

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

[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

[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

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 on the side, which he claimed was ample. He tried to keep the front parking used by other tenants clear. When a vehicle was done and was being picked up, he backed it into a parking space in front to make it easier for customers. Sometimes, there were four or five people who wanted to pick up at the same time. He had been trying to work it better and keep only two or three cars in front and know who was picking up when.

Mr. Gaber knew that it was kind of tight, and he had neighbors. He agreed that there was ample parking on the side to use as staging. Mr. Marshall knew that one of his neighbors had brought up an issue saying that more spaces were being taken in front of his (Mr. Marshall's) business and pushing other tenants into his parking. The neighbor had to walk further across the parking lot. That was brought to his attention several months ago. He had since corrected it and had a conversation with that neighbor, in which he verified that the situation was not an issue any longer.

Chairperson Brnabic asked if he only used the front lot for cars that were ready to be picked up that had been serviced. Mr. Marshall agreed, and added that they could be there for a short period of time when they were dropped off before being moved into the overflow parking. Chairperson Brnabic asked if those cars ever sat overnight because someone did not pick up a car. Mr. Marshall agreed that sometimes they did. Chairperson Brnabic asked if cars parked overnight would always be assembled and parked in the rear, which Mr. Marshall confirmed. Chairperson Brnabic suggested for condition number three, which read that "Cars left overnight will be assembled and parked in the rear of the building," that "for repair" be added after overnight.

Mr. Kaltsounis read the four suggested conditions asking after each if Mr. Marshall agreed, and Mr. Marshall agreed to each.

Chairperson Brnabic opened the Public Hearing at 10:44 p.m. Seeing no one wishing to speak and no email communications received, she closed the Public Hearing.

Hearing no further discussion, Mr. Kaltsounis moved the following:

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 21-009 (Marshall's Auto Repair, LLC), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** for its ongoing auto repair facility at 1848 Star Batt Dr., based on documents dated received by the Planning Department on March 24, 2021 with the following six (6) findings and subject to the following four (4) 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 is having a positive impact on the community as a whole and the surrounding area by offering auto repair services to new and recurring customers.
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 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.

Conditions

1. All work on vehicles will be conducted inside the structure.
2. Site will be kept in a generally clean and neat condition.
3. Cars left overnight for repair will be assembled and parked in the rear of the building.
4. All work will be conducted between the hours of 8:00 am and 6:00 pm Monday through Friday and 8:00 am and 2:00 pm on Saturdays.

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.

ANY OTHER BUSINESS

[2021-0114](#) Request for Election of Officers - Chairperson, Vice Chairperson and Secretary for a one-year term to expire the first meeting in April 2022

Upon nomination by Kaltsounis, seconded by Hooper, Deborah Brnabic was unanimously re-elected as Chairperson for another one-year term to expire the first meeting in April 2022.

Upon nomination by Kaltsounis, seconded by Dettloff, Greg Hooper was unanimously re-elected as Vice Chairperson for another one-year term to expire the first meeting in April 2022.

Upon nomination by Hooper, seconded by Dettloff, Nicholas Kaltsounis was unanimously re-elected as Secretary for another one-year term to expire the first meeting in April 2022.

Approved

NEXT MEETING DATE

Chairperson Brnabic reminded the Commissioners that the next Regular Meeting was scheduled for May 18, 2021.

ADJOURNMENT

Hearing no further business to come before the Planning Commission and upon motion by Mr. Kaltsounis, seconded by Mr. Dettloff, Chairperson Brnabic adjourned the Regular Meeting at 10:52 p.m.

Deborah Brnabic, Chairperson
Rochester Hills Planning Commission