

DISCUSSION

2025-0455 Zoning Ordinance Use Discussion

(McLeod Memo dated 10-15-25 had been placed on file and by reference became a part of the record hereof.)

Mr. McLeod noted that every once in a while Staff receives questions at the counter, calls or emails regarding some uses that do not necessarily fit nicely within the Ordinance. He added that uses continue to evolve and some of the requests are challenging to Planning Staff.

He noted that one use requested of late is an EV charging station as its own use. He likened it to a fuelling station, but with EV chargers instead of gas pumps. He explained that a national brand would like to come into the city; however, they asked that their name and potential location not be disclosed yet. He commented that Staff has categorized this particular use as a gas station, or similar to, because there is nothing in the Ordinance referencing a primary use as an EV charging station. He stated that the premise would be that there is a building that would house sitting space, or a co-work space, for those who might be waiting for their car to charge up for perhaps 15 to 30 minutes. He noted that the particular model in question would bring in vending machine offerings of coffee and snacks as ancillary items; however, the primary use would be to charge a vehicle.

He stated that while Staff made the determination that this is most like a gas station, there are differences. He stated that traffic patterns are different, and people would be going in and out much more slowly as fill-up time is longer. He mentioned that this particular brand offers an app where a space can be reserved for a specific time. He added that environmental concerns are shifted as there will be no gasoline products that could potentially contaminate the ground from a spill; however, there is a potential issue of using high voltage energy. He pointed out that there would be canopies.

Mr. McLeod noted that the proposer does not feel that their concept is that of a gas station and feels that their primary use is as a retail operation and that the chargers are ancillary.

He stated that Staff wanted to get the Planning Commission's perspective on how to approach this, as there could be 10 to 12 chargers and a building. He suggested that the Commissioners express their thoughts on whether new provisions are needed or to simply concur that it is almost like a gas station.

Chairperson Hooper asked if it is anticipated that people will be getting out of their vehicles and going inside, working or using a laptop.

Mr. McLeod responded that is correct. He noted that the proposed buildings would be relatively small in the 2,000-3,000 square foot range and a full-blown convenience store would not be expected. He explained that in this case it would be more of a vending machine operation, with press button operation for

coffee or a sandwich.

Chairperson Hooper commented that in his view it looks more like a car wash where at some locations, you drop your car off and sit in a lounge while the car is being washed and detailed. He stated that he did not know if that makes a difference between a gas station and a car wash as far as setbacks and ordinance requirements.

Mr. McLeod responded that he did not think it would make a huge difference; however, he pointed out that gas stations have a one-acre minimum and there is not necessarily a minimum for a car wash.

Mr. Dettloff asked if this idea exists in any nearby communities.

Mr. McLeod responded that he does not know of one right now within southeast Michigan, and commented that Michigan has typically been a bit slow in the EV market. He mentioned that some of the southern states and California sees these types of uses popping up. He noted that the intent is not to cater the ordinance to a specific user, but it should be brought to the Commission's attention. He reiterated that in Staff's mind, it has been thought of as a gas station whether it is gas or electricity coming out of the pump; however, it is a question of whether the Planning Commission feels this is one of those elements where the Ordinance should address it more specifically.

Mr. Dettloff asked if there were any specific locations discussed.

Mr. McLeod responded that there were; however, the company asked that they not be discussed.

Mr. Hetrick stated that it looks and feels like a gas station with a canopy. He commented that he is surprised that it would be a vending machine convenience store and thought it would be more high-end. He stated that while the environmental issues will not include underground tanks for gas, he would question how power would be delivered to the pumps and whether they would need their own generator connected to DTE to power 12 pumps.

Mr. McLeod responded that there would probably be a significant transformer on site. He mentioned construction in the Meijer parking lot along Auburn and noted that they will be installing 10 EV charging stations as an ancillary use with no building and commented that there are transformers in cabinetry in addition to the actual charging pumps. He added that there would be visual clutter having 10 or 12 different vehicles all charging at the same time. He mentioned that eventually he thought that there would be more of a convenience store with a coffee brand or something similar as an ancillary use.

He stressed that the main purpose is EV charging and the question is how to address it and make sure that it fits the aesthetic, design appearance and context for Rochester Hills.

Mr. Hetrick likened the environmental issue of a giant transformer as a similar concern to an underground tank.

Mr. Struzik stated that while he can see that it is similar to a gas station, there are some key differences including turnover time that will evolve over time. He pointed out that charging technology and capacity for vehicles is changing, and mentioned that there is a lot of capitalistic pressure as to whoever can get charging down to a shorter period of time. He noted that Rochester Hills residents would probably charge their vehicles at home and these chargers will be more of a planned trip where someone maps out a fast charging facility en route up north. He commented that this could be a way to convert some of the underutilized parking lots and further attract people to existing businesses.

He expressed concern over power delivery to nearby residents and commented that he would hate to see something come in that could cause brownouts in nearby neighborhoods. He suggested that a power expert come in for the first couple of requests to assure that there is nothing to be concerned about. He added that he would question whether the Fire Department has the expertise and equipment to address an incident at a charging facility. He questioned whether these facilities would have some sort of power storage as they may not be pulling power off of the network in real time. He commented that while this is not a reason to turn such a development away because this is obviously a technology that will be seen more and more, he would want to ensure that they are ahead of the first incident rather than reacting to it.

Ms. Neubauer stated that she has some of the same concerns, and noted that she has gone through Fire Ops and learned that electrical car fires are dangerous and difficult to put out. She added that they do not have all of the equipment and supplies now that they need and the Fire Millage is already going up. She questioned the impact on the power grid, stating there are already consistent outages in neighborhoods. She suggested that considering it a gas station was like putting a square peg in a round hole and commented that she would rather have a specific ordinance to address this type of development. She commented that she would like more research on this type of development and noted that while Rochester Hills is innovative, she hates being the guinea pig on this type of thing.

She stressed that with all of the transit taxes, parks taxes, and millages going up, this is something the City cannot afford if the Fire Department needs additional equipment to cover an emergency. She added that she would question the aesthetics of a power plant in the middle of the community. She stated that she is not comfortable classifying it within the gas station ordinances and would want more information and discussions with Engineering. She commented that she did not think DTE would be a neutral source of information, and stated that someone needs to be consulted that would not financially benefit from bringing in an EV station.

Chairperson Hooper stated that he agrees with all of the comments made this evening, and that the City would need some kind of draft zoning ordinance amendment to address this on the issues of capacity. He mentioned that in engineering, when every project came before them, they would have to provide hydrant pressure and electrical usage capabilities. Should they not have a certain pressure or voltage or amperage that can be supplied, it either nullifies

the project or requires additional capital investment to make it work.

Mr. McLeod stated that this is not intended to be a one-and-done conversation and this is just the start of the discussion.

Chairperson Hooper moved on to the next topic, consideration for a cat cafe.

Mr. McLeod explained that this use was prompted by a discussion in the Brooklands and stated that these are a trend at cafes now. He commented that the cafe portion is a coffee shop and the cat portion is the keeping of cats. He explained that the cats are permanent residents there and are available for adoption. He noted that while the cafe portion is easy, the cat portion of keeping animals there overnight for multiple days, weeks or even months can be labeled as a kennel. He pointed out that within the ordinance, kennels are only allowed in a certain districts, one of the industrial districts, large residential lots, or the highway business district. He asked if this is a use similar to a pet store which would be allowable generally in any of the commercial districts. He stressed that for kennels, for long-term keeping of animals, or for multitudes of animals, those are designated for only certain areas of the city and not for the Brooklands, not for Community Business, and not for Neighborhood Business. He noted that it is one of those questions as to what is the primary use and what is the ancillary use.

He mentioned that his wife is a veterinarian, and he noted that she was following a case where one was removed from a mall because of odor emanating from the use itself causing complaints from adjacent tenants. He stressed that some of that probably has to do with operations and whether it is run poorly, but it is something to consider. He mentioned that there is one in Washington Township, the one he referenced was in Clinton Township, and he believes that Troy allows them.

He noted that it is a question as to whether the Planning Commission has any desire to weigh in, whether they want additional research, or additional ordinance provisions.

Chairperson Hooper asked about how Petco deals with dogs in cages overnight, and asked how that would be different.

Mr. McLeod responded that Petco is different because of the primary versus ancillary use. He noted the question for a cat cafe or dog care is what is the primary use, and whether you are going there to get a cup of coffee or play with the cat. He stated that it is probably a little of both. He asked if the Commission wanted more research or if they do not want to address it at this time.

Chairperson Hooper asked if it was similar to a service animal.

Mr. McLeod responded that it is not necessarily designed to be a service animal, while some people may see it as anecdotally therapeutic. He commented that some people find it relaxing to go sit amongst cats and drink coffee.

Mr. Struzik stated that he is in favor of the cat cafe concept and has been to one before. He explained that they visited one and a couple of years later ended up getting a cat. He commented that he does not see this working in an industrial area and would imagine that it would be better in a commercial corridor with some walkability such as the Brooklands. He suggested it might be a conditional use and commented that saying that it is a kennel is scary. He stated that cats are not very loud so he would not be worried about noise. He noted that as long as they are secure he is not worried about smell or what would happen in a neighborhood.

He mentioned that his neighborhood has five or six neighborhood cats and they do not have any rodents in the area. He commented that he thinks the primary use is to sell items and coffee or have pet supplies and toys, and not necessarily to sell or adopt cats. He suggested it could be a conditional use for a commercial corridor in a retail establishment.

Ms. Neubauer stated that she had recently been invited to visit a cat cafe and was unable to do so as she had to meet a client in the hospital who had cat scratch fever after being scratched by a cat. She asked if they would be declawed and would be safe, if they could bite, and who might be liable. She commented that she would rather go to the Humane Society to get her cat fixed and suggested that this could invite problems. She stated that she is not against animals, but is not sure how it would work sanitary-wise or liability-wise should a child grab a cat by the tail and get scratched. She suggested that she would like to get more information and would pass on considering this for now.

Ms. Denstaedt mentioned that she has a friend who just opened a cat cafe in Holland in a strip mall, and noted that her friend had to bring OSHA in and install special air filtration. She stated that they have some walk-ins but visits are by reservation, and explained that they are working with a local Humane Society. She noted that since they opened in April or May, they had 60 cats adopted, so there is a transition of cats going in and out. She stated that the Humane Society her friend is working with only allows kittens in one spot and adult cats in another, and pointed out there is a lot of regulation. She noted her friend has prepackaged food and coffee. She commented that her friend does not allow little kids. She asked if they are working with a local Humane Society, how many cats they are allowing, and whether regulations could be established to limit the number of cats there at any one time.

Mr. Hetrick stated that while he recognizes that it is not a kennel, these cats are coming from somewhere and he would ask whether they have been vaccinated and been to a veterinarian as the last thing he would want is for someone to become ill. He commented that some of the regulatory issues brought up are important, and those fall in the category of a kennel. He stated that his guess would be that the shelter has to do many of these things before they can actually release an animal. He suggested that he would not want them to pick up strays and throw them in a cage.

He commented that density is an important concept if it is going to be done in a commercial location, as it would not be good to have a 1,000 square foot cat

cafe with 50 cats in it. He suggested that the regulatory part would have to be quite stringent, almost in the order of a kennel, and stated that one would have to be very careful regarding the papers on the cats being adopted into the cafe.

Mr. Weaver stated that he does not see this as a kennel as people would not be dropping off their pet while they go on vacation. He commented that this is more of an adoption type facility. He asked who would do the regulating and if it would have to be something that the City would be taking on and mandating. He stated that they would perhaps have to dig deeper into regulation and how to ensure they are going through the proper channels and undertaking the proper steps for safety. He added that he would expect that visitors have to sign waivers.

Ms. Neubauer noted that even if someone signs a waiver they can still sue. She asked if the City would be putting itself in a situation where regulation would create another thing for the City to do.

Mr. Weaver suggested looking into whether there is a larger Federal or State arm that regulates pet adoptions or the Humane Society.

Ms. Neubauer added concerns regarding food preparation and animals.

Mr. Weaver noted that the Commission had similar discussions regarding density for the keeping of chickens and asked how to determine the appropriate number of cats.

Mr. McLeod stated that this would have to be researched, and commented that there are drastic differences between dogs and cats as dogs generally have to go outside. He added that the noise issue would be a further point of discussion.

Mr. Gallina stated that he is not opposed to cat cafes with the right benchmarking and research. He commented that if it is a trend, he is not opposed to looking into having something like this in the city; however, it has to be done the proper way. He pointed out that clearly the person opening one in Holland had a lot of hoops to jump through and the City could set its own standards as well. He commented that it is an interesting concept and he would like to hear more.

Ms. Brnabic commented that she agrees with a lot of the concerns expressed. She concurred with the sanitary factor because cats are cats and they walk on counters and anywhere they want. She commented that finding out what regulations and restrictions are needed would help her to make a better decision; and she is not a fan at this point for those reasons.

Chairperson Hooper asked if Mr. McLeod had enough input to move forward with the investigation of this idea. He subsequently closed the discussion for this topic.

Discussed