



# Rochester Hills

## Minutes

### Planning Commission

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*Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper*  
*Members: Susan Bowyer, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Marvie Neubauer, Scott Struzik and Ben Weaver*  
*Youth Representative: Caroline Bull*

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Tuesday, July 19, 2022

5:30 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*Chairperson Brnabic called the Special Worksession to order at 5:30 p.m. and welcomed attendees, stating that the worksession will continue the discussion regarding revisions to the FB Overlay district.*

## ROLL CALL

**Present** 9 - Susan M. Bowyer, Deborah Brnabic, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Greg Hooper, Marvie Neubauer, Scott Struzik and Ben Weaver

Others Present:

*Sara Roediger, Planning and Economic Development Director*  
*Jennifer MacDonald, Recording Secretary*

*Also in attendance from Giffels Webster were Jill Bahm and Joe Tangari.*

## PUBLIC COMMENT

*There was no public comment regarding non-agenda items.*

## DISCUSSION

[2022-0209](#) Zoning Ordinance Amendments Work Session - Giffels Webster

*Ms. Roediger noted that Giffels Webster has been working to make final tweaks to the proposed ordinance language. She said together with staff they have been looking at fine tuning details regarding building materials and public amenity spaces. She noted that if commissioners feel comfortable, the public open house and public hearing can both be scheduled in August. This would allow the ordinance revisions to proceed to Council before the moratorium expires in October.*

*Ms. Bahm stated that she would provide a quick overview of the changes. With regard to street design standards, those were kept for parcels over ten acres in size only. The setback requirements correlate with the height of the building - three times the building height. Frontage requirements were written to be more similar to the requirements of the Brooklands District. Optional regulations were*

removed, as there were so many waivers granted previously, and a few of those items were made conditional. The prohibition of offices on a first floor was removed to allow for more flexibility. The minimum requirement for primary building materials was increased from 60% to 80%. She explained that definitions have been consolidated and the permitted uses were updated. Parking structures will only be permitted for sites over ten acres. Ms. Bahm noted that an important change is that the minimum property size required to use the FB provisions will be two acres.

Mr. Tangari explained that with regard to uses permitted in the FB district, some of the proposed text changes seek to standardize the terminology since the terms for this district did not match those uses for the other zoning districts. Also, there were a few additions such as for makerspaces.

Ms. Bahm said that mini and self storage was added as a conditional use, and that could be adjusted later if desired. Hotels, motels, and small scale breweries and wineries were added as uses. She explained that with regard to setbacks, the front setback requirement was changed to a 15 ft. minimum and a 70 ft. maximum. The minimum setback adjacent to residential properties for buildings over two stories is written now at 75 ft. and three times the building height when adjacent to single family residential zoned properties, but she noted that this can be discussed.

Dr. Bowyer asked about the setback for a two to four story building next to a two story multifamily residential development.

Ms. Roediger responded that only about ten or so parcels in the city are likely to be redeveloped that would encompass ten acres or more.

Mr. Hooper stated that the 3:1 ratio for setbacks seems right. He asked if the provisions would allow the building to be stepped up so that it could be higher at the center of the property, like Legacy Apartments.

Ms. Roediger responded that as long as the tallest point is three times setback from the height then it would be permitted.

Ms. Bahm noted that with regard to the private frontage requirements, the standards that were kept made sense.

Ms. Roediger stated that with regard to the shopping center at Auburn and Rochester, the way the ordinance is written now it would make the buildings go all the way up to the front. The suggestion is to allow a row of parking in the front with a drive aisle. She pointed out that like the Trio development, it would allow the building, then a courtyard area and then the road. With regard to lawn frontage, she suggested that the location of the entrance should be allowed on the side or rear if that make sense for a particular location, instead of always requiring a location on the building front.

Mr. Struzik commented that pedestrian traffic should be welcomed but the entrance should not always be required to be in the front.

*Ms. Bahm said that the building heights section did not change since the last meeting. She stated that the facade transparency section was kept as it was previously written, since it promotes safety and vibrancy. She noted that the provision for alternative building materials requires the applicant to demonstrate to the commissioners' satisfaction that they meet the requirements. She explained that the ground floor ceiling height requirement was kept but the finish floor requirement was removed. She stated that the parking section was not changed. She mentioned that a new requirement was added that parking structures are only permitted for parcels that are ten acres in size or greater. She said that the new places of interest section has been added.*

*Chairperson Brnabic suggested that it should be required to submit colored renderings with landscaping details related to the places of interest, so that applicants make their plans very clear as part of site plan review.*

*Ms. Roediger agreed.*

*Chairperson Brnabic questioned the purpose of limiting the age of children using the playground to five and under. She said that she was not comfortable making that an ordinance standard.*

*Ms. Bahm responded that it would not be preferred for playgrounds to be used as a place to drop off older children.*

*Mr. Weaver commented that such a restriction should come from the property owner and not the city.*

*Commissioners agreed that the provision should just say that children should be supervised.*

*Ms. Bahm referred to page 8, and said that with a three story building, with first floor retail, the second floor could be both residential and office; the mixed uses could share a floor as long as they don't share a common hallway. This would allow for more flexibility.*

*Dr. Bowyer said that the art installation section needs to be removed, noting that there are too many issues with that, but that the other places of interest fit well.*

*Ms. Neubauer said that every person has an individual concept of art, and commented that it is too problematic and art could become a political statement. She stated that this section should be removed completely.*

*Mr. Dettloff suggested that there could be design standards crafted to address such concerns.*

*Ms. Neubauer responded it will still be a problem.*

*Ms. Roediger said that 6/10 of surrounding communities allow art. She stated that we can put a hold on this now, and the section could be added back in later when there are parameters to address the concerns expressed.*

*Dr. Bowyer commented that Council would strike that section anyway.*

*Ms. Neubauer commented that all art is not problematic, however the city should prepare for the worst scenario.*

*Mr. Hooper stated that something reasonable could be worked out.*

*Chairperson Brnabic said that with the freedom of speech, the commissioners may not have the ability to deny an art proposal if the applicants feels that it relates to the development.*

*Ms. Bahm stated that she feels strongly about public art and encouraged the commissioners to think about ways this could be accommodated in the future; however the section would be deleted for now.*

*Chairperson Brnabic asked for any public comment.*

*Resident Pam Wallace said that allowing four acre properties to have three stories except on Rochester Road where they could have four stories overburdens that part of the city and would lead to overdevelopment, and is not equitable.*

*Resident Andrew Knapp said he does not support higher density on Rochester Rd., it is already difficult to turn out of Tim Horton's. He asked for an explanation of the criteria for conditional approvals. He suggested that the elevation of a property should be considered because the industrial property adjacent is 10-15 ft. higher than their residential properties on Cloverport.*

*Ms. Roediger explained the conditional use approval criteria from the ordinance, and stated that some uses have additional criteria, such as drive-throughs. She said that criteria could be added for self storage, although storage is really a low intensity use. She stated that grade and topography do not factor into any site plan review regulations and she does not know any municipality in the surrounding area that addresses that situation.*

*Resident Jeff Gabrielson said that he doesn't care what other jurisdictions do, he is concerned about the height of a two story building when the property elevation is higher as compared to an adjacent residential property.*

*Ms. Bahm responded that the height is measured on the site and asked if you were taking adjoining properties into account where the height would be measured to.*

*Ms. Roediger pointed out that the finished height of the building must be measured onsite, otherwise it would be unfair to the property owner.*

*Mr. Gabrielson stated that the height should be measured from the most impacted property. He said that there is already too much density on Rochester Rd., and he is scared when he pulls out onto Rochester Rd.*

*Ms. Bahm said that a 60 ft. high building would have to be set back 180 ft. to the*

*property line; and commented that this dimension is reasonable and more than is required now.*

*Resident Paula Rosenbusch stated that the city should be preserving green space and valuing natural resources. She said that at the development at Hamlin and Adams, the land was raised 15 feet and asked how it is addressed if the developer increases the topography of the land.*

*Ms. Roediger responded that is not permitted. She said that the changes on that property probably looked more extreme because the trees were removed, then the developer removed the garbage from the old landfill onsite, then they had to add soil to fill the land.*

*Chairperson Brnabic closed the floor for public comment at 6:44 p.m.*

*Ms. Roediger explained that Rochester Rd. is different because it is an MDOT road, and from a planning standpoint it makes more sense to have intensive uses there. She said that once a certain threshold of density is reached and more walkable spaces are created where people are also living, it would result in less traffic.*

*Ms. Bahm said that the driver behind the FB district is redevelopment. She said in general the FB overlay areas are not green areas.*

*Mr. Tangari added that when development occurs in the FB district, the intention is that more green spaces would be incorporated.*

*Ms. Wallace suggested that it be considered to preserve green spaces along the Clinton River corridor.*

*Ms. Neubauer said that commissioners are all interested in there being more green spaces, however that is beyond the scope of this discussion of the FB overlay. She said that Commissioner Weaver's occupation is environmentally related and he ensures that development proposals brought before the commission provide mature shade trees. She pointed out that the city has a tree preservation ordinance and all commissioners want to make the city a better place.*

*Mr. Struzik said that the Hampton shopping center is a sea of concrete now, however if it was redeveloped under the FB provisions there would be more green.*

*Chairperson Brnabic reviewed the public meeting dates suggested by staff.*

*Dr. Bowyer said that some items will be a no for Council, such as the public art and four story developments.*

*Chairperson Brnabic explained that the commissioners want to be confident that Council will support the ordinance changes made before going through the public hearing process and suggested to have a joint meeting with Council before that time.*

*Ms. Roediger said that she would look into the possibility to have a joint meeting with Council, possibly on the coming Monday.*

## **ADJOURNMENT**

*The worksession ended at 7:05 p.m.*

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*Deborah Brnabic, Chairperson  
Rochester Hills Planning Commission*