

NEW BUSINESS

2023-0502 Public Hearing and Request for Conditional Use Recommendation - File No. PCU2023-0011 - to construct and operate a self storage facility in the I Industrial zoning district for Hamlin Road Storage Facility at 1575 E. Hamlin Rd., located on the north side of Hamlin between John R and Dequindre Rd., zoned I Industrial, Parcel No. 15-24-401-006, Steve Osborne, CDK Development, LLC, Applicant

(Staff Report dated 9/14/23, Fenn & Associates letter dated 6/30/23, Reviewed Plans dated 10/05/23, Development Application, EIS, CDK Development email dated 11/8/23, ASTI letter dated 9/5/23, WRC letter dated 3/23/23, Landscape cost estimate, Preliminary engineering cost estimate, and Public Hearing Notice had been placed on file and by reference became a part of the record hereof.)

Chairperson Brnabic introduced this item and invited the applicant forward.

Present for the applicant were Scott DiParvine, representing the owners and Jessica Sutter, PE, Fenn & Associates.

Ms. Roediger stated that the conditional use request is for a three story self-storage facility proposed for the north side of Hamlin Road between John R and Dequindre Rd. An aerial photograph was displayed noting the property relative to an existing RV storage facility and another storage facility being constructed. She noted that residential exists to the south and a cell tower is to the north. She explained that there is adjacent landfill and mostly industrial property. She stated that storage is a conditional use as a part of the recently revised zoning districts, and it will require a recommendation to City Council. She added that a tree removal permit is also being requested as there are a number of trees to be removed onsite and a number of trees to be kept to the west side of the site. Elevations were shown, and she stated that a three-story building is permitted, with 550 storage units and five parking spaces proposed as parking requirements for the project are minimal.

She stated that they worked hard on the materials, noting masonry and glazing modifications, and a landscaping wall is proposed along the western property line. In order to preserve existing wetland and vegetation, the wall is proposed to move in 50 feet, and a waiver is being sought for the number of right-of-way trees as there are underground utilities. She mentioned that Natural Resources staff feel that the request for a modification is appropriate.

She explained that conditional use is a discretionary review and the proposal must be harmonious with surrounding properties and not burden the system.

Chairperson Brnabic asked if Mr. DiParvine had anything additional to contribute to the discussion.

Mr. DiParvine responded that he was here to work with the Commission.

Chairperson Brnabic questioned the height, noting that on one sheet of the site

plan documents, the height is listed at 38 feet.

Mr. DiParvine responded that the elevation page shows the top of the roof at 34'10".

Chairperson Brnabic stated that she would like it no higher than 34'10" at the highest point and would like to see the correction made to the engineering documents that list the height at 38 feet. She expressed concern at the size of the building being next to a residential home and across from the homes directly to the south and stated that her main concern is the light that will be reflected from the third story. She commented that the landscape buffers are more for the lower levels. She asked if the lighting will include both interior and exterior lighting and if the building would face more toward the garages.

Mr. DiParvine responded that the lights can be put on a timer and noted that there will be fake storage doors. He explained that all of the lights inside of the building are on motion sensors and there might be two or three lights that stay on all day in a long corridor so looking down a long hallway it would not be dark.

Chairperson Brnabic noted that she read that the lights will be off from midnight to 6 am, and commented that it is dark at 5:30 pm in the winter.

Mr. DiParvine responded that they could set the lights to go off whenever it is wanted to do so as they can be changed at any time. He stated that they are not selling the building, but are keeping it.

Chairperson Brnabic stated that this sounds reasonable, and noted that the EIS stated that it could be changed seasonally by managers and owners.

Mr. DiParvine stated that if they do not want people to have 24-hour access, it could be set to any time.

Chairperson Brnabic stated that she was willing to stick from 9 am to 5:30 pm.

Mr. DiParvine noted that it would never go beyond 6 pm.

Chairperson Brnabic commented that this is a long construction duration for the single family home next door.

Mr. DiParvine responded that it depends on the starting time for construction and whether they get caught by winter.

Chairperson Brnabic pointed out that City Assessing lists the property at 2.29 acres while the application says 2.32 acres and noted that this should be verified.

Ms. Sutter responded that the difference in the two numbers is the right-of-way. She explained that right now, the parcel is described to the center of Hamlin Road, and that represents the difference.

Chairperson Brnabic asked how long the property has been zoned Industrial,

noting that it was single family residential in 1995 and in 2007 was noted as Industrial. She asked if Ms. Roediger knew if the change had something to do with the landfill or methane gas.

Ms. Roediger responded that she did not know.

Chairperson Brnabic stated that she was surprised to learn that the cell tower is on neighboring property and asked if it could be speculated that it was installed around 2000.

Ms. Roediger responded that from the aerial photos it has been there at least 25 years.

Dr. Bowyer commented that the idea of storage fits in at that location. She mentioned the grants that the City would be receiving to clean the landfills to the north and asked if the properties could go back to residential.

Ms. Roediger responded that while she could not say never, it was highly unlikely that it would be cleaned up to residential standards as there are significant issues.

Dr. Bowyer stated that she was excited to see no orange colors. She commented that the white is a little stark but the trees will help.

Mr. DiParvine responded that the masonry block on the bottom is showing up as white but it will be more gray.

Dr. Bowyer noted that when considering the RV park to the west they had them put in berms and trees so it was more densely covered. She commented that the west side is great and would question whether the people on the south side of Hamlin will easily see through those trees.

Mr. Dettloff stated that the use is fine. He mentioned the hours of 9 am to 5:30 pm and asked if staff would be there during that time and someone wanting to get into their unit would have keypad access.

Mr. DiParvine stated that they can use the keypad to get in and do not need to use the office, but it would be staffed 9-5:30.

Mr. Dettloff asked if they have other facilities and asked how the leases were structured.

Mr. DiParvine responded that they have facilities in Taylor, Warren and Chesterfield, and leases are month-by-month with other ways too.

Mr. Weaver asked when construction was anticipated to begin and whether the building will be staffed.

Mr. DiParvine responded that it was hoped to begin by the end of summer, and added that they are running into the same issues as their other facilities, and are allowing for extra time based on weather. He stated that a manager will be

staffing the facility and possibly two for a while if it is busy.

Mr. Weaver stated that he had a few landscaping questions. He noted that there was not a lot that could be done relative to Hamlin Road with a three-story building. He pointed out that the red maples will only be 15 feet tall on the west side of the property. He commented that he had no problem with the wall, and asked if it was OK to plant trees in the natural features setback.

Ms. Roediger responded that there could be no grading or construction but they were allowed to enhance the natural features.

Mr. Weaver asked if the area behind the wall was to be left untouched. He commented that there are a lot of plantings going in under the canopy and they would not grow. He mentioned the viburnums planted on the west side of the wall and noted that they will be in a lot of darkness. He asked if they could be put on the south side of the site along Hamlin Road.

Mr. DiParvine responded that if that is what is desired, then yes they could.

Mr. Weaver suggested that they be put along the drive on the west side in front so that there is a layered effect along the road.

Mr. DiParvine asked if there were stipulations about the screening wall or its materials.

Ms. Roediger responded that it should match the building.

Ms. Densteadt stated that she would echo Dr. Bowyer's comments that it does not look like every other storage place. She asked if they had a chance to talk with the neighbors either to the west or others. She asked if there would be any security after 5:30 pm.

Mr. DiParvine responded that there were cameras on every floor and everything is locked all of the time, but there would not be a live security guard.

Mr. Struzik commented that he concurred with turning the lights off earlier, and suggested 9 pm.

Mr. DiParvine asked if that included even in winter.

Chairperson Brnabic responded that it should be earlier in winter.

Mr. Struzik stated that it would be nice for the nearby residents. He commented that this is a good use, and pointed out that these parcels are all future land use as industrial and it makes sense given the history of the area. He stated that traffic volumes will be low once construction is complete and this will be a quiet neighbor. He commented that he does like the appearance.

Chairperson Brnabic suggested that the applicant make an effort to talk to neighbors directly to the west and to the south and present that feedback when this moves to City Council. She stated that for clarity some lights are on timers

and some on motion sensors. She asked about the windows pointing to the south and asked if those would be on timers or motion sensors.

Mr. DiParvine responded that one of those windows was a stairwell and for life safety that one will be on all of the time.

Chairperson Brnabic referenced the three windows on the south elevation in the center.

Mr. DiParvine responded that those can be on a timer and can turn off at 9 pm.

Chairperson Brnabic asked if those could be put on a motion sensor.

Mr. DiParvine responded that they could.

Chairperson Brnabic opened the public hearing and noted she had one speaker's card.

Allen Bunch, 1535 E. Hamlin Rd., stated that he is the property to the west and is happy to have a natural buffer instead of a sea of orange. He commented that a lot of planting issues have been addressed and asked if there were any security lights on the west side of the property where the driveway goes around.

Mr. DiParvine responded that they will be on the building about 8 to 10 feet high to light up the drive aisle and nothing beyond.

Mr. Bunch stated that his only other concern was drainage on his property and asked if the standing water on that property would be draining to his property.

Ms. Sutter responded that a storm system and underground detention throughout the parking lot will be taking in the stormwater and releasing it as required.

Lori Petracci, 2011 Peterwood, questioned the zoning in 1995 when it was residential and asked if residents were notified of the change. She noted that she has been there 23 years and never anticipated that there would be a three-story building on the north side of the road.

Ms. Roediger responded that historical zoning map files between 1995 and 2007 note that it was changed during that time. She explained that whenever there is a rezoning it is a public process. She stated that it was done at least 20 years ago.

Ms. Petracci stated that she never anticipated the expansion into the neighborhood going west and it seems like a lot to be looking at three stories every day.

Seeing no further public wishing to speak, Chairperson Brnabic closed the public hearing at 7:41 pm.

Ms. Neubauer commented that the building looks great with its design and

colors. She noted that some of the neighbors are having issues with security and asked the applicant to talk to the Oakland County Sheriff to see if other measures can be added, such as a system where pictures of license plates can be taken. She asked if they were willing to do that.

Mr. DiParvine responded that they would.

Ms. Neubauer moved the motion in the packet to recommend conditional use approval and noted the following additional conditions: Fix the discrepancy of the height of the building to a maximum of 34 feet 10 inches. Have the lights on a motion sensor from 6 pm to 9 pm on for the three windows on the south elevation in the center. Move the west side wall plantings to the south side of the site as Mr. Weaver mentioned. The screening wall materials are to match the building.

It was seconded by Mr. Struzik.

Dr. Bowyer addressed the comment by the resident on the south side noting that initially the plantings will not cover the building, but will grow in. She stated that it will not look as obvious that it is a three-story building.

After a roll call vote, Chairperson Brnabic noted that the motion passed unanimously.

Ms. Neubauer moved the motion in the packet to approve the site plan, and it was seconded by Mr. Struzik.

After a voice vote, Chairperson Brnabic noted that the motion passed unanimously.

Ms. Neubauer moved the motion in the packet to grant the tree removal permit, and it was seconded by Mr. Gallina.

After a voice vote, Chairperson Brnabic noted that the motion passed unanimously.

Chairperson Brnabic congratulated the applicant and urged him to speak to the neighbors, noting that it always is better in being a good neighbor if their concerns are known.

Ms. Roediger noted that this item will be going next to City Council at either the December 4, or December 11 meeting. She mentioned that her research found that it was rezoned in 1999 from single family to industrial and notices were sent according to State Law.

Mr. Dettloff thanked the applicants for investing in Rochester Hills.

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 - Bowyer, Brnabic, Denstaedt, Dettloff, Gallina, Neubauer, Struzik and Weaver

Excused 1 - Hooper

Resolved, in the matter of File No. PCU2023-0011 (Hamlin Road Storage Facility), the Planning Commission recommends to City Council Approval of the Conditional Use for an indoor storage facility to be constructed in the I Industrial District at 1575 E. Hamlin Road, based on documents received by the Planning Department on September 20, 2023 with the following findings:

Findings

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The proposed building and 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 indoor storage facility should have a positive impact on the community as a whole and the surrounding area by providing additional storage opportunities within the I Industrial District.
4. The proposed building and use will be 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 proposed building and use should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
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. The use shall remain consistent with the facts and information presented to the City as a part of the applicant's application and at the public hearing (as may be amended by this motion).
3. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, 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.
4. Correct the discrepancy of the height of the building to a maximum height of 34 feet 10 inches.
5. Lights for the three windows on the south elevation in the center are to be on a motion sensor from 6 p.m. to 9 a.m.
6. West side wall plantings are to be moved to the south side of the site along Hamlin Rd.

7. Screening wall materials are to match the building.

2023-0503

Request for Site Plan Approval - File No. PSP2023-0014 - to construct three story a self storage facility in the I Industrial zoning district for Hamlin Road Storage Facility at 1575 E. Hamlin Rd., located on the north side of Hamlin between John R and Dequindre Rd., zoned I Industrial, Parcel No. 15-24-401-006, Steve Osborne, CDK Development, LLC, Applicant

A motion was made by Neubauer, seconded by Struzik, that this matter be Approved. The motion carried by the following vote:

Aye 8 - Bowyer, Brnabic, Denstaedt, Dettloff, Gallina, Neubauer, Struzik and Weaver

Excused 1 - Hooper

Resolved, in the matter of City File No. PSP2023-0014 (Hamlin Road Storage Building), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on September 20, 2023, with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that applicable requirements of the Zoning Ordinance, with the modifications noted in #6 and #7, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project is a low intensity, low traffic generating use and will be accessed from E. Hamlin Road with a singular access drive, thereby promoting safety and convenience of vehicular traffic.
3. Off-street parking areas have been designed to avoid common traffic problems and promote customer safety.
4. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
5. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
6. The requested modification to the required right-of-way landscaping is appropriate due to the presence of extensive utility easements and required clear vision areas along the front of the property.
7. The requested modification to the location of the required zoning district boundary wall is appropriate due to the presence of the existing wetland and associated natural features setback which will be fully preserved with the proposed location.

Conditions

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff including all comments noted on the site plans and staff reports contained within the Planning Commission packets, including the condition of ASTI as a part of their September 5, 2023 review (as may be amended by this motion).

- 2. Provide a landscaping bond in the amount of \$80,645 based on the cost estimate for landscaping and irrigation, plus inspection fees, as further adjusted as necessary by staff prior to temporary grade certification being issued by Engineering.
- 3. That no flammable or combustible materials be stored within the building or onsite.
- 4. That the applicant (and future land owner(s)) maintains the landscape area to the west of the proposed zoning district boundary wall consistent with City ordinances.

2023-0504

Request for Tree Removal Permit approval - File No. PTP2023-0013 - to remove forty-nine (49) regulated trees and three (3) specimen trees and to provide thirteen (13) trees onsite with the remaining forty-eight (48) trees to be paid into the City's Tree Fund for Hamlin Road Storage Facility at 1575 E. Hamlin Rd., located on the north side of Hamlin between John R and Dequindre Rd., zoned I Industrial, Parcel No. 15-24-401-006, Steve Osborne, CDK Development, LLC, Applicant

A motion was made by Neubauer, seconded by Gallina, that this matter be Granted. The motion carried by the following vote:

Aye 8 - Bowyer, Brnabic, Denstaedt, Dettloff, Gallina, Neubauer, Struzik and Weaver

Excused 1 - Hooper

Resolved, in the matter of File No. PSP2023-0014 (Hamlin Road Storage) the Planning Commission grants a Tree Removal Permit (PTP2023-0013), based on plans received by the Planning Department on September 20, 2023, with the following findings and subject to the following conditions:

Findings

- 1. The proposed removal and replacement of regulated trees is in conformance with the City's Tree Conservation Ordinance.
- 2. The applicant is proposing to remove forty-nine (49) regulated trees and three (3) specimen trees with 61 replacement trees required. The applicant is proposing to provide thirteen (13) trees onsite with the remaining forty-eight (48) trees to be paid into the City's Tree Fund.

Conditions

- 1. Tree protective fencing, as reviewed and approved by the City staff, shall be installed prior to temporary grade being issued by Engineering.
- 2. Provide payment, equal to the current required fee for replacement trees and as approved by Staff, along with any additional fees associated with such, into the City's Tree Fund for the remaining 48 trees identified on the site plan.