



Rochester Hills

Minutes

Planning Commission

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

Chairperson Deborah Brnabic, Vice Chairperson Greg Hooper
Members: Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Dale Hetrick, Marvie Neubauer, Scott Struzik and Ben Weaver
Youth Representatives: Janelle Hayes and Siddh Sheth

Tuesday, January 16, 2024

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Brnabic called the January 16, 2024 Planning Commission meeting to order at 7:00 p.m., Michigan Time.

ROLL CALL

Present 7 - Deborah Brnabic, Sheila Denstaedt, Gerard Dettloff, Anthony Gallina, Greg Hooper, Marvie Neubauer and Scott Struzik
Excused 1 - Ben Weaver

Others Present:

Chris McLeod, Planning Manager
Jason Boughton, Engineering Utilities Specialist
Jennifer MacDonald, Recording Secretary
Siddh Sheth, Rochester Hills Government Youth Council Representative

Mr. Weaver had provided prior notice that he would be unable to attend and was excused.

Chairperson Brnabic welcomed attendees to the January 16, 2024 Planning Commission meeting. She noted that if anyone would like to speak on an agenda item tonight or during Public Comment for non-agenda items to fill out a comment card, and hand that card to Ms. MacDonald. She noted that all comments and questions would be limited to three minutes per person, and all questions would be answered together after each speaker had the opportunity to speak on the same agenda item.

APPROVAL OF MINUTES

[2024-0023](#) November 14, 2023 Regular Meeting Minutes

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

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik
Excused 1 - Weaver

COMMUNICATIONS

Chairperson Brnabic congratulated Ms. Neubauer on being elected to City Council and stated that she was happy to announce that Ms. Neubauer will continue to serve as the City Council representative to the Planning Commission.

PUBLIC COMMENT

None.

NEW BUSINESS

2024-0003

Public Hearing and Request for Conditional Use Recommendation - File No. PCU2023-0009 - for Oakland Gospel Hall, to convert the existing residence to be used as a place of worship in the R-2 One Family Residential zoning district at 1590 Walton Blvd., located on the north side of Walton and west of Livernois, Parcel No. 15-09-378-019, Trevor Hewitt, Detroit Meeting Rooms, Inc., Applicant *(Staff report dated 1-10-24, Reviewed Plans, Development Application, Environmental Impact Statement, WRC letter dated 3/10/23, Public Comment Received and Public Hearing Notice had been placed on file and by reference became a part of the record hereof.)*

Present for the applicant was Trevor Hewitt representing Detroit Meeting Rooms.

Chairperson Brnabic introduced this item and noted it is a conditional use request for Oakland Gospel Hall to convert the existing residence to be used as a place of worship. She stated that it was in the R-2 One Family Residential zoning district at 1590 Walton Boulevard, located on the north side of Walton west of Livernois.

Mr. McLeod stated that the Commission is asked to consider the conditional use request along with a site plan and tree removal permit for the conversion of an existing residence for the purposes of a place of worship. He noted that it is an existing residence that has been vacant and has fallen into somewhat disrepair. He reviewed the surrounding environment pointing out that there is a place of worship directly to the east, to the north and west are single family residences, and to the south are multiple family residences. He explained that the property is zoned R-2, is heavily wooded, and there is a large amount of pavement on the back and north sides of the building which the applicant will be utilizing as a part of their parking with a minor expansion to provide for a total of 14 parking spots. He stated that the Abiding Presence Lutheran Church is to the east, the single family residences to north and west are a part of the Lochmoor Hills Subdivision, and Huntington Park Condominiums are to the south across Walton. He noted that the site plan approval request includes some minor additions to the site. He commented that the intended occupancy stated in the application materials is 49 and with parking slated to be 14. That occupancy will have to be reduced a bit to match the parking calculations based on 14 spots and one space for every three people, or 42 persons. He noted

that no outdoor services are proposed at this point.

He pointed out that the building size will technically be reduced with a small corner of the building being razed on the southwest side, and a new facade being provided. New lighting is proposed within the parking lot area which according to the photometric plan provided will not extend much past the actual parking lot itself. He stressed that based on the ordinance it is required to be zero at the property line and stops well short of that. Additional landscape is being provided, with a number of evergreen trees being supplemented on the north portion of the property. He added that the site falls off at the rear of the property and they are providing additional trees on the backside of the slope. He noted that a gray area shown on the plans with landscaping materials around it is a stormwater facility, which is a rain garden type facility designed to collect stormwater that comes off the parking lot. Additional shrubs and pine trees are proposed along the mutual property line to the west, which is a residence.

He explained that the existing driveway comes very close to the property line and the building site farther to the east, and he noted that there is limited room to plant anything along the west property line. He noted that the east property line provides additional supplemental plantings along the entire area. Additional pedestrian amenities and compliance requirements are provided with appropriate ramping and a pedestrian connection all the way down to Walton Boulevard so the site will be fully compliant. He reviewed the internal layout, noting that the meeting space room is in the north end of the building, with administrative functions occurring toward the Walton side. The main entrance to the building is proposed to the west side of the facade, facing the parking lot driveway area. He explained that it is proposed to re-skin the existing building and stated that staff has worked with the applicant to get additional masonry on the building more in tune with what the Planning Commission is used to seeing.

He reviewed the five general criteria, noting that it meets the intent and purpose of the ordinance, would be designed, constructed, operated, and maintained to be harmonious with the area in which it sits, will be served adequately by essential public facilities, will not be detrimental, hazardous, or disturbing to the existing or future or neighboring land uses, and will not create additional requirements at public cost or public for public facilities and services. He stated that the site plan has been reviewed by all departments and everyone has signed off at this point. He reviewed design standards specific for places of worship or assembly and stated that they have met these requirements. He noted that this is a one-story ranch structure, and steeples, bell towers and other similar features are exempt from the Ordinance, and at this point none are proposed.

Chairperson Brnabic asked if there were any plans to provide two more parking spaces to meet the ordinance requirement. She questioned that while the applicant has said that they have an agreement from the Lutheran Church next door for additional parking, whether the Commission would have to agree to waive that requirement.

Mr. McLeod responded that the Commission has options: It can require meeting the zoning requirements, occupancy would have to be a condition of the

Planning Commission's motion thereby limiting occupancy to 42 based on the existing parking, or a more solidified or permanent agreement beyond a verbal agreement could be required.

Mr. Hewitt stated that he could not remember why 49 was put into the plans, and noted that they currently have 39 persons, so they would be fine with 42 if needed. He commented that they realize that they are encroaching into a residential neighborhood and have worked closely with the architect and landscape people along with the City to put together a plan that would be acceptable as minimal interference with the neighborhood. He stated that they want to fit in and hopefully will be to the point where the neighbors do not even notice.

Ms. Neubauer asked if the applicant had spoken to the neighbors and if they were receptive.

Mr. Hewitt responded that they spoke to the neighbors immediately behind and to the west prior to doing any of the site improvements or cleaning up. He stated that they were receptive and asked to be kept in the loop, so they have sent them email updates, along with mailing some information to others on the street.

Ms. Neubauer asked how they would limit who could come to the church as when she grew up church doors were always seen as being open and wanting as many as possible.

Mr. Hewitt responded that their main facility for the greater gathering is in Troy, and they have smaller gatherings on Sunday and Monday for smaller groups where the younger ones can get involved and participate. He stated that it is more of a family kind of atmosphere as opposed to a main worship area. He explained that there are seven or eight groups around that size in different parts of Metro Detroit.

Ms. Neubauer asked if they had a formal agreement with the neighbors next door or if it was merely a handshake kind of deal.

Mr. Hewitt responded that he has a gentleman working with him that has spoken with someone at the church and there is a verbal agreement that they would be more than willing to allow them to use a couple of spaces as they would not be there at the same exact time.

Ms. Neubauer asked if they would be able to go back and get something in writing and stated that it would be a condition.

Mr. Hewitt responded that they would have no problem with that.

Ms. Neubauer asked about adding extra masonry.

Mr. Hewitt responded that the existing building did have brick partway up but did not have a proper brick ledge so it was all sagging when they acquired the property and has fallen off. He noted that they were able to work out a way to

get it almost to halfway without having to put a lot of extra work at the foundation line.

Mr. Dettloff stated that he thought it was a good use from the property. He noted a letter from Dr. Golden initially that raised some concerns, but the applicant had in turn responded to those concerns. He stated that getting something in writing as a general letter of understanding for the parking would be a good thing. He pointed out that the development application was dated last February and it has taken a year to work through some issues.

Mr. McLeod responded that administratively they went through three site plan reviews and responses were not the fastest going back and forth. He commented that they have been working toward this end.

Mr. Dettloff referenced to the seven or eight other facilities that they had in different communities.

Mr. Hewitt responded that the Detroit Meeting Rooms corporation has been around for a long time and the main church goes back to the 1930s and 1940s, and moved out of Detroit in the 1950s.

Mr. Dettloff stated that he thinks it will be a good use and they will be a good neighbor.

Ms. Denstaedt commented that it looks as if the driveway or parking has an outlet through the neighbor's backyard to the west and asked if that will be closed off.

Mr. Hewitt confirmed it would be.

Mr. Gallina commented that they have done a great job with this and he is glad the space is being updated and will look great.

Chairperson Brnabic stated that she wanted to verify that they are agreeing to limit the occupancy to 42 and that they will provide a written agreement for parking at the Lutheran Church for the additional parking if necessary.

Mr. Hewitt stated that they will work with them to request that in writing, and they are okay with the parking or occupancy.

Chairperson Brnabic stated that she wants to see the agreement provided before it moves to City Council. She noted that the Conditional Use recommendation requires a public hearing, and opened the public hearing.

Yvonne Peltier, 32 Shagbark Drive., asked if there was common ownership or affiliated ownership with the property to the west at 1608 Walton or the adjacent vacant lot. She expressed concern that this would be a phased contemplation where it would travel west and would not want something in her backyard or a brick wall. She stated that other than that concern it looks great.

Mr. Hewitt responded that there was no common ownership. He noted that the

realtor that they worked with representing the seller they purchased the property from is also representing the owner that owns both of those properties.

Chairperson Brnabic noted that the email from Theodore Golden MD was received sharing concerns regarding parking and drainage, but another was received that Mr. Hewitt has addressed Dr. Golden's concerns and he wishes to welcome them as his new neighbors. Seeing no additional public comment, she closed the public hearing.

Mr. Hooper noted that the conditions for the conditional use approval states that the total occupancy should not exceed 42 and stated that the agreement for Abiding Presence would be should they choose to go beyond the 42 occupancy. He moved the motion in the packet for the conditional use approval with the six pre-printed findings and four pre-printed conditions with a fifth condition added that Oakland Gospel formalize the parking agreement with the Abiding Presence Lutheran Church next door in the event that they wish to exceed the 42 persons that is limited by the conditional use approval. The motion was seconded by Ms. Neubauer.

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

Mr. Hooper moved the motion in the packet to approve the site plan. The motion was seconded by Ms. Neubauer.

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

Mr. Hooper moved the motion in the packet to grant the tree removal permit. The motion was seconded by Ms. Neubauer.

After a voice vote, Chairperson Brnabic announced that the motion passed unanimously. She congratulated the applicant and noted that the conditional use recommendation would move forward to City Council.

Mr. McLeod stated that pending receipt of the parking agreement, the target date would be the February 12, 2024 Council Meeting.

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

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, in the matter of City File No. PCU2023-0009 (Oakland Gospel), the Planning Commission recommends to City Council Approval of the Conditional Use to allow a place of worship on the parcel 70-15-09-378-019 (1590 Walton Blvd.), based on plans received by the Planning Department on November 29, 2023, with the following findings.

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.

2. The site has 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 proposal will have a positive impact on the community as a whole and the surrounding area by offering an additional place of worship.
4. The proposed development is 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 development will 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. That the total occupancy of the building shall not exceed 42 persons based on the total number of parking spaces being provided onsite.
3. 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.
4. 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.
5. That Oakland Gospel formalize the parking agreement with Abiding Presence Lutheran Church in the event that they wish to exceed the 42 persons occupancy limited by the Conditional Use approval.

2024-0009

Request for Site Plan Approval - File No. PSP2023-0008 - for Oakland Gospel Hall, for renovations including partial demolition to the existing building and various site improvements, in the R-2 One Family Residential zoning district at 1590 Walton Blvd., located on the north side of Walton and west of Livernois, Parcel No. 15-09-378-019, Trevor Hewitt, Detroit Meeting Rooms, Inc., Applicant

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

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, in the matter of City File No. PSP2023- 0008 (Oakland Gospel), the Planning Commission approves the Site Plan, based on plans received by the Planning Department on November 29, 2023, with the following findings and subject to the following conditions.

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from Walton Blvd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.
3. Off-street parking areas have been designed to avoid common traffic problems and promote attendee 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.

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.
2. Provide a landscaping bond in an amount deemed acceptable by City Staff, based on the cost estimate for landscaping and irrigation, plus inspection fees.

2024-0010

Request for Tree Removal Permit - File No. PTP2023-0010 - for Oakland Gospel Hall, to remove a total of six (6) regulated trees including one (1) specimen tree with four (4) replacement trees required, located at 1590 Walton Blvd., located on the north side of Walton and west of Livernois, Parcel No. 15-09-378-019, Trevor Hewitt, Detroit Meeting Rooms, Inc., Applicant

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

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, in the matter of File No. PSP2023-0008 (Oakland Gospel) the Planning Commission grants a Tree Removal Permit (PTP2023-0010), based on plans received by the Planning Department on November 29, 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 6 regulated trees including 1 specimen tree, and provide 4 replacement trees onsite.

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. There is no proposed payment into the City's Tree Fund.

2024-0011

Request for Conditional Use Approval for alcoholic beverage sales for onsite consumption at The Dime Store Restaurant, located at 6920 N. Rochester Road within the Papa Joe's Shopping Center on the west side of Rochester Road and north of Tienken Road; Mitchell Freem, Five and Dime Hospitality Group, Applicant

(Staff report dated 1-10-24, Plans, Development Application, Environmental Impact Statement, Menu and Public Hearing Notice had been placed on file and by reference became a part of the record hereof.)

Present for the applicant were Mitchell Freem, Larry Kahn, and Ann-Marie Murphy owners of Five and Dime Hospitality LLC.

Chairperson Brnabic introduced this item and noted that it was a request for conditional use recommendation for alcoholic beverage sales for on-site consumption at the Dime Store Restaurant located at 6920 North Rochester Road within the Papa Joe's Shopping Plaza on the west side of Rochester Road north of Tienken Road, zoned Neighborhood Business (NB) with the Flexible Business (FB) and Planned Unit Development (PUD) overlays.

Mr. McLeod explained that this is a request for Conditional Use which if granted would allow for the continued progress of the redevelopment of the former Grand Traverse Pie Company site for Five and Dime Restaurant. He noted that it had been determined that a Conditional Use is still required for a tenant space that does not currently have or has had a liquor license prior. He pointed out that this location is at the southeast corner of the shopping center in considering any impact to surrounding residents, and he noted that the nearest residents are far to the north of the other side of the shopping center and on the other side of an existing office complex farther to the north and west of the tenant space. He mentioned that this site was the subject of the zoning consolidation that occurred last year and stated that the whole surrounding area is NB with the FB overlay on the site, which is regulated by a PUD; and he noted that sales and consumption of alcohol requires a conditional use. He reviewed parking, and showed seating on the inside for just over 120 patrons, along with outdoor seating for 28. He commented that outdoor seating is similar to what was there previously.

He explained that the hours of operation were generally 8:00 a.m. to 3:00 p.m., with a breakfast, lunch and brunch menu. He stated that overall employees are anticipated at 38. He reviewed the interior floor plan and showed the seating configuration and bar area. He pointed out that there is a small upstairs to the building which would be utilized with possible mini-bar service on the upper floor; and he stated that he would assume this would be more for private parties and would ask that they explain their usage or thoughts for that particular area.

He mentioned that the outdoor facade remains relatively unchanged. He noted that the staff report reviews the general criteria that it promotes the intent and

purpose of the ordinance, is designed and operated so that it works harmoniously with the surrounding environment, will be served adequately by essential public services, will not be detrimental or hazardous to any existing or future land uses, and will not create additional requirements at public costs.

Chairperson Brnabic asked if the applicants had anything to add and questioned the second floor mobile or mini-bar.

Ms. Murphy responded that outdoor seating would not begin until next year. She explained that the upstairs is a small mezzanine that overlooks Papa Joe's and would be additional seating on weekends. She noted that the mini-bar was something small similar to something that could be purchased at Pottery Barn so staff do not have to go up and down the stairs to make a drink and may not be something they even will have.

Chairperson Brnabic asked what the alcohol menu will include. She noted that the development application indicates that it is a breakfast, lunch and booze restaurant and asked if alcohol will be a big part of the venue. She pointed out that they estimate serving 2,000 to 3,000 customers each week with hours of 8:00 a.m. to 3:00 p.m.

Ms. Murphy distributed a paper menu to the Commissioners, noting that alcohol offerings were on the third page of the menu. She commented that their focus is on fresh scratch-made food and alcohol is not a big part of their sales in Detroit, accounting for about 15 percent of total sales. She noted that the estimate of 2,000 to 3,000 customers is just about right and confirmed the hours.

Mr. Hooper commented that it seems to be a paradigm shift to breakfast and lunch in the community. He stated that he does not personally have an issue with it. He pointed out that when the development was approved, parking was based on the use that was presented at the time; and as the uses have evolved, they are changing to a much more intense use that requires much more parking than originally anticipated. He mentioned that this has occurred in a number of developments, citing Walton and Adams where that development never anticipated all the restaurant usage there with difficulty finding a parking spot.

He noted that there have been a number of restaurants and establishments at the Papa Joe's complex that have come and gone over the years, and he commented that while he is not saying that parking has been a contributing factor, if patrons cannot find a place to park, they are not going to come and visit the establishment. He commented that while they are not a nighttime activity, they would be competing with Papa Joe's for parking. He asked if they have studied this before making a decision to invest.

Mr. Kahn responded that they have, and noted that in Detroit they do not have parking at all. He commented that they do not feel like it will overlap with Papa Joe's much. He noted that a good portion of their business is Saturday and Sunday for lunch rush, 10:30 a.m. to 1:30 p.m. He stated that they have spoken with Tony Curtis, Papa Joe's owner, and he concurred with them that they think they will have enough.

Mr. Hooper stated that he would want them to go into this with their eyes wide open. He stressed that there is no parking structure adjacent like in Detroit and no place to park and walk.

Chairperson Brnabic noted that it is a PUD, and asked Mr. McLeod if there was a maximum parking capacity on the plaza as a whole.

Mr. McLeod responded that there is no more parking to be had on the site and they have reached their limit. He discussed parking requirements for the various NB and FB districts, and mentioned that restaurants have a higher requirement for parking than retail typically does. He explained that the PUD agreement notes the parking allocation for the site itself, and prescribes permissible uses within the district. He stressed that if they were going to do the restaurant without alcohol they would be completely compliant with the PUD agreement and the seating capacity would be the same. He noted that without a bar they would most likely be able to fit a couple more seats in. He commented that time will tell, and stated that it will be a matter of getting people informed of where to park and getting employees to park in the rear. He stated that staff feels that this is compliant with the ordinances as well as the PUD agreement.

Mr. Dettloff commented that he likes the fact that they use local vendors for supplies. He noted that there has been some turnover in the center and pointed out that there is nobody in the former Bigalora site yet. He reviewed other restaurants on the site. He asked how long their lease would run.

Ms. Murphy responded that it is for 10 years.

Mr. Dettloff stated that he wishes them luck, and commented that while he has not gone to their other location the menu looks great.

Ms. Neubauer asked if this would be their first location outside of Detroit, and asked if someone could order straight whiskey, scotch or bourbon first thing in the morning.

Ms. Murphy responded that they could, and offered that she had some statistics on their morning sales. She noted that alcohol sold between 8:00 and 10:00 a.m. accounted for less than two percent of their total items sold; and alcohol sold between 8:00 and 10:00 a.m. on weekdays specifically accounted for 0.8 percent of their total items sold. She stated that on average they sell seven drinks total per weekday between 8:00 and 10:00 a.m. She added that while they do have a full bar, 82 percent of their total alcohol sales are drinks off of their cocktail menu. She stated that 63 percent of their total alcohol sales are Bloody Mary's, Mimosas, and Irish coffees, and they sell very, very few shots of whiskey or the like straight.

Ms. Neubauer stated that this is a great source of comfort, knowing that there are schools around the area and this is right at drop-off time.

Mr. Struzik commented that he would echo some of the thoughts of his fellow commissioners and stated that it looks like it will be a pretty popular spot. He noted that he would caution that the weekend numbers in Detroit will not translate

to this location. He mentioned that the other place Council Member Neubauer was referring to originally wanted to start serving at 7:00 a.m., and the Commission put pressure on them to push that time back to 8:00 a.m.

Mr. Dettloff asked if the liquor license they were bringing in was an Oakland County license.

Ms. Murphy responded that they are actually transferring the license from Papa Joe's and are buying it directly from the landlord. She commented that they will sell it back to them when they are done with the lease. She stated that while she understands the possibility of availability, she would note that there is not a great demand for alcoholic drinks between 8:00 and 10:00 a.m.

Ms. Murphy responded that seven drinks is an average on the weekdays.

Chairperson Brnabic commented that weekends could be much heavier, and stated that she would wonder how many people it actually brings in. She stated that while there is not residential surrounding, there are schools nearby. She noted that this request requires a public hearing, and opened the public hearing. Seeing no cards submitted and no one wishing to speak, she closed the public hearing.

Mr. Hooper made the motion in the packet to recommend City Council approval, confirming the 8:00 a.m. opening time. Mr. Galena seconded the motion.

After calling for a roll call vote, Chairperson Brnabic announced that the motion passed unanimously. She stated that this will move on to City Council.

Mr. McLeod stated that February 12 will be the target date, however, there are no guarantees. He pointed out that they do need to first appear before the Liquor License Technical Review Committee; and he mentioned that the Clerk's Office is incredibly busy right now with everything going on with elections, and they are not promising how quickly they can pull that meeting together. He noted that staff will be in communication with the applicants as well as the Clerk's Office to see how quickly that all can happen.

Ms. Neubauer asked when they would project to open.

Ms. Murphy responded that they are a little behind and are only starting construction next week, so they are thinking April hopefully.

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

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, that the Rochester Hills City Council hereby Approves the Conditional Use to allow sales for on premises alcoholic beverage consumption associated with a restaurant use, based on documents received by the Planning Department on November 30, 2023

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 restaurant use should have a positive impact on the community as a whole and the surrounding area by providing additional eating and gathering opportunities within the Neighborhood Business District and Papa Joe’s Development.
4. The existing building 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 building and proposed 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.

ANY OTHER BUSINESS

2023-0520

Request for appointment of a Planning Commission representative to the Citizens Pathway Review Committee for a one-year term to expire December 31, 2024

Chairperson Brnabic noted that Mr. Struzik had previously been appointed as Planning Commission Representative to the Citizens Pathway Review Committee, and his term expired at the end of December 2023. She stated that Mr. Struzik has expressed his interest in serving one more year.

Mr. Hooper made a motion, seconded by Ms. Neubauer, to appoint Mr. Struzik to serve as its representative for 2024.

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

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

Aye 7 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer and Struzik

Excused 1 - Weaver

Resolved, the Rochester Hills Planning Commission hereby appoints Scott Struzik to serve as its representative to the Citizens Pathway Review Committee for a term to expire

December 31, 2024.

Ms. Neubauer noted that she was asked to read an announcement from the Financial Analyst for the City regarding the CIP process, and noted that the City has kicked off its annual CIP plan process for the 2025 to 2030 timeframe. If residents have a capital project, meaning something that's \$25,000 or more that they would like to propose as part of this process, a link to the CIP application is available on the city website, under the Planning and Economic Development Department, applications, documents, and ordinances. Residents wishing to submit a project are encouraged to contact the responsible department, (DPS, Parks, et cetera), for assistance in filling out their application. Applicants for new projects are due no later than Thursday, February 29th, 2024. All applications should be submitted to Joe Snyder, Chief Financial Officer, either in paper form or electronically at snyderj@rochesterhills.org. She noted that anyone having questions could contact Mr. Snyder.

NEXT MEETING DATE

- Joint Planning Commission/City Council Meeting - January 29, 2024;
- Regular Meeting - February 20, 2024

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Neubauer, seconded by Denstaedt, Chairperson Brnabic adjourned the Regular Meeting at 8:02 p.m.

*Deborah Brnabic, Chairperson
Rochester Hills Planning Commission*

Jennifer MacDonald, Recording Secretary