



# Rochester Hills

## Minutes

### Planning Commission / City Council

### Joint Meeting

1000 Rochester Hills Dr  
Rochester Hills, MI  
48309  
(248) 656-4600  
Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

#### CITY COUNCIL

*David J. Blair, Susan Bowyer Ph.D., Ryan Deel, Dale A. Hetrick,  
Carol Morlan, Theresa Mungiolli, and David Walker*

#### PLANNING COMMISSION

*Susan Bowyer Ph.D., Deborah Brnabic, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina,  
Greg Hooper, Marvie Neubauer, Scott Struzik, and Ben Weaver*

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Monday, January 30, 2023

7:00 PM

1000 Rochester Hills Drive

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### CALL TO ORDER

*Chairperson Brnabic called the meeting to order at 7:00 p.m., and welcomed attendees, Mayor Barnett, President Deel and City Council members to the January 30, 2023 Joint Planning Commission and City Council meeting. She noted that Ms. Roediger would not be in attendance due to the passing of her mother and expressed her condolences. She asked anyone wishing to make a public comment to fill out a speaker's card and to hand it to her.*

### ROLL CALL

**Present** 14 - Ryan Deel, Susan M. Bowyer, Dale Hetrick, Carol Morlan, David Blair, Theresa Mungiolli, David Walker, Deborah Brnabic, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Marvie Neubauer, Scott Struzik and Ben Weaver

**Excused** 1 - Greg Hooper

### Others Present:

*Bryan Barnett, Mayor*

*Chris McLeod, Planning Manager*

*Jennifer MacDonald, Recording Secretary*

*Siddith Sheth, Rochester Hills Government Youth Council Representative*

*Mr. Hooper provided prior notice that he was unable to attend and was excused.*

### COMMUNICATIONS

*None.*

### PUBLIC COMMENT

*Chairperson Brnabic opened the floor for public comment for non agenda items. Seeing no one wishing to speak and no comment cards submitted, she closed public comment at 7:02 p.m.*

## DISCUSSION

*President Deel noted his condolences to Ms. Roediger for the passing of her mother and thanked staff for pinch hitting in her absence tonight. He said that he was very grateful that everyone was able to make this meeting happen tonight.*

### 2023-0027

#### Planning Initiatives Updates

*Chairperson Brnabic thanked the Councilmembers for attending the meeting tonight. When the Planning Commission and City Council were last together in 2022 they discussed concerns regarding the Flex Business Overlay Districts. Chairperson Brnabic expressed appreciation to the City Council for placing a moratorium on the FB Zoning Districts which allowed the Planning Commission time to review and propose an ordinance amendment. She feels that the updated ordinance will serve the community at large much better.*

*Mr. McLeod stated that the first Planning initiative is for the City's Gateway and Streetscape Plan. He noted that the Plan will allow for some branding opportunities for the City and was last undertaken about twenty years ago. He said that Mr. Weaver will give the presentation for OHM Advisors.*

*Mr. Weaver explained that the Gateway and Streetscape Plan will revitalize and create a sense of community. He stated that the plan will make it clear that you are in the City of Rochester Hills. He said they would like to provide realistic goals that are achievable for implementation. He noted that there will be a proposed order of installation and an action plan for progress within 3-5 years. He said that Rochester Rd. at each end of the city would be likely areas to target. He commented that upcoming projects to "piggy-back" on could be considered, such as road projects, and that would support adjacent land uses. He stated that some developers may be willing to help, and noted that the possibility of grant funding will be explored. He said that there will be stakeholder meetings and online surveys to get residents' opinions. He said there is a stakeholder meeting planned for March to review concepts.*

*Mr. McLeod explained that a steering committee consisting of representatives from the Planning Commission, City Council and City staff has been meeting on a regular basis, and noted that OHM will be refining plans based upon those meetings each time.*

*Chairperson Brnabic opened the floor for public comment.*

***Mr. Lee Zendel, 1575 Dutton Rd.** said that he sat through these same meetings in 2003 and it is déjà vu. He said that like all things there is inflation, and commented that what could be simple signage now has lots of parts to it and he stated that it looks like the City wants to spend money. He suggested that the City should instead spend a lot of effort in Washington D.C. to get a sign on I-75 that says exit to Rochester Hills. He asked how many millions of dollars this project will cost.*

*Chairperson Brnabic asked if there is an estimated cost for the project.*

*Mr. Weaver responded that they haven't gotten that far yet.*

*Mr. Blair referenced the City's Parks Master Plan and said that in order to get the best bang for the buck, that plan should be considered together with this plan in order to create a cohesive image.*

*Mr. Weaver responded that some signage for parks has been discussed.*

*Mr. McLeod mentioned that the Parks Director is also on the steering committee.*

*Chairperson Brnabic asked for any questions or comments.*

*Ms. Munglioli requested a copy of the slides being presented.*

*Mr. McLeod stated that another Planning initiative is to review the Winkler Mill Historic District. He said that in 2019 the idea of resurveying the properties in the historical districts came up, to make sure that the properties listed are still contributing. The Winkler Pond Historical District was identified as one of the districts to be resurveyed. The City allowed the City's historical consultant to move forward with her survey based on those discussions.*

*President Deel stated that residents know when they are purchasing a property within the district. He said the district goes back to the 1970s but there may be a house that was constructed in 1984 that has no historical value.*

*Mr. McLeod explained that because it is a historic district doesn't mean that new houses can't be built, or additions constructed, etc. He said that the idea is that there is an overarching theme of this historic district but there may be some modifications that should be made. He said there will be meetings at the Historic Districts Commission and the Historic Districts Study Committee before it is determined if any modifications will move forward or not.*

*Ms. Neubauer asked whether there is objective criteria for what constitutes a historic building.*

*Mr. McLeod responded that the City follow's the State's guidelines, but there is some degree of interpretation.*

*Mr. Dettloff asked if there are existing houses that are bound by the Secretary of the Interior standards.*

*Mr. McLeod responded that there are.*

*Ms. Munglioli asked if homes are built new within the district if they have to follow the guidelines.*

*Mr. McLeod responded that they still have to go through the historic review process.*

*Mr. McLeod stated that with regard to natural features in the city, the city's map was last updated in 2005, and ASTI just completed an update looking at wetlands, woodlands, steep slopes and other natural features. He noted that this study will be provided after City staff has an opportunity to review it. He commented that as developments are reviewed it will help to determine the environmental impacts moving forward.*

*Mr. Hetrick asked whether the city's natural features have increased or decreased since the previous study.*

*Mr. McLeod responded that the ASTI study needs to be fully reviewed by staff before that determination can be made. He said that preliminarily it appears that the city has done a good job in maintaining natural resources.*

*Ms. Mungoli asked when it would be presented to Council.*

*Mr. McLeod responded that it would probably be in the second quarter of this year.*

*Mr. McLeod explained that staff will be looking to update the Master Land Use Plan later in the year, as it needs to be reviewed every five years. He said that other studies will need to be incorporated and it needs to reflect emerging market trends.*

#### **Discussed**

#### **2023-0029**

#### **Nonresidential Zoning District Consolidation**

*Ms. Bahm presented the zoning district consolidation discussion. She said that it is part of best practices for the Planning Commission and City Council members to meet together on a regular basis. She said that last year, the conversation was started about simplifying the zoning ordinance to provide clarity and consistency, especially looking at uses in industrial districts. She noted that similar uses are permitted within the B-1 and O-1 districts, and there was a time when ordinances were written to make a zoning district for every specific use. She commented that then difficulty arises trying to find what districts new uses fit into and it becomes frustrating and confusing for the community, boards and applicants. She noted that last year staff started to think about how to break apart the ordinance and how to put it back together, and that started with the Flex Business district. She said that they are hoping to build on the model of having study sessions and engaging the public. She commented that uses permitted in particular districts can impact economic development, and anticipated issues can be addressed in advance.*

*Ms. Bahm presented a chart showing that some districts are proposed to be renamed for clarity and some districts are proposed to be removed. She explained that the district name changes are intended to more accurately reflect what the permitted uses are. She pointed out that the B-5 district contains a small amount of properties and suggested that this district can be collapsed and*

*consolidated. She stated that the REC Regional Employment Center Districts are often confused with recreation. She said that in sharing the process they have been going through with staff they are looking for direction from the Commissioners and Councilmembers. She commented that specific parcels are not being reviewed today, and she noted that district consolidation will promote more flexibility.*

*Ms. Bahm stated that with regard to the consolidation of some uses, this is a work in progress. She commented that some definitions need to be refined and some new use standards will need to be written. She explained that for example, animal and agricultural uses need to be consolidated instead of having definitions for kennels and pet boarding, and pet day care may need to be identified as a use. She stated that a lot of the listed uses were created over time and may not all be necessary. She said instead staff can look at what the impacts are for certain uses such as noise or odors and those impacts can be addressed through additional provisions.*

*Ms. Bahm said that the discussion about private recreation facilities was prompted by recreational uses occupying industrial properties when there is a noticeable need and low vacancy rate in industrial districts. She recalled that the conversation was that the recreational businesses are serving the community as well. She suggested that perhaps recreational uses could be restricted to industrial properties on major roads in order to avoid an inappropriate mixing of uses within the industrial parks, which can result in having children next to properties that are operating heavy machinery. She noted uses like dry cleaners, places of assembly and medical/professional offices need clarifications. She said that staff will be looking district to district to ensure there will not be a lot of non conformities made.*

*Mr. McLeod stated that he has been working with GIS to create an interactive map for the City's website to show proposed rezonings so that a resident could click on a property and then a page will pop up to explain the impact of the zoning change, allowing the implications to be clear to the public.*

*Mr. Tangari noted that such an interactive map will go above and beyond the requirements.*

*Mr. Hetrick said that will be great to make potential impacts clear to the public. He asked what any potential impact would be on the PUD process. He said that at one point the City started to see a lot of PUD projects and they tended to be harder to manage, and this might minimize the use of PUDs.*

*Ms. Bahm said that if there is more flexibility in the zoning standards then developers may be less inclined to go through the PUD process, and this would lead to more predictable outcomes.*

*Ms. Mungoli stated that she is happy to hear that staff is planning on going above and beyond what is required to inform the public but asked for specifics about this.*

*Mr. McLeod said that the interactive map is beyond what is required, and it will be on the website so that everyone can see it, not just if a resident receives a notice in the mail. He noted that other ideas have been discussed such as adding the notice to water bills or providing information on social media, and he stated that those ideas are just beginning to be discussed.*

*Ms. Mungioli said that if a resident doesn't know to go looking for a map on the website or understand why it is important and how it could affect them, they could miss the connection as to why they should care about it. She suggested that perhaps impacted properties could be listed by Council District. She said that it needs to be clear if it is just a zoning district name change or if it is a use change and the impacts need to be clear.*

*Mr. McLeod responded that staff have been discussing this and consulting with City Attorney John Staran as to what level constitutes a name change, a use change, etc.*

*Ms. Bahm said that the consolidation would be presented in a way that is understandable, and she stressed that this is being done to simplify things.*

*Ms. Mungioli said that with moving movie theaters to places of assembly, the Emagine theaters could be occupied by a church.*

*Ms. Bahm said that places of assembly will be addressed and regulated by size.*

*Ms. Mungioli said that possible unintended consequences should be addressed, and she asked what would happen with a consent agreement.*

*Mr. McLeod responded that a consent judgment always dictates what is allowed. He said part of this review is to bring zoning closer to what properties under consent judgments allow. He noted that the Meijer that is under the Grand Sakwa consent judgment is actually zoned Industrial.*

*Ms. Mungioli stated that she would like to know if there is a plan submitted already or if a particular developer is lobbying for a zoning change. She said that she is not supportive of restricting recreational uses in industrial zoning, and that should be a landlord decision.*

*Mr. Walker said that he supports industrial properties but he said the City should be welcoming to all businesses. He asked whether there is enough available space to say that recreational uses could only be located on the periphery of the industrial districts. He asked how many businesses are in violation of that, and if it is a lot then the City should forget adding that requirement.*

*Mr. McLeod said that staff will have to go through each district and see what the changes and consequences would be at a later time, and explained that this topic is just to provide a big picture tonight.*

*President Deel said that this discussion is good and Council will have to weigh in. He said that this is nothing new because the discussion is about changing technology and to change the ordinance to be plain and straightforward. He said that Council is getting all of these messages and if they don't understand the message it is the City's fault. He said the presentation has to be in plain English.*

*Regarding industrial and recreation uses, President Deel stated that he agrees with Ms. Mungoli. He said that the recreational uses are currently permitted and those locations are part of residents' daily routines, and it would be disruptive to change that. He said that it is his job to think of the safety of his kids. He said that most of the industrial properties are rental properties, and if the landlords don't have a problem with it then the City shouldn't. He urged everyone to think of the stakeholders that they are serving. He commented that this is a supply issue and not a zoning issue if more industrial space is needed.*

*Mayor Barnett stated that it says a lot about an organizational structure when there is such mutual respect displayed while working together. He expressed his condolences to Ms. Roediger on the passing of her mother, and thanked Mr. McLeod and his team for stepping up for this meeting. He commented that there are seeds of innovation in these discussions. He said it is easiest not to make changes and evolve. He said that Council is giving direction to a team who is trying to clean up the ordinance and make things easier. He urged Commissioners and Council to keep in mind that if Pam Valentik, Economic Development Manager, were here tonight, she would say that there are some challenges with less industrial space available. He said that the City received complaints from some of the recreational businesses about heavy truck traffic and other complaints about their industrial neighbors. He said this makes it harder for traditional industrial users to locate there. He explained that the benefit of the industrial businesses over the recreational businesses is a huge wage gap for the jobs provided. He said that as a City we celebrate when we get a new company that will provide 50 good paying jobs. He reiterated that this is a great discussion and staff will react to Council's desires. He said that this can be frustrating and pointed out that the intent is not to sneak things in or to allow for taller or denser development. He concluded that all conversations bring us closer to providing clarity in the ordinance and to bring about the type of development that the community and Council want.*

#### **Discussed**

#### **2023-0030**

#### **Other Ordinance Initiatives**

*Mr. McLeod reviewed other zoning initiatives, and began with architectural and design standards with regard to smaller buildings, and how to get ahead of the trends. With regard to the food market, he stated that there are some restaurants that have no desire to have indoor seating, and he commented that everyone wants a drive through. He explained that the same looks to be true with banking and retail stores with smaller footprints. With regard to building materials, he commented that there may be some opportunities to allow for some different materials that are new to the market. He suggested that the*

*current ordinance architectural guidelines should be reevaluated. He said there needs to be a discussion about minimum building size. He pointed out that every coffee shop brand has a building with a small footprint, and the discussion should include whether there should be a frontage requirement, a limitation on drive through only services, and whether lot amenity requirements should be added. With regard to EV charging stations, he explained that Planning staff has been working with other departments on a guideline book for City review of charging stations. He mentioned that they are drafting a "wish list" of requirements, which can become policies and may be considered for potential ordinance amendments later. He suggested that it needs to be considered whether there should be a requirement for developments to prepare for charging stations to be installed at a later date so that they won't be blowing transformers when they are added later.*

*President Deel commented that regarding drive throughs, he hopes that staff can consider when very severe turns are required, especially with smaller buildings. He said the impact of these configurations can often be seen on the buildings, causing safety issues. He said if there are market forces driving these buildings then we should adapt. He asked staff to take a look at addressing this.*

*Ms. Mungioli commented that historically smaller buildings like photomats went out of business but were left in parking lots. She expressed concerned that this would happen again and stated that the community doesn't want to look at pop-up type buildings. She said these are a lot different than food trucks. She asked staff to present guidelines for these before the next application comes in, to require a certain square footage and certain amenities, so that we have longevity in the community for the buildings to be used for another purpose. She suggested that otherwise such uses should just move to the end of an existing strip mall instead of a small building in the middle of a parking lot.*

*Ms. Neubauer stated that the Planning Commission's issue with the small coffee shop application was that they had no guidelines for their plumbing, and there was a gap at the bottom of the building, making it look like a porta-potty. She commented that the orange on the building would have been an eyesore when other buildings in the vicinity were brick. She said the city does not need such disposable buildings. She commented that with regard to a current application for a large drive through, if cars all became EV then there would be no idling; however traffic would still be an issue.*

*Chairperson Brnabic noted that Mr. Zendel wished to speak again on this topic.*

**Mr. Lee Zendel, 1575 Dutton Rd,** *asked how many people five years ago had heard of artificial intelligence, and he pointed out that now there is a vehicle that drives itself. He said that these developments will change how large parking lots need to be, and this will not be 20-30 years from now but very soon. He said such cars will have no steering wheel, no accelerator and no brake. He said that EV charging stations may be obsolete in 10-12 years. He urged everyone to think about what this would mean.*



*Mr. Gallina stated that he loves that these ideas are proactive about what is coming and that it is a comprehensive approach to address where the culture is moving. He commented that he looks forward to these discussions and is happy that the City is ahead of it.*

*Mr. Struzik said that regarding the smaller buildings, residents want drive through businesses and lobbies have been closed. He stated that the City does not want buildings in the future that have lobbies if they will be closed and unused. He said the ordinance needs to address turning radius issues and there needs to be better building standards. He mentioned Biggby, and he stated that they did add some brick but it was still a temporary type building and there are opportunities to write standards to address this.*

*Mr. McLeod said that there would be a number of conversations about these topics. Regarding food trucks he agreed there should be guidelines and regulations. He noted that it is a huge market and suggested that it should be taken into account that the City also uses food trucks. He questioned whether food trucks located in parking spaces create an issue, and noted that trash collection should be addressed.*

*Mr. Dettloff said that there must be county health requirements, and he asked whether there are surrounding communities who have food truck guidelines.*

*Mr. McLeod responded that the guidelines would be more to address how they are setting up on the outside and noted that there are different types of licenses for food trucks. He commented that staff has no desire to make the process cumbersome, however some things like safety issues need to be addressed. He said this trend started in big cities but now it is coming to suburban areas because they are so popular.*

*Ms. Mungoli said that with Covid regulations food trucks became much more popular. She stated that she would hate to see the City over-regulate them to drive them out of the community. She said regarding after hours parking perhaps they could be parked in industrial lots since to park them residentially would not be appropriate. She asked whether it should be considered whether the trucks are stored after hours. She suggested that the City consider a permanent food truck park, and she noted that subdivisions often use food trucks for HOA parties.*

*Mr. McLeod responded that the ordinance can address different scenarios. He said that food trucks would probably be more of a daytime thing than in the evening. He noted that they are probably not going to generate huge parking needs for such a use.*

*Mr. Weaver mentioned that Petoskey has a permanent or at least seasonal food park area and he would imagine that their ordinance addresses it.*

*Ms. Bahm noted that they have been reviewing area food truck ordinances and have written some for other communities. She said that some communities have written theirs to direct food trucks to retail locations that are struggling or*

where they want more activity. She commented that such areas provide an opportunity for people to gather and try new food, and it allows restaurants to try out new menu options.

Mr. Weaver said that the food truck area in Petoskey is very successful and popular, and they have fire pits and music too.

Ms. Denstaedt said that the food truck area in Ferndale has a covered outside facility which is also very popular. She said there is also such an area in Troy and they have a specified area where they park the trucks when they are not being used.

Mr. McLeod said that the license can require the trucks to go back to a home base and then deploy the next day so that they are not left out.

Discussed

**(Chairperson Brnabic left the meeting at 9:00 p.m.; Secretary Neubauer took over chairing the remainder of the meeting).**

**Present** 13 - Ryan Deel, Susan M. Bowyer, Dale Hetrick, Carol Morlan, David Blair, Theresa Mungoli, David Walker, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Marvie Neubauer, Scott Struzik and Ben Weaver

**Excused** 2 - Deborah Brnabic and Greg Hooper

## NEW BUSINESS

### 2023-0038

Request for Acceptance of the 2022 Planning and Economic Development Department Annual Report

Mr. McLeod presented slides highlighting the 2022 Planning and Economic Development Annual Report. He explained that all that State Law requires is to cover Planning Commission items, however, Planning and Economic Development takes this beyond the requirements and provides information on all items that touch the department. He noted that the conclusion of the report shows what the department's next steps are. He reviewed ordinance amendments that were completed, and mentioned of the new Serra Ford dealership that was approved. He explained that Economic Development items including a workforce survey, continued work in the Brooklands for a new parking lots, and the installation of a selfie station. He noted that in addition this has been a year for plans and studies.

It was noted that the Planning Commission was requested to accept the report tonight. Council would be asked to accept the report at its next Regular Meeting.

After a motion by Ms. Denstaedt, seconded by Mr. Gallina, Secretary Neubauer announced that the voice vote of the Planning Commissioners passed unanimously.

**A motion was made by Denstaedt, seconded by Gallina, that this matter be Approved. The motion carried by the following vote:**

**Aye** 7 - Bowyer, Denstaedt, Dettloff, Gallina, Neubauer, Struzik and Weaver

**Abstain** 6 - Deel, Hetrick, Morlan, Blair, Mungiolli and Walker

**Excused** 2 - Brnabic and Hooper

**Resolved**, that the Rochester Hills Planning Commission hereby accepts the 2022 Annual Report for the Planning and Economic Development Department.

## ANY OTHER BUSINESS

*None.*

## NEXT MEETING DATE

- *City Council Regular Meeting February 6, 2023*

- *Planning Commission Regular Meeting February 21, 2023*

## ADJOURNMENT

*Hearing no business to come before the Planning Commission and City Council, and upon motion by Mr. Weaver, seconded by Mr. Gallina, Secretary Newbauer adjourned the Joint Meeting at 9:08 p.m.*

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*Deborah Brnabic, Chairperson  
Rochester Hills Planning Commission*

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*Ryan Deel, President  
Rochester Hills City Council*

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*Jennifer MacDonald, Recording Secretary*