

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
PC-2019-20, ORION CLASSIC CAR CLUB, CONDITIONAL REZONE REQUEST
PUBLIC HEARING MEETING - WEDNESDAY, MAY 15, 2018**

The Charter Township of Orion Planning Commission held a Public Hearing Wednesday, May 15, 2018 at 7:05pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Justin Dunaskiss, Chairman	Don Walker, Commissioner
John Steimel, BOT Rep to PC	Todd Garris, Commissioner
Joe St. Henry, Secretary	Scott Reynolds, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:

Don Gross, Vice Chairman

CONSULTANTS PRESENT:

Doug Lewan (Township Planner) of Carlisle/Wortman Associates, Inc.
Mark Landis (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:

Debra Walton	David Rathburg
Daniel Rush	Lawrence Sak
Barbara VanRaaphorst	Linda Stein
Diane DeRyckere	Rick Stein
Bob Barbach	Michele Chirco
Mike Caldwell	Jim Porritt
Alina Caldwell	Mario Izzi
Eric Rathburg	Chris Kryster
Sue Johnston	Terry Clissold
Mary Mansfield	

PC-2019-10, Orion Classic Car Club, Request to Conditionally Rezone an eastern portion of 3030 S. Lapeer Rd. (parcel 09-26-101-015) from General Business (GB) to (GB) with conditions and an eastern portion of unaddressed parcel (09-26-101-009) from Single Family Residential 2 (R-2) to General Business (GB) with conditions.

Chairman Dunaskiss invited the applicant to make a presentation.

Mr. Daniel Rush, of Construction Design Service, 2867 Glenwood Ct., representing Dr. John Canine of John and Nancy LLC, who is under contract to purchase the 7-acre plot of land located at the NW corner of Lapeer and Walden Roads. The proposed site consists of 2 parcels with the northern parcels eastern 367.3-ft. zoned (GB) General Business and the remaining western half zoned (R-2) Residential and the southern parcel zoned entirely (R-2) Residential. As part of redeveloping the property, Dr. Canine is seeking to rezone the eastern half of the southern parcel from (R-2) to (GB) General Business; making the entire eastern half 367.3-ft. of both parcels (GB). The rezoning is necessary to allow the site to be used as a Classic Car Club facility and a related theme-based restaurant building. The rezoning would be conditional, and a conditional rezoning agreement would be entered by John and Nancy, LLC. The proposed site has frontage along Lapeer Rd. as well as Walden Rd. has been used commercially as a florist shop. The site immediately to the south is zoned (OP) Professional Office and the parcels to the west and to the north are zoned (R-2) Residential. The existing land uses in the immediate vicinity along Lapeer Rd. to the north and south are general commercial uses. Given the surrounding zoning districts and the existing uses the requested (GB) General Business district and proposed use will be compatible with the surrounding area. This site is a developed area with the Lapeer Rd. and Walden Rd. intersection recently improved. Access for police, fire and other emergency vehicles will be provided for the site. Public water, sewer and other private utilities are available to adequately service the property. Dr. Canine as a vision for this property to be developed with a 12,000-sq. ft. Classic Car Club facility and a 7,000-sq.

ft. theme-based restaurant building. The two buildings will be conventional masonry walls and steel roof construction and in compliance with all applicable building codes, fire codes and Township ordinances. The proposed site will consist of 130-car paved parking lot, reusing the existing the driveway entrance off of Lapeer Rd. and a new driveway for ingress and egress off Walden Rd. Dr. Canine has experience with the Classic Car Club business having a successful club for 25 cars already located in Auburn Hills. Thank you for your consideration in this request.

Mr. Larry Sak, 980 Indianwood Rd., stated directly to the north of that parcel is Divine Grace Lutheran Church and School and he didn't know about the Sunday morning events if there would be a lot of activity or something that would affect the school, that is his only concern. He is the churches President at Divine Grace.

Ms. Sue Johnston, 348 Four Seasons Dr., said lives directly on the opposite side of the church. She wanted to know about the outdoor activities and if there are going to be large outdoor car shows with a lot of exhaust, noise and music? She is not sure what to expect from what she has learned about the plans and would like know more about the actual use of the property outside of the building.

Mr. Richard Stein, 289 Four Season Dr., stated that if you start at Scripps Rd. and head south on Lapeer Rd. on the west side of the road, there is Parkview that is residential; another vacant piece of land that is for sale which he believed had been zoned for an additional residential; then you have Home Depot which goes up close to Greenshield Rd.; and then you have a daycare center and another business residence; then you have their complex of 70 condos that are in there and if you head south of there that land that was there part of that was originally zoned residential; you head south of Walden Rd. and that is where the real industrial commercial section really starts. In his opinion, having another business enterprise just beginning to encroach on the residential areas of which they are diminishing in their little section of Lake Orion. He thought that would be a better parcel of land for the Classic Car Club as opposed to something where they could possibly look forward to additional residential. When you make the turn onto Walden Rd. there are two pieces of parcel that are up for review, plus there is a wetland area, then there was another home there; from that point on down Walden Rd. is residential, so they end up having this Car Club right in the middle of an enclave that is really most likely for the benefit of all, to be residential. It is obvious with Lake Orion if you build it, they will come as they have seen with Parkview, which is not close but when they sold the old golf course, Pulte built a subdivision. He believes that the land would be much better used in the interest of all Lake Orion, Orion Twp. and the residents if they could just continue to have that section for residential and not turn it into a commercial development area. If you go further north of Stadium Dr. and that is all becoming a commercial area. There is land south of Walden that they could look at this Car Club as opposed to continually encroaching on what they consider a residential area. There is issues with noise and traffic, it is a two lane area road, if you come out of there in the morning to go to work or in the evening to come home there is a lot of congestion, so adding more congestion right at the Walden and M-24 area is not something that he thinks is in the best interest.

Mr. Jim Porritt, 436 S. Broadway, stated he was there on behalf of the trust which owns the property. There is a park in the western part of the property, it belonged to Tim Jones, Tim has passed away. Tim was an excavating and landscaping contractor that turned that area in the back into a park for himself including the pond. This plan preserves the part in the back that is parklike and is a residential site. The piece that they are looking to rezone and is happy to have Dr. Canine take on this project because it is a unique piece and he has come up with a unique use for it. The piece that they are talking about is virtually unbuildable as a site for residents. The side from the end of the pond and the stream that runs out of it, they have the confluence as they know is a long stretch of M-24, they have a cement diversion from the road that diverts water into this property and into a pool in the back near the side of road, which has a spillway in it and there is a culvert that leads from there over to the 5-ft. culvert that runs under M-24. The area is topographically challenged and has been cut off at the corner for the clear site distance area, so it is a difficult property area to develop. All they are doing is squaring it off with the adjoining commercial piece and squaring it off to a line with the property that is being developed across the street on Walden as

the Kennel Club. The ultimate intension is that once the rezoning is accomplished the plan would be to split off the residential so they would have two parcels each with their own zoning classification.

Trustee Steimel stated based on the applicant's presentation, remember this should have been a presentation and Public Hearing for the rezoning, he made it sound like it was a PUD. They had already talked about what they would like to put in there if it gets rezoned. They are really talking about rezoning first, this isn't necessarily what could go there it is just the idea; should we continue this (GB) zoning to the south to square it off and what does that mean. They need to remember this is a rezoning first that is what they need to talk about right now for the Public Hearing.

Chairman Dunaskiss asked the petitioner to come back up. This is a Conditional Rezoning so not sure if they wanted to touch on the conditions, again this is a Public Hearing for the Conditional Rezoning portion so highlight some of the things on the conditional side and or any comments based on what they heard.

Mr. Rush replied addressing the comments from the public, the northern portion is actually already zoned General Business (GB), so they are really only talking about the southern piece and they are not asking for a rezoning behind the 376-ft. line, that is going to remain residential and act as a buffer between the residents further down Walden Rd. It makes sense to them, if they are going to have a standing piece of property that is zoned General Business (GB) they should take it up to the corner and make it a viable building site. There are not going to be any outdoor activities, all the classic cars are parked inside the building so the parking lot is just for the club members to park and for the restaurant patrons.

Chairman Dunaskiss stated that they are on the rezoning portion and he is aware that some of the comments were more site specific, again this is for the Conditional Rezoning request. Maybe if they could offer some of their conditions and other things that were brought forth with this request.

Mr. Rush replied the offer of conditions was that they would not put in gasoline or fuel stations, drive through restaurants, large scale retail establishments, showrooms, on-site fabrication processing or wholesaling, motel/motel, tattoo and body art/piercing establishments, pet grooming/daycare, overnight boarding for pets/kennels and churches. Those are the conditions that they agreed that they would not put in there.

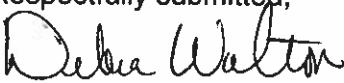
Chairman Dunaskiss said it is difficult when they have the Conditional Rezoning because the conditions that are offered up go with the true set of site plans. If this went forward if they get a recommendation, conditionally rezone it, obviously they couldn't have one of the restricted uses, but theoretically other (GB) permitted uses.

Ms. Barbara VanRaaphorst, 134 Four Seasons Dr., questioned if the restaurant that would be open to the public or is it just for the people who belong to the Car Club? Her main concern is the value of the property and how that business and that activity would possibly negatively impact the value of the property. That is her main concern as well as the noise.

Chairman Dunaskiss stated that at this moment for the Public Hearing on the Conditional Rezoning, restaurants non drive through would be allowed, they don't really designate private dining and or public dining he didn't believe within the ordinances. If this Conditional Rezoning is approved any (GB) uses that they didn't offer up would be allowed.

There were no other comments from the public. Chairman Dunaskiss closed the Public hearing at 7:25pm.

Respectfully submitted,


Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

6/19/19
Planning Commission Approval Date