

[2023-0029](#)

Nonresidential Zoning District Consolidation

Ms. Roediger explained that since the last worksession regarding the proposed consolidations and updates to the city's nonresidential zoning districts, staff together with Giffels Webster have made some of the changes that were discussed and some are still being worked on. She said that the public hearing will be held May 16th for the 105 parcels to be rezoned. She explained that about 3,500 letters will be mailed out with not only the public hearing notice but a letter, and in addition staff is in the process of creating a website to allow people to understand the changes. She said staff will hold an open house on May 2nd, and the plan is to mimic the process used for the Flex Business Overlay amendments. She said the purpose of the open house will be to answer specific questions and there will not be a presentation. In terms of the updates to discuss this evening, for example, the FB and Brooklands districts were added to the table of uses. She explained that then staff has to modify the sections in those districts to refer to the table. She noted the Schedule of Regulations also has some changes; a lot is renumbering of the provisions. She said places of worship and places of assembly were separated. She said that staff feels strongly about keeping categories for small and large places of assembly, and the impacts from these uses align very closely with the size of the use, this way it is very defensible that we are treating places of worship equally with other uses. She said a definition for recreation was missing, that was expanded and clarified. She said that she wanted to highlight in the language for heavy industrial uses - there is now a 10 acre minimum property size. She said that we don't want to make a bunch of existing industrial properties nonconforming, and we would be comfortable getting rid of the minimum acreage completely if the commissioners would like. She reviewed some of the locations of industrial properties and asked for any of the commissioners thoughts. She asked Mr. McLeod and Mr. Tangari if they had anything to add.

Mr. McLeod noted that general industrial use is a conditional use in all of the districts. He said that this would allow additional control since it is not just a permissible use.

Mr. Tangari said in the Schedule of Regulations there are some new setbacks. He said there are a lot of moving parts and staff is doing a great job.

Ms. Roediger said that with regard to the Schedule of Regulations, there is no additional height or smaller setbacks for any of the zoning districts. She said for gas stations, there is added language that new locations need to be at the intersection of two major roads, and there is a 2 acre minimum property size. She said that community facilities and parks need to not be conditional uses in residential districts, and the definition for boarding houses can be removed since the use is not located otherwise in the ordinance. She concluded that it is still a work in progress.

Chairperson Brnabic thanked everyone for all of their hard work.

Mr. Hooper asked if the category of "stables, riding academies and hunt clubs" should be conditional and if gasoline service stations are permitted in the BD district. He asked regarding retails sales under 75,000 sq. ft., what does the "A"

represent. He referred to Sec. 138-4.32 and said that the obscuring wall required for the sales of used vehicles should be higher. He said that he likes the amendments and the streamlining.

Ms. Roediger responded that the category of stables, riding academies and hunt clubs was merged from the current verbiage and staff can take a look at making it conditional in residential zoning. She said gasoline service stations permitted in the BD district is only for the existing one but she would see if there is a better way to communicate that. She said that the "A" means "Accessory", and noted a larger office development such as medical buildings may have a pharmacy, a Fedex store, or a small restaurant. The retail sales category of over 75,000 sq. ft. allows the city to make a big box store a conditional use and therefore gives more teeth, this is a new distinction. She said that the wall height is the current regulation but perhaps that could be increased to 6 ft., staff would take a look at that.

Mr. Struzik said that staff has done a great job and a lot of the feedback provided has been incorporated. He asked whether there would be any quorum concerns for the open house and for a clarification of the commissioners' role.

Ms. Roediger said it will be noticed as a public meeting, and she is not sure what the turnout would be but that staff would appreciate any commissioners who can attend. She said she and Chris have been working with GIS to create a series of "one pagers" that will pop up to provide a clear explanation of the zoning changes when someone searches for their property. She said that there are 11 combinations of zoning changes.

Chairperson Brnabic said that this is a huge rezoning and noted that for the open house for the FB amendments it brought in quite a few people. She said that staff was trying to deal with a lot of residents on a one-on-one basis at that open house.

Ms. Roediger said that staff would focus time on talking to people one-on-one. If staff are doing our job correctly we can minimize the concerns of the 3,000 people but that is a big task.

Ms. Roediger said after the open house will be the special meeting for the two Oaks projects. She noted that John Staran has reviewed the ownership questions from the last meeting.

Chairperson Brnabic asked what's happening with Chick Fil-A.

Ms. Roediger said the applicant is working with MDOT and they may be making some progress. She said they haven't resubmitted but anticipates it will be coming back, and noted there is a Big Beaver Rd. location coming also as she confirmed with the City of Troy, and also another location in Shelby and one in Orion.

Dr. Bowyer noted 3 departments are still a "no" for reviews.

Ms. Roediger said that they will have to resubmit for reviews.

Mr. McLeod said that there was a rezoning inquiry at Auburn and Crooks. They are looking at doing a commercial development but the parcel by itself cannot be developed commercially with the current zoning since it is less than 2 acres in the FB district. They are looking at a possible rezoning or conditional rezoning and asked for the commissioners' opinions.

Chairperson Brnabic said that it seems like that question keeps coming up. She said the commissioners want to be consistent and the 2 acre minimum property size was thoroughly reviewed. She said if they consider doing smaller properties on a case-by-case basis it would be spot zoning or preferential treatment. She said the answer is consistently the same.

Ms. Roediger clarified they would not be asking for a modification to the 2 acre minimum property size, the FB district is off the table for this. She explained that since the property is master planned commercial the idea would be to rezone it to NB Neighborhood Business. She said that it wouldn't be a spot zoning since there are adjoining properties that are zoned the same, it checks those 2 big boxes. She said they have owned this property for 15 years and have been trying to acquire the middle property during that time. Staff was thinking that the property may be appropriate to rezone to commercial.

Chairperson Brnabic asked what is being proposed specifically.

Ms. Roediger responded that it would be a retail building or office.

Mr. McLeod noted that there would be no drive through, and that even with all 3 parcels they wouldn't meet the 2 acre minimum. So commercial redevelopment would require a rezoning.

Mr. Struzik said that he would entertain a discussion of rezoning in this circumstance, the adjacent parcel to the north is commercial. He said it is not a great place for a house on Crooks Rd. adjacent to businesses.

Mr. Weaver noted that the barber shop is in between the 2 properties.

Mr. Hooper said that it makes sense to redevelop the property and could consider it.

Chairperson Brnabic said that she did not object looking into it.

Ms. Roediger noted that May 9th is the next Adams Road Corridor meeting.

Discussed