

1. CALL TO ORDER AND ROLL CALL

A meeting of the City of Rochester Planning Commission (PC) was called to order on February 6, 2022, at 7:00 p.m. by Chairman McGee.

PRESENT: Stuart Bikson, Mayor
 Christian Hauser, Vice Chairman
 Richard Kendziuk, Commissioner
 Sara King, Commissioner
 Eric Lord, Commissioner
 Steve Sage, Secretary/Council Member
 Matt Stone, Commissioner

ABSENT: Dennis McGee, Chairman
 David Gassen, Commissioner

quorum was present.

Also Present: Nik Banda, City Manager
 Jeff Kragt, City Attorney
 Patrick Meagher, Community Development Director
 Brian D'Annunzio, Deputy Clerk (Zoom)

2. PLEDGE OF ALLEGIANCE

Vice Chairman Hauser led the reciting of the Pledge of Allegiance.

3. PUBLIC COMMENT NON AGENDA ITEMS

There was no public to be heard.

4. APPROVAL OF MINUTES

A. Consideration of the Minutes of the Planning Meeting of January 3, 2023.

MOTION by Member Bikson, supported by Sage to approve the Minutes of January 3, 2023, as presented.

Ayes: Bikson, Hauser, Kendziuk, King, Lord, Sage, and Stone
Nays: None
Absent: McGee and Gassen

MOTION Carried.

5. PUBLIC HEARINGS

Kruk Cards - 210 Campbell Street – special exception for outdoor storage.

Mckenna Planner Vidya gave her overview of the site plan. Petitioner has been before the Commission the last few previous meetings. The following were issues the Commission wanted to see addressed.

1. Installation of a Masonry enclosure for Dumpster.
2. Planning Commission approval of the modified vegetation screen along the north property line.
3. Maintenance of the proposed tree cover along the north property line permanently and replacement of any dead trees in a timely fashion.

Vidya is recommending site plan approval with the masonry enclosure for dumpster.

Commissioner Kendziuk inquired if Nik Met with the homeowner who had concerns of the screening. Nik stated they were going to wait and see if the site plan was actually going to be approved and then go from there.

Vice Chairman Hauser inquired about the trailers and that they are going to be used as trailers and not storage. There is a concern these will be permanent trailers. Will the City monitor that the trailers will be moving on and off the property.

City Manager Nik Banda stated that they are legit to be in a parking spot and do not see the trailers moving.

Mr. Kruk stated they will be permanent storage and will probably be there for many more years. Mr. Kruk stated he has done what is been asked and will change the dumpster, oak tree will be left alone and has spoken to five of his neighbors and have letters from them that he is a good neighbor. Letters were given to Mr. Meagher.

Commissioner King asked to clarify the dumpster placement. The Dumpster will be angled. There is a fence on property that is falling over. Vidya suggested that Code Enforcement look into the fence issue.

Vidya clarified that during her review she was lead to believe that these trailers were moving and this is the first time hearing that the trailers will not be moved. Discussion ensued as to the applicant's intent with the trailers.

Commissioner Lord stated there seems to be a parking issue. Vidya stated they do meet the parking requirement.

Vice Chairman Hauser opened the Public Hearing at 7:31 p.m.

Dave Darrow of 214 Fraser spoke property is not taken care of and the trailers will eventually rust, and the dumpster area should be moved. The loading dock floods when it rains.

Mr. Kruk stated he treats his property well and they are solid metal containers, and they are well maintained. Would also be willing to move the dumpster.

Public Hearing was closed at 7:33 p.m.

MOTION by Member Lord, Supported by Member King to Approve Kruk Cards 210 Campbell with the following stipulations:

1. Dumpster enclosure is to be moved to the east portion of the site and be made of masonry according to City Ordinance.
2. Landscaping to be completed by August 1, 2023 with staff approval for appropriate screening.

Ayes: King, Lord, Sage,

Nays: Bikson, Hauser, Kendziuk, Stone

Absent: McGee and Gassen

MOTION FAILED.

MOTION by Member Bikson, Supported by Member Stone to Deny Kruk Cards 210 Campbell site plan tonight and revert to the original site plan approval.

Ayes: Bikson, Hauser, Kendziuk, Stone

Nays: King, Lord

Absent: McGee and Gassen

MOTION CARRIED.

6. CONSIDERATIONS

- A. Paint Creek Luxury Condo's – 704 Woodward follow up discussion of request for conditional rezoning request from I-1 (limited Industrial) to RM-2 (Multiple Family Residential) – Set a Public Hearing if determined the submission is adequate.

Doug Hamborski was present from the development group along with the sellers of the Solaronics property. Presentations were handed out to Commission along with extras for members in the audience. Units have gone from 106 to 88 units, 4 story has been reduced to 3 story. Fifty ft (50) down to thirty eight (38) ft for the structure. These items were some of the concerns that the community had.

Scott Mahrle of 753 Ludlow asked the Commission why someone from the City would be in favor of this development.

Vice Chair Hauser responded that the city has to allow the process to take place, no one has been vocal in favor or against because the Commission has to allow the process to proceed. Vice Chairman Hauser also let it be known that the Commission has received numerous emails regarding the proposed development, and they have all been read and received.

Patricia Kane of 817 W 4th Street spoke that all the dense developments seemed to be geared towards the taxes that they will bring in. They seemed to be marketing the Affluent. The city needs more single-family affordable housing with play areas. We are pushing out the younger families.

Richard Blosnick of 402 Taylor spoke the home sizes are too large. What is the Average cost of the homes being built. The school district is changing we have multiple condos here now that are a million dollars. The developments are pushing everyone out. There are other vacant properties near the Fire Department.

Jennifer Reis of 757 Ludlow spoke the master plan does support the master plan. Council has stated that the master plan and the ordinances do not match and needed some tweaking. McKenna advised the city to follow the master plan. Please consider all these items during this process and the liability it could bring to the City.

Odette Moore at 1146 Ridgeway Dr. spoke in favor of the development. The current building needs to be gone. There has been a lot of time and effort into this development and will look a lot better. Manufacturing would be a distraction. Ms. Moore felt the condos will not be a million dollars and that these condos will be more affordable. This property needs to be improved and needs to be aesthetically nice.

Chris Raab of 124 Woodward spoke on parking issues. How long will it take for the landscaping to grow.

Mark Presnell of 821 Aspen spoke and agreed with Ms. Moore. Has enjoyed the Community and had concern of the Master Plan and providing housing for the residents in all price ranges. Could we get more creative and use the property to be an extension to the parks and trail. Also inquired about the brown field for that development.

Vice Chair Hauser stated Brownfield money is state money not federal funds come from the EGLE.

Stephanie Bower of 608 Ludlow spoke she loves the city and the trail. The presentation was well done, and the development is well done however it does not fit the area. Having one entrance and exit with a big development is not feasible for the small area there.

Jeanine Moorland of 616 7th Street was opposed and asked the city to follow the master plan.

Mike Lopez of 342 Woodward disagreed with the statement that Rochester needs more luxury condos or loft. Rochester was a family-based town with parks and good schools. Influx of developers have been coming in and it is not what the city needs. Strongly opposes.

Larry Pinkman of 278 Reitman Ct Rochester hills, inquired about the price range of the development and if there was a plan to protect the embankment of the trail. Would there be pathways into the trail from the development.

Erik Reis of 757 Ludlow opposed the development had concerns of the brownfield and the density calcs. Surrounding communities would not allow this type of development.

Nancy Dossin of 743 Ludlow inquired what would the long-term effects be on the paint creek trail. Landscaping will take time to develop.

Unknown person spoke and asked what the square footage and price of the units would be.

Mark Zellefrow 392 Winry Dr, Rochester Hills had concerns of what the development would do to the nature, wildlife, and the trail in the area.

Discussion ensued for clarification on the difference between a rezoning and conditional rezoning. Mckenna Planner Vidya stated that her review could take 3 weeks. The applicants have the right to apply and be allowed the process for a conditional rezoning.

The Commission inquired as to what action had to be taken tonight as the agenda stated for consideration to set public hearing. City Attorney Jeff Kragt stated a public hearing does not have to take place until a formal submittal.

Lengthy discussion ensued regarding concerns and opinions of how to proceed and which governmental body has the vote with a conditional rezoning. The developer Mr. Hamborski spoke and stated a lot of time and money has been spent on the project already and was alarmed at the disapproval of the public and wanted to know some opinions for them to proceed with the process. Commissioners gave concerns on development regarding parking, landscaping, the crosswalk is close to the driveway. Location seems to be an issue for the area more mid-size housing is needed per the master plan. The developer was thanked for their professionalism.

Phone call on Zoom was trying to come thru and could not be heard, Vice Chairman Hauser asked caller to send in an Email to City Manager Nick Banda. Sounded like Caller had concerns about parking.

City Manager Nik Banda gave an overview of the CBD District. Ordinance would place retail and service on the bottom floors and offices on the upper floors.

B. Discussion to amend article 11, CBD, Central Business District, Sec. 1100,1101,1102 and 1103 of the Zoning Code of the City of Rochester, to restrict some uses to Upper, Non-Street Level Stories.

MOTION by Member Bikson, Supported by Stone to set a public hearing.

Ayes: Bikson, Hauser, Kendziuk, King, Lord, Sage, and Stone

Nays: None

Absent: McGee and Gassen

MOTION Carried.

C. Lighting Provision Draft Ordinance – Consideration of Ordinance.

City Attorney Jeff Kragt gave an overview and the background of the ordinance from previous meetings.

Discussion ensued about shielded lights and wattage. CTC Coloring should be more of a focus vs wattage. Shielding would not be required for watts under 100. Discussion relative to commercial lighting vs residential lighting. Commission discussed concerns with LED lighting, not being able to shield certain light fixtures, resident complaints from surrounding communities. The Ordinance the way it is written seems to be enforceable. Commercial light sits higher.

Patrick Meagher, Community Development Director stated he went over the notes from December 2022. A public hearing should have been set for this month. The same conversation is taking place now that was in December. The Motion was to review the existing ordinance in place and to make potential changes than forward onto City Council.

MOTION by Member Bikson, Supported by King to set a public hearing for March 6, 2023.

Commissioner Stone asked if other communities have a similar ordinance, Attorney kragt stated Commercial ordinance yes but not for residential.

Commissioner King read an email from the International dark sky association, stated Rochester Hills updated their ordinance calling out the temperature.

Ayes: Bikson, Hauser, Kendziuk, King, Lord, Sage, and Stone

Nays: None

Absent: McGee and Gassen

MOTION Carried.

7. MISCELLANEOUS

Nik Banda, City Manager stated we need to add second meetings for a few months as needed.

MOTION by Member King, Supported by Bikson to set add second Planning Commission Meetings for third Thursday for the months of March, April, May June 2023.

Ayes: Bikson, Hauser, Kendziuk, King, Lord, Sage, and Stone

Nays: None

Absent: McGee and Gassen

MOTION Carried.

Nik Banda, City Manager thanked the Commission for the joint meeting with Council. Nik stated special project boundaries will be placed on the March Meeting. Façade changes are being held up. Nik would like to ask the Commission to set public hearings for Greens art supply and the Downtown Inn.

MOTION by Member Bikson, Supported by Member Stone to set Public Hearings for Green's Art Supply and Downtown Inn for the first March meeting.

Ayes: Bikson, Hauser, Kendziuk, King, Lord, Sage, and Stone

Nays: None

Absent: McGee and Gassen

MOTION Carried.

8. PUBLIC COMMENT

There was no public to be heard.

9. UPCOMING AGENDA ITEMS:

- A. The Granary (Rochester Elevator Site) – 303 East University – waiting for City.
- B. Preserves of Rochester 100 Division St /100 & 110 South Street., Townhomes and Apartments. Project is almost ready for site plan.
- C. E. Brown Iron Brewery - 265 E. Second St. on hold has issues with the legal description.
- D. Dumpster Enclosure Ordinance – March Meeting

10. ADJOURNMENT

Hearing no further business to discuss the meeting was Adjourned.

Respectfully Submitted

Rose McKinney
Building and Planning Clerk