

between Avon and Hamlin, zoned R-1 One Family Residential, Parcel No. 15-20-428-003, Lijo Anthony, Grace Properties Group, LLC, Applicant

Postponed

2021-0111 Public Hearing and request for Conditional Use Recommendation - City File No. 20-028 - First Baptist Church renovations/additions, located on Orion Rd., north of Tienken, zoned R-1 One Family Residential, Parcel No. 15-03-276-030, Steve Auger, Auger Klein Aller Architects, Applicant

(Staff Report dated April 14, 2021, site plans and elevations had been placed on file and by reference became part of the record thereof).

Present for the applicant were Scott Reynolds, Auger Klein Aller Architects, 303 E. Second St., Rochester, MI 48307 and Mark Cizauskas, Pastor of First Baptist Church, 6377 Orion Rd., Rochester Hills, MI 48306.

Ms. Kapelanski outlined that the applicant proposed to replace an open air canopy with an enclosed entrance hall, install 24 parking spaces and add an 8,400 s.f. addition for classrooms at the southeast corner of the existing church. She noted that the church was located on Orion Rd., and she showed a drawing of the renovated areas. She advised that the site was zoned R-1 One Family Residential, and that places of worship were a conditional use in a single-family district. The applicant was seeking a Conditional Use Recommendation, along with a Tree Removal Permit and Site Plan Approval. New lighting had been proposed, which was in compliance with the Ordinance. Minimal landscaping had been proposed. She noted that the proposed additions would match the architecture of the church. All staff reviews recommended approval, and she said that she was available for any questions.

Pastor Cizauskas thanked the Commissioners. He noted that he had been a Pastor at the church for 8 ½ years. He commented that it was a delight to be in the community, and they desired to be good neighbors. He also noted that First Baptist had been part of the community for 168 years, and they wanted to continue to be a profitable church community, in a spiritual sense, for their members. They felt that God had blessed their church in a lot of ways, and they wanted to construct additions to accommodate their current church family. The church was built in the 1970's with an auditorium and some classrooms. Sometime in the late 1990's, a gym and a couple more rooms were added. He claimed that as ministries morphed and adapted over the years, there was a need for some more space. Kids required more square-footage in classrooms, but the original classrooms were fairly small. He stated that they were not

looking to become a mega church, and there was no plan to expand the Sanctuary. Their desire was to accommodate what they currently had, not necessarily grow. If they were to grow, their desire would be to see where folks were coming from and perhaps start another church. The word classrooms did not mean a school; there would be six Sunday school classrooms for education on Sundays and some Wednesdays. They felt that they had designed additions that would meet their needs, fit with the current building and, hopefully, work well in the area.

Mr. Reynolds added that the property was quite deep off of Orion Rd., and the building was set back a considerable ways. He explained that the entrance was currently covered, and they were making it into a covered drop-off space with a covered ramp for easy access. The classrooms would be medium-sized for youth ministries and small group functions. There was also a small addition to the kitchen on the north to bring it up to code and add a little more space. The primary addition off the front would be tucked inward, so it would not be highly visible. He noted that there would be a paved sidewalk adjacent to the existing parking spaces to promote safety and access to the front of the building. The membership wished to address the safety for elderly people and young families. The four existing bathrooms were highly outdated and they were being brought up to code. The lobby would be expanded to be more welcoming and to have current ADA ramping and stairs to address the grade change from the parking lot to the interior of the building. He stated that all the proposed materials and architectural styles would complement what existed.

Chairperson Brnabic opened the Public Hearing at 10:04 p.m.

Wayne and Irene Waller, 6370 Orion Rd., Rochester Hills, MI 48306

Mr. Waller stated that he lived directly across from the church, which he added was zoned residential. He thanked the Commission for the opportunity to voice their concerns regarding the proposed plan for the First Baptist Church expansion. Their main concern was parking. They met with Pastor Mark, and he agreed that the additional parking spaces were not needed at the present time. Mr. Waller asked the Commissioners to please consider removing the additional parking from the plan. He thanked Pastor Mark and the church for shutting off the bright parking lights after they met. They had been going off between 8:00 and 8:30 p.m., and he requested that they continued to be shut off between 8:00 and 9:00 p.m. with the exception of evenings when there were church events. He also asked the Commissioners to consider adding evergreens to the east parking lot to make it more aesthetically

pleasing. He thanked everyone.

Chairperson Brnabic asked if anyone on zoom wished to speak, and if any email communications had been received, and there were neither. Ms. Roediger noted that there were a few attendees on zoom. Chairperson Brnabic asked people to raise their hand if they wished to speak during the Public Hearing, as it would be their last chance to do so, but no one did. Ms. Roediger mentioned that several emails had been received prior to the meeting, which had been forwarded to the Commissioners.

Chairperson Brnabic closed the Public Hearing at 10:08 p.m.

Chairperson Brnabic noted that Mr. Waller had asked that lights be turned off between 8:00 and 9:00 p.m. She asked Pastor Mark if he would be willing to agree to that as a condition. Pastor Mark said that he absolutely would, and he said that he was thankful that Mr. Waller had made him aware they had been on so late. Chairperson Brnabic asked about Mr. Waller's request for evergreens. Mr. Reynolds said that they had a couple of discussions with Mr. Waller, and they had no issue with additional plantings. He wanted to make sure Mr. Waller knew that they had to be out of the clear vision area. There was an opportunity to add trees in the parking islands and some evergreens and plantings by the detention pond, and they could work with staff. Chairperson Brnabic mentioned Mr. Waller's comment about the church not needing the additional parking. She asked why they were asking for additional parking.

Mr. Reynolds clarified that the Zoning Ordinance did not require them to add parking. Both the addition and the additional parking were being provided as a safety element for members. There had been a lot of people who could not get close to the front door. There was a sidewalk and crosswalk being proposed to connect to the entrance. It was motivated by adding safety more so than a need because all the spaces were filled during all church events. Chairperson Brnabic asked how many spaces were being added, and Mr. Reynolds replied 24, and a lot would be handicap spaces that would feed to the sidewalk.

Mr. Gaber said that he still did not understand about the parking and the safety impact. They were saying that someone had to walk over to the sidewalk to cross the drive aisle to get to the front entrance. He did not see much difference between that and walking down the drive aisle itself. He was still trying to understand the safety component as to why the

parking area was needed.

Mr. Reynolds said that all of the parking did not currently have sidewalks or direct access to the front entry. They wanted to get people on a sidewalk, especially since the front entrance would have a covered drop-off area. They expected some additional drop-offs at the main door. They had a lot of young people with baby carriers and strollers that wanted parking spaces nearest to sidewalks. Mr. Gaber said that it was really not a safety issue; it was a convenience issue, because they wanted to get people closer to have better access and to travel less distance to get to the front door. That made more sense than saying it was a safety issue. Whether it was necessary or not was up for debate, because they met the numbers without it, and they were not anticipating a large growth. They were trying to accommodate the congregation with the additions and the existing size of the congregation. He understood the rationale. Regarding the trees, he asked if they could plant a couple on the east side of the new parking area. It was a grassy area. Mr. Reynolds said that they would review it to see if the north area was large enough to sustain a tree. They could maybe shuffle some spaces around to put the trees on the west side of the parking instead of the east. They were willing to work with staff to make sure the vision lines were addressed and add plantings. Mr. Gaber noted that the façade of the additions would be architecturally compatible with the existing building. He asked if it would be the same color and material or a contrast. Mr. Reynolds explained that they planned to match the brick as closely as possible. There was a lot of glazing proposed. The glass from 1970 would be hard to match exactly, but they would try to mimic the colors as best as possible. They envisioned it to be complimentary to what was there, not contrasting.

Mr. Kaltsounis indicated that he knew something about churches and people who would rather walk short distances. He got a bunch of hugs and thank-yous when he added more handicap spots, so he could understand why they were doing what they were. For what was being proposed, there was plenty of space to the lot lines and space in the back. The development was inside the current footprint, they were freshening the entrance, and it was much less challenging than the previous application. Hearing no further discussion, he moved the following:

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-028 (First Baptist Church of Rochester), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow modifications to a place of worship in a residential district, based on plans dated received by the Planning Department on March 5,

2021 with the following six (6) findings and subject to the following two (2) conditions.

Findings

1. *The use will promote the intent and purpose of the Zoning Ordinance.*
2. *The building 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 church community by updating and improving safety for a place to 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. *That the parking lot lights shall be turned off daily at 9 p.m. daily unless a later church event is taking place.*
2. *Work with staff to add evergreens or appropriate plantings to shield the parking lot, prior to final approval by staff.*

Dr. Bowyer commented that they had a beautiful church and area, and the trees were very nice. She thought that saying that they were not trying to open a school but it would be for Sunday school took care of a lot of the comments they received from the neighbors who were worried they were starting a private school with a lot of traffic.

Pastor Mark noted that they emailed people back to try to answer questions and clarify things. Dr. Bowyer said that when she looked at the front approach, there was a beautiful grass berm, and she wondered why they would want to take that out and put in a parking lot. They did not even fill their current parking lot on Sundays, and she felt that was a waste. She would rather see the grass. They could add handicap parking and put a sidewalk between the lots they had as opposed to taking out the

whole berm. She thought that they could perhaps move it a couple of feet back to add a sidewalk. She stated that no one wanted to see a parking lot, and it would detract from the site. Regarding the kitchen expansion, she asked if they would be adding eating space or something else.

Mr. Reynolds said that they were working with a kitchen planner to reconfigure the equipment. There would be minimal changes to the equipment, perhaps one additional fryer or a couple of burners. The equipment had not been updated since the 1990's. They were working with a kitchen planner and would go through the Health Department. The additional square-footage was for function, but it would mainly bring things up to code. Dr. Bowyer said that the front entrance looked awesome, and she thought covering it would be really nice. She thought that what they were doing was great, she would just hate to see the berm taken out for parking. She thought it was a waste to take out the berm. She suggested that they could put a sidewalk on the other side of the building.

Mr. Kaltsounis asked about a landbank situation. If spaces were needed in the future, there would be a plan, but they would not be built initially. Mr. Hooper mentioned that he and his wife were former members of First Baptist. He was intimately familiar with the church. He maintained that handicap parking was a definite need. The front of the church was used by folks with young children and the elderly. The other active adults and millennials parked on the north or south side of the church and came in through the side doors. From personal knowledge, that parking was really needed.

Dr. Bowyer asked Mr. Hooper if he felt that more parking spots were needed or more handicap accessible spaces at the front of the church were needed. Mr. Hooper asked the Pastor if they were holding two services, and he responded that they were due to Covid. Mr. Hooper asked if there was no Covid if they would have two services, and Pastor Mark said that it would be back to one. Mr. Hooper said that 15 years ago, there were two services and the amount of people who attended was 50% more than it was currently. There had been some email comments in the packet, which he said were not really true. He stated that there was a lot more traffic 15 years ago. From his view, handicap and parking in the front was needed where young kids and the elderly were dropped off, and they wanted to be as close as possible to the front door.

Mr. Waller from the audience claimed that the Pastor said that the parking was not needed. He came in with the belief that they were not going to have the parking. He asked if that was true. Chairperson

Brnabic warned that he could not argue with the applicant. Mr. Waller said that he did not care what he could do. He said that he was dying, and he (the Pastor) was a man of God. Mr. Waller said that he had asked "this man" to take his soul when he died. He said that "this man" made a promise to him. He asked if he did or did not make a promise to him. He asked why "this man" was pushing the parking. He reiterated that his wife and he were dying and that he had cancer. He said that a man of the cloth made a promise to him. He asked why he was still talking about it. He apologized to the Commission, but he said that there was a man of the cloth who told him it was not needed, but he heard everyone talking about the parking. He stated that he did not want the parking.

Pastor Mark said that he and Mr. Waller had talked several times. He asked the architect if they had to have the parking to build the additions, and the answer was no. He told Mr. Waller that there was nothing pressing them to build it right away. If they could save money and do it later, they would do it later. It was not something they wanted to do right away. He thought that satisfied Mr. Waller. He explained that the reason it was kept on the plans was because if, down the road, they needed it, it would have been approved. When Mr. Waller said that he promised not to build it, Pastor Mark said that he had never used the word promise. He told him that it was not their intention to build it initially.

Chairperson Brnabic said that she had the impression that they planned to build the parking lot with the addition. She asked if they did not plan to add the parking lot until it was needed. She said that it was a little confusing, and she had assumed that the parking would be added for safety or convenience.

Pastor Mark said that maybe he was confused. His understanding was that anything they might want in the future should be put on the site plan for approval. He indicated that the building was more of a priority than the parking, and that they did not have a parking problem currently. They would like the ability to phase the plan. Chairperson Brnabic understood what he was saying; she just did not get the impression that they would build it later.

Mr. Reynolds said that they had tried to address some of the public comments prior to the meeting. The neighbor across the street was obviously very passionate about the parking addition. From the beginning of the project, they had always proposed to add the parking. They knew that it was in addition to what the Ordinance required. The motive to add the parking was that with the addition, they were

pronouncing the front door. As was previously mentioned, a lot of the entrances came in the side. The purpose of adding onto the building was to put more people through the front door, hence, the safety and convenience elements. They started a master plan for the church back in 2018 and had a lot of discussions. They had always discussed phasing the project, which could be what Pastor Mark was referring to. They had already submitted design development drawings to the contractor. The parking and the additions were all being proposed and evaluated from a cost estimating standpoint. The intent of the church was to proceed with everything on the site plan. With Covid, one of the debates had been about screening, and they wanted to be neighborly and address the comments. They did not want to have banked parking. They would add landscaping. They hoped to move forward and add everything on the plan.

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion PASSED by an unanimous vote.

2021-0112

Request for a Tree Removal Permit - City File No. 20-028 - for the removal and replacement of as many as three trees for the renovations at First Baptist Church, located on Orion Rd., north of Tienken, zoned R-1 One Family Residential, Parcel No. 15-03-276-030, Steve Auger, Auger Klein Aller Architects, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-028 (First Baptist Church of Rochester), the Planning Commission grants a Tree Removal Permit, based on plans dated received by the Planning and Economic Development Department on March 5, 2021 with the following two (2) findings and subject to the following two (2) conditions.

Findings

- 1. The proposed removal and replacement of regulated trees is in conformance with the Tree Conservation Ordinance.*
- 2. The applicant is proposing to remove up to 3 trees on site and replace onsite.*

Conditions

- 1. Tree protective and silt fencing, as reviewed and approved by the City staff, shall be installed prior to issuance of the Land Improvement Permit.*
- 2. Should the applicant not be able to meet the tree replacement requirements on site the balance shall be paid into the City's Tree*

Fund at a rate of \$304 per tree.

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Granted. The motion PASSED by an unanimous vote.

2021-0113

Request for Site Plan Approval - City File No. 20-028 - First Baptist Church, for renovations/additions to the existing church on Orion Rd., north of Tienken, zoned R-1 One Family Residential, Parcel No. 15-03-276-030, Steve Auger, Auger Klein Aller Architects, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-028 (First Baptist Church of Rochester), the Planning Commission **approves the Site Plan**, based on plans dated received by the Planning Department on March 5, 2021, with the following four (4) findings and subject to the following one (1) condition.

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 Orion Rd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets.*
- 3. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
- 4. 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.*

Condition

- 1. Address all applicable comments from other City departments and outside agency review letters.*

Dr. Bowyer asked when they planned to add the parking lot. Mr. Reynolds said that they did not have a confirmed construction schedule. He said that there was no need to wait as long as pricing and so on came back favorable. They had done cost estimating all the way through; it would be more about materials and availability, but it would go with the rest of the construction they were proposing. Dr. Bowyer suggested that they would not HAVE to approve it, even with an approval. Mr. Reynolds said that was correct. The issue had been brought up with the committee, and they

had many discussions with the membership as a whole. He believed that the discussion about not doing it was brought forth due to the neighbors' public comment. He pointed out that most of the parking was to the north, and it did not align with the addition they were proposing. Dr. Bowyer felt that it was a shame that they would be losing the berm, which was a beautiful approach to the church, and she maintained that the church would not look as beautiful.

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Approved . The motion PASSED by an unanimous vote.

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously and she congratulated the applicants.

2021-0108

Public Hearing and request for Conditional Use Recommendation - City File No. 21-009 - to operate Marshall's Auto Repair, located at 1848 Star Batt Dr., east of Crooks, north of M-59, zoned REC-W Regional Employment Center - Workplace, Parcel No. 15-28-177-002, Brian Marshall, Applicant

(Staff Report dated April 14, 2021 and application documents had been placed on file and by reference became part of the record thereof).

Present for the applicant was Brian Marshall, Marshall's Auto Repair, 1848 Star Batt, Rochester Hills, MI 48309.

Ms. Kapelanski stated that the applicant was requesting a recommendation for a conditional use for an existing auto repair facility on Star Batt. She noted that there were no site plan changes proposed or required. She advised that auto repair services were a conditional use in the REC-W district, and that staff recommended approval of the request.

Chairperson Brnabic asked Mr. Marshall if he had anything to add. Mr. Marshall felt that he had outlined everything in his email documentations, and said that he did not really have anything further to add.

Mr. Gaber commended Mr. Marshall for putting everything together. He said that Mr. Marshall seemed to be very diligent and on top of things, which was what the Commissioners were looking for. He asked Mr. Marshall if he could address the question about cars and parking and how that would work.

Mr. Marshall explained that in the front office area, there were shared spaces. When customers dropped off a vehicle, they typically parked in the front. Shortly after, he would move the vehicle to the overflow parking