation do not directly conflict with normal business hours for the existing industrial type tenants.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions

1. City Council approval of the Conditional Use.
2. If outdoor use areas are proposed, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval.
3. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, or other aspects that may cause adverse

impacts, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.