1. CALL TO ORDER
2. INVOCATION AND PLEDGE
3. INVITATION- ONTV 10th Annual Food Drive
4. CITIZEN OF THE MONTH
5. CITIZEN RECOGNITION
6. APPROVAL OF BILLS
7. PUBLIC COMMENT (3 minutes or less) *Board does not respond during public comment
8. APPROVAL OF AGENDA
9. CONSENT AGENDA
   A. Minutes - Regular Meeting, January 21, 2020
   B. Schedule Joint Meeting
   C. Budget Adjustment - General Activities
   D. Treasurer's Quarterly Report
   E. Environmental Resource Committee Appointment
   F. Purchase Portable Light Tower - Parks & Recreation
10. PENDING
    A. Second Reading - PC-2019-47 Lavender Ridge PUD Agreement
    B. PC-2019-48 Cottages at Gregory Concept and Eligibility PUD
11. REPORTS
    A. Police/Fire Reports
    B. Construction Projects Update
12. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact Penny S. Shults, Clerk, at (248) 391-0304, ext. 4001, at least seventy-two hours in advance of the meeting to request accommodations.
INVOICES

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non Board Bills</td>
<td>1/28/2020</td>
<td>$120,670.88</td>
</tr>
<tr>
<td>Board Bills</td>
<td>2/3/2020</td>
<td>$546,678.58</td>
</tr>
</tbody>
</table>

Total Invoices $667,349.46

void #128739 Replacement check ($40.00)
void #129080 Duplicate ($470.00)

Total Invoice Disbursements $666,839.46

PAYROLL

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Regular Pay</td>
<td>1/22/2020</td>
<td>$207,808.16</td>
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</table>

Total Payroll Disbursements $207,808.16

Grand Total Disbursements $874,647.62

Due to the conversion to the Pooled Cash Fund, total disbursements now include all refunds from deposits, bonds & escrow items.

Prepared by Tandem Graves, AP/PA Coordinator
1. CALL TO ORDER. The Charter Township of Orion Board of Trustees held a regular meeting on Tuesday, January 21, 2020 at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan. Clerk Shults called the meeting to order at 7:00 p.m.

BOARD MEMBERS PRESENT: Chris Barnett, Penny Shults, Donni Steele, Brian Birney, Julia Dalrymple, Mike Flood, John Steimel

BOARD MEMBERS ABSENT: None

OTHERS PRESENT:
Dan Dewey        Charles Thompson II        Aaron Whatley        John Pender
Mitch Terrance   Lil Hutchison            Gary Roberts         Neal Porter
Bill Schramm     George Sinnott           Randy Gower

2. INVOCATION AND PLEDGE. Clerk Shults gave the Invocation, followed by the Pledge of Allegiance.

3. CITIZEN OF THE MONTH. Supervisor Barnett honored Bill Schramm as the January 2020 Citizen of the Month for his volunteerism and commitment to the Orion community through his service as a Township Board of Trustees member, Orion Senior Advisory Council, and Homes for Autism.

4. PRESENTATIONS.

   A. Detroit Institute of Arts. Amanda Harrison Keighley, with the Detroit Institute of Arts, gave an update on events that are taking place at the DIA.

   B. ONTV 10th Annual Food Drive. Ian Locke gave a presentation regarding the ONTV 10th Annual Food Drive.

5. APPROVAL OF BILLS. Moved by Treasurer Steele, seconded by Trustee Flood to authorize payment of bills in the amount of $1,939,215.74 and payrolls in the amount of $288,812.03, for a total disbursement of funds in the amount of $2,228,027.77, as presented. AYES: Dalrymple, Flood, Steimel, Barnett, Shults, Steele, Birney        ABSENT: None NAYS: None        MOTION CARRIED

6. BRIEF PUBLIC COMMENT. *Board does not respond during public comment. Public comment was not heard.

7. APPROVAL OF AGENDA. Moved by Clerk Shults, seconded by Trustee Birney to approve the Agenda, as presented. MOTION CARRIED
8. CONSENT AGENDA

A. Minutes, Regular Meeting, January 6, 2020. Approve, as presented.

B. Orion Library Board of Trustees Letter Regarding DDA Capture - REVISED. Receive and file the letter from the Orion Library regarding the DDA Capture.

C. Hire Firefighters. Authorize the Fire Department to hire three (3) Firefighters to fill the approved positions in the 2020 budget.

D. 2020 Community Service Agreement – Orion Area Youth Assistance & North Oakland Community Coalition. Authorize the Supervisor and Clerk to sign the 2020 Community Service Agreements with Orion Area Youth Assistance, and the North Oakland Community Coalition, on behalf of the Township, and authorize the distribution of funds in the amount of $22,500 ($20,000 for Youth Assistance, $2,500 for NOCC), as budgeted and authorized for 2020 and as per the agreements, both NOCC and Youth Assistance will provide financial information showing how last year’s funds were spent.

E. Thrive Employee Development Closing Date. Authorize the Township Supervisor to close the Township Buildings (except for fire stations) for a full day – 8:30 a.m. to 4:30 p.m. on Wednesday, February 5, 2020, and direct the Clerk to post the closings.

F. Authorize purchase of Parks & Recreation Vehicle - Truck. Authorize the purchase of a 2020 GMC Sierra 2500HD 4WD Double Cab with additional equipment, at a cost of $38,707.00.


H. Request for Proposals. Approve the request to advertise for sealed bids for the following projects:
- Civic Center Playground Renovation;
- Friendship Park Baseball Field Lighting (Fields #1 & #4);
- Accessible Walking Trails;
- Alberici Lodge/Birch Grove Lodge Roofing & Siding;
- and Orion Center Audio Visual Updates.

I. Tuition Reimbursement. Authorize Conner Reiter to take the course and approve reimbursement in an amount not to exceed $1,559.25, contingent upon all requirements as listed in the Tuition Reimbursement Policy.

J. Request for Part-time Clerk – Building Department. Approve creating a part-time position of Clerk – Building Department with a start rate of $15.88 per hour, no benefits, and authorize posting/advertising the position.

K. Employee Designation – Public Services Department. Approve the revised job description, changing it from “Clerk – Public Services/Building” into “Clerk - Public Services,
and approve Kristine Gordon transitioning from the shared position, at her current rate of pay, effective immediately.

**L. Budget Adjustment - Public Services Department.** Approve to direct the Accounting Controller to make the necessary $780,000 budget adjustment, with funds to come from the Water & Sewer Fund Balance.

**M. Annual Membership - SEMCOG.** Authorize the 2020 membership for SEMCOG and the payment of $4,805.00 in annual dues.

**N. Peddler/Solicitor License Application Renewal – Steven McGrath, Edward Jones.** Approve Mr. McGrath’s renewal application and issue a peddler’s license under Ord. 95.

**O. Set Rate for Churches Used as Polling Locations.** Set the facility use compensation rate for churches/non-profit polling locations at $200.00 per election totaling $3,600.00 in 2020, and direct the Clerk to make the necessary budget adjustments.

**P. Agreement – Transportation Alternative Program Construction Work.** Receive and file the Agreement - Transportation Alternatives Program Construction Work.

Moved by Trustee Steimel, seconded by Trustee Birney to approve the Consent Agenda, as presented.

AYES: Barnett, Shults, Steele, Birney, Dalrymple, Flood, Steimel

ABSENT: None

NAYS: None

MOTION CARRIED

**9. PENDING BUSINESS**

**A. First Reading – Update Tobacco, Alternative Nicotine Products, and Vapor Products Ordinance.** Moved by Clerk Shults, seconded by Trustee Flood to approve the first reading of Amendments to Orion Township’s Tobacco Alternative Nicotine Products, and Vapor Products Ordinance # 158, and direct the Township Clerk to publish said Ordinance in accordance with state law, and hereby set the second reading of said Ordinance Amendment on February 18, 2020.

AYES: Shults, Steele, Birney, Dalrymple, Flood, Steimel, Barnett

ABSENT: None

NAYS: None

MOTION CARRIED

**B. Resolution – 2020 Regional Transit Authority Millage Proposal.** Moved by Treasurer Steele, seconded by Trustee Dalrymple to approve the Resolution to Oppose the 2020 Regional Transit Authority Millage Proposal, and authorize the Township Clerk to certify and file same.

AYES: Steele, Birney, Dalrymple, Flood, Steimel, Barnett, Shults

ABSENT: None

NAYS: None

MOTION CARRIED
10. REPORTS

A. Police/Fire Reports. Moved by Trustee Birney, seconded by Trustee Steimel to receive and file the Police and Fire Reports, as presented.
MOTION CARRIED

B. Orion Township Public Library Strategic Plan. Moved by Trustee Flood, seconded by Treasurer Steele to receive and file the Orion Township Public Library 2018-2020 Strategic Plan.
MOTION CARRIED

C. Preliminary Financial Statements. Moved by Trustee Steimel, seconded by Trustee Dalrymple to receive and file the Preliminary Financial Statements.
MOTION CARRIED

11. BOARD MEMBER COMMENTS. Board member comments were heard.

12. ADJOURNMENT. Moved by Trustee Flood, seconded by Trustee Birney to adjourn.
MOTION CARRIED The meeting was adjourned at 8:09 p.m.

____________________________
Penny S. Shults, Clerk

____________________________
Chris Barnett, Supervisor
Charter Township of Orion

Transcription: K. Comeau
Agenda Item Summary

To: Township Board
From: Chris Barnett, Township Supervisor
Meeting Date: February 3, 2020
Memo Date: January 30, 2020
Subject: Schedule Joint Meeting

REQUEST:
I am requesting that we convene the Township Board, Planning Commission, Zoning Board of Appeals, Corridor Improvement Authority, and our consultants for a joint meeting.

You will be receiving a Doodle Poll.

REASON:

PROCESS:

BUDGET: Financial Item? Yes No If yes, fill out information below:

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Account No.</th>
<th>Description</th>
<th>Budget Amount</th>
<th>Cost</th>
<th>Remaining Budget</th>
</tr>
</thead>
</table>

RECOMMENDATION (Motion):
Schedule a joint Township Board, Planning Commission, Zoning Board of Appeals, Corridor Improvement Authority, and consultants for a meeting based on the poll results in the Township Hall Board Room, and authorize the Clerk to post as an open meeting.
Agenda Item Summary

To: Orion Township Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: February 3, 2020
Memo Date: January 30, 2020
Subject: Budget Adjustment – General Activities

REQUEST

Direct the Accounting Controller to make the necessary budget adjustments as listed below.

REASON

At the October 7, 2019 regular meeting, the Township Board approved a pass-through agreement between Orion Township and the Southeast Michigan Council of Governments (SEMCOG) for a road safety study. At the same meeting, the Township Board approved cost participation agreements for the SEMCOG road safety study between Orion Township, the City of Auburn Hills, the Michigan Department of Transportation (MDOT), and the Road Commission of Oakland County (RCOC). Pulte has committed to contribute $6,500 towards this study, in-lieu of completing an independent traffic study for their Breckenridge development on Brown Road.

When the 2020 Budget was adopted on December 16, 2019, it only included Orion Township’s portion of the traffic study payments, not the cost share amounts committed by the partner agencies. As Orion Township is the responsible agency for making the payments, with the respective costs reimbursed by the SEMCOG grant and partner agencies, as outlined in the cost participation agreements, the General Fund should reflect the revenues received, as well as the total project expenditures.

This memo is requesting the respective accounts be updated to reflect the total expenditures of the traffic study, as well as the cost-share to be received from SEMCOG, the City of Auburn Hills, MDOT, RCOC, and Pulte to cover their cost.

- Auburn Hills: $35,310.44
- MDOT: $30,665.00
- RCOC: $79,913.11
- SEMCOG: 32,740.00
- Pulte: 6,500.00

PROCESS

The traffic study is underway and should be completed this fall.
BUDGET

If yes, fill out information below:

<table>
<thead>
<tr>
<th>Financial Item?</th>
<th>☒</th>
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</thead>
<tbody>
<tr>
<td>Expected Invoice Date</td>
<td>Click or tap to enter a date.</td>
</tr>
<tr>
<td>Project/Grant Tracking?</td>
<td>☒</td>
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<tr>
<td>Reviewed by Budget Director?</td>
<td>☒</td>
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</table>

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Account No.</th>
<th>Description</th>
<th>Budget Amount</th>
<th>Cost</th>
<th>Remaining Budget</th>
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</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>101-000-674.000</td>
<td>Contributions from Developers, Traffic Study (Baldwin, Brown, Joslyn, GLCR, I75)</td>
<td>$0.00</td>
<td>$185,128.85</td>
<td>$185,128.85</td>
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<tr>
<td>General Fund</td>
<td>101-248-806.000</td>
<td>Contractual Help, Traffic Study (Baldwin, Brown, Joslyn, GLCR, I75)</td>
<td>$15,000</td>
<td>$200,128.85</td>
<td>$200,128.85</td>
</tr>
</tbody>
</table>

RECOMMENDATION (Motion)

Township Board approval to direct the Accounting Controller to make the necessary budget adjustments as outlined for accounts 101-000-674.000 and 101-248-806.000.
Agenda Item Summary

To: Township Board of Trustees  
From: Donni Steele, Treasurer  
Meeting Date: February 3, 2020  
Memo Date: January 30, 2020  
Subject: Fourth Quarter 2019 Treasurer’s Report

REQUEST

Please review. If you have any questions or would like to request additional supporting documentation, please feel free to contact me at any time.

REASON

PROCESS

Huntington Bank is the custodian of the Township’s General Fund and Water/Sewer Investments within our portfolio. Robinson Capital is our Investment Advisor. Attached are the Cash and Investment summaries for the General and Water/Sewer funds, Robinson Capital’s Investment Short Term Bond Strategies reports and the Robinson Capital quarterly comment. An update 2019 Property Tax Pie Chart is also included.

BUDGET

If yes, fill out information below:

Financial Item?  
Expected Invoice Date:  
Project/Grant Tracking?  
Reviewed by Budget Director?

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Account No.</th>
<th>Description</th>
<th>Budget Amount</th>
<th>Cost</th>
<th>Remaining Budget</th>
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</thead>
</table>

RECOMMENDATION (Motion)

Receive and File.
Agenda Item Summary

To: Township Board of Trustees
From: Donni Steele, Treasurer
Meeting Date: February 3, 2020
Memo Date: January 30, 2020
Subject: Fourth Quarter 2019 Treasurer’s Report

☑ Consent ☐ Pending

REQUEST

Please review. If you have any questions or would like to request additional supporting documentation, please feel free to contact me at any time.

REASON

PROCESS

Huntington Bank is the custodian of the Township’s General Fund and Water/Sewer Investments within our portfolio. Robinson Capital is our Investment Advisor. Attached are the Cash and Investment summaries for the General and Water/Sewer funds, Robinson Capital’s Investment Short Term Bond Strategies reports and the Robinson Capital quarterly comment. An update 2019 Property Tax Pie Chart is also included.

BUDGET

If yes, fill out information below:

<table>
<thead>
<tr>
<th>Financial Item?</th>
<th>☐</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project/Grant Tracking?</td>
<td>☐</td>
</tr>
<tr>
<td>Reviewed by Budget Director?</td>
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</table>

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Account No.</th>
<th>Description</th>
<th>Budget Amount</th>
<th>Cost</th>
<th>Remaining Budget</th>
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</table>

RECOMMENDATION (Motion)

Receive and File.
4th Quarter 2019

Treasurer’s Report
<table>
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<tr>
<th>Fund Account</th>
<th>Description</th>
<th>Beginning Balance 10/01/2019</th>
<th>Total Debits</th>
<th>Total Credits</th>
<th>Ending Balance 12/31/2019</th>
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<tr>
<td>001.000</td>
<td>CASH-CHECKING</td>
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<td>58,571,606.70</td>
<td>8,755,784.66</td>
<td>49,815,822.04</td>
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Cash/Investments
Water & Sewer-4th Qtr 2019

Oakland County Invest Pool, $4,167,459.64 19%

Chase, Oxford, $810,472.99 4%

Holdings at Huntington, $17,073,954.37 77%
The Huntington Private Client Group
DECEMBER 01, 2019 TO DECEMBER 31, 2019

ACCOUNT NAME: ORION S W
ACCOUNT NUMBER: 1041019510

ACCOUNT NAME: CHARTER TOWNSHIP OF ORION
WATER/SEWER

RELATIONSHIP MANAGER: TRACY WALKER
614-331-9765
TRACY.WALKER@HUNTINGTON.COM

INVESTMENT OFFICER: NO INV AUTHORITY

ACCOUNT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>THIS PERIOD</th>
<th>YEAR TO DATE</th>
<th>REALIZED CAPITAL GAINS / LOSSES</th>
<th></th>
<th>THIS PERIOD</th>
<th>YEAR TO DATE</th>
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<td>DIVIDENDS AND INTEREST</td>
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<td>DISBURSEMENTS AND FEES</td>
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<td>5,929,224.13</td>
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<td>CHANGE IN MARKET VALUE</td>
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Total: $15,923,791.37

ASSET ALLOCATION SUMMARY

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<tr>
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<th>PERCENT</th>
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<tr>
<td>CASH AND EQUIVALENTS</td>
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<td>7.9%</td>
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<tr>
<td>FIXED INCOME NON-TAXABLE</td>
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<td>5.8%</td>
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<tr>
<td>FIXED INCOME TAXABLE</td>
<td>14,109,900.58</td>
<td>88.3%</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>16,354,135.37</strong></td>
<td><strong>100.0%</strong></td>
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Robinson Capital Management

**FIXED INCOME HOLDINGS**

*Orion Township Water & Sewer*

*December 31, 2019*

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Description</th>
<th>Cusip</th>
<th>Total Adjusted Cost</th>
<th>Market Value</th>
<th>Accrued Interest</th>
<th>Market Value + Accr. Int.</th>
<th>Yield To Worst</th>
<th>S&amp;P</th>
<th>Moody</th>
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<td>250,000</td>
<td>BANK BIRMINGHAM 1.600% Due 04-09-20</td>
<td>060704BC6</td>
<td>250,000.00</td>
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<tr>
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**AGENCY**

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<th>Yield To Worst</th>
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Oakland County Investment Pool
Position Report - Portrait
Investment #77673

As Of January 7, 2020

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<td>Investment Class</td>
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<td>Include in Yield Calculation</td>
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<td>Clearing Account</td>
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<td>Interest Received to</td>
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| Accrued Interest from Previous Fiscal Year | 2,503.62 |

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<tr>
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<td>0.00</td>
<td>0.00</td>
<td>3,567,459.64</td>
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<tr>
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<tr>
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| Comments              |   |   |   |   |   |   |   |
| Interest Earnings     |   |   |   |   |   |   |   |
| Balance = 3,567,459.64 |   |   |   |   |   |   |   |
| Interest Earnings     |   |   |   |   |   |   |   |
| Balance = 3,563,299.89 |   |   |   |   |   |   |   |
| Interest Earnings     |   |   |   |   |   |   |   |
| Balance = 3,567,459.64 |   |   |   |   |   |   |   |
| Interest Earnings     |   |   |   |   |   |   |   |
| Balance = 4,167,459.64 |   |   |   |   |   |   |   |

| Run Date: 01/07/2020 • 13:46 |   |   |   |   |   |   |   |
| Page 1 |   |   |   |   |   |   |   |
Cash/Investment Funds
General Account - 4th Qtr 2019

- Chase, $2,186,420.34 (12.05%)
- Oakland County Invest Pool, $4,980,063.16 (27.45%)
- Holdings at Huntington, $10,972,989.67 (60.49%)
ACCOUNT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>THIS PERIOD</th>
<th>YEAR TO DATE</th>
<th>REALIZED CAPITAL GAINS / LOSSES</th>
<th>THIS PERIOD</th>
<th>YEAR TO DATE</th>
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REALIZED CAPITAL GAINS / LOSSES

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ASSET ALLOCATION SUMMARY

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<td>FIXED INCOME TAXABLE</td>
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<td>OTHER ASSETS</td>
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<tr>
<td>Total</td>
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# Oakland County Investment Pool
## Position Report - Portrait
### Investment #77674
#### As Of January 7, 2020

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<td>Issuer</td>
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<td>Cert/Account</td>
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<td>S&amp;P</td>
<td>Moody's</td>
</tr>
<tr>
<td>Custodian</td>
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<tr>
<td>Asset Class</td>
<td>Cash and Equivalents</td>
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<td>Investment Class</td>
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**Managed Pool Accounts (PA4)**

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- Include in Yield Calculation
- Clearing Account

**Market Price**

- 0

**Market Price Date**

- 01/01/2020

**Last Withdrawal Date**

- 01/01/2020

**Last Deposit Date**

- 12/03/2019

**Comment**

- Current Fiscal Year
- Interest Received to 85,003.32

### Passbook Transactions

<table>
<thead>
<tr>
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<th>Deposit</th>
<th>Withdrawal</th>
<th>Int. Rcvd.</th>
<th>Balance</th>
<th>Rate</th>
<th>Cd Receipt</th>
<th>Comments</th>
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<tbody>
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<td>Interest Earnings</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>6,480,063.16</td>
<td>1.683</td>
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<td>Interest Earnings</td>
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Robinson Capital Management  
Orion Township Water & Sewer  
11-30-19 TO 12-31-19

**CALLED/MATURED**

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<tr>
<th>Trade Date</th>
<th>Settle Date</th>
<th>Quantity</th>
<th>Security</th>
<th>Amount</th>
<th>CALLED/MATURED</th>
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<tbody>
<tr>
<td>12/2/2019</td>
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<td>JP MORGAN CHASE</td>
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<td>2.250% Due 11-30-21</td>
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<tr>
<td>12/11/2019</td>
<td>12/11/2019</td>
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<td>FED FARM CREDIT</td>
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<td>2.100% Due 04-06-23</td>
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<td>12/17/2019</td>
<td>12/17/2019</td>
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<td>FANNIE MAE</td>
<td>300000</td>
<td>CALLED</td>
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<tr>
<td></td>
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<td>2.000% Due 03-17-26</td>
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<tr>
<td>12/30/2019</td>
<td>12/30/2019</td>
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<td>MBANK MANISTIQU</td>
<td>250000</td>
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<td></td>
<td></td>
<td>1.550% Due 12-30-19</td>
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</table>

**TOTAL** $2,050,000.00

*There were no maturities for the General account through December.*
Federal Reserve Stance

As the Federal Reserve prepares for its final meeting of the year, the market is not expecting much change in interest rates. While solid October economic numbers helped contribute to a record high level for the stock market, the Fed will be keeping a watchful eye on November's economic data in order to assess whether the weakness the U.S. economy experienced over the summer was simply a soft spot or a glimpse at deeper, underlying fractures.

Yield Curve

Historical U.S. Treasury Yield Curves

Yield levels were slightly higher during November.

Graph of the Month

Share of Central Banks Easing and/or with Negative Interest Rates

For the past few months the trend for central banks around the globe has been rate cuts and negative rate normalcy. This global pattern likely creates and sustains downward pressure on U.S. interest rates as it is difficult to decouple domestic rates from global rate trends.
Economic Comments

- Despite the buzz in the markets created by the stock market reaching record highs in November, the leading indicators of the economy we measure did not experience the same upswing. As a result, the Robinson Leading Economic Index maintained the same horizontal movement it has since February and remains in contractionsary territory. For the fourth straight month positive housing numbers counteracted weak manufacturing and business reports. The housing market stayed in somewhat of a goldilocks environment as both sellers and buyers are capitalizing on elevated home prices and near record low mortgage rates, respectively. The strong slowing of the global economy, the U.S.-China trade war, and the increasing possibility of additional tariffs on other countries continues to be the strongest headwind for business confidence.

- We are presenting a new model to our stable this month that concentrates on identifying economic variables that tend to predict late cycle movements in the economy, show below, bottom left. As we have mentioned over the past year, we believe that the U.S. economy is late in its cycle and the Robinson Late Cycle Model agrees (or we would not present it (G)) as it has been trending into late cycle territory for the last year. One component of the model, shown bottom right, is the difference between Conference Board and University of Michigan consumer confidence. The gap usually appears late in the cycle and occurs because the Conference Board captures sentiment toward the current state of employment and Unis. of Michigan better gauges future household consumption.

Robinson Leading Economic Index since 1977

Source: Bloomberg, Robinson

Robinson Late Cycle Model

Source: Bloomberg, FRED, Robinson

Consumer and Michigan Confidence Gap

Source: Conference Board, University of Michigan, Robinson

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Charter Township of Orion - Where Your 2019 Property Tax Goes
Percentage of total yearly homestead millage rate of 33.5253
(Non-Homestead adds 18 mills)
S=Summer Collection W=Winter Collection

- County Parks-W 0.7%
- Metro Parks-W 0.6%
- Zoo Authority-W 0.3%
- Art Authority-W 0.6%
- General Fund-W 2.7%
- Fire Fund-W 5.7%
- Oakland County-S 12.1%
- Oakland Comm College-S 4.6%
- Oakland Inter School-S 9.7%
- State Education-S 17.9%
- Lake Orion Sinking Fund-S 5.8%
- Lake Orion School Debt-S 22.3%
- Library Operating-W 4.0%
- NOTA-W 0.7%
- Orion Twp Parks-W 3.0%
- Police Fund-W 8.7%
- Safety Path-W 0.7%
Agenda Item Summary

To: Township Board Members

From: Chris Barnett, Supervisor

Meeting Date: February 3, 2020

Memo Date: January 30, 2020

Subject: Environmental Resources Committee Appointment

REQUEST

There are currently two openings on the Environmental Resources Committee – non-voting member (student), and voting member.

Attached is an application from Debbie Leveski.

REASON

PROCESS

BUDGET - Financial Item? Yes x No If yes, fill out information below:

<table>
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<tr>
<th>Fund Name</th>
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<th>Description</th>
<th>Budget Amount</th>
<th>Cost</th>
<th>Remaining Budget</th>
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RECOMMENDATION (Motion)

Appoint Debbie Leveski to the Environmental Resources Committee to fill the vacant voting member position for a term expiring 12-31-22.

attachment (Board only)
Agenda Item Summary

To: Orion Township Board of Trustees

From: Aaron Whatley, Parks & Recreation Director

Meeting Date: February 3, 2020

Memo Date: January 28, 2020

Subject: Authorize Purchase of Parks & Recreation Portable Light Tower

REQUEST

Authorize the purchase of a Generac MLTS-2 Portable Light Tower. Please see attached quote for details.

REASON

The Portable Light Tower will be used for events at the various parks and facilities around the Township. The Portable Light Tower is on a trailer and can be hauled to Miracle Field, Boo Bash, and the Halloween Party at Camp Agawam just to name a few.

PROCESS

Funds for this item have been budgeted in the 2020 budget.

BUDGET

If yes, fill out information below:

<table>
<thead>
<tr>
<th>Financial Item?</th>
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<th>Project/Grant Tracking?</th>
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<td>2/10/2020 * Net 30</td>
<td>Reviewed by Budget Director?</td>
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<tr>
<td>Capital Outlay – Equipment</td>
<td>208-751-977</td>
<td>$42,500</td>
<td>~$9,500</td>
<td>$12,524</td>
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</table>

RECOMMENDATION (Motion)

Board action would be to authorize the purchase of a Generac MLTS-2 Portable Light Tower, at a cost not to exceed $9,500 (including freight).
David Raftery  
Orion Township

David,  
Thank you so much for the opportunity to quote you on your upcoming equipment requirements. I am pleased to offer the following equipment quote:

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Purchase Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Generac MLTS-2</td>
<td>$8895</td>
</tr>
</tbody>
</table>

Lead time - 2 Week  
Freight - TBD at time of purchase not to exceed $500

Please review the information and call me with any questions. Thank you for this opportunity to do business with you!

CUSTOMER SIGNATURE x_________________________  DATE:____________________

Sincerely,
Shawn M. Miller  
*MacAllister Cat Rental Store*
*Industrial Account Representative*
Mobile: (248) 343-2429  
Office: (248) 714-8300  
Fax: (866) 746-0858  
E-mail: shawnmiller@MacAllister.com
Agenda Item Summary

To: Charter Township of Orion Board of Trustees

From: Penny S. Shults

Meeting Date: February 3, 2020

Memo Date: January 30, 2020

Subject: Second Reading – PC-2019-47 Lavender Ridge PUD Agreement

REQUEST

Board action on PC-2019-47 Lavender Ridge PUD Plan Rezone/Map Amendment and Agreement.

REASON

Please refer to documentation for your January 6, 2020 meeting packet (following).

PROCESS

First reading was held on January 6, 2020 and the item was advertised in the edition of the Lake Orion Review for second reading and possible adoption at the February 3, 2020 meeting.

BUDGET

If yes, fill out information below:

Financial Item? ☐

Project/Grant Tracking? ☐

Expected Invoice Date: Click or tap to enter a date.

Reviewed by Budget Director? ☐

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RECOMMENDATION (Motion)

January 6, 2020

The Charter Township of Orion Board of Trustees having reviewed the application, the Township consultant reviews and having taken into consideration all of the following eligibility criteria:

1. Recognizable Benefit
2. Density Impact
3. Township Master Plan
4. Economic Impact
5. Guaranteed Open Space
6. Unified Control
(IF MOTION TO APPROVE FIRST READING)
Move to declare that the Orion Township Board of Trustees held and approved the first reading on January 6, 2020, for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019, and to direct the Clerk to publish for the second reading and possible approval/ adoption on February 3, 2020.

OR

(IF MOTION TO DENY FIRST READING)
Move to declare that the Orion Township Board of Trustees held and denied the first reading on January 6, 2020, for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019, for the reasons discussed and stated by the members of the Board of Trustees this evening.

OR

(IF MOTION TO REFER THE FINAL PLAN BACK TO THE PLANNING COMMISSION)
Move to refer the Final PUD plan back to the Planning Commission for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, with the following comments: (insert comments)

February 3, 2020

The Charter Township of Orion Board of Trustees having reviewed the application, the Township consultant reviews and having taken into consideration all of the following eligibility criteria:
1. Recognizable Benefit
2. Density Impact
3. Township Master Plan
4. Economic Impact
5. Guaranteed Open Space
6. Unified Control

(IF MOTION TO APPROVE SECOND READING)
Move to declare that the Orion Township Board of Trustees held and conditionally approved the second reading on February 3, 2020 for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019 with the conditions listed by the Planning Commission at their December 18, 2019 meeting, and authorize the Township Supervisor and Township Clerk to sign the PUD Agreement on behalf of the Township after it is approved by the Township Attorney. This approval is based on the reasons listed in the recommendation of conditional approval from the Planning Commission on December 18, 2019 and for the reasons discussed and stated by the members of the Board of Trustees this evening.
(IF MOTION TO DENY SECOND READING)
Move to declare that the Orion Township Board of Trustees held and denied the second reading on February 3, 2020 for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019 for the reasons discussed and stated by the members of the Board of Trustees this evening.

(IF MOTION TO REFER THE FINAL PLAN BACK TO THE PLANNING COMMISSION)
Move to refer the Final PUD plan back to the Planning Commission for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, with the following comments: (insert comments).
Agenda Item Summary

To: Charter Township Of Orion Board of Trustees
From: Charter Township Of Orion Planning Commission

Meeting Date: January 6, 2020
Memo Date: December 30, 2019
Subject: PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement

REQUEST
Board action on PC-2019-47, Lavender Ridge Final PUD Plan Rezone/Map Amendment and Agreement.

REASON
The Planning Commission at their December 18, 2019 meeting passed a motion to recommend conditional approval of PC-2019-47, Lavender Ridge Final PUD Plan Rezone/Map Amendment.

PROCESS
The Township Board of Trustees holds the first reading on January 6, 2020 and directs the Clerk to publish for the second reading and possible approval of PC-2019-47, Lavender Ridge Final PUD Plan Rezone/Map Amendment and Agreement, on February 3, 2020.

BUDGET
If yes, fill out information below:

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RECOMMENDATION (Motion)

January 6, 2020
The Charter Township of Orion Board of Trustees having reviewed the application, the Township consultant reviews and having taken into consideration all of the following eligibility criteria:
1. Recognizable Benefit
2. Density Impact
3. Township Master Plan
4. Economic Impact
5. Guaranteed Open Space
6. Unified Control
(IF MOTION TO APPROVE FIRST READING)
Move to declare that the Orion Township Board of Trustees held and approved the first reading on January 6, 2020, for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019, and to direct the Clerk to publish for the second reading and possible approval/adoption on February 3, 2020.

OR
(IF MOTION TO DENY FIRST READING)
Move to declare that the Orion Township Board of Trustees held and denied the first reading on January 6, 2020, for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019, for the reasons discussed and stated by the members of the Board of Trustees this evening.

OR
(IF MOTION TO REFER THE FINAL PLAN BACK TO THE PLANNING COMMISSION)
Move to refer the Final PUD plan back to the Planning Commission for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, with the following comments: (insert comments)

February 3, 2020

The Charter Township of Orion Board of Trustees having reviewed the application, the Township consultant reviews and having taken into consideration all of the following eligibility criteria:
1. Recognizable Benefit
2. Density Impact
3. Township Master Plan
4. Economic Impact
5. Guaranteed Open Space
6. Unified Control

(IF MOTION TO APPROVE SECOND READING)
Move to declare that the Orion Township Board of Trustees held and conditionally approved the second reading on February 3, 2020 for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019 with the conditions listed by the Planning Commission at their December 18, 2019 meeting, and authorize the Township Supervisor and Township Clerk to sign the PUD Agreement on behalf of the Township after it is approved by the Township Attorney. This approval is based on the reasons listed in the recommendation of conditional approval from the Planning Commission on December 18, 2019 and for the reasons discussed and stated by the members of the Board of Trustees this evening.
(IF MOTION TO DENY SECOND READING)
Move to declare that the Orion Township Board of Trustees held and denied the second reading on February 3, 2020 for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, a request to rezone a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001) from Suburban Farms (SF) to Planned Unit Development (PUD) for plans date stamped received November 26, 2019 for the reasons discussed and stated by the members of the Board of Trustees this evening.

(If motion to refer the final plan back to the Planning Commission)
Move to refer the Final PUD plan back to the Planning Commission for PC-2019-47, Lavender Ridge Final PUD Rezone/Map Amendment and Agreement, with the following comments: (insert comments).
A joint public hearing with the Planning Commission and Board of Trustees was conducted on October 2, 2019. That same evening the Planning Commission passed a motion to forward a recommendation to the Board of Trustee to approve the concept plan. On October 21, 2019 the Board of Trustees concurred with the Planning Commission and approved the concept plan. The applicant then submitted Final PUD plans along with a draft PUD agreement. The case was placed on the December 18, 2019 Planning Commission agenda. At the December 18, 2019 Planning Commission meeting the following motion, recommending conditional approval to the Board of Trustees of PC-2019-47, Lavender Ridge Final PUD Plan Rezone/Map Amendment and Agreement, was passed:

Moved by Commissioner Reynolds, seconded by Commissioner Walker, that the Planning Commission forward a recommendation to the Township Board to **approve** PC-2019-47, Lavender Ridge Planned Unit Development (PUD) final plan and agreement, located at the vacant parcel at the southwest corner of Silverbell and Squirrel Roads (09-36-226-001) for plans date stamped received November 26, 2019. The following recommendation to approve is based on the following findings of facts: the project preserves a significant area of open space and provides a diversity of housing types and sustainable development patterns within a walkable network of a development of multi-family homes; the use is compatible with the adjacent single-family residential (R-1) and special circumstances (SC) adjacent to the property; the project does propose improvements to Jesse Decker Park including a $1,000 contribution per unit towards new signage at Jesse Decker Park, a fire pit, a restroom facility, a paved drive from Remington Dr., a bicycle plaza at the corner of Silverbell and Squirrel and aggregate being added to the unpaved parking lot at Jesse Decker Park. The motion to recommend is based on the following conditions being addressed: 1) that the (PUD) agreement ensure that it addresses the phragmites ordinance and the unified trash carrier; 2) a landmark tree replacement calculation be added to the plan and be verified that no additional trees need to be presented on the plan to address those landmark replacement calculations; 3) a photometric plan be submitted for review by the Township consultants along with the phasing plan that can be reviewed by the Township consultants and the Fire Marshal; 4) this motion also approves two (2) development signs at both entrances of the property and
one (1) marking sign not to exceed 6-ft. in height for a duration of no longer than five (5) years with a square area of 24-sq. ft. per side; 5) the plans and comments that need to be addressed from the Fire Marshals comments from the December 11, 2019 review letter be addressed along with all of OHM’s engineer’s review from the November 26, 2019 letter needs to be addressed, including obtaining a wetland permit approval. All of these conditions should be submitted in an amended plan to be reviewed by the Township consultants and administrative staff.

Commissioner Reynolds amended the motion, Commissioner Walker re-supported, to add to the motion that the memo from the Department of Public Services dated December 13, 2019, with Mr. Stout’s suggestions be added.

Discussion on the motion:

Commissioner Reynolds said to Planner Novak he felt the motion addresses most of the concerns that they did not discuss tonight. He thought there were a handful of those items that they don’t need a waiver for. Planner Novak replied that is correct.

Roll call vote was as follows: Walker, yes; Reynolds, yes; St. Henry, yes; Steimel, yes; Ryan, yes; Gross, yes. Motion carried 6-0 (Dunaskiss absent)

Attached please find: PUD Final Plans, the draft PUD agreement, consultant review letters, minutes from the December 18, 2019 Planning Commission meeting, an addendum to the traffic study, and correspondence from the applicant. Please do not hesitate to contact me with any questions at x 5000.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, December 18, 2019, at 7:00 pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Scott Reynolds, Commissioner
Don Walker, PC Rep to ZBA
Joe St. Henry, Secretary
John Steimel, BOT Rep to PC
Don Gross, Vice Chairman
Judy Ryan, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
Justin Dunaskiss, Chairman

1. OPEN MEETING
Acting Chairman Gross opened the meeting at 7:00 pm.

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Marguerite Novak (Township Planner) of OHM Advisors
Mark Landis (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Dominic J. Moceri
Manny Kianicky
Matt Schwanitz
Scott Jacobson
Nancy Standish
Dominic F. Moceri
Debra Walton

3. MINUTES
A. 12-04-19, Planning Commission Regular Meeting Minutes
Moved by Commissioner Reynolds, seconded by Trustee Steimel to approve the above minutes as presented. Motion carried

4. AGENDA REVIEW AND APPROVAL
Moved by Commissioner Walker, seconded by Commissioner Reynolds, to approve the agenda as presented. Motion carried

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
None heard

6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2019-47, Lavender Ridge Planned Unit Development (PUD) Final Plan, located at a vacant parcel at the southeast corner of Silverbell and Squirrel Roads (Sidwell #09-36-226-001).

Mr. Manny Kianicky with SR Jacobson Development Corporation presented.
Mr. Kianicky stated that on October 2, 2019, the Planning Commission recommended approval for the conceptual plan, eligibility and the density for Lavender Ridge as a Planned Unit Development (PUD). On October 21, 2019, the Township Board conditionally approved the Lavender Ridge (PUD), the concept and the eligibility plan.

Mr. Kianicky said that as part of their submittal they also prepared a draft development agreement for the project and included in that development agreement is their commitment to providing the funds for public benefits. The public benefits consist of improvements to Jesse Decker Park in conjunction with the development of the project. Those improvements include paving of the existing gravel road between Remington Drive and the north parking lot of the park, the construction of restroom facilities just southwest of the existing picnic pavilion, the construction of a firepit off the east end of the sledding hill, the installation of a new 2” crushed limestone gravel surface over the existing south parking lot in the park, and the construction of a new park entrance sign at the northwest corner of Remington Drive and Squirrel Road. As an additional public benefit, they are also adding the development of a pedestrian plaza with benches and landscaping on the southeast corner of Squirrel and Adams Road as an attractive focal point at that corner and a convenient rest stop for bikers and walkers.

Mr. Kianicky stated that over the past couple of weeks they have received the reviews from the Township relating to all the plans and materials that they had submitted, including the Township Planning and Engineering consultants, the Fire Marshal and the Department of Public Works. To clarify and understand some of the comments they received, they recently met with the Township staff and Engineer and at this point, they were able to say with confidence there are no significant outstanding issues related to the Townships review comments and they fully expect to be able to address all of the concerns in the revised final site plan which they will be preparing immediately after receiving any additional comments from the Township Board at the next meeting.

Planner Novak read through her review date stamped on December 12, 2019. Planner Novak added to her review a comment that the Township typically measures setbacks from porches and the applicant had measured from the actual building.

Engineer Landis read through his review date stamped on December 12, 2019.

Secretary St. Henry summarized some resident letters that were received after the October 2, 2019 PC meeting and before the Board of Trustees meeting on October 7, 2019.

Mr. Joe Giordano, 3993 Ridgemont Ct., Oakland Twp., stated that people have said that this project will reduce the value of the surrounding homes, but he did not feel that way. He said that Pulte, with 300 homes, and if they were single-family dwellings, he felt that would affect the property values. Mr. Giordano asked if the open space would be owned by Moceri or the Township? He didn’t think that the Township wanted the open space property? Acting Chairman Gross replied that they would find out.

Mr. Dominic Moceri with Jacobson Moceri Orion, LLC, presented. He said that there are 34-acres of open space to the east of their development area. It will be preserved in perpetuity with the conservation easement on there and for open space. The Township Board preferred not to own additional parkland at this time and will be privately owned but for the public use. They will have plenty of insurance on the property, for passive recreation only. The great advantage of that is for the development they will not have additional curb cuts on Silverbell Road.

Mr. Moceri added that at the south end of Lavender Ridge there is a 10-ft. berm separating the Ravines subdivision and the proposed Lavender Ridge. The distance between their nearest
building and the nearest residents is over 170-ft. versus if they were back to back, they would only be 35-ft. rear yards a total of 70-ft. and that is what they would have if it was conventionally built as a subdivision. There would not be a 10-ft. berm with pine trees anywhere from 10-14-ft. planted from day one. On top of a 10-ft. berm there will not be visible residents from the Stonegate Ravines community to Lavender Ridge. Along Squirrel Road the extensive amounts of landscaping, no rear buildings are facing Squirrel Road, which is a great improvement ecstatically. The setbacks and the architecture they believe is world-class.

Mr. Moceri presented the material boards to the commissioners showing the materials that they would be using on the Townhomes. He felt their materials were classic and are going to resonate for generations. This is similar to the architecture they did in Oakland Township.

Mr. Moceri stated regarding the clubhouse, they have supplied, but not for the review time, the dimensions for the clubhouse. There is a dimension plan, and the height, length and all the conditions are within the ordinance limits.

Mr. Moceri said they have two (2) boulevard entries. They have two (2) signs that would qualify under the ordinance. The third sign is at the corner of Silverbell and Squirrel, they are approximately ¼ of a mile from the corner of Silverbell and Squirrel, so that is why they have a marketing sign there. The marketing signs were submitted with the dimensions, which all meet ordinance. They will have to go through the permitting process with the Building Department to confirm that. They are internally illuminated and are 24-sq. ft. which conforms to the ordinance. They are bronze anodized and would be considered permanent. This is a for-leased community and in a for-leased community approximately 35% of the residences turn over each year. In this instance, they would have over 80 residences which would be accrued to seven (7) residences per month or nearly two (2) per week that they are marketing, so it is consistent marketing not a temporary. Those signs will be intended to be permanent. They recognize that two (2) are permitted, they would consider, they have a sign at each boulevard, the south boulevard sign upon completion of the community they would remove that one and keep the one permanently at the corner of Silverbell and Squirrel and the one at the main north entrance. At the time of completion, they would remove that southern sign at Provence Blvd., that one would be temporary the other two would be permanent.

Trustee Steimel said he did not remember seeing details regarding the signs.

Mr. Moceri stated that they are double-faced signs but meet the requirements for the ordinance. They do exceed the amount of signage with the third sign, but at the completion, they would remove that sign on the south entrance. The edge of the signs would be the anodized metal and it is self-contained, so there is not any wolmanized wood exposed. They are no lights that shine on it they are internally illuminated. The panels on the signs can be removed seasonally but would have to conform with the Building Departments as they change out those faces.

Secretary St. Henry asked if the signs were 6x4? Mr. Moceri replied yes; 6x4, 24-sq. ft.

Acting Chairman questioned if it would interfere with traffic visibility coming in or out? Mr. Moceri replied that would be part of the permit for the sign to make sure the sight distance would not interfere with the entrance or exiting of the property before they are installed.

Commissioner Walker said that it seemed to him from the reviews that neither side thinks that there will be a significate impact in traffic. Commissioner Walker asked Engineer Landis if that was correct? Engineer Landis replied that there would not be a significant impact that would warrant any mitigation. There will be some impact as with any development. It didn’t put any of the intersections into a level of service “E” which would be failing and require mitigation.
Commissioner Walker said he was having trouble as a citizen thinking how the traffic patterns are now, as it is in most of the Township, and adding 260 more residences with either one or two cars, and one or two in or outs every day would not be significant.

Engineer Landis stated the results of the study show an increase of about 2 or 3 seconds at most, at each leg of the intersections, additional delay.

Acting Chairman Gross asked if there are adjustments needed, to the timing of the traffic signals; would that be handled through the county? Engineer Landis said that there was not an indication to make any adjustments, but the county could always adjust those at a later date if they feel that the traffic counts warrant it.

Commissioner Ryan asked how close to the limit of where mitigation is required does that move that area? Is it getting close where there would be action required or is it still significantly below that level? Engineer Landis said he wasn’t sure he had that answer. He said the worse level of service was a “D”. He asked if the applicant had further clarification on that? The study indicates that the worst intersection was level service “D”, the northbound leg of Squirrel and Silverbell and northbound Squirrel and Dutton.

Secretary St. Henry said so what you are saying is the traffic is already crappy so it is going to get a just a little crappier? Engineer Landis stated that the traffic is bad, both of those intersections are currently a level service “C”. Taken into consideration future background traffic which accounts for population growth and other development, it is projected that both of those intersections will be at a level of service “D”. By adding in this development on top of that they are still at a level of service “D”. Secretary St. Henry noted that it was not catastrophic.

Commissioner Ryan asked how much closer to a level “E”? Mr. Moceri replied as compared to the current zoning it is too far to discuss. What would be reasonably developed at this location at the same density and lot sizes as the Ravines? They have demonstrated that they have less traffic at the two peak hours. There is more traffic during the 24-hour period. At peak hours, 7-8 am and 5-6 pm, they generate less traffic. They were asked to do a study to do a standard deviation which means to go to the next level of intensity of development and what is that stress factor if the traffic study that they did was incorrect, and that is in the Township ordinance. When they provided for that there was a very insignificant difference as far as their impact. The background traffic, the new traffic coming in, there are outside influences outside of Lavender Ridge into the future. Whatever is put on this property whether it single-family or Lavender Ridge is going to have an additional impact, but it is insignificant as to the total amount. The total traffic amount added to the current without the background with the Lavender Ridge is less than 2% of the daily traffic at the intersections. They also need to look at what it compares to if it was single-family, and there is virtually no difference.

Mr. Matt Schwantz, with Giffels Webster, stated that the biggest impact with the traffic over the long haul projected is not their project, it is the growth of the background traffic. What is generally accepted as standard analysis practices for traffic generation they are equal or less than a single-family project, because of the character of the use. The ordinance requires a very conservative approach to add this standard deviation to see if it is a little off, they are virtually at par.

Secretary St. Henry asked comparing a traditional single-family home neighborhood to this development, describe the differences and the type of people that will be living in their development versus a typical single-family home? Mr. Schwantz replied that they have a lower family count, a lower population per unit. There are several benefits to this, less water is
consumed, less sanitary sewer is generated, the peak hour as it relates to traffic is the biggest
difference, there are fewer people that press the peak hour at par or less than a single-family
development. More people exiting per unit in a single-family detached home project than in any
kind of an attached product.

Secretary St. Henry asked if they could provide the square footage of these buildings and the
general price points? Mr. Moceri replied that the townhomes are 1,275-1,625 sq. ft. The
majority of them are two bedrooms, there are three-bedroom options that they have but what
happens is the square footage is the same, the den becomes a bedroom, but for the most part,
they are going to be two-bedroom townhomes.

Mr. Moceri added that the traffic indicators under the Institute of Traffic Engineering (ITE)
manual have set for a tremendous amount of studies in the realm of thousands of different
communities and they update it every year. The number of trips for a townhome community is
approximately 5 trips per day, for a senior community is 2.4 trips per day, a single-family
dwelling it is over 10 trips per day. If you do the math regards to the single-family dwelling,
which they did a test plan of 125 single-family residences and right now the (ITE) has put that
up to 12 trips per day for single-family because of the number of activities that children have at
school. Also, with all the deliveries and multiple lawn service companies coming to fulfill the
maintenance of these homes. Under the multi-family aspect, one company comes in and mows
the lawn once a week, versus multiple companies coming in. They did solve some of the
problems with the single hauler pick-up, which they would have a private pick-up, but they had
multiple haulers in subdivisions. So, there is a correlation with less traffic per residence and if
they do the math there is going to be slightly more traffic with the 24 hour period but there is
less traffic leaving in the am hour and coming back in the pm hour. It is at par when they
stressed it to the standard deviation so they are slightly more. He felt that it was a good
exercise, at first, he was nervous, but it did not have much of an effect at all.

Mr. Moceri said the price point would be $1,725 - $2,400 per month. That relates to more than
the mortgage payments of the homes in the Ravines right next door. There is high qualification
as to the typical resident in a multi-family community regarding the pre-qualifications their
monthly income would have to be three times the rent. The monthly income to qualify to come
to Lavender Ridge would be approximately $68,000 as a minimum. Most of these will be two
income earners, but it is higher than the average income of the MSA for Orion Township which
is $58,000 depending on the household, with the new census it is going to approach about
$63,000.

Mr. Schwanitz said that if this was developed as a single-family subdivision, they would have a
minimum of one possibly two more cuts on Silverbell Road to handle the isolated upland area
that is now being left as parkland if they did conventional single-family lots on that. They would
have that consternation too as it relates to traffic patterns on Silverbell, which is not happening
now.

Trustee Steimel noted that there are 260 more homes, that is what everyone says, but they
have to remember what they would have had if it was developed as single-family homes. So, it
is not like it is 260 more units and they have seen the justification of 160 single-family and what
they would have had if it was developed as single-family homes, looking at the traffic count, but
the impact is what they are trying to show is not that much difference. There are going to be
more people on the road, that is the way it is, something is empty now and it gets developed
there is going to more people on the road. There is a certain amount of impact that they are
allowed.
Mr. Moceri stated that if they measure the rooftops, and if these were 125 single-family homes there would be more square footage of rooftops, there would be a more visible impact from an areal perspective if it were single-family than the square footage of the rooftops of the multi-family. They have calculated that and there are about 15% less impervious conditions on the roof. There is a less impervious condition with roads and driveways, so there is less impact as far as the drainage requirements and the impact on the storm system. Everything is facing forward, there is not a rear elevation. If they look at the joining communities with the rear of the houses backing onto Squirrel Road the esthetic is alarming as compared to how beautiful that they are front-door facing with the berm and the lavender and it is a whole different look, as far as the sightlines and the viewshed. With the (PUD) they would not get this type of level of detail for a conventional subdivision.

Commissioner Reynolds said he wanted to comment on traffic, he is familiar with the some of the other Moceri developments specifically Moceri development of Herron Springs, the traffic impact that he has witnessed there is not as bad as what they would think there would have been. Not that there isn’t an effect there but seeing some of data and looking at the traffic patterns and seeing that it is not detrimental it was not one of his major concerns.

Commissioner Reynolds stated that he wanted to talk about the signage. He felt that some of the marketing signage and doing some of the math, the ordinance allows for temporary signage of 32 square feet total for a period not to exceed 30 days. If you take a look at some of the marketing signage if it is going to be permanent, even with the 2-ft. base there is some signage area that is 192-sq. ft. total of signage. With the development, in general, they would be allowed 35-sq. ft per side for the actual development signage. He wasn’t in favor of having five (5) permanent signs throughout the entire development, he would rather see the 70-sq. ft. total at each entranceway and they can do that however they like but did not like the much more impact on the (PUD) for additional signage for the development.

Acting Chairman Gross thought that signage at the intersection of Silverbell and Squirrel would be an appropriate permanent sign to identify the project and then maybe one (1) rental sign at an entrance.

Commissioner Reynolds stated that there would be a significant increase over what they would allow or regulate for any other development. They allow for a banner sign to be 32-sq. ft. total they don’t speak to how many, that is probably one (1), even with two (2), it is 32-sq. ft. total with a 4-ft. from grade banner. That is one of the biggest temporary signage but it is not to exceed 30-days. All other residential developments we allow one (1) sign per entrance with 35-sq. ft. per side, so 70-sq. ft. total. We are effectively doubling if not more than that, the signage for this development over others. He is not against them having at least 70-sq. ft. total for the development signage at entranceways but they are talking about a lot more signage with permanent leasing or advertising signage. He is for temporary signage of a larger size, but for the long term, it seems like five signs for the development is a lot.

Acting Chairman Gross questioned where the signs are at? Ms. Nancy Standish, Giffels Webster, replied that the signs are at the boulevard of both entrances.

Commissioner Reynolds said so they would allow 35-sq. ft. per side of that sign times two (2) because they have two (2) entrances.

Trustee Steimel stated that they do not normally have marketing signs at developments. Commissioner Reynolds said correct; they allow two (2) entrance signs and allow temporary signage but beyond that, they are talking about double or more than that for permanent signage for the development. He thought it was excessive, and felt they could do a lot with 35-sq. ft.
One side of their banners right now with the base is 32-sq. ft. per side for the advertising and that is a sign is effectively 4x8.

Secretary St. Henry asked, do they allow the marketing signage up all the time or do they limit it to a certain amount of time when this development is first opening up? Commissioner Reynolds replied both; quantity and period is the discussion. Right now, they want two entrance signs, they can have up to 140-sq. ft. the total between the two entrance ways. They are bringing forth another 192-sq. ft. of additional marketing signage. They would allow this development if it was a standard by right use of 140-sq. ft.

Secretary St. Henry questioned if they have an ordinance call out regarding marketing signage? Commissioner Reynolds replied temporary signage yes. They can’t govern what they are saying on the sign it just all comes down to the area. In the temporary signage ordinance for the area, there is a duration of displayed no longer than 30-days in a calendar year.

Mr. Moceri stated that the south sign that they said that they would put and remove at the end of construction, they will just eliminate that third sign. They are just going to eliminate the sign on the south boulevard and the marketing signs they have will abide by the ordinance. If they have to renew the sign permit after a certain amount of time, they will do that also. They put the signs on the boulevard very low streamlined and a very delicate approach it is not garish it is very low lying, that is the permanent sign. They do need to explain to the public what they are, that is with the marketing sign. Because of the leasing properties, it becomes permanent but if they have to, through the ordinance, or otherwise renew the application they will do so and felt that the Township will be reasonable with recognizing that there is a natural purpose for that.

Mr. Moceri showed the marketing signs to the Board. The additional 2-ft. normally is not skirted, so that skirt that says SR Jacobson and Moceri that is a skirt. There is a post in there and normally they would see through that and so they skirted it. If there is some consternation with the Moceri and Jacobson they could fit that above, so they could leave that skirt blank if that is confusing the matter regarding the total square footage. He wanted to make clear that the bottom banner is a skirt, that skirt is going to be there regardless and did not believe it should be counted in the square footage and will take their logos off if necessary.

Commissioner Ryan asked so they would leave the skirting their but take the names off? Mr. Moceri said absolutely. Commissioner Ryan thought that would help a lot. Mr. Moceri said they will take the names off the skirting, he felt they needed to skirt that though.

Commissioner Reynolds said that the minute you put something on the sign it is now part of the signage area. The other sign at the entranceway, they are only counting the Lavender Ridge text portion, the maximum height and width. The rest of the masonry portion of it they are not counting towards that. He also wanted to point out that this is a (PUD) so this can deviate both positively and negatively so they need to lock this in and make sure they are clear on the duration and the amount that they are allowing them to have.

Secretary St. Henry said that these marketing signs are advertisements and the Moceri name is well known, and he felt that they would want to keep that brand on these signs. It is a (PUD) so they have some flexibility. If they move forward with this development, he would want to make sure that the people are very aware of this development and what it is all about to fill it up with the right people. He would consider putting a time limit on the marketing signs, after a while they will need less marketing and so at that point, if they decide to let them keep the marketing signs up for one (1) year versus a month as part of (PUD) agreement, he would be comfortable with that, but not permanently.
 Commissioner Reynolds stated that he looked through the ordinance and they are asking for more than double in area. If they say they can keep the temporary signage for one (1) year it is 12 times longer than what they allow any other temporary signage, the ordinance allows for 30 days.

Secretary St. Henry asked if there were comparable developments like this in Orion Township? Commissioner Reynolds replied Herron Springs down the street. Secretary St. Henry asked what did they do with Herron Springs when that was built 10-15 years ago? Trustee Steimel said that there was a sign like this that ended up going up. There was a lot of back and forth with the Township. What they would normally consider the identification sign ended up being a marketing sign, that is the way Herron Springs is, it is there right now, it is not a temporary thing. Planning & Zoning Director Girling stated that it was not installed initially and it was requested to be installed and they found it was within the consent judgment the exact sign size and so that is how it ended up being put in.

Mr. Schwanitz noted that the Herron Springs sign is larger than the one they are proposing here and is not on the same scale. This is through phasing construction and leasing this is a 4½-5-year project it is not all going to be built in the same in the year. Interrupting that period where they have to take out leasing signs and they have additional phases coming in, it is more than an inconvenience, they need a presence through the entire construction and phasing process at a minimum.

Trustee Steimel stated that he is making it seem like a slightly longer-term temporary sign and yet that is not the description he got earlier where they got people moving in and moving out all the time so they wanted the signs there. He did understand, if he goes and looks at other Rocicy developments, that is the way they are. That sign is a marketing sign that’s identifying it, it is always there.

Mr. Schwanitz said that he is speaking to the bare minimum, for the project. They will be under construction for that period and leasing it through at least that period is extremely critical. It is also critical throughout the entire project and its entire life.

Trustee Steimel noted that they are trying to understand what they are agreeing to and if they want to agree to it. A temporary marketing sign is one thing, but this was described more like a permanent marketing sign, it is going to be there all the time. They thought that they had already concluded that the one on the south boulevard they don’t want, that goes over what could be there. He understands wanting to move one out on the corner. Taking what they could have at the southern boulevard moved it up and thought that they would put the other one at the northern boulevard because that is where their office is at. If they move their name up and keep it off the skirt so they keep the area of the sign closer to what is normally allowed, he would prefer that rather than turning the skirt into part of the sign. They are trying to get it down to what is allowed as far as the height, they don’t want to agree to too much bigger and how do they justify that in the future. If they move the name off the bottom of the skirt, he liked the skirt, he doesn’t like the empty look underneath unless there is a lot of landscaping around it.

Commissioner Reynolds stated he understands the marketing point of view, it just seems excessive to say we are going to allow five (5) sign opportunities when everyone else would get two (2). There is some give and take on this project, there is more open area, therefore it is further from the corner, you need a marketing opportunity on the corner, so let’s allow the third sign. He is just not in favor of allowing five (5) signs tonight, they have eliminated one (1), so they are talking about two (2) development signs and two (2) marketing signs. A banner they allow 32-sq. ft. so if they want to go ahead and part of their two (2) entrance signs that they have, they can’t regulate what they say on it, but they have 35-ft., two (2) on each side to play
with at both entrances. He thought there was nothing else without maybe the corner based it
being a (PUD) to say this is so special that you get two (2) entrance signs plus two (2)
marketing signs and then one (1) on the corner because they are on the corner. If it is a long-
term marketing sign, that is something, but that it can either be the entrance sign or the
marketing sign.

Commissioner Ryan questioned that the ordinance reads that they should be allowed the two
(2) entrance signs that say Lavender Ridge and then technically these other marketing signs
would be viewed as temporary? Commissioner Reynolds replied yes; the ordinance allows up to
32-sq. ft., it doesn’t say what side it is insinuating a banner as one, so each of these is 24-sq. ft.
without the base per side, times that by two (2) and that is 48 x 2. They are more than doubling
the signage area, so he felt they all needed to be on the same page because it is a (PUD) about
what is being provided here and what they are moving forward as part of the motion. They are
the recommending body but just as clarification, initially they were at five (5) now they are down
to four (4).

Commissioner Ryan questioned where the signs will be placed? Ms. Standish showed the
board where the signs will be located.

Commissioner Ryan asked what the proximity between the Lavender Ridge sign and the
marketing sign, are they right at the end of it? Ms. Standish replied that they will be pushed back
a little bit so they have a clear vision, for people entering and leaving. They will be more in front
of the boulevard.

Commissioner Ryan asked if it makes sense if they are not going to do the sign on the south
end then the one on the corner becomes that. Can they somehow make the two be together so
that they can be considered one (1) sign each for a total of two instead of four (4)?

Commissioner Reynolds said if they looked at this as any other development, and he
understood it was a (PUD) and they are going through this process. Usually, he starts as a
baseline as a Straight Zone so to him 35-sq. ft. per area per sign of each entry is a good amount
to play with that is more than they are talking about for the marketing sign. If they look at the
sign there is not square area provided for the entrance sign, but let’s say that is 20 there is
another 15-sq. ft. within the ordinance, for them to fill it up as they would like.

Commissioner Ryan asked if it can be two (2) separate physical signs that are just close
together and call it one sign? Commissioner Reynolds replied yes; if you read the Sign
Ordinance when it has something labeled it is defined as part of the sign area. If you go back to
the entrance sign that big stone wall is not “all sign area” it is just the Lavender Ridge by SR
Jacobson and so on. There is a lot to play with there. He questioned what they looking for in
the community and is it a tasteful approach or, the fact that they are almost tripling the signage
area or almost doubling it, is that something they want to see, just because it is a for-rent
community.

Trustee Steimel said his problem is the “Final (PUD) Plan” from this subject is unclear. They
are showing signs but they don’t show where these signs are. They could approve the final
(PUD) and then they are going to hash this all out when they come in for sign permits and will
do it separately. They may not even be agreeing to it right now, sometimes they say if that is
the case take the stuff off of the current plans so they know what we are agreeing to.
Sometimes people show on the site plan a sign, but they don’t have details of the sign and they
say take that off the site plan because they are not saying they are agreeing to it at this point.
Either all the information needs to be here now and they are approving it as part of the (PUD),
which they can do, or it is not part of what they are approving tonight and it should be taken off and dealt with later.

Mr. Moceri stated that traditionally a boulevard entranceway would have two (2) walls, a sign at each wall and they would be spread apart. At both entranceways, they would have two (2) walls and a sign at each wall. They simplified things because they want to make this a softer viewshed by keeping the sign in the middle of the boulevard. They are very specific where those walls and signs are, they are in the landscape plans and they are on the site plan. The signs that they have submitted that did say they would be permanent marking signs; he is willing at this juncture to move forward to remove one (1) of those marketing signs at that south entrance. Consideration for the other two (2) signs that they would make it for five (5) years and then they have to come back to the Planning Commission or the ZBA for the extension for those signs beyond that time. It is a (PUD) one (1) year doesn’t work, it is going to take them four and a half (4 ½) years to construct the community. They are going to have to continually release that community and are comfortable with coming back because they believe that the Township would be reasonable in their request to extend the period for those signs. Initially, for the (PUD) they would like to have the period for those signs to be a minimum of five (5) years and then they will come back to renew if necessary. They are asking for two (2) permanent development signs on the median boulevard on those stone walls that will meet the sign ordinance, and two (2) marketing signs one (1) at the corner of Silverbell and Squirrel and one (1) at the north entrance at Lavender Ridge Blvd. to be placed in the boulevard near the wall in the median and it to be five (5) years as part of the (PUD) approval. If they need to come back to extend those periods they will do so. These signs are not the typical plywood signs with the vinyl letters on it with posts, they are very well and professionally done. If the period by which they can keep those signs, they will redesign it to a more economical design.

Mr. Moceri added that there is a sign that is part of this whole public benefit, they are redoing the sign across the street at Jesse Decker Park. That is a piece of plywood with a bunch of posts, and they are cleaning that up. They want to have a mirror image of high quality at Lavender Ridge and across the street as part of this whole community plan.

Commissioner Ryan felt they were very aware of the way that it looks and it is presented to the community, and would not junk up the property with ugly signs.

Mr. Moceri said he wanted to move forward and talk about the traffic, density, and the whole landscape plan.

Acting Chairman Gross stated that they could also just move forward with the site plan and have the sign plan come back with a separate approval so they can see it as it relates to the phasing of the project, the sizes, and the locations.

Commissioner Reynolds said this is the review, there isn’t site plan again. Acting Chairman Gross said they could make a subject that they come back with the sign plan.

Commissioner Reynolds replied correct; he is willing to move on this and didn’t want it stickup the project and understood the understanding of needing a third sign potentially by the road. His point was they already give them a lot for two (2) entrance signs and then potentially one (1) additional sign based on the development, but to say they get a fourth one too, that is his hinge point on this. He would like to see less than that.

Acting Chairman Gross felt they should make it as a separate review, looking at it with the phasing of the project, because both boulevards may not be done at the same time.
Secretary St. Henry said that they are only putting the marketing signs on the north boulevard and then up at the corner; is that correct? Commissioner Ryan replied that is the current proposal.

Planning and Zoning Director Girling said that the ordinance does state that the signage is part of the (PUD) so if they so choose to go with the direction that they are saying later, she asked that they clarify in that motion whether it only comes back to PC or whether it comes back to PC as a recommendation to Board.

Trustee Steimel said that even with the type of developments even (PUD), they already talked about the phasing, he didn’t think it was clear what the phasing was. Also, don’t they look for all infrastructure improvements usually in the first phase? Putting in all the streets, drainage and all the water, and if they build units over time.

Mr. Schwanitz said as it relates to phasing, phasing is delineated in the plans. Mr. Schwanitz added that as it relates to a phased project like this all the infrastructure is not put in. They put the infrastructure in after mass grading. When they do the first phase, they will grade it, then they will put the utilities in and then they install the roads, they do not put the utilities ahead of mass grading.

Ms. Standish went over with the Board the phases on the plans.

Engineer Landis stated that is why he put on his review that it is a condition of their approval that they see more detail phasing plan that they would have to review and comment on. He did not feel what they had in front of them is adequate and believed that the Fire Marshal will want to have some input on that as well. As the applicant has indicated extend the water from Squirrel to a point, they are going to have to build a sanitary sewer lift station and extend sewer up into phase “A”. There is probably going to have to be some temporary turn arounds on the roads. The Fire Marshal may have some consternation over the number of units dead-end. Those kinds of details need to get worked out and thought that those could be done through an administrative review if that is acceptable.

Mr. Schwanitz replied that they concur. Engineer Landis’s early comments in his review were dead-on. These were all things that get worked out once they get to the level of detail they are talking about now, that is actual final construction plan details, which they can’t do at site plan. These are the things that need to be worked out with the Public Works, Public Safety, Engineering and Planners. Otherwise, they would be submitting a 150-sheet set of final construction drawings for approval here.

Trustee Steimel asked Engineer Landis if he was satisfied? They usually follow it up and usually comes out in engineering and felt that what he read wasn’t clear and that is why he was trying to clarify it.

Engineer Landis stated that he didn’t think that they have to take it to the level of engineering but thought that they should put a little more thought and have the final (PUD) plans revised for the record to show a little more detail and maybe have some coordination back and forth as to where the phase lines are going to be, how far they are going to extend water and sewer, roads turnarounds, etc. but felt confident that they could work that out administratively.

Mr. Moceri stated in regards to the water main and public safety, they are going to connect to the stub street at the Ravines development as part of their first phase. Even though their first construction phase for the housing residences are going to be at the north end of the community where the clubhouse is going to be. It will be broken into four quadrants, 260 residences, 130
residences per major phase, but each phase is sub-phased as far as the physical construction. The infrastructure will be put in for 130 residences for the phase, with proper turn arounds for fire apparatuses and no dead ends of that nature. They will be looping the water main through the development at the southeast corner and bring it to the northwest section of the community. The site will be mass graded at one time, but the infrastructure as far as the sanitary sewer will also be coming from the southeast end. Usually, they put all their improvements in the first phase at that south end, but the clubhouse and the amenities and all the things that make it attractive and the quality of life of what they are selling are at the north end. There are a lot of off-site improvements from what would be future phase 2a versus phase 1a. If you have 130 residences per unit that is approximately 65 townhomes per sub-phase, which is with the absorption and the labor shortage it is about as much as you can build in each sub-phase. They are not going to be able to build more than 130 units in a two (2) year time period because of the trade shortage out there, and that is why it is sub-phased and also for financial purposes. All the infrastructure will be done north of the creek or wetland corridor that bisects the property, that will all be installed in phase one (1). They will also be bringing sewer and water connections to that southeast corner. Phase two (2) south of the creek corridor that bisects the property will be done in two (2) construction phases but all the infrastructure will be done as phase two (2). They are not going to do four (4) phases of infrastructure, there are only two (2) phases of infrastructure. The Fire Department may want them to extend some of the roads so they do have apparatus and safety for connection for through traffic. They may have to go all the way to Catalina Rd., but they will not be putting any development units there, it is not part of their marketing phase or residential construction phase. Whatever OHM together with the Fire Marshal determines, they will comply.

Commissioner Reynolds questioned if any improvements being made to the Jesse Decker parking lot? Mr. Moceri replied that the parking lot in Jesse Decker will be improving it with gravel and not paving it. He felt by paving the parking lot they will not be able to use the parking lot for other uses. The Township may determine later that it should be paved, but right now it is more important to get the pavement up to the north parking lot the south parking lot is paved. He felt that there should be a flex area, because they may need additional soccer fields, and didn’t want to put pavement there just to have it ripped out. The gravel is the most expensive part of paving, it is more expensive than the asphalt.

Commissioner Reynolds said it is a (PUD) but landscape interior waiver that they would require from other projects, he did not have any issues with that based on the layout of the project. He thought that with the landscape buffers provided he did not have any issues with landscaping but there is no wetland permit received yet and felt that it was a big item to get addressed. He said the end to end setback is 20-ft. versus 30-ft., and thought that the ordinance required a 30-ft. between buildings.

Trustee Steimel thought that was to cover up the gas mains and did not think that they needed 10-ft. of structure to cover up the gas meters on the side of the building.

Planning & Zoning Director Girling replied that the (PUD) section of the ordinance on multi-family component has a different end to end measurement than the (RM) section of the ordinance. The (PUD) multi-family component section says end to end can be 20-ft.

Trustee Steimel questioned if Parks and Rec been involved in the improvements as far as the location of the bathrooms? Planning & Zoning Director Girling said that they have had conversations; yes.

Mr. Kianicky said that they did want clarifications of what the Townships preferences were for the public benefits. They scheduled a meeting and they had the Public Works, Recreation
Department Director and staff at the meeting. After an hour, they got some clarification of what the preferences were and how this would be set up. They are going to provide for the Capital Improvement Fund. The Capital Improvement Fund is going to be at the direction of the Township as to exactly how it is going to be administered for the benefits that are going to be created. They decided at that meeting that they would define what that money was going to be used for, and that is the list of items that and are documented into the development agreement. What they also said is that the funding for the park improvements is going to be $1,000/per developed unit or $260,000 for the project. That $260,000 is going to be put into the Capital Improvement Fund and the Township asked if they would work with the Township when they did their bidding for the work or maybe they could get better prices if they also bid out those public improvements, the client for those public improvements would be the Township and the payment would come out of the fund. They would facilitate and coordinate with their bidding because they probably could get better prices. They will work together to get the maximum amount of benefit from those dollars that are going to be put into the fund.

Commissioner Reynolds said that the tree survey did not cover the entire property, and he was ok with that, it is typical to a site that they are leaving undeveloped. He wanted clarification from the applicant, the reviewer counted 1,028 trees proposed on the open space; is that just within the development area or is that including the entire site? Ms. Standish replied it is only within the development areas. There are two (2) landmark trees to be removed within the development area.

Commissioner Reynolds asked if the proposed landscaping plan address the replacement requirement for those at this point? Ms. Standish replied not the two (2) landmark trees because they are so far over the tree requirements. If the two landmark trees were 24” trees that are 48” worth of trees, and they are substantially over that. They are a few hundred trees over what was required.

Trustee Steimel asked about the photometric plan? Planner Novak replied that a full site photometric plan indicating all proposed lighting on the site will still be required for this.

Mr. Schwanitz said that they agreed to do it, they typically don’t have to provide a photometric plan for a project of this nature. An apartment project where there are large parking lots, they provide it. They are going to have intermittent lights at all the gaps in all the buildings. Trustee Steimel said that ever project that happens in the Township a photometric is done.

Trustee Steimel added that in the (PUD) agreement there seem to be pieces that he was used to seeing in the (PUD) agreements that he did not see certain things are articulated. Like a single trash hauler and the phragmites ordinance.

Planning & Zoning Director Girling replied those were the two main things were the phragmites and the unified carrier. They require it when it is submitted to the Commissioners so they can look it over if there is anything significate they see and wanted it to be noted. When it goes to the board between first and second reading, the Township attorney talks to their attorney and they make sure that those two items as a bare minimum are always within the agreement. This is just presented to PC to see their statement but it is a work in progress.

Trustee Steimel said that they are agreeing to stuff and they are leaving a lot open for the Board to review. A lot of times they do try to get a least a good draft of the (PUD) agreement so they can see that some of these items are articulated. This looks like there is going to be a lot more work from the PC to BOT to get to that point.
Planning & Zoning Director Girling stated that if they are so inclined to forward this with a motion of approval one of the conditions could be related to the (PUD) agreement that anything, they see missing is noted as being needed to be added.

Trustee Steimel said at some point so if there is a problem down the road it is all articulated in the agreement.

Mr. Kianicky said that they were given a template for the agreement, he wrote the agreement and included everything that was in the template and added additional things to it that they thought that needed to be there as well. On page four (4) there is a whole paragraph that talks about complying with the Phragmites Ordinance, so that was included in the agreement. If there was anything omitted that was normally there it was not in the template but would be happy to add it and are flexible.

Commissioner Reynolds stated that based on all the responses he is close to making a motion with some conditions. He felt that a total of three (3) signs for the development, two (2) marketing signs and one (1) entrance sign, or one (1) marketing sign and two (2) entrances. He would put a condition on the marketing signage for a five (5) year period.

Planner Novak added that temporary signage is identified no longer than 30 days in a calendar year so if they do, do the five (5) year, they may choose to view that as permanent. The overall height should be 6-ft. so if they look at the site plan two feet are being called the base plus the 6-ft. so that would exceed the overall height of 6-ft.

Acting Chairman Gross commented that at the concept meeting he voted against this project because of the density that was proposed of 260 units. He thought it was inconsistent with the zoning, that there were too many dwelling units, however, that issue has been addressed by the Township Board and is no longer before them. Although he still disagrees with the density, he does agree that the concept of the (PUD) has merit to maintain the property as residential and to take advantage of the natural features of the property. The developer has submitted a plan that provides an alternative residential environment to the area; it respects the natural features of the site; preserves a large amount of the open space approximately 80%; has conducted a detailed traffic impact study to address potential problems. The developer does have a proven track record in developing quality and attractive projects as provided in the architectural design of the units. The buffering of the project to adjoining properties is more than what conventional residential properties would be. His review of the plans and the development agreement have been very complete and extensive. With the density of 260 units, he would still go along with the approval of the (PUD).

Commissioner Walker stated there are a lot of things that are not answered including the signage issue. It is sad to see so many questions still out there. This is the second time they have been here, they have been in front of the board, they have talked to the consultants, Parks & Recreation, and many of the people in the Planning & Zoning Department and to have this many holes still in the proposal distresses him. Normally, he would have no objection to say yes let’s approve it conditionally and go back and have them do all those things, but did not know why it was not here for them to look at initially.

Acting Chairman Gross stated that they did submit signage plans in their project but felt they were confusing and should be detailed out.

Commissioner Ryan asked if they would be amenable to the proposal that Commissioner Reynolds made just having the two (2) development signs and the one marketing sign at the corner of Silverbell and Squirrel. Mr. Moceri replied; yes.
Commissioner Ryan asked about the height discrepancy of the signage?

Mr. Moceri said he would just take the base off so that it meets the ordinance. Any signs they include will meet ordinance and will not need a variance. They will need more time on the signage.

Mr. Moceri added they did not make all the changes to the plans because they said yes. Maybe there was some confusion on their part as to what stage do, they bring on those changes. The tree survey on land that they are going to have as open space. The majority of the trees are junk they are Russian Elm and Ash trees and they are in the decline. There are some significant specimen trees and they have identified those. The landscape plan far exceeds what the replacements would be even if those were quality trees. Some things would have been busywork, and no disrespect to the consultants, there are things that they work through with the consultants and respect their comments and they have said yes to all of them. He understood that they wanted to see those changes, but those changes will and must be made in order of the engineering review and it could be a condition of the motion and the vote in the recommendation to move forward to the Township Board. They are comfortable with that because they have said yes to all of those items. Mr. Moceri asked Engineer Landis if that was correct? Engineer Landis said he would be comfortable with reviewing an amended final (PUD) plan that addressed the 6 comments that they have in their letter and review that administratively.

Moved by Commissioner Reynolds, seconded by Commissioner Walker, that the Planning Commission forward a recommendation to the Township Board to approve PC-2019-47, Lavender Ridge Planned Unit Development (PUD) final plan and agreement, located at the vacant parcel at the southwest corner of Silverbell and Squirrel Roads (09-36-226-001) for plans date stamped received November 26, 2019. The following recommendation to approve is based on the following findings of facts: the project preserves a significant area of open space and provides a diversity of housing types and sustainable development patterns within a walkable network of a development of multi-family homes; the use is compatible with the adjacent single-family residential (R-1) and special circumstances (SC) adjacent to the property; the project does propose improvements to Jesse Decker Park including a $1,000 contribution per unit towards new signage at Jesse Decker Park, a fire pit, a restroom facility, a paved drive from Remington Dr., a bicycle plaza at the corner of Silverbell and Squirrel and aggregate being added to the unpaved parking lot at Jesse Decker Park. The motion to recommend is based on the following conditions being addressed: 1) that the (PUD) agreement ensure that it addresses the phragmites ordinance and the unified trash carrier; 2) a landmark tree replacement calculation be added to the plan and be verified that no additional trees need to be presented on the plan to address those landmark replacement calculations; 3) a photometric plan be submitted for review by the Township consultants along with the phasing plan that can be reviewed by the Township consultants and the Fire Marshal; 4) this motion also approves two (2) development signs at both entrances of the property and one (1) marking sign not to exceed 6-ft. in height for a duration of no longer than five (5) years with a square area of 24-sq. ft. per side; 5) the plans and comments that need to be addressed from the Fire Marshals comments from the December 11, 2019 review letter be addressed along with all of OHM’s engineer’s review from the November 26, 2019 letter needs to be addressed, including obtaining a wetland permit approval. All of these conditions should be submitted in an amended plan to be reviewed by the Township consultants and administrative staff.

Commissioner Reynolds amended the motion, Commissioner Walker re-supported, to add to the motion that the memo from the Department of Public Services dated December 13, 2019, with Mr. Stout’s suggestions be added.
Discussion on the motion:

Commissioner Reynolds said to Planner Novak he felt the motion addresses most of the concerns that they did not discuss tonight. He thought there were a handful of those items that they don’t need a waiver for. Planner Novak replied that is correct.

Roll call vote was as follows: Walker, yes; Reynolds, yes; St. Henry, yes; Steimel, yes; Ryan, yes; Gross, yes. Motion carried 6-0 (Dunaskiss absent)

8. UNFINISHED BUSINESS
None

9. PUBLIC COMMENTS
Mr. Joe Giordano, 3993 Ridgemont Ct., Oakland Township, said that at this point the property would get purchased by the development Moceri. At one point it looked like the open space might end up back with the Township, or it might not? Acting Chairman Gross said it will probably end up as a private conservation agreement.

Mr. Giordano asked if the wetland survey has anything to do with the open space? Engineer Landis replied it would address any impacts they would have on the border of that wetland.

10. COMMUNICATIONS

11. PLANNERS REPORTS
None

12. COMMITTEE REPORTS
None

13. FUTURE PUBLIC HEARINGS
None

14. CHAIRMAN’S COMMENTS
None

15. COMMISSIONERS’ COMMENTS
Trustee Steimel commented that it is tough at this stage on how much they try to get done at the PC level. When it comes up at the BOT level he will remember and make sure that all of this is addressed.

16. ADJOURNMENT
Moved by Commissioner Reynolds, seconded by Commissioner Ryan, to adjourn the meeting at 8:58 pm. Motion carried.

Respectfully submitted,

Debra Walton

51
PHASE C

PARCEL NO. 09-36-226-011

FINAL PUD PLANS

ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN

LAVENDER RIDGE PARCEL DESCRIPTION

This parcel is described by metes and bounds in the Landscaping Plan of Lavender Ridge, as recorded in Volume 34, Pages 33 - 34, Books 356 and 357 of the Recorder's Office, Ingham County, Michigan.

LAVENDER RIDGE Parcel Description

EAST 33 FOOT PRESCRIPTIVE RIGHT OF WAY LINE OF SILVERBELL ROAD AND THE EAST 33 FOOT PRESCRIPTIVE EAST RIGHT OF WAY LINE OF SAID SQUIRREL ROAD, TO THE PLACE OF BEGINNING, EXCEPT COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 36; THENCE SOUTH 88 DEGREES 46 MINUTES 41 SECONDS EAST 45.23 FEET ALONG THE CENTERLINE OF SAID SILVER BELL ROAD; THENCE SOUTH 34 DEGREES 45 MINUTES 59 SECONDS EAST 1348.97 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE ALONG SAID NORTH SECTION LINE, NORTH 87 DEGREES 05 MINUTES 07 SECONDS EAST 2575.88 FEET ALONG THE EAST SECTION LINE TO THE EAST 1/4 CORNER OF SAID SECTION 36; THENCE SOUTH 02 DEGREE 14 MINUTES 24 SECONDS WEST 821.50 FEET; THENCE NORTH 02 DEGREE 14 MINUTES 24 SECONDS WEST 54.54 FEET; THENCE SOUTH 01 DEGREE 05 MINUTES 53 SECONDS WEST 2576.48 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID SQUIRREL ROAD, THENCE SOUTH 01 DEGREE 05 MINUTES 53 SECONDS WEST 867.00 FEET ALONG THE NORTH LINE OF SAID SECTION 36 AND THE CENTERLINE OF SILVER BELL ROAD (VARIABLE WIDTH); THENCE SOUTH 88 DEGREES 46 MINUTES 35 SECONDS EAST 1348.07 FEET TO THE POINT OF BEGINNING. EXCEPTING A LINE OF SAID SECTION 36; THENCE ALONG SAID NORTH SECTION LINE, NORTH 87 DEGREES 05 MINUTES 07 SECONDS EAST 2575.88 FEET ALONG THE EAST SECTION LINE TO THE EAST 1/4 CORNER OF SAID SECTION 36; THENCE SOUTH 02 DEGREE 14 MINUTES 24 SECONDS WEST 54.54 FEET; THENCE SOUTH 01 DEGREE 05 MINUTES 53 SECONDS WEST 2576.48 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID SQUIRREL ROAD, THENCE SOUTH 01 DEGREE 05 MINUTES 53 SECONDS WEST 867.00 FEET ALONG THE NORTH LINE OF SAID SECTION 36 AND THE CENTERLINE OF SILVER BELL ROAD (VARIABLE WIDTH); THENCE SOUTH 88 DEGREES 46 MINUTES 35 SECONDS EAST 1348.07 FEET TO THE POINT OF BEGINNING.
SITE PLAN NOTES:
DESCRIPTION OF LAND: LBL: PROPOSED FOR LEASE TOWING ESTATE COMMUNITY.
GROSS SITE AREA: 7,545 ACRES
NET AVAILABILITY DEDICATED LAND: 7,545 ACRES
NEWLY ZONED: 17 - SUBURBAN FARMS
EXISTING ZONING: 7 - SUBURBAN FARMS
DEVELOPMENT AREA: 7,401 ACRES
NET UNDEVELOPED: 7.7 ACRES
NUMBER OF BUILDINGS: 29 BUILDINGS
NUMBER OF UNITS: 266 UNITS
BUILDING SETBACKS:
- PROPOSED FRONT (SQUIRREL ROAD): 18F
- FRONT (SQUIRREL ROAD): 20F
- PROPOSED REAR (CRAWFORD TOWNSHIP): 150F
OPEN SPACE AND BUILDING SETBACKS NOT COVERED PORCHES
LOT COVERAGE:
- OPEN SPACE: 19 ACRES 20%
- BUILDING COVERAGE: 7.70 ACRES 11%
LIST OF DEVIATIONS:
1. PROJECT DEVIATES FROM ALL SCHEDULE OF REGULATIONS FOR SUBURBAN FARMS.
   - LOT COVERAGE:
   - BUILDING SETBACKS:
   - FRONTAL (SQUIRREL ROAD): 100
2. TREE SURVEY ONLY INCLUDED IN AREA OF DEVELOPMENT
3. ALL ROADS TO BE PRIVATE
4. ALL TREES WILL BE LOCATED AT MINIMUM OF 3' OFF THE CENTERLINE OF ANY UTILITY
5. ANY DISTURBED AREAS WITHIN THE WETLAND SETBACK WILL BE SEeded WITH NATIVE SEEDS.
6. ANY DISTURBED AREAS WITHIN THE WETLAND SETBACK WILL BE SEeded WITH NATIVE SEEDS.
7. ANY OTHER DEVIATIONS AS DEPICTED ON THE PLANS

UNIT BREAKDOWN:
- REGENCY: 128 UNITS
  - 2 BEDROOM: 80 UNITS
  - 3 BEDROOM: 44 UNITS
- DEACROSS: 136 UNITS
  - 2 BEDROOM: 84 UNITS
  - 3 BEDROOM: 48 UNITS
- UNIT TYPE AND NUMBER OF BEDROOMS SUBJECT TO CHANGE BASED ON MARKET CONDITIONS

CONSTRUCTION SCHEDULE:
- MAY 2021: COMPLETION OF PAVEMENT AND PERIMETER FENCES
- JUNE 2021: FIRST OCCUPANCY AND UNITS OPEN EVERY MONTH
- MARCH 2023: FINAL OCCUPANCY FOR PHASES A-B (183 UNITS)
- JANUARY 2024: COMPLETION OF PHASES C-D SITE WORK
- JANUARY 2025: FINAL OCCUPANCY FOR PHASES C-D (130 UNITS)

**SCHEDULE SUBJECT TO MARKET DEMAND**

Legend:
- PR: TOWNHOMES
- CON: CONVENTIONAL
- MP: MOW PATHS
- S: PAVING/STORM MAINS
- PR STORM CATCH BASIN
- PR STORM MANHOLE
- PR STORM REARYARD
- PR STORM END SECTION
- PR RIP RAP
- PR CLEAN OUT
- PR SANITARY MANHOLE
- PR CONTOUR MINOR (1')
- PR CONTOUR MAJOR (5')
- PR SPOT ELEVATION
- PR SWALE
- PR CURB AND GUTTER
- PR CONCRETE PAVEMENT
- PR BREAK [{ENDSIDE}]
- PR BREAK [{FOURSIDES}]

*No reproduction shall be made without the prior written consent of Giffels Webster.*
### South Section

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<tr>
<td>False Area x Project Area</td>
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UNIT SECOND FLOOR PLAN
2-BEDROOM

UNIT SECOND FLOOR PLAN
3-BEDROOM

DELCROIX FLOOR PLANS AND ELEVATIONS
UNIT SECOND FLOOR PLAN
2-BEDROOM

UNIT SECOND FLOOR PLAN
3-BEDROOM

FIRST FLOOR PLAN: A-Frame Ranch with 1 Right Apartment Building

UNIT SECOND FLOOR PLAN
2-BEDROOM

UNIT SECOND FLOOR PLAN
3-BEDROOM

FRONT ELEVATION: 8-PLEX RANCH LEFT & RIGHT APARTMENT BUILDING

1/8" = 1'

1/16" = 1'
CLUBHOUSE FLOOR PLAN

first floor plan
lavender ridge clubhouse

pool equip.
porch
men's shower
woman's shower
mech.

great room
library
kitchen/cords

conference
sales

mechanical

lounge

112'-0" overall

6'-6" overall

75'

JACOBSON MOCERI
ORION, LLC
32400 TELEGRAPH ROAD
SUITE 200A
BINGHAM FARMS, MI 48025
248.642.4700

LAVENDER RIDGE
ORION TOWNSHIP
OAKLAND COUNTY
MICHIGAN

07.18.2019

07.18.2019 SUBMIT TO TOWNSHIP
08.30.2019 SUBMIT CONCEPT PUD TO TOWNSHIP
11.26.2019 SUBMIT FINAL PUD TO TOWNSHIP

LAVENDER RIDGE

Know what's below. Call before you dig.

ORION TOWNSHIP
OAKLAND COUNTY
MICHIGAN

07.18.2019
19622.00

07.18.2019 SUBMIT TO TOWNSHIP
08.30.2019 SUBMIT CONCEPT PUD TO TOWNSHIP
11.26.2019 SUBMIT FINAL PUD TO TOWNSHIP

CLUBHOUSE ELEVATIONS

1/4" = 1'

front elevation
lavender ridge clubhouse

rear elevation
lavender ridge clubhouse

OSIS20190718

03.02.2022
3D REV 2

S.R. JACOBSON
PLANT NOTES:

1. Plant materials shall be sound, healthy vigorous, free from plant diseases and insects or their eggs, and shall have normal, healthy root systems. Caliper measurements shall be taken 6" above the ground level. (All measurements shall be in accordance with the latest edition of American Standard for Nursery Stock (ANSI Z-60.1 + A3002004.)

2. Planting bed soil for annuals shall be screened topsoil. To deter weed growth during the establishment of annual, & perennial bed, apply a pre-emergent ('Preen' or equal) after planting 2-3 times per growing season, at a rate per recommendation of product manufacturer.

3. Tree wrap shall be removed upon planting.

4. Two (2) year guarantee period begins at Final Inspection of landscape material by the City's Building Department. This is the end of the 2-3 month City inspections of the landscape material is to be maintained for the natural life of the plant. No removal of any plant material is permitted without replacement.

5. Building Department will not release construction bonds until City approved landscape material is to be maintained for the natural life of the plant. No removal of any plant material is to be done without prior written consent of the City's Building Department.

6. Owner is then responsible for care and maintenance of all plants upon return of bonds. All plant materials shall be used in compliance with the provisions of the local ordinance and shall be nursery grown, free of pests and diseases, hardy in this county, in conformance with the standards of the American Association of Nurserymen, and shall have passed inspections required under state regulations. In addition, plant materials shall conform to the standards of the county cooperative extension service.

LAWNS

1. Plant materials shall be sound, healthy vigorous, free from plant diseases and insects or their eggs, and shall have normal, healthy root systems. Caliper measurements shall be taken 6" above the ground level. (All measurements shall be in accordance with the latest edition of American Standard for Nursery Stock (ANSI Z-60.1 + A3002004.)

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<table>
<thead>
<tr>
<th>No.</th>
<th>Species</th>
<th>Scientific Name</th>
<th>Diameter</th>
<th>Branches</th>
<th>Condition</th>
<th>Event</th>
<th>Regulation</th>
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<tbody>
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<td>Apple</td>
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<td>Birch</td>
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<td>Cherry</td>
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<tr>
<td>4</td>
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<td>Ulmus americana</td>
<td>8</td>
<td>4</td>
<td>Poor</td>
<td>L5</td>
<td>NA</td>
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</table>

NOTE: TREES CLASSIFIED AS NON-REGULATED BASED ON SPECIES, CONDITION AND LOCATION (WITHIN BUILDINGS, ROAD, UTILITIES, ETC PER ORDINANCE).
### TREE LIST

**LAVENDER RIDGE**

**ORION TOWNSHIP**  
**OAKLAND COUNTY**  
**MICHIGAN**

<table>
<thead>
<tr>
<th>#</th>
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<th>Scientific Name</th>
<th>Condition</th>
<th>Notes</th>
<th>Regulation</th>
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<td>Quercus</td>
<td>Fair</td>
<td></td>
<td>Regulated</td>
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<tr>
<td>3</td>
<td>Elm</td>
<td>Ulmus</td>
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<td></td>
<td>Non-Regulated</td>
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<tr>
<td>4</td>
<td>Maple</td>
<td>Acer</td>
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<td>Non-Regulated</td>
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<tr>
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<tr>
<td>6</td>
<td>Pine</td>
<td>Pinus</td>
<td>Fair</td>
<td></td>
<td>Regulated</td>
</tr>
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</table>

**NOTE:** Trees classified as non-regulated based on species, condition, and location (within buildings, roads, utilities, etc. per ordinance).

---

**Issue Date:** 07.18.2019  
**Submit to Township Date:** 08.30.2019  
**Final PUD Submission Date:** 11.26.2019

---

**Scale:** 1" = 100'

---

**Date:** 07.18.2019

---

**Professional Seal:**

---

**Contact Information:**

**LAVENDER RIDGE**

1025 East Maple Road  
Suite 100  
Birmingham, MI 48009  
**p (248) 852-3100**  
**f (313) 962-5068**  
[www.giffelswebster.com](http://www.giffelswebster.com)
PLANNED UNIT DEVELOPMENT AGREEMENT

Lavender Ridge

Between:

Charter Township of Orion,
a Michigan municipal corporation

and

Jacobson Moceri Orion, LLC
A Michigan limited liability corporation

Dated: ______________, 2020
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PLANNED UNIT DEVELOPMENT AGREEMENT

THIS PLANNED UNIT DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this _____ day of __________, 2020, by and between the CHARTER TOWNSHIP OF ORION ("Township") a Michigan municipal corporation, with offices located at 2525 Joslyn Road, Orion, Michigan 48360, and JACOBSON MOCERI ORION, LLC ("Developer"), a Michigan limited liability company, with offices located at 32400 Telegraph Road, Suite 200A, Bingham Farms, MI 48025

Project Developer: Jacobson Moceri Orion, LLC
32400 Telegraph Rd., Suite 200A
Bingham Farms, MI 48025
(248) 642-4700

Project Planner & Engineer: Giffels Webster
1025 E. Maple, Suite 100
Birmingham, MI, 48009
(248) 852-3100

Project Architect: Dominick Tringali Architects, Inc.
1668 Telegraph Road Suite 250
Bloomfield Hills, MI 48302
(248) 335-8888

RECITALS

A. The purpose and intent of these PUD standards and guidelines is to regulate the development of a proposed residential townhome community within the property described in Exhibit A (the “Property”). The development, to be called Lavender Ridge, consists of a maximum of 260 townhome residences for lease or sale, a community center, private drives, a private stormwater management system, public water mains, public sanitary sewers and permanently preserved open space areas (collectively the “Project”).

B. Townhome residences will provide traditional design elements that are complimentary to the predominate architecture in the area, and the overall population density of the Property shall be similar to or less than surrounding single family residential communities.

C. The Project will provide benefits to Orion Township in the following manner:

   a. The Project will preserve the important natural features of the site including woodlands, open spaces, wetlands, and topography by clustering development on only 42% of the property.
   b. By clustering the development, no road connections will be made to Silverbell Road.
   c. Appropriate landscaping will be provided within a 100-foot setback along Squirrel Road.
   d. Residences along Squirrel Road will be set back 100 feet from the right of way with front building elevations facing Squirrel Road.
e. Residences will be constructed in tiers perpendicular to and stepping down the existing slope which drops up to 70 feet in elevation from Squirrel Road, providing exceptional settings and preserving wonderful views along with the natural topography.

f. The Project will include a community center, enhancing the quality of life for the residents, offering opportunities for social activities and reducing the burden on the Township’s public recreational facilities.

g. The Project will include a 2.7-acre internal resident’s park in addition to the 58% of the site that will be left undeveloped.

h. By clustering development, the Project will provide a high degree of buffering for surrounding neighborhoods. No development at all will occur along Silverbell Road. A landscaped berm will provide a wide buffer to Stonegate Ravines along the south property line.

i. Public benefits for Township residents provided by the Project will include extensions of the bicycle path network along Squirrel and improvement to Jesse Decker Park.

NOW, THEREFORE, it is hereby agreed as follows:

1. SUMMARY DESCRIPTION OF THE PROJECT

The Project covers an area comprising approximately 75 acres at the southeast corner of Squirrel and Silverbell Roads. The Developer is proposing to create a townhome community in accordance with the Final Site Plan attached as Exhibit B. The proposed use is as follows:

a. Two hundred sixty (260) townhome residential units for lease or sale with 1 and 2-car attached garages. The buildings will be designed in a traditional architectural style with a combination of brick and vinyl siding.

b. The townhomes will be a combination of 2 and 3-bedroom residences depending on market demand. Maximum height of these units will not exceed 35 feet to the average midpoint of the roof as measured from the average of the front and rear finish grade elevations.

c. The Project will include a community center.

d. A centrally located 2.7-acre internal private park will be created for use by the residents.

e. The majority of the Property will remain undeveloped as permanent open space available for passive use by the public.

f. A public pedestrian and bicycle plaza will be created at the southeast corner of Squirrel and Silverbell Roads, to be maintained by the Developer.

g. Funding will be provided for improvements to Jesse Decker Park.

2. ADHERENCE TO REQUIREMENTS FOR DEVELOPMENT

The Property shall be developed and improved in accordance with the following documents (“Development Documents”):

a. All applicable Ordinances and Codes of the Charter Township of Orion as may be modified by those modifications approved under the Planned Unit Development ordinance attached as Exhibit C, by the provisions in this Agreement, or by the approved Final Site Plan.

b. The Engineering Plans as prepared by Giffels Webster, the engineers for the Project.

c. The Architectural Plans.
d. This Planned Unit Development Agreement and any conditions imposed herein.

e. Any and all conditions of the Final Site Plan Approval by the Orion Board of Trustees pertaining to the Project and reflected in the official minutes of said meetings. The Final Site Plan shall be designed in conformance with the requirements of this Agreement. Once the Final Site Plan is approved, the Final Site Plan and minutes of the Planning Commission and Township Board meetings providing approvals shall supersede the Preliminary Site Plan Approval.

f. The Orion Township Engineering Design Standards, and any other reasonable conditions which might be required by the Township’s Engineer, as may be modified by the provisions in this Agreement, or by the approved Final Site Plan.

g. In accordance with all other approvals and permits required under applicable Township Ordinances, the Development Documents and state laws for the respective components of the Project.

All future owner(s) of the Property shall be bound by the terms of this Agreement and the Developer’s authority and responsibilities stated herein. It shall be the responsibility of the Developer to transmit to and notify all future owner(s) of the Property of the requirements contained within this Agreement. The Township shall require that all other developers, present or future, of any portion of this Agreement or any amendment thereto, as the same may be expanded by the Township and their respective successors in title comply with the Township Ordinances and regulations, the Final Site Plan and this Agreement. It is the intent that the restrictions contained in this Agreement will run with the land.

3. INTENT OF PROJECT

Lavender Ridge will be a clustered residential townhome community consisting of 260 residences plus a community center. The Developer has constructed a number of projects in the region with great success, including Stonegate Ravines, Heron Springs, Silver Creek and Blossom Ridge, with Blossom Springs and Blossom Creek currently under development.

The Project responds to a nationwide housing shift that is occurring with an increase in leasing preference over home ownership. High-quality townhome communities are being selected by young families, professionals and empty nesters as a lifestyle choice providing flexibility, freedom from maintenance, opportunities for social interaction, the availability of a community center with recreational facilities, and the lack of a need to tie-up equity. Orion Township has an insufficient supply of high-quality townhome communities as evidenced by nearby townhome developments having waiting lists including Heron Springs and Parkways. A significant segment of the population growth projected for Orion Township by the Master Plan and SEMCOG will desire the type of community proposed for this site.

4. ADHERENCE TO ORDINANCES

Developer shall comply with the Ordinances of the Township in effect at the time of Final Approval of this Project as modified by this Agreement or the approved Final Site Plan. Developer and Township acknowledge that certain provisions of this Agreement or the Final Site Plan may exceed or reduce the requirements of the Zoning Ordinance.
To the extent that there are conflicts or discrepancies between respective provisions of the Development Documents, or between provisions of the Development Documents and Township Ordinances, this Agreement shall apply. To the extent that there are conflicts or discrepancies between the Final Site Plan and Township Ordinances and this Agreement is silent on such matters, the Final Site Plan shall apply.

Developer shall fully comply with all engineering and other local, state and federal codes and regulations in effect at the time of commencement of development of the Project, unless superseded by this Agreement and the approved Final Site Plan. Upon the commencement of construction, building requirements, engineering requirements and building related fees applicable to the project as approved by the Township shall be vested and shall not be subject to change.

Developer shall comply with the Township Phragmite ordinance. Further, the Developer shall prohibit the planting of Phragmite or other invasive landscaping species and shall provide for the ongoing control and removal of Phragmite from the developed areas of the project. The Developer shall take all necessary and reasonable steps to remove Phragmite in an appropriate manner from the parts of the Property to be developed in connection with its grading and other development activities. The intent is to remove Phragmite in the appropriate manner so as to avoid the regrowth of the plant.

Building elevation materials and colors will consist primarily of materials as shown on the conceptual architectural drawings (Exhibit D).

Development standards will generally conform to the Final Site Plan as shown on Exhibit B and in accordance with the Schedule of Modifications shown on Exhibit C.

5. PERMITS AND AUTHORIZATIONS

The Township shall grant to Developer and its contractors and subcontractors all Township permits and authorizations necessary to extend or modify the existing utilities including electric, telephone, gas, cable television, water, storm and sanitary sewer to the Property and to otherwise develop and improve the Property in accordance with the Final Site Plan, provided the Developer has first made all requisite applications for permits, complied with the requirements for said permits, and paid all required fees. Any applications for permits from the Township will be processed in the customary manner, but the Township agrees to issue building permits expeditiously within two (2) weeks of a full and complete application for each building.

The Township will cooperate with Developer in connection with Developer’s applications for any necessary county, state, federal or utility company approvals, permits or authorizations to the extent that such applications and/or discussions are consistent with the Final Site Plan, and this Agreement. The Township agrees to permit one onsite sales or leasing trailer and one onsite construction trailer in locations to be selected by the Developer.

Upon the start of sitework, the Township agrees to permit the construction of two (2) buildings adjacent to Squirrel Road for the purposes of providing models with the condition that no certificates of occupancy will be issued until the completion of sitework, including streets and driveways, serving such buildings.
6. PHASING

The Project may be completed in phases as shown on the Final Site Plan. Project construction shall commence within three (3) years of final approval by all governmental agencies having jurisdiction over the Project. Completion of the Project will depend on market demand but shall not exceed ten (10) years from the date of construction commencement. In the event of unforeseen national economic circumstances, the Developer may request extensions for good cause from the Orion Township Board, which shall not be unreasonably withheld. The Developer acknowledges and agrees to the provisions set forth in ordinances 78 section 30,03H, unless modified herein.

At a minimum, the first phase of the Project shall include the sanitary sewer lift station, a looped water system connection that will provide water feeds from two directions and the funding of public improvements in Jesse Decker Park being provided as community benefits.

7. WATER AND SANITARY SEWER SYSTEMS

Developer shall, at its sole expense, construct and install all connections tying into the existing municipal water system adjacent to the site. If supported by an engineering study, the Township agrees to facilitate the connection of the Project’s sanitary sewer system to the existing sanitary sewer located in Stonegate Ravines located south of the site by modifying an existing intergovernmental agreement with the City of Auburn Hills. If not supported by an engineering study or if agreement with the City of Auburn Hills cannot be accomplished, the Project shall have the right to connect to the existing sanitary sewer system in the Bald Mountain development north of Silverbell Road.

All costs of the sanitary sewer system and sanitary lift station shall be at the sole expense of the Developer. Water and Sewer usage fees shall be in accordance with the standard fee schedule for Orion Township. No lateral charge for utilities shall apply to the Project in view of the Developer’s undertaking to construct water and sewer extensions at its expense.

8. ROADS, DRIVES

The internal drives in the Project shall be private and shall consist of asphalt pavement with concrete curbs and gutters, 27 feet wide back to back of curbs. Townhome residences will be set back from the curbs as shown on the approved Final Site Plan providing typical dimensions. No right of way shall be provided for the private internal drives. Driveways serving the residences may be concrete or asphalt. An internal pedestrian circulation system shall be provided. Street maintenance, including snow plowing, shall be the responsibility of the Developer.

9. LANDSCAPING, LIGHTING, AND ARCHITECTURAL STANDARDS

Developer shall construct the Project in full compliance with the Development Documents which provide landscaping, lighting, signs, architectural and other details applicable to the Project. Developer shall install irrigation sufficient for survivability of all planted materials. The Developer shall have responsibility for maintenance of the irrigation, landscaping and exterior building components within the community.
Due to the nature of the Project, street trees may be located within sanitary and water main easements provided that they are planted at least 3 feet away from the centerline of the mains and are in accordance with the approved Landscape Plan for the Project. The Township shall have the right to remove any landscaping within a sanitary or water main easement necessitated by a requirement for maintenance or repair and the Developer shall have the obligation for replacement of any such landscape material removed by the Township.

At the southeast corner of Squirrel and Silverbell Roads, Developer shall have the right to permanently install a double-faced, internally illuminated community identification/information sign, not to exceed 32 square feet in surface area, and three (3) illuminated flagpoles for United States, Michigan and Orion Township flags.

10. OPEN SPACE AND NATURAL FEATURES

For the purpose of insuring long-term preservation of open space and natural features within the Project, all open space areas shall be perpetually preserved as unimproved areas (other than improvements installed in accordance with the Final Site Plan) unless otherwise agreed to in writing by the Township. However, Developer shall have the right to install unpaved hiking trails within the open space areas and to maintain such areas by the removal of dead materials in accordance with good forestry practices. Developer agrees that the open space areas shall be accessible to the public.

11. REIMBURSABLE COSTS

Developer shall reimburse the Township for the following costs:

a. All reasonable planning, engineering and any consultant fees incurred in connection with the review and approval of the Project, in accordance with the Township’s Planning Services Fee Schedule.

b. All reasonable planning, engineering and any consultant fees, along with applicable permit and inspection fees, which may be incurred throughout the construction of the Project as a result of any required inspections or actions taken to ensure compliance with the Development Documents.

c. All reasonable costs associated with the submission to the Township and consideration of all plans and documents associated with the Project, including, but not limited to, site plans, landscaping plans, engineering plans, as-built plans, permits, inspections, etc.

12. PUBLIC BENEFITS

The Developer has offered to provide for a capital improvement fund for public benefits consisting of improvements to Jesse Decker Park (“Park”) in conjunction with the development of the Project. Improvements shall consist of the following:
1) Paving of the existing gravel road between Remington Drive and the north parking lot of the Park to consist of asphalt paving with no concrete curbs and gutters.
2) Construction of restroom facilities between the north and south parking lots of the Park.
3) Construction of a fire pit off the east end of the sledding hill.
4) Installation of a 2-inch crushed limestone gravel surface over the existing south parking lot of the Park.
5) Construction of a new sign at the northwest corner of Remington Drive and Squirrel Road.

The Developer shall bid out the proposed work in conjunction with bids obtained by the Developer for the construction of the Project in order to achieve the lowest prices. The Township shall be the contracting party for the work within the Park and shall be responsible for payment for the Park improvements. The Township shall also be responsible for obtaining all necessary permits required for construction. Funding by the Developer for the Park improvements shall be limited to One Thousand ($1,000) Dollars per developed unit or Two Hundred Sixty Thousand ($260,000) for the Project, assuming the Final Site Plan consists of 260 units. In the event that funding is insufficient to complete all of the proposed improvements, the Township shall establish priorities for which improvements shall be completed.

The funds for Park improvements shall be placed into escrow with the Township for this purpose at the time of initial issuance of building permits for the first phase of the Project.

13. ACCESS TO PROPERTY

In all instances in which the Township, pursuant to this Agreement, utilizes the proceeds of a financial assurance given to secure completion or maintenance of improvements, and at any time throughout the period of development and construction of any part of the Project, the Township, its contractors, representatives, consultants and agents, shall be permitted, and are hereby granted authority, to enter upon all or any portion of the Property for the purpose of inspecting and or completing the respective improvements, and for the purposes of inspecting for compliance with and enforcement of the Final Site Plan and this Agreement.

14. MISCELLANEOUS

a. Binding Effect and Right of Assignment

This Agreement shall be binding upon and inure to the benefit of the parties and their heirs, successors and assigns. Developer shall have the right to assign all or any of its rights, title and obligations under this Agreement without consent of the Township to any corporate, partnership or limited liability company for the purpose of obtaining financing for the project or for any other purpose related to the development of the Project. Any assignee shall be fully and completely bound by the terms and requirements of this Agreement, their heirs, successors and assigns. The rights and obligations contained in this Agreement shall run with the Property.

b. Authority

This Agreement has been duly authorized by all necessary action of Developer and the Township, through the approval of the Township Board at a meeting in accordance with the laws
of the State of Michigan, and the Ordinances of the Township. By the execution of this Agreement, the parties each warrant that they have the authority to execute this Agreement and bind the Property in its respective entities to its terms and conditions.

c. Amendments to Final Site Plan Approval

As a result of changes in market conditions, there may be a need in the future to make minor changes to the approved site plan for the Project, and Developer may request such modifications from the Township. For purposes of expediency, minor modifications to such site plans shall be reviewed by Township staff and approved by the Township Supervisor. Minor modifications may include without limitations: (a) a reduction or increase in the size of any buildings, provided that the the number of all residential units within the Project does not exceed the density limitation set forth in this Agreement of 260 residential units, (b) substitution of landscaping materials identified in the Final Site Plan with similar types of landscaping materials of better or like quality, (c) changes in building footprints which do not alter the character of the use, and (d) changes in exterior architecture that are consistent in quality and general style to plans approved by this Agreement. Any modifications sought that exceed the authority granted to Township staff and Supervisor in the judgment of Township staff and Supervisor shall be submitted to the Planning Commission for review and approval, with Developer having the right to appeal the Planning Commission’s determination to the Township Board. Any modification not minor as defined above will be considered a major modification requiring amendment of the PUD. The determination that a change is not minor is completely within the discretion of the Township and a decision that the change is major is not appealable and must be reviewed by the Planning Commission.

d. Default

The parties to this Agreement reserve the right to cure any default hereunder within thirty (30) days from written notice of such default, or such additional time as may be reasonably required to cure the default as long as the cure of default is commenced within said thirty (30) days, and efforts to effect such cure of default are diligently prosecuted to completion.

No party shall be deemed in default of this Agreement for any delay or failure to fulfill any obligation so long as and to the extent to which any delay or failure in the fulfillment of such obligation is prevented or delayed as a consequence of circumstances of Force Majeure. In the event of any such delay, the time for performance of such shall be extended for a period equal to the time lost by reason of the delay. A party claiming the benefit of this provision shall, as soon as reasonably practicable after the occurrence of any such event, (a) provide written notice to the other party of the nature and extent of any such Force Majeure condition; and (b) use commercially reasonable efforts to remove any such causes and resume performance under this Agreement as soon as reasonably practicable.

e. Other Governmental Approvals

It is understood that construction of some of the improvements included in the Project will require the approval of other governmental agencies.
f. Amendment to Agreement

This Agreement may only be amended pursuant to an instrument executed by the Township and the Developer after mutual consent of the parties.

g. Notice.

Unless later information is provided, notices under this Agreement will be provided to:

To Developer:
Jacobson Moceri Orion, LLC
32400 Telegraph Road, Suite 200A
Bingham Farms, MI 48025
Attn: Scott R. Jacobson
(248) 642-4700 ext. 222
sjacobson@srj.com

To Orion Township:
Charter Township of Orion
Attention: Clerk
Phone:
Fax:
Email to Township Clerk:

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year recited above.

Signatures on following page.
CHARTER TOWNSHIP OF ORION
a Michigan municipal corporation

By: ________________________________
Its: Supervisor

By: ________________________________
Its: Clerk

ACKNOWLEDGEMENT

STATE OF MICHIGAN )
) ss
COUNTY OF OAKLAND )

The foregoing Agreement was acknowledged before me by ____________________, the duly
elected Supervisor, and ____________________, the duly elected Clerk of the Charter
Township of Orion, on the __ day of __________, 2020.

______________________________________________, Notary Public
Oakland County, Michigan
My Commission Expires: ____________________
Acting in Oakland County

JACOBSON MOCERI ORION, LLC
a Michigan limited liability corporation

By: ________________________________________
Its: Authorized Representative

ACKNOWLEDGEMENT

STATE OF MICHIGAN )
) ss
COUNTY OF __________ )

The foregoing Agreement was acknowledged before me by ____________, the Authorized
Representative of Jacobson Moceri Orion LLC on the __ day of ____________, 2020.

______________________________________________, Notary Public
Oakland County, Michigan
My Commission expires: ____________________
Acting in Oakland County
Table of Exhibits

Exhibit A: Property Legal Description
Exhibit B: Final Site Plan
Exhibit C: Schedule of Regulations and Modifications
Exhibit D: Conceptual Architecture Drawings
Exhibit A

Property Legal Description

(PER TITLE COMMITMENT FILE NO. 829781, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED MARCH 19, 2019)

PART OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN; DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 36; THENCE SOUTH 01 DEGREE 53 MINUTES 21 SECONDS WEST 2576.48 FEET ALONG THE EAST SECTION LINE TO THE EAST 1/4 CORNER OF SAID SECTION 36; THENCE NORTH 79 DEGREES 22 MINUTES 44 SECONDS WEST 1344.34 FEET; THENCE NORTH 02 DEGREES 19 MINUTES 00 SECOND EAST 647.57 FEET; THENCE NORTH 01 DEGREE 03 MINUTES 10 SECONDS EAST 1709.35 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 36, THENCE ALONG SAID NORTH SECTION LINE SOUTH 88 DEGREES 46 MINUTES 35 SECONDS EAST 1348.97 FEET TO THE POINT OF BEGINNING, EXCEPT COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN; THENCE SOUTH 88 DEGREES 46 MINUTES 41 SECONDS EAST 1431.65 FEET ALONG THE NORTH LINE OF SAID SECTION 36 AND THE CENTERLINE OF SILVER BELL ROAD (VARIABLE WIDTH); THENCE SOUTH 01 DEGREE 05 MINUTES 07 SECONDS EAST 33.00 FEET FOR A PLACE OF BEGINNING; THENCE SOUTH 88 DEGREES 46 MINUTES 41 SECONDS EAST 45.23 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF SAID SILVER BELL ROAD; THENCE SOUTH 34 DEGREES 45 MINUTES 24 SECONDS WEST 54.54 FEET; THENCE SOUTH 01 DEGREE 05 MINUTES 07 SECONDS WEST 821.50 FEET; THENCE NORTH 88 DEGREES 46 MINUTES 41 SECONDS WEST 15.00 FEET; THENCE NORTH 01 DEGREE 05 MINUTES 53 SECONDS EAST 867.00 FEET ALONG THE PRESCRIPTIVE EAST RIGHT OF WAY LINE OF SAID SQUIRREL ROAD TO THE PLACE OF BEGINNING.

AS-FIELD SURVEYED

PART OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE SOUTH 02 DEGREE 14 MINUTES 07 SECONDS EAST 2575.88 FEET ALONG THE EAST SECTION LINE TO THE EAST 1/4 CORNER OF SAID SECTION 36; THENCE NORTH 83 DEGREES 52 MINUTES 34 SECONDS WEST 1348.09 FEET TO A POINT IN SQUIRREL ROAD (33 FOOT 1/2 WIDTH); THENCE ALONG A LINE IN SAID SQUIRREL ROAD, NORTH 01 DEGREES 24 MINUTES 16 SECOND WEST 654.42 FEET AND NORTH 03 DEGREE 01 MINUTES 47 SECOND WEST 1709.74 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 36; THENCE ALONG SAID NORTH SECTION LINE, NORTH 87 DEGREES 05 MINUTES 09 SECONDS EAST 1348.07 FEET TO THE POINT OF BEGINNING. EXCEPTING A PORTION OF LAND DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN; THENCE NORTH 87 DEGREES 05 MINUTES 09 SECONDS EAST 1431.65 FEET ALONG THE NORTH LINE OF SAID SECTION 36; THENCE SOUTH 03 DEGREE 01 MINUTES 47 SECONDS EAST 33.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE SOUTH 33 FOOT PRESCRIPTIVE RIGHT OF WAY LINE OF SILVERBELL ROAD AND THE EAST 33 FOOT PRESCRIPTIVE RIGHT OF WAY LINE OF SQUIRREL ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 87 DEGREES 05 MINUTES 09 SECONDS EAST 45.22 FEET; THENCE SOUTH 30 DEGREES 37 MINUTES 47 SECONDS WEST 54.52 FEET; THENCE SOUTH 03 DEGREE 01 MINUTES 47 SECONDS EAST 821.50 FEET; THENCE SOUTH 84 DEGREES 46 MINUTES 30 SECONDS WEST 15.01 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE; THENCE ALONG SAID EAST RIGHT OF WAY LINE, NORTH 03 DEGREES 01 MINUTE 47 SECONDS WEST 867.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 75.34 ACRES.
Exhibit C

Schedule of Regulations and Modifications

1. The Project deviates from Schedule of Regulations requirements for Suburban Farms provided in Zoning Ordinance 78.
2. A tree survey is provided only for areas of development activity; no trees were surveyed in areas to remain as undisturbed open space.
3. All internal streets and drives are to be private with no designated right of way.
4. Trees may be located a minimum of 3' off the centerline of any utility.
5. Disturbed areas within the wetland setback will be seeded with native seed mix. Any structures located within the 25' wetland setback will be buffered with buffer plantings as shown on the landscape plan.
6. Deviations as depicted on the approved Final Site Plan for the Project.
To: Tammy Girling, Mark Landis, Jim Stevens, Marguerite Novak  
From: Nancy Standish  
RE: Planning and Engineering Reviews  

Date: December 12, 2019  
Project: PC-2019-47 Lavender Ridge  
Project No. 19622.00

We have reviewed the OHM planning review, dated 12.11.2019, and engineering review, dated 12.12.2019 we have the following comments:

Planning:
1. The habitable portions of the building are a minimum of 20’ (end to end). The boxed shaped projections on the ends of some of the buildings are to enclose and screen the water meters.
2. Any impacts to the wetlands will be permitted.
3. Each entrance has one community sign. Since this is a for lease community, marketing signage will be permanent. We are requesting one at each entrance and one at the intersection since the north entrance is almost ¼ mile south of the intersection. We typically don’t prepare photometric plans for dispersed street lighting; however, one can be provided prior to construction.
4. We request consideration of a waiver for the interior parking lot landscaping as there is significant landscaping proposed surrounding the parking lot which meets the spirit of the ordinance. Landmark trees will be noted on the tree list. The project is significantly exceeding the township’s requirements.
5. Dimensions on the clubhouse elevations and materials on the clubhouse rendering will be provided. Material boards will be provided at the planning commission meeting. Clubhouse trash will be stored within the building in roll away containers. Details of the retaining walls will be provided.
6. Phasing plan will be clarified.

Engineering:
1. An Orion Township wetland permit will be applied for.
2. A more detailed phasing plan will be provided indicated phasing of site work to provide adequate utilities, stormwater management and fire access in each phase.
3. More grading information will be provided in the resident park behind the clubhouse.
4. Clubhouse drive will be revised.
5. Landmark trees will be identified.
6. Connection to existing watermain in Cloverdale will be included.
7. Water services -- coordinating with OHM and DPS.

Please feel free to contact me with any questions.

Respectfully,

GIFFELS-WEBSTER

Nancy Standish, PE  
Senior Project Manager
December 11, 2019

Justin Dunaskiss, Planning Commission Chairperson
CHARTER TOWNSHIP OF ORION
2525 Joslyn Road
Lake Orion, MI 48360

RE: Lavender Ridge Townhomes
Planned Unit Development (PUD) Final Plan Review

Received: November 26, 2019 by Orion Township

Dear Mr. Dunaskiss:

We have completed our first review of Lavender Ridge Final PUD plan set. The plans, dated November 26, 2019, were prepared by Giffels Webster and were reviewed with respect to the Township’s Zoning Ordinance and the Township’s Master Plan. The format of this review takes previous planning reviews received by the Township into consideration.

GENERAL INFORMATION

Applicant: Jacobson Moceri Orion, LLC
Project Name: Lavender Ridge Townhomes, Final PUD Plans
Plan Date: November 26, 2019
Date Stamped: November 26, 2019
Location: East side of Squirrel Road, South of Silverbell Road
Existing Zoning: SF Suburban Farms
Proposed Zoning: PUD, Planned Unit Development
Action Requested: Final Plan Approval
Required Information: Noted in Review

PROJECT AND SITE DESCRIPTION

The site is located east of Squirrel Rd., south of Silverbell Rd. within Section 36 of the Charter Township of Orion. The site is zoned Suburban Farms (SF), and bound to the west and south with Special Circumstances (SC), to the north with Suburban Farms (SF), to the west Single Family Residential (R-1), Special Circumstances (SC) and Recreation 2 (Rec-2). On the east side of Kern Road, Oakland Charter Township is zoned Very Low Residential Density (VLRD) and Medium Residential Density (MRD). See the map below for a depiction of Township zoning of the project site and surrounding parcels. As part of the Public Benefit requirement of the PUD, the applicant is proposing improvements to Jesse Decker Park, including a new sign, a firepit, a restroom facility, and a paved drive from Remington Dr. to the paved parking lot by the northern baseball diamond.
The proposed site is approximately 76 acres. The proposed development will use only 31.7 acres and approximately 35 acres will be dedicated to the Township as park space. Wetlands encompass approximately 21.7 acres of the entire site, the majority of which will be a part of the 35 acres of Township park. The site was previously used as farmland and it appears from aerial photographs farming operations ceased in the early 2000’s. Currently, the site remains undeveloped as overgrown fields and dense wetlands/woodlands. The applicant is proposing a 260-unit townhouse community comprised of 39 buildings, each with between 4 and 8 units. Each proposed unit has between 700 and 1,260 square-foot building footprints. Most of the units are two-story with some single-story end units. The development will also include a clubhouse and pool and parking areas for visitors.

**PROJECT HISTORY/CONCEPT PUD APPROVAL**

As required by Section 30.03.G, a joint public hearing regarding the Lavender Ridge Concept PUD was held on October 2, 2019. A majority of the comments at the public hearing addressed concerns over traffic, the nature and density of development, and the project’s potential impact on the surrounding houses and neighborhood. Following the public hearing, the Planning Commission deliberated the plan’s PUD eligibility. The PUD concept plan was approved at the October 2, 2019 Planning Commission meeting and at the subsequent Township Board meeting on October 21, 2019.
COMPLIANCE WITH PUD CONCEPT

In compliance with Section 30.03.P of the zoning ordinance, the following information is required for the submission of a PUD.

1. **Compliance with the PUD Concept.** The overall design and land uses proposed in connection with a PUD plan shall be consistent with the intent of the PUD concept, as well as with specific design standards set forth herein.

2. **Compatibility with Adjacent Uses.** The proposed PUD plan shall set forth in detail, all specifications with respect to height, setbacks, density, parking, circulation, landscaping, views, and other design features that exhibit due regard for the relationship of the development to surrounding properties, the character of the site, and the land uses. In determining whether this requirement has been met, consideration shall be given to:
   a. The bulk, placement, materials of construction for the proposed structures.
   b. Pedestrian and vehicular circulation.
   c. The location and screening of vehicular use or parking areas.
   d. The provision of landscaping and other site amenities.

3. **Impact of Traffic.** The proposed PUD shall be designed to minimize the impact of traffic generated by the PUD on surrounding uses.

4. **Protection of Natural Environment.** The proposed PUD shall be protective of the natural environment. It shall comply with all applicable environmental protection laws and regulations.

5. **Compliance with Applicable Regulations.** The proposed PUD shall comply with all applicable federal, state, and local regulations.

6. **Township Master Plan.** The proposed PUD shall be consistent with, and further the implementation of, the Township Master Plan. If the proposed PUD is not consistent with the Master Plan, the Planning...
Commission and Township Board shall consider reasons for deviating from the Master Plan. This may include one or more of the following:

a. Changes in surrounding land use or zoning
b. Changes in infrastructure
c. Community benefit
d. Design excellence

The proposed plan contains most of the requirements listed above. There are elements of the PUD that do not meet underlying zoning requirements that will need to be discussed by Planning Commission. Further detail on discrepancies in zoning requirements and the proposed landscaping, Master Plan, bulk of proposed structures, natural environment (and associated permits), and impact on traffic are discussed in the following sections.

MASTER PLAN
While the applicant shows that the plans support Master Plan goals of growth management, preservation of open space, sustainable development patterns, and diversity in housing types, there are discrepancies with the Future Land Use Plan. Orion Charter Township’s Master Plan, adopted in 2009, designates the future land use category for the subject site as Single Family Low Density development. It describes Single Family Low Density as one (1) unit for every 2.5 acres, with a range of 0.1 to 0.5 units per acre and is intended to remain rural residential in nature. The proposed plan calls for multi-family, higher-density development, which differs from the Master Plan’s designation. In terms of Master Plan goals,

The Planning Commission reviewed these discrepancies from the 2009 Master Plan during the Concept PUD phase. While the PUD development is not consistent with the land use plan, it was determined that the future land use plan may not be relevant in the study area, as the surrounding uses have changed. With proper design, the PUD may be developed in a manner which is consistent with many of the policy statements contained within the Master Plan.

SETBACKS
Section 7.06 – Area and bulk requirements for Multiple Family districts require the following setback distances:

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>100 feet</td>
<td>100 feet/359 feet</td>
</tr>
<tr>
<td>Side</td>
<td>50 feet</td>
<td>181 feet</td>
</tr>
<tr>
<td>Rear</td>
<td>50 feet</td>
<td>535 feet</td>
</tr>
<tr>
<td>Front to Front or Rear</td>
<td>70 feet</td>
<td>Range from 80 feet to 90 feet</td>
</tr>
<tr>
<td>Rear to Rear</td>
<td>50 feet</td>
<td>Range from 50 feet to 70 feet</td>
</tr>
<tr>
<td>End to End</td>
<td>30 feet</td>
<td>Range from 20 feet to 70 feet</td>
</tr>
<tr>
<td>End to Front or Rear</td>
<td>50 feet</td>
<td>70+ feet</td>
</tr>
</tbody>
</table>

While the proposed buildings meet most of the setback requirements (see the table above) for multi-family housing districts, a large majority of the buildings fall short the “end to end” setback requirement of 30 feet. Most buildings average a 20 foot setback from “end to end.” Under Section 30.03.E, the ordinance allows 20 feet to be maintained between buildings, where two buildings are located side by side. Planning Commission will need to consider this deficiency and allowances under Section 30.03.E.

NATURAL RESOURCES
Section 30.13 of the PUD Ordinance states that development shall be designed to promote the preservation of natural resources and natural features, taking into consideration the local, state, and federal concerns for the protection and preservation of natural resources and natural features. In addition, provisions for the standards of the Township’s Wetland Protection Ordinance No. 107 and the Stormwater Management Ordinance No. 139 shall also be considered.

The engineering review completed by OHM Advisors outlines the impact to the wetlands and woodlands on the site. We defer the engineering review for determination of necessary changes and permits.

**ESSENTIAL FACILITIES AND SERVICES**

Section 30.03.C.5 states, the proposed PUD shall not exceed the capacity of existing and available public services, including utilities, public roads, police and fire protection services, and educational services.

The engineering review completed by OHM Advisors outlines the determination of site capacity for storm and sanitary sewer services. We defer the engineering review for determination of necessary alterations for approval.

**TRAFFIC IMPACT**

Section 30.03.F.3. states, the proposed PUD shall be designed to minimize the impact of traffic generated by the PUD on surrounding uses. An addendum to the October 2019 Traffic Impact Study Report was submitted to determine impacts on offsite intersections. We defer the engineering review on specific considerations for the Traffic Impact Study.

**PEDESTRIAN CIRCULATION**

Sidewalks, 5 feet in width, are proposed along the private internal roads. These sidewalks also run between and behind the proposed building, providing for a strongly connected pedestrian system throughout the site. A safety path, 10 feet in width is provided along Squirrel Road. In addition to sidewalk improvements, the applicant is proposing a bicycle plaza at the corner of Squirrel and Silverbell Road. This plaza will be available for public use and include lighting, marketing signage, and 3 benches.

**OPEN SPACE**

Section 3.03.B.5 states that a minimum of 15% of the site shall be preserved as open space for residential uses and be used for both passive and active uses. The applicant proposes a total of approximately 16 acres of open space, constituting roughly 21% of the total site.

**LANDSCAPING**

Section 27.05 states the following general provisions are required for landscaping, fences, and walls:

1. **General Landscaping.** A mixture of evergreen and deciduous trees shall be planted at the rate of 1 tree for each three 3,000 square feet, or portion thereof, of landscaped open-space area. A total of 1,028 trees are proposed for open space throughout the site meets, thus meeting the requirement of 815 trees.

2. **Screening for Conflicting Land Uses.** Where a multi-family development abuts a single-family uses, a greenbelt is required provide a minimum of 1 deciduous tree or evergreen tree shall be planted for each 30 lineal feet, or portion thereof, of required greenbelt length. Required trees may be planted at uniform intervals, at random, or in groupings. A berm and shrubs may also be required in order to provide sufficient screening.
The proposed development abuts Stonegate Ravines to the south. The plans meet the requirements of 27 deciduous or evergreen trees and a 3 foot berm along the southern border by providing 42 evergreen trees, 92 flowering trees, 669 shrubs, a 3 foot berm, and perennials spread along the landscape buffer.

3. *Squirrel Road and Silverbell Road Buffer.* A greenbelt is required provide a minimum of one 1 deciduous tree or evergreen tree shall be planted for each thirty 30 lineal feet, or portion thereof, of required greenbelt length. With a total linear frontage of 3647 feet, the proposed design meets the 122 evergreen or deciduous tree requirement by providing 170 evergreen trees, 173 flowering trees, and a 3 foot berm along developed land.

4. *Interior Parking Lot Landscaping.* Parking lots containing over 20 parking spots require at least twenty 20 square feet of interior landscaping per parking space. A minimum of 1 tree shall be planted per 200 square feet or fraction thereof of interior parking lot landscaping. At least 50% of each interior landscaped area shall be covered by living plant material, such as sod, shrubs, ground cover, or trees.

The proposed plan provides 14 trees, meeting the requirement in amount, but the location of the trees mostly fall along the perimeter and abutting the building due to limited space. The Planning Commission may, at their discretion, waive or modify the requirement for interior landscaping in cases where the parking lot consists of only one (1) aisle and the area surrounding the parking lot is heavily landscaped or where existing off-street parking drives and/or structures are located on the parcel.

5. *Tree Survey.* The applicant provided a tree survey for only areas proposed for development. While ordinance requires the survey to be completed for the full site, for larger sites over 10 acres in size containing more than 100 regulated trees, the Planning Commission may waive the detailed tree inventory requirements where it can be demonstrated that the proposed development will not impact woodland areas.

In addition, the tree survey and tree replacement calculations do not identify Landmark Trees as defined by the ordinance. If applicable, the plans should make note of each Landmark Tree located on the site.

**SIGNAGE AND LIGHTING**

Ordinance No. 153 allows for 1 permanent ground sign per vehicular entrance to a multiple-family complex with a sign area of 35 square feet per side and a maximum height of 6 feet. The proposed design includes 3 separate marketing signs and 2 signs for the development. Of the 3 marketing signs, 2 are located at each entrance along squirrel road and 1 is located at the corner of Squirrel Road and Silverbell Road. The development signs are also located at each entrance along Squirrel Road.

The two development signs are considered wall signs, as they are affixed to tile walls located in the entrances of the development. To assure the character and style of the signage and associated wall is consistent with the architectural style of the proposed buildings, details on material and color should be provided.

Under the assumption that the market signs are permanent and with 3 entrances in total to the site proposed, the design exceeds zoning allowances. Further information is needed on the permanency of the signs. If they are indeed proposed as permanent, the number of signs on the property must be reduced and a schedule for their appearance must be noted. Further information is also needed regarding the luminosity of the signage and a photometric plan for the site indicating location of all proposed lighting.
ARCHITECTURAL DESIGN AND BUILDING LAYOUT

The applicant has provided proposed floor plans and elevations for all structures on the site. Elevations for the clubhouse are missing dimensions and the renderings are missing indication of proposed façade materials. These details should be shown on the existing drawings. or, if these architectural details are similar to the materials and colors of the residential buildings, a note of this continuity may be sufficient. The applicant shall also provide details, including dimensions and materials for waste receptacles, the retaining wall, and all other accessory or screening structures to ensure consistency in architectural style of the clubhouse and residential buildings.

FINAL PUD PLAN PROCEDURES FOR REVIEW AND APPROVAL

Section 13.03.6 contains a list of information is required for a final plan and application for a PUD. Based on what is provided by the applicant, the following still needs to be addressed:

1. While a high-level plan for phasing is included in the plan set, greater detail is needed for the specific site improvements to be included in the second and third phases of development. In addition, the road improvements on Silverbell and Squirrel Road must be accounted for within the phasing plan.

SUMMARY

With the consideration of PUD requirements and general site requirements, the following comments should be considered by Planning Commission in the review of the final PUD submittal and prior to approval:

- Deficiencies in proposed 20 foot end to end setbacks
- Considerations of impact on the existing wetlands and need for permits (refer to the engineering review letter for specific requirements)
- Non-fulfillment of signage requirements and lighting plan
- Consideration and possible waiver of interior parking lot landscaping deficiencies
- Consideration and possible waiver of tree survey deficiencies and confirmation of Landmark Trees
- Confirmation on architectural design elements of clubhouse, and accessory or screening structures
- Insufficiencies in the Phasing Plan

Approval of the final PUD gives approval of the use and site design of the proposal and allows the applicant to submit a final PUD plan. We defer to our engineering letter on essential facilities and services, natural resources, and site access and circulation.

Sincerely,

OHM Advisors

[Signature]
Marguerite Novak, Planner

cc: Chris Barnett, Township Supervisor
    David Goodloe, Building Official
    Jeff Stout, Director of Public Services
    Tammy Girling, Director of Planning and Zoning
    Lynn Harrison, Planning and Zoning Coordinator
    Jeff Williams, Township Fire Marshall
    Bill Basigkow, Water and Sewer Superintendent
    Mark Landis, Engineering Consultant, OHM

file:
December 12, 2019

Justin Dunaskiss, Planning Commission Chairperson  
CHARTER TOWNSHIP OF ORION  
2525 Joslyn Road  
Lake Orion, MI 48360

RE: Lavender Ridge, PC-2019-47  
Final PUD Review #1

Received: November 26, 2019 by Orion Township

Dear Mr. Dunaskiss:

We have completed our review of Lavender Ridge Final PUD plan set. The plans, dated November 18, 2019, were prepared by Giffels Webster and were reviewed with respect to the Township's Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township's Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located east of Squirrel Rd., south of Silverbell Rd. within Section 36 of the Charter Township of Orion. The site is zoned Suburban Farms (SF) and bound to the west and south with Special Circumstances (SC), to the north with Suburban Farms (SF), to the west Single Family Residential (R-1), Special Circumstances (SC) and Recreation 2 (Rec-2).

The proposed site is approximately 76 acres. The proposed development will use only 31.7 acres and approximately 34.2 acres will be dedicated open space. Wetlands encompass approximately 21.7 acres of the entire site, the majority of which are a part of the dedicated open space. The site was previously used as farmland and farming operations ceased between 2002 and 2006. Currently, the site remains undeveloped as overgrown fields and dense wetlands/woodlands. The applicant is proposing a 260-unit townhouse community comprised of 39 buildings, each with between 4 and 8 units. Most of the units are two-story with some single-story end units. The development will also include a clubhouse, pool and parking areas for visitors. The development area slopes significantly from west to east with elevations ranging from 1024 on N. Squirrel Rd., to approximately 964 at the wetlands on the east side of the site.

As part of the Public Benefit requirement of the PUD, the applicant is proposing improvements to Jesse Decker Park, including a new sign, a fire pit, a restroom facility, and a paved drive from Remington Dr. to the paved parking lot by the northern baseball diamond.

WATER MAIN AND SANITARY SEWER:
There are two existing water main stubs located on the northeast (8-inch) and southwest (12-inch) corners of the intersection of Silverbell Rd. and N. Squirrel Rd. An 8-inch stub is present south of the site at the end of Catalina Dr. There is also existing 8-inch water main located along N. Squirrel Rd. between Remington Dr. and Cloverdale Dr. The applicant is proposing to extend 8-inch water main across Squirrel Rd. and into the site from the existing 8-inch water main at Remington and Cloverdale Dr. in two locations. A third connection is located at the 8-inch stub at the north end of Catalina Dr. A looped system with a 12-foot easement is proposed internal to the site. The
plans show single services provided to each building. It has been the Township's Department of Public Services policy to require a water lead to each unit and the plans should be revised accordingly. Per the township's water model, there is sufficient capacity to service the proposed development. The proposed hydrant and gate valve spacing is appropriate for a residential development. FDC's have been included on each building and we defer comments pertaining to location to the Fire Department.

An existing 10-inch sanitary sewer is located on the south side of the site, with a manhole at the end of Catalina Dr. The applicant is proposing to connect this existing sewer in Catalina Dr via a pump station to be located in this vicinity. The site will be serviced via 8-inch gravity sanitary sewer that will drain to this pump station. A 20-foot easement is proposed, centered around the 8-inch sanitary within the site. The pump station in the plans appears to include a wet-well, valve vault and building to house the backup generator. The sanitary sewer is tributary to the City of Auburn Hills sanitary system and approval to connect to the sewer will be required from the city. It is our understanding that there is sufficient capacity to handle the flow from this development. Orion Township is currently working with the City of Auburn Hills to amend the existing sanitary sewer agreement to allow this site to be serviced by Auburn Hills as this is the preferred alternative.

Should an agreement not be reached, the applicant is showing an alternative pump station location on the north side of the site that connects to the 8-inch stub in Kingsdale Blvd which is within Orion Township and part of the Bald Mountain development. Per the township's sanitary sewer model, there is sufficient capacity to service the proposed development.

Franchise utilities were included in the plan set as a joint trench with a 10-foot easement. Water main, sanitary and storm structures shall not be located within the easement for franchise utilities.

STORMWATER MANAGEMENT:
Currently, the site's stormwater generally drains toward the wetlands on the east side of the site. Stormwater in the proposed development will be collected and transported via onsite swales or underground storm pipe network and generally match the existing drainage patterns. The proposed system will include two site detention basins and mechanical pre-treatment structures in lieu of sediment ponds. The site is not located within a specified drainage district and therefore will have an allowable outflow of 0.20 cfs/acre. Preliminary detention calculations were included in the plans and appear acceptable. Consideration should be given for an access road (turf over aggregate base) to maintain the pretreatment devices and detention basins. A district drainage map was provided in the plans. The swale that is represented in profile 1-1 on the Preliminary Grading Plan should be represented in plan view. There appears to be a section of storm sewer along Lavender Ln. in the northwest corner of the development that does not appear to have an outlet. Please clarify the conveyance of this portion of the storm network (between buildings 1-8). There is an existing storm sewer under Squirrel Rd. that conveys the outflow of the development west of Squirrel Rd. across the road into the wetlands on site. This storm sewer and end section needs to be included in the Topographic Survey and incorporated into the plan set. The applicant is proposing a culvert in the wetland underneath Victoria Dr. and shall include this into the wetland permit application. Rear yard storm sewer collection shall be provided for buildings 9, 10 and 13 to prevent runoff and sumps from being discharged directly into the wetlands.

CIRCULATION & PAVING:
Two boulevard entrances to the site are proposed on Squirrel Rd and an emergency access to Catalina Dr. The applicant appears to be proposing private roads internal to the site, complete with 5-foot sidewalks on both sides of the road. Internal roads have a width of 27 feet. Underdrain shall be provided for the roadway and a detail should be added to the plans. A 10-foot wide safety path is proposed along the site's frontage along Squirrel Rd. with a mid-block crossing proposed north of Remington Dr. to provide access to Jesse Decker Park. The township standard width is 8-feet for safety paths. RCOC approval will be required for all work within the Squirrel Rd. and Silver Bell Rd. rights-of-way. Off-street parking is provided and is sized adequately at 9 feet wide by 19 feet long. The drive approaches to the clubhouse do not accommodate the fire apparatus of the Orion Township Fire Department and
should be revised accordingly.

A Traffic Impact Study (TIS) has been submitted with the plans and we have reviewed it for conformance with the Orion Township Zoning Ordinance. In addition to the proposed approaches, the study also evaluated the intersections of Squirrel Rd. at Dutton Rd. and Squirrel Rd. at Silverbell Rd. After discussion, the applicant revised the TIS in accordance with the township ordinance. The results provided by the applicant using this method appear to be acceptable and do not warrant additional improvements at any of the intersections. However, it is our understanding the applicant is proposing a center-left turn lane on Squirrel Rd.

Following is a summary of the delays at the two off-site intersections:

### Table 7. Levels of Service at Squirrel/Kingsdale and Silverbell

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Volume</td>
<td>Delay (sec)</td>
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<tr>
<td>Intersection</td>
<td>1903</td>
<td>17.8</td>
<td>B</td>
</tr>
<tr>
<td>EB</td>
<td>L + T + R</td>
<td>623</td>
<td>82.1</td>
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<tr>
<td>WB</td>
<td>L + T + R</td>
<td>950</td>
<td>14.3</td>
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<tr>
<td>NB</td>
<td>L + T + R</td>
<td>218</td>
<td>13.7</td>
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<tr>
<td>SB</td>
<td>L + T + R</td>
<td>112</td>
<td>19.8</td>
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<tr>
<td><strong>Future Background Traffic</strong></td>
<td>2016</td>
<td>20.8</td>
<td>C</td>
</tr>
<tr>
<td>EB</td>
<td>L + T + R</td>
<td>660</td>
<td>27.6</td>
</tr>
<tr>
<td>WB</td>
<td>L + T + R</td>
<td>1007</td>
<td>16.4</td>
</tr>
<tr>
<td>NB</td>
<td>L + T + R</td>
<td>231</td>
<td>19.6</td>
</tr>
<tr>
<td>SB</td>
<td>L + T + R</td>
<td>118</td>
<td>20.5</td>
</tr>
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</table>

### Table A-5. Build-Out Levels of Service at Squirrel/Kingsdale and Silverbell

<table>
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<tr>
<th>Approach</th>
<th>Movement</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Volume</td>
<td>Delay (sec)</td>
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<tr>
<td>Intersection</td>
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<td>EB</td>
<td>L + T + R</td>
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<td>27.3</td>
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<td>L + T + R</td>
<td>1012</td>
<td>16.4</td>
</tr>
<tr>
<td>NB</td>
<td>L + T + R</td>
<td>252</td>
<td>20.7</td>
</tr>
<tr>
<td>SB</td>
<td>L + T + R</td>
<td>118</td>
<td>20.7</td>
</tr>
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</table>
Table 8. Levels of Service at Squirrel and Dutton

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<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Intersection</td>
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<td>265</td>
</tr>
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<td></td>
<td>WB</td>
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</tr>
<tr>
<td></td>
<td>NB</td>
<td>L + T + R</td>
<td>234</td>
</tr>
<tr>
<td></td>
<td>SB</td>
<td>L + T + R</td>
<td>850</td>
</tr>
</tbody>
</table>

Future Background Traffic

| Intersection |          | 2171   | 20.3 | C | 2773   | 28.3 | C |
|          | EB | L + T + R | 281   | 17.2 | B | 1122   | 28.2 | C |
|          | WB | L + T + R | 741   | 26.0 | C | 430    | 19.2 | B |
|          | NB | L + T + R | 241   | 17.1 | B | 898    | 36.3 | D |
|          | SB | L + T + R | 901   | 17.6 | B | 323    | 18.9 | B |

Table A-6. Build-Out Levels of Service at Squirrel and Dutton

<table>
<thead>
<tr>
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<tbody>
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<tr>
<td></td>
<td>SB</td>
<td>L + T + R</td>
<td>986</td>
</tr>
</tbody>
</table>

**NATURAL FEATURES:**

**WETLANDS:**

Based on the National Wetlands Inventory Maps, the on-site wetland is part of much larger wetland complex and appears to be regulated by EGLE. The applicant is proposing minor disruption to the wetlands. The current plan has multiple improvements within the 25-foot wetland buffer. These improvements include storm sewer structures, rock retaining walls, grading, curb and pavement. These items must be relocated to be outside the 25-foot wetland buffer. If the items cannot be removed from the buffer, they shall be included within the wetland application to the Township. The applicant will need to apply for a permit from the EGLE and Orion Township for the proposed wetland impacts and any impacts to the buffer.

**WOODLANDS:**

The parcel does have heavily wooded areas near the wetlands; however, the majority of the proposed development is located in the area that is currently overgrown farmland. Woodland impacts are minimal for the proposed work. An existing tree survey has been submitted in the plan set, however the survey needs to identify Landmark Trees as defined by the ordinance and account for them in the tree replacement calculations. Item 4 on the List of Deviations states that “All trees will be located a minimum of 3’ off the centerline of any utility.” Where practical, trees and landscaping should remain outside water main and sanitary sewer easements or as far away from the utility as possible.

**GRADING:**

Existing contours are provided to indicate the on-site slopes within the upland buildable area. Proposed curb and gutter grades are provided along the roads internal to the site. Building floor and garage elevations are also provided and appear acceptable. It appears, the applicant is proposing to generally follow the sites existing drainage patterns.
However, additional detail is needed, such as proposed contours to describe the proposed grading. At a minimum approximate anticipated drive-way slopes, front, rear and side yard grades shall be added. Proposed slopes interior to the site should not exceed the recommended 1’ vertical to 4’ horizontal abutting the existing the wetland. Further, no disturbance to vegetation or construction activities shall be permitted within twenty-five (25) feet of wetlands without a wetland permit from Orion Township. Multiple boulder walls and a retaining wall are proposed on site. Design details and computations shall be submitted at engineering for all retaining walls greater than three (3) feet in height.

PHASING:
The plans indicate the project will be built in four (4) phases. A more detailed phasing plan is needed to show what infrastructure improvements will be included in each phase. Currently the phase lines do not provide for adequate extension of water, sanitary, stormwater management, temporary turn arounds for fire apparatus, etc. In addition, the plan should include the timing of the proposed public benefit amenities.

CONCLUSION:
In our opinion, the Final PUD, is in substantial compliance with the Township’s ordinances and engineering standards. We ask that any approval be conditioned upon the following items:

1. An Orion Twp wetland permit application shall be submitted for review/approval. The application shall include requested impacts to the 25’ buffer.
2. A more detailed phasing plan is needed to show what infrastructure improvements will be included in each phase. Currently the phase lines do not provide for adequate extension of water, sanitary, stormwater management, temporary turn arounds for fire apparatus, etc. The phasing plan should include the timing of the proposed public benefit amenities.
3. More grading information is required in the large open area between the clubhouse and buildings 15, 16 and 17. Drainage arrows indicate a significant change from the existing drainage pattern.
4. The clubhouse drive shall be revised to accommodate the Orion Township Fire Department apparatus.
5. The tree survey shall identify Landmark Trees as defined in the Woodland Preservation Ordinance and be included in the tree replacement calculations.
6. Connection to the existing water main on Cloverdale Dr. needs to be included in the Final PUD plans.

Please feel free to contact us with any questions at (248) 751-3108 or email me at joseph.lehman@ohm-advisors.com.

Sincerely,

OHM Advisors

Joe Lehman for Mark A. Landis, PE
Project Manage

cc: Chris Barnett, Township Supervisor
    David Goodloe, Building Official
    Jeff Stout, Director of Public Services
    Tammy Gehrke, Director of Planning and Zoning
    Lynn Fardson, Planning and Zoning Coordinator
    Nancy Standish, Giffels Webster
    Nancy Kanieczyk, Jacobson Moore Orion, L.L.C
    Margaret Novak, Planning Consultant, OHM
    Bill Banikowski, Water and Sewer Superintendent
    Jeff Williams, Township Fire Marshal
To: Tammy Girling, Jeff Williams  
From: Nancy Standish  
RE: Fire Marshal Review  

Date: December 12, 2019  
Project: PC-2019-47 Lavender Ridge  
Project No.: 19622.00

We have reviewed the Fire Marshal review, dated 12.11.2019, and discussed the letter with Mr. Williams on 12.12.2019 and have the following comments:

Requirements
1. Turning templates will be added to comply with this requirement.
2. Hydrants will be reconfigured/added to comply with this requirement.
3. Signs will be added to comply with this requirement.
4. T-turnaround will be configured to comply.
5. Fire pit will comply with Ordinance Number 157.

Please feel free to contact me with any questions.

Respectfully,

GIFFELS-WEBSTER

[Signature]

Nancy Standish, PE  
Senior Project Manager
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2019-47, Lavender Ridge Final PUD  
Date: 12/11/2019

The Orion Township Fire Department has completed its review of Application PC-2019-47 for the limited purpose of compliance with Charter Township of Orion Ordinance's, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation:

- Approved with Requirements (See below)
- Not approved

Requirements:
- The turning radius for the emergency apparatus access roads shall be in accordance with the Orion Township Fire Department turning performance template. Overlays of the template shall be shown on the revised plans, specifically for the clubhouse access drives.
- Fire Department Connections (FDC) for sprinkler or standpipes shall be located with respect to hydrants, landscaping and fire department access roads. Fire Department Connections shall be so located that the fire apparatus and hose connection to supply the system will not obstruct access to the building for other fire apparatus. The fire department will require an additional hydrant be located on the "building side" of the street for the Clubhouse facility. Please note that due to the requirement for the additional hydrant the access drive will need to be increased to 26' in width where the hydrant is located.
- Fire department access roads 20 to 26 feet wide shall be posted with NO PARKING FIRE LANE signage on both sides of the fire apparatus access road. Please provide this signage on roads leading to Clubhouse building.
- It is the Fire Departments recommendation that the T-Turnaround located at the end of Catalina drive meet the requirements of International Fire Code D103.1 which requires a 70' turnaround area instead of the proposed 50' turnaround.
- Proposed fire pit shall meet the reequippments of Ordinance Number. 157

This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information at time of building permit application that includes data or documents, confirming full compliance with all applicable building codes, fire codes and Township Ordinances.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2003.

Sincerely,

Jeffrey Williams  
Jeff Williams, Fire Marshal  
Orion Township Fire Department
To: Tammy Girling  
Planning & Zoning Director

From: Jeffery T. Stout  
Director, Department of Public Services

Date: December 13, 2019

Re: PC-2019-66, Lavender Ridge Final PUD

Dear Tammy,

After reviewing the above plan, which was submitted for my review, adequate sanitary sewer and water is available but will need to be extended to the site by the developer.

Additional sanitary sewer contracts and water connection fees will be required to be paid in full when building permits are issued.

The Department of Public Services has no issues with the submitted materials assuming all engineering questions have been answered.

If you have any questions, please contact me.

Respectfully Submitted,

[Signature]

Jeffery T. Stout  
Director  
Department of Public Services
TO: Dominic Moceri and Manny Kianicky
CC: Michael Polmear, Michael Darga, and Nancy Standish
FROM: William Stimpson
SUBJECT: Lavender Ridge – Addendum to October 2019 Traffic Impact Study (TIS) Report
DATE: November 15, 2019

The Township’s engineering consultant, OHM Advisors (OHM), provided its review comments on the above report in a letter dated October 23, 2019. This memorandum constitutes an addendum to our October TIS, as it addresses only OHM’s latest review comments and does not provide a fully revised comprehensive report. Giffels Webster stands by its earlier report and considers the information in this memo to be supplemental in nature.

The key findings and conclusions developed for this addendum are summarized below, followed by supporting analyses. Revised capacity analysis (Synchro output) reports are attached.

Key Findings and Conclusions

- The Township’s Zoning Ordinance includes two contradictory methods for forecasting trip generation by a land use. The latest ITE methodology, required by Section 27.14.D.5.a, utilizes predictive equations or weighted-average trip rates, decided on a case-by-case basis depending on the nature of the applicable trip generation sample. An older method, defined in Section 27.14.D.5.b, applies a trip rate equal to the sample average plus one standard deviation. Our October report chose to apply the ordinance-specified contemporary method conforming to widely accepted traffic engineering practice (and in our experience, most local ordinances).

- To comply with OHM’s review comments, however, this addendum provides a parallel analysis applying trip generation forecasted per the older method. We consider this to be a deviation from standard practice.

- Assuming average trip rates increased by one standard deviation, Lavender Ridge would generate 143 vehicle trips in the AM peak hour (106 exiting and 37 entering) and 164 vehicle trips in the PM peak hour (100 entering and 64 exiting) (as shown in Table 2b of our October TIS). These forecasts are higher than those produced by applying current ITE methodology (using regression equations) and should be considered extremely conservative.

- Peak-hour trips generated by Lavender Ridge – per the older methodology – would be slightly more than those generated by a feasible Single-Family Alternative (124 single-family homes).

- Revised computer modeling of build-out traffic found that none of the predicted average delays exiting Remington, Cloverdale, and the opposing Lavender Ridge access drives during the weekday AM and PM peak hours would be unusually long. The largest such delays (rounded to the nearest whole second) would be for the build-out PM peak hour at Cloverdale – 65 sec EB...
(for existing residents on west side of Squirrel) and 50 sec WB (for Lavender Ridge residents). In comparison, the October TIS produced estimates of 58 sec and 41 sec, respectively.

- If the Single-Family Alternative were developed instead, the average exiting delays at the Cloverdale access would be virtually the same in the PM peak hour: 64 sec EB and 48 sec WB.

- No traffic mitigation is warranted at the site access drives or two off-site intersections.

Supporting Analyses

Revised Exhibits – In preparing this parallel analysis, the following new exhibits were developed:

- **Table A-1 – Trip Generation** – This table replicates Table 2b from the October TIS report, with an expanded footnote elaborating on forecasting details.

- **Figure A-1 – Revised Trip Distribution for Lavender Ridge** – In this figure, the very small amount (1-3%) of Lavender Ridge traffic to/from Kingsdale, previously assumed to represent typical neighborhood interactions (such as caregivers carpooling students to/from school) is zeroed out at OHM’s recommendation.

- **Figure A-2 – Peak-Hour Trips Generated by Lavender Ridge** – The revised trip generation shown in Table A-1 is assigned to specific turning movements per the revised Figure A-1 distribution.

- **Figure A-3 – Future Total Peak-Hour Volumes with Lavender Ridge Build-Out** – Site traffic shown in Figure A-2 is added to the previously forecasted future background traffic (shown in Figure 5 of the October 2019 TIS report).

- **Figures A-4a and A-4b – Revised Trip Distribution for Single-Family Alternative** – Figures 9a and 9b in the October report were revised in the fashion described above for Lavender Ridge traffic.

- **Figure A-5a and A-5b – Peak-Hour Trips Generated by Single-Family Alternative** – The revised trip generation for the SW and NE portions was first prorated according to the number of dwelling units in each portion; this traffic (totaled in boxes on the two figures) is then assigned according to the revised distributions shown in Figures A-4a and A-4b.

- **Figure A-6 – Future Total Peak-Hour Volumes Assuming Single-Family Alternative** – Site traffic shown in Figures A-5a and A-5b is added to the previously forecasted future background traffic (shown in Figure 5 of the October 2019 TIS report).

Auxiliary Lane Warrants – Relative to RCOC warrants for a deceleration lane and/or taper, the highest peak-hour entering right-turn volumes in this revised analysis would be 57 vehicles at Cloverdale for the Single-Family Alternative (versus 45 vehicles in the previous analysis) and 53 vehicles at Cloverdale for Lavender Ridge (versus 36 vehicles previously). Per Figure F-1 in the October report, the strict application of these warrants would still require no more than a deceleration taper.

In this revised analysis, the highest peak-hour entering left-turn volume for the NE portion of the Single-Family Alternative would be seven vehicles (versus the five previously forecasted). Per Figure F-2 in the October report, an auxiliary lane for entering left turns at this location would still not be warranted.
**Capacity Analyses** – The previous Synchro models for build-out traffic have been revised to reflect the volumes shown in Figures A-3 and A-6. Detailed printouts from the revised models are attached.

Key findings are listed in Tables A-2 through A-6 (below). The most important of these findings, along with related conclusions, are summarized on the first page of this memo.

**Miscellaneous** – OHM’s comment regarding road right-of-way (ROW) was addressed prior to the preparation of this memo. Per discussions with the Township, the developer will not dedicate additional ROW at this time. In the future, the developer may donate additional ROW to the Township or RCOC.
Table A-1. Trip Generation Comparison per Alternative Methodology in Zoning Ordinance

<table>
<thead>
<tr>
<th>Land Use</th>
<th>ITE Use No.</th>
<th>Size</th>
<th>Weekday Trips</th>
<th>AM Peak-Hour Trips</th>
<th>PM Peak-Hour Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td>Proposed Lavender Ridge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily Housing (Mid-Rise)</td>
<td>221</td>
<td>260 d.u.</td>
<td>1,942</td>
<td>37</td>
<td>106</td>
</tr>
<tr>
<td>Alternative</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family Detached Housing</td>
<td>210</td>
<td>124 d.u.</td>
<td>1,431</td>
<td>31</td>
<td>94</td>
</tr>
<tr>
<td>Ratio, Lavender Ridge to Alternative</td>
<td></td>
<td></td>
<td>1.36</td>
<td>1.19</td>
<td>1.13</td>
</tr>
</tbody>
</table>

1 A trip is a one-directional vehicle movement into or out of the site. The forecasts summarized here are based on the ordinance requirement (in Sec 27.14.D.5.b) of adding one standard deviation to the average trip rate provided in the “most recent edition of Trip Generation published by the Institute of Transportation Engineers (ITE).” It is important to recognize, however, that the “most recent edition of Trip Generation” is, at the time of this writing, collectively the 10th Edition of ITE’s Trip Generation Manual and 3rd Edition of ITE’s accompanying Trip Generation Handbook.” Taken together, these latter two sources show that ITE recommends the use of predictive (regression) equations for the two residential land uses in question.
Figure A.1. Trip Distribution for Lavender Ridge (Revised 11-08-19)

Legend
X/Y, where
X = AM peak hour
Y = PM peak hour
Figure A-2. Peak-Hour Trips Generated by Lavender Ridge (Revised 11-08-19)
Figure A-3. Future Total Peak-Hour Volumes with Lavender Ridge Built-Out (Rev. 11-08-19)$^1$

$^1$ Adds Fig. A-2 in this addendum to Fig. 5 in Oct 2019 TIS report.

Legend
$X / Y$, where
$X = $ AM peak hour
$Y = $ PM peak hour
Legend
X / Y, where
X = AM peak hour
Y = PM peak hour

Figure A-4a. Trip Distribution for Single-Family Alternative – SW Portion (Rev. 11-08-19)
Legend
X / Y, where
X = AM peak hour
Y = PM peak hour

Figure A-4b. Trip Distribution for Single-Family Alternative – NE Portion (Rev. 11-08-19)
Figure A.5a. Peak-Hour Trips for Single-Family Alternative – SW Portion (Rev. 11-08-10)

Legend
X/Y, where
X = AM peak hour
Y = PM peak hour

Total Trips:

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<tr>
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<th>In</th>
<th>Out</th>
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<tr>
<td>AM</td>
<td>25</td>
<td>76</td>
</tr>
<tr>
<td>PM</td>
<td>81</td>
<td>48</td>
</tr>
</tbody>
</table>

1. Prorated portion of S-F totals in Table A.1.
Figure A-5b. Peak-Hour Trips for Single-Family Alternative – NE Portion (Rev. 11-08-19)
Figure A-6. Future Total Peak-Hour Volumes Assuming Build-Out of Single-Family Alternative (Rev. 11-08-19)\(^1\)

\(^1\) Adds Figs. A-5a and A-5b in this addendum to Fig. 5 in Oct 2019 TIS report.

Legend
X / Y, where
X = AM peak hour
Y = PM peak hour
Table A-2. Build-Out Levels of Service at Squirrel and Remington

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Volume</td>
<td>Delay (sec)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Lavender Ridge with Alternative Trip Generation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EB</td>
<td>L + T + R</td>
<td>11</td>
<td>21.7</td>
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<tr>
<td>WB</td>
<td>L + T + R</td>
<td>28</td>
<td>27.8</td>
</tr>
<tr>
<td>NB</td>
<td>L</td>
<td>2</td>
<td>9.9</td>
</tr>
<tr>
<td>SB</td>
<td>L</td>
<td>3</td>
<td>7.8</td>
</tr>
</tbody>
</table>

Table A-3. Build-Out Levels of Service at Squirrel and Cloverdale

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<tr>
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<th>Movement</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
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<td></td>
<td></td>
<td>Volume</td>
<td>Delay (sec)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lavender Ridge with Alternative Trip Generation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EB</td>
<td>L + T + R</td>
<td>33</td>
<td>23.0</td>
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<tr>
<td>WB</td>
<td>L + T + R</td>
<td>78</td>
<td>45.9</td>
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<tr>
<td>NB</td>
<td>L</td>
<td>1</td>
<td>9.9</td>
</tr>
<tr>
<td>SB</td>
<td>L</td>
<td>5</td>
<td>7.8</td>
</tr>
<tr>
<td>Single-Family Alternative with Alternative Trip Generation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EB</td>
<td>L + T + R</td>
<td>33</td>
<td>22.4</td>
</tr>
<tr>
<td>WB</td>
<td>L + T + R</td>
<td>76</td>
<td>41.0</td>
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<tr>
<td>NB</td>
<td>L</td>
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<td>9.8</td>
</tr>
<tr>
<td>SB</td>
<td>L</td>
<td>5</td>
<td>7.8</td>
</tr>
</tbody>
</table>

Table A-4. Build-Out Levels of Service at Silverbell and Potential NE Access Drive

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Volume</td>
<td>Delay (sec)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family Alternative with Alternative Trip Generation</td>
<td></td>
<td></td>
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<tr>
<td>WB</td>
<td>L</td>
<td>2</td>
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<tr>
<td>NB</td>
<td>L + R</td>
<td>18</td>
<td>31.3</td>
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</table>
Table A-5. Build-Out Levels of Service at Squirrel/Kingsdale and Silverbell

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Volume</td>
<td>Delay (sec)</td>
</tr>
<tr>
<td><strong>Lavender Ridge at Build-Out with Alternative Trip Generation</strong></td>
<td></td>
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</tr>
<tr>
<td>Intersection</td>
<td></td>
<td>2045</td>
<td>20.9</td>
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<tr>
<td>EB</td>
<td>L + T + R</td>
<td>663</td>
<td>27.3</td>
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<tr>
<td>WB</td>
<td>L + T + R</td>
<td>1012</td>
<td>16.4</td>
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<tr>
<td>NB</td>
<td>L + T + R</td>
<td>252</td>
<td>20.7</td>
</tr>
<tr>
<td>SB</td>
<td>L + T + R</td>
<td>118</td>
<td>20.7</td>
</tr>
</tbody>
</table>

| **Single-Family Alternative with Alternative Trip Generation** |           |         |       |     |         |       |     |
| Intersection  |          | 2053   | 21.0   | C   | 2560   | 30.9   | C  |
| EB           | L + T + R | 665    | 27.5   | C   | 884    | 28.3   | C  |
| WB           | L + T + R | 1023   | 16.8   | B   | 668    | 18.9   | B  |
| NB           | L + T + R | 247    | 20.4   | C   | 933    | 42.6   | D  |
| SB           | L + T + R | 118    | 20.7   | C   | 75     | 21.0   | C  |

Note: All results in Tables A-2 through A-6 were produced using Synchro 10 software consistent with the latest Highway Capacity Manual (HCM 6th Edition). Experience shows that HCM 2000 would typically produce somewhat smaller average delays.

Table A-6. Build-Out Levels of Service at Squirrel and Dutton

<table>
<thead>
<tr>
<th>Approach</th>
<th>Movement</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Volume</td>
<td>Delay (sec)</td>
</tr>
<tr>
<td><strong>Lavender Ridge with Alternative Trip Generation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intersection</td>
<td></td>
<td>2285</td>
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<td>EB</td>
<td>L + T + R</td>
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<td>18.0</td>
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<td>WB</td>
<td>L + T + R</td>
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<td>L + T + R</td>
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<td>SB</td>
<td>L + T + R</td>
<td>986</td>
<td>20.1</td>
</tr>
</tbody>
</table>

| **Single-Family Alternative with Alternative Trip Generation** |           |         |       |     |         |       |     |
| Intersection  |          | 2259   | 21.7   | C   | 2872   | 31.5   | C  |
| EB           | L + T + R | 285    | 18.0   | B   | 1140   | 30.6   | C  |
| WB           | L + T + R | 742    | 28.2   | C   | 434    | 18.6   | B  |
| NB           | L + T + R | 264    | 17.6   | B   | 939    | 43.9   | D  |
| SB           | L + T + R | 968    | 19.2   | B   | 359    | 18.2   | B  |

Note: All results in Tables A-2 through A-6 were produced using Synchro 10 software consistent with the latest Highway Capacity Manual (HCM 6th Edition). Experience shows that HCM 2000 would typically produce somewhat smaller average delays.
**Intersection**

| Int Delay, s/veh | 1 |

<table>
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<th><strong>Movement</strong></th>
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<th>EBT</th>
<th>EBR</th>
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<th>WBT</th>
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<th>NBT</th>
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<th>SBR</th>
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<tr>
<td>Future Vol, veh/h</td>
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<td>Veh in Median Storage, #</td>
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<td>Peak Hour Factor</td>
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### HCM 6th Signalized Intersection Summary

**5: Squirrel/Kingsdale & Silverbell**

**11/11/2019**

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**Intersection Summary**

- HCM 6th Ctrl Delay: 20.9
- HCM 6th LOS: C

**Notes**

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

---

**Future Total AM Pk Hr for Lavender Ridge**

* Synchro 10 Report
* Page 1

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## HCM 6th Signalized Intersection Summary

### 13: Squirrel & Dutton

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### Intersection Summary
- HCM 6th Ctrl Delay: 22.1
- HCM 6th LOS: C

---

Future Total AM PK Hr for Lavender Ridge
Giffels Webster / W. Stimpson & M. Aguib
### Intersection

| Int Delay, s/veh | 1.2 |

### Movement

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<th>EBR</th>
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### Conflicting Peds, #/hr

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### Storage Length

- None

### Veh in Median Storage, #

- 0

### Grade, %

- 0

### Peak Hour Factor

- 60

### Heavy Vehicles, %

- 0

### Mvmt Flow

- 13

### Major/Minor

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### Follow-up Hdwy

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<th>Follow-up Maneuver</th>
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<td>92</td>
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### Platoon blocked, %

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### Mov Cap-1 Maneuver

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### Mov Cap-2 Maneuver

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### HCM Control Delay, s

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### Minor Lane/Major Mvmt

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### HCM Lane V/C Ratio

- 0.02

### HCM Control Delay (s)

- 8.6

### HCM Lane LOS

- A

### HCM 95th %tile Q(veh)

- 0.1

---

Future Total PM PK Hr for Lavender Ridge

Giffels Webster / W. Stimpson, M. Aguib

Synchro 10 Report

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### Intersection

**Int Delay, s/veh**: 3.2

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### Major/Minor

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### HCM Control Delay, s

- EB: 65.2
- WB: 49.5
- NB: 0.1
- SB: 0.6

### HCM LOS

- F
- E

### Minor Lane/Major Mvmt

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<td>F</td>
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Future Total PM Peak Hr for Lavender Ridge

Giffels Webster / W. Stimpson, M. Aguib

Synchro 10 Report

Page 1
### Movement Configuration

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### Notes
* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.
## HCM 6th Signalized Intersection Summary

### Alternative trip generation

#### 13: Squirrel & Dutton

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### Intersection Summary

- **HCM 6th Ctrl Delay**: 31.8
- **HCM 6th LOS**: C
### Interception

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**Sign Control**

- IntDelay,s/veh: 3.3

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**Conflicting Flow**

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**Approach**

- EB: 22.4
- WB: 41
- NB: 0
- SB: 0

**HCM LOS**

- C
- E

**Minor Lane/Major Mvmt**

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### Intersection

- **Int Delay, s/veh:** 0.4

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## HCM 6th Signalized Intersection Summary

### 5: Squirrel/Kingsdale & Silverbell

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**Notes**

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

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Future Total AM Pk Hr for S-F Alternative
Giffels Webster / W. Stimpson, M. Aguib

Synchro 10 Report
Page 1

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### Movement

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### Intersection Summary

- HCM 6th Ctrl Delay: 21.7
- HCM 6th LOS: C

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**Future Total AM Pk Hr for S-F Alternative**

Giffels Webster / W. Stimpson, M. Aguib
### Intersection

**Int Delay, s/veh**
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### Intersection

| Int Delay, s/veh | 0.4 |

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### Percent Heavy Veh, %

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**Notes**

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.
### HCM 6th Signalized Intersection Summary

#### 13: Squirrel & Dutton

**11/11/2019**

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**Intersection Summary**

- **HCM 6th Ctrl Delay**: 31.5
- **HCM 6th LOS**: C
PLANNED UNIT DEVELOPMENT AGREEMENT

Lavender Ridge

Between:

Charter Township of Orion,
a Michigan municipal corporation

and

Jacobson Moceri Orion, LLC
A Michigan limited liability corporation

Dated: _____________, 2020
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PLANNED UNIT DEVELOPMENT AGREEMENT

THIS PLANNED UNIT DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ___ day of ________, 2020, by and between the CHARTER TOWNSHIP OF ORION ("Township") a Michigan municipal corporation, with offices located at 2525 Joslyn Road, Orion, Michigan 48360, and JACOBSON MOCERI ORION, LLC ("Developer"), a Michigan limited liability company, with offices located at 32400 Telegraph Road, Suite 200A, Bingham Farms, MI 48025

Project Developer: Jacobson Moceri Orion, LLC
32400 Telegraph Rd., Suite 200A
Bingham Farms, MI 48025
(248) 642-4700

Project Planner & Engineer: Giffels Webster
1025 E. Maple, Suite 100
Birmingham, MI, 48009
(248) 852-3100

Project Architect: Dominick Tringali:
Moceri Management
3005 University Dr.
Auburn Hills, MI 48326
(248) 340-9400

RECITALS

A. The purpose and intent of these PUD standards and guidelines is to regulate the development of a proposed residential townhome community within the property described in Exhibit A (the "Property"). The development, to be called Lavender Ridge, consists of a maximum of 260 townhome residences for lease or sale, a community center, private drives, a private stormwater management system, public water mains, public sanitary sewers and permanently preserved open space areas (collectively the "Project").

B. Townhome residences will provide traditional design elements that are complimentary to the predominate architecture in the area, and the overall population density of the Property shall be similar to or less than surrounding single family residential communities.

C. The Project will provide benefits to Orion Township in the following manner:

   a. The Project will preserve the important natural features of the site including woodlands, open spaces, wetlands, and topography by clustering development on only 42% of the property.
   b. By clustering the development, no road connections will be made to Silverbell Road.
   c. Appropriate landscaping will be provided within a 100-foot setback along Squirrel Road.
d. Residences along Squirrel Road will be set back 100 feet from the right of way with front building elevations facing Squirrel Road.
e. Residences will be constructed in tiers perpendicular to and stepping down the existing slope which drops up to 70 feet in elevation from Squirrel Road, providing exceptional settings and preserving wonderful views along with the natural topography.
f. The Project will include a community center, enhancing the quality of life for the residents, offering opportunities for social activities and reducing the burden on the Township’s public recreational facilities.
g. The Project will include a 2.7-acre internal resident’s park in addition to the 58% of the site that will be left undeveloped.
h. By clustering development, the Project will provide a high degree of buffering for surrounding neighborhoods. No development at all will occur along Silverbell Road. A landscaped berm will provide a wide buffer to Stonegate Ravines along the south property line.
i. Public benefits for Township residents provided by the Project will include extensions of the bicycle path network along Squirrel and improvement to Jesse Decker Park.

NOW, THEREFORE, it is hereby agreed as follows:

1. **SUMMARY DESCRIPTION OF THE PROJECT**

   The Project covers an area comprising approximately 75 acres at the southeast corner of Squirrel and Silverbell Roads. The Developer is proposing to create a townhome community in accordance with the Final Site Plan attached as Exhibit B. The proposed use is as follows:

   a. Two hundred sixty (260) townhome residential units for lease or sale with 1 and 2-car attached garages. The buildings will be designed in a traditional architectural style with a combination of brick and vinyl siding.
   b. The townhomes will be a combination of 2 and 3-bedroom residences depending on market demand. Maximum height of these units will not exceed 35 feet to the average midpoint of the roof as measured from the average of the front and rear finish grade elevations.
   c. The Project will include a community center.
   d. A centrally located 2.7-acre internal private park will be created for use by the residents.
   e. The majority of the Property will remain undeveloped as permanent open space available for passive use by the public.
   f. A public pedestrian and bicycle plaza will be created at the southeast corner of Squirrel and Silverbell Roads, to be maintained by the Developer.
   g. Funding will be provided for improvements to Jesse Decker Park.

2. **ADHERENCE TO REQUIREMENTS FOR DEVELOPMENT**

   The Property shall be developed and improved in accordance with the following documents ("Development Documents"):

   a. All applicable Ordinances and Codes of the Charter Township of Orion as may be modified by those modifications approved under the Planned Unit Development ordinance attached as Exhibit C, by the provisions in this Agreement, or by the approved Final Site Plan.
b. The Engineering Plans as prepared by Giffels Webster, the engineers for the Project.
c. The Architectural Plans.
d. This Planned Unit Development Agreement and any conditions imposed herein.
e. Any and all conditions of the Final Site Plan Approval by the Orion Board of Trustees pertaining to the Project and reflected in the official minutes of said meetings. The Final Site Plan shall be designed in conformance with the requirements of this Agreement. Once the Final Site Plan is approved, the Final Site Plan and minutes of the Planning Commission and Township Board meetings providing approvals shall supersede the Preliminary Site Plan Approval.

f. The Orion Township Engineering Design Standards, and any other reasonable conditions which might be required by the Township's Engineer, as may be modified by the provisions in this Agreement, or by the approved Final Site Plan.

g. In accordance with all other approvals and permits required under applicable Township Ordinances, the Development Documents and state laws for the respective components of the Project.

All future owner(s) of the Property shall be bound by the terms of this Agreement and the Developer's authority and responsibilities stated herein. It shall be the responsibility of the Developer to transmit to and notify all future owner(s) of the Property of the requirements contained within this Agreement. The Township shall require that all other developers, present or future, of any portion of this Agreement or any amendment thereto, as the same may be expanded by the Township and their respective successors in title comply with the Township Ordinances and regulations, the Final Site Plan and this Agreement. It is the intent that the restrictions contained in this Agreement will run with the land.

3. INTENT OF PROJECT

Lavender Ridge will be a clustered residential townhome community consisting of 260 residences plus a community center.

The Project responds to a nationwide housing shift that is occurring with an increase in multifamily living over individual home ownership. High-quality townhome communities are being selected by young families, professionals and empty nesters as a lifestyle choice providing flexibility, freedom from maintenance, opportunities for social interaction and the availability of a community center with recreational facilities. Orion Township has an insufficient supply of high-quality townhome communities as evidenced by nearby well-amenitized townhome communities having waiting lists. A significant segment of the population growth projected for Orion Township by the Master Plan and SEMCOG will desire the type of community proposed for this site.

4. ADHERENCE TO ORDINANCES

Developer shall comply with the Ordinances of the Township in effect at the time of Final Approval of this Project as modified by this Agreement or the approved Final Site Plan. Developer and Township acknowledge that certain provisions of this Agreement or the Final Site Plan may exceed or reduce the requirements of the Zoning Ordinance. To the extent that there are conflicts or discrepancies between respective provisions of the Development Documents, or between provisions of the Development Documents and Township Ordinances, this Agreement shall apply. To the extent
that there are conflicts or discrepancies between the Final Site Plan and Township Ordinances and this Agreement is silent on such matters, the Final Site Plan shall apply.

The Final Site Plan has been prepared to comply with all building, engineering and other local, county, state and federal codes and regulations in effect as of the date of this Agreement. Planning and engineering standards used as the basis of design for the approved Final Site Plan shall be applicable without change for the duration of the project. Provided that building construction commences within 18 months of Final Site Plan approval, building requirements shall be locked in and not subject to revision during the residential construction period. Upon the commencement of building construction, building permit related fees in effect at the time of initial building permit application shall be applicable to all buildings within the Project without increase.

Developer shall comply with the Township Phragmite ordinance. Further, the Developer shall prohibit the planting of Phragmite or other invasive landscaping species and shall provide for the ongoing control and removal of Phragmite from the developed areas of the project. The Developer shall take all necessary and reasonable steps to remove Phragmite in an appropriate manner from the parts of the Property to be developed in connection with its grading and other development activities. The intent is to remove Phragmite in the appropriate manner to avoid the regrowth of the plant.

Exterior building elevations will consist primarily of the materials as shown on the conceptual architectural drawings (Exhibit D).

Development standards will generally conform to the Final Site Plan as shown on Exhibit B and in accordance with the Schedule of Modifications shown on Exhibit C.

5. **PERMITS AND AUTHORIZATIONS**

The Township shall grant to Developer and its contractors and subcontractors all Township permits and authorizations necessary to extend or modify the existing utilities including electric, telephone, gas, cable television, water, storm and sanitary sewer to the Property and to otherwise develop and improve the Property in accordance with the Final Site Plan, provided the Developer has first made all requisite applications for permits, complied with the requirements for said permits, and paid all required fees. Any applications for permits from the Township will be processed in the customary manner, but the Township agrees to issue building permits expeditiously within two (2) weeks of a full and complete application for each building.

The Township will cooperate with Developer in connection with Developer’s applications for any necessary county, state, federal or utility company approvals, permits or authorizations to the extent that such applications and/or discussions are consistent with the Final Site Plan, and this Agreement. The Township agrees to permit one onsite sales or leasing trailer, one onsite construction office trailer and one material/tool storage trailer in locations to be selected by the Developer; the office and material trailers shall be placed in locations not obtrusive from Squirrel Road. Upon the start of sitework, the Township agrees to permit the construction of two (2) buildings adjacent to Squirrel Road for the purposes of providing models with the condition that no certificates of occupancy will be issued until paved access and water, sewer and storm utilities serving such buildings are installed.

6. **PHASING**
The Project may be completed in phases as shown on the Final Site Plan. Project construction shall commence within three (3) years of final approval by all governmental agencies having jurisdiction over the Project. Completion of the Project will depend on market demand but shall not exceed ten (10) years from the date of construction commencement. In the event of unforeseen national economic circumstances, the Developer may request extensions for good cause from the Orion Township Board, which shall not be unreasonably withheld. The Developer acknowledges and agrees to the provisions set forth in ordinances 78 section 30,03H, unless modified herein.

At a minimum, the first phase of the Project shall include the sanitary sewer lift station, a looped water system connection that will provide water feeds from two directions and the funding of public improvements in Jesse Decker Park being provided as community benefits.

7. WATER AND SANITARY SEWER SYSTEMS

Developer shall, at its sole expense, construct and install all connections tying into the existing municipal water system adjacent to the site. If supported by an engineering study, the Township agrees to facilitate the connection of the Project’s sanitary sewer system to the existing sanitary sewer located in Stonegate Ravines located south of the site by modifying an existing intergovernmental agreement with the City of Auburn Hills. If not supported by an engineering study or if agreement with the City of Auburn Hills cannot be accomplished, the Project shall have the right to connect to the existing sanitary sewer system in the Bald Mountain development north of Silverbell Road.

All costs of the sanitary sewer system and sanitary lift station shall be at the sole expense of the Developer. Water and Sewer usage fees shall be in accordance with the standard fee schedule for Orion Township. No lateral charge for utilities shall apply to the Project in view of the Developer’s undertaking to construct water and sewer extensions at its expense.

8. ROADS, DRIVES

The internal drives in the Project shall be private and shall consist of asphalt pavement with concrete curbs and gutters, 27 feet wide back to back of curbs. Townhome residences will be set back from the curbs as shown on the approved Final Site Plan providing typical dimensions. No right of way shall be provided for the private internal drives. Driveways serving the residences may be concrete or asphalt. An internal pedestrian circulation system shall be provided. Street maintenance, including snow plowing, shall be the responsibility of the Developer.

9. LANDSCAPING, LIGHTING, AND ARCHITECTURAL STANDARDS

Developer shall construct the Project in full compliance with the Development Documents which provide landscaping, lighting, signs, architectural and other details applicable to the Project. Developer shall install irrigation sufficient for survivability of all planted materials. The Owner or Community Management Company shall have responsibility for maintenance of the irrigation, landscaping and exterior building components within the community.

Due to the nature of the Project, street trees and street lights may be located within sanitary and water main easements provided that they are located at least 3 feet away from the centerline of the mains
and are in accordance with the approved Landscape and Lighting Plans for the Project. The Township shall have the right to remove any landscaping or street lights within a sanitary or water main easement necessitated by a requirement for maintenance or repair and the Developer, Owner or Community Management Company shall have the obligation for replacement of any such landscape material or street lighting removed by the Township.

Developer shall install a permanent project identification sign for Lavender Ridge at the southeast corner of Squirrel and Silverbell Roads. Such sign shall be single sided and shall not exceed 6 feet in height, 24 square feet in area and may be internally illuminated. Developer shall also install project identification monument walls within each entrance median of Lavender Lane and Provence Boulevard substantially in accordance with the illustration on the Final Site Plan. Monument walls may include development signage on each face not to exceed 35 square feet in surface area. Such signage shall be recessed into the monument walls and may be internally illuminated. Developer shall have the right to modify the content of such signage from time to time at Developer’s discretion.

Developer shall also have the right to install three (3) illuminated flagpoles for United States, Michigan and Lavender Ridge flags at the southeast corner of Squirrel and Silverbell Roads.

10. **OPEN SPACE AND NATURAL FEATURES**

For the purpose of insuring long-term preservation of open space and natural features within the Project, all open space areas shall be perpetually preserved as unimproved areas (other than improvements installed in accordance with the Final Site Plan) unless otherwise agreed to in writing by the Township. However, Developer shall have the right but not the obligation to install unpaved hiking trails within the open space areas and to maintain such areas by the removal of dead materials in accordance with good forestry practices. Developer agrees that the open space areas shall be accessible to the public.

11. **REIMBURSABLE COSTS**

Developer shall reimburse the Township for the following costs:

a. All reasonable planning, engineering and any consultant fees incurred in connection with the review and approval of the Project, in accordance with the Township’s Planning Services Fee Schedule.

b. All reasonable planning, engineering and any consultant fees, along with applicable permit and inspection fees, which may be incurred throughout the construction of the Project as a result of any required inspections or actions taken to ensure compliance with the Development Documents.

c. All reasonable costs associated with the submission to the Township and consideration of all plans and documents associated with the Project, including, but not limited to, site plans, landscaping plans, engineering plans, as-built plans, permits, inspections, etc.

12. **PUBLIC BENEFITS**
The Developer has offered to provide for a capital improvement fund for public benefits consisting of improvements to Jesse Decker Park ("Park") in conjunction with the development of the Project. Improvements shall consist of the following:

1) Paving of the existing gravel road between Remington Drive and the north parking lot of the Park to consist of asphalt paving with no concrete curbs and gutters.
2) Construction of restroom facilities between the north and south parking lots of the Park.
3) Construction of a fire pit off the east end of the sledding hill.
4) Installation of a 2-inch crushed limestone gravel surface over the existing south parking lot of the Park.
5) Construction of a new sign at the northwest corner of Remington Drive and Squirrel Road.

The Developer shall bid out the proposed work in conjunction with bids obtained by the Developer for the construction of the Project in order to achieve the lowest prices. The Township shall be the contracting party for the work within the Park and shall be responsible for payment for the Park improvements. The Township shall also be responsible for obtaining all necessary permits required for construction. Funding by the Developer for the Park improvements shall be limited to One Thousand ($1,000) Dollars per developed unit or Two Hundred Sixty Thousand ($260,000) for the Project, assuming the Final Site Plan consists of 260 units. In the event that funding is insufficient to complete all of the proposed improvements, the Township shall establish priorities for which improvements shall be completed.

The funds for Park improvements shall be placed into escrow with the Township for this purpose at the time of initial issuance of building permits for the first phase of the Project.

13. **ACCESS TO PROPERTY**

In all instances in which the Township, pursuant to this Agreement, utilizes the proceeds of a financial assurance given to secure completion or maintenance of improvements, and at any time throughout the period of development and construction of any part of the Project, the Township, its contractors, representatives, consultants and agents, shall be permitted, and are hereby granted authority, to enter upon all or any portion of the Property for the purpose of inspecting and or completing the respective improvements, and for the purposes of inspecting for compliance with and enforcement of the Final Site Plan and this Agreement.

14. **MISCELLANEOUS**

a. **Binding Effect and Right of Assignment**

This Agreement shall be binding upon and inure to the benefit of the parties and their heirs, successors and assigns. Developer shall have the right to assign all or any of its rights, title and obligations under this Agreement without consent of the Township to any corporate, partnership or limited liability company for the purpose of obtaining financing for the project or for any other purpose related to the development of the Project. Any assignee shall be fully and completely bound by the terms and requirements of this Agreement, their heirs, successors and assigns. The rights and obligations contained in this Agreement shall run with the Property.
b. **Authority**

This Agreement has been duly authorized by all necessary action of Developer and the Township, through the approval of the Township Board at a meeting in accordance with the laws of the State of Michigan, and the Ordinances of the Township. By the execution of this Agreement, the parties each warrant that they have the authority to execute this Agreement and bind the Property in its respective entities to its terms and conditions.

c. **Amendments to Final Site Plan Approval**

As a result of changes in market conditions, there may be a need in the future to make minor changes to the approved site plan for the Project, and Developer may request such modifications from the Township. For purposes of expediency, minor modifications to such site plans shall be reviewed by Township staff and approved by the Township Supervisor. Minor modifications may include without limitations: (a) a reduction or increase in the size of any buildings, provided that the the number of all residential units within the Project does not exceed the density limitation set forth in this Agreement of 260 residential units, (b) substitution of landscaping materials identified in the Final Site Plan with similar types of landscaping materials of better or like quality, (c) changes in building footprints which do not alter the character of the use, and (d) changes in exterior architecture that are consistent in quality and general style to plans approved by this Agreement. Any modifications sought that exceed the authority granted to Township staff and Supervisor in the judgment of Township staff and Supervisor shall be submitted to the Planning Commission for review and approval, with Developer having the right to appeal the Planning Commission's determination to the Township Board. Any modification not minor as defined above will be considered a major modification requiring amendment of the PUD. The determination that a change is not minor is completely within the discretion of the Township and a decision that the change is major is not appealable and must be reviewed by the Planning Commission.

d. **Default**

The parties to this Agreement reserve the right to cure any default hereunder within thirty (30) days from proper written notice of such default, sent to the Developer by certified mail, or such additional time as may be reasonably required to cure the default as long as the cure of default is commenced within said thirty (30) days, and efforts to effect such cure of default are diligently prosecuted to completion.

No party shall be deemed in default of this Agreement for any delay or failure to fulfill any obligation so long as and to the extent to which any delay or failure in the fulfillment of such obligation is prevented or delayed as a consequence of circumstances of Force Majeure. In the event of any such delay, the time for performance of such shall be extended for a period equal to the time lost by reason of the delay. A party claiming the benefit of this provision shall, as soon as reasonably practicable after the occurrence of any such event, (a) provide written notice to the other party of the nature and extent of any such Force Majeure condition; and (b) use commercially reasonable efforts to remove any such causes and resume performance under this Agreement as soon as reasonably practicable.

e. **Other Governmental Approvals**
It is understood that construction of some of the improvements included in the Project will require the approval of other governmental agencies.

f. **Amendment to Agreement**

This Agreement may only be amended pursuant to an instrument executed by the Township and the Developer after mutual consent of the parties.

g. **Notice.**

Unless later information is provided, notices under this Agreement will be provided to:

**To Developer:**
Jacobson Moceri Orion, LLC  
32400 Telegraph Road, Suite 200A  
Bingham Farms, MI 48025  
Attn: Scott R. Jacobson  
(248) 642-4700 ext. 222  
sjacobson@srj.com

**To Orion Township:**
Charter Township of Orion  
Attention: Clerk  
Phone:  
Fax:  
Email to Township Clerk:

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year recited above.

Signatures on following page.
CHARTER TOWNSHIP OF ORION
a Michigan municipal corporation

By: ____________________________
Its: Supervisor

______________________________
By: ____________________________
Its: Clerk

ACKNOWLEDGEMENT

STATE OF MICHIGAN    )
) ss
COUNTY OF OAKLAND    )

The foregoing Agreement was acknowledged before me by ________________________, the duly elected Supervisor, and ________________________, the duly elected Clerk of the Charter Township of Orion, on the __ day of __________, 2020.

______________________________________________, Notary Public
Oakland County, Michigan
My Commission Expires: ________________________
Acting in Oakland County

JACOBSON MOCERI ORION, LLC

a Michigan limited liability corporation

By: ____________________________
Its: Authorized Representative

ACKNOWLEDGEMENT

STATE OF MICHIGAN    )
) ss
COUNTY OF __________    )

The foregoing Agreement was acknowledged before me by ________________, the Authorized Representative of Jacobson Moceri Orion LLC on the __ day of ____________, 2020.

______________________________________________, Notary Public
Oakland County, Michigan
My Commission expires: ________________________
Acting in Oakland County
<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
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<tbody>
<tr>
<td>Exhibit A</td>
<td>Property Legal Description</td>
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<tr>
<td>Exhibit B</td>
<td>Final Site Plan</td>
</tr>
<tr>
<td>Exhibit C</td>
<td>Schedule of Regulations and Modifications</td>
</tr>
<tr>
<td>Exhibit D</td>
<td>Conceptual Architecture Drawings</td>
</tr>
</tbody>
</table>
Exhibit A

Property Legal Description

(PER TITLE COMMITMENT FILE NO. 829781, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED MARCH 19, 2019)

PART OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN; DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 36; THENCE SOUTH 01 DEGREE 53 MINUTES 21 SECONDS WEST 2576.48 FEET ALONG THE EAST SECTION LINE TO THE EAST 1/4 CORNER OF SAID SECTION 36; THENCE NORTH 79 DEGREES 22 MINUTES 44 SECONDS WEST 1344.34 FEET; THENCE NORTH 02 DEGREES 19 MINUTES 00 SECOND EAST 647.57 FEET; THENCE NORTH 01 DEGREE 03 MINUTES 10 SECONDS EAST 1708.35 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 36, THENCE ALONG SAID NORTH SECTION LINE SOUTH 88 DEGREES 46 MINUTES 35 SECONDS EAST 1348.97 FEET TO THE POINT OF BEGINNING, EXCEPT COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN; THENCE SOUTH 88 DEGREES 46 MINUTES 41 SECONDS EAST 1431.65 FEET ALONG THE NORTH LINE OF SAID SECTION 36 AND THE CENTERLINE OF SILVER BELL ROAD (VARIABLE WIDTH); THENCE SOUTH 01 DEGREE 05 MINUTES 53 SECONDS WEST 33.00 FEET FOR A PLACE OF BEGINNING; THENCE SOUTH 88 DEGREES 46 MINUTES 41 SECONDS EAST 45.23 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF SAID SILVER BELL ROAD; THENCE SOUTH 34 DEGREES 45 MINUTES 24 SECONDS WEST 54.54 FEET; THENCE SOUTH 01 DEGREE 05 MINUTES 53 SECONDS WEST 821.50 FEET; THENCE NORTH 88 DEGREES 54 MINUTES 07 SECONDS WEST 15.00 FEET; THENCE NORTH 01 DEGREE 05 MINUTES 53 SECONDS EAST 867.00 FEET ALONG THE DESCRIPTIVE EAST RIGHT OF WAY LINE OF SAID SQUIRREL ROAD TO THE PLACE OF BEGINNING.

AS-FIELD SURVEYED

PART OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE SOUTH 02 DEGREE 14 MINUTES 07 SECONDS EAST 2575.88 FEET ALONG THE EAST SECTION LINE TO THE EAST 1/4 CORNER OF SAID SECTION 36; THENCE NORTH 83 DEGREES 52 MINUTES 34 SECONDS WEST 1348.09 FEET TO A POINT IN SQUIRREL ROAD (33 FOOT 1/2 WIDTH); THENCE ALONG A LINE IN SAID SQUIRREL ROAD, NORTH 01 DEGREES 24 MINUTES 16 SECOND WEST 654.42 FEET AND NORTH 03 DEGREE 01 MINUTES 47 SECONDS WEST 1709.74 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 36; THENCE ALONG SAID NORTH SECTION LINE, NORTH 87 DEGREES 05 MINUTES 09 SECONDS WEST 1348.07 FEET TO THE POINT OF BEGINNING. EXCEPTING A PORTION OF LAND DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 36, TOWNSHIP 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN; THENCE NORTH 87 DEGREES 05 MINUTES 09 SECONDS EAST 1431.65 FEET ALONG THE NORTH LINE OF SAID SECTION 36; THENCE SOUTH 03 DEGREE 01 MINUTES 47 SECONDS EAST 33.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE SOUTH 33 FOOT DESCRIPTIVE RIGHT OF WAY LINE OF SILVERBELL ROAD AND THE EAST 33 FOOT DESCRIPTIVE RIGHT OF WAY LINE OF SQUIRREL ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 87 DEGREES 05 MINUTES 09 SECONDS EAST 45.22 FEET; THENCE SOUTH 30 DEGREES 37 MINUTES 47 SECONDS WEST 54.52 FEET; THENCE SOUTH 03 DEGREE 01 MINUTES 47 SECONDS EAST 821.50 FEET; THENCE SOUTH 84 DEGREES 46 MINUTES 30 SECONDS WEST 15.01 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE; THENCE ALONG SAID EAST RIGHT OF WAY LINE, NORTH 03 DEGREES 01 MINUTE 47 SECONDS WEST 867.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 75.34 ACRES.
Exhibit C

Schedule of Regulations and Modifications

1. The Project deviates from Schedule of Regulations requirements for Suburban Farms provided in Zoning Ordinance 78.
2. A tree survey is provided only for areas of development activity; no trees were surveyed in areas to remain as undisturbed open space.
3. All internal streets and drives are to be private with no designated right of way.
4. Trees may be located a minimum of 3' off the centerline of any utility.
5. Disturbed areas within the wetland setback will be seeded with native seed mix. Any structures located within the 25' wetland setback will be buffered with buffer plantings as shown on the landscape plan.
6. Deviations as depicted on the approved Final Site Plan for the Project.
January 16, 2020

Charter Township of Orion
Attn: Ms. Penny Shults
2525 Joslyn Road
Lake Orion, MI 48360


Dear Ms. Shults,

I live at 4589 Catalina Drive / Orion Township / MI / 48359 in Stonegate Ravines. I am writing to strongly oppose the Development Plan for the Lavender Ridge Townhomes at the Southeast corner of Silverbell and Squirrel Roads.

Not only will townhomes stick out like a sore thumb in the middle of an area of single-family homes & subdivisions, the volume of potential residents will cause excessive traffic on Squirrel Road, and the lights at Silverbell and Dutton. With the addition of the Pulte subdivision on the north side of Silverbell, traffic congestion has already doubled during typical commuting hours.

Referring to the 2015 Master Plan Document, in an effort to preserve the wetlands nearby, Policy 2 stated they would avoid using the wetlands as detention basins would not be tolerated. It states that any wetlands used for storm water storage of developed sites should only receive filtered storm water and not in volumes greater than it received under predevelopment conditions. – With the amount of concrete that would be laid for parking lots and infrastructure, this would certainly disrupt the pre-development runoff conditions.

This area was originally zoned for single-family residential homes and should remain that way. Having this rezoned will not only hurt property values in the area, but it will also damage the preserved wetlands. Developing the land as single-family homes will maintain home values, and it will keep traffic conditions manageable in the area.

Please read this at the Board of Trustees meeting on February 3rd as my 3 minutes to speak about this issue.

Respectfully,

Ryan J. LaForge
4589 Catalina Drive / Lake Orion / MI / 48359
ryanlaforge@movementsearch.com
248-778-0152
Agenda Item Summary

To: Charter Township Of Orion Board of Trustees
From: Charter Township Of Orion Planning Commission
Meeting Date: February 3, 2020
Memo Date: January 28, 2020
Subject: PC-2019-48, Cottages at Gregory Meadows PUD Concept & Eligibility Plan

REQUEST
Requesting Board action on PC-2019-48, Cottages and Gregory Mountain PUD Concept & Eligibility Plan.

REASON
The Planning Commission at their January 15, 2020 meeting passed a motion to recommend conditional approval of PC-2019-48, Cottages at Gregory Meadows PUD Concept & Eligibility Plan.

PROCESS
A Joint Public Hearing with the Planning Commission and Board of Trustees was conducted on 10/16/19. At the same meeting later that evening the Planning Commission passed a motion to postpone the case to allow the applicant to modify their plans related to public comment received. The applicant re-appeared at the January 15, 2020 Planning Commission meeting where a motion was passed to forward a recommendation to the Township Board to conditionally approve PC-2019-48, Cottages at Gregory Meadows Planned Unit Development (PUD) Concept and Eligibility Plan date stamped 12/19/19.

BUDGET
If yes, fill out information below:

<table>
<thead>
<tr>
<th>Financial Item?</th>
<th>☐</th>
<th>Project/Grant Tracking?</th>
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<tbody>
<tr>
<td>Expected Invoice Date:</td>
<td>Click or tap to enter a date.</td>
<td>Reviewed by Budget Director?</td>
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</tbody>
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<tr>
<th>Fund Name</th>
<th>Account No.</th>
<th>Description</th>
<th>Budget Amount</th>
<th>Cost</th>
<th>Remaining Budget</th>
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RECOMMENDATION (Motion)

The Charter Township of Orion Board of Trustees having considered the PUD Eligibility Criteria of:

A. Recognizable Benefit - That the PUD will result in a recognizable and substantial benefit both to the residents of the project and the overall quality of life in the Township.
B. Density Impact - That the proposed type and density of use shall not result in an unreasonable increase in the need for or impact to public services, facilities, roads, and utilities in reaction to the
use or uses otherwise permitted by the Ordinance, and shall not place an unreasonable impact on the subject site and/or surrounding land and/or property owners and occupants and/or the natural environment.

C. **Township Master Plan** - That the proposed development is consistent with the intent and spirit of the Township Master Plan, and further its implementation.

D. **Economic Impact** - That, in relation to the existing zoning, the proposed development does not result in a material negative economic impact upon surrounding properties.

E. **Guaranteed Open Space** - That the proposed development contains at least as much usable open space as would otherwise be required by the existing zoning.

F. **Unified Control** - That the proposed development is under single ownership and/or control, such that there is a single person or entity having proprietary responsibility for the full completion of the project.

(If Motion to Approve):
Move to conditionally APPROVE PC-2019-48, Cottages at Gregory Meadows Planned Unit Development (PUD), located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008) for plans date stamped received 12/19/19 for the reasons given by the Planning Commission in their motion to recommend conditional approval on January 15, 2020 and conditioned upon an acceptable PUD Agreement prepared by the Township Attorney to be approved by the Board of Trustees.

or

(If Motion to Deny):
Move to DENY PC-2019-48, Cottages and Gregory Meadows PUD Concept & Eligibility Plan, located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008) for plans date stamped received 12/19/19 for the following reasons (insert findings of facts);

or

(If Motion to Refer Back to PC)
Move to REFER the Concept PUD plan BACK TO THE PLANNING COMMISSION for PC-2019-48, Cottages at Gregory Meadows PUD Concept Plan, located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008) for plans date stamped received 12/19/19 with the following comments: (insert comments).
TO: Charter Township of Orion Board of Trustees
FROM: Charter Township of Orion Planning Commission
DATE: January 28, 2020
RE: PC-2019-48, Cottages at Gregory Meadows PUD Concept & Eligibility Request

The applicant, Pulte Homes of Michigan LLC, is requesting PUD Concept approval for PC-2019-48, Cottages at Gregory Meadows, located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008). The applicant is proposing to rezone the property from Suburban Farms (SF) to Planned Unit Development (PUD) to construct 72 condominium units on approximately 32.75 acres.

The Planning Commission held a joint Public Hearing with the Board of Trustees on October 16, 2019 and passed a motion that evening to postpone the case for the applicant to entertain changes to the plan based on public comment. The applicant re-appeared at the January 15, 2020 Planning Commission meeting where the following motion was passed to forward a recommendation to the Board of Trustees to approve the Concept Plan:

Moved by Commissioner Gross, seconded by Vice-Chairman Reynolds, that the Planning Commission forwards a recommendation to the Township Board to approve PC-2019-48, Cottages at Gregory Meadows Planned Unit Development (PUD) Concept and Eligibility plan, located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008) for plans date stamped received December 19, 2019. This recommendation to approve is based on the following findings of facts: the applicant has met the eligibility criteria of Section 30.03(B) of the Township Zoning Ordinance and has met the intent of the (PUD) as stated in 30.03(A) of the Township Zoning Ordinance: being a recognizable benefit, the (PUD) will provide some improved access to the property with the applicant exploring options on financing a walkway on Gregory Rd. after the Township Board reviewing the plan; density impact although the density complies with the Master Plan, there is concern relative to the feasibility of the 72 units being built within the confines of the grades and elevations of the subject property: the proposed (PUD) will not place an unreasonable burden on the subject or surrounding land or property owners if proper grading and elevations can be respected; the increase in density is a reflection of the Master Plan which shows the property into a medium/high single-family residential; the economic impact is that the (PUD) will result in a reasonable variation and variable housing styles for a recognized segment of the housing population; the plan does provide for guaranteed open space on the site being in access of seven (7) acres which would be part of the guaranteed open space and part of the HOA requirements; the plan as a condominium will provide unified control over the ownership of the common areas within the development.

Commissioner Gross amended the motion, Vice-Chairman Reynolds re-supported, to clarify the action by the client towards the safety path, that they explore the concept of the Township gaining easements and the applicant constructing the safety path at their expense or if the Township cannot gain such easements a fiscal contribution greater than $75,000 be made toward the safety path.
Roll call vote was as follows: Walker, yes; Reynolds, yes; St. Henry, yes; Steimel, no; Gross, yes; Ryan, yes; Dunaskiss, no. Motion carried 5-2

Following please find the PUD application, concept plans, consultant review letters, citizen letters received after the Public Hearing (letters received prior to the Public Hearing were in your October 16, 2019 Joint Public Hearing Boardbook packet, Joint Public Hearing Minutes from October 16, 2019, Planning Commission Meeting minutes from both the October 16, 2019 and January 15, 2020 meetings, site walk report, PowerPoint presentation prepared by the Planner, Rod Arroyo, PowerPoint presentation prepared by the Applicant, Correspondence from the Safety Path Committee, a woodland site assessment, and a letter from the applicant’s attorney. If you have any questions, please feel free to contact me at (248) 391-0304 x 5000.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, January 15, 2020, at 7:00 pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Justin Dunaskiss, Chairman  Judy Ryan, Commissioner
Scott Reynolds, Commissioner  Don Walker, PC Rep to ZBA
Joe St. Henry, Secretary  John Steimel, BOT Rep to PC
Don Gross, Vice Chairman

PLANNING COMMISSION MEMBERS ABSENT:
None

1. OPEN MEETING
Chairman Dunaskiss opened the meeting at 7:00 pm.

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rodney Arroyo, (Township Planner) of Giffels Webster
Eric Fazzini, (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Lori Lynch  John Canine
West Brooks  John Gobel
Erin Wolff  Mike Gobel
Dawson Wolff  Mike Moore
Judy Hafner  Matt Rama
Kim Murley  Jim Porritt
Dean Lent  Alex Pollack
Don Hickmott  Donnie Steele

3. ELECTION OF OFFICES, REPRESENTATIVE TO THE ZBA, AND SITE WALK COMMITTEE ANNUAL APPOINTMENTS
Chairman Dunaskiss was nominated to be reappointed as Chairman of the Planning Commission for 2020. No one contested.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, to re-appoint Justin Dunaskiss as Chairman of the Planning Commissioner for 2020. **Motion carried 7-0**

Commissioner Reynolds was nominated to be appointed as Vice Chairman of the Planning Commissioner for 2020. No one contested.

Moved by Vice-Chairman Gross, seconded by Commissioner Ryan, to appoint Commissioner Reynolds as Vice Chairman. **Motion carried 7-0**

Secretary St. Henry was nominated to be reappointed as Secretary of the Planning Commission for 2020. No one contested.
Moved by Vice-Chairman Reynolds, seconded by Commissioner Walker, to re-appoint Joe St. Henry as Secretary of the Planning Commission for 2020. **Motion carried 7-0**

Commissioner Walker was nominated to be reappointed as the Planning Commission representative to the Zoning Board of Appeals for 2020. No one contested.

Commissioner Gross, Secretary St. Henry and Vice-Chairman Reynolds were nominated to be reappointed to the Site Walk Committee for 2019.

Moved by Commissioner Walker, seconded by Commissioner Ryan, to re-appoint Vice-Chairman Reynolds, Commissioner Gross, and Secretary St. Henry as the Planning Commissioner Site Walk Committee for 2020. **Motion carried 7-0**

Commissioner Walker was nominated to be reappointed as the Planning Commission representative to the Zoning Board of Appeals for 2020. No one contested.

Moved by Commissioner Gross, seconded by Vice-Chairman Reynolds, to re-appoint Commissioner Walker as Planning Commission Representative to the ZBA for 2020. **Motion carried 7-0**

**4. MINUTES**

A. 12-18-19, Planning Commission Regular Meeting Minutes

Moved by Vice-Chairman Reynolds, seconded by Secretary St. Henry to **approve** the above minutes as presented. **Motion carried**

**5. AGENDA REVIEW AND APPROVAL**

Moved by Vice-Chairman Reynolds, seconded by Commissioner Walker, to approve the agenda as presented. **Motion carried**

**6. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY**

None heard

**7. CONSENT AGENDA**

None

**8. NEW BUSINESS**

A. PC-2020-01, Orion Classic Car Club Site Plan, located at 3030 Lapeer Rd. (parcel 09-26-101-015) and an unaddressed parcel at the NW corner of Lapeer and Waldon Roads (parcel 09-26-101-009)

Mr. Dan Rush of Construction Design Service, 2867 Glenwood Ct., presented.

Mr. Rush stated that the proposed project, The Orion Classic Car Club, is located 3030 Lapeer Rd. which is located on the NW corner of Lapeer and Waldon Road. The project has frontage on both Lapeer and Waldon Roads. The region of Oakland County where the project is situated is developed but contains sporadic undeveloped rural areas. The existing land uses in the immediate vicinity along Lapeer Rd. to the north and south are general commercial uses. The project is bordered on the northeast and south by commercial uses and to the west is residential use. The project is comprised of two (2) adjoining parcels with the eastern portion of both parcels zoned (GB) General Business and the western portion zoned (R-2) residential. The
existing site is vacant of occupants and operations but was historically utilized as a single-family residence and light commercial operations, most recently a florist. It is currently improved with one (1) commercial building, one (1) residential building, one (1) detached garage, three (3) greenhouse-style buildings, one (1) shed outbuilding and asphalt pavement parking lot and drives. The remaining portions of the site consist of one (1) lightly vegetated open field, robust shrubs, deciduous forested vegetation. The property also contains a pond and open ditch system that traverses the southern portion of the property. The site is also characterized by moderate rolling topographic relief. The purpose of the project is to redevelop an existing seven (7) acre vacant idol residential/commercial property into an economically beneficial aesthetically pleasing new commercial use geared towards automobile enthusiasts. The proposed site was developed with the intent to create a high-quality classic car collection and social facility with associated tenant’s office space and a related themed based restaurant. The development was designed to preserve the maximum amount of open space, minimize natural feature impacts and simultaneously enable safe and efficient development within the upland portions of the property. The need for the proposed project is to bring vitality to a current idol and unattractive and underutilized property through a mixed-use construction concept. In addition to the improved property esthetics, the development would create a new tax revenue screen, new employment opportunities and augment the commercial viability of Lake Orion’s M-24 corridor and its commercial, businesses, and recreation uses.

Mr. Rush added that in addition to the construction of a two-story 26,000 sq. ft. warehouse/office building and a 4,000 sq. ft. restaurant building, other improvements proposed with this development include upgraded stormwater system, ecological enhancement of the drain channel, parking lot and upgraded utility systems. The development is currently planned to be constructed in one (1) general phase. The two (2) parcels have been acquired and are to be developed by the owner, Dr. John Canine, a lifetime Lake Orion resident and businessman.

Planner Fazzini read through their review date stamped January 10, 2020.

Engineer Landis read through their review date stamped on January 7, 2020.

Chairman Dunaskiss questioned the increase in the size of the building and also why they are going from the mezzanine to the second story?

Mr. Rush showed the Board the plans and materials that will be used. He said that the second floor would not a mezzanine, it will be a second floor, serviced by an elevator, and the building would be completely fire protected with a sprinkling system. The upstairs would be an office area, the owner felt that he could bring in people that have classic cars and lease the office space above.

Chairman Dunaskiss stated that part of the Conditional Agreement they brought forth those conditions, what changed now, was it not thought of to rent the upstairs out before? Why was there an increase in the square footage as well as this whole second floor?

Mr. Rush replied just part of the evolution of the building.

Chairman Dunaskiss stated that before it was not proposed to have a full second story. The second story is not allowed in the current zoning (GB). Was that an afterthought to what was agreed upon in the Conditional Agreement until now?

Mr. Rush answered that he was not aware that it was conditioned on them having a mezzanine or a second floor, and determining if it was one or the other. He felt that the owner was trying to make the most of what is available to him.
Secretary St. Henry asked what was the business decision for adding a full second story to the building versus when they came in with the Conditional Rezoning? He stated that (GB) zoning is a single story. Right now, they do not allow two-story on (GB) zoned facilities.

Dr. John Canine, 1247 Lakeshore Blvd., presented.

Dr. Canine said that he was not aware that there could not be a second story. They did present it as a mezzanine. The reason that they changed the plan was because when the car owners talked about having a vintage Corvette or Ferrari and a mezzanine and someone dropping something from up above, they were not too excited about that. The second reason it was expanded was because the second floor will be filled within a few months just from some of the car club members who want to have office space. They went from 12,000 to 13,000 sq. ft. for this building and thought they had the space to do that.

Dr. Canine added that the only discrepancy that he would disagree with was he has always presented it as two (2) buildings. It was always a building for the car club and office space with the mezzanine and a restaurant.

Chairman Dunaskiss replied that he didn’t think it was talked about one (1) building or two (2) buildings to far, it was just one (1) story or two (2).

Chairman Dunaskiss stated that the underlined zoning is General Business (GB), by right they cannot do two stories. They are increasing the footprint, and it is 1,000 sq. ft. on the first floor but they are adding 10,000+ sq. ft. of the second story. They need to figure out if the parking has been figured in.

Dr. Canine stated that he thought that there were enough parking spaces to accommodate two stories. What he is hearing is there has to be a variance for the second floor.

Vice-Chairman Reynolds stated that they went forth for a Conditional Rezoned so there is a condition put upon it and now it is different. It is not an issue of a variance or not it is what conditionally they said it was going to be.

Planner Arroyo said that the number one issue is going to be a discussion with the Township Attorney about how the original agreement and the plan and how they differ and how far they can go without going back and amending that agreement. Once they get to that step then they can talk about where it goes from there. Before the Planning Commission can take any action on this, they would need to make sure that the Township Attorney has reviewed this agreement and provide them some direction because this plan cannot be approved as presented because it is not consistent with the agreement or the ordinance.

Commissioner Reynolds said that he felt there was a big list of open items that could influence some major changes in the plans. They are always very workable and pro-working with developers and projects. Being part of the Site Walk Committee, they walked the site and there is some significant grading. There are wetlands and knew that there was some wetland packet information submitted to them but it was too late for a review from the consultants and this was a major concern for him. There were some general concepts and comments on the layout from the landscaping of the greenbelts, interior landscape areas, there are trees specified that are not really in favor of the ordinance. There is a chance for a lot of landmark trees on the site and did not see any tree survey present or tagged trees that were present during the site walk. He said that he drove past it in the last couple of days and it looks like there was some tree clearing happening. It was alarming to him to have a long list of open items, some discrepancies
between a Conditional Rezone and progressing before they have talked through things especially tree clearing.

Chairman Dunaskiss stated that they have a laundry list of open items and did not think that they expected any action or wanted one from them. They were going to take notes and have them give a response and would give them as much deliberation as they wanted.

Mr. Rush stated that they have submitted a wetland permit to EGLE and it was his understanding if they approve what was submitted it was a rubber stamp at the Township.

Mr. Rush added that he thought that there were seven (7) monument trees and thought that was all addressed in the landscape design tree replacement. They have done a tree survey that was attached to the drawings.

Trustee Steimel questioned if the planner looked at parking requirements with the second floor included? Planner Fazzini replied they do meet it with the second floor.

Trustee Steimel questioned the Township Planner if they were still looking for details of any wall-mounted fixtures. They gave details of the poles but thought that there were going to be fixtures on the sides. Somehow, they knew they were not completely side shielded.

Planner Fazzini stated that it was included on the site lighting plan as an insert.

Trustee Steimel said what they usually get is a copy of the manufacture’s datasheet, so they can confirm the lighting is shielded down, especially being on M-24.

Trustee Steimel added that the second story is not part of the Conditional Rezone, however, they can’t approve it with the second story because it is not allowed in (GB). That means that they deny it and it has to go to the Zoning Board of Appeals.

Trustee Steimel asked them if they would like to have it denied now so they can officially go to the ZBA if they are going to try to get that variance for the second floor. He felt that if they do get the variance from the ZBA they would need to come back.

Mr. Jim Porritt, on behalf of the applicant, said that they would like to get as much of a list of open items as they described before them so they can begin addressing those immediately. He didn't feel that they needed a denial to go ahead and make an application for a variance.

Trustee Steimel replied yes they do; that is what it is it is an appeal of their denial. To go before the ZBA, they need to be denied by them.

Mr. Porritt thought that they could apply directly for a variance without the necessity of an appeal.

Trustee Steimel answered that some people do it concurrently to get it on the schedule but they have to have gotten a denial from the PC first.

Mr. Porritt wanted to discuss it with the applicant as far as time frame-wise.

Trustee Steimel said that after they get the review of the wetlands, and the details making sure the lighting is ok, woodland ordinance, it looks like they have the survey.
Commissioner Gross asked about the proposed restaurant, is that a private restaurant or is that open to the public.

Mr. Rush replied it would be a public restaurant.

Commissioner Gross questioned the Township Planners if the parking had been calculated and is that treated independently? Vice-Chairman Reynold replied that was included in the calculation. They are just barely good.

Commissioner Gross stated that the site walk showed a very interesting site. There were lots of trees, grade changes, open watercourses and it is a very interesting site and one that the engineers indicated that a lot of things that can be taken care of. He was curious how the open water course was going to be handled? Is that going to be enclosed and thought it would run under M-24?

Engineer Landis replied is that the large wetland on the west side of the site will remain. The stream leaving that wetland and the little pond that connects into M-24 would be removed and the parking lot will go over that. They are going to build a detention basin just north of the wetland which is going to empty into the wetland and then there is going to be a new ditch/swale that runs along the south end of the site south of the restaurant and that is going to tie into the storm sewer on M-24.

Commissioner Gross asked if the bike path is going to be placed on private property?

Engineer Landis answered that normally they see it on the ROW but there are instances where it deviates off and they would require that they provide an easement to the Township.

Chairman Dunaskiss asked if there was any further detail on the restaurant?

Mr. Rush replied that the finished exterior would be similar to the same materials as the main building. Because they haven’t got a restaurant tour selected yet that is something that is still in the planning.

Secretary St. Henry questioned if they were looking for a chain restaurant tour or are, they looking for a sole proprietor to open up a restaurant?

Mr. Rush answered that it would be a private restaurant tour that would work with Dr. Canine.

Secretary St. Henry stated that he would like to see an elevation before they approve this.

Vice-Chairman Reynolds stated that during the original presentation they were told that it would all be completed in one phase. That raised a red flag for him to say that it is a proposed restaurant of 4,000 sq. ft. but they don’t see any details on it. There is a couple of layout issues with loading. His only issue is not about the car club and the proposed restaurant but rather if they start looking at the restaurant and it happens to be 5,200 sq. ft. like the car club slightly grew they are pretty close on parking right now and obviously, there are some other areas of the site that could maybe be additionally parked. There are a couple of open items that could influence where things are.

Mr. Porritt said that he spoke with Dr. Canine and there has been a lot of effort made to answer all the wetland issues, studies have been made, programs have been addressed as to the wetlands, the tree survey, that has been accomplished. A lot of these issues have been extensively covered. He was disappointed that they had not received enough information on
those. If they could provide a full list of what all their concerns are, they would prefer to come back with addressing those and not have a denial so that they might in the meantime reconsider whether or not there is a necessity of avoiding people from dropping things on vehicles. They might instead look at the mezzanine instead of a full second floor. Rather than having them deny it and having to start over again and incurring further expense they would prefer to have them give them the list and let them come back to them with whatever revisions and hopefully answer all of their questions. Specifically, they would like to hear about the wetlands because they have gone to great lengths in terms of developing a wetland study and a program for handling that as well as the retention. They tried to retain the ascetic pond that is already on the site, so what they have done is simply re-routed the open stream that crosses the same type of topography that currently exists. There is also the issue of the tree survey and knew that had been done and it was pretty extensive. He felt it is a unique piece of property in that the previous owner was a landscaping contractor, and has a lot of exotic trees on the property which they have tried to preserve especially those that are fairly unique landmark trees. He wanted to make sure that everyone had them. They wanted to get the full list of whatever their concerns were so they could address those.

Chairman Dunaskiss said that they have the engineers report, the planners report, he was taking notes, they will have the minutes.

Mr. Porritt said he thought that there were some open items for Vice-Chairman Reynolds that have not been addressed in either of those reports.

Vice-Chairman Reynolds replied, not necessarily, he apologized for missing the tree survey. What he was looking for was a separate survey document, if they zoom in, there are trees marked on the survey and he had thought originally that those were elevation marks. He felt what would be helpful and some of their concern is that they were concerned about landmark trees on the site. Usually, they are identified purely on a plan with just tree plantings alone. It can be done in several different ways, just a chart against a landscape plan. It just built upon some of their planners’ comments that seem like interior landscape area and a few things were lacking on the proposed side. Those are some of the things that they would be looking for from the basic ordinance requirements. He didn’t see tree tags when they were out on the site. It also seemed like there was work being completed on the site already.

Mr. Rush stated that they have a full tree survey, the trees there were tagged and thought that there were seven (7) landmark trees on site. The landscape architect did address those in the landscape plan.

Chairman Dunaskiss said that the landscape plan itself, a lot of the choices of some of the specimens, and they have robust ones to pick from, so there are those details.

Mr. Rush stated they would be happy to address that.

Engineer Landis stated that the overall package came in or around December 13, 2019, so they were able to review the site plan package as a whole, but the wetland portion did not come in until a few days ago. They will do an independent review of that and then another letter will come out, they will get that and then copy the applicant on that.

Chairman Dunaskiss stated they will need more time on that and they are aware of the site and the uniqueness of the wetland, so he appreciated the efforts to keep the existing pond there but obviously, they need some time to review it.
Mr. Porritt said that he understood and that it has been submitted to the State. They are anticipating that if there are any concerns that they will raise them as well.

Chairman Dunaskiss stated that the parking could be affected by that because it is very tight in regards to where the pond is and the way the site wraps it.

Trustee Steimel said that in the OHM review they list their nine (9) items that they will have to deal with at some point. For the site plan, there may be only one (1), which would be number seven (7) about the internal sidewalk out to the main. There are nine (9) items there, they are not necessarily going to hold up site plan approval, but if they can address those between now and the next time would be better. There were also comments from the Fire Marshal.

Mr. Pat McWilliams, Kieft Engineering, 5852 S. Main St., Clarkston, MI, said they went through the letters thoroughly, the Fire Chief has normal comments that get addressed as they get into the engineering plans. Templates and turning radius and adjust a few FDC connection locations and shift a hydrant, minor stuff. Engineer Landis has looked at it and has called out some of the similar stuff also.

Mr. McWilliams added that regarding the extra sidewalk to get a connection from either Waldon Rd. or M-24, they will connect up to M-24 because of Waldon Rd. requires crossing that relocated stream. All the comments that were listed with OHM and also the ones on the planners he felt they could address them all. As far as from an engineering point of view, once they say go, they will be tackling them. He knew that Engineer Landis has not had a chance to look at the wetland package yet. They just got their wetland consultant working with them, just submitted to the state the EGLE permit application about mid-December and then they added more detail for their submittal because they also need them to be looking at the 25-ft. natural feature setback impacts, where the state doesn’t care about that. They know that it is not a “rubber stamp” because there is more detail that the Township looks at than the State does. It takes the State three 3 months and they use every day of it before they respond.

Planner Arroyo stated that staff will be contacting the Township Attorney to make sure that they address the issue of the agreement versus the plan, he felt that should be part of the motion. In addition, to all the items that have been addressed that resolution with the Township Attorney in terms of the agreement between the plan and the actual Conditional Rezoning be addressed as well.

Mr. Porritt said that he didn’t want to speak for Dan Kelly, his office and Dan’s have worked on the project. Part of the difficulty is that the format that has been provided to them for the Conditional Rezoning Agreement contemplates that there have been approvals already reached that have not yet occurred. When they are submitting things, they are all projections but are included in the agreement all be it that they have not yet even being presented to them for the Planning Commission. The format presented to both of them a bit of a challenge and worked as best they could to work their way through the process of getting the agreement in a format that could be approved at least and they anticipated that there were steps in there that had not yet occurred.

Chairman Dunaskiss questioned what steps because they offer the agreement, so they could amend it change it however they want to bring in their agreement?

Mr. Porritt replied that in the preparation of that agreement is a format that is presented to him to be completed by the Township. It provides information that has been traditionally used and approved by the process that they have adopted in the past.
Chairman Dunaskiss asked what specifically what hasn’t happened?

Mr. Porritt replied that it was the site plan approval process and site plans that have yet to be approved. He added that they recognize that the process may result in changes to those plans that they are referring to them in the document as that they have already been approved.

Chairman Dunaskiss said other things to look at, the two (2) story will dictate things, maybe do the old racquetball thing. Mr. Porritt added maybe just putting a net over it. Chairman Dunaskiss said or maybe just put a piece of glass up.

Chairman Dunaskiss questioned about the restaurant they need to see something there or phase it, phase two (2). They are trying to give them feedback, they are telling them what they want, they have to approve it though. Come up with some more details if that what they want to go within phase one (1).

Secretary St. Henry said he was trying to get a better feel for the nature of this car club. What are the hours of operation of the car club?

Mr. Rush replied they store their cars there, so it will be useable during the day, it is probably usable in the evening too, because it is more of a social gathering, he felt from 10 am-10 pm.

Secretary St. Henry said they will need that in writing.

Trustee Steimel asked why? It is not a Special Land Use.

Secretary St. Henry asked if the second story is approved what exactly will be used on the second floor? They are calling them office spaces; will they be using it for lounges?

Mr. Rush replied that they already have a social gathering place that will be on the first floor, and didn’t think that there would be lounges upstairs.

Dr. Canine said they already have the concept in Auburn Hills, and some of the Township officials have met there at their lounge area. They have 5,000 sq. ft. and about 1,000 sq. ft. loft and in the loft, there is a big-screened TV, pub tables, and a bar. This particular concept is the same concept they are trying to do here. There will be a lounge on the lower level there will not be a lounge on the upper level, it will be on the lower level overlooking the cars. They will be probably having 40-50 cars; they will be classic cars. The hours he did not know how to address that, in the two (2) informal meetings that he has had with the Township that has not come up, but has advertised that they have access to their cars whenever they want.

Secretary St. Henry said that if it is not a SLU then they don’t have to provide anything in writing regarding the hours.

Secretary St. Henry added to his knowledge there is no other development like this in Orion Township. They are always sensitive to the compatibility of developments in the Township. He is trying to get a better feel. Will the parking lot be used for outdoor car shows, that attract people beyond just the club members? He is just trying to get a better feel for what they envision for this prime space on M-24 and how it will be used 5-15 years from now.

Dr. Canine said yes, there may be a car show or two. They will not be loud music but maybe at times if they have 150 parking spaces, they are going to have 150 cars and they only have 40-50 of theirs so there will be other people coming. He didn’t think that they will ever be as big as Culvers. There will be times where the cars are displayed, they will be outside, the car
members will want to bring them out. On the lower level, there will be 40-50 cars all classic cars, they are not bringing in cars that need to be refurbished. If they went to their car club now, they have 2-3 level one corvette winners a ’64 and ’78. They have two Ferrari’s that are international winners, so this is truly a classic car club. The lounge area on the lower level, with a step or two up, will be much more expanded than the one they have now. It will have pool tables and a couple of TVs. There will be no selling of alcohol. The upper level he did not realize that they couldn’t have a complete second level. He felt that he needed a day to think about this and decide if he wants to go with a complete second level or go back to the mezzanine as it was presented in the two informal meetings. He questioned if the second level is the biggest issue?

Chairman Dunaskiss replied yes; it sets the tone on the Conditional Rezone and if you can or cannot because of the underlining (GB). We have professionals that can work through some of these items.

Dr. Canine said that the OHM items he didn’t think would be a problem. He was glad they had the tree survey and felt everything else can be addressed. He wanted to think about if they should go to the ZBA or not.

Planner Arroyo clarified if the applicant intends to build the restaurant at this time, building elevations all that has to be provided, that is one thing that needs to be provided.

Dr. Canine said that in one of the informal meetings this came up and it was stated that if it was built it in two phases that is not an issue. Are they saying they can build it in two phases but they want it all right now to approve it?

Planner Arroyo said that if they are going to build it in two phases then they need to submit what they are going to build right now and then they can come in later and add the restaurant and then they would bring the elevation drawings when they build the restaurant. The restaurant should be removed from the plans if it is not their intent to build it now. They want to see on the plans what they are going to propose to build in this phase, that is what should be on the plans. Then they can come back in later with an amendment.

Dr. Canine questioned if the rezoning agreement makes any difference with that?

Chairman Dunaskiss replied the Conditional Rezone does not, so they are conditionally approved for that restaurant and the concept. If they are ready they just need to come together and tell them what they are going to do with the restaurant now if it is all one (1) phase, or just come back and put on the plan that it is a future phase two (2) restaurant, when they come back to get approval for that they will get it and not be left with something they don’t want. If they don’t have the tenant and it sounds like it is still in progress, they may want to have that blank for phase two (2).

Commissioner Gross stated that the Conditional Rezoning said that it was going to be all in one phase.

Planner Arroyo stated that it will be part of the attorney review.

Vice-Chairman Reynolds added that when they look at some of these items that are open-ended from their professional consultants, how he looks at them is some other influences that could change either a layout of a parking lot or things that are going to push and pull that are not minor items. They are not talking significant changes but there are some items to address like the Fire Marshal that is going to be concerned that come up with, for instance, distances of
width that could bump everything down around and say alright we are losing a couple of parking spots and then parking doesn’t work. There are items that they are always willing to work with people on, like a shielded light fixture that is simple and could be handled administratively. There are other things for him it is too much to say it is a conditional approval with that wide end open end deal.

Moved by Vice-Chairman Reynolds, seconded by Commissioner Gross, that the Planning Commission postpones site plan approval for PC-2020-01 Orion Classic Car Club Site Plan, located at 3030 Lapeer Rd. (parcel 09-26-101-015) and an unaddressed parcel at the NW corner of Lapeer and Waldon Roads (parcel 09-26-101-009) for plans date stamped received 12/13/19 for the following reasons: so the applicant can incorporate comments and outstanding items addressed in the Planners, Fire Marshal and Engineers review letters; this shall incorporate a review from our Township Attorney to clarify the conditional approval that was previously received.

Discussion on the Motion:

Trustee Steimel said he knew that the Planner was concerned and should go back to the attorney and have him review the Conditional Rezone.

Planner Arroyo stated that it was part of the motion.

Vice-Chairman Reynolds stated that he is going to defer to the attorney to see if it is an issue or it is not an issue.

Planner Arroyo said that the staff is going to reach out to make sure that there is some clarity.

Roll call vote was as follows: St. Henry, yes; Steimel, yes; Walker, yes; Gross, yes; Ryan, yes; Reynolds, yes; Dunaskiss yes. Motion carried 7-0

B. PC-2019-48, Cottages at Gregory Meadows PUD Concept & Eligibility Plan, located at 3537 and 3595 Gregory Rd. (parcels #09-31-200-006 & 09-31-200-008)

Mr. Bill Anderson, Atwell, 311 N. Main, Ann Arbor, Ml, presented.

Mr. Anderson stated that approximately 90 days ago they had a public hearing with the PC and the BOT. They had a good discussion with lots of feedback from the residents and the boards. They have spent the last couple of months looking at alternatives to the project and they are back before them with some of the changes that they made for further discussion and feedback.

Mr. Anderson added that they are located near all the shopping and restaurants just west of Baldwin Rd. on the south side of Gregory Rd. They are just over a half-mile from 1-75 so real close proximity to the very active Baldwin Corridor and the 1-75 interchange. They are surrounded by similar zoning designations. They are adjacent to a lot of Village Center activity that is proposed and other residential classification similar to what they are looking at. The site has the availability to public sanitary and sewer. Their project is just under 33 acres with steep slopes and is a very treed wooded site. They did a woodland assessment and walked the site and appraised the good areas of the site. Their topography is interesting they have about 80-ft. of relief. There is an existing home about a third of the way into the site, that is about the high point and then it drops about 80-ft. to the south and about 50-ft. to the north. It is a very challenging site. Their proposal is 72 single-story ranch units, for an aged target market, and alternative housing for the Township for a very growing demographic. Their density is 2.6
dwelling units per acre on a net density. They are proposing over four (4) acres of woodland preservation. They have over 12 acres of open space proposed, including the retention basins which are big dry ponds. They have an extensive amount of engineering on the grading side so that they could present to them with the confidence and the type of preservation they could accommodate. They have sidewalks and trails, which the Township likes and their customers like. The bulk of the feedback is three (3) major design changes and some overriding comments that they went away with and wanted to talk about tonight. The summary of the changes and the biggest impact is the Peppermill Lane connection. They went back and looked at alternatives to that, there was a lot of discussion about all the additional discussion tying into the Peppermill Lane to the residential homes to the south of the project. After discussions with the Township and their discussions what they have proposed and what is in front of them tonight is providing an emergency connection to Peppermill. There will be some type of infrastructure with gated access for emergency vehicle access for that area but will prevent the day to day traffic. He did know that they received feedback from the Fire Marshal expressing some concern about the gate maintenance and maintaining those gates. He stated that they do this consistently across southeastern Michigan, this is not an uncommon proposal for them. It minimizes traffic into other neighborhoods but provides for emergency vehicles there. Pulte Homes is committed and will commit in writing for themselves and the assigns for this project to provide the ongoing maintenance on that emergency exit roadway and associated gate system. They are comfortable that they can maintain that area in the longer term to provide if ever need be that emergency access for the emergency vehicles.

Mr. Anderson added that another thing that was discussed was road network and an interconnection to the Village Center to the east. They met with the Village Center and that is under consensual design with engineers and the developer, they met with those folks and coordinated a road connection and they are comfortable given the topography and the interconnection, they have proposed a stub street connection to the east. Ultimately that would connect over to Baldwin Rd. That road connection has been added to the plan.

Mr. Anderson noted that there was a lot of conversation from Gregory Rd. folks about wanting safety paths along the Gregory Rd. frontage. What they committed in the resubmittal is to propose a $75,000 contribution towards that sidewalk path from their site to Baldwin Rd. They are proposing to install about 520-ft. of safety path across their frontage, so they will do those installations and provide that funding for the additional distance to Baldwin Rd.

Mr. Anderson stated that the other two things that they talked about a lot, those were design changes, but there was a lot of discussion about the Master Plan and the density of their proposal. They are very confident that their plan is consistent with the Master Plan, the use and the density that the Township Master Plan has told them. When they look at the existing zoning and the future zoning their existing zoning is (SF) and those are big agricultural 2 ½ acre lots. When they look to develop a property what they are looking at is the Township Future Land Use Map. When they look at the Future Land Use Map for the property, it is a single-family medium/high density. That is the density that if development occurs on this property the Township Master Plan has indicated they want to be done. The density associated with that classification is a density of 3-5 dwelling units per acre. The Township Master Plan for their property is the medium/high density, that correlates to the Township zoning of (R-1), (R-2) and (R-3) in the zoning ordinances. Those are densities allowing for 3-5 dwelling units per acre. They are well below all those densities proposals they are at 2.6 units per acre. The Master Plan also speaks to alternative housing and specifically wants to have more aged targeted housing. That is exactly the product that they are proposing. Gregory Meadows to the west is the traditional two (2) story housing which there is a lot of that. This is a unique housing single-story ranch low impact housing for the aging demographic in the Township. They are trying to keep Township residences here as they age and as their lifestyle changes and that is what this
product is providing. Again, they have proximity to the Village Center and I-75 and thought that is why the medium/high-density zoning is there; the parcel is public utilities. They conform to exactly the Township Master Plan as far as the land use and the intention for the housing on that property. When they look at the density (R-3) is the recommended density from the Future Master Plan. When they look at just Straight Site Plan for that they generate 93 units, they prepared that parallel plan with 93 units that are 70-ft. wide units, they could create 93 lots on that property. When they look at an R-2 design, they create a plan of 80-ft. wide traditional family lots they could come up with 77 units. Their plan before them today is 72 single-story units, so they are low profile and age-targeted. They know that they are going to get 80-90% active adult age-targeted, they have less impact on traffic, lower profile and infrastructure, and a lower impact on the Township. They are the residence that they would want to keep here. Their density is well below the targeted density associated with the Master Plan.

Planner Arroyo went through their review date stamped on January 10, 2020.

Engineer Landis went through their review date stamped on January 9, 2020.

Planning & Zoning Director Girling stated that she realized that there was a review received yesterday from the Fire Department that was not put in their packet. She gave all the PC members a copy of the review.

Vice-Chairman Reynolds stated that overall he didn’t have any major issues with the project or the deviation. He felt that the guaranteed open space is pretty significant; 25% is being proposed, and the fact that they are situated between the zoning ordinance and the Master Plan is favorable. He knew that they were at concept, but just how it might change addressing the 50% side or recess garage access if that is just a minor plan change or elevation change. The safety path contribution and he felt with the information that was provided from the Safety Path Committee and some letters, just a financial contribution that doesn’t cover the actual project cost of the connection and isn’t beneficial to the Safety Path Committee or the Township. He thought that either they complete the project or cover the full cost of that if that is going to be the benefit proposed.

Commissioner Gross stated that he goes back to the underlining zoning and the density. He knew that the proposed use as a (PUD) has some value and made sense, but all of the plans that they had seen, both the parallel plans as well as the proposed (PUD) plan is based upon the site being on a flat level piece of property. As the applicant has indicated and as they have seen on their site walk that there is a substantial grade change on this property and it was indicated it was 80-ft. from one point to another point. Without some mass grading taking place which, he felt would affect some of the existing forested areas, he questioned whether or not some of the identified benefits of natural preservation is going to be possible. He thought that they had to look at the plan as it relates to the elevations and the potential changes in elevations as opposed to being on a flat piece of property. The garages are something that is within the ordinance and felt that could be accommodated through either changing some of the models to reflect that. He felt that the safety path was an important issue relative to the amount of traffic that is on Gregory Rd. currently and in the future with the two developments that is taking place both of which are Pulte developments.

Secretary St. Henry wanted clarification he thought someone mentioned that they would automatically be going to be putting in a safety path in front of the development and then adding money?

Mr. Anderson replied yes; they have a total of 520 ft. of frontage on Gregory Rd. They will put that path across that, that is part of their proposal and they are contributing $75,000 which
would ideally go between about 12,000 – 13,000-ft between their property and Baldwin Rd., off-site.

Secretary St. Henry said that it will cost approximately $240,000 to complete the connection according to OHM.

Engineer Landis stated that was a rough conceptual cost estimate; yes.

Trustee Steimel said he wanted to make sure that estimate was for all of the off-site, and it nothing to do want they were going to install in the front? Engineer Landis replied, yes.

Trustee Steimel questioned the Planners review where it says no lot lines? Before they would plat subdivisions. Then they had condominium site plan, which was slightly different it went under different rules from the state which was kind of condensed, even in those they had unit lines they were considered lots. He didn’t understand where it says not lot lines?

Planner Arroyo replied that there are no lot lines, there are no unit lines. The type of site condominium where there is a unit boundary that is equivalent of a lot, that is not what is being proposed here, it is a pad. It has the appearance more of a general condominium in terms of how it would look. The condominium unit itself is the building pad, that is where the ownership is.

Mr. Anderson added that it is limited common around the yards, and will be professionally maintained.

Planner Arroyo stated that it is a little different than other projects that he thought they had seen.

Mr. Anderson said it forwards them to get a nice landscaped consistent development. It is how this development is generally done. The aged targeted, it is clustered and a lot of open area for the community.

Secretary St. Henry asked if they had examples of other developments similar to this in metro Detroit?

Mr. Anderson replied that this product is being built by Pulte Homes as a small component in the Baldwin Mt. project. It is a single-story low scale ranch; it is lock and leave low maintenance and will all be professionally maintained by the HOA.

Secretary St. Henry asked what the general price points for these condos?

Mr. Joe Skore, Pulte homes of Michigan stated that with base pricing and upgrades approximately $400,000 - $425,000.

Secretary St. Henry asked how many square feet?

Mr. Skore replied 1,680 sq. ft. plus structural options might take them up to 2,000 sq. ft. depending on consumer preference.

Commissioner Walker stated that there are a lot of floating issues still around. It seemed to him that most of them might be able to be taken care of. What concerned him was the safety path issue because of the traffic and the additional traffic on the road. The other development here is another one of the Pulte developments. Commissioner Walker asked if they would be willing to consider a larger contribution or doing the project themselves for the safety path?
Mr. Skore said that Pulte tries to be cooperative and would consider an increased level of funding or contribution, however, this is a 72-ranch style community at a density that is well below the Master Plan. A $240,000 contribution in their opinion is unreasonable and disproportionate relative to what they were offering. Commissioner Walker noted that it would not even buy one of their houses.

Secretary St. Henry stated that they have to take into consideration how every development is going to impact the folks that are already there. For those folks that have lived here for a long time Gregory Rd. has gone through a transformation like a lot of the roads in that part of the Township, they have been more impacted than other parts of the Township in terms of traffic flow. Gregory Rd. used to be a country road, it is not that anymore, there is heavy traffic. Everything that they can do to work together to come up with some middle ground in terms of the development lessens the impact on the existing residents that have been there and raising young children. It is a (PUD) and they have to find the recognizable benefit and something like that is significantly important to this community. Pulte has built all over Orion and has built quality subdivisions. They are partners here in terms of finding middle ground when it comes to progress and development along with maintaining the historic legacy and feel of this community and would like them to work with them.

Mr. Skore appreciated that and stated that is why they would consider that and are more than willing to work with them in terms of a middle ground.

Mr. Anderson said that one of the concerns that have come up is, they need to get easements. One of the people indicated that 10-12 of the 14 residents supported the sidewalk there, but there are probably some people that are not going to grant that easement to us, what does that cost to get and if they don’t get it. He gets very nervous when they start obligating off-site improvements, that even if they wanted to do it, they don’t have the legal ability to build that sidewalk, because they would need to secure all of those residents. The Township can ultimately do that, they can condemn property for the public good, this would probably fall within that statute of doing that and they could secure the easement. Them as a private property owner can’t do that.

Secretary St. Henry replied that was a very good point, and if that was the obligation that the Township had to meet, from a Township perspective they would have to look at that. Through the material and letters that he read and there were a couple of really detailed letters from citizens who looked at this exact idea, it was only two 2 homes that did not want to provide the easements. He was not saying that they might change their minds, maybe they will maybe they won’t, but two (2) homes is better than ten (10) homes.

Mr. Skore cautioned that a survey translates into a signed easement. Secretary St. Henry agreed and said that the Township would have to step up to make that happen.

Commissioner Gross said that maybe the developer could make the improvements at a lesser cost if they already have the equipment and manpower out there than the Township could.

Secretary St. Henry stated that safety paths are very important throughout the entire community, especially as this area has developed in the last 30 years or so.

Commissioner Gross noted that the security gate at the south end is not possible and is something that they are going to have to address.

Trustee Steimel stated that it is not impossible to have a gate.
Vice-Chairman Reynolds said that the Fire Marshal is not approving a gate.

Trustee Steimel replied that he doesn’t approve the gate, he has concerns, and a lot of it is the maintenance, but they have done it before.

Commissioner Gross said that was his impression that it had been done before, but he is basing his comment on an International Fire Code (IFC).

Trustee Steimel replied that is something new then.

Vice-Chairman Reynolds said that was one of the concerns that he had there was a through connection to Pasadena. He understood the desire to potentially separate but didn’t not think it was a good planning practice to create dead-end cul-de-sacs and did not think it was a positive life safety item for whether it is a fire, ambulance or a blocked road for someone that needed to get in and out of their residence whether it be the existing developments or something that is proposed as new. He felt that there should be more connection especially along that area if they would consider a connection to the west that would be a benefit. More loop roads into the conversation of pedestrian safety, that is one way that it could be addressed and is obviously through connector streets on a secondary road versus a primary. He is not in favor of these gates because of the Fire Marshal’s letter addressing some code concerns but also the maintenance item. He knew that they have had people that have promised this and this is nothing against Pulte or any of their developments, but from the general concept of just adding one more thing that it is a maintenance item, he would rather see that as a through street and never see a gate on a connector street like that.

Vice-Chairman Reynolds stated that he understood some of their perspective on the issue and the applicants perspective on the issue of the path contribution, and thought there was some middle ground or some sort of solution that the resources and that each party can kind of contribute but that is not their sole decision, there is the Safety Path Committee that does this frequently. He did not want to leave it open-ended so there is something left on the table. He wasn’t sure how to put that into a motion. He wasn’t sure if there was a dollar amount or another way that the applicant is willing to propose tonight.

Mr. Anderson replied a conditional item that could be brought before the Board, they can have further conversations with PC between now and the Board, if that is one of the outlying items.

Trustee Steimel wondered how this condo site ends up. It is different than what they have done in the past. Trustee Steimel asked if this becomes one big parcel id to the Township?

Mr. Anderson answered that 72 units are owned with a tax id. It will encompass the limits of the home, and the greater part of it will be a limited common, the side yards, rear yards and front yards, the road, and the open space will all be limited common to those properties. It will allow the maintenance of everything and will have an open environment. There will be 72 tax parcels and properties there, and an overall parcel that is owned by the HOA.

Secretary St. Henry asked if the benefit of setting it up that way is that it will make it easier to maintain the property?

Mr. Anderson replied yes; these are people that don’t want to maintain their yard anymore.
Secretary St. Henry stated so esthetically this makes it easier for the management company to take care of that. Secretary St. Henry asked if it was set up the same way as the Bald Mt. development?

Mr. Skore replied that Bald Mt. Cottages do have lot lines, but it is maintained by the HOA. It is the same result, just a little bit different ownership.

Trustee Steimel stated in the (PUD) documents they will have all the bylaws of the eventual HOA.

Mr. Skore said that is correct.

Trustee Steimel questioned if there was any plan to have a management company on-site? Mr. Anderson replied, no.

Trustee Steimel asked if there was going to be individual trash pick-up? Mr. Anderson said it will be treated the same as a single-family subdivision.

Secretary St. Henry asked if this was going to be a 50+ neighborhood? Mr. Anderson replied it will not be legally, but it is a ranch unit and just the layout of the product brings that buyer group. Mr. Skore said it is not age-restricted but it is age-targeted. If you look at the Bald Mt. Cottages it is the identical product and is a maintenance-free community and is primarily active adults.

Trustee Steimel added that the reason it is in the (PUD) documents is a lot of times people want to use this higher-end architecture. They spelled out that part of the high-end architecture in a (PUD) like this is side-entry garages, the bulk of them have to be side-entry. That also affects the width of the lot and how many they can get in there. He felt that weighing that saying is this high-end a benefit for the (PUD). He thought that part of it was that component and it is not there. Pick some different units that have more recess, but that requirement for side-entry was still there to say this is part of the guidelines for high-end architecture in a (PUD). They have to weigh that because they are not meeting that requirement for side-entry.

Commissioner Gross felt that the design was nice, but felt that the density was high.

Trustee Steimel regarding the density, just the number units, they are within that, but when they get into the actual setbacks that is where he felt would hurt a little bit. It will resolve itself some by not so many units.

Trustee Steimel added what is not proposed in the plan is the rolling architecture, and they are saving some of it but there will be a lot of it gone. It is not a benefit that they are preserving that, he would have liked to have seen more effort to preserve that topography. Gregory Meadows got flatted and then at the edge of the property it suddenly goes up at a steep pace, and they did not preserve much.

Planner Arroyo said that the ordinance standards that at least 50% of the garages should be side-entry or recessed where the front of the garage is at least 5-ft. behind the front line of a living portion the principal dwelling. They will look for that before the final (PUD) comes in to make sure that the units are going to meet that requirement because currently two (2) out of the three (3) units don’t comply based on the models that were provided so that will have to be a change they see at the final.

Trustee Steimel stated the other tough thing these are the available models; they don’t know if they will comply even on the recessed versions unless all of the ones were recessed.
Planner Arroyo said that could be a condition of the approval of the (PUD).

Mr. Skore replied he was not sure if they could meet that condition. He wasn’t sure that the Abbeyville which is the one recessed plan even meets the 5-ft. minimum. A recessed garage they can recess the Abbeyville is recessed, maybe there is another plan. They are selling these units in Bald Mt. which is obviously very successful and is almost sold out. These units are not recessed and the one that is recessed may not be 5-feet.

Mr. Anderson asked if this was a deviation request? Planner Arroyo replied that is not on the list of deviation request and the Planning Commission will have to take that under consideration.

Trustee Steimel stated that as far as some features he liked that it is not just pushed through to the south. He felt that is a big concern and what was going to happen with traffic in the area because it makes a connection. He liked what they were proposing now with the emergency access that is what it is really for. He didn’t want regular traffic using the road.

Commissioner Gross added that with the potential connection to the east that would eliminate the necessity to have the connection to the south. If the property to the east is developed and they have a relationship with that developer that could obviate the necessity of the south.

Trustee Steimel said that the other problem was that the street was too long and it was to complete the circle so they didn’t have that one long dead-end road. They also destroyed a lot of what they wanted to preserve down in the southwest corner.

Trustee Steimel added that someday once everything gets developed, they may want to remove the gate after traffic patterns are established. He felt that to have just a connection would be bad and would have a huge negative impact on the south.

Commissioner Gross asked what the potential buildout time was?

Mr. Skore replied that if everything goes well, they would start the development in 2020 and would see a closeout of this community in 2023.

Trustee Steimel noted he would like to see an easement going to the west. He felt from a plated standpoint along there that is probably not a bad idea. Similarly, to the other development that is already there, they would just have the capability of making an easement when all that gets in and the most logical place would be off of that cul-de-sac. They would not lose homes but provide an easement and if they end up putting a stub in there at some point to help that circulation.

Vice-Chairman Reynolds replied that they are trying to create a walkable community in this area and did not think that dead-end roads are what they want. The Peppermill development was developed to create a through street from Gregory and Morgan Rd. It was not developed as a cul-de-sac or a dead-end it was developed as a connector as they have had many times before. Of recent, they have gotten on this trend of, ok we can address this with a cul-de-sac. In a region like this where addressing this area as they are looking at this from a zoning perspective as a transitional zoning to allow for a higher density, they have a neighborhood that has sidewalks and they want to promote people to walk somewhere and then they are going to create it as a dead-end neighborhood, but potentially allow for a connection in one direction. It was important for him to establish connectors and they have seen feedback from their Fire Marshal that they are not a great thing to have. He felt that life safety is more important than some through traffic vehicles. Walking through a neighborhood street is safer than walking on
Gregory or Morgan Rd. After doing a site walk of this parcel it is difficult to turn around. If he had the opportunity to connect through or walk through to whatever is on Baldwin Rd. closer through the neighborhood or walk his dog, he is going to do it than the primary road that is overburdened currently. They are not talking thousands of trip counts with a restaurant at the end of the street.

Secretary St. Henry said that living in a neighborhood that hundreds of cars that cut through his neighborhood to get to the school complex, with no recourse, there are times he wished there was a dead-end at the end of the street before the school complex. He would be comfortable with not making it walkable all the way across and having a dead-end for that very reason. The traffic in that area during rush hour can be crazy and people will figure out a way to save a couple of minutes. The cut-through traffic through neighborhoods is not a good thing.

Vice-Chairman Reynolds stated that he has a similar experience and lives on a primary road now. The previous place he lived was exactly this setup, he lived on a Pasadena at the very end of the street. If the Fire Marshal is writing a letter and stating he doesn’t want to see it, he is the professional making a recommendation.

Secretary St. Henry said that the Fire Marshal concerns have to be taken into consideration.

Commissioner Ryan stated that another issue is too, is the type of community that it is, it creates fewer trips per household than if it was a family community. There are 72 homes and maybe there are 140 trips a day. She would cut through anywhere to get around traffic but would not drive over there just to miss some traffic off of Baldwin Rd. If the Fire Marshal says you can’t do it, she would think that he is the boss.

Planner Arroyo suggested that the applicant works with the Township Engineer before this application going to the Board of Trustees to explore options to enhance the contribution to the sidewalk based on the concerns that have been expressed by the Planning Commission.

Engineer Landis stated that one potential alternative, which he felt was talked about a little bit, was the idea that the Township secures the easements and that the applicant's actual design and build the road taken advantage of their ability to get unit prices, they already got a contractor and materials. If the Township was unable to secure those easements, there would be still an “X” amount of money contributed to the fund.

Mr. Skore replied that he thought that was a good option. If the Township does secure the easement’s they would build a safety path/sidewalk, from the end of their property to Baldwin, assuming that the Township does procure the easements they will build the sidewalk.

Engineer Landis asked if the Township was unable would they still be willing then to contribute “X” amount? Mr. Skore replied yes, and they would work with the Township in terms of the amount of contribution.

Engineer Landis felt he would feel more comfortable with the Planning Commission determining what amount that would be.

Commissioner Gross asked if Pulte was responsible for repaving Gregory Rd. Mr. Skore replied they are; it was an obligation under the Consent Judgement for the Gregory Meadows development. There was a delay relative to the construction or improvements on Maybee. They will be paving the road and should be this summer.
Moved by Commissioner Gross, seconded by Vice-Chairman Reynolds, that the Planning Commission forwards a recommendation to the Township Board to approve PC-2019-48, Cottages at Gregory Meadows Planned Unit Development (PUD) Concept and Eligibility plan, located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008) for plans date stamped received December 19, 2019. This recommendation to approve is based on the following findings of facts: the applicant has met the eligibility criteria of Section 30.03(B) of the Township Zoning Ordinance and has met the intent of the (PUD) as stated in 30.03(A) of the Township Zoning Ordinance: being a recognizable benefit, the (PUD) will provide some improved access to the property with the applicant exploring options on financing a walkway on Gregory Rd. after the Township Board reviewing the plan; density impact although the density complies with the Master Plan, there is concern relative to the feasibility of the 72 units being built within the confines of the grades and elevations of the subject property; the proposed (PUD) will not place an unreasonable burden on the subject or surrounding land or property owners if proper grading and elevations can be respected; the increase in density is a reflection of the Master Plan which shows the property into a medium/high single-family residential; the economic impact is that the (PUD) will result in a reasonable variation and variable housing styles for a recognized segment of the housing population; the plan does provide for guaranteed open space on the site being in access of seven (7) acres which would be part of the guaranteed open space and part of the HOA requirements; the plan as a condominium will provide unified control over the ownership of the common areas within the development.

Commissioner Gross amended the motion, Vice-Chairman Reynolds re-supported, to clarify the action by the client towards the safety path, that they explore the concept of the Township gaining easements and the applicant constructing the safety path at their expense or if the Township cannot gain such easements a fiscal contribution greater than $75,000 be made toward the safety path.

Discussion on the Motion:

Commissioner Walker asked if they should include anything about the Fire Marshal’s recommendation in the motion?

Commissioner Gross replied that the motion reflects the concept plan which shows the temporary barrier.

Vice-Chairman Reynolds replied that it is at concept and felt that there was still an opportunity for that discussion. If it is a fire-code that is now being inflicted on this, which is what some of his comments were made upon, that would also come up at final.

Trustee Steimel said that he would have made the motion that they deny it. One of the big things is the eligibility and this community benefit would be, right now they are in disagreement with the safety path. The presentation is they are just going to contribute $75,000 to the safety path. That doesn’t mean they can’t come up with something else between now and the Board meeting.

Trustee Steimel added that he didn’t address the idea of the architecture of the homes that are not clear.

Commissioner Ryan said this is just the concept of the whole thing.

Trustee Steimel said that the concept that they are seeing right now, these are the three (3) models, there is no evidence of what they are being shown right now. They can say that 50% of the units will be side-entry, which they know can’t be probably done because
there is not enough room based on how many units there are. He would like to have that stuff clarified and that is what he is not necessarily agreeing to. Even some of the other things like setbacks, that they are asking for deviations for they are agreeing to.

Mr. Anderson stated that those deviations speak to the separation of the homes associated with the clustering with this unit. If it's appropriate, they have exactly what they are proposing, if they want to amend to include those, those are the architecture and the dimensional product that they have proposed, so that is an amended to stipulate to a deviation.

Commissioner Gross thought that they would be changing those based upon the requirement for the garage locations.

Mr. Anderson replied that they are not side-entry garages.

Commissioner Ryan stated that no one thinks that they are going to get a side-entry garage in there.

Chairman Dunaskiss said there is going to have to be some give and take, because the topographic of the site, the clustering, and the natural topography is already pushing these areas, they can’t have them jumping all over on every deviation. The product layouts we know are not going to be side-entry but it is part of the ordinance.

Planner Arroyo said it can be recessed 5-ft. or side-entry is what the ordinance says at 50%.

Mr. Anderson thought that the flexibility associated with a (PUD) is for those terms to provide variances or deviations from those standards. The idea when they cluster, they identify the variations from the standards.

Planner Arroyo felt that what they were saying is that they are not agreeing to that at this point. It is something that can be explored further on down, the other options you want to present, but at this point what he was hearing is that there is an expectation that will be presented at final.

Mr. Skore stated that he wasn’t sure that they can meet the 50% requirement. They have a plan that is recessed, they may have another plan that is recessed the Bayport is not recessed it projects and the Bedrock he thought was flush, very similar to what is at Bald Mt. The 50% requirement for all recess garages, side-entry is not going to work here and was not sure they would get to the 50% requirement in terms of recess garages.

Secretary St. Henry asked if it was a smart move to follow Trustee Steimel was saying, regarding how to handle the motion?

Vice-Chairman Reynolds said it is a condition on the motion, he was comfortable with it, it is a condition to be addressed of a recommendation. It is one approach to deny because of something, and say it would be overturned if it was addressed, he was fine with the general recommendation with the condition that they are met.

Mr. Don Hickmott, 3731 Gregory Rd., stated that he was disappointed that they didn’t get to the public comments until after the motion. Maybe the public comments would
have affected the motion. Chairman Dunaskiss stated that there has already been a public hearing on this matter, so this is how they have to conduct the meeting.

Mr. Hickmott said that this project is 28.8-million-dollar revenue instream for Pulte. Gregory Meadows is about a 50-million-dollar project for them. $75,000 seems like the bottom of the barrel, there are 14 residents on the south side of Gregory, there are 36 residents on the north side now, that is a total of 50 residents. Pulte is adding 103 already plus another 72, so Pulte’s folks are going to get more use out of this safety path than any of the existing Gregory Rd. residents. Mr. Hickmott added that he owns all the land between the Cottages and Gregory Meadows. He will donate the frontage needed to do a safety path to Gregory Meadows, which is another 103 homes. He thought that is what they should be going for, they should make the motion subject to Pulte paying for a Gregory Rd. safety path to Gregory Meadows.

Mr. Hickmott stated the other thing that Gregory Meadows did was they had a 50-ft. natural area around the perimeter, and has been very worthwhile. The people that own the $400,000 homes probably don’t even want to have the $150,000 homes in their faces. The people in the $150,000 homes don’t want the $400,000 homes in their face, so it might be good to keep a little separation there. There seems to be a lot of reasons the Master Plan and the Future Land Use Plan, the Master Plan says it is ten (10) two and a half (2 ½) acre parcels, so it is the Future Land Use plan that they are trying to come off of, of course. He wished that the motion would have included a safety path to Gregory Meadows, paid by Pulte.

Ms. Erin Wolff, 4453 Peppermill Lane, she is three (3) houses away from where they want to combine the street. She thanked Pulte for listening to the residents and going with the idea of the cul-de-sac and hopefully the gate. She said in their subdivision they all have water suppression systems in their homes. She didn’t know with the Fire Marshal saying that the gate is not feasible; she wanted to know why Pulte couldn’t make the homes with a fire suppression system? There is a huge concern about the land and how it is going to affect their homes? She questioned how much easement would be from the cul-de-sac to their road if it did not connect? She added that Peppermill is an unlit road, there are only 21 homes, so a max of 40 cars. Her concern of safety and walking, she walks down her street trying to go down Morgan to go to Baldwin with her dog and even with her neighborhood traffic, she had to get out of the road. It sounds great to continue walking but they don’t have sidewalks and there is no room for sidewalks on their property and they don’t have lights. Their other big concern was the traffic with putting in 72 homes to connect because they will cut through there. There were times when just Baldwin was under construction people trying to cut through and then realizing that there was a dead-end, so it is a huge safety concern. She questioned if the water suppression systems were possible? She felt that connecting the street would be a safety concern. She was also concerned if they did connect that, what would happen to their property values. They are going from 72 homes of condos to their homes that average 3,000-4,000-sq. ft. homes. With just her property value she was concerned over if that was connected.

Ms. Kim Murley, 3575 Gregory Rd., was wondering the traffic that is coming down Gregory, that is all going to be channeling down their road now. They are worried about safety on Gregory, it seems like safety paths could also go in the other subdivisions. They are also concerned about the water, the runoff, the different things that will impact their land. She felt that the people on Gregory are not considered compared to some of the people in the surrounding subs. They have Gregory Meadows and now the Cottages, and there is a lot of traffic coming down their road. When they purchased their
properties, they had big lots, if they wanted to walk their dogs, they had lots that they could have them in to do that with. If they are going to be giving up the front of their land for these safety paths. She felt there was a conflict with what is being said, they either want safety and they want people to walk around and be able to talk and mingle and be with each other, or do they want to be secluded and not be together?

Ms. Lori Lynch, 4900 Rayner Park, said that they are marketing to older active people, which is great. To connect Peppermill to this would make an excellent loop along Baldwin, the distance is really good it is about 1.75 miles, so it is a good distance for getting active but did not know how to get there without the sidewalk. Either they are active and they need the sidewalk or they are just going to stay in their house in the summer and go to Florida in the winter.

Ms. Lynch wondered regarding the NE swoop how do they make sure those driveways are not at a 45-degree angle? If they are saying that the existing house is the highpoint of the property, that is a significant concern for safety. Her suggestion would be a closed-loop, which would eliminate the need for the firetrucks and make a walking path from Peppermill into the closed-loop, which could also get them out to Baldwin. A lower speed limit on Morgan and Gregory, right now it is between 35-40MPH, just knocking that down to 25MPH would help a lot and also putting in streetlights.

Secretary St. Henry reminded everyone that this is just for eligibility and concept approval.

Roll call vote was as follows: Walker, yes; Reynolds, yes; St. Henry, yes; Steimel, no; Gross, yes; Ryan, yes; Dunaskiss, no. Motion carried 5-2

9. UNFINISHED BUSINESS
None

10. PUBLIC COMMENTS
None

11. COMMUNICATIONS
None

12. PLANNERS REPORTS
None

13. COMMITTEE REPORTS
None

14. FUTURE PUBLIC HEARINGS
None

15. CHAIRMAN’S COMMENTS
None

16. COMMISSIONERS’ COMMENTS
Commissioner Gross stated that he thought that they should do a reminder on the upcoming census to make sure that the public is well informed on the census so we get an accurate count this year.
Commissioner Walker said the next library book sale is next Tuesday-Saturday and buy lots of books for .50 cents and a $1, support the library. Someone said to him that their tax dollars support the library, but the tax dollars do not support the programs in the library. Those programs are supported by the friends of the library and they make their money through book sales.

17. ADJOURNMENT
Moved by Trustee Steimel, seconded by Chairman Dunaskiss, to adjourn the meeting at 9:50 pm. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion
CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
PC-2019-48, THE COTTAGES AT GREGORY MEADOWS (PUD)
ELIGIBILITY AND CONCEPT PLAN
JOINT PUBLIC HEARING WITH THE BOARD OF TRUSTEES
WEDNESDAY, OCTOBER 16, 2019

The Charter Township of Orion Planning Commission held a joint public hearing with the Board of Trustees on Wednesday, October 16, 2019 at 7:05pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Justin Dunaskiss, Chairman                  Don Walker, PC Rep to ZBA
Don Gross, Vice Chairman                    John Steimel, BOT Rep to PC

PLANNING COMMISSION MEMBERS ABSENT:
Todd Garris, Commissioner        Scott Reynolds, Commissioner
Joe St. Henry, Secretary

1. OPEN MEETING
Chairman Dunaskiss opened the meeting at 7:00pm.

2. ROLL CALL
As noted

BOARD OF TRUSTEE MEMBERS PRESENT:
Chris Barnett, Township Supervisor         Mike Flood, Trustee
Donni Steele, Treasurer                     Julia Dalrymple, Trustee
John Steimel, Trustee                       Brian Birney, Trustee

BOARD OF TRUSTEE MEMBERS ABSENT:
Penny Shults, Township Clerk

CONSULTANTS PRESENT:
Eric Fazzini (Township Planner) of Giffels Webster
Rodney Arroyo (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of OHM
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Jackson Belanger                              Pat Lo
Bryan Belanger                                Julee Lo
Christina Belanger                            Todd Mack
Martina Nunnery                                Marc Sites
Wes Brooks                                     Joseph Peterson
Sam Ashley                                     Alex Pollack
Wendy Wroby                                    Misty Pollack
Judy Ryan                                      Jenn Zielinski
Jean Craighead                                  John Gobel
Robert Craighead                               James Oliver
Tim Teller,                                    Don Hickmott
Jerrel Mays                                    David Barylski
Joshua Flood                                   Darren Dipetta
Erin Wolff                                     Sharon Kupski
Dawson Wolff                                   Rachel Zachariah
Matt Ries                                      Kim Murley
Jenny Ries                                     Chris Porleous
Martin Kaufman                                 Stephanie Atrimes
Sharon Jasso                                    Angela Debrincat
Jeff Kayl                                      Colleen Kayl
Brittany Jasso                                 Jeff Kayl
Noah Stevens                                   Brian Birney
Karen Maynard                                  Brian Birney
John Maynard                                   Brian Birney
Luke Ferguson                                  Brian Birney
Linda Rubarth                                  Brian Birney
Judy Haffner                                   Brian Birney
Dan Haffner                                    Brian Birney
Taylor Hoover                                  Alexas Hoover
Debra Walton
Joelyn Beaver                                 Craig Scavone
Jill Williams                                  Ty Williams
Timothy Winter                                 Lynnette Winter
Lori Lynch                                     Jerry DeMott
Mario Rosini                                   Matt Rama
Shylah Rosini                                  Michael Rich
Daniel Edwards                                 Deborah Peterson

PC-2019-48, The Cottages at Gregory Meadows, Request to Rezone 3537 and 3595 Gregory Rd. (#09-31-200-006 and 09-31-200-008) from Suburban Farms (SF) to Planned Unit Development (PUD).

Chairman Dunaskiss invited the applicant to make a presentation.

Mr. Joe Skore with Pulte Homes of Michigan, presented.

Mr. Skore stated that he had the Project Engineer Bill Anderson with Atwell-Hicks and the property owner Mr. Tolaga also present.

Mr. Skore gave a brief overview of Pulte’s existing communities within the Township. Bald Mountain is the flagship of Pulte community within southeastern Michigan it was very successful it is 85-90% sold out and they are proud of that development. What is interesting about this development, The Cottages at Gregory Meadows, is they are proposing the identical product that they are currently selling at The Cottages of Bald Mountain, they are ranch home which is approximately 1,700 – 2,000 sq. ft. it caters toward a number of consumer groups, but felt it especially caters toward the move down buyer that is looking for a smaller home and footprint, lower maintenance, no maintenance, they are tired of shoveling the snow and cutting the grass and handling the landscaping. He felt it is that person that is in the larger 3,000 sq. ft. home that is looking to move down and looking for something that is more consistent with their lifestyle. He thought that the homes would sell for approximately $400,000.

Mr. Bill Anderson with Atwell, presented.

Mr. Anderson stated that the project is located just west of Baldwin Rd., it connects to Gregory and Morgan to the south. It is located near shopping, restaurants, and it is next to the future Village Center Area. They have great proximity to the I-75 surrounded by similar zoning designations to the west and they have availability to municipal utilities.

Mr. Anderson added that looking at the site from a zoning perspective. The existing Zoning Map classifies it as Suburban Farms (SF). When they looked to the Townships Future Land Use it’s identified as a single family medium high-density zoning classification and that classification corresponds to residential densities of about 3-5 units per acre, and it is adjacent to the Village Center along the Baldwin corridor. They have about 33 acers with steep slopes and it’s a treed site. From the south end which is their connection point at Peppermill up to the mid-point of the project it rises about 60 ft. and then it falls back further to Gregory down another 50 ft. and is undulating in between. The plan has a nice boulevard landscaped access point off Gregory, and it comes down into a cul-de-sac that terminates into a nice vista and preserved area. There are a couple of amenity gathering areas proposed on the project; and they have a road connection to the south, Peppermill with some road movement toward the south. They are proposing 72 single-family for sale condominiums, maintenance free living is their proposal. Their density on the plan is 2.6 dwelling units per acre, that is a net density, which takes away almost 5 acres worth of right-of-way dedication. They have over 4 acres of woodland preservation proposed, 12 acres of open space if they include the ponds. Almost over a third of the site is proposed to be left open. They have nature trails throughout the wooded areas and sidewalks on both sides of the site. The Master Plan is medium high 3-5 their gross density is 2.2 dwelling units an acre 2.6 net. Their open space is at 12 acres 36% of the site is their open space calculation. When they looked at setbacks’ comparative to some of the Master Plan zonings their perimeter setbacks exceed all those with 57 in front 30 to the side and 75 to the rear minimum. Their buildings setbacks, they proposed 25 ft. setback off the right-of-way, 20 ft. between the units and 70 ft. minimum rear to rear.

Mr. Anderson noted that the (PUD) eligibility part of article 30.03 to propose a (PUD) he needed to demonstrate recognizable benefits, density impact, its impact with the Township Master Plan, the economic impact, guaranteed open space and unified control. Recognizable benefits are the preserved woodlands, they have preserved steep slopes, they have over 4-acres of preserved preservation. The plan that was submitted, the grading plan that was submitted was probably the 4th generation of looking at different road configurations and grading configurations on how best to do it. The overall open space is
over 12 acres proposed. Access management and traffic patterns, they do have two points of connection, the primary entrance is off of Gregory Rd. and they have a connection into the Peppermill Lane so their development is proposing two roadway connections eliminating a dead-end that currently exists at the Peppermill Lane and have put nature trails, sidewalk connections, so they have improved circulation for the area with the proposed development. Asthetic qualities, they are going to have native landscaping proposed and it will have professionally maintained landscaping. The HOA will be hiring a company to do the shoveling and the lawncare. He felt it did have a balance between their home’s preservation and open space. The Architectural design, they do have this product in the community already, it is a single-story ranch design to meet the growing need of the demographic for the move down, two-bedroom product. They have multiple housing options available, floorplans and Architectural design they have included several conceptual illustrations in the plan. This is really life tested homes, Pulte spends a lot of time on their floorplans, getting survey and feedback, walking customers through and quick to implement changes. Pulte Homes are experts at bringing people usable homes.

Mr. Anderson spoke to the density question, when looking at the Master Plan, single-family, medium-high, and it talks about a density of 3-5 units per acre and they are talking about the (R-1), (R-2), (R-3) zoning classifications generally. When they looked at a standard (R-3) design given the shape of the property with all appropriate infrastructure they yield about 93 units and that is about 3 ½ units per acre. When they took an (R-2) design on the same property providing the stormwater the road and all the appropriate things, it runs about 77 units. Their proposed plan again proposes 72 units, they are under the Township Master Plan density.

Mr. Anderson stated that the Township Master Plan, they are adjacent to the Village Center it is intended to be single-family, medium-high, proximity to Village Center he felt that they conformed to the Townships Master Plan and intent.

Mr. Anderson said as far as economic impact goes, Pulte is proposing to donate some funds to the Jordan Park, which is a development in near proximity on Pasadena Dr. support the development of local park construction. There are housing impacts, increased tax revenue and municipal fees for utilities, tap fees, and on going operations for the utility fund and tax base.

Mr. Anderson stated that the National Home Builder Association did a comprehensive study and they have identified that almost 20% of discretionary income from each household is spent locally in local goods, food and services; it is good to have homes near the local retail. It is also noted in the study that every home generates almost over 1.1 sustained jobs moving forward.

Mr. Anderson added guaranteed open space, over 37% of the site is open space, they have wooded open space they have viewsheds off their cul-de-sac, they are going to have two gathering areas proposed. He felt that they had a good development between the built and the natural environment. They spend a lot of time grading this and it is a complicated site and felt they had an attractive recreation through the project.

Mr. Anderson noted unified control, Pulte Homes is a founded in Michigan company, a national homebuilder they have secured interest in this land. They are also going to be the developer and the homebuilder which he felt was good for the community, they are going to be here, they are going to get it entitled, Pulte Homes will do the development of the utilities and the roadways and they will be there all the way until the last home.

Mr. Anderson said he thought there were folks from Peppermill Lane present, they do have a road connection down to them. He appreciates their concern they are 24 homes on a dead-end public road, and they are proposing that connection. It will increase traffic to Peppermill Lane and there is concern over the potential to speed down that road. He felt that connecting residential communities is a good thing and something they should do, and their home is a smaller home and will create less traffic. He did have a conversation with the Road Commission and there is the opportunity to install speed bump or speed hump that could be installed at the interface point or any point along the roadway as long as it is petitioned to the County and they would support that if the speed down that road becomes an issue.
Mr. Don Hickmott, 3731 Gregory Rd., stated that he has lived next to the Pulte’s property for 49 years. The second sentence of Pulte’s written presentation says, “the property is surrounded on all sides by single-family residential developments”, but that is not true his property runs the whole length of Pulte’s and it is zoned Suburban Farms (SF) just like theirs. There is about 1,800 ft. of farm fence along the property line, so it is obvious that it is not a development. Pulte spent no time on the existing (SF) zoning, the current zoning would allow 13 - 2 ½ acre homesites. Each home would be basically in the woods, lots of hills, walkout basements, wells and septic fields, all sand and he has had no problem with drainage, his well or sewer in that 49 years. There would be no need for groundwater runoff basins. The Township should look more like Oakland Township and less like Rochester Hills or Southfield. Due to the additional traffic and devastation to the land he is clearly against the rezoning, lets keep it to 13 new homes, it would make a very pleasant drive down the middle of such a development. The problem is Pulte would not make near as much money and the Township, County and school would not collect near as much in property taxes. It is rather ironic that four votes from the Township decide these rezoning matters and the Township has everything to gain by having lots of new houses. The Township can report issuing lots of new building permits and the property taxes roll in; you can see the direction this will tend to go. He has a birds-eye view of Pulte’s Gregory Meadows, virtually all the 5,200 trees have been chipped up and hauled away. Nine earthmovers were brought into level the land, all the hills are gone and now it looks like a truly flat boring piece of property with a small clump of trees saved in the middle. Pulte did preserve 50 feet around the perimeter to stay natural and untouched and saved some of the trees in one corner. He has two questions for Pulte if they get a zoning change; will Pulte leave a 50-ft. natural area around the perimeter of the property like Gregory Meadows did? After cutting the trees and then bringing in earthmovers to remove the hills and fill in the valleys, will the building area look about like Gregory Meadows looks like today? Safety path today paid for by Pulte – today’s traffic on Gregory is truly dangerous to any pedestrian traffic due in part of the closing of Maybee Rd. The walk for school children to the nearest bus stop must be across lawns, there is virtually no pedestrian traffic or bike traffic for good reason. With the ensuing developments coming online the detour traffic will be replaced by the new neighbors so there is no permanent relief in sight. The Township plans to build a walkup pocket park at the remaining small area left at the Sunoco at Gregory and Baldwin. For Gregory residents there is no safe way of getting to it only Baldwin walkers will use it. He did a survey of the folks on Gregory Rd. and there are 16 neighbors on the south side of Gregory Rd. that would be impacted by a safety path. He got responses from 15 of those residences and 12 of them are in favor of a safety path. The other part of the safety path would have been Rohr Rd. and there were 12 residents there.

Mr. Matt Roma, 4597 Peppermill Ct. wanted to address the concerns with the proposal here specifically from the neighborhood of Morgan Pines, Peppermill Lane residents. Their concerns obviously are the density but he felt a lot of people are going to address that so he wanted to focus more on how it impacts their neighborhood, they are a secluded 24 home (R-1) zoned area, actually it is (SF) but he thought they were zoned for (R-1) size. They have some serious concerns about the connecting to Peppermill Lane, obviously safety and infrastructure, he wasn’t sure how many people were familiar with their area he didn’t think that Pulte did a thorough job of explaining that their Peppermill Lane does not have sidewalks they do not have streetlights, a speed hump is not the answer for speed and safety. Due to the nature of a cul-de-sac and a dead-end their residents use their streets as playgrounds, there are basketball games, hockey activities, they have two wheelchair bound residents that use that road commonly. 72 homes times how many cars, he is not a civil engineer if someone can tell them how much more traffic that is going to impact that is a significant safety concern for their residents. They mentioned the undulations of the property water, sewer, runoff, they are all on privately owned and paid for wells and septic. They have a lot of concern on that runoff, they are at the bottom of that 46 ft. the way the land runs and they know where that water is going to go, it doesn’t take an engineering degree to figure that out. They have a lot of concerned people about that water, including the proposed pond, and the maintenance of that. Finally, overdevelopment of the general area right now, Gregory Meadows they were there, he was at every meeting for Gregory Meadows he recalled they wanted to propose to tie in to Homesite Rd. and in there final efforts he saw that was denied, so he hoped there was a president here that they don’t need to connect their neighborhoods, they are neighborly folks they can connect they can walk. He appreciated the gentlemen from Ann Arbors comment on his neighborhood, but he felt that the residents are
neighborly, and they just cannot afford another 100 plus cars going down Peppermill Lane, a sidewalk less, streetlight less pedestrian road.

Mr. Luke Ferguson, 3426 Gregory Rd., said that during the presentation one thing they mentioned was talk about traffic patterns, if this is a company that is for the community, they would also be analyzing community traffic patterns which they did not. They don’t even know how many cars are going to be affected by this. Baldwin Rd. can not even handle the traffic, they need to redesign the intersection on I-75, it takes basic civil engineering they could learn on Utube to figure out that, that intersection was designed wrong. They talked about maintenance from the HOA fees will be monitored and done by businesses, they could have said local community businesses that are businesses located in this area, and that begs you to question are they connected to sister companies that they just want to scratch their backs. They completely raped the land on Gregory Meadows. They are basically faced with a two-faced business mentality from this company and they do not have respectful business practices by coming in and destroying the land when they said they were going to come in and preserve the land for trees and nature. How can anyone afford these properties if they want to downsize or starter homes regardless of this place or Gregory Meadows. He felt the only occupation that they could do this and afford to buy these homes is if they were in a land destroying occupation like these fellows here in this company. He didn’t see the benefit to the community in here, they are taking away what everyone wants to move here to Orion Township. Not only the whole overview of the village district is also impacting negatively to their community it gives a bad taste in peoples mouth that are already living here to deal with the traffic and everything they have put them through. He is disgraced by the decisions made to move forward with these business developments especially with people coming in that do not even live in the community to make these changes.

Mr. Joshua Wroby, 3986 Morgan Rd., asked if they have drove past Gregory where they are proposing to put that intersection in? It is right on the top of a main road. Now they are building 100 plus new homes right down the street, that is going to be a service street to Baldwin Rd. for all that new traffic that is going to cutting through Peppermill Sub. He lives on Morgan; it is hard enough for him to make a right in the morning with the traffic coming down Baldwin to get back onto I-75 just to get to his job as it is. Adding all that new traffic is just going to be unbelievable and if they want to do it and do get zoned for it, they get wells, they shouldn’t be hooking to city water and they shouldn’t be hooking to city anything. The cut-out on the side he didn’t know if they explained that to them but his buddy Ryan grew up in that house right there and as you can see on that map there are fitting nine (9) homes in the size of the property where there are two (2) homes currently, it is just kind of a disgrace to see the land that he grew up living around is going to this.

Mr. Todd Mack, 3464 Gregory Rd., stated that right now traffic on Gregory is a nightmare with the Baldwin Rd. construction. He doesn’t see it improving with this development going in. The pocket park that is proposed, they can’t walk to it, you walk along Gregory Rd. you are taking your life into your hands. 35MPH speed limit is a joke, it is not being enforced, sheriff cars seldom if ever do they see them on Gregory Rd., it would be dangerous for them to walk down to a pocket park. Pulte gave $125,000 to the Township for getting out of doing safety paths and then it is thrown into a pocket park that will of minimal use, that money should be earmarked only for safety paths along Gregory Rd. If their paying to get out of putting safety paths in the money should only go to safety paths, not a pocket park that they can’t walk to. He is afraid right now to walk his grandson down the road, he is 6 years old. They all know that developing companies, if they don’t get their way, are going to throw it into litigation, that is a standard practice and a small community like Orion Township, they can’t afford to have lengthy expensive litigation so they know that they are going to cave in. They caved in on Orion Meadows for the number of units, very upsetting and he did not want to see them cave in again.

Mrs. Alexas Hoover, 3536 Gregory Rd., said her house is directly across the street from the proposed entrance off Gregory Rd. Her husband and her purchased their home July 2018 because of the safety and security and the small town feel that Gregory Rd. had. Already with Gregory Meadows that is currently existing they are looking to sell their home. She has a 2 ½ year old and another on the way and it is extremely unsafe. There is zero enforcement of the speed limit it is an extremely unsafe road. Fourteen
out of the sixteen residence who would be affected by this pocket park and safety path put in, all were willing to have an encroachment onto their yard to allow for the safety path because of unsafe it currently is. It is important to every single person on this street. She didn’t know what good a pocket park if they don’t have access to it. How are they supposed to walk down a road that is unsafe? She will not get to enjoy that with her 2 ½ year old and her daughter on the way, so she didn’t see what the point of a park will do without a way to get to it for the residents if it is so called for the residents of her neighborhood. She is against The Cottages at Gregory Meadows and felt that the infrastructure of their roads and the speed and the hills it is extremely unsafe, and it didn’t seem practical for any of the residents. It is unfortunate that her and her husband came to Orion Township because of the large properties, she has an acre herself, and she knew that everyone else did too. These 72 homes on 30 acres is ludicrous to say that 12 acres is preserving the land is asinine and didn’t make sense in her mind.

Mrs. Wendy Wroby, 3986 Morgan Rd., wanted to reinforce the point about the traffic on Morgan Rd. She knew that the main entrance was going to be off Gregory Rd., but she would predict that most of the people will not be exiting out of Gregory Rd., they will be going through the subdivision and entering out on Morgan Rd. which is already falling apart and is not built to accommodate a whole bunch of extra traffic. She wanted to understand if this proposal does go through what kind of accommodations will be made for Morgan Rd. Morgan Rd. is very unsafe she knows that people have mentioned that it is hard to walk down Gregory Rd., Morgan Rd., there is a 40MPH speed limit and it is used like a freeway. They already had one lady that got hit by a car, her dog got killed, it is not safe. She has concerns about the effects to the wetlands behind her property there is going to be runoff, there is going to be extra fertilizer. What is going to happen to those who have wells in the area? Her husband and her build their forever home on Morgan 26 years ago and one of the contributing factors for building in the area was because it was zoned (SF) and she was looking forward to having that. She understands that progress is one thing but, it was mentioned that this if fitting the Township vision, but she thought that the Township vision was 2 ½ acre parcels, that is what it is zoned and she thought that is what is community was going to be built around and was going to stay that way. She was hoping that they could make and keep the commitment of the founders who originally zoned all that area 2 ½ acres and keep the community the way it is.

Mr. John Maynard, 4437 Peppermint Lane, stated that his wife Karen and he wrote a letter to the Planning Commission and delivered it last Wednesday and wanted to know if it was received and distributed?

Chairman Dunaskiss replied yes; it was received and distributed and then after all the oral comments they will summarize those findings and tally those as well.

Mr. Maynard wanted to reiterate the five points he had, road safety, 72 new homes will typically when people have homes and he thought they would have 2 car garages, that is 140 extra cars potentially and they only have 24 homes and so do the math there is a lot of extra traffic that would be sitting on top of their head. With the width of their road Peppermint Lane, the lack of sidewalks and lighting he didn’t feel that the speed bumps would really be the answer there. Oakland County Road is Peppermint Lane, they don’t really maintain it so Morgan Pines subdivision goes and hires for snow removal, salt application in the winter time and crack repairs because they are not getting it from the Road Commission, that was for the use of Morgan Pines and then all of a sudden he realized it was a County Road, another 140 cars potentially are going to be degrading that road surface. He wasn’t sure what the rest of his neighbors would think but they moved there two years ago and they know what they paid for their house and he wasn’t sure if they wanted to sell tomorrow some development like this on top of their heads that they would get full value for their house, he felt it was a degrading situation that would effect the property values of all of the folks of Morgan Pines and the Gregory folks as well. Groundwater, they all have wells he wasn’t sure what the impact of runoff and ground seepage and the water purification extra measures they might have to take if there is a disaster in the area and all of a sudden, they are not having as clean of water as they currently enjoy. Gregory Meadows, they have 103 houses with the proposed Cottages another 72, and he knew there was wildlife in those areas and that wildlife is going to move into residential areas and he felt it was going to be a nuisance. His first and foremost stand is on safety and he felt by putting it there it would be unsafe for his subdivision and also they did this a 1 ½ ago and both the
Planning Commission and the Trustees agreed that it was not a good thing to do, he hoped that they maintain that stance going forward.

Mrs. Karen Maynard, 4437 Peppermill Lane, stated she is the lady that was on Fox, ABC, NBC news after her accident on July 25, 2018. She felt that she was talking for everyone that was there and she wanted everyone to picture if they living on their street and this was happening to them, because the things that are going on, on Baldwin, Gregory and Morgan is scary, and they have to stop it. Her husband and her walk all the time, everyone sees them with their new dog on Morgan, Baldwin and Gregory Roads, people are crazy, they are not paying attention to anything that is going on. She was walking her dog down Morgan Rd. 7am in the morning and when a car came all the way over came behind her and hit them from behind, the car took off and left her and fortunately good people on Morgan Rd. stopped, the Oakland County Sheriff and the ambulance came right away, but there was her dog dead in the middle of Morgan Rd., and all she was doing was walking down the road. This is before any of this additional housing that they are thinking of contemplating here. Her arm was severely broken, her dog was dead, and she had to regain 95% of her right arm, which she was able to do, but she is haunted by that accident every time they walk down Baldwin. Walking down Baldwin they have hawk lights that are up there now, but people are not stopping for them. You press the button, you wait, the white man comes up and the cars are going right through the intersection and she yells, stop, stop, they are supposed to be able to cross, but they don’t stop. It is really a concern, she thought what would have happened if she was walking down Morgan Rd. and she was pushing a stroller with a baby in it or any of their kids were on their bikes walking along there. Now they are proposing to add more cars and more craziness to their community. Since the accent her and her husband were refector vests when they are walking their new puppy. They now avoid Morgan Rd., and walk the new sidewalks that are on Baldwin, while they feel safer on Baldwin, they are amazed that everyone is so careless with their driving. They have seen people go around the round-about and they don’t make it around the round-about. The one streetlight that is there at Judah has been knocked down twice because they are trying to go around too fast, one was a landscaping truck, and another was a drunk driver. They can’t afford to make additional dense population in the area, they are asking to strongly urge the Orion Township Planning Commission to carefully weigh their letters and vote unanimously to deny approval for rezoning the property north of Morgan Pines for the purpose of building The Cottages of Gregory Meadows development, lets stop it now so they can enjoy the community. This is supposed to be the vacation place, lets keep it safe because she doesn’t want what happened to her to happen to anyone else.

Mr. David Barylski, 3494 Pasadena, and 3500 Gregory, stated he had a high vested interest in this meeting today. Pulte Homes has not delivered on what is required of them, Section 30.03 of the zoning they did not present a plan for keeping the current zoning (SF) what that would look like and what that would entail, as most of them are requesting that the would present that, take a look at what that would like, they have not done that nor have the gone to what most of the homes in area are one acre or bigger lots. He just bought an acre he lives on a half-acre; they don’t want to see the deceptive presentation they gave them of what wins up being quarter acre lots. They like to talk about 2.6 acres for the 27 acres that will be for the homes but that is not truly what they are they are quarter acre lots when you do the math and after viewing their presentation. How much home value is going to be lost on Peppermill Lane, those houses were built, paid for, mortgaged, people plan to sell based on living on a nice private dead-end street. He felt the same way when they were going to ruin Pasadena by coming through there, and again, no one in the community wanted it. They talk about the fact that this is the plan for the Township as the future plans, site changing it to a medium-high residential as well as a conveniently don’t update as they have already changed the (SF) zoning for Gregory Meadows to 100 homes, stated by other people. The traffic study is required by the (PUD) traffic study was presented, every single person has complained about the safety, it is terrifying to walk down those roads, he guarantees probably none of them have. He lives on Pasadena and he gets woken up by Pulte trucks rumbling up and down the street from Meadows taking out dirt and that is almost 1,000-ft. away. The area cannot support the traffic; there is zero runoff; he cannot walk down the street without getting hit by a car, at 5pm traffic you must walk off into a 4-ft. drop ditch; no sidewalks were presented. They talk about developing the downtown area and how this will be so great bringing this development, bringing all these people, there is no downtown there it is a forest, you don’t have sidewalks going to it you cannot get to it you cannot use it. $400,000 for a 1,500 sq. ft. house,
that is a deal, if anyone wants to buy one, he has one right now he will be selling. This doesn't make sense for anyone here; they have stated all the reasons why and they are expecting their support as their Board Township.

Mr. Alex Poliack, 3680 Gregory Rd., said he lives right across the western boarder of this development. Him and his wife moved there about 3 ½ years ago and what attacked them and what attacks most people to Lake Orion is that you feel like you are in the country but you are close to a lot of the benefits of living in the city. All these high-density proposals are just going to ruin that, and it is not going to attack the same type of people to the Township which he enjoys living with. Him and his wife used to run everyday down Gregory Rd., they don't anymore because it is so unsafe. He thought initially he was opposed to having Pulte redo the road because of the horrible condition of the road keeps the speed down a little bit which is nice. He thinks that even if this were to go through as a development without any higher density proposal, that there should be safety paths put in even with one house per 2 ½ acres as it is because it is so unsafe. He grew up in Ortonville on a dirt road, Granger Road, it is a busy dirt road and it always felt safer running on the shoulder of that road when cars are going by at 55-60MPH then it did on the side of Gregory Rd. with cars going 30-35MPH; so, the safety path is he thought is a huge point that most people would want even if no higher density goes through for this development.

Mrs. Linda Rubarth, 4137 Gregory Rd., stated she lives right next to the new development. Her husband and her bought their property and built a house because they didn't want to be in a subdivision. They moved from St. Clair Shores where the houses were on top of each other and they wanted to get some elbow room. They wanted to have a natural tree line, so they planted trees, so they are actually one of the people on Gregory that don't want a widened road they don't want a safety path because those seedlings were planted over 15 years and now they are large trees, so if that is done she felt like they need to have land credit because they made sure that they planted the trees well beyond the easement, but if the road is widened their trees will be in jeopardy. Being right next to Gregory Meadows she felt like they all have already endured so much, and she would like to reduce or eliminate any further construction. This summer every weekend they were woken up by beep, beep, beep, the construction trucks waking them up and the dump trucks, it has been very difficult. In the height of the construction she felt like they were back in the 1930's and it was the dustbowl, she didn't know if any of them remembered but dust was everywhere and because they were literally right next to it they were on her flowers, in her yard, her front porch, their cars and even the house, now the dust is gone; but she felt like it is an expressway down Gregory, and every morning she can hardly turn left out of her driveway, because she never wants to go past Gregory Meadows because it is so upsetting to her, so she goes around on Morgan but she can hardly turn out of her own driveway. At night when she is trying to get her mail, she is putting her life in jeopardy trying to get her mail from her street. This is definitely not what they had signed up for or what anyone else signed up for when they either built their homes or they bought property on Gregory, Morgan or Rohr, this was the Master Plan, but she realized that her comments really mean nothing because it is like dayjivew, they all fought the original developer who was not Pulte and they won, it was voted down, but because the Township didn't want to go into litigation everyone decided to just rollow. She felt that the original developer that was in all those meetings was always so smug that something had to be prearranged, there was some deal. She felt the developer will win, Orion Township will get their additional tax dollars and all the homeowners are just pushed aside, the almighty dollars win once again. Why did Orion Township go into all the time, effort and tax dollars to create a Master Plan when they quickly just push it aside? Why couldn't the development create their new subdivision at the northwest corner of Baldwin and Maybee Rd. which has just been sitting there, it was a development gone wrong, it has been sitting there empty for at least 15 years that they have been there, it is a complete eyesore. Obviously, she is frustrated and really hope that they think of the homeowners when they vote.

Mr. Mario Rosini, 3890 Gregory Rd., stated that the last time they were there was for Gregory Meadows, and he remembered talking about that they were setting a precedence if they let them go for a (PUD), now he realized that the precedence had already been set, it was set along time ago. 90% of the developments in Lake Orion have been (PUD)'s in last 5 years. They are not seeing the Master Plan being upheld, they are not seeing the future being upheld. He liked the sound of it staying (SF), he could visualize the walk out basements he thought that is what people were moving here for. What he is seeing
up and down Gregory, because he lives right across the street from Meadows, is the people who have been loyal to this Township, paid the taxes for 50-60 years, they are moving. His neighbor was here for over 40 years and they just moved and their exact reasons to him was because of the traffic and the development and the overcrowding and all the stores encroaching and it is becoming a jungle and these people were loyal, they paid taxes to this Township for a long time and now they are letting developers have their way. In doing that he didn’t think that they were there for any purpose except for maybe a concession of some sort. They get there way along the road, they go to litigation over this and they don’t have the pockets to fight these people so in the long run maybe there should be foresight for laws being changed in the State level or the County level so for a developer like Pulte or anyone else just can’t come in and do this. You guys are doing what is right they are turning it down, you stood besides them on all that, but it just goes to court and there is nothing they can do, so they are up there ranting about it and it is not going to do anything. The water table, chemical runoff, fertilizers, wildlife displacement, overcrowding, and one of the things that concerns him is he has a 9 year old boy in forth grade, and a 1 ½ year old daughter and at one point she will be in the county schools and they are crowded, he goes to Carpenter because of the new gerrymandering for the Township for the closing of the school and his is to the max, it was last year it will be the next year and he talked to someone in the Township on the phone about it and she said they are doing a complete remodel of a lot of the different schools. He believed that Carpenter in itself is getting a whole new classroom, he didn’t even know about the one he was speaking about on Brown Rd. but did know about the Townhouses are already on Brown Rd., they have Gregory Meadows, they are going to get this one, there is Bald Mountain development and felt they were all in the Carpenter district so they were looking at one class being remodeled for who knows how many kids throughout the fifth grade. He didn’t see how that is going to be obtainable for the schools.

Ms. Joelyn Beaver, 4580 Windmill Ct., stated she lived on Morgan Pines. One thing she wanted to say about the Township and the planning is that they have done some very nice things on the roundabouts it does look nice and progress happens. Regardless of whether their tax base will go down or it doesn’t look great it comes back to be a safety issue. They live in Morgan Pines where the subdivision comes out to Morgan Road and what people may not realize there is a bus stop there, there is no lighting there is no sidewalks and there is also a bus stop right at the end. They have 72 homes coming through there, the only other thing they did not state was that will be the shortest route to I-75, so when people take that roundabout and they are looking directly south down Baldwin Rd. they are looking at jumping on the expressway in the morning and the only thing that they are concerned about is getting there as fast as possible, you cannot pull out any longer from Morgan Rd. Regardless of anything tax-based, deteriorating roads, it is just a simple logistics that they cannot have another 100 cars going through that subdivision at 6am when it is dark, they have kids at the end and they have no place to put them, there is no sidewalk to stand next to, they are standing basically on the side of the road. The Gregory Rd. people have the same issues with no sidewalks, and it is just absolutely a safety issue. Going forward with this would be same they are ok with safety issue; they are ok with not protecting children or the residence and going for progress instead of safety.

Ms. Kim Murley, 3575 Gregory and her son lives at the acre behind her. She was curious how this even came about. She is voting for keeping the zoning as is. She understands that people have the right to sell their property, but the zoning should remain for the community the way it was. As far as the safety goes pulling out of their driveway now, it is a blind hill pulling out of that drive, she doesn’t know how they expect a subdivision with all these homes to come out on a blind hill and shoot down Gregory. A safety path would be nice, but it is a blind hill as is, it will be on the south side of the street, what about bikers coming over that hill, how will they even avoid hitting them, or runners, they can’t even have a delivery truck drive there. The water runoff, as it is today there is so much water that runs over down the street into her drive into the drive next to her that they have to actual shovel it out of their driveway at the end of the mailbox, today it is already an issue. When they put the waterlines in recently, they took several trees out all the up and down Gregory, which she was sure contributed to the water runoff. Now they are going to have all the trees removed it is a hill, her and her sons house is going to get flooded, the people next to her headed towards Baldwin will get flooded as well. As far as taking care of the land, spraying the grass, their wells, and how it is going to impact all of them. Why they needed watermains in there to begin with, all of them already have wells, they didn’t need them, so it was put in for that new sub, it is flattened it is
nothing like what was proposed, there are no trees in these areas that were supposed to be set aside for them; how can they possibly believe that will happen this time? She has been living there for 24 years, there used to be horse that came down Gregory Rd. when she moved there. They bought it because they loved the land and the environment, community and the people, they are a Township that gets to know their neighbors as it is today, they don’t need roads to get them to different subdivisions to know each other better. The sidewalks on Baldwin, she could have lived without those and keep her community the way it was, without the roundabouts and all those items, just to keep it in the nice county rural area that it was. Pulte states that there is just going to be 72 homes here, she was wondering about the little strip of land that right next to her driveway and her son’s driveway; what is that going to be used for when they are doing this development? Hopefully it is only for 13 homes, but what is going to happen there? And how will they keep everyone safe on Gregory at all even with the safety path there is no way to be safe with an entrance coming out onto Gregory on a blind hill. Pulte reached out to their property and contacted her son and her and stated they were interested in developing this land and wondered if they were interested in it, they said they were going to be talking to the Township, and then they called them back and said that the Township talked with them and stated it is a lot of really hilly land it is probably not going to be something that is ever going to happen, this was last year, and now there are signs hammered to the left of them and to the south of them, that the land is being developed, with their small area left out. If it is supposed to be honest and true way that Pulte is coming to the neighborhood, doesn’t sound very honest to her. She would like it to stay at the zoning it is today. For the safety path please consider how unsafe it will be, people coming over a blind hill because they will be going fast on bikes, they will be skateboarding and everything else.

Ms. Stephanie Grimes, 3811 Rohr Rd., stated that she was a single mom and she had to be to work at certain time and they had to walk to the bus stop. She was sure that there were several kids that must walk on these roads, that is scary. When she bought the place that is what she wanted, she wanted the yard, she wanted her kids to be safe in a township as a single mom. For the kid’s sake they really need to look at that. She understands there is a lot of money to be made, but for them with how the buses are with the kids she doesn’t think it was safe.

Mr. Matt Reis, 4490 Peppermill Lane, stated that he agreed that progress goes to the future, he guaranteed them that those condos will not sell for $400,000. Their houses on Peppermill Lane are probably between 2,800-3000 sq. ft. they are not selling for $400,000. A 1,500 sq. ft. condo will not sell for that. The engineer said that there is a 60 ft. decline into Peppermill Lane, that is a lot of water runoff, their detention pond probably will not be able to handle any more as it is, which will then flow into Alan Lane, which is their neighboring street. They are not just affecting just Peppermill Lane; they are affecting Alan Lane as well. He knew in the past that they had issues a long time ago that they solved with funding of their own, that have solved the current water runoff for Alan Lane, to add a 60 ft. runoff of that size property they are just asking for more people to have more issues. If this does go through, that they need to require Pulte Homes to fund some sort of bond or something for future home owners down the road, that if they run into a flooding issue if they run into a mold issue if they run into any other kind of issues that they have it. He is one of the parents that do have kids that go to the bus stop, he specifically drives his youngest to the bus stop at Peppermill Lane. Watching cars driving down Morgan is an insane thing in the morning. To add another 72 houses here and 100 across the street, that will cut through from the other development to save a couple of minutes is not worth the time and effort for what this development needs to be. Pulte Homes does have some issues in other cities around the area that they have told the council that they were going to do something and then later on they change the plans and just did it anyway, so he did want them to at least research some of that. Don’t take their word for it all the time they do have to learn their own thing. Please don’t let this go through, he appreciates all the residents from Gregory, Peppermill, Alan and Morgan, don’t let this go through.

Ms. Angie Debrincat, 4400 Peppermill Lane, said it was the dead-end of Morgan Pines subdivision. She missed the presentation by Pulte earlier, but she has concerns about the drainage. They built their home 20 years ago, they have experienced drainage issues with their detention pond going all the way over to Homesite, they had to clean out their pond on their dime. They have a walkout that faces the woods that are supposed to be developed. She had huge concerns about what that is going to do to her property.
She didn't know how it was going to be developed and not cause some drainage issues. She would like to keep it zoned the way it is and not putting the road through. She learned about this development about 4 weeks ago when she spotted two Oakland County Road Commission trucks at the end of her street, pointing at the road, so she went out and had a conversation and they pulled out plans and told her what was proposed. She hopes they can stop this and that they all vote "no" to rezone.

Mr. Shane Belanger, 4436 Peppermill Lane, said he was one of the kids on the street, he lives near down the end so, they like the dead end for playing on it during the summer. The pocket park across the street, he doesn't have a driver's license, he can't just drive there, he would have to cross Baldwin someway, so he didn't see any use in that for him or any kid that lives on the street.

Ms. Erin Wolff, 4453 Peppermill Lane, stated they were three houses from where the tie in would be. Please don't rezone this parcel, and she wanted them to know about their Morgan Pines sub. She bought their home eight years ago; it was a little hidden gem. They all know each other, kids play in the street all the time, there is always a game going, it is like they are living as a vacation. The kids are being kids and with this tie-in they are not going to be able to kids. The road itself, they have maintained as their association, in the eight years she has seen one county snowplow truck come down, and it wasn't to plow the road it was to turn around in the cul-de-sac and go back out. The substructure of their street, they paid for it to get resealed coated just a couple of years ago, she didn't see the Township doing that. The substructure of the street is thin, she can't imagine the construction trucks that will be coming down and tearing it up. The drainage is a huge issue, her septic field is only 20 years and she had to put in a new one, and it is a problem. They have seen drainage issues just from the Baldwin removal of the trees and their property. The safety, that will be the direct crosscut through to I-75 through Morgan. 72 homes and cars going through there it is not going to be safe for anyone on their street. She has an 8th grader and a sophomore and once they rezone the schools, her kid's classes are maxed out, her 8th grader there are 31-32 kids in every class, his gym class has 52 kids. Please keep it to (SF) do not rezone it and if they do rezone it don't tie into their street, it is just a traffic safety hazard, let them keep their little sub their little gem.

Mr. Brian Belanger, 4436 Peppermill Lane, said what he looks at is what Lake Orion looks like. He knows that they represent Lake Orion, they are Lake Orion people and he was sure that there was a reason that they either came here or they decided not to leave. They know that Pulte is not Lake Orion and they have all seen where this is going, he saw it when he lived in Sterling Heights, he saw it with friends he has in Waterford and its once open space idyllic and then it gets packed and then it is Waterford. They called it starter homes, he had to buy a starter home in Sterling Heights that ended up looking like this. The neighborhood even at the height of the real-estate boom did not appreciate it was plat toed at best, when he got some money he got out. They are calling starter homes he doesn't believe that a $400,000 home is a starter home and he doesn't think that they would sell for that either. He would like to keep Lake Orion, Lake Orion and move into the direction that they are trying to see with Baldwin Rd. a positive move and a positive direction.

Ms. Sharron Kupsiki, 3493 Gregory, said they themselves have been mainly impacted by all this change, her boyfriend's business was Gingellville Autobody and he lost his property because of the roundabout so they had to move the business to Pontiac now just down the road at Baldwin and Walton. Much like everyone was saying she is a runner, she will not run-down Gregory anymore, she is terrified when she sees her neighbors walking down, she sees people walking their dogs on it regularly and she is terrified for them. One of the things that they said was to put a question out there and it will be addressed; so, what are you going to do because this is ridiculous. It is going to take someone else getting hit, a child, a dog or a person, it is not safe anymore. She felt like everybody and what they said here they need to listen to them they are the people that are coming to them and begging them to keep their community the way it is, they don't need another 73 homes, there is going to be another 103 down the street already, the traffic as it is, is horrible because of all the shutdowns on Maybee and the traffic elsewhere coming through. She is begging them to please let them know what they plan on doing to help them, they are asking them to help them, they are coming to them saying this is a major problem for them. They live there, she didn't know where they live, but they may not live on these streets they have to deal with this every day and every
night, ongoing. She can't mow her lawn in the ditch without waiting for traffic to go by because nobody slows down, she can't get her mail without making sure that people are not coming down the road. She can't pull out of her driveway without somebody on her butt coming down the street, they will not slow down. The house issue is the main thing, but the traffic is bad enough now and it is only going to get worse with that; please take into consideration of; what are you going to do?

Mr. Dawson Wolff, 4453 Peppermill, said he used to walk to school everyday Wednesday just by himself and everyday he would walk down Peppermill and he would always have to check over his shoulder ever couple of seconds to see if there is a car coming because they don't pay attention. Ever since that incident that happened on Morgan, he must take precaution every day on Wednesday to walk down Morgan to check over his shoulder and it has happened almost four times of almost getting hit by speeding drivers. Now that he is a new driver he can see why, people don't pay attention, people go over the speed limit, they secluded to everything else going on. Adding more cars going down Peppermill is just going to increase the risk of safety; it is just an accident waiting to happen if this goes through.

Mr. Dan Haffner, 3517 Gregory, said he lives in the house just above the finger on the left, which is on the downhill side of Gregory Rd., and with all the heavy construction they are breaking and they are tearing up the road and the Road Commission is out there every other day. 35 years ago, he met his neighbor across the street, and they talked in the middle of the road without a car coming. Today starting about 4:30am they start getting traffic that wakes them up, by 6:30am it is one car a second until about 8:30-9am, then it lets up until people come home. He watched his little neighbor Sofia 6 years old trying to get to the bus stop, she had to get off the road three times while traffic cleared and he didn't know if they have ever walked Gregory, it is very narrow and there are no shoulders, maybe two feet at best and there are mailboxes in the way, otherwise they are walking in a ditch or on somebody's front lawn. She got to her bus stop four houses down the road and he was holding his breath, safety really is an issue here. With all the increased traffic, and he knew it would let up when Maybee is finished but with this and what is already going in, it is a real issue that they must address.

Mr. Dillon Ries, 4490 Peppermill Lane, said regarding the road with all the cars, him and his brother both play in the road all the time in the summer, they go biking and they never see a car come and when they do it is just easy to avoid but with so many new cars or people just trying to cut through to get a faster way there would be so much more they would have to watch for and when they are playing in their front yard if someone accidentally misses a throw or a catch with a football then it could roll out into the road and they could not just notice something or someone could drive by and they could be in real danger. He felt it would not be beneficial to his summer vacation. When he would just want to ride his bike freely, he wants to not have to worry about a car over his shoulder every 5 ½ seconds because someone else isn't watching.

Colleen Kayl, 3468 Gregory, said when the comment was made about Sofia, because she is at her bus stop with her Kindergartener, and it took them 4 minutes to cross the street just to get to the bus stop, and she is a Kindergartener and she had her three year old with her too and it is a safety hazard, it is terrifying. They make them stand back past the rock at the neighbor's house and just sit there and wait. Sometimes they wait in the car and this is in front of her house so, it is a safety issue. She is speaking on behalf of her kids to please consider not adding more traffic.

Cheryl Goscicki, 3454 Gregory Rd., said she wanted to stand in and show her support for everything that every resident has spoken here, please do not rezone.

Chairman Dunaskiss noted the citizen letters that were received. Vice Chairman Gross said that they received several written correspondences regarding this request. There was a survey that was submitted by 19 residents, 16 on Peppermill, 1 on Windmill Ct., 1 on Gregory and 1 on Alan Lane, all indicting their opposition to this request. There was a letter from John and Karen Maynard from Peppermill Lane, their letter was in opposition to the request relating to and identifying from their standpoint road safety, road repair, property value impact, groundwater and wildlife. The letter from Rachel Zachariah on Peppermill Lane being opposed with referencing the opening of Peppermill Lane to this property. A letter from Nikola
and Jelka Petrovic on Peppermill Lane also opposed referencing the opening onto Peppermill Lane. The petition from 14 residents from Morgan Pines stating their opposition referencing the Peppermill connection, the water and sewage runoff, conflict with the current land use plan and over development. Gregory Soul submitted a letter 3463 Gregory Rd., in opposition to this request. Michael and Erin Wolff, 4453 Peppermill submitted a letter in opposition to the request. Paul Raona, 4451 Alan Lane a letter in opposition of the request. The first speaker this evening was Don Hickmott and he submitted a survey regarding a potential safety path on Gregory Rd. as to the opposition or in support of a safety path on Gregory Rd. Those were the official letters that have been submitted in our copy to the file.

Chairman Dunaskiss asked if there were initial comments from the Commissioners during the public hearing portion. There was none.

Chairman Dunaskiss asked the Township Board for their questions and comments.

Supervisor Barnett questioned if there were any first timers here? Supervisor Barnett went through the process of the Joint Public Hearing.

Supervisor Barnett asked the Township Board if they had questions or comments that they wanted to add to the list that the petitioner would then have the opportunity to address.

Trustee Flood stated that he was a Gingellville boy too he lives on Rohr Rd., his family all his life has lived on Gregory Rd., Pasadena, Elmy and good friends on Morgan. He has seen the changes here, they don’t like change, but Gingellville will never be the way it was. Their job is to abide by the law, he knows they don’t like to be taken to court, it has happened in numerous places in this Township, they must protect the best interest in the Township and that is protect the taxpayers. Sometimes they win sometimes they lose, sometimes they must compromise. He guaranteed that the 36 square miles of this community those that have lived here long enough to know where they all live today might have been a consent judgement or a developer came in and developed the property. These two properties they are talking about right now, the one with the little finger that has the small driveway that is Stan Talgath’s property, he knows Stan very well. The other property on top of the hill the old farm house that used to be Bill’s Feed Store on the vacant property. What happens is they can sell to a developer, that is a legal right guaranteed under the constitution. He has the utmost faith in the Planning Commission doing their due diligence on tackling these hard problems. They are very serious when they listen to the public, sometimes they don’t think they are, but sometimes they don’t get exactly what they want or there might be some misinformation, they don’t take their job lightly. The Planning Commission will make the recommendation to the seven-member elected board. The seven-member Township Board of Trustees has the final say, so you can hold them accountable. He wrote down a ton of notes here he wants to try to address them all for them. One thing that he wants to see under the (PUD) agreement, and this is where the Planning Commission with there great paid consultants, engineering, planning and attorney’s; is what is the recognizable benefit on this (PUD)? What does the Orion Township residents especially in that small area right there, what are they going to benefit from this? He keeps hearing the safety concerns on those roads and they are right. Gregory Road is designed for a safety path it is in the Master Plan of the Park and Rec Master Plan it is designed to go on the north side of the road. Anyone that lives there knows that on the south side is where the utility poles are and that is how the drainage on that road runs. When his grandfather sold his property, the Township made him put an underground stormwater system in there, there is a cistron in there, because that runs into the Brown drain, so everything on that hill runs from the south to the north towards Baldwin. That is not the correct name on that pocket park, Jordan is down on Jordan and Baldwin that is the Gingell property right there on the corner of Pasadena and Baldwin. He can guarantee one thing you cannot make everyone happy with these tough decisions.

Trustee Birney stated that he hates this process, because what usually happens is, they get screwed. These (PUD)’s come across all of the time, some of them are good and some are bad, he is not antidevelopment he is not anti-Pulte every interaction he has had with Pulte has been upmost respectful and professional, there is no animosity at all, he knows they get beat up a lot in this town but not from him. They all have their stories, he moved to the community seven years ago, he grew up in Beverly Hills,
moved to Madison Heights after getting married, they outgrew that quickly everyone was on top of each other, they wanted a place with elbow room, nice community and kept finding themselves coming back here. Since he has already moved, he was a neighbor of them on Hidden Timber not too far away. The reason they moved was because of the unsafe conditions for their children, he has four young children and they had sidewalks. He gets what they are saying he understands he hears them; they get a lot of flak a lot when people say they are not listening to people. He can just talk about himself he is certainly listening. He is not saying that his decision has been made on this because there is still a lot of work and they obviously have the respect of the Planning Commission, but there is a lot of work to get done to get his vote for this. He does not see the point to continuing to cram in these houses in their area that wasn't meant to be. He felt that a lot of times people come to these meetings and everyone walks away saying they don't what is going to happen, because they don't really answer any questions. He is being real with them that it is a solid "no" for him if this is the exact plan that is going to come through. There is a lot of things that can be done, that is the beauty of a (PUD), they need to listen and understand, they need to recommend, and they need to make the final decision. Let your voices be heard the conversation doesn't stop tonight, they all have emails and phone numbers they all have time, make sure they voice their concerns and make sure that the needs are met. They have all been in a situation where he wouldn't be there if there wasn't a development on Hidden Timber, Lake Forest subdivision, that was 20 years old when they moved in, he wouldn't be there. Last week they had a similar situation with a (PUD), and Chris always says that he got involved because he was arguing against the development ironically it was the people that were arguing the last development for last week that he was arguing against, so these things happen. They have all been on that side of the fence saying we don't want this in our back yard, we don't want to look at this we want trees, we all get it, but we have to understand the process and they have to make their voices heard and hopefully they all do their job.

Trustee Dalrymple said one of the things that she listens to was the safety, she is a mom she has three small children and that is the first thing she thinks of when she hears that there are no sidewalks and getting to the bus stop. That is the kind of stuff that is important every day and that is what she wants to see about. Why would they not include sidewalks? It seems like something very simple that they should have. Why do they need the access to Peppermill so bad, can't they put something on the other side, why does that have to be the cut through, through this neighborhood if it is already there? If they are going to build something new and it is going to have an entrance on the other side, why can't it go on the other side. She knew it does not help the other side but just a thought on that too. If this new plan is going to have city sewer and water is that going to be offered to this other neighborhood as well if they would like to connect to the service if that is something they want? If they are going to bring the pipes all the way down that far down the road what is a little bit further if people wanted to connect to that too?

Trustee Steele said she is the Treasurer but she is also on the Safety Path Committee and Don Hickmott reached out to her for a couple times via phone and email regarding the path and as far as she is concerned, she thought they should have paths down every thoroughfare or major busy road just because they need safe passages for pedestrians. She knew it was tight in there and she knew that there were drainage ditches and maybe there was a consideration of doing an alternative of maybe sidewalks instead of safety paths because they are not as wide and they have done that a little bit down Indianwood recently so she would certainly like to take a deeper dive on that one. Her concerns have always been with these rural pieces because they are all over the Township, they are down Walden Rd., Morgan Rd., Gregory and down Rohr Rd. and if they start doing this to every one of them then they start to lose their rural portion of Orion Township. Being on the Township Board you do have to look at both because you have to have both businesses and housing and so she is open minded to both, the people because she does live in the town too, and she likes the rural feel and she is not crazy about the density but she does know that people do want to live in Orion and so you want to provide housing for people within the Township as well. It is a very trepidatious path that they must walk upon. Those are her concerns and she really appreciate the planning board from Giffels Webster she felt they put a lot of important points that this subdivision doesn't compare to the (R2) which is the (SF) they have compared it to the (R3) and that has to be looked at in comparison. They talked about the safety path, drainage and all the things that the people have said it has been addressed, not everything that has been said but it has been addressed in the planning writeup and she appreciated as they move forward going through each one of those points.
Supervisor Barnett said he had a couple of comments and questions. He did get involved about ten years ago trying to fight a development that was happening in his back yard he lives in the southeast part of the Township and that is accurate, two weeks ago they had another group in front of them and it was interesting because it was all the people that were there fighting the new development that he had unsuccessfully tried to lead a rebellion against in his neck of the woods a decade ago. He loves his job it is the most exciting and difficult job he has ever had in his career. He has met a lot of them in the room, everything that has been said tonight by his fellow Board members he echoes, they live here too, they have the fun task of trying to make decisions that are the best for their community and sometimes it is really fun when they are talking about pocket parks and things like that, when they are talking about peoples property rights it is difficult because inevitably they are going to disappoint some people. They try to weigh all the information they look to the ordinance for guidance and at the end of the day sometimes they are successful and sometimes they are not. Depending on how they look at it they might agree or disagree, so they must make the best decisions on behalf of most of their residents. Gregory Meadows was denied by the Planning Commission and the Township Board a lawsuit followed and they were not successful based on the advice and could share some of it with them that they were given. Some of the things that they must recognize and realize is that they do live in a wonderful community that they all call home; he does still believe they are living as a vacation. More than 40% of the land mass is lakes and parks and will always be because they are blessed with the Bald Mountain State Recreation Area, Orion Oaks County Park, and the five Township parks, they just added another 76 acres last year, and two pocket parks in the last 12 months. The two pocket parks will be at Pasadena and Baldwin and at Jordan and Baldwin. The Pasadena and Baldwin pocket park is on the west side of Baldwin, Jordan and Baldwin is at the southeast corner of Jordan and Baldwin. They do have the property at Gregory and Baldwin where the old Sunoco was but there is an easement for the carwash, there is a drive there so that is not going to be a pocket park but they will be able to do landscaping and things there to beautify that. He was proud of some of the things that they have done, they have invested over $4,000,000 in the roundabouts and in the landscaping, they care about their quality of life and their home values. Had they done nothing they would have gotten five roundabouts that look like the roundabout at Gunn and Adams, it is a mound of grass. He is proud of all the landscaping and streetscaping that they are doing is because of the work that this Board has done. They understand the traffic concerns, the developer was not Pulte of Gregory Meadows, he knows that for a fact, they negotiated with the developer during the lawsuit process, Pulte was never involved in the process until later. He knew that the development was shopped to several other builders besides Pulte Homes because he was privy to some of those conversations. They did negotiate, $125,000 and that was not in lieu of safety paths that was part of the public benefit of the development and he will not speak for the rest of the Board but he has never ever considered in the seven years he has served here increasing taxable values as a benefit to the Township because everything that has been stated costs money, traffic control and fire response that all cost money, so the taxes that are generated are generally are using those money for the additional services that they have to provide. That argument doesn’t play with him. The Brown Road traffic they just received a grant that intersection starting in about a month from now through the end of the year will probably be one of the worst in the county, so they received a grant and they are doing a study to hopefully make some improvements, and they have some really great ideas that would work. One of the things that is unique about our Township is that we have two consecutive exits off of I-75, exit 83 Jostyn and 84 Baldwin that only happens a few times between the city of Detroit and us and if you look at the map you will see. If you start thinking about exits you have exit 67 is Rochester Rd. right in the busiest part of Troy the next exit is 89 two miles away, so they are kind of two or three miles apart most of the way through. When you look at planning and you look at the availability of sewer and water and that is what we are up against; and we have these corridors that do carry a lot of cars when people want to change that is why we haven’t been real successful defending our (SF) zoning designation in the past. There is not one subdivision that has been developed in our Township that has developed a (SF) standards, not one, Heather Lakes is close but there is not one that has developed to the (SF) standards a subdivision that has been developed in the last 40-50 years. Some of them certainly live on larger parcel lots. That is the challenge they are up against. One of the things that he would tell them is that their ordinance is you can’t have a cul-de-sac that is longer than 600 ft. the Fire Department will not allow it. That is why they are essentially being forced by our ordinance to connect to Peppermill if this should go through. Whether it is 13 homes or 72 homes or 130 homes there would
have to be a connection our ordinance requires it, is that the only place it could connect, he didn’t know. There is obviously a piece of property that is the largest probably undeveloped right piece of property left in the Township and just so everyone in this room is very clear it will be developed. The parcel is owned by the Adler family that is on Baldwin Rd. will be developed. It is private property it is not zoned as a park and so that is some of the things that they try to do is and what he has learned in this job is it is impossible to make everyone happy but they do the best to listen to the concerns that is brought up. The safety path is a great idea if they can accommodate it. The good news that he heard tonight is 14 of 16 people are interested, guess what they need, they need easements from people if they are going to build safety paths and that is one of the jobs he has and Jeff Stout the Public Service Director literally knocked on peoples doors as they are building out their safety path and sidewalk network telling people we would like to build a path we need their easement. We don’t typically love to take people’s property by intimate domain; the good news is in the last few years they have had a lot of great cooperation in that. We would love to build a safety path or a sidewalk down Gregory Rd. and Morgan Rd., but in order to do that they would need participation from the people that live there because their road-rights-of-way are generally narrower because the roads are extremely old. Some of the things they have done to try to assist, they did negotiate in the settlement of Gregory Meadows the resurfacing of Gregory between the fire station where the new road stops and Rohr Rd., the developer wanted to do that this year because it is the major detour for the road project they asked the Road Commission to not grant the permit, they agreed, so that will not happen this year. When the Baldwin Rd. project is complete which hopefully by next June or July, it is way behind schedule they have no control, it is the most frustrating thing he has to deal with, the road traffic on your roads will get back to somewhat of what they are used to, it will never be where they can have a ten minute conversation and no cars, but they know that there is so much additional traffic on your road right now because we have counted the cars. They will continue to listen to them and they appreciate their time in coming out. He was grateful to see that Mrs. Maynard is doing well, they were extremely concerned about her during that whole ordeal and our deputies are the best and they literally really worked hard to assist her. The owner of this property has the right to sell it and try to develop it they are working with this developer. In the seven years he has been there he has had a good working relationship with Pulte, they are not in our pockets they don’t tell them what to do they don’t have any control over them, but when we ask them to jump they have been responsive and most of the time that is through our engineering firm OHM when there is issues on sites when they have resident complaints they have been responsive. One of the reasons they are is because our ordinance is strong anytime anybody develops, they must put up $1,000,000 cash that we hold until they are satisfied that the development was done to what has been approved. Even though it seems that we are cold and not answering all these questions, they are going to have the opportunity to answer all these questions they are going to hear from their consultants, it is a long process and by all mean if anyone has any questions or concerns about the process and don’t feel like your questions are answered tonight they can reach out to him at his office, happy to meet with them, correspond via email they will try to get them the information.

Chairman Dunaskiss asked the petitioner to come back up and address the questions from the public as well as the Board of Trustees.

Mr. Anderson stated regarding the sidewalks at Morgan and Gregory he didn’t have a response to that, there has been a lot of discussion about that and felt it would be good to have on there at some future point.

Mr. Anderson added regarding drainage, their projects have two significant ponds draining to the south of Peppermill, there is a large pond on the southwest corner, it will collect all the stormwater drainage and it will retain and discharge into the ground. They have done infiltration testing and they have good soils. That pond is significant enough to handle two one-hundred-year storm events. There are dry ponds now they are going to expand upon them later. There will be no discharge leaving the site heading south to Peppermill and conversely north to Gregory Rd., there is a similar pond, their design standards are two one-hundred-year storm events, that volume, so there is substantial size ponds they have had geotechnical engineers investigating them, they will certainly be reviewed and approved by the Township’s engineering but preliminary all the drainage goes where it should be going and will be discharged
accordingly and again there is a long design process after this, but they were very comfortable that they are not going to create or exasperate any drainage issues north or south of them.

Mr. Anderson noted that there are some well properties out there and there is discussion about groundwater, all of the stuff they are talking about is surface impacts, something probably less than 10-15 feet, there will be no well or groundwater impacts based on their construction activity associated with this residential development. There are permitting processes about, grading so there is soil erosion that occurs, and they take a lot of those measures to keep down the dust design and monitor exposed property as grading occurs on the site. As far as the surface water goes, they would not anticipate any impacts to any of the neighboring wells.

Mr. Anderson addressed the traffic study, the ordinance speaks to a threshold for when a traffic study is needed, their anticipated trips did not meet those thresholds, which is about 1,000 trips a day or some number of peak so the traffic impact study is not necessary for this (PUD). There is a lot of construction capacity and developed around here, Baldwin Rd. is going to be substantially increased and Gregory is as well as part of those paving improvements. There is no impact to the road system based on this development.

Mr. Anderson replied to the compliance with the Master Plan, he felt the bigger issues was why they were there, there was discussion about why have a (PUD), this was once attempted to be a rezone as a straight (R-3) and an (R-3) is an appropriate use when they look at the Master Plan it talks about the vision of the Township and the vision of the Township for this area talks about Village Center retail uses along Baldwin Rd., and they are immediately adjacent to those Village Center, and if they are going to have density in the community this is the appropriate property for it. Clearly, if you go out there, Baldwin Rd. and having that activity and the density that is appropriate in this area as defined by the Master Plan is about 3-5 units per acre and they are proposing less than that. The (PUD) will give them a defined plan, the beauty of the (PUD) is not to get more density, because he has proven they are actually getting less density than what this is zoned for but it does give them the plan they are going to build and they can work together to define exactly what they are going to get, so he felt that the (PUD) is a great tool for these sensitive sites to talk about what they are going to get. They are going to get exactly what the put on the paper on this project, so a (PUD) is really the venue for that.

Mr. Anderson said regarding the road safety on Peppermill Lane, he offered up the ability to address the speed, but they are open to conversations. He thought that the Supervisor had indicated, generally they are going to tie their neighborhoods together with roads, so that is their proposal but are open to any further discussions or options on that.

Supervisor Barnet said knowing that, that parcel will either be developed due east for some future connections and then maybe that might be in one of the reviews. Regarding the roads, that was why he was so adamant when he lived on Roxbury Ct. because he had a little spur that went off to the woods that his kids played basketball on and volleyball and they had all their block party's on. The reason Peppermill was designed like it was, not with a cul-de-sac at the end but at where it just stops was because the planner at the time when the sub was built knew that it needed to be able to connect to a future development, that is the way they require developments to go in the Township, that is by the ordinance. He does know, he knows exactly what they are talking about when they live right there because he was that person, unfortunately, something will connect there at some point, will it be the same density, will it be this development, he didn't know that, but at some point just be prepared that, that will be some reality.

Chairman Dunaskiss questioned about the buffer, would it be like the other development to the south or is there a buffer proposed between either side or any setbacks?

Mr. Anderson replied in the proposed plan the buffer varies significantly throughout the development and in a lot of cases they have hundreds of feet buffering and he thought that the minimum side yard was 30-35ft. on a couple of the side but most of the buffer they did not create a standard number and build out to it
much like they would on a standard lot plan, but they can look at what they can do in those buffered areas but in most cases they far exceed the 50-ft.

Chairman Dunaskiss said there was a lot of discussion about community benefits and they obviously heard a lot of the neighbors said they cannot access the proposed parks being contributed so maybe talk about the community benefits again.

Mr. Anderson answered the community benefit a lot of it is the proposed preservation with the plan they have. With the (PUD) and the product, they are proposing, again it is going to be a site condo. When you develop a lot of typical subdivisions, this could be 80-ft. lots, 80 x 150 and they could draw bigger squares and they would have ownership and it would fill up more of the property, they don't control that lot and they don't control the trees and the preservation. In this development they will be able to manage exactly where the grading limits are and the preservation limits and maximize preservation with this building condo development. None of the 72 homes will have the ability to go and cut additional trees because they decide they want a swing-set in behind their home. They have a substantial amount of preservation, over four acres, lots of pathways, they are proposing sidewalks on both sides, and quite a bit of trail systems, he felt they could increase their trail system around the retention pond which would be mostly empty minus a storm event, over and stub out to the south side of Peppermill, so there will be acres and acres of area that they could access. They do have sidewalks and trails, and 12 acres of open space and they get that through the (PUD) process. Those are the community benefits, the preservation, architecture, park donation at the Jordan Park.

Chairman Dunaskiss stated that there was a lot of discussion on the density and the (SF) farms plans was not submitted and the underlining zoning.

Mr. Anderson replied the underlining zoning is (SF) and again that was another comment that the Township Planner requested, he wanted to see what that plan produced and they generally don't do that they generally do a parallel plan consistent with the Master Plan, but they did create one, provided to the Township. The (SF) zoning is 2 ½ acres it would produce 10 lots on this project, they have submitted that plan he has no problem sharing it, he thought there was a comment it might be 13, given the shape of this project it is 10 units. When they are looking at development, there was a comment made that there hasn't been a (SF) development in decades here, generally when people are coming in to do redevelopment, right now they have a home on 30-acres, if it is going to get redevelopment, what they do is they come into a community and read the community guidelines about what the property is intended to be in the future if they would change it. If they don't buy that one house on 30-acres what are they intending to do and the intent is from the Townships perspective, single family medium to high density 3-5 units per acres so those are the plans they created to be consistent with what the future plan is for this property. They created the (R-3) plan for this project and it creates 93 units. If he just wanted to be consistent with the Master Plan, he could request a (R-3) rezone and submit and he would get about 93 units, that is what was done before and there was a plan and it wasn't liked and it was denied. The (R-2) plan they created just to see what that looked like and that was a 77 unit plan and they are proposing 72 units, which is less than the Master Plan anticipated 3-5 units per acre and it is somewhere between the (R-1) and (R-2) Straight Zoning density.

Chairman Dunaskiss asked about the strip of land on the north side, any plans of that be deeded?

Mr. Anderson answered that Joe Skore and himself spoke about that a couple of days ago, that is currently driveway access, he has another development that looks similar to this one, and there was talk about what to do with the odd strip, they are open to what to do with it, in the other situation they ended up deeding it to the adjacent parcel. Right now, as far they are concerned it is part of open space, they are not going to have drive access there, there is no road access. That little finger strip will not be used as part of the development.

Supervisor Barnett said they have the current zoning and then they have the Future Land Use. The Future Land Use is the not current zoning but what it is when they adopted the last Master Plan what they
were thinking and the mindset behind it was as they get closer to I-75 and Baldwin it is more dense, whether they liked it or not that was the thought process behind it. The difference between a (PUD), the lots they are proposing are not (R-2) or (R-3) lot sizes they are smaller, but the concept of a (PUD) and why it is not just popular in Orion but really around the state is it allows whether they see it as a benefit a pro or a con, he just wanted to tell them what the difference is, instead of piecing it all out where everyone has the same size lot and they own that, they have smaller lots and they have larger open space that is deeded open space to the association. Some people would see that as a benefit because it is an opportunity to save more of natural features, to have some community benefits like a trail system. He just wanted to explain it to them in a different way because it was not clear to him for awhile either. If they just came in for a rezone for what the Future Lane Use plan is defining which is medium high density that falls between (R-2) or (R-3) which would divide it all up. The other benefit of a (PUD) if they see it as a benefit is that it is as part of the (PUD) process not tonight but if it moves forward they would get architectural approved, the sign for the sub and the landscaping plan, so the Township is able to require a lot higher standard than what is just required per the zoning ordinance of (R-2) or (R-3). That is why a lot of the developments go (PUD) and this Board some of them have been very good some of them have been applauded by the neighbors because they are able to, not in all cases, but they are able to require some of those things that their ordinance does not allow them to require. Some people might not see that as a benefit but that is the difference and that is why they are saying in the presentation that if it was just rezoned to (R-2) or (R-3) that would be the number of units that they could potentially get. Therefore a (PUD) is used and why sometimes it is seen as a good thing because they can require different things.

Trustee Flood stated that for nine years they tried to get Gregory Rd. repaved, finally with the development and the court judgement they got it done. Originally the developer only wanted to go down to his entrance on that road, he wasn’t going to go through the swamp where the road fell apart over the winter, he was going to go up to Rohr Rd. Pulte put that new pavement in there on the swamp, Code Enforcement went out and got a hold of them and told them when they detoured the traffic around, and that was when they were putting in the sewer line in down through Sherstone, so Pulte did put that in there, the Road Commissioner should have done that 20 years ago. For those folks that just moved here recently we paid for Gregory, Rohr, Maybee and Morgan, to be paved, the residents took up a ten-year S.A.D, that was about 20 plus years ago. Now you see the conditions of the roads now, the County is not maintaining them, they know that and that is why he felt sorry for the folks on Peppermint. One thing he is looking for in this development is what is the recognizable benefit, he hears it time and time again, the safety on Gregory Rd., there is no pedestrian safety on Gregory Rd. Having sidewalks put in on both side of their development, he thinks that is fantastic, it is to go back and do what they didn’t do when they developed Morgan Pines, because now they are left with no sidewalks. When he sees they are preserving property, which is good, for the people that live there, they have sidewalks and trails, he imagines they are going to put a safety path on Gregory Rd. along their property line, so as far as he knows Gingelville now is Gingelville Village Center overlay district, it is supposed to be a walkable community. They have safety paths down Baldwin both sides of the roads, they have a new pocket park that is going to be built at Pasadena, it is great that they are going to give them a cash contribution for the pocket park on Jordan, which is about a mile away, but to him the recognizable benefit is that for these 73 units, when these people what to go to Gingelville which is supposed to be a walkable, they will just dump them out on Gregory Rd. like they do today, to him that is not a recognizable benefit. They need to address Pulte putting in that safety path down to Baldwin Rd., that is going to be the best bang for the buck for the residents.

Chairman Dunaskiss closed the public hearing for PC-2019-48, Gregory Meadows (PUD) joint public hearing at 9:18pm.
Respectfully submitted,

[Signature]
Debra Walton  
PC/ZBA Recording Secretary  
Charter Township of Orion  

[Signature]  
November 20, 2019  
Planning Commission Approval Date
based on the added revenue and business that comes with it was one of the added benefits of acquiring the business.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that the Planning Commission approves a site plan extension request for PC-2016-30, KPMF Expansion site plan for an additional one (1) year. Since the ownership transition of the property justifies an extension to allow the new owners to evaluate the plans.

Roll call vote was as follows: Gross, yes; Walker, yes; Steimel, yes; Dunaskiss, yes.

Motion carried 4-0

C. PC-2019-48, Cottages at Gregory Meadows PUD Concept & Eligibility Plan, located at 3537 and 3595 Gregory Road (parcel 09-31-200-006 & 09-31-200-008).

Mr. Bill Anderson with Atwell requested to be postponed. He stated they received a lot of feedback from the public hearing and they have the consultant reviews. If the Planning Commission would like to give some additional feedback, they are open to hearing that.

Chairman Dunaskiss stated that normally simple majority wins on these, but they would need all four votes for anything to pass tonight on this conceptual plan.

Commissioner Walker said that part of him was hesitant to grant the postponement because all these people came today to voice their opinion and they were all there. At the same time, he felt that because of the paucity of Commissioners that are present, and they have not worked out the questions they had, so it might be a good reason to postpone it for those reasons. It would give everyone a chance to meet again and discuss matters and hopefully smooth out some of the rough edges and see what would come back.

Vice Chairman Gross agreed, a postponement would be appropriate based upon the amount of discussion that took place. He would like to see more detail in terms of the development plan to incorporate some of the comments that the Planning Consultant has indicated in his review and seeing how feasible this plan is.

Trustee Steimel said that the way this PUD process has been used against them lately is not the way the PUD process was intended to be. The parallel plan should be as zoned not what some future zoning could be. Even the fact that is it Master Planned as something doesn’t mean that it is guaranteed that they get that zoning if they just came in and asked for a Straight Rezoning. They must look at each one individually. This has a lot of negative impacts the way it is currently proposed. He wasn’t sure what questions were going to be answered, unless the plan is considerably changed. He felt it would have a huge negative impact on the area around it that is not to be mitigated anywhere within the plan. He stated it is not just the density, which is all everyone talked about, even on the zoning but there is also all the stuff that goes with it, the width of the lot and the size of the lots. He explained that the (PUD) process, wasn’t so everyone could circumvent all the regulations and zoning and basically get a rezone and not do some of the requirements under the zoning. It was really to take a look and say in order to preserve property, the more preferred way was to use a (PUD) to do clustering. He could put 13 lots right on this one, well they wanted to put 13 but they want to make them smaller so now they don’t conform with the (SF) zoning but they are just going to make them smaller lots up front and then they are going to preserve the area in the back. That was really what the intension was for applying a (PUD). Then there are things as far as to do a (PUD) they try to get a density bonus, but he did not think that criteria have been reviewed the way they have been doing this. He stated it is perfectly fine and it is in their right, that they want to have full
Commissions and they want to postpone. He stated but it is not going to make much difference for them unless they come in with a different plan. He just did not think it fits, with the negative impacts that it will have in the surrounding community. Saying that they had to put that connection to Peppermill Lane because their street is too long, that is not the surrounding community's problem, that is their problem. They should have to shortened it up, they did not have to go that far back with that road. He understood that they want to get more Planning Commissioners here, they should have a full Board, but the PC is just a recommending body. He stated it is tough because everyone was interested and wanted to hear deliberations. Now they must come back. The way they did things before a lot of times they never actually deliberated on a public hearing meeting for people that couldn't show up for the public hearing could still get their information in and to let the applicant potentially do something different.

Chairman Dunaskiss said as they look at the (PUD) process normally it is a series of meetings, public hearings, back and forth. We had a joint public hearing that everyone participated in. Given this is the (PUD) Concept and Eligibility plan he thought there was a lot of information and feedback across the board from all the members as to what they think the direction they need to go with it. It is the applicants right to get more of a quorum.

Trustee Steimel explained the PUD process and stated the way the process is, the Planning Commission is supposed to have the public hearing and then they make a recommendation to the Township Board. They would have to have a public hearing too, because they are considering a rezoning.

Commissioner Walker noted that they have not heard from the consultants.

Chairman Dunaskiss stated if this is postponed, they would dig into that next time. They have been furnished copies of the reviews and have access to them. He felt the plan needed a lot of changes based on what they had heard, what the recognizable public benefit was, and the overall density. They asked for a postponement he felt it was fine given the comments and lack of a quorum.

Trustee Steimel questioned was this being postponed to some future meeting? A lot of times people think it is the next meeting and they may already have a full agenda.

Planning & Zoning Director Gilring said that she does not have any full agendas, they had one case that was pulled from this agenda, they have not resubmitted yet, so she wasn't sure when they were coming back in. Besides that, they have some small ones that are expected to submit but that is a regular occurrence and it is not known for sure when they will come in. There is no date, unless the applicant had a date they were thinking; if there are changes then they would have time for the consultants to reevaluate it.

Mr. Anderson replied that he is not suggesting being at the next meeting, he does want to address some of the consultant reviews and give study to what was talked about, so he is anticipating a resubmittal and a rereview. His hope would be in the next 30-60 days.

Chairman Dunaskiss asked if they had to give a date certain?

Planner Arroyo said that the only reason they would have to do a date certain is if they were holding the public hearing open and were going to extend it, then they would postpone it to a date certain. They have held and closed the public hearing, so they can postpone to a date uncertain.
Moved by Trustee Steimel seconded by Commissioner Walker, that the Planning Commission postpone action on PC-2019-48, Cottages at Gregory Meadows Planning Unit Development (PUD) Concept and Eligibility Plan not to exceed more than 120 days.

Roll call vote was as follows: Gross, yes; Walker, yes; Steimel, yes; Dunaskiss, yes.
Motion carried 4-0

D. PC-2019-49, Peninsula Agriculture, LLC Ordinance #154 Application, located on the north side of W. Silverbell Rd. on the west side of Lapeer Rd. (unaddressed parcel 09-26-300-012 formerly known as 09-26-300-011).

Planning & Zoning Director Girling stated that she believed that they had to pull the item from the agenda because they will not have a quorum.

Chairman Dunaskiss said that he offered to recuse himself, although he is not actually working on this item his office is and so asked to be recused from this item.

Trustee Steimel asked if the applicant was here?

Planning & Zoning Director replied she was, but they don’t have a quorum. She told them that they don’t have to actually be there because Ordinance #154 we have never required an applicant here, so if another board member shows up, they could deliberate without her, but no one else has shown up so with Chairman Dunaskiss recused we would have three members and cannot act on it.

Moved by Trustee Steimel, seconded by Vice Chairman Gross, that the Planning Commission postpone action on PC-2019-49, Peninsula Agriculture, LLC due to a lack of quorum to deliberate at this meeting so they must postpone.

Roll call vote was as follows: Gross, yes; Steimel, yes; Walker, yes; Dunaskiss, yes.

8. UNFINISHED BUSINESS
None

9. PUBLIC COMMENTS
None

10. COMMUNICATIONS
Memo from Planning & Zoning Director Girling regarding joint meeting date on January 8, 2020.

11. PLANNERS REPORTS
Planner Arroyo spoke about their newsletter, feature article this month was “This is National Community Planning Month”.

12. COMMITTEE REPORTS
None

13. PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
APPLICATION FOR A PLANNED UNIT DEVELOPMENT

Case Number PC-2019-48

*PROOF OF OWNERSHIP MUST BE INCLUDED IN THE APPLICATION*
(Acceptable documentation includes: Warranty Deed, Quit Claim Deed, Land Contract, and Option to Purchase with a Copy of the Warranty Deed. If the applicant is not the property owner, then written authorization from the property owner must be included)

NOTICE TO APPLICANT

The following application must be completed (incomplete applications will be returned to the petitioner) and filed with the Township at least four (4) weeks prior to a scheduled Planning Commission meeting in order to initiate a request for PUD Approval. Regular meetings of the Planning Commission are held on the first and third Wednesday of each month at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion.

Date _______________ Project Name The Cottages at Gregory Meadows

Applicants Name Pulte Homes of Michigan LLC

Applicants Address 100 Bloomfield Hills Pky

City Bloomfield Hills State MI Zip Code 48304

Phone# (248) 330-3069 Fax # E-Mail joe.skore@pultegroup.com

Property Owner Name ________________________________

Property Owner Address ________________________________

Phone# __________________ Fax # __________________ E-Mail __________________

Name of Firm/Individual who Prepared the plan Atwell- Matt Bush, PE

Address 311 N. Main St Ann Arbor, MI 48104

Phone# (810) 923-6878 Fax # E-Mail mbush@atwell-group.com

*Please Indicate Above The Contact Person For The Proposed Project*
Property Description:
Location or Address of the Property 3595 Gregory Rd + 3537

Side of Street South Nearest Cross Streets: Baldwin
Sidwell Number(s) 09-31-200-006 Total Acreage Approx. 32.75 Acres

Subdivision Name (if applicable) N/A

Frontage (in feet) 519 feet Depth (in feet) 2,335 feet

*Please Attach to the Application a Complete Legal Description of the Subject Property

Zoning Classification:
Subject Property SF (Suburban Farms)

Adjacent Properties:
North SE (Suburban Estates) South R-1 (Single Family)
East SF & R-2 (Single Family) West SF (Suburban Farms)

Comprehensive Statement of Intent:
Give a Detailed Description of the Proposed Development (Refer to Section 30.03 (A) of the Orion Township Zoning Ordinance) Please Indicate the Number and Size of the Buildings or Units Being Proposed: The proposed project will feature 72 condominium units on approximately 32.75 acres (gross) and will include the necessary infrastructure such as municipal utilities and road. The development is designed creatively to be compressed in order to preserve natural features, create open space, and is mindful to adjacent land owners.
Eligibility Standards for PUD Eligibility Approval:
Refer to Section 30.03 (B) of the Orion Township Zoning Ordinance. Please fill out the attachment.

****11 Sets Of The Site/PUD Plan Prepared In Accordance With The Orion Township Zoning Ordinance #78, Section 30.03, Section 30.01 And Any Other Applicable Township Ordinance Requirements Must Be Included As Part Of The Application. Applicable Planning Commission Review Fees Included In Ordinance #41 Are Also Required When Submitting For PUD Approval. Please Note That Section 30.03(C)4 Also Requires A Density-Parallel Plan As Part Of The Application****

I hereby submit this application for PUD Approval, pursuant to the provisions of the Orion Township Zoning Ordinance, Ordinance #78, Section 30.03 and Section 30.01 and any other applicable Township Ordinance requirements. In support of the permit application, I hereby certify that the information provided herein is accurate and the application that has been provided is complete. As the property owner (or having been granted permission to represent the owner as to this application) and on behalf of all owners of this property, I hereby grant the Planning Commission members and Township Building Department staff permission to perform a site walk on the property, without prior notification, as is deemed necessary.

[Signature]
Signature of Applicant

[Date]
8/29/2019

****Please Attach The Street Name Approval Form To The Application****
Charter Township of Orion Planning Commission

Eligibility Standards for PUD Approval

Section 30.03 (B)

Please provide more than just a “yes” or “no” answer. Use additional sheets of paper if necessary.

1. How will a PUD approval result in a recognizable and substantial benefit to the ultimate users of the project and the community?

The proposed development will preserve existing natural features, donate funds to a local park, utilize Michigan native plants, tie into municipal water and sanitary mains, and provide a single owned condominium housing option to attract new people into the Township and keep current residents within the Township.

2. Would such benefit otherwise be unfeasible or unlikely to be achieved?

Yes, if developed as allowed per Master Plan then natural features would not be preserved to the extent shown and the donation to the local park would not be offered. The open space required by the PUD ordinance would also no longer be applicable.

3. Will the proposed type and density of use result in a material increase in the use of public services, facilities and utilities, in relation to what would be permitted if the property were developed without using the PUD?

No, the proposed development is showing less units than could be developed under the Master Planned zoning.

4. Will the proposed PUD place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants/or the natural features?

No, the PUD option is less intense and more "mindful" to community goals and adjacent neighbors than the Master Plan zoning permits.
5. Will the proposed development be consistent with the intent and spirit of the Master Plan and community?
   Yes, the Master Plan allows for a higher density than what is currently being proposed.

6. Will the proposed PUD result in an unreasonable negative economic impact upon surrounding properties in relation to the economic impact that would occur from a more traditional development?
   No, in fact we believe the proposed development will be highly successful, increase the tax base, and create a thriving close knit neighborhood.

7. Does the proposed PUD contain at least as much usable open space as would be required in the Ordinance for the most dominant use in the development?
   Yes, the proposed project actually is providing more than is required.

8. Is the proposed PUD under single ownership or control such that there is a single person or entity having responsibility for completing the project with this Ordinance?
   Yes, Pulte Homes of Michigan LLC will be the single owner of the development.
Section 30.03 (C): Project Design Standards

1. Which of the following requirements established in the underlying district (first column), or other applicable sections of the Ordinance will need to be waived in order to grant PUD approval? Insert the proposed amount in the second column. Information should be listed separately for each phase of the development.

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<thead>
<tr>
<th>Regulations:</th>
<th>PUD Proposal</th>
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<tr>
<td>Lot Size <em>See attached Plan Set</em></td>
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<td>Lot Width</td>
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<td>Setback For Side Yard Entry Garage</td>
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<tr>
<td>Other</td>
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</tbody>
</table>

2. Does the project have adequate:

- Perimeter setback and berming? Setback yes, berming no
- Thoroughfare design? Yes
- Drainage design? Yes
- Utility design? Yes
- underground utilities? Yes
- Insulation of the pedestrian circulation system from vehicular thoroughfares and ways? Yes
- Achievement of an integrated development with respect to signage, lighting, landscaping and building materials? Yes
- Noise reduction and visual screening mechanisms (particularly where nonresidential uses adjoin off-site residentially zoned property)? Yes
  However, the surrounding land uses are single family.
From: Don Hickmott <gingellman1@gmail.com>
Sent: Wednesday, January 22, 2020 5:29 PM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Cottages of Gregory Meadows - Safety path & Side Entry Garages

Would appreciate your providing this email to the Board of Trustees.

SAFETY PATH EXTENSION
The Planning Commission already convinced Pulte to pay for a safety path/ side walk from Baldwin to the Cottages. For the benefit of the 103 Gregory Meadows homes being built as well as the Westlyn Homes sub division residents, Pulte should pay to extend the side walk west 701' to Gregory Meadows property line. This will provide safe pedestrian passage to Baldwin for a lot more Gregory Road users for very little $. This would be a very small portion of Pulte’s $28 million revenue stream from the rezoning. But, Pulte won’t provide it unless you insist on it.

SIDE ENTRY or SETBACK GARAGES REQUIRED
Pulte is well aware of this requirement and has chosen to ignore it. Side entry garages dramatically improve appearance and appeal. If Pulte is allowed to get away with this, the next builder that comes along will expect the same treatment. Then, the 50% side entry/setback requirement will only be applied to the little people. We’re aware the Cottages of Bald Mountain avoided the side entry issue through use of the consent judgement, but that doesn’t apply to this bold face disregard to the PUD rule. Please don’t give in on this.

If Pulte walks away, another developer will be here soon.

Don Hickmott
3731 Gregory Road
248-391-2844
Hello Ms Girling,

I understand there is another board meeting to discuss the new cottages proposed for Gregory Road. I have some concerns I'd like the board to consider before discussing the plan.

- The salesman at the 1/16/2020 planning meeting talked about these 1500sq ft homes, starting at $400K, as appealing to Orion and Oxford residents looking to 'step down', but appealing to active adults. I'd imagine if $400K is a step down, that their current $500k-$750K home is maybe on the lake, or at least, has access to a golf course or backs up to one of our many greenspaces. These new pad homes only have 20' between them and majority of them face east/west, so the amount of view is drastically reduced by this step down - the lack of windows that will get sun from the south would be a huge negative. For that kind of money, it would be easier to modify your current home and hire a landscape/snow removal service, which was what he said these folks were trying to get away from - maintenance. This makes me think these won't go for anywhere near $400k, and will more likely end up being around the $250k range, which will affect expected tax revenue.

- The Pulte homes in Del Webb Grand Reserve (Grand Blanc - a 55+ community - My mom is a resident) are not very well built. They have nail pops and joint cracks from settling, after the one-year warranty, but before they're even 3 years old. Residents have pulled up carpeting and were able to see directly outside from the floor. The brand new windows are drafty. The salesman also said that Gregory Cottages would appeal to people looking to get away from stairs, but in Grand Reserve, the free-standing homes, with second levels and even attics, are more popular. They are so much more popular that the designs were changed when the development was about 60% complete to build MORE free-standing versus these smaller homes on pads.

- I suggested at the planning meeting that this property be redesigned as a closed loop, especially after they presented the side road on the east that would allow for EMS access as well as a new development going in on Baldwin. Adding a safety path for walkers and bikers only, between Peppermill and this development (as a closed loop) would satisfy the walkability that Pulte is promising for these new homes and their active adults, would still keep the fire and ems access for both roads, would mean less maintenance for the fire department, and would protect the residents on Peppermill from the abundance of traffic this development is sure to bring, with Peppermill's easier access to Morgan, to Baldwin, to 75.

- I'd also like to reiterate their lack of knowledge on side entry or set back garage requirements for the township. For the number of Pulte developments in this township, this shouldn't have been news to them at this stage of the planning.

- Lastly, please hold them to building the safety path for the entire length from Gregory Meadows to Baldwin. These developments will bring in more kids, despite their supposed appeal to step-down families, and they, along with the 100's of kids already in the neighborhood, plus Gregory Meadows, will need to safely get on school buses and feel safe in their own neighborhoods.

- At the very least, we should reduce the speed limit on Gregory, Rohr and Morgan to a uniform 25 if we are truly pushing a walkable township. There is now a law that municipalities can do this for reasons deemed appropriate by the municipality. HB4118.
And as Mr Hickmott has mentioned, if Pulte can't work with these requests, there is another developer waiting.

Thank you for your time in regards to this matter.

Lori Lynch
4900 Rayner Park Drive

--

Lori Lynch
248.875.7243
January 13, 2020

Sent via email: tgingler@oriontownship.org

Orion Township Planning Commission
C/o Ms. Tammy Girling
Planning and Zoning Director
2525 Joslyn Road
Lake Orion, MI 48360

Dear Planning Commissioners:

I am writing to you in my capacity as Successor Trustee of the Stanley L. Talaga Trust, which owns the property commonly known as 3537 Gregory Road. I wish to address certain matters with you regarding the proposed development of that property by Pulte Homes of Michigan.

My father acquired the property in approximately 1964 and owned and occupied it until his death in November of 2018 which predates most of the current residents. Lake Orion in general and Gingellville in particular bear little resemblance today to the rural setting which existed back in the mid-sixties. The fact is that Lake Orion has developed into a very desirable community and from the obvious infrastructure improvements this is a planned, well thought out change.

My father worked for the state of Michigan as a social worker for over 40 years and was also a licensed clinical social worker; a real “people person.” In fact, he was officially recognized by the State of Michigan House of Representatives for outstanding lifetime service (House Resolution 748).

Although I do not think that he foresaw the extent that the Township would be developed over the years, I never heard him talk about being concerned about or complaining about the nature or extent of the development of residences in the neighborhood, including the large subdivision to the south of his property, even though such development substantially changed the nature and character of the area. In fact, he embraced the changes. In point of fact, the current contract was arranged by my father who actually had the anticipated closing date circled on his calendar. He and I had on many occasions toured the area to find another home on less property which would be easier for him to maintain. He had no intention of leaving the area and was looking toward the homes on Rohr Rd., Gregory Rd. and Pepper Mill Lane.
About the only thing that my father owned when he died was this property. It is not now “my” property, but I am acting in a fiduciary capacity as Successor Trustee of his estate plan Trust to pass the property to my father’s heirs. It is impractical to divide the property between heirs who do not live anywhere near the Township, so it is my responsibility and, my attorney advises me, my duty, to sell the property for as much as I can to divide the proceeds among those heirs. This property is my father’s legacy for his family, and it seems only fair that I, as my father’s representative and on behalf of his family, should be able to reap the benefits of selling the property in the same way that other families sold their property to be developed in the past.

I am not asking for “special consideration” above and beyond that afforded to other property owners in the Township. I do believe that if the proposed development complies with the Township’s Master Plan and other ordinances, which I believe it does, and will, that we should be able to develop the property as proposed.

I will appreciate the inclusion of this letter in the Planning Commissioner’s materials for their January 15, 2010 meeting.

Thank you.

Respectfully,

[Signature]

David J. Talaga
Successor Trustee of the Stanley L. Talaga Trust
From: Daniel Haffner <vitdertise@gmail.com>
Sent: Monday, January 13, 2020 4:23 PM
To: Tammy Girling <tging@oriontownship.org>
Subject: Cottages of Gregory Meadows -- Safety Path

Please see my underlined aodifications to Don Hickmott's letter.

The purpose of this letter is to encourage the Planning Commission members to INSIST on Pulte paying in full for a safety path or sidewalk on Gregory Road to Baldwin Road if the rezoning of their 32 acres is approved. If they refuse to pay for the safety path or sidewalk, then the recommendation to the Board should be to DENY the rezoning.

Reasons for the need for Pulte to pay for the safety path:

1. The safety path millage funds have already been committed to other projects for the next two years. Thus, there are no funds available for Gregory Road. This was a untimely mistake. Perhaps the Planning Commission should postpone the consideration of rezoning until the funds are available.

2. Pulte's Cottages wants to build 72 homes on Gregory Road which will ultimately increase traffic dramatically. In addition, Pulte Gregory Meadows is all ready authorized to build 103 homes and has started building. These additional 175 homes will likely permanently make Gregory Road about as busy as it was when it was used recently for the Maybe Road detour route. This road was never designed or intended for such traffic. the road itself is only 1 inch thick without shoulders and ditches that are close to the road. To retrofit this road appropriately, it would be necessary to reconstruct it entirely.

3. Pulte has offered to divert a contribution of $70,000 from the Pasadena pocket park to the safety path fund, but it will take several times this amount to complete the path. What is safety worth? While we residents of Gregory have watched and suffered many negligences like potholes and poor road maintenance, not to mention, paths through swamps, hills and fields where no-one is seen using them, we have a far greater need for pedestrian safety than most parts of the township and that need will be 10 fold if the rezoning goes through.

4. Pulte's Cottages development will generate $28.8 million (72 X $400,000) in revenue for them. The amount needed for a safety path is very small relative to their revenue stream. I understand business and with rising costs, how difficult it is to make a profit, but I also understand litigation and how cutting corners can cost far more in the long run.

5. The Cottages and Gregory Meadows home owners will be the primary beneficiaries of the new path because they will outnumber existing Gregory Road home owners by far. The proposed path would give all residents access to the Baldwin Road paths. Existing Gregory Road home owners would get a collateral benefit -- much like repaving Gregory.

6. Dealing with the safety path at the same time Gregory Road is being repaved should result in some savings for the project, e.g. restoring each driveway on the south side of Gregory Road.

7. A survey of the 10 home owners on the south side of Gregory east of the Cottages to Baldwin revealed, 7 are in favor of the safety path, 2 are not in favor and one did not vote. The land owners
between the Cottages and Gregory Meadows are also in favor of the path. Two of the four homeowners west of Gregory Meadows are not in favor of the path.

Of the 34 home owners on the north side of Gregory, 18 were for the safety path, 2 were against and no response from 14.

If Pulte refuses to pay, the rezoning recommendation should be to deny the rezoning and then wait for another developer to come forth who will provide for a safety path.

The Planning Commission has a lot of clout in this matter, and they should use it accordingly. We can't stop an owner from developing their land, but we should stick to the plan and maintain the law. There should be no reason for the owner to sue the township for sticking to its plan. They knew it existed before they bought the property.

Thank you for reading this.

Daniel Haffner
3517 Gregory Rd.
From: Alexander Pollack <alexanderppollack@gmail.com>
Sent: Saturday, January 11, 2020 11:00 AM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Gregory Road Developments and Safety Path

Good morning Tammy,

I am sure you are well aware of the opinions of Gregory Road’s residents regarding the two new Pulte developments, but I wanted to clarify and reiterate one of the primary concerns because I felt that it was potentially misunderstood at some of the township meetings. Many residents are not opposed to higher-density rezoning to allow more families to join our community, but we are very opposed to losing one of the great benefits that makes Gregory Rd. an amazing place to live.

When my wife and I were looking to buy a house in 2016, one of our "must-haves" was a sidewalk in front of our house or very close proximity to one. We visited 3680 Gregory Road a few times before we decided to buy, and we were willing to live without a sidewalk because the amount of traffic and the vehicle speed on Gregory Road felt safe. My wife and I run every day. We usually run west on Gregory Road and cut through the Westlyn subdivision to Rohr Road as it seems to be the quickest and safest way to reach the existing safety paths. We have gotten to know many of our neighbors over the years, and many of them have enjoyed the benefits of minimal traffic on Gregory: walking dogs, running or biking down the road, and walking children to and from the bus stop. The rezoning and new developments will essentially ruin this benefit of living on Gregory Road.

As I run west from my driveway, there are only 18 homes off of Gregory Road and 39 homes in the Westlyn subdivision. There are probably a few homes on Rohr Road (both north and south of Gregory) and Dora Lane that use Gregory to reach Baldwin, but the 103 homes being built in Gregory Meadows will double the amount of traffic that we must dodge. This estimate is based only on the number of homes; many of the Gregory Road residents are retired or have children that have already moved out. Homes being built in Gregory Meadows are designed for younger families that have multiple grade-school aged children. Families like this will be making many more trips to and from home, which will increase traffic significantly more. Combining the effects of Gregory Meadows with "The Cottages" proposed development will make Gregory Road very unsafe for pedestrians. My understanding of the PUD rezoning considerations is that a benefit to the existing residents must be realized. The repaving of Gregory Road is one benefit, but with the removal of our current benefit of utilizing the roadway for walking, running, and biking, we are at a net-loss of benefits rather than a gain.

I think that a mistake was already made in allowing 103 homes to be built at the Gregory Meadows development without requiring Pulte to pay for a safety path or side walk that connects all of Gregory Road to the Baldwin Road safety paths. I hope that this mistake can be corrected during the rezoning discussions regarding The Cottages.

Very Respectfully,

Alexander Pollack
January 12, 2020

Tammy Girling, Planning & Zoning, Director
Orion Township Planning Commission
2525 Joslyn Road
Orion Township, MI 48360

Re: Planning Commission Meeting January 15, 2020

Dear Tammy,

We are writing to you to ask for your help. Please deliver this letter to the Planning Commission for the upcoming meeting on January 15, 2020. Our property is being considered for approval as a part of the Cottages at Gregory Meadows development. My sister and I are co-trustees for mom’s trust that currently owns the property. We are responsible to sell the property and distribute the proceeds to mom’s children.

We have been somewhat distressed to hear that the approval of this development has suffered some opposition. Our family has owned this property for some 35 years. The area has certainly undergone a lot of change in that time. We understand that the Township’s current planning direction for the property is that it be developed as a “high density” residential community.

The proposed development must certainly be well below what would be considered high density. We entered into a sales agreement relying on the premise that a plan meeting the Township’s direction would be approved without delay.

We have also been advised that we are being asked to pay for the cost of installing a sidewalk along a substantial length of Gregory Road well beyond our property. If our property is planned for fewer homes than the Township’s own plan would allow then why are we being asked to pay this disproportionate financial burden? Please understand that this is a cost to our family and a reduction in value for our family property. We do not believe this is fair or lawful.

Finally, we have also heard that there is some consternation over the public road connection on the south side of the proposed development. Please note that our property offers an outlet to Gregory Road that would otherwise be unavailable to the adjacent Talaga property.

If the Smith and Talaga properties are not developed in one plan, the access for Mr. Talaga’s property would certainly have to utilize the public road to the south. It seems like the two properties together make for a nice plan to alleviate some of this concern.
We are sorry that we are visiting family out of town this week and are not able to attend the meeting. We hope and trust that our rights as long time Orion Township property owners will be recognized and respected.

Thank you for making sure that this letter makes it to the Commissioners and is read at the meeting by the Planning Commission.

Sincerely,

Sandy Parker

Vickie Molnar
From: Kayl, Colleen <ckayl@k12.com>
Sent: Tuesday, January 14, 2020 11:48 AM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Cottages of Gregory Meadows Concern

Colleen Kayl

3468 Gregory

Lake Orion, MI 48359

Cell: (248) 342-2213

1.14.20

Good afternoon,

I, Colleen Kayl, reside on 3468 Gregory, with my husband Jeff, daughter Charlotte (6) and son Jack (3.) We moved here from Rochester Hills in 2010 to get away from the expanding bustle of RH for a quieter life but remain near the convenience of society. My husband worked on both fire departments as a paramedic and volunteer firefighter, as well as a medic in our area with STAR EMS. In other words, we have been very invested in the safety of our community.

I find it necessary to voice my concerns regarding the development on Gregory Road. I do not think the addition of, yet another Pulte subdivision is in the best interest of our neighborhood and the safety of our citizens. I understand that development will take place on that land but disrupting our Gregory neighborhood is not acceptable. The addition of Gregory Meadows will already increase the flow of traffic, and yet adding traffic for an additional 72 homes will ruin our neighborhood and put our kids at risk. We are extremely against this development, as I know all our neighbors are. It is not why we moved here, and we are already considering our options to move to another city.

In addition, I am terrified of my children going near the road, which isolates us from building relationships with neighbors. I must drive my daughter to her kindergarten friend that lives 5 houses away to keep her safe. There is absolutely no way we can walk down Gregory with our kids to places such as Menchies and the beautiful new paths on Baldwin. The speed, volume and recklessness of drivers now makes it highly unsafe. I encourage you to come out to our house in the morning and afternoon and see for yourself! It has calmed down now that the detour has been removed, but I imagine that will be what our daily life will become. It’s unacceptable. The addition of sidewalks would greatly enhance our living experience and overall happiness. They are essential if residence with children are considering taking a walk, riding a bike, or visiting with one another. I urge you to make Pulte pay for the safety path should they be successful in adding this new development.

In conclusion, please consider not allowing another subdivision to ruin our community on Gregory Road. Enough traffic has already been added with the addition of Gregory Meadows; we do not need more. Lastly, please consider adding much needed safety paths on Gregory as well. They are essential for building community and keeping our children safe.

Thank you and please contact me with any questions.

Sincerely,

Colleen Kayl
From: Shane Majesky <shanemajesky@hotmail.com>
Sent: Tuesday, January 14, 2020 7:11 PM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Pulte Rezoning and Gregory Road Safety Path

As a resident of the area and after witnessing the traffic in the area last spring/summer/fall I request that the planning commission have Pulte pay for a safety path on Gregory Road before giving an approval to their rezoning request to build 72 more homes.

If allowed to build, there will be a total of 175 new homes, with 2-3 cars per household which means an addition of traffic of 350 - 525 more vehicles on Gregory Rd. every day.

I appreciate the pocket park Pulte is helping to pay for I think it is great for the community. We would like to be able to get to it without getting taken out. With out the walk path it will be unsafe for Gregory Road residents to enjoy it.

The average builder makes about 18% per home with the two subdivisions Pulte a very experienced and efficient builder will easily pocket 12.6 million from the two subdivisions minus the cost of paving Gregory.

I would also like to add, I don't understand why Gregory Rd. would not be on the list for a walk path already, knowing the amount of work that is going on in this area it only stands to reason the population is slated to rise better look at safety concerns. It seems as though as far a Gregory Rd. it is always oh sorry but we don't have any funding for the next two years. We need to have more foresight about where are growth is going to be. Why is our township always in reaction mode even planning.

This is a comment by a Heather Lake Resident on the social media app Nextdoor discussing Gregory Rd. just days before Maybe Rd. was opened back up
"Yes it is not just the roads but there were residents walking near the edges of the muddy roads and front yards when we drove through there last night. There are no street lights and sidewalks for them, too much traffic now increases the probability of a resident getting seriously injured on or off the road. Icy weather is going to be even more challenging on those dirt roads."
I would strongly urge you to read the comments if you are on the social media app. Note that he thinks the road is unpaved.

Please I am asking that you not approve the plan without and agreement for Pulte to pay for the safety path.

Regards,

Shane E. Majesky
3967 Westlyn
Orion, Mi. 48359
From: B.C Cotter <cotterski@hotmail.com>
Sent: Wednesday, January 15, 2020 8:18 AM
To: Donni Steele (donnisteele@yahoo.com) <donnisteele@yahoo.com>; Tammy Girling <tgirling@oriontownship.org>
Subject: Safety Paths / Lake Orion

Tammy Girling, Donnie Steele,

I strongly support that the Developer of the Cottages at Gregory Rd. / Pulte in regards to a safety path on the South side of Gregory Rd. as part of their / Pulte community benefit. The Developer needs to demonstrate their intent to the community benefit of their proposed project and to the overall community of Lake Orion.

Please pass this on to the Planning Commission members for the Wednesday, January 15th meeting.

Thank you for your support, time and consideration,
B.C. Cotter
15 year and current member of the Orion Safety Path Advisory Committee
John D. Maynard  
4437 Peppermill Ln.  
Lake Orion, MI 48359  

Charter Township of Orion  
Chris Barnett, Township Supervisor  
Justin Dunaskiss, Planning Commission  
2525 Joslyn Road  
Lake Orion, MI 48360

Gentlemen,

My wife Karen and I got quite an education at the Orion Township Joint Trustee and Planning Commission meeting held on 16 Oct 2019. The principle agenda topic was the Planned Unit Development (PUD) proposal (PC-2019-48) submitted by Pulte Homes of Michigan for the construction of 72 site condominium units (The Cottages of Gregory Meadows) on the designated land plot covering approximately 32.74 acres.

Pulte Homes and their architect consultant presented a development scheme that requested rezoning the land from Suburban Farm (SF) to Residential R3 density, which places about 3 homes per acre of land. There were many features of Pulte’s Cottages proposal that were attractive when compared the straight subdivision of the land for either Residential R2 or R3. Both of these configurations presented by Pulte’s consultant would have increased the housing density about 10-15 units beyond the plans for 72 units in the Cottages of Gregory Meadows proposal. I wonder what configuring the land to Suburban Farms or Residential R1 would yield in density. I strongly suggest Pulte be required to map out plans for both SF and R1 zoning too so the Planning Commission has a better means of evaluation.

Opposing voices from residents of Gregory Rd and the Morgan Pines subdivision spoke against the re-zoning for a variety of reasons. Safety is paramount. Placing another high-density development (72 units) in close proximity to Gregory Meadows (103 units) is excessive to local residents. This would add approximately 340 privately owned vehicles in this area, which is untenable to the residents affected. Again, safety is the number one concern to Morgan Pines and Gregory Rd homeowners and must be the chief concern for Orion Township as well. The fact remains that many Morgan Pines residents and I are opposed to developing this land. If this is not possible, I see the best alternative for Morgan Pines is for the Cottages to route its secondary access point to another road instead of Peppermill Ln.

After the meeting break was called, I welcomed the opportunity to speak with both of you. You exhibited empathy for the difficult situation that the residents along Gregory Rd and in Morgan Pines subdivision find themselves. My conversation went a bit longer with you, Supervisor Barnett. You explained the legal situation that the Township gets caught up in when landowners sell to developers. You counseled how the courts generally find against the municipalities in land use cases. I appreciated your explanation of how PUDs afford the Township additional rights and the ability to negotiate in certain project contract provisions. Once these provisions are contractual, the Township has financial safeguards to ensure developers live up to them.

I got the sense that the property in question will be developed and that the Township will work to make sure the impact to the local residents is minimal and as safe as possible. I liked a couple
of the ideas put forth, which I regard essential for inclusion in the PUD. Adding these as provisions to the PUD will provide some mitigation for the local residents. For Morgan Pines, I see the following provisions as a must:

1. Place an emergency gate at Peppermill Lane’s northern boundary between Morgan Pines and the Cottages of Gregory Meadows. This emergency gate would only open for emergency fire and police traffic (siren activated) and afford compliance with Township Ordinance. The emergency gate would be a great compromise item and would provide the safety that the Morgan Pines residents seek.

2. Prohibit any construction traffic from using Peppermill Ln, especially during the land preparation and build phases of the Cottages of Gregory Meadows project. This would be another safety provision for Morgan Pines residents and eliminate degradation of Peppermill Ln, which has a fragile road surface at best.

3. Extend the Cottages of Gregory Meadows’ fire hydrant system to its border with the Morgan Pines subdivision. This would provide the Township Fire Department close access to water to combat fires for at least 10-14 of the homes at the north end of Morgan Pines. I am certain the Township Fire Chief would strongly support including this in the PUD.

For Gregory Rd residents, I would recommend the following as a minimum:

1. A PUD provision that the developer builds a safety path along Gregory Rd that helps keep the residents safe from the increased traffic that road.

2. Lower the speed limit to 30 mph on Gregory Rd, from Rohr Rd to Baldwin Rd. Also add speed humps on Gregory Rd to help control speed and improving resident safety.

I believe the Orion Township PUD ordinance will help the Township control many aspects of the Cottages of Gregory Meadows development, if approved. I would like to take part in any discussions to help craft a PUD for this project that provides the safety needed for the both residents of Morgan Pines and Gregory Rd. Thank you.

Sincerely,

[Signature]

John D. Maynard
LDR, SC, USN (Ret)
FYI, please see below.
Thanks

Donni Steele, Treasurer
Charter Township of Orion
2525 Joslyn Rd.
Lake Orion, MI 48360
P: 248-391-0304, ext. 8001
E: dsteele@oriontownship.org
W: www.oriontownship.org

From: Don Hickmott <gingellman1@gmail.com>
Sent: Wednesday, October 30, 2019 5:23 PM
To: trusteesteimel@gmail.com
Cc: Donni Steele <dsteele@oriontownship.org>
Subject: Cottages of Gregory Meadows

Mr Steimel
The purpose of this email is to get some insight in how the township will deal with Pulte's rezoning request re Cottages of Gregory Meadows.

I attended the public hearing on Oct. 16th and stayed for its entirety.

1) The planning consultant's (GiffelsWebster) conclusion listed 13 areas where Pulte's plan needed attention. Only a couple of these items were mentioned by anyone at the public hearing. Will Pulte be required to meticulously deal in writing with each of the 13 items? Will the public get access to Pulte's response? Will GiffelsWebster then also review Pulte's response?

2) GiffelsWebster did not mention a safety path the length of Gregory Road, but the public did. How does Pulte paying for a safety path get into the rezoning discussion? (Mr. Flood mentioned he would be a no vote on the rezoning if the safety issues were not resolved.)

Your insights would be appreciated.
Thanks
Don
From: Matthew Rama <MRama@lwpower.com>  
Sent: Wednesday, November 13, 2019 9:40 AM  
To: Tammy Girling <lgirling@oriontownship.org>  
Cc: gldii1@comcast.net  
Subject: PC-2019-48

Tammy,

Please forward to Justin Dunaskiss and the PC in regards to PC-2019-48

To Orion Township Planning Commission,

After attending the initial meeting and public comment, the residents of Morgan Pines are still opposed to the PC-2019-48 Proposal in its original form. We are concerned with the number of residences planned and its adverse effect on our safety. Reiterated that connecting to Peppermill Lane will cause a major increase to traffic. Peppermill Lane is not equipped with sidewalks or street lighting. Peppermill Lane at Morgan is a bus stop for the Lake Orion Schools.

However, many residents understand and embrace development when it is executed in the best interest of the community, its residents, and most importantly their safety and well-being. With that said, we would ask that if such development is approved and progresses to the next steps, can the PC please recommend a gate system be installed at the connection point of Morgan Pines and the current proposed Cottages?

This type of gate with emergency access activation is not uncommon in these types of situations. Most residents of Morgan Pines are in agreement and would welcome such installation which would help mitigate traffic and uphold the safety of our residents.

Thank you for your consideration and support of the Morgan Pines residents.

Regards,

Matt Rama  
4579 Peppermill Court  
248-464-3346  
Morgan Pines HOA Vice President

Cc: Jerry DeMott, MPHOA President
From: Lawrence Smith <chody@aol.com>
Sent: Thursday, January 9, 2020 9:38 AM
To: Tammy Girling <tgirling@oriontownship.org>
Cc: ringellman@sbcglobal.net
Subject: Pulte development on Gregory - safety path

I live on Rohr, and have lived here for 42 years. Gregory is NOT designed for bike and/or foot traffic. As new homes are built more people will be walking and riding on Gregory. Especially since Orion is expanding their Parks. How are these people to get to the parks, and, walkway that is being built along Baldwin?
Does anyone remember that there is a "Hill" on Gregory? Just think if your kids were walking over that hill with all the increased traffic!
Yes - a safety path should be required!
You keep talking about Law suites that Orion can't afford. If you don't require this safety path - aren't you opening the door for a LARGE law suit for Negligence for NOT requiring this when you are fully aware of the dangers of walking on Gregory? Gee - there is one on Maybe.

Lawrence A Smith
4155 Rohr rd
248-391-0085
-----Original Message-----
From: Rene Bryce <rrbryce1@shcglobal.net>
Sent: Tuesday, January 7, 2020 8:50 AM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Safety Path for Gregory Rd

Hello Tammy,

My name is René Bryce. I live at 4180 Rohr Rd. in Orion Township. I’m writing to let you know I strongly would like safety paths on Gregory Road. I enjoyed bicycling in the township and trying to get to the current safety paths from my house via Gregory Road is extremely dangerous. There are many blind spots due to steep hills and I don’t feel that cars using Gregory Road have enough visibility to see me. With the added traffic that this development will bring, the situation will only become worse. It has been brought to my attention that the funds set aside to complete the pocket park would not be sufficient to complete safety paths on Gregory Road therefore if we are going to do the development a favor by rezoning and affecting our immediate community, I believe they can and should pay for safety paths to accommodate the current residence.

René Bryce
Sent from my iPhone
From: Rick Harris <hharrisrick@aol.com>
Sent: Monday, January 6, 2020 5:15 PM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Pulte

Ms Girling, I am totally against Pulte building 72 condos on the 32 acres. How many acres will the roads and easements take up. The lots will be approximate will be .25 acres each. The traffic on Gregory Rd will be worse than it was during the Maybee Rd closure. Also a safety path along Gregory Rd is absolutely necessary. Please limit the number of homes allowed in the Cottages of Gregory Meadows.

Thank you for listening.
Richard Harris
3407 Gregory Rd
Oriun, MI 48359
248-755-8131
-----Original Message-----
From: Arising Images <info@arisingimages.com>
Sent: Monday, January 6, 2020 3:38 PM
To: Tammy Girling <tgirling@oriontownship.org>
Cc: Don Hickmott <gingellman1@gmail.com>
Subject: safety path

Hi Tammy,
I know there are some discussions over a safety path on Gregory Rd. I am strongly in favor of that. Gregory rd is really dangerous.
When my kids need to walk to their bus stop, it's scary. When it's winter and the roads are covered in snow, there is no place for them to walk and going to the bus stop in the dark with snowy/icy roads is not good.
This year we were able to get their bus stop moved closer which helped but the last two years we couldn't. Who knows what the next 6 years will bring.
We would also love to be able to just go for a walk or bike ride and go enjoy some of the new things on baldwin. But as is, there is no safe way to get there from our house as the road is just way too dangerous to walk or ride. The lanes are already narrow and in some areas, there is no good place to get off the road.
I am personally not against the new construction and development that Pulte is doing but I think putting in a safety path is a small concession that they should be required to make especially since their developments will be increasing traffic on Gregory.
I know you guys are talking about putting parks in but what's the point of a park if there is no safe way to get there?

Thanks,
Prem
4161 Gregory Rd
586-854-5027
Ms. Tammy Girling
tgirling@oriontownship.org

Subject: Cottages of Gregory Meadows -- Safety Path

The purpose of this letter is to encourage the Planning Commission members to INSIST on Pulte paying in full for a safety path or side walk on the south side of Gregory Road to Baldwin Road if the rezoning of their 32 acres is approved. If they refuse to pay for the safety path or sidewalk, then the recommendation to the Board should be to deny the rezoning.

Reasons for the need for Pulte to pay for the safety path:

1. The safety path millage funds have already been committed to other projects for the next two years. Thus, there are no funds available for Gregory Road.

2. Pulte's Cottages wants to build 72 homes on Gregory Road which will ultimately increase traffic dramatically. In addition, Pulte Gregory Meadows is already authorized to build 103 homes and has started building. These additional 175 homes will likely permanently make Gregory Road about as busy as it was when it was used recently for the Maybe Road detour route -- a long term untenable situation.

3. Pulte has offered to divert a contribution of $70,000 from the Pasadena pocket park to the safety path fund, but it will take several times this amount to complete the path.

4. Pulte's Cottages development will generate $28.8 million (72 X $400,000) in revenue for them. The amount needed for a safety path is very small relative to their revenue stream.

5. The Cottages and Gregory Meadows home owners will be the primary beneficiaries of the new path because they will outnumber existing Gregory Road home owners by far. The proposed path would get all access to the Baldwin Road paths. Existing Gregory Road home owners would get a collateral benefit -- much like repaving Gregory.

6. Dealing with the safety path at the same time Gregory Road is being repaved should result in some savings for the project, e.g. restoring each driveway on the south side of Gregory Road.

7. A survey of the 10 home owners on the south side of Gregory east of the Cottages to Baldwin revealed, 7 are in favor of the safety path, 2 are not in favor and one did not vote. The land owners between the Cottages and Gregory Meadows are also in favor of the path. Two of the four homeowners west of Gregory Meadows are not in favor of the path.

Of the 34 home owners on the north side of Gregory, 18 were for the safety path, 2 were against and no response from 14.

If Pulte refuses to pay, the rezoning recommendation should be to deny the rezoning and then wait for another developer to come forth who will provide for a safety path.

The Planning Commission has a lot of clout in this matter, and they should use it accordingly.

Don Hickmott
3731 Gregory Road
248-391-2844
Know what's below. Call before you dig.
Know what's below. Call before you dig.
Know what's below. Call before you dig.
Know what's below. Call before you dig.
Know what's below. Call before you dig.
Know what's below. Call before you dig.
Know what's below.
Call before you dig.
From: Donni Steele <dsteele@oriontownship.org>
Sent: Wednesday, January 8, 2020 11:32 AM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Gregory Road Safety Path

Hi Tammy,

Could you please share this email as an additional document to Safety Path minutes with the Planning Commission.

This is a good picture of the projects and financial position of safety path moving forward. Please note our DEFICIT as of 12/23/19 is ($1,719,059.81), according to this statement.
The 2020 projected safety path milage funds are $409,000, which still leaves a deficit. We also have grants coming in to help cover the cost which are not reflected. These costs are estimated, bid documents for projected projects are anticipated this year. Also, any information from OHM regarding the path contributions from previous developers would be greatly beneficial.

Thank you,

Donni Steele, Treasurer
Charter Township of Orion
2525 Joslyn Rd.
Lake Orion, MI 48360
P: 248-391-0304, ext. 8001
E: dsteele@oriontownship.org
W: www.oriontownship.org
### SAFETY PATH FUND STATUS – thru 12/23/19
#### YTD Revenue vs Expenditures

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Millage Revenue</td>
<td>$376,948.37</td>
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<tr>
<td>Pers Prop Tax Reimb</td>
<td>3,722.56</td>
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<tr>
<td>Payment in Lieu of Taxes (PILT)</td>
<td>1,706.57</td>
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<tr>
<td>Industrial Facility Tax</td>
<td>531.45</td>
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<tr>
<td>ROW Permits</td>
<td>18,295.87</td>
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<tr>
<td>State Grant Other</td>
<td>30,000.00</td>
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<tr>
<td>Interest</td>
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<tr>
<td>Gain/loss on investment</td>
<td>31,411.90</td>
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<tr>
<td>Contr from Developers</td>
<td>38,191.00</td>
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<tr>
<td>Insurance Proceeds</td>
<td>1,500.00</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td><strong>$519,144.13</strong></td>
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#### Unrestricted Fund Expenditures:

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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Operating Expense:</td>
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<tr>
<td>Non-supervisory Salaries</td>
<td>18,516.38</td>
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<td>Social Security</td>
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<td>Printed Forms</td>
<td>0.00</td>
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<tr>
<td>Engrg Fees – not capitalized</td>
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<tr>
<td>Grounds Maintenance</td>
<td>0.00</td>
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<tr>
<td>Safety Path Repairs</td>
<td>141,408.72</td>
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<td>Safety Path Mowing</td>
<td>6,082.45</td>
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<tr>
<td>Admin Service Charge</td>
<td>11,528.00</td>
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<tr>
<td>Dues &amp; Misc</td>
<td>1,082.51</td>
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<tr>
<td>Tax Tribunal</td>
<td>(30.02)</td>
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<tr>
<td>Contr to Restricted</td>
<td>0.00</td>
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<td><strong>Total Operating Expense</strong></td>
<td><strong>$182,254.50</strong></td>
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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Construction Projects:</td>
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<tr>
<td>Indianwood Ph III Design</td>
<td>22,000.00</td>
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<tr>
<td>Indianwood Ph III Const OHM</td>
<td>50,000.00</td>
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<tr>
<td>Indianwood Ph III Superior</td>
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<tr>
<td>Indianwood Ph III OHM</td>
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<td>Indianwood Ph III Engrg</td>
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<td>Clarkston Ph 1A &amp; 1B Superior</td>
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<td>Clarkston 1B Inspection</td>
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<td>East Clarkston Project Consultants G2</td>
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<td>East Clarkston Project Easements</td>
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<td>East Clarkston Design</td>
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<td>SRTS Design OHM</td>
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<td>SRTS Consultants G2</td>
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<td>Barrington/Stratford Bridge Reversal</td>
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<td>Joslyn Rehab OHM</td>
<td>19,580.00</td>
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<td>ITC Trail</td>
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<td><strong>Total Construction Projects</strong></td>
<td><strong>$543,570.64</strong></td>
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<tr>
<td><strong>Total Unrestricted Fund Expenditures</strong></td>
<td><strong>$1,125,925.20</strong></td>
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<table>
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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Remaining Unrestricted Fund Balance</td>
<td><strong>(606,781.07)</strong></td>
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#### SUMMARY

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<tr>
<td>Prior Unrestricted Funds</td>
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<tr>
<td>Change in Unrestricted Fund Balance</td>
<td><strong>(606,781.07)</strong></td>
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<tr>
<td>Contribution to Restricted Fund/Ordinance</td>
<td><strong>(18,847.42)</strong></td>
</tr>
<tr>
<td><strong>Current Unrestricted Fund Balance</strong></td>
<td><strong>$346,359.83</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Restricted Funds</td>
<td><strong>$0.00</strong></td>
</tr>
<tr>
<td>Contribution to Restricted Fund/Ordinance</td>
<td><strong>18,847.42</strong></td>
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<tr>
<td><strong>Current Restricted Fund Balance</strong></td>
<td><strong>252</strong></td>
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<table>
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<tr>
<th>Description</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Total Safety Path Fund Balance</td>
<td><strong>$364,207.25</strong></td>
</tr>
</tbody>
</table>
SAFETY PATH “CHECKBOOK”
(thru 12/23/19)

Unrestricted Funds $345,359.83
Unpaid Projects Pending (see detail below) (2,064,419.64)
Unrestricted Funds Available 1,719,059.81

Restricted Funds $ 18,847.42
Less Unpaid Maintenance Pending 0.00

Restricted Funds Available $ 18,847.42

Note: Future (2020) millage revenue, reimbursements from grants and other fund sources are not included in the above figures.

Pending Project Detail:
121-14-0050 Indianwood Phase III Superior $ 54,026.30
121-14-0056 Indianwood Phase III Easement OHM $ 5,483.75
121-14-0053 Indianwood Phase III OHM $ 6,560.00
121-14-0066 Indianwood Phase IV Easements OHM $ 256.25
121-14-0074 Clarkston Ph Ia Superior $ 1,23
121-14-0074 Clarkston Phase Ib Superior (combined with water main) ($10,646.80)
121-14-0073 Clarkston Phase Ib Insp OHM $ 3,280.00
? Clarkston Phase Ib Engrq Misc $ 818.50
121-16-0182 Joslyn Rd Rehab JV13613 OHM/JV13711 OHM $ 3,560.00
? Joslyn Rd Connector ? $ 450,000.00
? East Clarkston Ph III ROCO $1,072,200.00
121-17-084 East Clarkston Ph III Const Services OHM $ 222,700.00
? East Clarkston Ph III Easements $ 1,177.01
121-17-082 East Clarkston Ph III Easements $ 3.00
12-14-073 Barrington/Stratford Bridge Superior $ 0.40
Charter Township of Orion
2525 Joslyn Road, Lake Orion MI 48360; (248) 391-0304; Fax: (248) 391-0332
Website: http://www.oriontownship.org

Orion Safety Path Advisory Committee – Regular Meeting
Tuesday, November 12, 2019 – 7:00 p.m.

**DRAFT**

1. Call to Order:
   The Charter Township of Orion Safety Path Committee held a regular meeting on Tuesday November 12, 2019 at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan. The meeting was called to order at 7:01 PM

2. Roll Call
   Michael Brinkmann (Treasurer) – Present
   Tony Cook (Chair) – Absent with Notice
   B.C. Cotter – Absent with Notice
   Michael Flood (Non-Voting) – Absent with notice
   Jessica Katers (OHM – Twp. Engr) – Present
   Jennifer Miller - Present
   Becky Osborne – Present
   Taylor Reynolds (Vice Chair) – Absent with Notice
   Jerry Richards – Absent with Notice
   Donni Steele (Board Representative) – Present
   Jeff Stout – (Operations Director) – Present
   Attendee – Don Hickmott

3. Determination of a Quorum (min. 4) – Quorum met

4. Approval of Minutes – September 10, 2019 – Motion to Approve Meeting Minutes as submitted by Donni Steele, supported by Becky Osborne, all ayes, motion approved.

5. Approval of Agenda – November 12, 2019 – Motion to accept Agenda as submitted by Becky Osborne, seconded by Michael Brinkmann, all ayes, motion approved.
6. **Public Comment on Non-Agenda Items** — 3 minute limit per person — no public comment

7. **New Business** — None

8. **Pending Business** —
   
   
   B. Safe Routes to School — 2020 Spring Construction
      
      i. Easement Update — 3 easements left, easement new Keatington Subdivision, Condominiums south side of Waldon waiting on 51% of owners to respond
      
      ii. North of ITC Corridor — final review of apartment complex, school final easements clarification — 8 campus spread
   
   C. Joslyn Road Path North of Heights Road (grant): - Katers — bid winter, spring construction
   
   D. East Clarkston Road Pathway Project (M-24 to Paint Creek Trail) — Katers — OHM prepare, MDNR for trust fund grant, tree trimming needs to be done by March, bid opening 2020 early
   
   E. Indianwood Phase III, IV
      
      i. Indianwood Phase III — path in, restoration complete, will check restoration in spring
      
      ii. Indianwood Phase IV — Project on Hold, Still having conversations regarding easements on two parcels with the owner
   
   F. New Township Hall Safety Path — Recap of Email Discussion — Katers — Proposed safety path in front of new Township Hall, will cross Joslyn South and go north across Greenshield Rd to 1st driveway approach of township hall, will not continue to Scripps, pedestrian infrastructure at township hall, extended paths around facility are not a safety path expense
   
   G. Pathway Maintenance — Stout — plow snow 7 mile loop, no maintenance as end of season
H. Gregory Road - Discussion with Don Hickmott attendee regarding Pulte Homes rezoning new build on Gregory Road, discussed volume of homes (easements), safety path, PUD discussion vs rezoning and rights after approval. PUD allows for community benefit, rezoning does not. Discussion of presentation to Planning Commission for Pulte to fund safety path for community benefit, Motion by Donni Steele to support safety path on Gregory Road on the south side at no cost to Safety Path Fund including easements and acquisition of easements to rely on community benefit funds paid by builder. Motion seconded by Mike Brinkmann, all ayes, motion passes. Further discussion regarding width of path (5ft vs 8ft, 10ft)

I. Safety Path Committee - 2020 – Members and Officer Elections – Short discussion on interest of officer positions, decision to table until next meeting

9. Organization Reports
   A. Planning Commission – Katers/Stout/Steele – Planning Commission Joint Meeting, Cottages at Gregory Road proposal of 5 foot sidewalk. Lavender Ridge – public hearing – pathway down Squirrel Road
   B. Paint Creek / Polly Ann / Iron Belle – Steele – Finishing master plan Polly Ann – survey online, resurfacing Paint Creek Trail, snow covered, in process, Master Plan also Paint Creek, Inspection of 2 bridges owned by Township with inspection reports incoming

10. Committee Comments – Jeff Stout thanks Mike and Becky for Service, Jessica reminds Township Holiday Party December 13th at Kings Court, Donni thanks all members

11. Adjournment – at 8:20 meeting adjourned

Next Meeting: Tuesday, January 14, 2020 at 7pm @ Township Offices

In the spirit of compliance with the American with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two (72) hours in advance of the meeting if requesting accommodations.
-----Original Message-----
From: Team Tony <payoffinfo@yahoo.com>
Sent: Wednesday, January 15, 2020 10:55 AM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Safety path consideration for Gregory development

Good morning Tammy,

As a member of the Orion Safety Path Advisory Committee, I am contacting you in reference to the Gregory road project(s). I would like to share that I am NOT in favor of the applicant being able to make payment in lieu of constructing the safety path. The greater benefit to the community and future residents would be having safety path constructed from the property east to Baldwin road. This would be a win for the developer, current residents and future residents of the township.
THE COTTAGES

AT GREGORY MEADOWS

A PLANNED UNIT DEVELOPMENT IN ORION TOWNSHIP

JANUARY 15, 2020
• Located near shopping, restaurants, and other amenities (Future Village Center)
• Proximity to I-75
• Surrounded by similar zoning designations
• Availability of municipal utilities
PROPOSED PROJECT

- 32.7 Acres
- Steep Slopes/Treed Site
- 72 single family ranch units
- For sale - maintenance free living
- 2.6 du / ac
- Over 4 acres of woodland preservation
- Over 12 acres of open space (including ponds)
- Nature Trails & Sidewalk
SUMMARY OF CHANGES

- **Peppermill Lane Connection:** Peppermill Lane cross-connection was revised to be a cul-de-sac with emergency access only.

- **Village Center Road Connection:** A stub street was provided for future cross-connection with the adjacent Village Center property to the east.

- **Safety Path Contribution:** The developer is proposing a contribution for the construction of a public safety path along Gregory Road.
Consistency with Township Master Plan Use & Density
EXISTING & FUTURE ZONING

EXISTING ZONING MAP

- SF Suburban Farms
- SE Suburban Estates
- SR Suburban Ranch
- R-1 Single Family Residential (14,000 sq. ft.)

* Suburban Farms allows for a density of between 0.1 & 0.5 DU / AC

FUTURE LAND USE MAP

- Single Family Medium Low Density
- Single Family Medium Density
- Single Family Medium High Density
- Village Center

* Single Family Medium High Density allows for a density of between 3-5 DU / AC
TOWNSHIP MASTER PLAN

- Township Master Plan designates site as Single Family Medium High Density
- Single Family Medium High Density correlates to R-1, R-2, & R-3
- Provide for alternative housing
- Allows 3-5 du/ac
- Proximity to Village Center and I-75
- Parcel has public utilities
- Project conforms with Township Master Plan
DENSITY

- R-3 DESIGN
  - Master Plan Zoning: Single Family Medium High Density (R-1 - R-3)
  - 93 Units; 3.45 du/ac

- R-2 DESIGN
  - Master Plan Zoning: Single Family Medium High Density (R-1 - R-3)
  - 77 Units; 2.85 du/ac

- PROPOSED PLAN
  - Master Plan Zoning: Single Family Medium High Density (R-1 - R-3)
  - 72 Units; 2.61 du/ac
PROJECT INFORMATION & DENSITY

DENSITY
Master Plan- Single Family Medium High Residential (3-5 du/ac)
72 units / 27.51 acres = 2.6 du/ac (net)
72 units / 32.75 acres = 2.2 du/ac (gross)

OPEN SPACE
Net - 8.2 ac (24.9%)
Gross - 12.1 ac (36.9%)

SETBACKS
PERIMETER
FRONT 30 FT
SIDE 10 FT
REAR 35 FT

REQUESTED (R-3)
PROPOSED
FRONT 30 FT 55 FT MIN.
SIDE 10 FT 30 FT MIN.
REAR 35 FT 75 FT MIN.

BUILDING SEPARATION
FRONT to ROW N/A 57 FT
SIDE to SIDE N/A 20 FT
REAR to REAR N/A 75 FT MIN.
PUD ELIGIBILITY

Per Article 30.03 Planned Unit Development (B) to be eligible for a Planned Unit Development approval, the applicant shall demonstrate that the following criteria will be met:

1. RECOGNIZABLE BENEFITS
   - Preservation of natural features
   - Preservation of historic buildings- N/A
   - Access Management & Traffic Patterns
   - Future connection to Village Center
   - Aesthetic Qualities
   - Improvements in public safety or welfare
   - High quality architectural design
   - Contribution to Public Safety Path

2. DENSITY IMPACT

3. TOWNSHIP MASTER PLAN

4. ECONOMIC IMPACT

5. GUARANTEED OPEN SPACE

6. UNIFIED CONTROL
1. RECOGNIZABLE BENEFITS
PRESERVED WOODLANDS

- Preserved steep slopes
- 4.4 ac of preservation
- 12.1 ac of open space
1. RECOGNIZABLE BENEFITS
ACCESS MANAGEMENT & TRAFFIC PATTERNS

- Eliminates dead end road in event of emergency
- Provides three points of connection
- Proposed nature trail and sidewalk connections
- Improved circulation
- Stub road to Village Center will eventually give access to Baldwin Rd
1. RECOGNIZABLE BENEFITS
CONTRIBUTION TO SAFETY PATH

- Donate funds to construct a public safety path along Gregory Road.

- Contribution proposed in response to local community feedback.
1. RECOGNIZABLE BENEFITS

AESTHETIC QUALITIES

- Native landscaping

- Professionally maintained landscaping (HOA maintained)

- Great environmental balance with "clustered" homes, preservation, and proposed open space
1. RECOGNIZABLE BENEFITS
ARCHITECTURAL DESIGN

- Single story ranch design to meet growing local demographic
- Multiple housing options to choose from
- Attractive architectural design
- "Life tested" by Pulte
2. DENSITY

➤ R-3 DESIGN
- Master Plan Zoning: Single Family Medium High Density (R-1 - R-3)
- 93 Units; 3.45 du/ac

➤ R-2 DESIGN
- Master Plan Zoning: Single Family Medium High Density (R-1 - R-3)
- 77 Units; 2.85 du/ac

➤ PROPOSED PLAN
- Master Plan Zoning: Single Family Medium High Density (R-1 – R-3)
- 72 Units; 2.61 du/ac
3. TOWNSHIP MASTER PLAN

- Township Master Plan designates site as Single Family Medium High Density
- Single Family Medium High Density correlates to R-1, R-2, & R-3
- Allows 3-5 du/ac
- Proximity to Village Center
- Project conforms with Township Master Plan
4. ECONOMIC IMPACT

➢ HOUSING IMPACT

- Increased tax base and use of municipal utilities
  (tap fees, REU’s, etc.)
- It is estimated that 20% of discretionary income is spent locally on foods, services, and general goods according to the National Homebuilders Association.
- It is estimated that 1.1 sustained jobs are supported by each new home.
5. GUARANTEED OPEN SPACE

- Overall 36.9% of site's open space (12.1 acres)

- Wooded open space, viewsheds and developed open space all provided on site

- Provides balance between the built and natural environment

- Promotes and fosters passive and active recreational opportunities
6. UNIFIED CONTROL

- Secured interest in land
- Pulte Homes of Michigan LLC will be the developer and homebuilder
- Single ownership – for sale home development
QUESTIONS?

THE COTTAGES

AT GREGORY MEADOWS
PUD Concept Review – 2nd Review
The Cottages at Gregory Meadows - 12/19/2019 Revised Plans

- 72 SF detached site condos
- 32.75 gross acres – 2 parcels
- Access from Gregory Rd
- 60-ft roadway and utility easem.
- 8.16 acres of open space
- Zoned SF Suburban Farms
- Surrounded by SF & Woodlands
4. Recognizable benefit.

a. Preservation of natural features. The applicant should address if any existing trees surrounding individual proposed buildings are intended to be preserved or if all areas immediately surrounding buildings would be cleared.
4. Recognizable benefit.

   c. **Improvements in traffic patterns.** Enhanced traffic circulation and a less sprawling form of development are encouraged.

   No proposed or future access through the west boundary of the site has been proposed. The applicant should address why the proposed roadway system has not been designed to connect to the west boundary of the site and Pasadena Drive (to east).
4. Recognizable benefit.
   
   f. High-quality architectural design.

The applicant should address what specific architectural features of the proposed units make them high-quality design.

Preferably, all three unit types would have recessed garages or the applicant should replace the Bayport concept with one that has a recessed garage.

Min. 50% side-entry or recessed required
5. Density impact & Plan submittal.

R-3 = 93 units  R-2 = 77 units  SF = 10 units

Overall density shall be determined by use of this density plan using the existing zoning and/or the Master Plan. The ultimate density shall be recommended by the PC and determined by the Township Board and shall be based upon the underlying zoning or a density as designated by the Master Plan.
6. **Township Master Plan.**

SF Medium High Density

Range of 3 to 5 du/acre

Lot sizes 8,000 to 14,000 sf

Corresponds to R-1, R-2 & R-3 districts

*Proposal is less intense than R-2 & R-3*
7. **Economic impact.** A fiscal and marketing analysis based on the current SF zoning could be requested by the PC in determining impact as this section references existing zoning.

8. **Guaranteed open space.** PC may determine if a sufficient amount of the 5 open space areas is usable active and passive spaces and trails. Additional trail loops or extensions would make the trail more usable.

9. **Unified control.** Documentation regarding the applicant’s required unified control of the site should be provided.
# 10. Schedule of Regulations & Flexibility.

<table>
<thead>
<tr>
<th>SF</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>2.5 acres; 108,900 sq. ft.</td>
<td>N/A - No lots</td>
</tr>
<tr>
<td>Maximum Height of Structures</td>
<td>2 stories; 30 ft.</td>
<td>&lt; 30 ft. (Detailed elevations to be provided at a later date)</td>
</tr>
<tr>
<td>Minimum Yard Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>40 ft.</td>
<td>25 ft. - Deviation Requested*</td>
</tr>
<tr>
<td>Each Side Yard</td>
<td>20 ft.</td>
<td>20 ft. total - Deviation Requested*</td>
</tr>
<tr>
<td>Rear</td>
<td>40 ft.</td>
<td>31 ft. &amp; 38 ft. - Deviation Requested*</td>
</tr>
<tr>
<td>Minimum Floor Area Per Unit</td>
<td>1,200 sq. ft.</td>
<td>1,683 sq. ft.</td>
</tr>
<tr>
<td>Maximum Lot Coverage All Structures</td>
<td>20 %</td>
<td>+/- 14%</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>165 ft.</td>
<td>N/A - No lot lines proposed. Approximately 61 ft. lot equivalent</td>
</tr>
</tbody>
</table>

*To encourage flexibility and creativity consistent with the PUD concept, the Planning Commission may recommend, and the Township Board may grant, specific departures from the Zoning Ordinance that result in a higher quality of development than would be possible using conventional zoning standards. The four requested deviations are indicated on the cover sheet.

4 Deviations are proposed

The applicant should address the purpose of the four requested deviations in detail for consideration by the PC and Township Board.
13. **Impact of traffic.** PUD should minimize the impact of traffic on surrounding uses. Consideration shall be given to:

   a. The access to major thoroughfares.
   b. Estimated traffic to be generated by the proposed development.
   c. Proximity and relation to intersections.
   d. Adequacy of driver sight distances.
   e. Location of and access to off-street parking.
   f. Required vehicular turning movements.
   g. Provisions for pedestrian traffic.

The applicant should address these points.

Additionally, the ZO states that a traffic study shall be submitted as part of the PUD consideration and verification of compliance with the standards for minimizing impacts of traffic.

A traffic study has not been submitted.
14. Compatibility with adjacent uses.

Consideration shall be given to:

a. The bulk, placement, and materials of construction of proposed structures.

b. The location and screening of vehicular circulation and parking areas in relation to surrounding development.

c. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

d. The hours of operation of the proposed uses.

e. The provision of landscaping and other site amenities.

It appears that the majority of these compatibility standards are related to the impacts of non-residential developments.

However, the applicant should address how the site was designed in relation to potential impacts on adjacent residential areas to the northeast and south of the site.
15. Transition areas.

It appears that the grade changes adjacent to the existing residential areas to the northeast and south of the site are more than 3 feet. The applicant should submit cross sections of these areas in accordance with this section.
17. Natural features & Tree preservation.

The applicant should verify if any animal or plant habitats of significant value exist on the site in accordance with Section 30.03 C.15. Additionally, a Tree Removal Permit will be required.
18. General connectivity & road usage.

Not providing any proposed or future access to the south and west boundaries of the site could compound the lack of access within the larger area.

Since October, the applicant has added a roadway stub to the east boundary of the site that would provide for a meaningful future connection from the Village Center are to the southeast.

The parcel to the west, when developed, will likely have a difficult time meeting the 600-ft max cul-de-sac length and 1,400-ft max block length standards if a stub connection from the proposed PUD to the west is not provided.

ZO Section 27.14 E.4. requires all site condos provide and interconnecting street or dedicated easement to adjacent vacant properties and/or existing developments, when determined feasibly by the Planning Commission.

Section 400.1.b. of the Subdivision Ordinance states “shall provide...for the proper projection of streets when adjoining property is not subdivision.” Additional external road and non-motorized connections should be explored.

At the October meeting, the Planning Commission did not request that the roadway connection to Peppermill Lane be replaced with a cul-de-sac, and the feasibility of a connection to Pasadena Drive was not addressed.
Conclusion
The Cottages at Gregory Meadows – 12/19/2019 Revised Plans

To encourage flexibility and creativity consistent with the PUD concept, the Planning Commission may recommend, and the Township Board may grant, specific departures from the Zoning Ordinance that result in a higher quality of development than would be possible using conventional zoning standards.

If the proposal is deemed eligible for a PUD based on this review, additional and more-detailed reviews considering the full site condominium requirements, subdivision requirements, Zoning Ordinance, and other standards will be done at a later date. This review does not address all items that will need to be reviewed for final approval, but is focused on the PUD eligibility criteria and project design standards.
August 30, 2019

Ms. Tammy Girling
Township Planner & Zoning Director
Orion Township – Planning Department
2525 Joslyn Rd
Lake Orion, MI 48360

Re: The Cottages at Gregory Meadows - PUD
     Planned Unit Development Recognizable Benefits

Dear Members of the Planning Commission,

In addition to our Concept Plan PUD plan submittal, we are pleased to present to you the enclosed recognizable benefit summary for an exclusive single-family ranch home development by Pulte Homes of Michigan. Please accept this letter and associated plan sets as our submittal for the proposed Concept PUD residential community. Below is an overview of the proposed project along with the proposed recognizable benefits, as a part of the eligibility requirements for a Planned Unit Development per Section 30.03 of the Orion Township Zoning Ordinance.

PROJECT SUMMARY
The Cottages at Gregory Meadows is a proposed exclusive 72-unit residential community located on an approximately 32.7-acre parcel in section 31 of Orion Township, Oakland County, Michigan. The subject parcel is located on the south side of Gregory Road, just west of Baldwin Road, and is currently zoned SE (Suburban Estates). The subject parcel is Master Planned for a higher density use, being “Single Family Medium High Density”, immediately west of the proposed Township’s Village Center along Baldwin Road.

The parcel currently has two (2) existing residential structures but remains largely undeveloped. The site is wooded with varying degrees of topography change and hence naturally drains to different low areas within the site. The woodlands on-site are consistent density and nature, with a qualification summary provided on the plan set.

The proposed development features a 72-unit single family detached layout with associated road and utilities. The main access point for the development will be from Gregory Rd with secondary access connecting to the existing Peppermill Lane to the south. Municipal sanitary sewer and water will be provided to development. Stormwater will be managed on-site with two large detention water quality basins located at each end of the property. To the extent possible, the natural features like landmark trees and densely wooded areas are being significantly preserved due to the clustered layout and limited grading proposed. Should this project be approved, we would anticipate site construction to begin in the summer of 2020.
1. Recognizable Benefits

A.) Preservation of Natural Features
While the site does not feature wetlands or any type of water body it does have densely wooded areas, large caliper trees, and rolling topography. To maintain existing drainage patterns and to disrupt the natural hydrological cycle as little as possible, storm water basins are strategically positioned in areas already receiving storm water in present day conditions. Large caliper trees identified on site were avoided to the extent possible in an effort not only to respect nature but provide a warm mature feel to the completed development. The proposed development layout is leaving meaningful buffer/open areas to most of the adjacent properties and provides significant preservation areas internal to the project. Areas of steep scenic topography were avoided to preserve views and keep the character of the site as intact as possible. The development is proposing a total open space area of 12.1 acres or 36.9% of the overall site. The calculated net open space is 8.16 acres or 24.9% of the site.

B.) Preservation of Historic Buildings
There are no historic structures on-site and therefore, this consideration is not applicable.

C.) Access Management & Traffic Patterns
The proposed roadway system will have two connection points to adjacent roadway systems to ensure connectivity between existing infrastructure. The primary access will be to Gregory Road, with a secondary road connection to Peppermill Lane to improve traffic circulation and safety, typically desired by local fire and public safety authorities. The proposed layout will eliminate the existing dead-end roadway from Peppermill Lane. Pedestrian access will be provided along all roadways within the development, with concrete sidewalks on both sides for the road, and additional nature trails proposed within the preservation areas.

D.) Aesthetic Qualities
Orion Township Master Plan outlines a goal of sustainable developments under which native plantings are listed as an element to achieving said goal. The landscape plan provided for this development features Michigan native plants in an effort to help accomplish that goal. The proposed mix of preserved natural features, supplemental native landscaping, and accents of hardscape elements within the project is sure to create a unique and beautiful development. In addition to landscaping, all the roadways will be constructed with sidewalks to promote a healthy lifestyle, and nature trails will be provided in preservation areas to promote pedestrian connectivity within the development. The trail head areas will have a decorative demarcation marker and bench seating for the outdoor enjoyment of the residents.

E.) Public Welfare
Municipal sanitary sewer and water will be provided to the development. The sewer will be extended easterly on Pasadena to the existing sewer system. The public utilities will benefit the future residents living in the proposed homes, and provide the Township with additional utility Tap fees. Moreover, the adjacent landowners or developers who in the future may need to also connect to municipal utilities, will have public utilities in closer proximity for future connection. In addition, all the roadways will be constructed with sidewalks, and natural trails will be provided in preservation areas to promote pedestrian connectivity and public health and well-being for the area. Two large stormwater management basins will be provided to collect and treat the developed storm water from the project site. The storm water system will be designed to meet both the Township and Oakland County design standards and ensure no harm to the public from storm water run-off during rainfall events. Finally, as part of the project, Pulte Homes will be donating funds to the new Township Park located on the corner of Baldwin and Pasadena Drive. Public parks promote healthy lifestyles and provide open recreation and gathering areas for township families.
F. Architectural Design

The homes that are proposed to be built within this development are of high quality and are visually appealing. Pulte Home products are sought after for their design and flexibility of options offered to today’s potential buyers. The architecture style varies across the different products offered but they all invoke a sense of neighborly warmth and pride within the development. The ranch style homes and development will be targeted to an active adult lifestyle with “maintenance free living”; meaning all the roadways and the home exterior areas will be maintained by the homeowner’s association. The single-story home caters to the growing demographic of Michigan’s aging population and provides a great “down-sizing” option for local residents to live and stay in the Orion Twp. community as their lifestyle’s change.

2. DENSITY IMPACT

The proposed layout currently depicts 72-units. Per the parallel plan (R-3) provided in the plan set, the site could support and be developed to contain 93 residential units. The existing development to the east is currently zoned R-2 and Master Planned for Single Family Medium High Density which, is the same as the Master Planned zoning of the subject parcel. Moreover, this property is adjacent to the Master Planned Village Core and is an appropriate residential transitional property to the west. The density proposed is not as intense as the Master Plan allows for and is not be an unreasonable increase for the area. Finally, an R-2 zoned parallel plan was done in addition to the R-3 plan and yielded 77 units, which is a higher density than the 72 unit development being proposed (see attached 11 x 17).

3. TOWNSHIP MASTER PLAN

The subject parcel is Master Planned for a Single Family Medium High Density which correlates to the ‘R’ zoning classifications (R-1, R-2, & R-3). The proposed plan follows and falls into the ‘R’ zoning classification and coincides with the Master Plan. As mentioned previously the Master Plan would allow for an 8,400 SF lot and a density higher than the plan currently proposes. Again, the proposed open space/cluster single family development is providing densities less than both the R-2 and R-3 zoning classifications in the ordinance.

4. ECONOMIC IMPACT

Fiscal and Marketing Analysis

Pulte Homes is proposing the construction of 72 single-family cottage style homes that will have a projected market value ranging in the $400,000’s, with homes ranging in size from the 1,683 sf to 1,877 sf. In 2009 the National Homebuilders Associations studied the Local Impact on Home building in a Typical Metro Area, and found many financial benefits to housing, with both direct and indirect revenue from home building. Direct revenues will be seen by utility tax fees, property taxes and school funding contributions. The more indirect revenue and marketing benefits to new homes include; local income introduced to the township; available income to local business and new sustained jobs in the area. It is estimated that 20% of discretionary income is spent locally on foods, services, and general goods. Moreover, after the significant construction jobs are completed, it is estimated that 1.1 sustained jobs are impacted/supported by each new home.

Finally, the HBA study identified but did not take into effect many other positive and real fiscal impacts of a proposed development; including, (1) new infrastructure development, (2) spill-over property value increases, and (3) enhanced community image impacts.

Donation to Park near Pasadena Dr. & Baldwin
Per preliminary project meeting held on August 7th, 2019 our understanding is that a park near the corner of Pasadena Drive and Baldwin Road is currently being developed. Pulte Homes is prepared to donate funds to help support the design and construction of the proposed township park.

5. GUARANTEED OPEN SPACE

The proposed development is being submitted under the PUD option which allows for creativity in land planning and supports the clustering of housing and site infrastructure, to encourage the preservation of natural features and open space areas. The proposed project plan currently shows total open space areas of 12.1 gross acres, and 8.16 net acres, when storm water management basin areas are excluded. The open space for this development will be identified in the Master deed documents as a designated general common element and will be owned by all members of the site condominium. Moreover, the master deed and by-laws will stipulate to the preservation and maintenance of all site amenities (trails, benches, etc.), existing trees and proposed landscaping elements by the association in perpetuity.

6. UNIFIED CONTROL

This project would be considered a unit condominium and no homesite lot lines exist or are available for purchase. The proposed development is under unified control by Pulte Homes, and they intend to both develop the land (roadway, utilities, etc.) and build all the homesites. Moreover, they intend to sell all the individual homes for purchase. Ultimately, the lawn and snow removal maintenance services will be provided by the Homeowner’s Association on behalf of all residents to ensure continuity of appearance and quality throughout the development. The necessary Master Deed, Exhibit B drawings, and by-laws will be produced and provided for review by the Township at the appropriate time.

CONCLUSION

To summarize, we believe the benefits for the proposed project to be sufficient to meet the eligibility requirements to submit this development as a Planned Unit Development (PUD) in Orion Township. In addition to the benefits outlined above this development will provide another housing option to the existing residents of Orion Township and attract new residents into the Township.

We look forward to your earliest review of our materials associated with the Concept Planned Unit Development package. Thank you for your continued assistance and cooperation with respect to this project. If you should have any questions or need any additional information, please do not hesitate to contact us. You can reach me direct at 810.923.6878.

Sincerely,

ATWELL, LLC

Matthew W. Bush, PE, LEED AP
Team Leader
December 4, 2019

Ms. Tammy Girling
Township Planner & Zoning Director
Orion Township – Planning Department
2525 Joslyn Rd
Lake Orion, MI 48360

Re: The Cottages at Gregory Meadows
Concept Planned Unit Development
Revisions and Recognizable Benefits per 10/16 PC Meeting

Dear Ms. Girling and Members of the Planning Commission,

We greatly appreciate your time and input for the Cottages at Gregory Meadows project at the October 16th Planning Commission meeting. In response to the comments and public feedback brought up during the meeting, we offer the Concept Planned Unit Development package for inclusion on the next available Planning Commission meeting. For your use, in this letter we have summarized the revisions to the plans and our proposed recognizable benefits that were made in response to the feedback received at the meeting. These revisions include the following:

➢ **Plan Revision – Connection to Peppermill Lane**
   One of the main concerns identified by the neighboring residents was the connection to the proposed cross-connection to the existing Peppermill Lane road stub at the south property line. The residents were concerned that this connection, although planned, would be used as a cut-through into the new development and the residents would experience increased traffic as a result. In response and to accommodate these concerns, we have removed the public connection and added an emergency access gate to still allow for a secondary access point in case of emergencies while eliminating the potential for day-to-day cut-through traffic through Peppermill Lane. A standard cul-de-sac was added to the south of the proposed road prior to the emergency access gate for public use.

➢ **Plan Revision – Cross-Connection Road to East Adjacent Property**
   Another comment provided by the planning commission pertained to creating a proposed cross-connection access road to the adjacent property to the east property as a potential road tie in point for a future development. As requested, a proposed access road was added on the plan connecting to the to the east property in the most optimal location based on the existing topography.

➢ **Additional Recognizable Benefit – Developer Contribution to Safety Path**
   Our proposed recognizable benefits remain largely the same as outlined in the original submittal narrative and plans. The one exception being that Pulte Homes is offering to contribute $75,000 to the Township fund for the use in the construction of a safety sidewalk path along Gregory Road, from the subject site to Baldwin Road. This contribution is being offered in response to the residents’ strong desire for pedestrian pathway along Gregory Road and was a preferred public benefit among the public in attendance and as noted by Commissioner Floyd. This contribution is being offered in lieu of donating funds to the local park as previously discussed in concept.
We believe the revised proposed plan revisions made and the recognizable public benefits offered for the proposed Cottages of Gregory Meadows development appropriately addresses the feedback received from the residents and commissioners at the October 16th Planning Commission meeting and sufficiently meet the eligibility requirements for the Planned Unit Development (PUD).

Furthermore, we would like to reiterate that this proposed plan provides for a lower density than the actual allowable density range of 3 to 5 dwelling units per acre established for this site the in the 2015 Township Master Plan. The proposed PUD plan also allows for much larger and significant areas of open space and tree preservation compared to the provided R-2 and R-3 parallel plans, which are the correlating zoning classifications and densities established for this site the in the 2015 Township Master Plan.

We look forward to your earliest review of our revised Concept Planned Unit Development package and placement on the next available Planning Commission meeting. Thank you greatly for your continued assistance and cooperation with respect to this project. Should you have any questions or need any additional information in the meantime, please do not hesitate to contact us. You can reach me direct at 810.923.6878.

Sincerely,

**ATWELL, LLC**

Matthew W. Bush, PE, LEED AP
Team Leader – Land Development
January 10, 2020

Orion Township Planning Commission
c/o Justin Dunaskiss, Chairman
2525 Joslyn Road
Lake Orion, Michigan 48360

Re: The Cottages at Gregory Meadows—PC-2019-48

Dear Planning Commissioners:

I represent Pulte Homes of Michigan in connection with its application for PUD approval for the proposed Cottages of Gregory Meadows residential development (the “Project”). Based on comments received at the joint public meeting with the Commission and Township Board, Pulte asked me to review and submit additional comments regarding project density, PUD benefits and road connectivity to adjacent property. These appeared to be key areas of concern addressed by residents and some members of the Commission at the public meeting.

Density Complies with the Master Plan.

While I know this Commission routinely faces proposed developments that are not consistent with the Township’s Master Plan, Pulte as a general practice looks to acquire land and propose developments that are consistent with community’s own objectives and goals. The Township’s 2015 Master Plan was adopted less than 5 years ago. In Michigan, all zoning decisions are required to be based on a plan and, in Orion Township, that plan is the Master Plan. As explained on the first page of the Master Plan—“The recommendations provided within this Plan provide a sound basis for any subsequent Township regulations, policies and programs (such as zoning) and should guide policy makers in their decisions regarding proposed developments, rezonings, land divisions, and other factors relating to community development.” (Executive Summary, at ix). The Future Land Use Plan in the Master Plan “details the envisioned future land use arrangement within the Township and describes the intent and desired land uses for each category. (Executive Summary, at xi). The Future Land Use Plan “should be a key factor when deciding on development and rezoning requests.” (Executive Summary at xii).
Orion Township Planning Commission  
January 10, 2020  
Page 2

The Future Land Use Map designates the property here (the "Property") as "Single Family Medium High Density." This is the highest density single family category in the Master Plan and provides for a density range of 3 to 5 dwelling units per acre and lot sizes in the range of 8,400 to 14,000 square feet. Master Plan at 6-4. The land is planned for that higher density for many reasons, including that it: abuts the planned Gingellville Village Center along Baldwin road as well as other planned higher density residential lands; has available public sewer and water utilities; and is in close proximity to freeway access and business/commercial centers in the Township. The plain intent of the Plan is to steer a variety of higher density residential land uses in close proximity to the Village Center to develop a sense of community and provide local customers for the targeted local business development. Indeed, a large part of the eastern portion of the Project abuts land master-planned as Village Center. This abutting land can be developed, according to the Master Plan, for mixed commercial, office and residential uses.

The proposed development fully complies with the planned residential density of the Master Plan. In fact, the proposed 72 unit residential density is actually materially less than the upper range of the density permitted in this planning district and even significantly below the density on the parallel plan submitted as part of the PUD process. I repeat all of this because there were numerous comments about there being too many homes. But this is exactly what the Master Plan envisioned and there are very few properties in the Township planned in this manner.

Equally important, Pulte was mindful of the Master Plan objective to “Encourage alternative housing styles other than multiple-family apartments which include ‘empty-nest’ condominiums and attached single family dwellings.” Master Plan, at 5-22. Pulte is already constructing homes in the nearby Gregory Meadows PUD development which consist of more traditional, family-oriented single family homes. To provide the housing diversity the Plan recommends and to attract active empty nesters looking to remain in the community and live in closer proximity to the Village, the Project consists of high-quality ranch homes with amenities that are specifically demanded by and attracted to such empty nesters.

Pulte has already presented information on the other benefits of the Project, which I will not repeat here. We just wanted to emphasize again that the Project density is well within the density planned for this Property by the Township less than 5 years ago. This process has been frustrating for Pulte because at the same its plan has been criticized as being too dense when it is fully consistent with the Future Land Use Plan, the Township was approving another residential project consisting of over 3.5 times the residential density requested here on just 2 times the acreage at Squirrel and Silverbell Roads that is master-planned for low density residential (or approximately 10 times the density recommended in the Master Plan for that property). We are not criticizing that project in any way, but only the seemingly inconsistent application of the Future Land Use recommendations. But as stated near the end of the Master Plan, the first recommendation listed as steps to take in reaching the goals of the Plan is “Adherence to the Master Plan in zoning decisions.”
**Agreement Regarding Emergency Access Gates**

Peppermint Lane is a stub street that ends at the southern boundary of the Property here. There is no question that the stub street was likely required by the Township so that Peppermint Lane would be extended to Gregory Road when and if the Property were to be developed. But it was clear that the single, most consistent complaint regarding the Project from existing residents along Peppermint Lane was the proposed connection of Peppermint Lane through the Project. The revised Plan submitted by Pulte changes the design to include a cul-de-sac at the end of the street with an emergency access gate between the 2 neighborhoods. Such an arrangement is not unique. In fact, I have just worked on a development in another nearby community where the fire marshal actually required such an emergency access gate.

But based on the recent review letter from Jeff Williams, the Fire Marshal, it appears that he is skeptical or concerned about such arrangements. In response to Mr. Williams’ concerns, I would first note that he is not saying that the Peppermint Lane access is required by code, only that it is “a future proposed cross-connection point.” This interconnectivity between developments is a planning issue and can be changed by the Township. Further, in order to address his concerns, Pulte is willing to enter into an agreement that would be recorded and run with the land binding Pulte and its successors to install, maintain and repair the gate in a timely manner and to indemnify the Township from any liability or damage resulting from any emergency use. I am attaching a proposed form of agreement and, if acceptable as a concept, can certainly be revised based on any comments from the Township attorney. This seems to be a logical solution in view of the strong objection by the residents along Peppermint Lane to such connectivity.

**Sidewalk/Pathway Contribution**

The last issue I wanted to address relates to sidewalk/safety path construction along Gregory Road to Baldwin. Many residents complained about the lack of such a sidewalk and the desirability for same. While Pulte can contribute to the solution it is not reasonable or appropriate for the neighbors to look to this one Project for the solution. There are hundreds of acres of land that would abut or be served by such a sidewalk and hundreds of existing and potential future homes that would access such a pathway. The pathway would require acquisition of right-of-way across other properties. Not all of those property owners want the sidewalk across their property.

Pulte has already agreed to: put a sidewalk across the Property’s Gregory Road frontage, which would be the only abutting property along Gregory to have installed any sidewalk; dedicate another 27’ feet of the Property for right-of-way and for space to install a sidewalk; and contribute $70,000 to a fund for future extension of the sidewalk in front of other’s properties. While some residents claim this is not enough, this contribution, which is in addition to the cost of constructing a sidewalk along its own Property, represents a contribution of approximately $1,000 per home in the Project just for an off-site sidewalk, which is already a significant burden for this one feature.
We appreciate your consideration of these comments.

Sincerely,

DYKEMA GOSSETT, PLLC

[Signature]

Alah M. Greene

Encl.

cc: Joe Skore
    William Anderson

010007.000015 4815-6980-4977.1
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2019-48, REVISED Cottages at Gregory Meadows PUD Concept Plan  
Date: 1/7/2020

The Orion Township Fire Department has completed its review of Application PC-2019-48 for the limited purpose of compliance with Charter Township of Orion Ordinance's, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation:

X Approved with Requirements (See below)  
Not approved

Requirements:

- It is the fire departments understanding that Peppermill lane is a proposed future cross connection point. With this information the Fire Department will require Peppermill Lane to connect to Morgan Road without an emergency gate. Emergency gates have the ability to present a delayed response when responding to an emergency. They also entail a multitude of different maintenance responsibilities that are frequently overlooked and when overlooked cause gates to not operate properly and access roads to become obstructed. If this type of situation occurs, it creates a delay in the fire departments response and hinders our ability to ensure residents safety and property conservation.

This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information at time of building permit application that includes data or documents, confirming full compliance with all applicable building codes, fire codes and Township Ordinances.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2003.

Sincerely,

Jeff Williams, Fire Marshal  
Orion Township Fire Department
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2019-48, Cottages at Gregory Meadows and Review with Comments Completed by Dykema  
Date: 1/14/2020

The Orion Township Fire Department completed its review of Application PC-2019-48 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

At the time of the initial submittal on September 4th, 2019 it was noted in the Fire Departments review that the applicant proposed to extend Peppermill Lane to Gregory Road without the use of any emergency gate. On December 19, 2019 the applicant resubmitted plans showing an emergency access gate to be installed on Peppermill Lane between the already existing portion and the newly proposed Peppermill Lane cul-de-sac. In the fire departments review letter the following requirements were noted:

- It is the fire departments understanding that Peppermill lane is a proposed future cross connection point. With this information the Fire Department will require Peppermill Lane to connect to Morgan Road without an emergency gate. Emergency gates have the ability to present a delayed response when responding to an emergency. They also entail a multitude of different maintenance responsibilities that are frequently overlooked and when overlooked cause gates to not operate properly and access roads to become obstructed. If this type of situation occurs, it creates a delay in the fire departments response and hinders our ability to ensure residents safety and property conservation.

On January 10, 2020 the Fire Department received a correspondence letter from Alan M. Greene of Dykema with the following comments in regards to the Emergency Gate and requirements for the future development. Please see Dykema's comments below with the Fire Departments response to follow:

Comment 1 from Dykema -

It should first be noted that the Fire Marshal is not saying that Peppermill Lane access is required by code, only that it is “a future proposed cross connection point”.

Fire Department Response to Comment 1 –

It should be noted by the Planning Commission that the secondary access point is required by International Fire Code D107.1 which states the following:

Developments of one or two single family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads to lead into the site.

This requirement was never discussed during the Fire Department initial review of PC-2019-48 because the site was in compliance of IFC D107.1 showing Peppermill Lane being completely open from to Morgan Road to Gregory Road.
Comment 2 from Dykema –

In order to address the Fire Marshals concerns, Pulte is willing to enter into an agreement that would be recorded and run with the land binding Pulte and its successors to install, maintain and repair the gate in a timely manner and to indemnify the township from any liability or damage resulting from any emergency use.

Fire Department response to Comment 2 –

It must be understood that a written land binding agreement with Pulte will not address the Fire Departments concerns nor is it our intentions to withhold liability from the township but to ensure life safety and property conservation of our residents.

The Fire Department has the authority to approve and disapprove emergency gates as deemed necessary by International Fire Code 503.6. As stated in my 2nd review Emergency gates have the ability to present a delayed response while responding to an emergency. They also entail a multitude of different maintenance responsibilities that are frequently overlooked and when overlooked cause gates to not operate properly and access roads to become obstructed.

The Fire Department will require this road to stay open as it was designed to be when Peppermill Lane was first developed. Although written agreements can seem to be a logical solution and can address ongoing site issues at times but it will not fix an obstructed access road unexpectedly found during an emergency response.

Over the past years the Fire Department has reported and documented multiple on-going issues with emergency gates within the township. Attached are images from past occurrences that shall be used as reference material for this discussion topic. Emergency gates can and sometimes will be deemed necessary from time to time but cannot be installed on every new development because it was the most consistent complaint regarding a project.

Thanks for your time.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2003.

Sincerely,

Jeffrey Williams
Jeff Williams, Fire Marshal
Orion Township Fire Department
January 6, 2020

Charter Township of Orion
Planning Commission
2424 Joslyn Road
Lake Orion, MI 48360

Planned Unit Development Concept Review
The Cottages at Gregory Meadows

Site: 3595 Gregory Road / Case No. PC-2019-48
Project Name: The Cottages at Gregory Meadows
Applicant: Pulte Homes of Michigan LLC
Plan Date: Revised 12/19/2019
Zoning: SF (Suburban Farms)
Parcel ID: 09-31-200-006 & -008

Dear Planning Commissioners:

We have completed a review of the application, site plan, and landscape plan referenced above and a summary of our findings is below. Items in **bold** require specific action. Items in *italics* can be addressed administratively.
SUMMARY OF FINDINGS

Project Summary

The applicant is proposing a 72-unit single-family detached site condominium development on 32.75 acres (gross). Access would be provided from the north boundary of the site at Gregory Road. Since the October PC meeting, the applicant has replaced the access at the south boundary of the site to Peppermill Lane with a cul-de-sac and emergency access gate and added a roadway stub connection to the east boundary of the site. A second existing off-site street (Pasadena Drive) dead-ends into the east boundary of the site. **The proposed roadway system has not been designed to connect to Pasadena Drive.** A 60-foot wide roadway and utility easement has been proposed running north and south through the site. The roadway would run along the west side of the site from Gregory Road to the middle of the site ending at a cul-de-sac (Road 1). Along the east side of the site would be another roadway known as the extended Peppermill Lane also now ending at a cul-de-sac.

Proposed dwelling units generally measure 41 feet wide by 72 feet deep, with three typical unit details provided. All units would generally be one-story in height, with an optional loft floor plan indicated for two of the unit types. The total proposed area of each unit would be 2,870 sq. ft. Typical unit spacing would consist of buildings setback 41.5 feet from the edge of the road, 25 feet from the right-of-way line (driveway parking depth), with an internal side setback of 20 feet between buildings.

An 8-foot sidewalk has been proposed along the south side of Gregory Road and a 6-foot wide woodchip trail loop has been proposed from the south end of the cul-de-sac to Peppermill Lane. Since the October PC meeting, the applicant has submitted a letter indicating that they plan on contributing to a safety path along Gregory Road from the site to Baldwin Road to the east. A note reflecting this is also provided on the cover sheet. Two detention basins are proposed, one in the northwest corner of the site and one in the southwest corner. A total of 8.16 acres of open space has been proposed spread out over five areas around the perimeter of the site. If approved, the applicant anticipates site construction to begin in the summer of 2020.

Existing Conditions

1. **Zoning.** The parcel is 32.75 acres and is zoned SF (Suburban Farms). A PUD may be applied for within any zoning district and permits the following types of uses: single-family detached, attached residential, commercial, industrial, and mixed-use projects. The granting of a PUD application shall require a rezoning by way of an amendment to the Zoning Ordinance upon the recommendation of the Planning Commission and approval by the Township Board.

2. **Existing site.** The 32.75-acre site currently contains two parcels. The north parcel along Gregory Road is 7.36 acres (gross) and contains an existing dwelling and garage near the road. The rear parcel is a 25.46-acre (gross) flag lot with an existing dwelling and separate driveway to Gregory Road. The site wraps around two existing single-family lots in the northeast corner that are not within the proposed PUD area. The existing gravel drive for the flag lot is also currently used as a second access for 3565 Gregory Road and is noted as to be removed in this location. This lot would still be provided access through the existing shared drive with 3575 Gregory Road. A preliminary woodland assessment has been submitted indicating woodlands covering the majority of the site, with landmark trees identified by three zones: southern, central, and north. A tree survey for the entire site has not yet occurred and is noted to occur at Final PUD.
3. **Adjacent zoning & land uses.**

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<td>South</td>
<td>R-1 – Single Family Residential</td>
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<td>East</td>
<td>R-2 - Single Family &amp; SF - Suburban Farms</td>
<td>Single-family &amp; Woodlands</td>
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<td>West</td>
<td>SF - Suburban Farms</td>
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**PUD Eligibility Criteria:**

The applicant has submitted a letter dated August 30, 2019, that addresses the below criteria in detail, as well as a supplement letter dated December 19, 2019. These letters should be carefully considered by the Planning Commission. For purposes of this review, only certain key points from the applicant letter have been included below with our findings. In general, the Planning Commission may recommend variations
from PUD guidelines when an applicant has demonstrated the doing so will result in a corresponding benefit to the community.

4. Recognizable benefit.

a. Preservation of natural features. A tree survey for the entire site has not yet occurred. Overall Grading Plan Grading Note 2 states that proposed grading shown is conceptual to demonstrate areas of cut and fill, and that site grading will be designed in more detail during the site plan and engineering stages of the project. The applicant should address if any existing trees surrounding individual proposed buildings are intended to be preserved or if all of the areas immediately surrounding buildings would be cleared.

b. Preservation of historic buildings. N/A

c. Improvements in traffic patterns. The PUD Intent section states that enhanced traffic circulation should be provided and a less sprawling form of development should be encouraged. Generally, multiple access points and intersections provide enhanced circulation through dispersing traffic through multiple travel routes in areas, where reduced access points and intersections, and the use of cul-de-sacs can concentrate traffic on one or two roadways limiting circulation options. Access has been proposed to Gregory Road and to a stub connection to the east boundary of the site. No proposed or future access through the west boundary of the site has been proposed. The applicant should address why the proposed roadway system has not been designed to connect to the west boundary of the site and Pasadena Drive. See 18. below for additional discussion of this issue.

d. Improvements in the aesthetic qualities. A 6-foot wide woodchip trail loop has been proposed from the south end of the cul-de-sac to Peppermint Lane. Additionally, three seating areas have been proposed off the roadway that would improve the aesthetic qualities of the development for residents as stated in the letter.

e. Improvements in public safety or welfare. Municipal sanitary sewer and water is proposed, and two detention basins are proposed, one in the northwest corner of the site and one in the southwest corner. Additionally, public utilities will be in closer proximity for future connections of adjacent properties or developments.

f. High-quality architectural design. Front elevations of each of the three typical units have been provided for representation purposes only. Only one of the front elevations has the garage recessed from the front façade. One has a projecting garage and the other as a garage face even with the façade of one of the living areas. The PUD Design Standards require that residential facades should not be dominated by garages. Where attached garages are proposed, at least 50% of the garages should be side-entry or recessed, where the front of the garage is at least five feet behind the front line of the living portion of the principal dwelling. The applicant should address what specific architectural features of the proposed units make them high-quality design. Generally, neighborhood-focused single-family development is trending away from houses and streetscapes where two-car garages are the main focus of the site development. Preferably, all three of the unit types would have recessed garages or the applicant should replace the Bayport concept with one that has a recessed garage meeting ordinance standards.
g. Provision of transitional areas. The letter states that the proposed layout is leaving meaningful buffer/open areas to most of the adjacent properties. Under the Density Impact section, the letter also states that the property is adjacent to the Master Planned Village Core and is an appropriate residential transitional property to the west.

5. Density impact. The applicant has submitted a parallel subdivision plan under the R-3 zoning district that indicates the site could be developed with 93 units in a generally similar layout as the proposed PUD. The applicant letter also states that a parallel subdivision plan was done under the R-2 zoning district that indicates 77 units would be allowed. A parallel plan under the SF zoning district was submitted in October indicating that a total of 10 units would be permitted with one roadway running through the site and one detention basin along Gregory Road.

6. Township Master Plan. The Future Land Use map indicates a designation of Single Family Medium High Density for the site. This designation is the highest density category with a range of three to five dwelling units per acre and lot sizes in the range of 8,400 to 14,000 sq. ft. This designation corresponds to the R-1, R-2, and R-3 zoning districts. The proposal is generally less intense than the R-2 and R-3 zoning districts.

7. Economic impact. This section states that the Planning Commission should determine that in relation to the existing zoning, the proposed development shall not result in a material negative economic impact upon surrounding properties. The applicant letter provides a brief fiscal and marketing analysis. A fiscal and marketing analysis based on the current SF zoning may be beneficial in the Planning Commission determining impact as this section references existing zoning.

8. Guaranteed open space. Section 30.03 B.5. states that 15% of the site shall be guaranteed open space including usable active and passive upland spaces and trails. Park-like amenities may be provided and open space shall be equally available to all residents of the development with maintenance and ownership documentation shall be submitted. A total of 8.16 acres of open space has been proposed spread out over five areas around the perimeter of the site, excluding detention areas as required. This equates to 25% of the site being open space. The Planning Commission may determine if a sufficient amount of the five open space areas are usable active and passive spaces and trails. The length of the 6-foot wide woodchip trail loop has not been indicated. It may be beneficial to have an additional loop off this trail to provide an alternate path making it more useable for residents. Extending this trail loop was briefly discussed at the October PC meeting but no revisions have been indicated.

9. Unified control. The applicant letter states that the proposed development is under unified control by Pulte Homes and that they intend to develop both the land, infrastructure, and all homesites. A homeowners association will be established and additional documentation related to the condominium will be submitted for review at a later date. Documentation regarding the applicant's control of the site has not been provided.

**PUD Project Design Standards:**

10. Schedule of regulations. Unless modified by the Planning Commission, all residential dwellings and structures shall meet the yard, lot width, and bulk standards required by Article XXVI, Schedule of Regulations. These standards are as follows.
SF | Required | Proposed  
--- | --- | ---  
Minimum Lot Area | 2.5 acres; 108,900 sq. ft. | N/A - No lots  
Maximum Height of Structures | 2 stories; 30 ft. | < 30 ft. (Detailed elevations to be provided at a later date)  
Minimum Yard Setbacks  
  Front | 40 ft. | 25 ft. - Deviation Requested*  
  Each Side Yard | 20 ft. | 20 ft. total - Deviation Requested*  
  Rear | 40 ft. | 31 ft. & 38 ft. - Deviation Requested*  
Minimum Floor Area Per Unit | 1,200 sq. ft. | 1,683 sq. ft.  
Maximum Lot Coverage All Structures | 20 % | +/- 14%  
Minimum Lot Width | 165 ft. | N/A - No lot lines proposed. Approximately 61 ft. lot equivalent  

*To encourage flexibility and creativity consistent with the PUD concept, the Planning Commission may recommend, and the Township Board may grant, specific departures from the Zoning Ordinance that result in a higher quality of development than would be possible using conventional zoning standards. The four requested deviations are indicated on the cover sheet.

11. **Density plan submittal.** Section 30.03 4. requires the submission of a density plan in accordance with the above SF Minimum Lot Area of 2.5 acres. The overall density shall be determined by use of this density plan using the existing zoning and/or the Master Plan. The applicant may propose other underlying zoning categories for consideration of density. The applicant has submitted a parallel subdivision plan under the R-3 zoning district that indicates the site could be develop with 93 units in a generally similar layout as the proposed PUD. The ultimate density shall be recommended by the Planning Commission and determined by the Township Board and shall be based upon the underlying zoning or a density as designated by the Master Plan. The Future Land Use map indicates a designation of Single Family Medium High Density for the site. This designation is the highest density category with a range of three to five dwelling units per acre and lot sizes in the range of 8,400 to 14,000 sq. ft. This designation corresponds to the R-1, R-2, and R-3 zoning districts.

12. **Base zoning regulations and Regulatory flexibility.** Section 30.03 C.6. states that unless specifically waived or modified by the Planning Commission and Township Board, all Zoning Ordinance requirements for the underlying zoning district, except for minimum lot area, and other Township regulations, shall remain in full force. The applicant has proposed four deviations on the cover sheet and has added the SF district to the site data table. The applicant should address the purpose of the four requested deviations in detail for consideration by the Planning Commission and Township Board.

13. **Impact of traffic.** The PUD shall be designed to minimize the impact of traffic generated by the proposed development on surrounding uses. In determining whether this requirement has been met, consideration shall be given to:
   a. The access to major thoroughfares.
   b. Estimated traffic to be generated by the proposed development.
c. Proximity and relation to intersections.
d. Adequacy of driver sight distances.
e. Location of and access to off-street parking.
f. Required vehicular turning movements.
g. Provisions for pedestrian traffic.

The applicant should address these points in detail. Additionally, the Zoning Ordinance states that a traffic study shall be submitted as part of the PUD consideration and verification of compliance with the standards for minimizing impacts of traffic. A traffic study has not been submitted.

14. Compatibility with adjacent uses. Consideration shall be given to:
   a. The bulk, placement, and materials of construction of proposed structures.
   b. The location and screening of vehicular circulation and parking areas in relation to surrounding development.
   c. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
   d. The hours of operation of the proposed uses.
   e. The provision of landscaping and other site amenities.

   It appears that the majority of these compatibility standards are related to the impacts of non-residential developments. However, the applicant should address how the site was designed in relation to potential impacts on adjacent residential areas to the northeast and south of the site.

15. Transition areas. The applicant is proposing open space, tree and woodland preservation as a transition area abutting single-family residential districts to the east and south of the site. The Zoning Ordinance requires that if the grade change adjacent to a single family residential area is to be varied by more than three feet, the site plan shall include cross sections illustrating existing and proposed grades in relation to existing and proposed building heights. It appears that the grade changes adjacent to the existing residential areas to the northeast and south of the site are more than three feet. The applicant should submit cross sections of these areas in accordance with this section. While the roadway connection to Peppermill Lane has been removed, grading is still proposed in this area related to construction of the cul-de-sac at the south boundary of the site.

16. Architectural and site element design. Residential facades should not be dominated by garages. Where attached garages are proposed, at least 50% of the garages should be side-entry or recessed, where the front of the garage is at least five feet behind the front line of the living portion of the principal dwelling. The intent of encouraging recessed or side entry garages is to enhance the aesthetic appearance of the development and minimize the visual impact resulting from the close clustering of units allowed under these regulations. See comment 4.f. on page 4.

17. Natural features and Tree preservation. The development has been designed to preserve natural features, specifically woodlands, around much of the perimeter of the site. The applicant should verify if any animal or plant habitats of significant value exist on the site in accordance with Section 30.03 C.15. Additionally, a Tree Removal Permit will be required for this development in accordance with Section 27.12. A preliminary woodland assessment has been submitted indicating woodlands covering the majority of the site, with landmark trees identified by three zones: southern, central, and north. A tree survey for the entire site has not yet occurred.
18. General connectivity and road usage.

a. **External Connection.** The areas to the southeast and west of the site are undeveloped and could be developed in the future in a similar dense manner as the proposal. Not providing any proposed or future access to the south and west boundaries of the site as part of this 72-unit development could compound the lack of access within the larger area bounded by Gregory Road to the north, Baldwin Road to the east, and Morgan Road to the south. The property to the southeast is planned for Village Center and could develop as mixed use. Providing vehicular, pedestrian, and/or bike path connections to this site could be an asset for the proposed PUD and could also reduce vehicular traffic on Gregory Road and Morgan Road. Since the October PC meeting, the applicant has added a roadway stub connection to the east boundary of the site that would provide for a meaningful future connection from the Village Center area to the southeast.

The maximum cul-de-sac length in the Township’s Subdivision Ordinance is 600 feet. The maximum block length is 1,400 feet. The parcel to the west, when developed, will likely have a difficult time meeting these standards if a stub connection from this proposed PUD to the west is not provided.

Zoning Ordinance Section 27.14 E.4. requires that all plats or site condominiums constructed after the adoption date of this Ordinance shall provide an interconnecting street or dedicated easement to adjacent vacant properties and/or existing developments, when determined feasible by the Planning Commission. Therefore, all interconnecting streets shall be designed to a similar standard and shall be coordinated with adjacent property owners. Also, Section 400.1.b. of the Subdivision Ordinance states “shall provide...for the proper projection of streets when adjoining property is not subdivided.” **Additional external road and non-motorized connections should be explored as there vacant property immediately to the west of the site, one existing subdivision development along Pasadena Drive to the east of the site, and one existing subdivision development to the south of the site along Peppermill Lane. It should be noted that at the October PC meeting the Planning Commission did not request that the roadway connection to Peppermill Lane be replaced with a cul-de-sac, and the feasibility of a connection to Pasadena Drive was not addressed.**

CONCLUSION

To encourage flexibility and creativity consistent with the PUD concept, the Planning Commission may recommend, and the Township Board may grant, specific departures from the Zoning Ordinance that result in a higher quality of development than would be possible using conventional zoning standards.

If the proposal is deemed eligible for a PUD based on this review, additional and more-detailed reviews considering the full site condominium requirements, subdivision requirements, Zoning Ordinance, and other standards will be done at a later date. This review does not address all items that will need to be reviewed for final approval, but is focused on the PUD eligibility criteria and project design standards.

1. **Pasadena Drive.** A third existing off-site street (Pasadena Drive) dead-ends into the east boundary of the site. The applicant should address why the proposed roadway system has not been designed to connect to Pasadena Drive.
2. **Preservation of natural features.** The applicant should address if any existing trees surrounding individual proposed buildings are intended to be preserved or if all of the areas immediately surrounding buildings would be cleared.

3. **Improvements in traffic patterns.** The applicant should address why the proposed roadway system has not been designed to connect to the south and west boundaries of the site. Section 27.14 E.4. requires that all plats or site condominiums shall provide an interconnecting street or dedicated easement to adjacent vacant properties and/or existing developments, when determined feasible by the Planning Commission.

4. **Architectural and site element design.** The applicant should address what specific architectural features of the proposed units make them high-quality design. The PUD architectural and site element design standards are not met. Front elevations show one of types of units has a projecting two-car garage and another has the garage even with the front façade living area. No side-entry or recessed garages are proposed. Replacing the Bayport model with one that has a recessed or side-entry garage would make two-thirds of the models compliant.

5. **Economic impact.** A fiscal and marketing analysis based on the current SF zoning may be beneficial in the Planning Commission determining impact as this section references existing zoning.

6. **Unified control.** Documentation regarding the applicant’s control of the site has not been provided.

7. **Density plan submittal.** The ultimate density shall be recommended by the Planning Commission and determined by the Township Board and shall be based upon the underlying zoning or a density as designated by the Master Plan.

8. **Base zoning regulations and regulatory flexibility.** The applicant should address the purpose of the four requested deviations in detail for consideration by the Planning Commission and Township Board.

9. **Impact of traffic.** The applicant should address these points in detail. Additionally, the Zoning Ordinance states that a traffic study shall be submitted as part of the PUD consideration and verification of compliance with the standards for minimizing impacts of traffic. This will be reviewed by the Township Engineer.

10. **Transition areas.** It appears that the grade changes adjacent to the existing residential areas to the northeast and south of the site are more than three feet. The applicant should submit cross sections of these areas in accordance with this section.

11. **Natural features and preservation.** The applicant should verify if any animal or plant habitats of significant value exist on the site in accordance with Section 30.03 C.15. Additionally, a Tree Removal Permit will be required for this development in accordance with Section 27.12.
January 8, 2020

Justin Dunaskiss, Planning Commission Chairperson
CHARTER TOWNSHIP OF ORION
2525 Joslyn Road
Lake Orion, MI 48360

RE: The Cottages at Gregory Meadows, PC-2019-48
Concept PUD Review #2

Received: December 19, 2019 by Orion Township

Dear Mr. Dunaskiss:

We have completed our second review of The Cottages at Gregory Meadows Concept PUD plan set. The plans, dated December 18, 2019, were prepared by Atwell LLC, and were reviewed with respect to the Township’s Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township’s Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located west of Baldwin Rd., and south of Gregory Rd. within the northeast ¼ of Section 31 of the Charter Township of Orion. The site is zoned Suburban Farms (SF) and bound to the west with Suburban Farms (SF), to the east with Suburban Farms (SF) and Single Family Residential (R-2), to the north with Suburban Estates (SE), and to the south with Single Family Residential (R-1).

The existing site is approximately 32.8 acres and contains two dwellings surrounded by dense woodlands. The applicant is proposing to place 72 detached single-family condominium units with sidewalks, a pocket park, a woodchip nature path, and two retention ponds within the development. The existing site has large rolling elevation changes, ranging from 1100 at the center of the site, down to 1030 near Pepper Mill Ln. on the south side of the site. Due to the topography of the site, there are many local high points and local low points within the site. Runoff is currently being shed from the local highs while the local low points generally collect the water. Because none of the low points appear to have standing water, it can be reasoned that the on-site soils promote infiltration well. A geotechnical report will need to be provided at Final PUD to support the support the viability of effective infiltration.

CONCEPTUAL DENSITY SITE PLAN:
A Parallel Plan has been included in the plan set, comprised of 93 lots with the zoning of Single Family Residential (R-3). These lots have an area of 8,400 square feet which is the minimum for lot size under this zoning. The parallel plan has included provisions for storm water management by including sufficient space for 3 retention basins. A pump station was not shown in the parallel plan, and it is likely that one (1) unit would need to be moved or removed to provide sufficient space for a back-up generator building, valve vault, and wet well.
WATER MAIN & SANITARY SEWER:
The nearest existing water main is 12 inches in diameter and located on Gregory Rd. The applicant is proposing to connect to the existing 12-inch water main and extend 8-inch water main into the site. The water main would be looped within the site and a stub is proposed for future extension of water main south along Pepper Mill Ln. An additional stub shall be added to the plan for future extension to the east along the proposed road stub between units 19 and 20. Per the township’s water model, there is sufficient capacity to service the proposed development.

There is existing 15-inch sanitary sewer located on Pasadena Dr, near the intersection of Pasadena and Baldwin Rd. The applicant is proposing to outlet to this existing sewer. The site will be serviced by 8-inch gravity sewer that drains to a pump station which then directs the sewage through a 4-inch force-main along Pasadena Dr. to the manhole located near the intersection of Pasadena and Baldwin Rd. The pump station was shown on the plans but shall be represented more accurately at Final PUD. Sufficient space is required for the backup generator building, wet well, and a valve vault. A maintenance drive with t-turnaround shall also be included. Per the township’s sanitary model, there is sufficient capacity to service the proposed development.

Easements were shown for both water main and sanitary sewer. At Final PUD, an easement for anticipated franchise utilities shall be shown to ensure that sufficient space will be provided between the franchise utilities and the water main and sanitary sewer without encroachment.

STORMWATER MANAGEMENT:
The site has rolling hills which causes some runoff to leave the site, other off-site drainage to enter the site, and the remaining on-site runoff drains to the local low points within the site before infiltrating. The applicant is proposing to collect runoff via swales and sheet flow into catch-basins, then transport the water through a network of pipes to one of two retention basins on-site. Retention basins rely on infiltration to empty which matches the existing drainage pattern well. The applicant is leaving an excess of open, undisturbed space on site, which will also help match the existing pattern.

Preliminary calculations were included for the sizing of the forebays and retention ponds and appear acceptable. Calculations for the C-value shall be provided at Final PUD to verify the C-value of 0.35 for the site. At Final PUD, the applicant shall also submit a geotechnical report with soil borings at the proposed retention ponds that support the viability of effective infiltration. In addition, an access easement shall be proposed at Final PUD for the future maintenance of the southern retention pond. The northern retention pond can be easily accessed via Gregory Rd.

TRAFFIC & CIRCULATION:
The plan has been revised to provide one entrance into the site, a cul-de-sac at the south end with emergency access gate to Pepper Mill Ln, and a stub street to the east between units 19 and 20. The main entrance into the site will be via a boulevard approach on Gregory Rd. The proposed roadway width is called out as 27 feet from back-of-curb to back-of-curb, which is acceptable. 5-foot wide sidewalk is proposed on both sides of the street and along the Gregory Road frontage and appears acceptable.

The applicant is proposing to contribute $75,000 toward construction of a safety path along Gregory Rd. from the site to Baldwin Road as part of the public benefit of this development. The Orion Safety Path Advisory Committee passed a motion at their November 12, 2019 meeting to support safety path on Gregory Road on the south side at no cost to the Safety Path Fund including easements and acquisition of easements to rely on community benefit funds paid by the developer. We understand the committee also discussed the pathway width and given the narrow width of the road and in an effort to minimize the size of easements and tree removals, would be willing to approve a 5’ wide pathway in lieu of the township standard 8’ width. Per this motion and understanding, we prepared a conceptual cost estimate for a 5’ wide pathway based on it being bid as a public project including survey, design,
inspection, easement acquisition and construction. The conceptual estimate amount was $240,000. The Planning Commission should consider the difference between this estimated cost and the proposed contribution for the construction of pathway along Gregory Rd. as part of the public benefit. Alternatively, a request could be made to have the applicant design and construct the pathway as part of the development.

The applicant has provided Trip Generation estimates for both the proposed PUD plan and the parallel plan. Per the calculations provided, the proposed PUD will generate ~24 trips during the AM peak hour, ~31 trips in the PM peak hour and an average daily traffic count of ~387 trips based on a land use of Senior Adult Housing - Detached.

Alternatively, the parallel plan would generate ~94 trips during the AM peak hour, ~121 trips during the PM peak hour and an average daily traffic count of ~1,073 trips based on a land use of Single Family Detached.

The proposed trip generation for the PUD plan is less than the ordinance threshold of 100 trips in the peak hour and 750 average trips per day to require a complete traffic study. Although a TIS may not be warranted based on the projected trips, the Planning Commission may request a TIS as part of the PUD process.

PAVING & GRADING:

Pavement sections were included for the road, driveways, sidewalks and curb with underdrain. Pavement sections appear acceptable based on Township standards. The proposed geometric layout and roadway dimensions appear acceptable except the cul-de-sacs. The cul-de-sacs should be increased to 50-foot radius per RCOC standards.

The newly proposed cul-de-sac at the south end of the site with emergency access gate ends short of the property line and does not show a connection to the existing pavement of Pepper Mill Ln. It should be noted the existing pavement of Pepper Mill Ln does not end at the property line and therefore the applicant will need to extend the pavement off-site for a short distance.

Existing grading on site was shown using contours. As mentioned above, the existing site has large elevation changes throughout the site. The proposed grading for the site was provided using contours overlain on the existing contours. Proposed pavement grades were also shown using contours. Grading limits are easily discernable, and the plan appears sufficient for the Concept review. Please alter the scale of the Grading Plan for Final PUD so that a more detailed review of the site grading may be completed.

NATURAL FEATURES:

WOODLANDS

An assessment was completed to identify and assess the general vegetation and landmark trees within the site. The assessment divided the site into three different zones. The southern zone is approximately 23 acres and contains the oldest trees on site. The northern zone is approximately 7 acres located in the northwest corner of the site and contains landscaped area and manicured lawn space along with a more sparsely covered forest with significantly younger trees than the southern zone. A third zone, approximately 3 acres in size, located in the north-central part of the site, is noted as 'generally lacking in landmark trees.' A full tree survey was not conducted on the site, however a sample survey was conducted for a 4 acre area. 13 landmark trees were identified in this area, giving the site approximately 3.25 trees per acre. A complete tree survey should be completed per Township Ordinance requirements at Final PUD.

WETLANDS

There is a wetland present offsite near the southeast corner of the site. It does appear that a small area (approximately 0.3 acres) of the site's existing runoff drains directly into the wetland. Per the grading plan, this area will be captured by rear yard catch basins and redirected to the retention pond. The removal of this small drainage area should not have a significant impact to the offsite wetland.
LANDSCAPING:
A Landscape Plan was included in the plan set. The majority of proposed trees are located along the right-of-way internal to the site. The remaining trees are located near the site border or in rear yard space. Many of the trees within the right-of-way are located within the separation limits for the water main and sanitary sewer. Where practical, trees and landscaping should remain outside water main and sanitary sewer easements or as far away from the utility as possible.

CONCLUSION:
In our opinion, the Concept PUD, is in substantial compliance with the Township's ordinances and engineering standards. We ask that any approval be conditioned upon the following items:

1. An additional water main stub shall be added to the plan for future extension to the east along the proposed road stub between units 19 and 20.
2. The cul-de-sacs be increased to 50-foot radius per RCOC standards.
3. Extend the pavement south of the proposed cul-de-sac to connect to the existing pavement off-site of Pepper Mill Ln. to provide continuous pavement for the proposed emergency access.
4. The Planning Commission should consider the difference between the conceptual cost estimate amount of $240,000 and the proposed contribution of $75,000 for the construction of pathway along Gregory Rd. as part of the public benefit. Alternatively, a request could be made to have the applicant design and construct the pathway as part of the development.

Please feel free to contact us with any questions at (248) 751-3107 or mark.landis@ohm-advisors.com.

Sincerely,

OHM Advisors

Mark A. Landis, P.E.
Project Manager

CC: Chris Barnett, Township Supervisor
    David Goodloe, Building Official
    Jeff Strout, Director of Public Services
    Tammy Girling, Director of Planning and Zoning
    Lynn Harrison, Planning and Zoning Coordinator
    Jeff Williams, Township Fire Marshal
    Bill Basikow, Water and Sewer Superintendent
    Rod Ayroso, Township Planning Consultant
    Joe Skore, Pulia Homes of Michigan, L.L.C. 100 Bloomfield Hills Parkway, Suite 150 Bloomfield Hills, MI 48304
    Matthew Busk, Arwell, L.L.C. 211 North Main St. Ann Arbor, MI 48104
Dear Tammy,

After reviewing the above plan, which was submitted for my review, adequate water is available assuming all engineering related comments have been addressed for the proposed project.

The developer will be required to extend sewer services from the existing tie-in point at their cost while utilizing Orion Township Standards.

Additional sanitary sewer and water connection fees will be required to be paid in full when building permits are issued.

Department of Public Services has no objections to the project assuming all engineering related concerns have been addressed.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
September 24, 2019

Orion Township
Attn: Tammy Girling
2525 Jostyn Rd
Lake Orion, MI 48360

RE: R.C.O.C. PRELIMINARY PLAN REVIEW 19P0043
LOCATION: GREGORY RD, ORION TOWNSHIP
PROJECT NAME: THE COTTAGES AT GREGORY MEADOWS

Dear Ms. Girling:

At your request, the Road Commission for Oakland County (RCOC) has completed a preliminary review for the above referenced project. Enclosed you will find one set of plans with our comments in red. All comments are for conceptual purpose only and should be incorporated into detailed construction plans. Below you will find a listing of the comments generated by the RCOC review:

A) As part of the drive approach construction, R.C.O.C. traffic and safety dept. recommend passing lane to be constructed on Gregory Rd to improve safety.

B) Remove or relocate all fixed objects prior to excavation. Fixed objects shall be no nearer than 5 feet from back of curb, or 12 feet from lane line.

C) Driveway must have sufficient corner sight distance (see attached RCOC policy).

D) Any pedestrian facilities shall be constructed in accordance with current Americans with Disabilities Act (ADA) guidelines.

E) Drive approach should include a detail M curb line to provide controlled drainage across the driveway.

F) Pavement cross section shall consist of a minimum 2 inches of MDOT 5E HMA, over 3 inches of 4E, over 4 inches of 3E, or 9 inches of MDOT 35-P concrete, with epoxy coated rebar lane and curb ties over a suitable base, as determined in the field by RCOC.

G) Gravel shoulders shall consist of 8 inches of M.D.O.T. 23A compacted aggregate.

H) Excavations within a 1:1 influence of the roadway will require MDOT Class II backfill compacted to 95% maximum density.

I) Right of way shall be ditched/graded to provide positive roadside drainage.
Once the comments above are addressed, plans should be submitted to this office with completed RCOC permit application(s) Form 64a, signed by the owner (or his agent), three sets of plans (per application, 5 for signal permit) and the appropriate application fee(s).

All future correspondence related to the above referenced project will be sent to the address provided by the applicant. Separate applications will be required for:

a) Drive approach & road improvements  
b) Utility connections

Upon receipt of the appropriate application packet, RCOC will provide a more detailed review. Please contact this office at (248) 858-4835 if you have any questions, or if we may be of further assistance.

Respectfully,

[Signature]

Scott Smikowski, P.E.  
Permit Engineer  
Department of Customer Services

SS/mac  
Enclosure

cc: Matthew Bush, P.E., ATWELL
A Site Walk was completed on September 24, 2019 at approximately 5:30pm by Don Gross and Scott Reynolds.

The mostly undeveloped parcel along Gregory Road is heavily wooded and has significant grade change.

A tree survey was not available at the time of site walk, although "landmark" trees are likely present on the site. Multiple dense groupings of trees were observed.

An existing, appearing to be non-occupied, single-family home is located near the middle of the parcel. The middle of the parcel appears to be the highest point of the property.

The property is surrounded by single-family residential which is most cases are located at lower elevations.

Gregory Road is a paved two lane road with no turn lane or deceleration at the property border along Gregory.

The property abuts Pepper Mill Lane is currently a dead-end street servicing single family homes off Morgan Road.

Scott Reynolds, Planning Commissioner
Charter Township of Orion
sreynolds@oriontownship.org
August 26, 2019  
Atwell, LLC Project No. 19000045  
Re: Woodland Site Assessment Summary  
Gregory Road Development 32.74 acres  
Gregory Road, Orion Township, Oakland County, Michigan

Atwell conducted an assessment of the approximately 32.74 acre Gregory Road site to determine the general vegetation communities present including woodlands and the extent to which landmark trees are present within these areas. A desktop review of historical aerial photos and other publicly available records was undertaken followed by a site inspection on August 23, 2019.

Review of current aerial photos combined with field truthing revealed that the site is comprised of three zones. The southern zone, approximately 23 acres in size, exhibits a generally uniform forest dominated by black, red and white oak, red maple, basswood, sassafras and black cherry. This area appears to represent second growth forest and includes the oldest tree specimens on the overall site and consequently the highest density of landmark trees. Review of aerial photos shows relatively dense woodland existing within most of this zone as far back as 1940.

The northern zone, approximately 7 acres in size, is located at the northernmost end of the site adjacent to Gregory Road. This zone exhibits a maintained lawn and landscape areas associated with an existing residence near the road, surrounded by a sparse forest canopy composed of similar species to those found in the southern zone. The 1940 aerial photo shows this portion of site was still in active agricultural use at that time. Consequently, the average age of trees within this zone is significantly lower than in the southern zone with few landmark trees present.

A third zone, approximately 3 acres in size and located within the north central portion of the site, is dominated by a relatively dense conifer stand comprised of pine and spruce species. Historical aerial photos indicate that this area was active agricultural field until sometime after 1963 when it was planted with conifers. This area is generally lacking in landmark trees.

During the site inspection, Atwell conducted a meander search of relevant portions of the site to confirm the presence of vegetation community types identified during the desktop review. In addition, an approximately four acre sample area was established within the southern forested zone and all landmark trees within this area identified, located, and tagged. This sample area represents the portion of the overall site exhibiting the greatest density of landmark trees. A total of 13 landmark trees were identified within this 4 acre area translating to approximately 3.25 landmark trees per acre.

Although a tree survey for the entire site has not yet been undertaken, the results of this initial site inspection and sampling effort indicate that the greatest density of landmark trees is found within the southern, followed by the northern, and then the central zone. Preliminary site design has taken this into consideration in concentrating the woodland preservation areas within the southern portion of the site.
### Oakland County Sheriff's Office

**Orion Township Substation**

**Weekly "Calls for Service" Summary:**

**Time period: 1-6-2020 to 1-12-2020**

- Calls for service - 366
- Felony Arrests - 0
- Misdemeanor Arrests - 6
- Accidents - 16

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**200003718 01/06/2020 5:45pm**

**Larceny of property marijuana**

Deputies were dispatched to Bluebird Lane to speak with an individual regarding larceny of personal property. Deputies met with the victim, a 35-year-old Orion Twp. resident stated that she received a call from her teenage daughter that another 18-year-old Orion Twp. resident took several items from her home to include marijuana. Upon returning home, the victim confronted the suspect about the stolen items. Stolen items were not recovered, Deputies processed the scene for evidence. All information, and evidence was collected and turned over to the detective bureau, investigation continues.

**200006218 01/09/2020 6:12PM**

**Retail Fraud II Report**

Deputies were dispatched to 2600 Block of Lapeer Rd Home Depot for a retail fraud in progress with a male suspect not in custody. The investigation revealed the male entered the store at approximately 6:11PM and proceed to the hardware department where he selected 2 drills and cancelled them in his jacket. The subject exited the store passing all points of purchase making no attempt to pay for the items. When confronted by Loss Prevention the subject jumped into a waiting vehicle and left the area. A total of $368.00 worth of stolen merchandise was removed from the store. Deputies checked the area for the suspect. Suspect known. All information, and video was collected and turned over to the detective bureau, investigation continues. Video from the store identified the suspect.

**200006368 01/09/2020 9:45PM**

**911 Suicide Call- Prevented**
Deputies responded to a call at the 600 block of Lapeer Rd for a male that is attempted suicide. The caller advised that the 38-year-old resident of North Branch indicated that he was not going to be around, and the subject was in his vehicle at the Lapeer Road Starbucks. Responding Deputies located the vehicle and observed that it was quickly filling up with smoke. Deputies immediately broke the window and removed the subject from the vehicle and extinguished the fire. Orion Fire and STAR EMS responded to the scene. The 38-year-old man was transported to the hospital for further medical attention and mental health evaluation. The vehicle sustained damage.

20-7225  1/11/2020  12:37 AM  Malicious Destruction of Property
Deputies responded to the 2500 block of Mueller for a Malicious Destruction of Property Report. A 25-year-old resident reported the window of his vehicle was broken. The victim reported the damage occurred sometime between 11:30pm-12:30am. The victim discovered the damage and observed his ex-girlfriend speed away with an unknown male. Deputies photographed the damage and are awaiting a total estimate from the victim. This incident is under investigation.

20-7341  1/11/2020  4:54 AM  Single Vehicle Crash/ Leave Scene of Accident
A Deputy on routine patrol observed an unknown male walking on Elm St near Pinetree. The Deputy then observed vehicle headlights that were off the roadway on Walnut near Elm. The deputies identified the man as a 36-year-old Orion resident who advised he was the passenger in the vehicle when the driver, a 36-year-old Ortonville man, drove off of the roadway and struck a tree. The deputy observed the responsible driver at the vehicle, but he then fled on foot, leaving his vehicle abandoned. Deputies contacted the driver by phone, but he refused to return to the scene. This incident is under investigation and the vehicle was impounded with a hold

200007647  01/11/2020  6:48PM  Retail Fraud
Deputies were dispatched to the 4000 Block of Baldwin Rd ULTA Beauty Supplies for a retail fraud with two female suspects not in custody. The investigation revealed two female suspects entered the store and walked around the store briefly before heading over to the fragrance area. Once in the fragrance area both females selected several bottles of fragrance and placed the items in their purses and both subjects exited the store passing all points of purchase making no attempt to pay for the items. An unknown amount of stolen merchandise was removed from the store. Deputies checked the area for the suspects. Suspects unknown. All information, and video was collected and turned over to the detective bureau, investigation continues.

200007923  01/12/2020  8:33AM  Missing or Stolen Report
Deputies were dispatched to the 2000 block of Armstrong for a UDAA report. Deputies met with the victim 57-year-old Orion Twp. resident who advised them that on 1/11/2020 he took his dog for a walk and his vehicle was in his driveway. Upon waking up on 1/12/2020 he noticed that his vehicle was not in his driveway. Deputies checked the area for the
suspects. Suspects unknown. All information, and evidence was collected and turned over to the detective bureau. Vehicle was entered into LEIN as stolen and Detectives are checking with the bank, who also owns the vehicle.

**200007969 01/12/2020 10:31AM  Domestic Assault – Arrest**

Deputies responded to a 911 call in the 3000 block of Huron Ct for a domestic assault. A 21-year-old male was arguing with his 25-year-old roommate and it turned physical when she pushed him knocking him backwards. The suspect then laid on the couch, several hours later he contacted the police. Based upon the victim's statements and the video evidence, the 25-year-old suspect was placed under arrest for Domestic Assault and lodged at the Oakland County Jail pending prosecutor review.

**200007997 01/12/2020 11:59AM  Retail Fraud II**

Deputies were dispatched to the 3000 block of Baldwin Rd for a Retail Fraud that occurred. The investigation revealed two suspects entered the store and grabbed a shopping card and proceeded to the meat department. The couple selected several cuts of meat placed them into the shopping cart and both subjects exited the store passing all points of purchase making no attempt to pay for the items. When they were confronted the male told loss prevention to leave the female alone. Both subjects got into a white older model vehicle and left the area. A total of $350.96 worth of food was removed from the store. Deputies checked the area for the suspects. Suspects unknown. All information, and video was collected and turned over to the detective bureau, investigation continues.

**200008308 01/12/2020 11:12 PM  Disorderly Persons / Fight**

Deputies responded to Opa’s Bar, located in the 600 block of Lapeer Road, for subjects fighting in the parking lot. Two subjects had been asked to leave the bar by the owner after he observed them in the parking lot with an open bottle of alcohol. The two subjects reentered the bar and owner was directing the subjects to the door when he was struck by one of the subjects. The fight continued into the parking lot when Deputies arrived and made the scene safe. The subjects, a 42-year-old resident of Almont and a 32-year-old resident of Orion were both cited for Disorderly Person. Both subjects were advised they are not welcome at the bar any longer and were provided a Court date.

Anyone with information or crime tips regarding these incidents are encouraged to contact the Orion Township Sheriff's Office Substation at 248 393-0090 for tips, or our Dispatch Center at 248 858-4911 for incidents in-progress. Tipsters can remain anonymous
Total response to calls for 2020 – 101
January 8 to January 21, 2020

Medicals – 70
Personal Injury Accidents – 4
Fires (Structure, Vehicle, Outdoor) – 3
Burning Complaints - 0
Citizen Assists – 12
Good Intent – 9
Other – 3

**January 8, 2020**

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<td>Lift Assist</td>
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<td>Vehicle Accident</td>
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**January 11, 2020**

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<td>Alarm System, no fire</td>
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