

COMMUNICATIONS

A) Letter from Charter Township of Orion regarding intent to update its 2015 Master Plan

PUBLIC COMMENT

UNFINISHED BUSINESS

2020-0585 Public Hearing and request for Revised Conditional Use Recommendation - City File No. 20-011 - to construct a 1,205 s.f. addition to the existing 1,221 s.f. auto repair facility for Action One Auto, located at the southwest corner of Auburn and John R Roads, zoned B-5 Automotive Service Business with an FB-2 Flexible Business Overlay, Parcel No. 15-35-226-006, Vito Pampalona, Pampalona Companies, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated February 10, 2021, Site Plans and Elevations had been placed on file and by reference became part of the record thereof).

Present for the applicant was Vito Pampalona, Pampalona Companies, LLC, 850 W. University, Suite D, Rochester, MI 48307.

Ms. Kapelanski advised that the applicant was proposing to add a 1,200 s.f. addition to the existing Action One Auto. She noted that auto repair facilities were a conditional use in the B-5 district, and that the expansion would require a conditional use approval. She said that the plans were generally in compliance with the Ordinance, but modifications were required to allow a reduced rear yard setback and a lesser number of right-of-way and parking lot plantings due to required corner clearances. She recapped that the matter was considered at last month's Planning Commission meeting and had to be postponed because the required sign had not been installed 15 days prior. At the January meeting, the Planning Commission requested some items from the applicant, including updated renderings incorporating windows on the overhead doors and a two-tone band on the rear of the building and extra parking lot striping. Trees were also requested for the rear of the site. The applicant had made those requested changes, but had elected not to stripe any additional parking spaces. The site did meet the parking requirements as proposed. All staff reviews had recommended approval, and she said that she would be happy to address any questions.

Chairperson Brnabic asked Mr. Pampalona if he had anything to add, but he did not. He said that they made the changes requested, and they wished to stick with the parking as proposed and striped (10 spaces).

Chairperson Brnabic said that Mr. Pampalona had been pretty adamant about the parking at the last meeting, but there had been several Commissioners who expressed concern about only having 10 spaces. She said that she hoped Mr. Pampalona could guarantee that cars would not be scattered across the lot. She would rather see more spaces striped to keep the lot organized-looking with a nice view.

Mr. Pampalona said that he could not give that guarantee; he did not own the business, and he was just the developer. He said that the parking met the Ordinance standards, and that was the way the owner wanted to keep it. The reason for the extra bays was to take the extra cars out of the lot and put them inside the building at night.

Mr. Kaltsounis had noticed that the colored rendering showed windows in the overhead doors, but the plans did not show that. He asked if the plans could be updated to show that as well as the painted band across the back as conditions of approval. Mr. Pampalona said that he was fine with that, and he could provide that with the construction drawings. He stated that the exterior of the building would look exactly as it was shown in the rendering. Mr. Kaltsounis realized that, but as an Engineer, he liked to make sure that all the i's were dotted and t's were crossed.

Chairperson Brnabic opened the Public Hearing at 7:10 p.m.

Scott Struzik, 2735 Stonebury Dr., Rochester Hills, MI 48307 Mr. Struzik noted that he lived about 300 yards from the subject property. As a nearby homeowner, he wished to thank the Planning Commission for their valuable feedback given to the applicant during the last meeting. He thought that some of the suggested improvements, particularly for the backside of the building, would enhance what the applicant wanted to do. He felt that the proposed improvements for the landscaping, pathways and visual elements of the building would enhance the community. He hoped that the applicant and the Planning Commission were able to resolve the remaining issues, and that the improvements came to fruition.

Doug Johnson, 324 Major Dr., Santa Rosa, CA Mr. Johnson advised that he was the owner of the building immediately to the south on John R, which was currently occupied by Sherwin Williams. He thanked Chairperson Brnabic for recognizing that the existing parking for Action One was substantial. He claimed that they commonly had many cars in the lot. He thanked Mr. Pampalona for his explanation that the owner was going to use the three additional service bays as safe storage for

overnight parking. However, Mr. Johnson said that he stood by his concern that expanding from two to five bays could easily drive additional business for Action One. In the presence of additional business, there would be additional cars, and he did not think that the existing parking could manage the additional cars. The addition to the building would reduce the available parking by at least three spots. It did not sound to him as if any part of the proposal would be to accommodate additional customer traffic. It sounded like the plan met the requirements for parking, but he was concerned that it could have a real impact on his property and his tenant's ability to manage their business.

Chairperson Brnabic closed the Public Hearing at 7:14 p.m.

Chairperson Brnabic noted the shared concern that although the parking requirements were being met, it would not be enough. Her concern was that they were doing an update to the building and corner, which would look really great, and she appreciated it, but she would not care to look at a parking lot with 20 cars scattered all over. If the business demanded that, she would rather see it striped and orderly so that the view presented a much nicer, organized look. She realized that Mr. Pampalona could not answer for the owner, but she asked Ms. Kapelanski if the Planning Commission could request additional striping.

Ms. Kapelanski stated that as a conditional use, the Planning Commission had more discretion to request additional parking. If the applicant were to agree to stripe additional spaces, then, as part of the motion, they would need to add a parking modification to allow the extra parking.

Ms. Roediger pointed out that there was space shown on the plans where there was paved surface. She questioned the opposition to striping it. Mr. Pampalona said that his concern was the timing. If they could agree to amend the parking with a condition of approval, and they were allowed to move forward with site plan approval, he had no problem doing it. He would just not want to have to come back in a month and go through the process again. He mentioned that because it was a corner lot, they had to scale the size of the parking lot, which had been bigger before. If the Planning Commission could give him the latitude where he did not have to come back, he would have no problem adding the extra three spaces. Regarding Mr. Johnson, he wished he had an answer. He reiterated that the owner needed the bays to get the cars out of the parking lot. It would help clean the lot up a lot and take half of the cars out of the lot. They would be able to turn the cars around a lot faster. The reason they were

stacked up was because he only had two bays.

Ms. Kapelanski said that the Planning Commission could definitely make striping a conditional of approval. It could be taken care of prior to final approval. Mr. Pampalona asked when it would go to Council, and Ms. Kapelanski hoped that it would be the February 22 meeting, if the Planning Commission recommended approval.

Chairperson Brnabic asked Mr. Pampalona if he objected to striping five additional spaces, noting that he had mentioned three. Mr. Pampalona felt that only three might fit, but they would max it out according to what would fit.

Mr. Kaltsounis agreed with Chairperson Brnabic about the parking. He looked at an aerial of the property from 2017, and it showed 22 cars in the lot and one leaving. He concurred that they needed extra striping, and he appreciated that Mr. Pampalona agreed to a condition.

Ms. Neubauer said that she drove by the corner several times. She said that she loved the new renderings, and she felt that the building looked great. It would be a phenomenal improvement over what was there. She also liked that they were willing to max the parking. Even though the plan currently met the parking Ordinance, based on how the parking lot currently looked and had looked in the past, the Commissioners wanted the parking lot to match the new building and for the entirety of the property to be consistent with the new, great look. If they were willing to max the striping, she would have no problem moving forward. She did not think a further delay was necessary

Hearing no further discussion, Mr. Kaltsounis moved the following. He indicated that the reason the Commissioners were adding a condition about parking was because there was a used car facility about a mile away that had set precedent. Mr. Pampalona said that he understood - he owned some office buildings and had a neighbor that did the same thing.

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-011 (Action One Auto Addition), the Planning Commission **recommends** to City Council **Approval** of the **Revised Conditional Use** to allow an addition to an existing auto repair facility in the B-5 Automotive Service Business district, based on plans dated received by the Planning Department on November 17, 2020 and February 3, 2021, with the following six (6) findings and subject to the following one (1)

condition.

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 community as a whole and the surrounding area by further offering jobs and expanded auto repair opportunities.*
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.*

Condition

1. *That the applicant submit a revised parking plan showing the maximum extra spaces that can be striped at the south property line, prior to final approval by staff.*

Recommended for Approval to the City Council Regular Meeting

2020-0586

Request for Revised Site Plan Approval - City File No. 20-011 - to construct a 1,205 s.f. addition to the existing 1,221 s.f. Action One Auto building located at the southwest corner of Auburn and John R Roads, zoned B-5 Automotive Service Business with an FB-2 Flexible Business Overlay, Parcel No. 15-35-226-006, Vito Pampalona, Pampalona Companies, Applicant

MOTION by Kaltsounis, seconded by Hooper, in the matter of City File No. 20-011 (Action One Auto Addition), the Planning Commission **approves the Revised Site Plan**, based on plans dated received by the Planning Department on November 17, 2020 and February 3, 2021, with the following seven (7) findings and subject to the following four (4) conditions.

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 Auburn Rd. and John R 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.*
- 5. The Planning Commission modifies the rear yard setback to 15 feet.*
- 6. The Planning Commission modifies the number of parking spaces.*
- 7. The Planning Commission modifies the parking spaces to allow more than required to keep the vehicles organized in the parking lot. Past observation has always shown more than ten vehicles in the lot.*

Conditions

- 1. Address all applicable comments from other City departments and outside agency review letters.*
- 2. Provide a bond for landscaping and irrigation in the amount of \$18,950.00, plus inspection fees, as adjusted as necessary by staff prior to temporary grade certification being issued by Engineering.*
- 3. That the applicant submit a revised parking plan showing the maximum extra spaces that can be striped at the south property line, prior to final approval by staff.*
- 4. That the applicant submit revised Sheet A200 showing the painted band around the rear of the building and the windows in the overhead doors, prior to final approval by staff.*

A motion was made by Kaltsounis, seconded by Hooper, that this matter be Approved. The motion carried by the following vote:

Aye 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Reece, Bowyer, Weaver and Neubauer

Excused 1 - Gaber

After each motion, Chairperson Brnabic stated for the record that the motion had passed unanimously. She congratulated Mr. Pamalona and said that she looked forward to seeing the site redone. She stated that it would be a good improvement for the corner.