



Jennifer MacDonald <macdonaldj@rochesterhills.org>

Re: Flex Business Overlay Ordinance Amendments, Rezoning, and Moratorium

1 message

Sara Roediger <roedigers@rochesterhills.org>

Wed, Aug 10, 2022 at 3:14 PM

To: Annette Gilson <gilson@oakland.edu>

Bcc: macdonaldj@rochesterhills.org

Thanks for your email Annette, I will share it with the Planning Commission.

Sara Roediger, AICP

Planning and Economic Development Director

direct 248.841.2573

roedigers@rochesterhills.org

dept. 248.656.4660

planning@rochesterhills.orgwww.rochesterhills.org

On Wed, Aug 10, 2022 at 3:00 PM Annette Gilson <gilson@oakland.edu> wrote:

Dear Sarah Roediger,

I am writing to urge city officials to stop increasing the density of development here in Rochester Hills. Everywhere I go in the city, there are new buildings being shoehorned in.

We are losing the beauty and spacious peaceful qualities that brought most of us to the our city. I urge you to stop using the Flex Business Overlay Ordinance Amendments and Rezoning to create new development, development that can't be undone once it's built.

Let's protect what we have. Let's cherish it, especially given the rapid changes we're experiencing due to climate change. As our state continues to warm at an alarming rate, we need green spaces to compensate for the urban heat island effects that are already plaguing us.

Thanks, Annette Gilson

--

Annette Gilson, Ph.D.

they/them or she/her (*What's this?*)

Associate Professor of English

348 O'Dowd Hall

[586 Pioneer Drive](#)

[Oakland University](#)

Rochester, MI 48309-4482

Pandemic cell: 248.842.0489

I acknowledge the Traditional Owners, past and present, of the land on which I work. Our main campus is on the Land of the three Algonquian Nations: the Ojibwe, Ottawa, and the Potawatomi.



Jennifer MacDonald <macdonaldj@rochesterhills.org>

6-month moratorium on flex business overlay

2 messages

Horst Reinhardt <horst@vrperformance.com>
To: "scottl@rochesterhills.org" <scottl@rochesterhills.org>
Cc: Jennifer MacDonald <macdonaldj@rochesterhills.org>

Thu, Apr 7, 2022 at 5:39 PM

I'm writing in support of the planning and economic development department's proposed moratorium on the use of flex business overlay zoning. I think it is prudent to review all zoning ordinances from time to time to see if they are functioning as intended. While potentially a good idea at the time, to allow developers more freedom to build what they want on land in Rochester Hills, there may have been unintended consequences. I, therefore, believe taking a short pause of 6 months or more to allow some adjustments to be made is proper and will benefit all the residents of Rochester Hills.

Thank you,

Horst Reinhardt Sr.

Horst Reinhardt Jr.

[117 Cloverport Ave](#)

[Rochester Hills](#)

Horst Reinhardt Jr

Managing Partner



[43706 Utica Rd / Sterling Heights / Michigan / 48314 USA](#)

[Ph 586.991.2455](#)

[Fx 586.991.2457](#)

horst@vrperformance.com

www.vrperformance.com

Jennifer MacDonald <macdonaldj@rochesterhills.org>
To: Amber Beauchamp <beauchampa@rochesterhills.org>

Fri, Apr 8, 2022 at 8:06 AM

This is additional public comment for Monday's meeting... if I get more do you have a preferred way for me to provide it to you?

Jennifer MacDonald
Planning Specialist
City of Rochester Hills
1000 Rochester Hills Dr.
Rochester Hills, MI 48309
(248) 841-2575 direct
(248) 656-4660 office

[Quoted text hidden]



Planning Dept Email <planning@rochesterhills.org>

proposed rezoning

1 message

John Christopher <krip620@yahoo.com>

Wed, Aug 10, 2022 at 11:21 AM

To: "planning@rochesterhills.org" <planning@rochesterhills.org>

I strongly oppose the planned rezoning at the end of Rochdale Drive from office to retail or commercial. That area is already problematic and this would increase the traffic exponentially and unsafely.

Sincerely,

John Christopher
[1462 Rochingham Drive](#)



Mondrian Properties LLC.
50215 Schoenherr Road
Shelby Township, MI 48315
586.726.7340

April 18, 2022

Via Email: roedigers@rochesterhills.org

Sara Roediger, AICP, Director
Department of Planning and Economic Development
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Re: Comments to proposed moratorium for Flex Business (FB) Overlay Districts

Dear Ms. Roediger:

At our recent meeting, you requested that I provide you with my comments to the proposed six-month moratorium on development within the Flex Business (FB) Overlay Zoning Districts. Please regard this letter as formal comments in the public record and include this letter as part of the administrative record in connection with the City's review of the proposed FB Overlay Zoning District moratorium.

I am a principal of Mondrian Properties, and its affiliates, which owns approximately 12 acres of land at the Northwest corner of South Boulevard and Adams Road South with Tax ID Nos. 15-31-351-001; 15-31-351-002; 15-31-351-003; 15-31-351-013; 15-31-351-008; 15-31-351-009; 15-31-351-010; 15-31-351-011; and 15-31-351-012 (the "Property"). Attached is a parcel map identifying the Property shaded in green and in purple. The Property is within the R-4 One-Family Residential Zoning District and the FB-1 Flex Business Overlay District Zoning District. A PUD Overlay was established over a part of the Property in approximately 2006 for the "Lorna Stone Village" multi-family planned development, but due to the subsequent housing slump, it was not developed, and it is my impression that the City believes that the PUD Overlay is no longer applicable.

It is my understanding that the purpose of the proposed moratorium is to study potential zoning ordinance amendments to properties within FB Overlay Zoning Districts. To do this, the City has chosen to prohibit development of property using the existing Overlay Zoning District option for at least six months.

City staff mentioned to me that the City may propose to either rezone the Property, or to change the FB Overlay Zoning District, to limit development to single family homes on the Property. However, I object to any effort which removes the ability to develop the Property into

multi-family residential or commercial uses as envisioned under the applicable FB Overlay Zoning District. I do not believe that the proposed moratorium is the most efficient way of dealing with the issue of concern to the City. While reviewing zoning designations may be appropriate for some land within the FB Overlay Districts, it is inappropriate for this Property because of the existing surrounding developments. The proposed actions of the City seriously impact our ability to market and develop the Property.

I am particularly concerned about the proposed moratorium for the following reasons:

1. Other less draconian alternatives are available. Carefully considered zoning amendments are a better alternative to the harsh impact caused by a district-wide moratorium. The Planning Commission members made comments during the January 31, 2022 and March 15, 2022 meetings that the FB Overlay Zoning District "hasn't been used as intended" and "do not want the FB overlay district at all". Instead of halting development on all properties within all FB Overlay Zoning Districts, it is more appropriate to consider amending the specific provisions of the FB Overlay Zoning Districts. Addressing identifiable issues of concern through carefully considered amendments to one or more of the sub-zoning designations of the FB Zoning Districts is a better way to confront issues. A moratorium is not appropriate where there are other alternatives.
2. The moratorium applied to the Property is contrary to the Master Plan. The moratorium, as applied to the Property, unfairly prevents development of the Property consistent with the Master Plan. The Master Plan intends that the Property is suitable for "Commercial Residential Flex-2" uses. This means that the Property is suitable for medium intensity business uses area and generally corresponds with the B-2 General Business zoning district and the FB-2 Flexible Business Overlay district. These uses include convenience stores, drug stores, dry cleaners, smaller grocery stores, and other establishments that serve the daily needs of persons living in adjacent residential areas. The appropriate uses also include a mixture of single family and attached/detached residential housing, multiple-family housing, retail commercial land uses, office uses compatible with residential uses, schools, churches, and day care centers. This flexible land use area is appropriate for senior housing developments that are compatible with adjacent neighborhoods and integrated into a larger flexible use development. Commercial Residential Flex-2 areas are intended to create non-residential "nodes" at key intersections and to provide a transition between the residential land categories and more intense Commercial

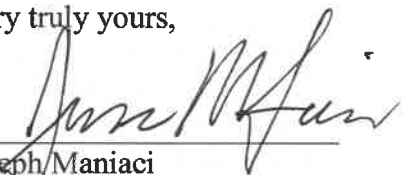
Sara Roediger, AICP, Director
April 18, 2022
Page 3

Residential Flex 3 areas. Accordingly, flexible use developments located in the Commercial Residential Flex-2 land use category should include a residential component, however, in no case should any flexible use development be comprised of solely residential uses.

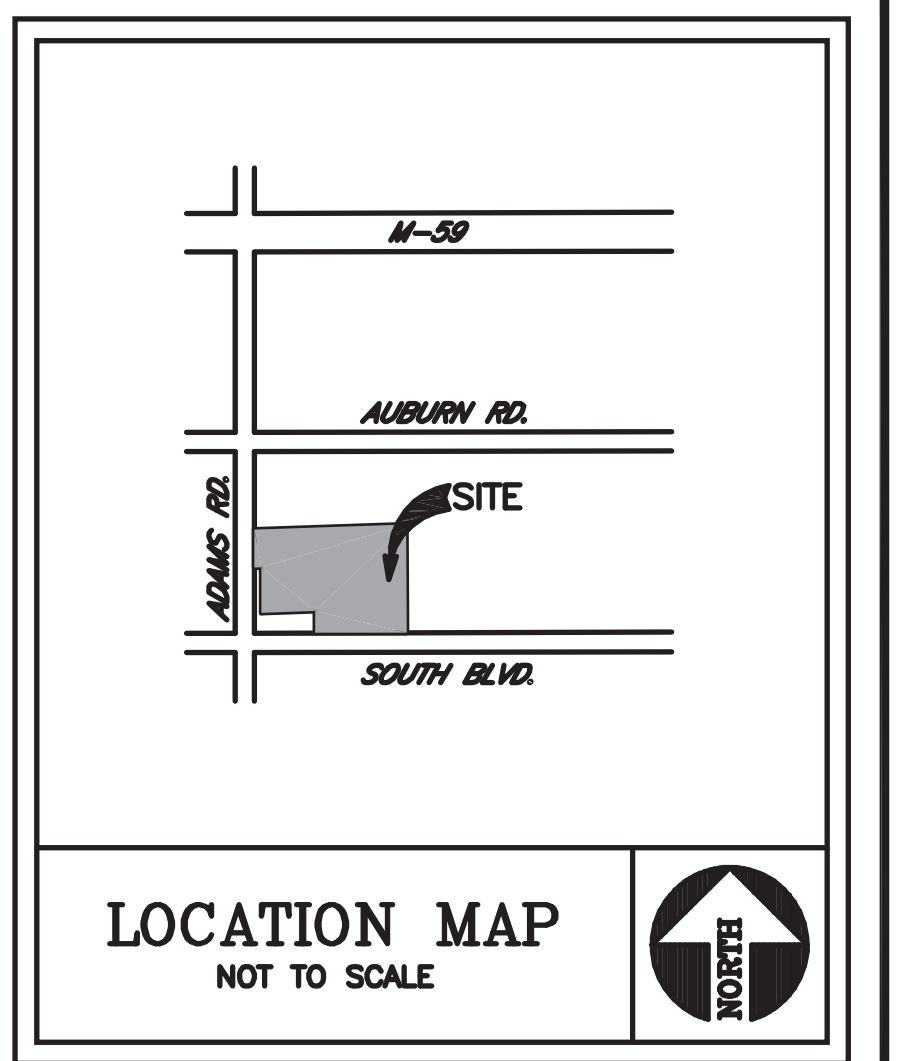
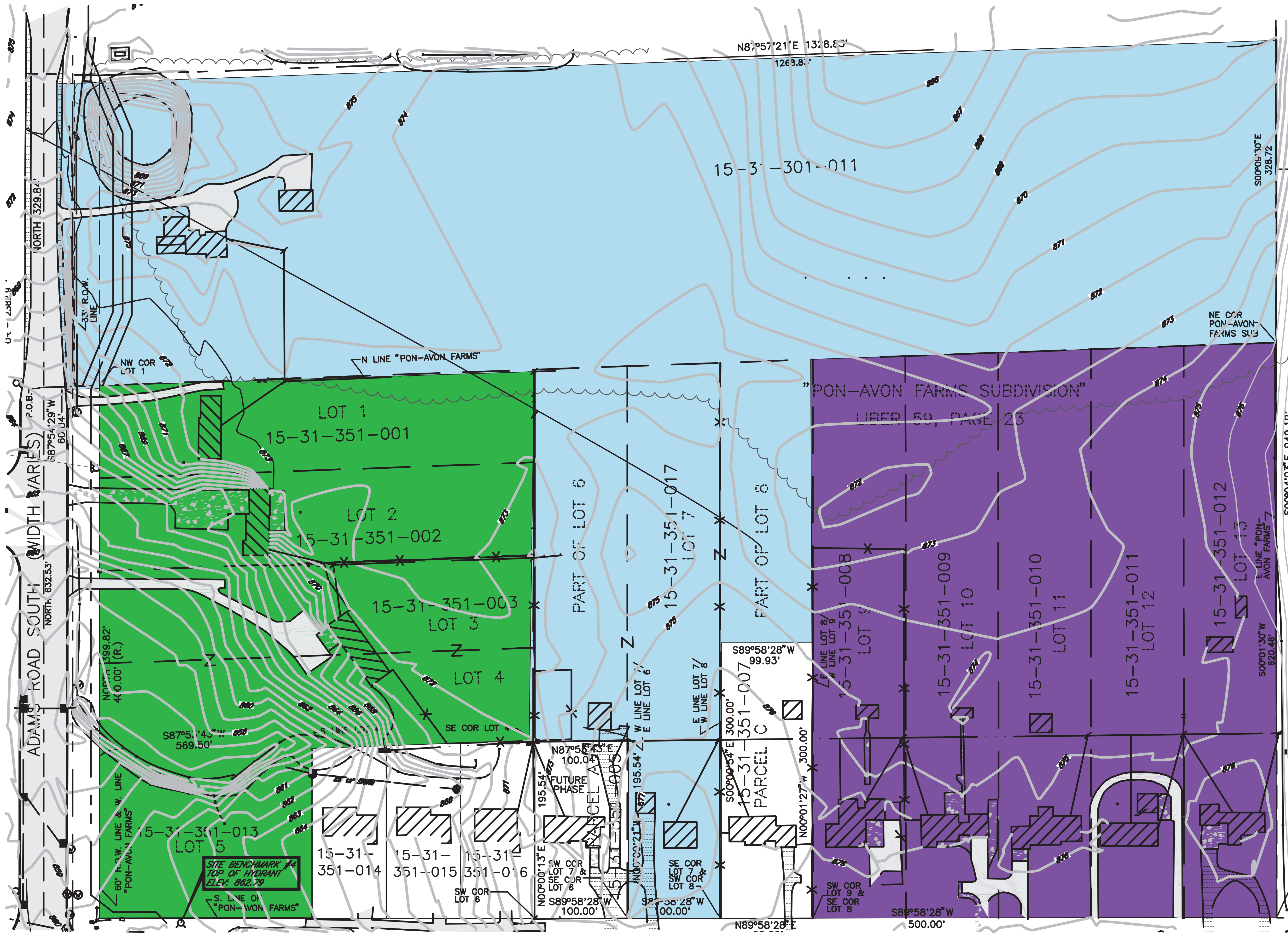
3. Single Family Homes are not appropriate for this Property. Surrounding land uses include senior developments directly between and to the north and east (American House, Pomeroy Assisted Living), religious institutions (Doxa Church and Bharatiya Temple), and 5 isolated residential homes along South Boulevard. The City recently approved a new senior living center directly between and to the north of the Property, see attached highlighted in light blue. Placing single family homes within this context is not only contrary to the Master Plan as noted above, but also not feasible under current market and planning conditions. Our concern is that the City may consider permanently removing commercial and multi-family development options for the Property based on recent communications with City staff.

In summary, I object to the proposed moratorium and request that the City consider these comments in connection with future zoning decisions affecting the Property. By providing you with these comments we are not waiving any rights that we may have under applicable law. Thank you for your consideration.

Very truly yours,

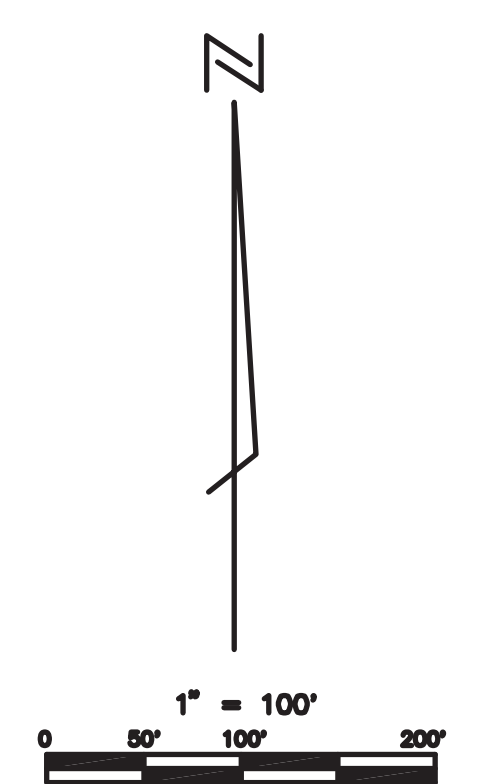


Joseph Maniaci
Mondrian Properties LLC.



LEGEND

⊕	SECTION CORNER	⊕	PROPOSED
○	FOUND IRON, MON. NAIL	—	ELEC., PHONE OR CABLE TV OIL LINE, POLE & GUY WIRE
●	SET IRON	—	UNDERGROUND CABLE TV
R	RECORDED	—	TELEPHONE U.S. CABLE, SPLICING BOX & MANHOLE
M	MEASURED	—	ELECTRIC U.S. CABLE & MANHOLE
C	CALCULATED	—	GAS MAIN & VALVE
		—	WATERMAIN, HYD., GATE VALVE, TAPPING SLEEVE & VALVE
		—	SANITARY SENDER, CLEANOUT & MANHOLE
		—	STORM DRAIN & MANHOLE
		—	COMBINED SENDER & MANHOLE
		—	CATCH BASIN, INLET
		—	YARD DRAIN
		—	STORM DRAIN & END SECTION
		—	POST INDICATOR VALVE
		—	WATER SERVICE SHUTOFF, HYDRANT VALVE BOX
		—	MALDICE
		—	POINT ELEVATION (AT X OR END OF LEADER)
		—	CONTOUR LINE
		—	FENCE
		—	GUARD RAIL
		—	STREET LIGHT
		—	SIEN
		—	WEE
		—	STORM DRAIN STRUCTURE NUMBER
		—	SANITARY SENDER MANHOLE NUMBER
		—	WATER MAIN FIRE HYDRANT NUMBER
		—	WATER MAIN VALVE NUMBER



April 8, 2022

Mayor Brian K. Barnett and City Council Members
1000 Rochester Hills Dr
Rochester Hills, MI 48309

Subject: Flex Business Overlay Zoning Plan

Dear Mayor Barnett and City Council Members,

After reading an article in the local newspaper about the city's plan regarding a six-month moratorium on its Flex Business Overlay Zoning Plan I became quite concerned about what would happen to our residence once the moratorium was over e.g., would our residence be taken from us by eminent domain or sold to a developer?

Because my wife (80) and I (88) are both elderly and she is also handicapped, we had hope to reside in our condo and avoid relocating for as long as possible. Additionally, we have also upgraded our residence to facilitate her handicaps and we may have to invest more in the future for us to remain independent. However, after reading the article, I felt that it was necessary to contact the city to clarify the city's intent and the wisdom of us upgrading our home to facilitate any new elderly issues or challenges.

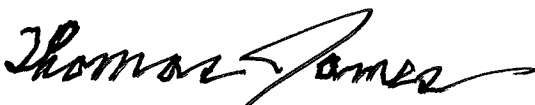
Therefore, I immediately went to city hall and was fortunate to receive very professional assistance from Jennifer MacDonald. At length, we discussed the Overlay Plan, she also provided me a copy of the plan which I found very disconcerting. Today, as she had promised, she also followed up with a phone call and advised me that this topic would be discussed at the Monday, April 11, 2022, council meeting.

Since I will not be able to attend this council meeting, I have several questions regarding the Flex Business Plan as it specifically applies to the Hidden Hills Condo community located on the East side of Livernois Rd., South of University Drive:

1. After the six months moratorium expires, does the city plan on implementing it's FB-1 zoning plan and exercising a policy of Eminent Domain and thus demolish our condo complex to achieve its end plan for Q-1 development?
2. Is there an application from a builder or developer (previous, current, or planned) that would allow either to purchase our condo complex and convert it to a Q-1 zoning or some other type of zoning for development?
3. If either of the above questions are valid, how many months or years do my wife and I have before this condo complex is either demolished or sold and we would then be required to relocate?
4. If none of the above concerns are valid, then how much longer does the city plan on allowing this complex to be viable condominium community?

I would be very appreciative if your respond to this letter is written, which also details the plan for our condominium complex in the future and how much time remains before we are required to relocate. Thank you for your time.

Sincerely,



Thomas James
307 Willow Grove Lane
Rochester Hills, MI. 48307



innovative *by* nature

February 25, 2022

Bryan K. Barnett
Mayor

Dear Property Owner,

City Council

Carol Morlan
District 1

David J. Blair
District 2

Susan M. Bowyer, Ph.D.
District 3

Ryan J. Deel
District 4

Dale Hetrick
At-Large

Theresa Mungioni
At-Large

David Walker
At-Large

The City of Rochester Hills continually strives to be the preeminent place to live, work, and raise a family. That hard work has not gone unnoticed, and the City has been recognized with many accolades for its parks, safety, schools and overall quality of life. With that success comes increased interest from people who also want to enjoy what Rochester Hills has to offer. Consequently, we have heard some concerns about the amount, location, and type of development occurring, especially with regard to projects in the Flex Business (FB) Overlay Zoning Districts, a zoning tool which allows for greater density in exchange for a mixture of uses and better design. As a result, the city administration will be studying the Flex Business (FB) Overlay Zoning Districts to ensure that the City's vision and the development that these zoning districts attract are aligned. You are receiving this letter because your property is located within a FB district.

The FB districts are optional zoning districts with additional regulations that allow for a second option for development, in addition to the original zoning. Properties zoned with the FB option can choose to develop under the FB regulations or the underlying zoning regulations. The FB districts were a recommendation of the 2007 Master Plan, and the City created this additional zoning option in 2009. During the recession, the City worked to explore more creative ways of permitting flexibility to better respond to market trends. Since that time, a number of developments were brought to the city under this zoning option and the city has now determined it is time to re-evaluate the standards to ensure development is meeting the original intent of the districts.

In order to accomplish this in an organized and transparent fashion, the City is proposing a six month moratorium on development under the FB district option. The moratorium will mean a pause on development in the FB districts during which time potential Zoning Ordinance amendments to the FB districts are studied to determine what (if any) changes may be desired. A public hearing will be held at City Hall as part of the regularly scheduled Planning Commission meeting on Tuesday, March 15th on the proposed ordinance to begin the moratorium. Members of the public are welcome to submit comments via email, mail or in person per the instructions outlined in the attached public hearing notice.

In summary, what does this mean for you as a property owner?

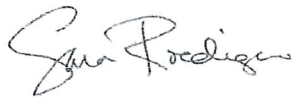
1. A public hearing will be held by the Planning Commission on March 15, 2022 at 7pm at City Hall to discuss the moratorium and to make a recommendation to City Council. City Council will then hold a first and second reading for the moratorium at subsequent Council meetings.
2. A moratorium will create a "pause" in development where new development applications will not be accepted in accordance with the FB districts during this six month period.
3. During the six month time frame, City administration will study the ordinance and make recommended changes to the FB districts to the Planning Commission and City Council.

- Updated FB district regulations will be presented at a future public hearing and again the Planning Commission will make a recommendation to City Council stating how the districts could be modified. City Council will then hold a first and second reading of the updated ordinance at subsequent Council meetings.

For additional information, to provide public comment or to sign up to be notified of future meetings, please visit www.rochesterhills.org/FBmoratorium.

Please let us know if you have any questions or concerns.

Sincerely,



Sara Roediger, AICP, Director
Department of Planning and Economic Development

Attachment: Public Hearing Notice





innovative *by* nature

Bryan K. Barnett
Mayor

**NOTICE OF PUBLIC HEARING
MORATORIUM ON FLEX BUSINESS OVERLAY DEVELOPMENTS
ROCHESTER HILLS PLANNING COMMISSION**

City Council

Carol Morlar
District 1

David J. Blair
District 2

Susan M. Bowyer, Ph.D.
District 3

Ryan J. Deel
District 4

Dale Hetrick
At-Large

Theresa Mungioli
At-Large

David Walker
At-Large

Notice is hereby given that the City of Rochester Hills Planning Commission will hold a Public Hearing at the Rochester Hills Municipal Building, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan on Tuesday, March 15, 2022 at 7:00 p.m. to receive public comments regarding a proposed ordinance to establish a temporary moratorium to suspend the processing and acceptance of applications and plans for development, improvement, or alteration of land located within any Flex Business Overlay Zoning District (FB-1, FB-2, and FB-3) within the City of Rochester Hills.

DATE OF PUBLIC HEARING:

Tuesday, March 15, 2022 at 7:00 p.m.

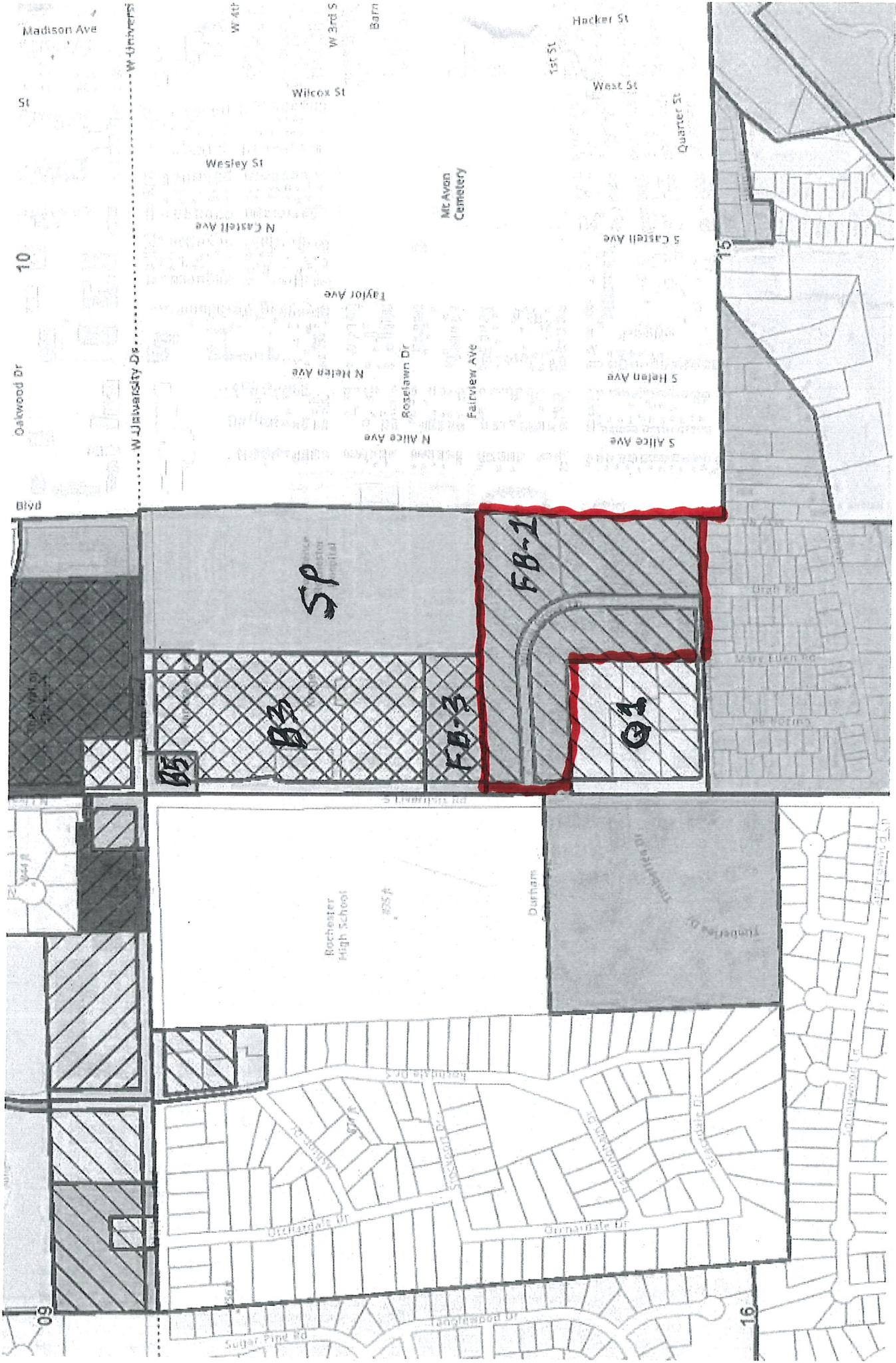
LOCATION OF PUBLIC HEARING:

Rochester Hills Municipal Offices
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

Information concerning the proposed moratorium may be obtained from the Planning and Economic Development Department during regular business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, or by calling (248) 656-4660. It can also be viewed at www.rochesterhills.org, Departments, Planning & Economic Development. Comments concerning this request will be received by the City of Rochester Hills Planning Department, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, prior to the public hearing in writing, or by the Planning Commission at the public hearing. This request will be forwarded to City Council after review and recommendation by the Planning Commission.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is invited to contact the Facilities Division (656-4658) 48 hours prior to the meeting.



Madison Ave

St

10

Oakwood Dr

Blvd

09

W University Dr

W 4th

W 3rd S

Barn

Wilcox St

Wesley St

N Castle Ave

Taylor Ave

N Helen Ave

Roselawn Dr

Fairview Ave

N Alice Ave

S Castle Ave

S Helen Ave

S Alice Ave

Hacker St

West St

1st St

Quarter St

McAvoy Cemetery

SP

B3

FB-3

FB-1

G1

Rochester High School

Durham

Orchard Dr

Orchard Dr

Sugar Pine Rd

Langlewood Dr

16