The Charter Township of Orion Planning Commission meeting will be held by VIDEO CONFERENCE ONLY via the GoToMeeting application, access code 599669285. You may also phone into the video conference by dialing 1-(571) 317-3122 and entering the access Code 599669285 (the meeting is being conducted via video/telephone conference due to the health concern of COVID-19 and related orders or regulations)

1. OPEN MEETING
2. ROLL CALL
3. ELECTION OF OFFICERS
4. MINUTES
   A. 12-16-20, Planning Commission Regular Meeting Minutes
   B. 12-16-20, PC-2020-26, WOW Gas Station Special Land Use Request Public Hearing Minutes
   C. 12-16-20, PC-2020-38, Edgar Development Rezone Request Public Hearing Minutes
5. AGENDA REVIEW AND APPROVAL
6. BRIEF PUBLIC COMMENT - NON-AGENDA ITEMS ONLY
7. CONSENT AGENDA
8. NEW BUSINESS
   A. PC-2021-01, Dutton Park Site Plan located at vacant parcels 09-35-400-048 and 09-35-477-003 located on the north side of Dutton Rd. 1 parcel east of Interpark N
9. UNFINISHED BUSINESS
10. PUBLIC COMMENTS
11. COMMUNICATIONS
12. PLANNERS REPORT/EDUCATION
   A. Community Planning Update Winter 2020 Issue
13. COMMITTEE REPORTS
14. FUTURE PUBLIC HEARINGS
   A. 01-20-21 at 7:05 p.m. PC-2021-02, Milosch Project Rezone Request, 4.293 acres of unaddressed parcel 09-26-300-013 located at the nw corner of Silverbell and Lapeer Roads from General Business (GB) to Industrial Park (IP)
15. CHAIRMAN'S COMMENTS
16. COMMISSIONERS' COMMENTS
17. 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.
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TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Zoning/Planning Director

DATE: December 18, 2020

RE: Election of officers

As requested, I am providing a suggested motion for the matter mentioned above. Please feel free to modify the language. The verbiage below could change based upon the Planning Commissions’ findings of facts. Any additional findings of facts should be added to the motion below. Please note that it was suggested to me that on matters that involve rezonings, PUD’s, Special Land Uses or variances that I provide language indicating that the matter can be approved or denied.

ELECTION OF OFFICERS, SITE WALK COMMITTEE, & ZBA APPOINTMENT

Chairman, Vice-Chairman, and Secretary
(nominations are made and supported then..)

Move that nominations are closed and a ballot be cast to elect (or re-elect if no change)
__________________ to serve as the Chairman, _______________ to serve as Vice-Chairman, and __________ to serve as Secretary, for 2021.

Recommendation of ZBA Appointment

Move that the Planning Commission recommend to the Board of Trustees to appoint
__________________ as the representative from the Planning Commission to serve on
the Zoning Board of Appeals for 2021.

Site Walk Committee
(per the PC By-Laws, the Chair appoints members to committees)

Chair: I appoint ____________, ______________, and ______________ to serve on
the site walk committee for 2021.
CHARTER TOWNSHIP OF ORION PLANNING COMMISSION  
****** MINUTES *****
REGULAR MEETING, WEDNESDAY, DECEMBER 16, 2020

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, December 16, 2020, at 7:00 pm VIA VIDEO CONFERENCE - GoToMeeting Access code 599-669-285 or VIA TELEPHONE 1-(571) 317-3122 Access Code 599-669-285 (Meeting being conducted via video/telephone conference due to the health concern of COVID-19)

PLANNING COMMISSION MEMBERS PRESENT:
Don Walker, PC Rep to ZBA  Scott Reynolds, Vice Chairman
Don Gross, Commissioner  Joe St. Henry, Secretary
Kim Urbanowski, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
Justin Dunaskiss, Chairman
(one vacancy)

1. OPEN MEETING
Acting Chairman Reynolds, opened the meeting at 7:04 pm

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Mark Landis, (Township Engineer) of OHM Advisors
Jeff Williams, Township Fire Marshal
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Bruce Parker  Cory Newman
Heidi Jancek  Jeffery Schmitz
Kim Thomas  Licia
Rick  Matt Darin
Scott Gies  Shannan Hea
Tom DeAgostino  Tim Philippart
Dana Tousley  Iden Kalabat
James Owings  Kevin McClellan
Ron Rader  Sam Ashley
Sermed Saif  Valerie Rup
Chris Kawa  A. Jones
Chris Wilding  CJ Lee
Dave B  Gerardo Mend
Iven Sharrak  James Butler
JD  John Santeramo
Kuldip Sandhu  Marsha Parker
Zoe Darin  Mike Mollan
RJ  Russ Luxton Jr.
Russell  Sherry
3. MINUTES
A. 12-2-20, Planning Commission Regular Meeting Minutes

Moved by Commissioner Gross, seconded by Commissioner Walker, to approve the minutes as presented.

4. AGENDA REVIEW AND APPROVAL

Moved by Secretary St. Henry, seconded by Commissioner Gross, to approve the agenda as presented.

Acting Chairman Reynolds recessed the regular meeting and opened the Public Hearing for PC-2020-26, WOW! Gas Station, Special Land Use, located at 3865 S. Baldwin Rd. at 7:06 p.m.

Acting Chairman Reynolds closed the Public Hearing for PC-2020-26 at 8:19 p.m. and opened the Public Hearing for PC-2020-38, Edgar Development Rezone Application, located at a northern portion of 3805 S. Lapeer Rd. (parcel 09-26-451-005), requesting to rezone approximately 4.21 acres from restricted business (RB) to General Business (GB) at 8:20 p.m.

Acting Chairman Reynolds closed the Public Hearing for PC-2020-38 at 8:23 p.m. and reconvened the regular Planning Commission meeting.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None

6. CONSENT AGENDA

None

7. NEW BUSINESS
A. PC-2020-26, Wow Gas Station, Special Land Use, located at 3865 S. Baldwin Rd. (parcel #09-29-326-016).

Acting Chairman asked the applicant if there was anything they wanted to add before they turned it over to the consultants. Mr. Kalabat replied that they could move right to the consultants.

Planner Pietsch read through his review date stamped December 3, 2020.

Engineer Landis read through his review date stamped December 2, 2020.

Acting Chairman Reynolds said that they had a review from the Fire Marshal, and from Public Services, and they had no additional comments if the project were to proceed. They did have a review from RCOC in regards to the application and permits, and that they would have to proceed with any regulations and standards RCOC would require. The Planning Commission did have a site walk, to review existing conditions on Baldwin Rd., and they reviewed the curb cuts and access in the area. They were familiar with this application, beyond just the plans that have been submitted.

Commissioner Gross said Baldwin construction has been underway for the last two years and as a result of that, they have seen that people have expanded and explored alternative traffic
routes going through different subdivisions or different routes. Construction is coming to an end. They are seeing that Baldwin is operating more smoothly, the roundabouts are doing what they are supposed to be doing, people are beginning to understand how they work. He thought it would have been nice to have some traffic count on the existing north driveway and on Hidden Timber to evaluate the impact of closing the north drive. To have some history on the traffic counts would have been extremely valuable to say what is happening and what is not happening as opposed to using a manual to say what the traffic count generations are. Not having that information, they do know that eliminated the north drive will necessitate the vehicles, basically all the vehicles since they would come in on the south drive, be they cars, delivery trucks, tanker trucks, they would exit onto Hidden Timber. Looking at the plans, the amount of distance from the driveway to Baldwin from the new driveway does not provide much stacking available and could cause a conflict with people entering onto Baldwin, to get into the subdivision, and traffic would just stacking-up across Hidden Timbers Dr. He saw some difficulties with proceeding with this on a favorable-bases.

Acting-Chairman Reynolds echoed some concerns with Commissioner Gross’s, they heard loud and clear some of the comments that were brought forth in the Public Hearing. Traffic flow and impact of traffic is something that they look at closely and there are some concerns on, residential streets, flowing through the Special Land Use in this property, and some of those detrimental effects. He questioned the stacking and how deliveries would occur? If there was a proposed solution, that would eliminate that, ingress and egress on the site or deliveries that would strictly be limited to the Baldwin Rd. access? He said during their site walk, one of his concerns was an additional opportunity for cross-flow traffic, not just strictly through the neighborhood, but also from the roundabout to across parking lots. If someone missed a turn and was coming southbound that they would cross over into the parking lots to use as a secondary access drive. He understood that there are obviously some detrimental effects from Baldwin Rd. divergence from a center turn lane to a boulevard. That improves traffic flow and does some other improvements in the area and brings more traffic, and thought that there was an offset there that is presented and that the relocation of this is strictly between the two roundabout circles and he knew that it was inconvenient.

Commissioner Urbanowski said that she drove out there the other day, and attempted to go from Hidden Timber to the two roundabouts, and then come back to the gas station. It took her two minutes. She agreed that the roundabouts are doing what they are supposed to do. She noted that she lives off of Baldwin just north of Waldon, so when she goes to Kroger, she has to hit one roundabout, when she goes to CVS, she has to hit two, and felt they were doing their job. She didn’t think it was that much of an inconvenience to either come out of Lake Forest and hit Maybe, do that roundabout and then go that way. It is really not that much of an inconvenience, and thought that opening it up not to just traffic from the back or the entire subdivision of Lake Forest, but potentially behind there off of Riverside, and those people off of Maybee Rd. She could see a potential for a lot more traffic that doesn’t need to be there when the roundabouts are convenient and are doing their job.

Commissioner Urbanowski asked because a couple of times this was brought up and thought it was relevant because they are talking about good neighbors and she felt that was what was going on. The neighborhood is asking WOW to be a good neighbor, they are using their services. She asked who was responsible for getting the easement from DTE for the landscaping along the east side of the building? It has been seven years does it take that long to get an easement to do the landscaping that was meant to be done in 2013? She was also concerned about the gas tankers coming in and out, the easiest route for them would be to come out on Hidden Timber, and who is to say that they want to continue through the neighborhood because it is easier to do that. She wasn’t sure how big of a gap, and she is not
a truck driver, so how does a gas tanker come out of Hidden Timber and make a left? She couldn’t conceptualize how that would work, especially if there was traffic coming in from Baldwin onto Hidden Timber, it seemed to her like a big bottleneck problem.

Acting-Chairman Reynolds stated that they had some questions here about how the sacking would work if there were to be an entrance on the north side of the property and Hidden Timber, a question about how deliveries would occur, and then also a question on easements.

Mr. Kalabat wanted to address the easement issue and a point of clarification. DTE has an existing easement at the east portion of the property for their overhead electric lines. The applicant, the property owner, is not seeking to obtain an easement. They are actually restricted from planting any trees within that easement. So, it is not as though it has taken them seven years to get an easement from DTE it is they don’t have permission, or a right, or the ability to plant trees within that easement because it directly violates the covenants of that easement. That was an oversight, from the previous engineers, and surveyors, he believed was Kieft Engineering, which originally submitted and designed these plans back in 2013. They came across that restriction during construction. It was not as though it was a failure on their part to obtain something.

Mr. Kalabat said as far as deliveries he thought that the most logical route for deliveries from in and out of the site would be, instead of them using the south entrance from Baldwin Road, and then as they say having to egress and exit out on to Hidden Timber, would actually have them travel past the site make a right turn into Hidden Timber and then make a right turn into the site to allow them to round in there. He realized that was probably not the most ideal situation, but the proposed conditions that would be the preferred delivery method is to have them enter onto Hidden Timber, into that approach, so that way, they would be geared to get back onto Baldwin Rd. with the understanding that that delivery traffic would not be traveling past this proposed approach on Hidden Timber Dr. They would only use Hidden Timber up until the approach, they would not be continuing into the neighborhood or using the neighborhood as a thoroughfare. He thought that would alleviate many of the stacking issues that Commissioner Gross brought up as well. He agreed that if they are using the drive for Hidden Timber as a means of egress to get back onto Baldwin Rd., they would find it much more difficult than using the approach that is on Baldwin Rd. as means of egress to Baldwin Rd. He thought that after some time of operation, most drives would find that through their practice and through their use of the site, that would be the more natural path of egress was to utilize the approaches off of Baldwin Rd. especially if they are trying to get to Baldwin Rd. He thought that the roundabouts and U-turns are a much better operational practice on some of the more congested roads, like Baldwin Rd. He appreciated the Planning Consultant confirming that they are servicing the intent of the Master Plan. They are providing for smooth operation of traffic along Baldwin Rd. it is just adversely impacted by that and so that is why they are here making the request.

Moved by Secretary St. Henry, seconded by Commissioner Urbanowski, that the Planning Commission recesses for 5-minutes due to technical difficulties that the Acting-Chairman’s was having. All were in favor.

Moved by Secretary St. Henry, seconded by Commissioner Walker, that the Planning Commission reconvene the meeting after addressing the technical issues. All were in favor.

Mr. Kalabat said that he thought that he answered the three points of concern.

Commissioner Walker said that he was on the Pjanning Commission back in 2013 and he voted for it. As he recalled the tipping point in the negotiations to get it resolved, was the giving up of
this driveway, that the applicant is here asking for. He would have never voted yes on the proposal in 2013 if that included this driveway. The other commissioners at the time would have or not, he couldn’t say. He has been involved with the Township for over 30 years. It seemed to him since the Baldwin Rd. improvement, it has created a number of issues for residents, for property owners, for small businesses that are running, along Baldwin Rd. They have made some exceptions and granted things because of that construction on Baldwin Rd. It seemed to him now, however, every other applicant, for any other reason, on the road, is saying they need this change because of the road. He thought most of them are using that as an excuse, as opposed to a reason. He was not meant to insult the applicant but didn’t see how Baldwin Rd. has impacted the business so that they should change what they did back in 2013 and do something different now.

Secretary St. Henry wanted to re-iterate that a lot of these issues that are being discussed were the exact same issues that they discussed seven years ago, taking Baldwin Rd. completely out of the picture. They knew at the time that Baldwin Rd. would be redone, it has been redone now, but that is not really the issue. The issue is the through traffic, the greater potential, through traffic concern, truck traffic, and exiting out of the development. These are the same conversations they had then. He concurred with Commissioner Walker that the turning point in those discussions back then was the change in the plan to eliminate the entrance/exit onto Hidden Timber, and that is when they added the second entrance/exit, on Baldwin the north cut. He agreed that they are dealing with the same issues that they were dealing with seven years ago, and didn’t think that Baldwin Rd. construction is a strong enough excuse to disrupt this neighborhood.

Moved by Commissioner Gross, seconded by Commissioner Urbanowski, that the Planning Commission deny PC-2020-26, WOW gas station located at 3865 S. Baldwin Rd. (parcel #09-29-326-016), a request to modify the existing Special land Use of a gas station to add a driveway off of Hidden Timber Dr., for plans date stamped received November 6, 2020. This denial is based on the following findings of facts: it is not compatible with adjacent land uses; it is not compatible with the goals and objective of the Master Plan, the Planned Unit Development ordinance, and the previous agreement with the property owner; the impact on traffic will be adverse, to the residential subdivision to the east; the detrimental effects of the adjoining properties, both business and residential, as referenced by the testimony during the Public Hearing; and this proposal will not enhance the surrounding environment.

Roll call vote was as follows: Gross, yes; Urbanowski, yes; St. Henry, yes; Walker, yes; Reynolds, yes. Motion carried 5-0 (Dunaskiss absent & one vacancy)

Acting-Chairman Reynolds asked if the applicant would like to address the landscaping? Mr. Kalabat thought it would be worth continuing the discussion on the landscaping.

Mr. Kalabat stated that seeing how currently, what was approved, and what is permissible are in conflict with the evergreens at the rear of the property, as means of screening the back of the building, the property owner cannot plant them in the location that they were approved. There is no other feasible location at the back of the building due to limited space with the detention pond and the proximity of the actual building to plant those pine trees. He thought some consideration to swapping out from 14-ft. white pines using 6-8-ft. arborvitae or moving to a screen fence would help alleviate that situation, get some method of screening in there, at the back for the residents, and allow the Township to release the current bond that is being held and close out the file from 2013. He asked the Commissioners if they have any comments as to using, utilizing, modifying that site plan to utilize another means of screening and which would
be a more preferable means of screening at the back of the property. Or if they would like just them to submit something.

Commissioner Walker said that fences are a big deal around here lately. In the November issue of the Smithsonian Magazine is an article about why, in the British Isles they don’t allow fences of any kind, but they use hedges, hedgerows. If the applicant was thinking about some sort of shrubs behind the party store/gas station, he would commend that article to him for great ideas.

Acting-Chairman Reynolds stated that one of the potential solutions that they have could be an Administrative Review, discussion, and resolution of this. If there are limitations, that can be proved with DTE, essentially, the easement does not allow the original proposal, he would be OK with the administrators, discussion, review, and approval.

Commissioner Gross agreed that this could be handled on an administrative basis, to satisfy the intent of the original landscaping, if there is a modification that is consistent with that intent, he thought it should be handled administratively.

Moved by Commissioner Gross, seconded by Commissioner Walker, that the Planning Commission, regarding the lack of landscaping that was originally required on the north side of the property, that the applicant meet with the Planning Department and present an alternative to that. If the alternative is consistent with the intent, the original plan, that it can be handled administratively.

Discussion on the motion:

Planning & Zoning Director stated that she believed that the problem with the landscaping was on the east side. Commissioner Gross stated that he misspoke in terms of location.

Commissioner Urbanowski thanked the applicant for taking care of the landscaping.

Commissioner Gross amended the motion, Commissioner Walker re-supported the motion to include that the location of the landscaping was on the east side of the building.

Roll call vote was as follows: St. Henry, yes; Walker, yes; Gross, yes; Reynolds, yes; Urbanowski, yes. Motion carried 5-0 (Dunaskiss absent & one vacancy)

B. PC-2020-38, Edgar Development Rezone Application, located at a northern portion of 3805 S. Lapeer Rd. (parcel 09-26-451-005), requesting to rezone approximately 4.21 acres from Restricted Business (RB) to General Business (GB).

Acting Chairman Reynolds said they had a Public Hearing on this tonight. He asked if the applicant would like to add to his presentation? Mr. Ashley replied that he had nothing further to add unless there were any questions.

Acting Chairman Reynolds stated that he wanted to disclose a relationship and a potential conflict of interest. Mr. Sam Ashley, the applicant tonight, and Acting Chairman Reynolds have done work in the past and do currently do work, but he was not involved with this application or project. He didn’t believe there was any conflict of interest but wanted to bring up that relationship prior to deliberating on the topic if there was an issue with that relationship. There were no issues.
Planner Fazzini read through his review date stamped December 7, 2020.

Acting Chairman Reynolds said that there was a letter that he had read into the record, during the Public Hearing that there was support from the Hi Hill subdivision, with no strong opposition to the rezone request.

Commissioner Gross asked what the intent of the use of the property? His concern was that it would be used as a body shop, or a transmission repair facility, something that is going to create noise, and odors, that could impact the adjoining PUD that they are reviewing immediately to the north and to the east. He added that they have an opportunity here to plan the uses concurrently, rather than try and solve something at a later date, and to avoid any conflicts that might be resulting. His other concern he had was of lighting, and if it is going to be used as a storage lot, and the impact that it might have on future residential properties, to the north and to the east. He asked again, what the intent of the use was? He knew they couldn’t commit to it unless it was a contract zoning but he would like to have what the intent was of the owner recognizing that the owner or the applicant was the owner of the adjoining auto dealership to the south. Mr. Ashley stated that they purchased the property from the Hills of Woodbridge development. They have been working very closely with them to make sure that they are not any conflicts and that both projects are developed in harmony. He added that at this point, there isn’t an intended use, it is really from a land investment standpoint. Before the Hills of Woodbridge bought the property, it was a much larger acreage that was for sale, larger than their client needed. However, when the Hills of Woodbridge acquired that property, there was then the opportunity to buy a smaller parcel. Looking at the overall acreage that is there and just from a wise development practice, the ability to add more acreage based on the usability standpoint, that is what their client decided to do. Right now, there is not an intended use for it, but it is simply, they are just looking to get the zoning consistent, on the overall acreage of the total parcel. He said as it relates to lighting, if there is a development plan that is put in place that will come back before the Township, any lighting that is done will certainly be done per the ordinance, and any other considerations from the Township, or from any residents or any other input that is necessary, they will certainly take that into account.

Acting Chairman Reynolds said that they are just looking at a Rezone, not a Conditional Rezone. Special Land Use items would pop up at that point and time, they are strictly looking at the uses that would be permitted between the current zoning and the proposed zoning. So, also, a point of reference of what is now permitted by right versus by either Special Land Use or previously, it is not permissible.

Commissioner Walker asked why there were there now asking for the change of zoning if they don’t know what their client is going to do with it? He thought it made more sense now that they have the property, to wait and decide what they want to do with it. Mr. Ashley replied originally, the dealership was only comprised of, in round numbers, 10 acres. They bought the additional four acres, so those have been combined now into one parcel because they have done a boundary adjustment, so on that one parcel, they have split zoning. They have 10 acres that are General Business (GB) and the four acres that were acquired, which are currently zoned Restricted Business (RB). They are simply looking to carry the General Business (GB) zoning across the entire parcel now that it has been combined into an overall parcel, which is 15.039 acres. It is just to uniform the zoning, across the entire parcel. Based on the primary zoning, that is on the parcel by percentage basis, if they took the 4.2 acres, that equates to 27% of the land area, and the 10.82 acres is 73%. It is simply just carrying the zoning across the entire parcel so it is uniform on one lot. Commissioner Walker said he understood that and said the timing befuddled him.
Acting Chairman Reynolds said looking at the rezone of the parcel, from (GB) to (RB), a couple of points or concerns usually are, automotive dealerships would be a permitted by right use, and then a gasoline and fuel station would be allowable with a Special Land Use. Previously, restaurants and outdoor patios were permissible, except for a restaurant with a drive-thru, along with hotels. He added that it looked like schools, churches, mini storage, and public transportation facilities would be allowable, some of those are by Special Land Use, and thought it was a more impactful zoning use there. He didn’t think it was inconsistent with the adjacent uses, especially since the (GB) that is directly adjacent to this parcel to the south, the gas station that is under construction, and there is also the auto dealership that is across the way, so he didn’t think it was inconsistent. He didn’t know how much more impactful it is to the surrounding area. It is even consistent with the PUD that was on their docket last week, and approved under concept review, to have a retail center, he thought those were all compatible on adjacent uses. The biggest difference that he saw there would maybe be the automobile-based uses that would be most impactful and hard to justify that isn’t cohesive if you have an auto dealership directly to the south and then directly to the west.

Mr. Ashley asked if he could address one point as it related to timing. Part of the sequence that they are going through is really something they talked through with the Township. When the property was purchased it was still under the original encumbrance of what was proposed to be the PUD for the Hills of Woodbridge. What they decided to do, rather than keep the 4.2 acres in the PUD, they decided to bifurcate it from the PUD. The first step was getting the boundary adjustment done, and then the next step was going through the zoning.

Commissioner Gross stated that he was still concerned with the fact that they were dealing with the residential component surrounding this property to the north and the east. They are kind of ignoring the fact that something could be going in there, which could adversely affect that or adversely impact financial development from a positive standpoint. The site is big enough if there, is going to be a building and if it had some additional setback further from what the ordinance requires so that, there is some protection to those residential properties that he thought he would feel a little bit more comfortable. He is trying to find a way that they can a least address these concurrently. Mr. Ashley said they purchased the property from the Hills of Woodbridge, so they have been and will be working with them concurrently as they go through their process. He said that he can’t provide anything but certainly would be appropriate if he was to seek a letter of support from the adjacent development, that they are in support of what they are doing. He couldn’t provide that but was happy to provide that later in the week.

Acting Chairman Reynolds said it is just strictly a rezone, so he thought that they should focus on the uses that would be potentially allowable with fully rezoning the parcel to (GB). This isn’t a Conditional Rezone, so there are no conditions before them, so they are going to be subject to their standard zoning requirements. The biggest difference he saw was a restaurant with a drive-thru and an automotive dealership repair and automobile wash establishment, something that is an automotive use. There are zoning requirements that are going to provide a buffer, this parcel would be an island surrounded by the PUD. The Hills of Woodbridge, which would be a reasonable buffer from a multi-family development to those residential developments that are further to the east. There are not conditions being put forth, they are not going to evaluate, obviously, a site plan at this time. They can speak to the discussion points of concern and suggest, what additional parameters might be put forward. He was fairly confident he didn’t see a major transition. It is not like they were talking residential to (GB) they are talking about (RB) to (GB) so a lot of those buffers and parameters are very similar. It is really the use changes that he thought they should be discussing here.
Mr. Ashley said that they have studied the Hills of Woodbridge Site Plan quite extensively. He thought that it might be helpful to reflect on how they proposed the land use that they have in the majority of their northern property line, it is a retail or commercial use and detention pond that is being proposed there. When they look at this site, and then how it relates to the site to the north, there is a nice transition between the two parcels.

Planner Fazzini said if approved and if the north development does come in for a site plan, the tree survey and the tree permit process will be required, and that is an extensive woodlands area now. So that may help with their comfort level as far as buffering or things like that brier area of the property line. Depending on the percentages of what they are preserving and clear-cutting, some of those things they talked about with other cases may have to be preserved. With the Hills of Woodbridge PUD, they are still not through the final PUD process, they can now focus on the rear of that development as it relates to this area, and ask the applicant to address that as far as screening or landscaping if the (GP) zoning is approved and there is an expectation that a dealership, would it be permitted.

Acting Chairman Reynolds said he was looking at the report from Giffels Webster. If the PUD were to go through, that is the only (RB) zoned parcel, there is the Palace on the northwest corner of Silverbell and Lapeer Rd. is (GB), the PUD on the corner of Silverbell and Lapeer Rd. that is a drive-thru gas station use so they are really closely related to (GB). He was not seeing a strong opposition to (GB) in the area, especially, since there is a buffering parcel that would be proposed from the R-1 parcels directly to the east, and they are not directly to the east there is a parcel in between them.

Secretary St. Henry stated that a few years ago, they dealt with a situation with Palace Chrysler. They wanted to expand some additional property and thought it had to be rezoned for them to be able to expand their parking spaces. They added on to their parking lot, significantly. Commissioner Walker said that he thought that had to do with the wetland issues there. Secretary St. Henry said his point was that the dealership was looking for additional space, they knew what they were going to do with that, at the time, it was pretty straightforward, they needed more storage space for new vehicles, or it may have been storage space for their body shop. He thought it was straightforward, a Restricted Business (RB) to General Business (GB) and given the fact that there are ten-acres of (GB) now with a well-established car dealership. He added that there was a very good point that was brought up that for the new residential development, that is going in there, in terms of where the commercial portion of that development is, and where it is in relation to that.

Acting Chairman Reynolds stated what he also wanted to add, from the review, was that the Master Plan currently suggests that it be neighborhood commercial, which reviewing that, it is all suggested as one uniform neighborhood commercial zoning. Across the street would be mixed-use, to the north as multi-family medium density. Just based on some of those, he was in support of the rezone. As it is presented right now, just based on its compatibility with adjacent uses. He didn’t see the major direction change from (RB) to (GB).

Commission Gross said that Walley Edger has done a wonderful job on his property, it has been a great addition to the community. He could sell the property tomorrow and they would have no control over whether it is going to be a part of a dealership or if it is going to be something entirely different. Acting Chairman Reynolds agreed and said that is why they are strictly looking at the use without conditions. He said he was ok with their standard differences in landscape buffers, between business zoning, and residential zoning there are buffer requirements there. He thought that there was a number of items, if there was a site plan permitted, they are still going to be held to the same residential zoning adjacent to residential
use of zero-foot candles. He thought that there were those items in place, so they think that they need to focus on the uses, and to push back on uses. They are not really drastically changing in some of these requirements as it relates to the residential zoning adjacent between (RB) and (GB), it was the use changes, in his opinion.

Moved by Acting Chairman Reynolds, seconded by Commissioner Urbanowski, that the Planning Commission forwards a recommendation to the Township Board to approve PC-2020-38, Edger Development, rezone request, requesting to rezone the northern approximately 4.21 acres of parcel 09-26-451-005 from Restricted Business (RB) to General Business (GB) as depicted on the plan date stamped receive 11/12/2020, located at 3805 S. Lapeer Rd. This recommendation to approve is based on the following findings of facts: the objective of the Master Plan is met and the commercial corridor along M24 on the east side; is compatible with the adjacent or the existing uses to the south and does still provides cohesive zoning between the adjacent uses around the surrounding area.

Acting Chairman Reynolds asked if there was any public comment. There were none.

Roll call vote was as follows: Walker, yes; Reynolds, yes; St. Henry, yes; Gross, yes; Urbanowski, yes. Motion carried 5-0 (Dunaskiss absent & one vacancy)

C. PC-2020-40, Lifted Investments, LLC, Ord. 154 application (Class “C” Grow Facility), located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018).

Planning & Zoning Director Girling stated that the Commissioners’ had the review in front of them dated December 18, 2020, where she went over the criteria, the location requirements. She said in summary she had reviewed the application as it related to Ordinance 154 location requirements. She agreed with the recommendation to approve this application, with the conditions that are stated within their suggested motion, because they have met all of the location requirements.

Mr. Tom DeAgostino the applicant said that if the Board had any questions, he would be happy to answer them.

Moved by Commissioner Gross, seconded by Commissioner Walker, the Planning Commission grant approval of the application, as required per Ord. #154, for PC-2020-40, Lifted Investment, LLC, for a Class “C” growing facility, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018) based on the following findings of facts that the operation does meet the following location requirements: it is located in an IP zoning district; it will be located in a building that meets all the distance requirements shown in Ord. #154; it will be located in a building that has an ingress/egress road with less than 6,000 vehicles/day; will be located in a building that has a ingress/egress road that does not service a road that also serves for residential zoning; the motion for approval is conditioned upon the applicant meeting all applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Marihuana Licensing Board.

Roll call vote was as follows: Reynolds, yes; Gross, yes; Urbanowski, yes; Walker, yes; St. Henry, yes. Motion carried 5-0 (Dunaskiss absent & one vacancy)
D. PC-2020-39, Lifted Industrial Partners, LLC, Site Plan, located at vacant lot 4 in Liberty Tech
Tech Center, west of 4601 Liberty Dr. S. (parcel 09-34-300-018).

Mr. Jeffery Schmitz JS Capital Group the applicant presented.

Mr. Schmitz stated that their intent is to build a 42,500-sq. ft. in Liberty Tech Center, lot 4, off of
Giddings Dr. He felt that they meet or exceed all the requirements as it relates to the Township
Ordinances for their marijuana facility.

Mr. Ron Rader showed a presentation to the Board. He said that circulation around the building
will be one-way traffic, with two-way traffic being provided at the front of the space. This is
subsequent to the pre-SPA review they had with the Planning Commission and some of the
supporting agencies. Mr. Rader added that stormwater management will be handled by
Perimeter Green Space and the adjacent detention basin. They have 55 parking spaces and
they have also provided burbling loading areas around the building. They have a separate
dumpster area which they will share with the team, along with the details for full enclosure
based on the cannabis criteria. He showed the Planning Commission the one-way circulation
around the building. He stated that he had a conversation with the Fire Marshal, relative to
accessibility. They are proposing to allow for service vehicles access around the entire building.
They also transferred the parking to angled parking in the back and provided 55 parking spaces.
They have moved the dumpster enclosure based on the feedback from the reviewing agencies.
They will also be adding as part of the Liberty Industrial Park requirements, a service path,
along the front, abutting Liberty Dr. No perimeter fencing is being proposed for this facility. He
stated that the dumpster is a secured dumpster enclosure, as required by the state and local
mandate. Photometrics, they are proposing a glass and steel canopy structure, out front, there
were some questions relative to this being up-lets. The glass canopy itself actually has a diffuse
film on it that actually captures the light and basically creates a glowing effect. This is indicative
of the lighting fixture that they would be using. There is also some commentary relative to any
of the light bleed relative to the building mounted lighting elements, and they could clearly see in
the photometric that they stay well within the bounds of the property.

Mr. Rader showed the Planning Commission the floor plan. He stated that it had been updated
relative to them providing the service vehicle access at the back of the building. They have
allowed for a reduction of approximately 1,100-sq. ft. from the original proposal to accommodate
the service vehicle access within the building.

Mr. Rader showed the Planning Commission the elevations and renderings. They are looking at
materials that are compliant with the Township Ordinance. One of the items that were in
question had to do with the pre-manufactured or pre-engineered shrouds, that would be
covering the rooftop units that they are proposing for the cultivation facility. They would actually
match the same esthetics as the building. From the roadway, it is basically it is a transparent
shroud.

Mr. Sermed Saif with Tri-County Engineering Consultants gave an overview of the civil
components and the consultants’ reviews. They had a productive discussion with the Fire
Marshal regarding the fire hydrants and the coverage. It appeared that they did have coverage
covered by the two existing hydrants. He showed the Board the utility plan. He said that one
existing hydrant on the northeast corner of the property covers almost half of the building and
then one proposed hydrant to the front will cover the remaining area of the site. They will
continue their discussion with the Fire Department if the third hydrant will be required on the
southwest corner of the property as an option for redundancy. He didn’t think that the applicant
would mind adding that in lieu of looping a water main through the site. That may delay them
for weeks as they have to go to the state construction permits. This is only to service that one
site and one building and they do have the building suppressed with a six-inch supply line. If
the Fire Department and engineering agree to this they will move forward in that direction. He
noted that the topo survey was provided by a registered surveyor, and there were questions
about the trees. If a tree survey is needed, they will have several trees on site, so he wasn’t
sure if that would be a requirement. The one critical question they had was there was a
requirement that they were aware of after they submitted about a pathway. Normally a pathway
is 8-ft. wide, but they wanted to confirm with planning if 8-ft. wide or 5-ft. wide is required at this
point, and what kind of material they would like to see if it is asphalt or concrete? If they do go
with 8-ft. wide the pathway would be on top of the public water main along the road. Regarding
engineering, they will address some grading issues, and some easements that were not shown
will be shown. Right now, they have ordered the title works supplied by the owner. They will
revise the sanitary sewer connection to the east. There is a six-inch stub provided, part of the
previous master project. They will address the storm management and the calculation with the
proper c-factor and some additional items regarding grading and the final proposed grades on-
site. There was a question about contours, normally they provide spot elevations, and wasn’t
sure if that was a requirement or a suggestion, and would like clarification from the engineer.
There are no wetland, woodlands, or landscaping as part of the civil, and said it would be
addressed later. He noted that they did get a review letter from RCOC, nothing out of the norm
with their requirements. They will add some notes and add some details for their requirements.

Mr. Rader stated that their landscaping architect for the project, Mr. Devlin, could not join the
meeting, but wanted to acknowledge the three items relative to the landscaping architecture.
He said they actually had Mr. Devlin under contract to handle the tree survey. He knew that is
actually a requirement with only seven trees being on site. They are willing to move forward
with the survey if it is a requirement. The parking lot calculations have been revised, it has been
added to the updated plan clarifying specification for the mulching and a suit visit will be
conducted relative to a tree survey. Those were the three comments coming out of the
landscape architect response. He showed them the revised site plan, floor plan, and the
updated elevations showing where they have trimmed the building back to accommodate the
service vehicles.

Planner Fazzini read through his review date stamped December 9, 2020.

Engineer Landis read through his review date stamped December 9, 2020.

Acting Chairman Reynolds stated that they did receive a review from Public Services, and there
were not any additional comments.

Fire Marshal Williams read through his review date stamped December 9, 2020.

Acting Chairman Reynolds asked the applicant as a response to some of the questions,
comments, and concerns.

Mr. Rader stated that the wall-packs that are attached to the building will be full cut off, and is
indicated in the photometric and have addressed that in the proposal. The dumpster they
received some feedback from the Fire Marshal relative to having 20-ft. clear, which is what
prompted them to relocate that to the middle portion of the side yard. Having that located in the
rear yard will be problematic because they can’t encroach on the 50-ft. setback. They would
have to further take space out of the building to accommodate that. The rooftop units are a
premanufactured unit and it comes in the same finishes as the siding of the building. They can
provide follow up information addressing that visibility. The height of that is actually per the ordinance, would be one foot above the RTU’s that would be on top of the building.

Mr. Saif replied to Engineering Landis’s comment regarding the grading. They are revising the driveway, and the width, and the apron. They will work on those grades and stay within the 6% limit. He addressed the Fire Marshal’s comment about the northwest hydrant requirement. The nearest water line that they have would be on the east side of the property. If they are pulling a hydrant from that side to the back, that would be almost 260-280-ft. of length. He knew there is a requirement for a maximum six-inch size lead. They are supposed to get eight-inches, and if they are going to an eight-inch for that hydrant, would the Township require them to go for a state permit? Engineering Landis said that the typical maximum length for a six-inch lead hydrant is 50-ft, it would have to be an eight-inch line. That would require a state permit for that length of the extension.

Mr. Saif said that means that they have to send for EGLE permits and that goes through a Township, Oakland County, and then the state for permitting and approval. He noted that they have seen them approve them within two weeks and they have seen them stay stuck there for two months.

Fire Marshal Williams said in regards to the hydrant locations, he was more than happy to have an open discussion. Maybe if they had the ability to put their minds together, maybe they could come up with something that will suit the site and make it code compliant. They are lacking coverage in the back in the northwest corner. If they put their minds together, they would have the ability to modify the FTC location and that hydrant on the front of the site, to maybe give them a little bit more clearance on the northwest corner. There is something definite that does need to take place so they can get some type of water supply over into that area. Mr. Saif said that they will continue a discussion with the engineer after the Planning Commission makes a determination.

Acting-Chairman Reynolds thought that they had a number of comments, concerns still on the drawings that had been presented and formerly reviewed. Although there are new plans that have been presented tonight, they have not been formally reviewed.

Acting-Chairman Reynolds asked the consultants if they felt comfortable that an administrative approval is able tonight? If the applicant is willing to address all of their comments or is that not possible, and they would like to see it postponed and come back? Engineer Landis thought that he would be ok with reviewing the changes administratively. He didn’t see any of the comments on requiring any changes relative to the location of the building or impacting setback. He thought they could resolve those. Fire Marshal Williams said he didn’t see any issue with that at all. He said in regards to the FTC location that has been addressed. The applicant added additional hydrant coverage for the FTC. The access roads at front of the site and template and the rear of the site have been addressed. In regards to the coverage for the northwest corner, he felt that they could resolve that in later discussions. Planner Fazzini said that the two items that they commented on for Planning Commission consideration if these are things that they would want to see again, would be any special lighting for the building. If they would want to see verification of the rooftop screening, such as cross-sections, or if they would be fine with them reviewing that with Planning & Zoning Director Girling.

Acting-Chairman Reynolds wanted to make sure that they were all on the same page. He agreed that there would have to be an additional review on the new plan submitted and any further revisions.
Acting-Chairman Reynolds asked if the dumpster enclosure allowed to be in the front yard setback? Can it be waived? Planner Fazzini said that his understanding of the ordinance is waivers can’t be granted for the location of the dumpster. They can grant a waiver to waive needing a dumpster. In the IP district, the dumpster is only permitted in the rear yard, which is a unique requirement, in addition to the 50-ft. rear yard setback creates some issues. He didn’t believe that they could issue a waiver to allow it in the side yard. Acting-Chairman Reynolds asked if that would require a formal variance if they want it to be placed in the front yard or side yard? Planner Fazzini replied yes.

Planning & Zoning Director Girling pointed out that if they are going in the direction of conditional approval, she believed there was one waiver, which was the Parking Calculation Waiver, so they would have to deliberate on that because the consultants when reviewing it, cannot issue that waiver. She agreed with Planner Fazzini about the dumpster location and not being waivable.

Acting-Chairman Reynolds wanted to make sure they were not deliberating on something that needs to be reviewed or needs to go back to the drawing board.

Commissioner Urbanowski said that she thought they addressed the parking dimensions by making them angled? She asked if part of that able to happen because they moved the dumpsters? Could they put the dumpsters back and still have the angled parking? Mr. Schmitz said that the parking is in that 50-ft. setback. If they could get a variance, they could put those dumpsters in that setback, but they were told they can’t get a variance. According to the consultant they don’t need a dumpster. He could put the dumpster inside of his building. Planner Fazzini replied per the zoning ordinance the Planning Commission can waive the need for a dumpster. If that is the approach, they want to take with the dumpster being internal to the building then there is no issue with it as an accessory structure. Mr. Schmitz replied that works for him: have the overhead doors. They are just six-yard dumpsters.

Acting-Chairman Reynolds asked if they are agreeing to remove the side or front yard dumpster and include it indoors, is that the understanding from the applicant? Mr. Schmitz replied yes, he didn’t see them being able to meet any of those dumpster requirements, without really minimizing the size of their building and the layouts that they already have without some sort of waiver or variance. He proposed to put the dumpsters inside of their facility and their overhead door.

Mr. DeAgostino thought someone said that they could, in fact, move for a variance to move those dumpsters to the side yard? Planning & Zoning Director Girling stated in order to do that, the Planning Commission this evening would have to deny them, which would then give them the right to appeal to the Zoning Board of Appeals for the variance. If they applied now it would be a month before they are on the ZBA agenda. The variance is not something the Planning Commission can do. Acting-Chairman Reynolds thought that it would be a denial with the condition of approval if they receive the variances. It is not a straightforward denial if that is the only item. Planning & Zoning Director Girling replied if that is the way they formulate the motion, correct. Mr. Schmitz replied that he would like to leave the dumpster inside and then come back and ask for a variance for the dumpster outside. If they get it granted fine, if they don’t, then they go back to their original plan that they already have in place as of now, moving the dumpster inside of the building parameters.

Commissioner Gross said that the first motion is the Parking Calculation Waiver. He asked how much of a waiver are they talking about? Planner Fazzini replied that previously, they were two spaces short, and they stated tonight that they revised their parking calculations, that provide 55
spaces with the new angled in the rear. He didn’t think they needed the Parking Calculation Waiver any longer. Planning & Zoning Director Girling asked if they wanted to have a discussion with all the reconfiguration that they are talking about that will be needed? She asked them to keep in mind, it cannot be done by the consultants while they are re-reviewing it. She knew that they were talking about a number of changes that they showed in their presentation tonight that have not been re-reviewed. Asking the applicant if that is what they will be submitting to be re-reviewed; that they are not losing any parking spots? If they are the motion happens to be to conditionally approve it conditioned upon the consultants reviewing the plan and making sure all of their concerns are addressed. If that new reconfigured site, lost five parking spots and they don’t meet the ordinance anymore the consultants during re-review can’t waive the requirement, they would have to come back to the PC. Mr. Schmitz replied he fully understood. They wanted the conditional approval, as it is with 55 spots. They will go with the dumpsters inside of the facility right now. They will go back and see if they can put the dumpsters within the 50-ft. setback, if they get denied they will live with what has already been approved.

Planning & Zoning Director Girling asked Planner Fazzini if there were specific criteria that they had to meet on showing that they don’t need a dumpster? And it is not just that they are going to put it inside, she thought it was based on the projection of waste? Planner Fazzini read from the ordinance: The Planning Commission may waive the requirements for a covered trash receptacle as described herein. If after considering the nature of the operation being proposed, the Commission determines that the amount of trash generated can be adequately disposed of without the use of an outside trash receptacle. Planning & Zoning Director Girling said that the Planning Commission has to determine that when they make the motion.

Commissioner Walker said that one of his least favorite things is when applicants come in and there are lots of questions, lots of still moving parts. He said that their consultants are very good and reasonable. They are making all these concessions on the “if come”, they are going to do all these things. Why can’t they do all these things before they make these applications for what they need? Why does it come to the day of the meeting when all the horse-trading goes on? Why isn’t that sorted out ahead of time? When he first read Engineer Landis’s review, he thought that was a lot of stuff. Some of them are taken care of, some of them are proposed to being taken care of. He was not comfortable with being proposed. He had no disparagement to the applicant or the consultants. Why isn’t this organized ahead of time so they can just decide on the facts?

Commissioner Gross agreed philosophically with Commission Walker. He said that a lot of the questions that he had after his review of the plan were addressed in the presentation. He stated that they were in a tough part of the season, and year, in terms of trying to get meeting dates in, beat schedules, and so forth. He would like to have seen a clean plan with a lot of the comments addressed. With the presentation that was presented, a lot of his questions were actually on a documented plan, it just has to be rereviewed it doesn’t have to be re-invented. He felt comfortable at this point in time, recognizing that this is December, of giving a conditional approval.

Acting-Chairman Reynolds stated that there is not just an extensive list and a promise. He liked that at least there were some plans presented, he has not extensively reviewed those but thought that his points of concern were discussed in the presentation or at least in their deliberation. He was OK with this specific case with a conditional approval.
Moved by Commissioner Urbanowski, seconded by Commissioner Gross, that the Planning Commission grants site plan approval for PC-2020-39, Lifted Industrial Partner, LLC, Site Plan, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018) for plans date stamped received 11/23/2020 based on the following conditions: that they are to verify that there will be 55 parking spots on the plans; with a waiver, approving the dumpster to go inside of the facility as opposed to outside; there will be further discussion about a third fire hydrant with our Fire Marshal; verification on the plans of the fully HVAC screened with the shroud system.

Commissioner Urbanowski amended the motion, Commissioner Gross re-supported that it is not the plan date stamped 11/23/2020, but rather a plan that is revised, reflecting the presentation presented this evening, which shows changes to the plan date stamped 11/23/2020.

Discussion on the motion:

Acting-Chairman Reynolds stated that they would need to make sure that they incorporate that obviously there needs to be revised plans. He thought that there were more items that needed to be addressed specifically with the Fire Marshal and OHM review. He felt safe to assume that the applicant can address all of the concerns going forth between Giffels Webster, OHM, and the Fire Marshal. Commissioner Urbanowski asked specifically what? She said there was something that they said that did get amended on the new plans that could be. Acting-Chairman replied that they needed clarification of the fence, lot coverage, they address the full cutoff fixture, but it wasn’t in the plan that they received, or that were previously reviewed. You did speak to the dumpster enclosure and he thought she spoke to the HVAC. He thought specifically would be all of OHM comments and the Fire Marshal specifically, more of a blanket statement to be more proactive.

Acting-Chairman Reynolds wanted to give their reviewers the opportunity to actually review and prove that those comments are addressed versus assuming the presentation was correct.

Planning & Zoning Director Girling stated that there was a full thorough review done of the last plans, and a presentation that hasn’t had any type of review done. There could be something that was a complete change, that wasn’t demonstrated in the presentation and if they are not starting with the original plans that had a thoroughal review, having a list of changes, there is a chance of something being missed. Are the consultants starting over from square one to re-review this?

Engineer Landis stated that they may want to amend their comment #2 which is requiring the drive aisles to be 22-ft. wide because that was with the understanding of two-way traffic. Based on the presentation tonight, he understood that they are going to one-way, with the exception of the area on the front parking. That would revise the requirement too to take the drive aisle widths down to 20-ft.

Acting-Chairman Reynolds asked if there was an amended motion or any amendments that she would like to make? Commissioner Urbanowski said she would like to include the revised drive aisles to the minimum required width of 20-ft. wide or as required by the Fire Marshal.

Acting-Chairman Reynolds asked Commissioner Urbanowski to clarify the motion.
Commissioner Urbanowski stated that her motion is based upon the plans that they were shown tonight. Slight modification to the plans date stamped received 11/23/2020 with the following conditions: revise the drive isles to meet the minimum requirement of 20-ft. or as required by the Fire Department; an extra hydrant shall be added; after discussing with the Fire Marshal, revise the drive approach to meet the Township slope requirements, shall not exceed 6%; the drawings shall reflect that there will be ample parking of 55 parking spots; verify that the HVAC be fully screened with shroud system; and the applicant shall verify that there is no fencing or gates as indicated; that they are waiving the outside dumpster requirements as the applicant would like to put the dumpsters on the inside of the building.

Fire Marshal Williams stated that they have to re-review the revised set of plans that they should be getting. He thought all items had been addressed, except for that third hydrant location.

Engineer Landis asked that all items on their review letter be addressed.

Commissioner Urbanowski amended the motion, Commissioner Gross re-supported to add that they revise the sanitary lead to utilize the 6-inch sanitary lead originally intended for the site, monitoring the manhole will be necessary prior to the connection; public sewer, the original plan for this park requires each lot owner to install a pathway along their frontage, so a plan for a pathway; light pole locations should be added to the utility plan to avoid conflicts; the existing water main needs to be shown, in its entirety along Liberty Drive S. and Astra Ct.; an existing gate valve is missing southeast of the site and shall be added to the plans; correct the elevation discrepancy between CBS and the curb elevation on GP-1; also address the overlapping text at this catch basin; verify the size of the sewer along Astra Ct. and revise plans accordingly; the site c-value shall be included in the plans. Please include the original calculation from the Liberty Industrial Park development to show what the detention basin was designed to detain for the site; include the proposed contours on the grading plan to show that site slopes are acceptable; revise the topography survey/plans to include easements of record. The intent of these items is to be re-reviewed by the consultants.

Roll call vote was as follows: Reynolds, yes; Urbanowski, yes; St. Henry; Walker, yes; Gross, yes. Motion carried 5-0 (Dunaskiss absent & one vacancy)

8. UNFINISHED BUSINESS
None

9. PUBLIC COMMENTS
None

10. COMMUNICATIONS
None

11. PLANNERS REPORTS
None

12. COMMITTEE REPORTS
None

13. FUTURE PUBLIC HEARINGS
None
14. CHAIRMAN’S COMMENTS
Acting-Chairman Reynolds wished everyone a Merry Christmas and a Happy New Year.

15. COMMISSIONERS’ COMMENTS
Commissioner Urbanowski said Happy Hanukkah, Merry Christmas, and Happy New Year.
Commissioner Gross said Happy Holidays.
Secretary St. Henry wished everyone Happy Holidays. Got a gift this week from the vaccine program. Take care of the front liners and getting them vaccinated.
Planning & Zoning Director said stay safe.
Planner Fazzini stated that they are working on the Master Plan.

16. ADJOURNMENT
Moved by Commissioner Urbanowski, seconded by Commissioner Gross, to adjourn the meeting at 10:48 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion Planning Commission Approval Date
The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, December 16, 2020, at 7:06 pm via “GoToMeeting” #599-669-285.

PLANNING COMMISSION MEMBERS PRESENT:
Joe St. Henry, Secretary
Kim Urbanowski, Commissioner
Don Gross, Commissioner
Don Walker, PC Rep to ZBA
Scott Reynolds, Vice Chairman

PLANNING COMMISSION MEMBERS ABSENT:
Justin Dunaskiss, Chairman
(one vacancy)

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Mark Landis, (Township Engineer) of OHM Advisors
Jeff Williams, Township Fire Marshal
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Bruce Parker
Heidi Jancek
Kim Thomas
Rick
Scott Gies
Tom DeAgostino
Dana Tousley
James Owings
Ron Rader
Seemmed Saif
Chris Kawa
Chris Wilding
Dave B
Iven Sharrak
JD
Kuldeep Sandhu
Zoe Darin
RJ
Russell
Cory Newman
Jeffery Schmitz
Licia & Andrew Beemer
Matt Darin
Shannan Hea
Tim Philippart
Iden Kalabat
Kevin McClellan
Sam Ashley
Valerie Rup
A. Jones
CJ Lee
Gerardo Mend
James Butler
John Santeramo
Marsha Parker
Mike Mollan
Russ Luxton Jr.
Sherry

PC-2020-26, WOW Gas Station, Special Land Use request to modify an existing gas station to add a driveway off of Hidden Timber Dr., located at 3865 S. Baldwin Rd. (parcel #09-29-326-016).

Acting Chairman Reynolds asked if the applicant was present?

Mr. Iden Kalabat with Kalabat Engineering presented on behalf of the property owner Mr. Ivan Sharrak.
Mr. Kalabat stated that the application brought before them for Special Land Use is for a conditional driveway approach from Hidden Timber Dr. In connection with that would be closing one of the two existing drive approaches from Baldwin Rd., the one that would be the northernmost driveway approach on Baldwin Rd. closes to Hidden Timber Dr. This project was previously approved for Special Land Use several years back. The driveway approach from Hidden Timber at that time was also proposed. There was some strong opposition and ultimately was removed from the petition at the time. What has changed in those years to prompt the owner of the property to bring this forward again, the main changes have been improvements on Baldwin Rd. and going to a divided median road, has made it feasibly impossible or impractical for traffic that is exiting from Hidden Timber Dr. Mainly the residents who live in that neighborhood closest to the gas station to be properly and adequately served in a safe manner. It is forcing them now to make a right turn onto Baldwin Rd. proceed to a U-turn, travel north proceed to a U-turn, travel south to a roundabout, circle back around, and travel north all the way back to Hidden Timber in order to access the property, to stop for gas. It is not only inconvenient for residents who live in that neighborhood, but it is also a dangerous situation involving access traffic movements in order to complete what would be a much simpler route ingress into the station. He thought some of the primary concerns that they have received, a lot of written comments from the residents, and some of the sign petitions, the number one concern would be, from the resident’s perspective, is increased traffic along Hidden Timber Dr., and he believed, Forest Dr. which connect Baldwin Rd. to Maybee Rd. on the north. He thought that the residents have been through quite a bit over the last several years, especially with the construction of Baldwin Rd., and the construction activities that took place there, which disrupted traffic patterns, disrupted the traffic flows, and have caused many people to try and use their neighborhood as a shortcut to avoid a lot of the construction traffic on Baldwin Rd. There is an existing concern there that the residents, he agreed, that there would be something that would need to be done. In a lot of other places, they see traffic signage that prohibits through traffic through residential neighborhoods, to eliminate the possibility of vehicles using it as a cut-through or a shortcut. That coupled with some police monitoring, and tickets being issued would go a long way to alleviate a lot of the situation. He understood their concerns with having that addressed. He thought that the driveway approach and the request for the driveway approach are really to alleviate some of the traffic burdens and try to help those residents gain a much more simplified ingress and egress into the property. One of the other concerns that he noticed in some of the written correspondence, and he thought it was Dana Tousley who is an engineer, and drew up some of the conditions and concerns that they had with ingress and egress for the route. One flaw that he noted was that they are showing in their drawings that were submitted, was that there would only be one driveway from Hidden Timber and no other ingress-egress, that is not the proposed situation. They would still be maintaining the south drive approach off of Baldwin Rd. Most of the exiting traffic from the gas station would be exiting back off onto Baldwin Rd. and proceeding. The purpose of the driveway approach is really to allow the residents who are coming from that neighborhood to ingress, into the station, without having to force them onto Baldwin Rd., and then two or three other traffic movements in order to access the site.

Mr. Kalabat stated that there was another concern with some landscaping screening which was not installed, at the back of the building. It has been brought up by several written correspondence as well. Just to give a bit of insight as to what has happened there. The applicant still has a landscape bond that is held at the Township for those trees. The trees were not installed due to an existing DTE easement. DTE had prohibited them at the time of construction from installing those trees in that easement. At the back of the property because they would interfere with their overhead lines there. That is another item they wanted to discuss with them. If they could amend that landscaping plan, to provide a revised form of screening at the back of the property, that would both alleviate the screening concerns from the residents and also comply with the DTE easement requirements. They have several options there with respect to a lower growing evergreen screening like arborvitaes, which tend not to get as tall, they would still need to be maintained, they would still be subject to the approval of DTE. Another alternative would be to build a screen fence at the back that would more properly screen the back of the building and eliminate the possibility of that screening method from growing vertically and causing DTE some concerns.

Acting Chairman Reynolds asked Secretary St. Henry to read into the record the resident letters.
Secretary St. Henry read through the resident letter list. He stated that there were 19 letters that came in in opposition to the development, and read all of their names. He said that they received 28 letters in favor of the development, and read all of their names. He noted that they received copies of the petition, that circulated amongst the residents of the neighborhood and there were 104 signatures, asking that the development be denied.

Ms. Valerie Rup & Mr. Chris Kawa, 2991 Hidden Timber Dr. stated that if they look through the application that was filed by the owner, a lot of this they put on for the convenience of them within Lake Forest. They have never heard about this from them, and they only heard about it because neighbors became active. They built their home almost 20 years ago, and in 2013, 7 years ago when this originally came up they wanted this side cut, but there was strong opposition. 7 years later, the only thing that has changed is that they have a bigger road from which to get resident business from. They say it is for their convenience, they don’t believe it is any convenience, it is increasing traffic, decreasing their safety. With the pandemic, there are more people outside. They have a special needs daughter, as do others in the neighborhood, and they are talking about diverting traffic from a major road that is constructed for that to a neighborhood where residents and children live. They would probably see an increase in trucks and people will avoid Baldwin Rd. because of the roundabouts. They are not being harmed by this, they have ingress and egress now. If they are citing for their convenience, they disagree and strongly oppose that. They also haven’t complied with the original requirements. They heard the issues about the easement seven years ago. The only reason why it is coming up now and they are addressing it is because they are seeking to change their plan. It will also be opening this up directly across from a doctor’s office, on a residential street, which is going to make it worse in terms of safety. She asked them to consider if they would want this in their neighborhood? And thought there was a reason why it wasn’t approved, to begin with.

Mr. Dana Tousley, 3773 Forest Spring Dr. stated that he had misread the plans at first. He thought both of the entrances from Baldwin were going to be closed. His concern remains the same if they are going to close off one of the entrances, if they get a 30-ft. delivery truck in there, they will not be able to turn around easily in there and the heavy trucks will be diverted onto Hidden Timber, they wouldn’t have much of a choice. He believed that the grade required for that if he read the plan correctly, was a 5% grade, which is relatively steep. Out west a 5% grade would require a warning sign on the freeway and after bad weather, there might be cars that wouldn’t be able to make it up that 5% grade with ice. He asked about the heavy-duty delivery trucks on Hidden Timber, is the road foundation ready to sustain heavy traffic?

Mr. Bruce Parker 3154 Hidden Timber Dr. stated that he knew that a number of residents were going to talk about the numerous safety issues. He was going to stick to just some of the records that are on file, and kind of speak to a few of those things. In 2013, there was strong opposition to this driveway when this special permit came up. At the second meeting in November, the minute’s record, Mr. Kevin Branden with Preview Architecture, commented that the applicant took care of some of the issues from the last meeting regarding the Special Land Use. The main one was eliminating the access ingress-egress from Hidden Timber Dr. to the north and keeping the same egresses. Then he jumped to the current packet that was dated December 3rd. In the preamble, it mentioned, that the General Business (GB) is intended to have the necessary restrictions to limit businesses’ impact upon the community. This includes safe and efficient traffic flow. The other one that he really wanted to talk about, in the packet, refers back to what happened in the meetings in 2013. Then it states “It is unclear if the residents of the adjacent neighborhood share this concern”. He felt that the notification and public hearing procedures may have changed since the hearing and approval in 2013. In the actual packet, the application on the project information, detailed description of the proposed land use reads in part, “the intent of the driveway is to provide a practical means of ingress and egress to the site for the adjacent residential neighborhood. Current conditions render the station inaccessible to the adjacent neighborhood exiting Hidden Timber Dr.” He stated that is actually incorrect, you can get to it, it is just different now. He added what he wanted to point out that he submitted a petition that was signed by 81 out of the 116 homes in the subdivision. Every document that has been submitted by the applicant, has talked about giving this adjacent neighborhood, Lake Forest, that they are doing this for them. 81 out of 116 homes have said that they don’t want this for various
reasons. That is 70% of the sub and was done in a few days. Most of the people he spoke with, didn’t
even know about this ahead of time. They could probably get that number up to 80 or 90% if they had
time. With all due respect, if everything stated in this application is to create something for this
neighborhood, it is clearly stated, they don’t want it, he would ask they avoid all of this and move to the
next agenda item and have the Board vote no.

Mr. Cory Newman 3160 Hidden Timber Dr. in the Lake Forest subdivision, about six houses behind the
WOW Gas Station. He stated that he did submit a letter. He did that not just on behalf of himself and his
wife, but his kids, as well, because he has two young boys who like to kick a soccer ball in the front yard.
Oftentimes, that ball goes into the street along a lot of his other neighbors, kids play in their front yards
and, they have to go into the streets sometimes. That is their major concern was safety, they do not want
their neighborhood turned into a thoroughfare and that is what will happen if this proposal is allowed.
Giving ingress and egress to any Hidden Timber will impact their neighborhood significantly because the
neighborhoods that are north of Maybee Rd., and also the neighborhood to the west of them, the Flintridge
Neighborhood, who also have access to the back of their neighborhood, through a drive, will use their
neighborhood as a thruway to get up Hidden Timber through Forest Spring off of Maybee Rd. to access
that driveway that is being proposed. The increase in traffic will increase the risk of safety to their children
in their neighborhood, and residents who like to walk and enjoy their neighborhood. He added that it will
affect the peace and quiet of their neighborhood. He couldn’t tell them how many roaring engines, trucks,
and things of that nature that come from the other neighborhoods that just surround their neighborhood
that use theirs as a thruway. So not only does it affect the safety of their residents it affects the peace and
quality of their neighborhood in a significant way. It also will affect the roads itself, the increased traffic on
the roads, which in turn affects the property values of their neighborhood, which is significant. He urged
the Board to deny this proposal when 80% of the neighborhood doesn’t want it.

Mr. Scott Gies 2972 Crestwood Ct. stated that he wanted to agree with all of his neighbors and
vehemently deny that this application be approved. Everything his neighbors have said is true. He
wanted to call to the zoning commissions duties under Section 30.02 Special Land Use procedures and
standards. The specific sections were D & E, the impact of traffic, and the detrimental effects that traffic
will have. The Board has a duty to review those and then determine whether the court requirements are
being met. They have heard from his neighbors that this traffic flow will just increase tremendously, and
the traffic generated by the proposed use is very dangerous to himself, his wife, his children, and
everybody that lives in Lake Forest. He lives at 2972 Crestwood Ct., and he is in the back of the
subdivision. Not only will the traffic from Forest Spring be increased, but also for Riverside Dr. When
those residents cut through their subdivision as well. He heard Secretary St. Henry had said that there
were 28 letters or petitions from WOW that approved this driveway. He asked that the Board review those
addresses, and they will see that some of them are coming from Flintridge Subdivision. He believed that
one or possibly two are from their subdivision. He added that this was an issue from seven years ago,
and the proposal was taken off the table. Specifically, the owner knowing that it would not have been
approved, and that driveway been part of this site plan.

Acting Chairman Reynolds stated that he had taken notes about traffic flow, concerns of safety and noise,
understanding that the Special Land Use, they do review the impact of traffic and their procedures. He
asked to keep the meeting moving along, if they do echo similar comments, they have read those into the
record and see a strong presentation from many residents that are against this. They are reading those in
the record and he was noting those.

Mr. Christopher Wilding & his wife Mary Krezel, 3159 Hidden Timber Dr., four homes down from the gas
station in question on the north side of Hidden Timber. Mr. Wilding stated that he was against this back in
2013, relative to traffic safety. His additional concern with the petition that Mr. Gies touched on and he did
look at some of the addresses and the best he could tell was that there were three of them in their
subdivision that were for it. Petitions from the gas station going back over two months ago, the first one
from his subdivision, the current petition in opposition just for the last 3 days, is 81, and he hoped that
spoke volumes. Some of the supposed petitions from the gas station that are in favor of the gas station on
their end, one from Auburn Hills, one from Clarkston, and one from the Village of Orion. He didn’t think this reflexed upon the local neighbors, relative to the gas station. He also noted that increased vehicular traffic, damage to street signs, damage to foliage, that being trees, especially at the intersection of Hidden Timber and Forest, quite a few years in a row, stuff getting damage, vehicles coming through more often than not, people cutting through not paying attention to road conditions. He said it is one thing when they hit a sign, it is another thing when there are children that are out playing constantly on the sidewalks, the front yards, and the park. No different from seven years ago, he is still in opposition, relative to the driveway entrance to Hidden Timber from the WOW gas station.

Shannon Heaman 2973 Crestwood Ct. stated that she has lived in the neighborhood for almost 17 years. She agreed with everything that everyone has said. They are not talking about the 116 residents of the Lake Forest subdivision. They have an entrance off of Maybee Rd., and they have an entrance in the back of the sub on Riverside. That causes a lot of through traffic already, and there is nothing they can do about it, but this would increase that traffic. She said she would gladly drive down Baldwin Rd. and do the turnarounds to go to the gas station. If the driveway is in the subdivision, she wouldn’t bother going there anymore. It does cause a lot of traffic, they have a playground that is right on Forest Spring, in the front of the subdivision, she would hate to see the additional traffic, and strongly oppose the extra driveway.

Mr. James Owings 3521 Forest Spring Dr. stated that is right at the corner of Forest Spring and Maybee, so he is painfully aware of the through traffic that comes through either off of Maybee or off of Baldwin, to do a shortcut. For the last 3 years, it has been going around the construction, now people are doing it to get around the roundabouts. This proposal to allow them to get to and from the gas station/convenience store is really going to exacerbate the situation. Mr. Gies who is an attorney, pointed out a couple of legal issues, under section 30.02, Special Land Use procedures, also under 13 A, says it is compatible with adjacent uses, and also, design of the Special Land Use shall minimize the impact of site activity on the surrounding properties. Allowing this ingress/egress onto Hidden Timber is going to do exactly the opposite. It is creating a huge impact, on 116 properties, just for this one commercial property’s convenience. Wow wants to get the traffic that they can no longer get southbound on Baldwin, who could do a left turn into the property, so, now they want to create something else. He stated that Mr. Kalabat pointed out that it was an inconvenience to do two roundabouts to get their gas, but pretty much the patrons of every business along this corridor now have to deal with the roundabouts. He questioned what makes WOW so special that they need special access at the expense of 116 families and probably 50-60 children that are out playing at any given time. He added that Hidden Timber is a local road, and under ordinance number 27, the purpose is for access to residential sites, it is not for access to a gas station or convenience store. This proposed special use permit is going to create this into a thorough-way to allow access off of Maybee, it is a shortcut now to get to a convenience store. Ms. Heaman’s made a point, the road off of Riverside Ct., originally, that was supposed to be closed, there was not supposed to be access to that sub back through to their sub, through Riverside Ct. Hidden Timber, in fact, it was originally supposed to be only a construction entrance. So, they have already been subjected, he didn’t know the history of it, and he has lived there for 18 years, so it was built prior to him moving in. Those two roads are already subjected to through traffic from other neighborhoods, people cutting through, maybe it was used to avoid the spotlight. He thought part of the purpose of doing the roundabouts was to have this through traffic, and they wouldn’t have the backup at the light at Maybee at Baldwin. That is when people really used to cut through their sub. He stated that he lives on the corner, there will be 78 cars backed up.

Ms. Heidi Jancek 2911 Riverside Dr. on the corner of Riverside Dr. and Mueller. She wanted to remind them that all these residents have been here for the last 3 to 4 years with all of the construction. They recognize how many businesses are on Baldwin, and on the corner of Maybee, they like that but they know how to get them and go around the roundabouts. They can go south on Baldwin and do the turnarounds and get into that station if they want to, if they don’t want to, they don’t have to. There is no reason to but an ingress/egress onto Hidden Timber. They know how to get around without doing that, it is not for their convenience.
Mr. Robert Pote 3755 Forest Spring stated that the petitioner’s request is based on what he would call a subterfuge. It talked about, the residents and the resident’s desires, you never talked to the residents. It is clear from their petition the residents do not want this because of safety issues. He stated what this really is about, is opening up their roadway to the people who are coming south on Baldwin that will not be inconvenienced, not only his gas station but the vast majority of his retail space in his so-called convenience store, is alcohol. He said they got a playground across the street from him that is 12-ft. from the main thoroughfare, they are taking a residential road, making it a commercial thoroughfare. They are transferring the safety of their children who play out there every day for the convenience of the increase in profits. They can cut all the bureaucratic nonsense, anybody who is listening to this conversation knows, this is not about supporting the residents. He stated that he walked that intersection this morning and based on his experience, that proposal will make that intersection more dangerous than less. There is no accel and decel lane to turn right onto Hidden Timber. The only traffic that comes across that four-way intersection comes from the north, only on occasion, will it be on that south side of the road. When WOW puts this in, they will get zero time between moving at speed on Baldwin and turning right, and then you are in a four-way intersection that they can’t see from Baldwin, because the guys in the gas station are coming out from Hidden Timber, that is a T-bone waiting to happen. He paced it out it is about 60-ft. that is not enough time to recognize and apply the brakes. He asked them if they would be willing to add people going to an alcohol store, drive down your residential street because it was easier for them than to drive down the main thoroughfare? They are asking them to trade the safety of their children for the short-term gain of the WOW gas station/alcohol store. The petitioner has never provided any evidence that this new egress will reduce the amount of through traffic that they have through their neighborhood already. It has caused damages to trees, signs, and people’s yards. The petitioner is doing this for personal gain.

Mr. Andrew Beemer & Licia Beemer, 3071 Hidden Timber Licia wanted to re-iterate what all their neighbors have said. She said seven years ago they came for this how many times are they going to have to deal with them requesting this access to Hidden Timber? Their kids ride their bikes on the sidewalks, they go to the neighbor’s house. People speed through already. The idea that they are going to hire the police to come and mandate that they don’t turn, they have an understaffed sheriff’s department in the Township. There is no way that they will be able to mandate this. They saw what they were able to do and not able to do, and they were not complaining about the Sheriff’s department but they saw what they were able to do during the time that Baldwin was under construction. That is not a remedy there has been no traffic study. Now they want their tankers to turn down their street, and it is not acceptable. Andrew stated that Hidden Timber was designed and built as a residential street to serve this neighborhood only, not a cut-through street. To suggest that putting a right turn sign at the end of their new driveway there would prevent people from turning into their sub is not going to work. The Sheriff’s department doesn’t have enough manpower to police the speeders on Baldwin much less sit and watch a single sign on the driveway. If they shut down the north driveway, the basic traffic flow is people are going to enter from the south driveway into the WOW gas station, and they are naturally going to exit onto Hidden Timber at the new driveway. They got about 150-ft. from that south driveway to Hidden Timber, and there is not enough room, they can maybe stack two cars pulling out of the gas station and having them stack at the Baldwin intersection before the cars start blocking Hidden Timber itself from either vehicle’s turning on from Baldwin trying to get into the sub, or trying to exit out, onto Baldwin. They are in opposition to it.

Mr. Richard Dority 3064 Hidden Timber Dr. confirmed that a large group of people in their neighborhood actually use the services at WOW. He stated that when he is driving from Baldwin Rd., back to his house, every day he sees people with bags from WOW that are walking, riding bikes back and forth from WOW. He said they are using their services now they don’t need an additional driveway into Hidden Timber for that to happen, that is already happening. They already have their support they don’t need to make it easier for them to get there because they are doing it already. He would prefer that this request gets denied for many reasons. They are already using the service that they are proposing, that they want to better serve them for. How are the gas tankers that come in to supply their gas to them, if they close off the north entrance/exit from the gas station how is that truck going to get in and out of there, they are going to have to use Hidden Timber Dr. He didn’t think that Hidden Timber Dr. is to be used by
commercial tanker trucks? The way it was presented in the beginning was that there was already an existing traffic problem from Maybee and Riverside, those items they have identified during the construction, putting up signs, and having police in there does not slow down the additional traffic that comes from Maybee or from Riverside. Putting up signs, that they are suggesting that they do is not going to work. He hoped that the 28 petitions for approval of this are closely scrutinized to determine where those are coming from because they are not coming from their neighborhood.

Ms. Kim Thomas said her address is the commercial building right at Hidden Timber and Baldwin, 3226 Hidden Timber Dr. She stated that she would be greatly impacted by the access onto Hidden Timber. Being that they use that every day, she believed would be a big safety concern is cars turning off of Baldwin onto Hidden Timber and at the speed that they would be turning in. They are asking for a lot of accidents when cars are pulling out of the gas station, and there is a lot of traffic and cars that are in and out of that gas station. Her concern of oil tankers that are coming out of Hidden Timber Dr. are they going to drive straight across through her front parking lot to access Baldwin through the retail center that is north of her? Her parking lot is not wide enough, it is a medical building, they have people walking in and out, which would be a hindrance for her. Hidden Timber Dr. is a residential road. When she built the building, it was RB-2 residential business 2, which is a residential road, that is a subdivision behind there and everything there is to cater to the subdivision. They have two exits off of Baldwin Rd., and the amount of traffic that goes in and out of that gas station, is quite a bit as it is. For safety reasons alone it should not be done. She would hate to see the serious accidents that would arise from that, more than anything.

Acting Chairman Reynolds read through some chat bubbles: Cory Newman stated that the sidewalk stops well before the WOW property begins, so kids and residents who walk up to the WOW have to walk in the roadway which creates a risk of someone being hit by someone turning out of the proposed driveway. It would affect their future business and usage of them using the business. James Owings also would like to state for public record per Oakland County tax records, their taxes for 2020 was $47,000, and the 116 homes, were between $550,000 to $620,000.

Acting Chairman Reynolds turned it over to the applicant. There were a few questions posed here. A question was from Dana inquiring about the 5% grade, which is something he had noted previously questioned. There is an engineering review that will be presented later tonight for their consultants to provide their comments on the proposal.

Acting Chairman Reynolds asked if there were any additional items that they proposed to mitigate the traffic flow through the neighborhood? Concerns of safety for children and residents in the neighborhood. There are questions here about turning radius and deliveries and how that would occur.

Mr. Iden Kalabat stated about the 5% grade. He stated that Dana was correct, in highway situations when you have a 5% grade because typically signage for alerting that it is a steep grade, that is in a highway situation because travel speeds are in excess of 65 miles an hour. In a driveway approach, it is oftentimes pretty common to have an approach grades in certain conditions that are 5% and up to 8%. He believed that Oakland County Road Commission has a maximum driveway approach percentage of, he thought, 10%, special circumstances. While 5% is a little on the steep side for fast-moving traffic, or a driveway approach, when a car is actually entering in at a much slower speed, not as much concern there.

Mr. Kalabat said that there were a lot of comments regarding traffic and safety, increased traffic through the neighborhoods, using the neighborhoods as a cut-through, traffic coming through the neighborhood, people coming through Maybee Rd. cutting through their neighborhood. He believed that residents have expressed concerns for traffic utilizing their neighborhood as means of getting from Maybee Rd. to Baldwin Rd., he wanted to make it clear, it is not WOW gas stations intent, or desire, nor part of their application to divert any of its traffic through the neighborhoods and out onto other main streets. The intent of the driveway approach is to allow and capture traffic that is on Hidden Timber Dr. mainly the residents who are coming out of there to access the site in a more convenient manner. Several people indicated that they can get to it and they got to go out and around and back up to it. Most people, when it
is a convenience store, would not take the inconvenient route to access the convenience store. The traffic and the business had already been impacted by the roadway improvements, which is, the only reason why this is, back in front of the Planning Commission, at this time. Had the changes to Baldwin Rd. not made such a situation that basically makes it inaccessible and feasibly accessible then this petition would not be back before them. It is not the desire nor intent of the business owner to hound the residents of the neighborhood. This is only as a result because there was a change in the roadway conditions, and the applicant felt that although many of the residents say it is not in their benefit if they were driving out, leaving their homes, they would be benefited by an easier left turn approach into the site than having to make 3 maneuvers on Baldwin Rd. in order to get back to the gas station, which is adjacent to their neighborhood. That is the only reason why the applicant is proposing this. It is quite in fact, to service the community. That does not discredit the concerns of the residents with regards to through traffic. Several things can and should be done, regardless of whether this petition is approved or denied to alleviate those traffic concerns. Mainly, they should have posted signs that prohibit the use of the neighborhood roads for through traffic. Make those neighborhood roads only and expressly, and legally, intended to be used to access those neighborhoods. He knew there were concerns that if they put up a sign, it is not like people are going to follow it, which is why you don’t just put up a sign, they have to put the signage up, which demonstrates the legality of the situation and then also enforce it. He wanted to address another question as to how they would hire sheriffs or police to enforce it. They would not be hired by the business owner to enforce it, it would just be another one of the duties of the Sheriff’s department, to enforce and monitor that area. He understood the concerns, and he knew the police all around their communities are stretched thin and was not their intent to overburden them. He did believe that all the residents that have spoken are absolutely, and unequivocally correct, there is a problem that needs to be addressed there. The problem was not the creation of the gas stations, that problem is a preexisting condition, and this is an ongoing situation. It is not the fault of the gas station and urged the residents to understand that just because the gas station is requesting a driveway from Hidden Timber Dr. it does not mean that it is their intent to further exacerbate that situation. That isn’t a matter of, you are either on one side or on the other side. They understood that there are factors within the situation, within this proposed development that unfortunately, they have to live with it, they have to try to mitigate. They have to try and create the best situation for all parties involved, the gas station owner, and property owner as well as the residents adjacent to it. He heard a lot of the residents say, that they don’t want it. He has not heard how many of the residents except one who mentioned that a lot of residents utilize the station, utilize its services, how many of them are actually going and getting gas from WOW gas station on their way to work, or on their way home?

Acting Chairman Reynolds wanted to clarify that this is supposed to be a response to comments, not additional questions. He added that even though this meeting is held remotely, the chat bubble is not present to have a side banter, there are order and procedures for this meeting. He asked them to not abuse that opportunity, everyone has had a chance to speak, it is not a chance to have a sidebar conversation. This is a Public Hearing portion so they haven’t even deliberated or have had further discussions.

Mr. Kalabat said he heard the concerns of the residents they are well-founded. He was not there to discredit concerns of existing traffic cutting through their neighborhood. He could only present that the applicant is requesting this driveway approach as an added convenience to those residents. They say they don’t’ want it, but he thought what they really don’t want is to increase traffic on their roads. It is not the intent of the application to increase the traffic on their roads. They could propose and install signage at the entrance and the exit. He encouraged that the Road Commission also proposes that signage and install it at the entrances of the subdivision Maybee Rd. and other various roads to help reduce that situation. There is not much more he could offer than that. He said he would be happy to answer any questions regarding the engineering aspects as well.

Acting Chairman Reynolds stated that they have heard everyone’s opposition to the proposal that has been presented. This opportunity to present additional questions beyond the turning over to the Planning Commissioner is for only new questions and comments only.
Secretary St. Henry stated that several of them were part of the deliberations in the whole, WOW gas station being built seven years ago, in 2013. The biggest issue was the drive on Hidden Timber. Several of the Planning Commissioners’ concurred that was a real issue. The applicant developer at the time made some adjustments. There was a reason why they felt that way then, and he didn’t see a whole lot of difference over the last seven years.

Acting-Chairman Reynolds asked if anyone else from the public would like to speak? There was not. Vice-Chairman Reynolds closed the public hearing at 8:23 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date
The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, December 16, 2020, at 8:20 pm via “GoToMeeting” #599-669-285.

PLANNING COMMISSION MEMBERS PRESENT:
Joe St. Henry, Secretary
Kim Urbanowski, Commissioner
Don Gross, Commissioner
Don Walker, PC Rep to ZBA
Scott Reynolds, Vice Chairman

PLANNING COMMISSION MEMBERS ABSENT:
Justin Dunaskiss, Chairman
(one vacancy)

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Mark Landis, (Township Engineer) of OHM Advisors
Jeff Williams, Township Fire Marshal
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Bruce Parker
Heidi Jancek
Kim Thomas
Rick
Scott Gies
Tom DeAgostino
Dana Tousley
James Owings
Ron Rader
Sermed Saif
Chris Kawa
Chris Wilding
Dave B
Iven Sharrak
JD
Kuldip Sandhu
Zoe Darin
RJ
Russell
Cory Newman
Jeffery Schmitz
Licia
Matt Darin
Shannan Hea
Tim Philippart
Iden Kalabat
Kevin McClellan
Sam Ashley
Valerie Rup
A. Jones
CJ Lee
Gerardo Mend
James Butler
John Santeramo
Marsha Parker
Mike Mollan
Russ Luxton Jr.
Sherry

PC-2020-38, Edgar Development, Rezone Application, located at a northern portion of 3805 S. Lapeer Rd. (parcel 09-26-451-005), requesting to rezone approximately 4.21 acres from Restricted Business (RB) to General Business (GB).

Acting Chairman Reynolds asked if the applicant was present?

Mr. Sam Ashley with Cunningham Limp presented. 31
Mr. Ashley stated that the owner of the property acquired 4.2 acres from the property to the north, and that property is currently zoned Restricted Business (RB). The existing property is 8.82 acres, which is currently zoned General Business (GB), which is the location for the Wally Edger Chevrolet Dealership. About a month ago, the two properties were combined in a boundary adjustment, leaving them with a total of 10 acres, which has split zoning on it. What they are seeking approval for is to be able to modify and change the zoning on the 4.2 acres to match the existing General Business (GB) zoning on the 10.8 acres, so they have unified zoning across the entire site itself.

Acting Chairman Reynolds asked that any public comments be limited to no more than three minutes, and one visit to discuss questions, comments, and concerns. There were no comments from the public.

Acting Chairman Reynolds read a letter from the Hi Hill Village Association. The letter stated that they were not opposed to the rezoning of the land, and there was not any strong opposition at this time.

Acting-Chairman Reynolds asked if anyone else from the public would like to speak? There was not. Vice-Chairman Reynolds closed the public hearing at 8:23 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date
Charter Township of Orion Planning Commission
Site Plan Approval Application

30.01. A. Intent: The site plan review procedures and standards are intended to provide an opportunity for consultation and cooperation between the applicant and the Planning Commission so as to achieve maximum utilization of land with minimum adverse effects on adjoining property. Furthermore, it is the intent of these procedures and standards to allow for review of site plans by the Planning Commission, to provide a consistent and uniform method of review, and to ensure full compliance with the standards contained within Zoning Ordinance 78, and other applicable local ordinances and State and Federal laws.

Project Name: NUTTON PARK

Name of Development if applicable:

Applicant

Name: PREMIER PROV. LLC
Address: 1615 S. TELEGRAPH Rd, City: BLOOMFIELD HILLS State: MI, Zip: 48302
Phone: ___________________ Cell: ___________________ Fax: ___________________ Email: ___________________

Property Owner(s)

Name: PREMIER PROV. LLC
Address: 1615 S. TELEGRAPH Rd, City: BLOOMFIELD HILLS State: MI, Zip: 48302
Phone: ___________________ Cell: ___________________ Fax: ___________________ Email: ___________________

* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

Plan Preparer Firm/Person

Name: NOWAK & FAUSS, PAT WILLIAMS
Address: 36777 WOODWARD, City: PONTIAC State: MI, Zip: 48340
Phone: 248-332-7931 Cell: ___________________ Fax: 248-332-8257
Email: pwilliams@ntc-engr.com

Project Contact Person

Name: LIVETZOJ
Address: 1615 S. TELEGRAPH Rd, City: BLOOMFIELD HILLS State: MI, Zip: 48302
Phone: ___________________ Cell: ___________________ Fax: ___________________ Email: LIVETZOJ@AXONPROP.COM

Version 10/19/18
Sidewell Number(s): 09-35-400-048 i 09-35-477-003
Location or Address of Property: Northwest Corner of Dutton & Bald Mountain
Side of Street: Nearest Intersection:
Acreage: 26.24 Current Use of Property: Vacant
Is the complete legal description printed on the site plan? ☑ Yes ☐ No (If no please attach to the application)
Subject Property Zoning: IP Adjacent Zoning: N. IP s. PUD e. SP-R W. PUD
List any known variances needed (subject to change based on Township consultant's review) None.

Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed.

Pursuant to Zoning Ordinance 78, Section 30.01 C. a copy of this application and two copies of the site plan must be submitted to the each of the following agencies. Please provide the Township with a copy of each transmittal and proof of delivery.

AT&T
54 Mill St.
Pontiac, MI 48342

Consumers Power Company
530 W. Willow St.
Holly, MI 48442

DTE Energy
37849 Interchange Dr.
Farmington Hills, MI 48335

Michigan Department of Transportation (if applicable)
800 Vanguard Dr.
Pontiac, MI 48341

Oakland County Water Resources Commission
wrpermitting@oakgov.com
(electronic submittal only)

Oakland County Health Department
Building 34 East
1200 N. Telegraph Rd.
Pontiac, MI 48341

Road Commission of Oakland County (if applicable)
2420 Pontiac Lake Rd.
Waterford, MI 48328

I/We, the undersigned, do hereby submit this application for Site Plan Approval, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.01 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: [Signature]
Print Name: [Print Name]
Date: 10/16/10

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner: [Signature]
Print Name: [Print Name]
Date: 10/16/10

Version 10/19/18
Site Plan Review #1
Dutton Park

Site: North side of Dutton Road, west of Bald Mountain Road
Case No: PC-2021-01
Applicant: Lindon Ivezaj
Plan Date: 12/16/2020
Zoning: IP (Industrial Park) & Lapeer Road Overlay
Parcel ID: 09-35-400-048 & 09-35-477-003

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. A brief summary of all items within this review is provided on the next page.
SUMMARY OF REVIEW

1. **Interpark Drive.** The applicant should address how extended legal access from Interpark Drive into the west site would be provided. We defer to the Township Engineer.

2. **Retail Use.** The only “retail, entertainment and service” use permitted by right in the IP district is “building material sales”. Should the proposed use of each building alter in any way in the future, additional approvals will likely be necessary given that the site is within the IP district.

3. **IP District.** Information not provided according to Zoning Ordinance, see table provided on pg. 5.

4. **Building Lighting.** The photometric plan should be updated to account for all building-mounted light fixtures, and the applicant should submit cutsheets for all building-mounted light fixtures to verify compliance with Zoning Ordinance Sections 18.03 F. and 27.11.

5. **Performance Guarantee.** Compliance with the performance guarantee requirement will be verified prior to permitting as typical.

6. **Landscaping & Tree Preservation.** See separate review memo to be provided.

**Lapeer Road Overlay District**

7. **Building Orientation.** The Planning Commission may request that the applicant address building orientation if it feels that the site should respect its proximity to Lapeer Road.

8. **Connectivity.** The Planning Commission may request the applicant address the feasibility of direct connections from each site to the large undeveloped internal area.

9. **Safety Paths.** Safety paths are not provided along Dutton Road to the south, either side of the extended Interpark Drive, or along either side of Premier Drive. The site plan should be revised to provide safety paths in accordance with Ordinance No. 97. We defer to the Township Engineer on compliance with Ordinance No. 97 and if safety paths are not required in any of the three areas.

10. **Internal Sidewalks.** As no safety paths are proposed, no internal sidewalk connections from safety paths to building entrances are proposed. The site plan should be revised to provide internal sidewalks based on the determination of where safety paths are required.

11. **Front Yard Parking.** The applicant should address the percentage of parking provided within the front yard of each building (as each site has multiple front yards) and if a waiver/modification of this overlay standard is requested for either or both sites.

12. **Facades and Exterior Walls.** The applicant should address how the design of both buildings specifically address the two Overlay standards as part of the Planning Commission’s consideration of proposed architecture.

13. **Flat Roofs.** The applicant should address if any rooftop mechanical equipment is proposed as this is unclear based on the submittal. If rooftop mechanical equipment is proposed, revisions will be required to verify compliance with the two sections listed above.

14. **Building Materials and Colors.** The applicant should address how the design of both buildings specifically address the two Overlay standards as part of the Planning Commission’s consideration of proposed architecture. Additionally, the statement provided on sheet A201 that “all materials subject to change / final selection by owner” should be removed as it conflicts with the Overlay.

15. **Covered Trash Areas.** A detail of the proposed dumpster enclosure for each building has not been provided in order to verify compliance with the Zoning Ordinance.
Project Summary

The applicant is proposing a development consisting of two 10,000 sq. ft., two-story retail/office buildings. Each building would be on a separate parcel but would have a similar use, building design, and site layout. The application form states that the specific use of each building would be speculative “building material sales retail buildings”. A large undeveloped area would remain between the two sites, likely to be developed as industrial at a future date as indicated at the October 21, 2020, pre-application meeting.

West Building

The first building is proposed in the southwest corner of the site along Dutton Road and would be accessed only from a proposed extension of Interpark Drive, which currently dead ends into the west property line. The applicant should address how this extended access from Interpark Drive into the west site would be provided as the site plan does not clearly indicate if the extended drive would be within a public or private right-of-way or easement. We defer to the Township Engineer on the provision of legal access. Within the west site, a 25-foot wide access drive would extend south from Interpark Drive to provide access to 50 surface parking spaces that encircle the building. No access from the south property line, which abuts Dutton Road, is proposed. A dumpster enclosure is indicated in the northwest corner of the building, adjacent to a designated 57-foot long loading berth along the north (rear) side of the building. The proposed building is 38 feet in height to the peak of the roof. On the floor plans, the front of the building is indicated as a retail and sales floor, and the rear designated as office and storage areas.

East Building

The second building consists of the same layout and design as the first. It is located at the southeast corner of the site, on a separate parcel, at the intersection of Dutton and Bald Mountain Roads. Access would be provided from the existing Premier Drive, which cuts across the north portion of the parcel. Access from Dutton or Bald Mountain Roads is not proposed. A 22-foot wide drive aisle would provide access to 50 parking spaces encircling the building. A dumpster enclosure is provided at the northwest corner of the building and a 57-foot long loading berth is located along the west side of the building.

Building Architecture

Design features of the four sides of the buildings include limestone paneling at the base and a horizontal smooth wood siding for the façade. The top of the buildings are capped in an EIFS/faux stucco material, and vertical limestone panels adorn the corners. Large windows are provided on all sides of the buildings except the rear. The main entrance and first floor windows of the front of the building provide for transparency and include steel canopy structures that provide architectural interest.

Existing Conditions

1. **Existing site.** The site consists of two parcels which are part of the southeast ¼ of Section 35, Town 4 North, Range 10 East, and together total 26.236 acres of undeveloped land. The site is bound by Dutton Road to the south, Bald Mountain Road to the east, and Premier Road to the north. Interpark Drive currently stubs into the western property line which provides for the ability to extend access into the subject site. Premier Drive currently cuts through the east parcel at Bald Mountain Road, then runs away to the north of the site into an adjacent industrial park development to the north.

2. **Zoning.** The site is zoned IP (Industrial Park) and is also located within the Lapeer Road Overlay District. As discussed at the October 21, 2020, pre-application meeting, we would like to emphasize that the only “retail, entertainment and service” use permitted by right in the IP district is “building material sales”, which is the speculative use proposed for each building. The IP district specifically prohibits
“facilities where activities of a retail nature, except for building material sales and parcel delivery services, are conducted. Should the proposed use of each building alter in any way in the future, additional approvals will likely be necessary given that the site is within the IP district.

3. **Adjacent zoning & land uses.**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>IP – Industrial Park-Lapeer Road Overlay</td>
<td>Warehouse</td>
</tr>
<tr>
<td>South</td>
<td>P-PUD Overlay (Auburn Hills)</td>
<td>Vacant/Office</td>
</tr>
<tr>
<td>East</td>
<td>SP-2 – Special Purpose 2</td>
<td>Ajax Paving: Industrial/Extraction</td>
</tr>
<tr>
<td>West</td>
<td>PUD – Lapeer Road Overlay</td>
<td>Hotel/Restaurant/Vacant</td>
</tr>
</tbody>
</table>

www.GiffelsWebster.com
Zoning Ordinance Compliance

4. IP district area & bulk requirements.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Parcel Size (west parcel)</td>
<td>20 acres</td>
<td>23.87 acres - met</td>
</tr>
<tr>
<td>Industrial park as a whole Individual lots</td>
<td>2 acres</td>
<td></td>
</tr>
<tr>
<td>Minimum Parcel (Lot) Size (east parcel)</td>
<td>2 acres</td>
<td>2.37/1.98 acres - Discrepancy with Site Data Net &amp; Gross Acres (SP-8)</td>
</tr>
<tr>
<td>Front Yard Setback (Dutton Rd)</td>
<td>50 ft</td>
<td>*Not provided per ZO</td>
</tr>
<tr>
<td>Front Yard Setback (Bald Mountain Rd)</td>
<td>50 ft</td>
<td>Met (applies to E bldg.)</td>
</tr>
<tr>
<td>Front Yard Setback (Premier Dr)</td>
<td>50 ft</td>
<td>Met (applies to E bldg.)</td>
</tr>
<tr>
<td>Front Yard Setback (Interpark Dr)</td>
<td>50 ft</td>
<td>*Easement line not indicated</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>20 ft</td>
<td>Met</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>35%</td>
<td>Not provided - appears met</td>
</tr>
<tr>
<td>Maximum Height of All Structures</td>
<td>40 ft / 50 ft Overlay</td>
<td>38 ft ea. building - met</td>
</tr>
<tr>
<td>Minimum Clear Space Around Structures</td>
<td>15 ft</td>
<td>Defer to Fire Dept. Review</td>
</tr>
<tr>
<td>Parking &amp; Driveways Setback</td>
<td>20 ft</td>
<td>20 ft - met</td>
</tr>
<tr>
<td>Landscaped Greenbelt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetland Setbacks</td>
<td>25 ft</td>
<td>No wetlands apparent</td>
</tr>
<tr>
<td>Off-Street Parking (Overlay supersedes)</td>
<td>50 spaces (1 spc / 200 sf GFA)</td>
<td>50 spaces ea. building - met</td>
</tr>
</tbody>
</table>

*Front Yard Setbacks. The Zoning Ordinance requires the front setback line be measured from the future right-of-way line as provided in the map of Road Right-of-Way Widths within the Master Plan, or from the acquired highway easement whichever is greater. The site plan should be revised to indicate front yard setbacks from all rights-of-way or easements in compliance with this section. The Master Right-of-Way Plan for County Roads indicates the following:

Dutton Road: 120-foot right-of-way (60 feet from centerline)
Bald Mountain Road: 86-foot right-of-way (43 feet from centerline)

5. Continuous Curbs. Section 18.03 C.5. states that all internal roadways and driveways in the front yard area shall be continuously curbed. Additionally, all roadways, driveways and parking areas shall consist of hard-surfaced concrete, blacktop or equivalent, as approved by the Planning Commission. Continuous curbs are proposed around the entire paved areas of both sites within all yards. Asphalt pavement is proposed as the hard surface for each site.

6. Lighting. Section 18.03 F. states that exterior site lighting shall be fully shielded and directed downward to prevent off-site glare, and that site illumination shall not exceed 1.0 foot-candle along the property lines, which are non-residential. The photometric plan does not indicate any building-mounted light fixtures indicated on the elevations. The photometric plan should be updated to account for all building-mounted light fixtures, and the applicant should submit cutsheets for all building-mounted light fixtures to verify compliance with this section and Section 27.11.

7. Public Road Access. Section 18.03 G. states that any industrial park developed or proposed in the IP district shall have an internal public road having a minimum right-of-way of at least 60 feet. This internal public road shall have direct access onto an existing or proposed major thoroughfare having a right-of-way of at least 120 feet. Compliance with this standard could not be verified. The applicant
should address how this extended access from Interpark Drive into the west site would be provided as the site plan does not clearly indicate if the extended drive would be within a public or private right-of-way or easement. We defer to the Township Engineer on the provision of legal access.

8. **Performance guarantee.** Section 18.03 K. states that the Planning Commission shall require a performance guarantee to be deposited with the Township Clerk in accordance with Section 30.09 to ensure that necessary and required improvements proposed on the site plan will be completed. *Compliance with the performance guarantee requirement will be verified prior to permitting as typical.*

**Lapeer Road Overlay District**

The Planning Commission shall have the authority to waive or modify the standards of Section 35.04 upon consideration of the following:

1. The standards of this Section would prevent reasonable use of the site.
2. Existing site design including architecture, parking, driveways, etc. are placed in a manner which makes application of standard impractical.
3. Limited lot area and the arrangement of existing features provide inadequate space to accommodate design requirements.
4. Other design constraints and considerations as defined by the Planning Commission.

**Site Design**

9. **Building Orientation.** Section 35.04 A.1. requires that buildings with customer entrances be oriented towards Lapeer Road; and that loading docks, outdoor storage, trash collection and processing, HVAC equipment, truck parking and servicing areas, and other service functions not be visible form Lapeer Road. *As the site does not have frontage on Lapeer Road, each building has been oriented and designed in relation to its access drive as follows:* 
   a. The west building is oriented towards Lapeer Road to the west and Dutton Road to the south, with service functions to the north of the building towards the north access drive.
   b. The east building is oriented towards Premier Drive to the north, with service functions to the west of the building facing the large undeveloped area between the two sites.

We do not believe this section should strictly apply to this development as the site does not have frontage on Lapeer Road and is separated from Lapeer Road by several hundred feet. It is unlikely that the intent of this section is to require buildings and sites that do not have frontage on Lapeer Road to be oriented and designed as if they do have frontage on Lapeer Road. However, the Planning Commission may request that the applicant address building orientation if it feels that the site should respect its proximity to Lapeer Road. Based on the application, it is unclear the two sites were designed taking into consideration the Overlay building orientation standards.

10. **Connectivity.** Section 35.04 A.2. states that site design must provide direct connections to adjacent land uses. Where feasible, secondary access roads or driveway connections shall be provided. *For the west building, access would be provided from an extended Interpark Drive, which appears to function as a secondary access road from Dutton Road. For the east building, access would be provided directly from Premier Drive, which provides cross-access between Bald Mountain Road to the east and Lapeer Road to the west. We find that both sites would provide connections to adjacent land uses utilizing existing roads. However, the Planning Commission may request the applicant address the feasibility of direct connections from each site to the large undeveloped area internal to both sites.*
11. Pedestrian Circulation
   c. Safety paths shall be provided in accordance with the Safety Path Ordinance No. 97. Safety paths are not provided along Dutton Road to the south, either side of the extended Interpark Drive, or along either side of Premier Drive. The site plan should be revised to provide safety paths in accordance with Ordinance No. 97. We defer to the Township Engineer on compliance with Ordinance No. 97 and if safety paths are not required in any of the three areas described above.
   d. Internal sidewalks of no less than five feet in width shall be provided connecting the safety paths to the principal customer entrances and adjacent to all parking areas. No less than 10 feet shall exist between the building façade and the planting bed for foundation plantings. As no safety paths are proposed, no internal sidewalk connections from safety paths to building entrances are proposed. The site plan should be revised to provide internal sidewalks as stated in this section based on the determination of where safety paths are required.

12. Front Yard Parking. Section 35.04 A.4.c. states that the number of parking spaces located within the front yard shall be limited to a maximum of 50% of the total parking provided for the site unless modified by the Planning Commission. Parking should be located to the rear or side of the building to the greatest extent possible. The applicant should address the percentage of parking provided within the front yard of each building. As each site has multiple front yards, the applicant should address if this requirement was taken into account in the design of each site, and if a waiver/modification of this standard is requested for either or both sites.

Design Standards

13. Facades and Exterior Walls
   e. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than 50% of their horizontal length.
   f. Building facades must include repeating patterns of color, texture, and architectural or structural bays of 12 inches in width (i.e. offsets, reveals or projecting ribs).
   The applicant should address how the design of both buildings specifically address the above two standards as part of the Planning Commission’s consideration of proposed architecture.

14. Flat Roofs. Section 35.04 B.3.a. states that parapets should be incorporated to conceal rooftop equipment from public view, with the height of the parapet not exceeding one-third of the height of the supporting wall. Additionally, Section 30.01 E.2.c.10) states that all mechanical equipment (ground or roof) shall be screened to minimize its visibility from adjacent roadways and abutting property lines. Screening shall be at least one foot above the height of the mechanical equipment or transformers. The screening material shall be compatible with the building material and general architecture. The applicant should address if any rooftop mechanical equipment is proposed as this is unclear based on the submittal. If rooftop mechanical equipment is proposed, revisions will be required to verify compliance with the two sections listed above.

15. Materials and Colors
   g. Predominant exterior building materials shall be high quality material, including, but not limited to brick, stone, and integrally tinted/textured concrete masonry units.
   h. Façade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
   i. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trip or accent areas.
j. Exterior building materials shall provide texture on at least 50% of the façade, but shall not completely consist of smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

The applicant should address how the design of both buildings specifically address the above two standards as part of the Planning Commission’s consideration of proposed architecture. In general, the buildings appear to include high quality materials. However, proposed colors and specific information on material textures have not been addressed. Additionally, we have concerns with the statement provided on sheet A201 that “all materials subject to change / final selection by owner”. This statement should be removed as the Overlay standards, subject to Planning Commission consideration, will govern any future changes to building materials.

16. **Covered Trash Areas.** Section 35.04 B.S. states that covered trash receptacles shall be surrounded on three sides by masonry brick-type walls one foot higher than the receptacle in the rear yard of the building or principal use structure. The fourth side of the trash receptacle enclosure shall be equipped with an opaque lockable gate that is the same height as the brick-type wall. **A detail of the proposed dumpster enclosure for each building has not been provided in order to verify compliance with this section.**

17. **Landscaping & Tree Preservation.** See separate review memo to be provided.

We are available to answer questions.

Respectfully,

Giffels Webster

Rod Arroyo, AICP
Partner

Eric Fazzini, AICP, CNU-A
Senior Planner

Eric Pietsch
Senior Planner
December 29, 2020

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

RE: Dutton Park, PC-2021-01
Site Plan Review #1

Received: December 17, 2020 by Orion Township

Dear Mr. Dunaskiss:

We have completed our review of the Dutton Park plan set. The plans were prepared by Nowak and Fraus Engineers 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 at the southwest intersection of Bald Mountain Rd. and Premier Dr. within Section 35 of the Charter Township of Orion. The site is zoned Industrial Park (IP) and bound by parcels to the north and west zoned Industrial Park (IP), and to parcels on the east zoned Special Purpose 2 (SP-2). To the south is the southern border of Orion Township.

The existing site is comprised of two undeveloped parcels totaling 26.2 acres. Both parcels are located between Dutton Rd. and Premier Dr. The site is made up of sprawling hills with sharp slopes around the perimeter and a low flat spot near the center of the parcel. There are several trees on site and a small culvert located at the low point on the eastern half of Parcel 1. The applicant has submitted plans showing development on Parcel 2 and the southwest corner of Parcel 1. We understand this is part of a larger future development. The two buildings that are currently proposed are both 2-story 5,000 square-foot office/retail buildings.

The proposed future phases for Parcel 1 should be included in the plan set as concept so that we can review the plans for the site in their entirety.

There appear to be several monitoring wells located on site and the underlying soils on site may require special consideration and stabilization for the proposed work. It is our understanding the property has buried refuse on-site. The limits of refuse and associated leachate collection system should be shown on the plans. We recommend consulting with a geotechnical engineer and an environmental engineer to ensure that the infrastructure on site is protected from any issues related to the questionable ground conditions and a review of required permits for construction be discussed with appropriate regulating agencies.
**WATER MAIN AND SANITARY SEWER:**
There is existing 12-inch water main located along the north side of Dutton Rd., 12-inch water main along the west side of Bald Mountain Road as well as 8-inch water main located north of the parcel along the south side of the recent Oakland Business Park development. The existing 12-inch along Dutton Rd. extends north into the Dutton Retail Centre west of Parcel 1. The applicant appears to be proposing separate fire and domestic services from the 12-inch on Dutton Rd. to the building on Parcel 2. Two (2) additional hydrants are proposed around this building. One extends from the main on Dutton Rd. and the other extends from the main on Bald Mountain Rd. The leads for the building in Parcel 1 also extend from the 12-inch main on Dutton Rd. along with two (2) additional hydrants located at the south corners of the parking lot. Along with the hydrant and building lead extensions, the applicant is proposing to extend 12-inch main into the site from Dutton Retail Centre. The main extension appears to be for the future development of Parcel 1. Hydrants appear adequately spaced for both buildings, however no FDC was shown on either building. FDC's must be included at site plan if the buildings will have fire suppression. Further comment on the FDC and hydrant locations will be deferred to the Orion Township Fire Marshal. A 12-foot easement is required for all Orion Township water main that is located outside right-of-way. The 12-foot water main easement was not shown for any of the existing or proposed water main on site.

There is existing 12-inch sanitary sewer located along Premier Dr. that ends at a manhole located northwest of Parcel 2 which ultimately flows into the Orion Business Park. The applicant is proposing to connect to this manhole by installing three (3) additional manholes, 100 feet of sanitary lead and approximately 500 feet of sanitary sewer. The sanitary connection for the building on Parcel 1 appears to extend from an existing 10-inch sanitary sewer stub located near the northwestern corner of the site. This connection is not shown on the plans and needs to be included. A 20-foot easement is required for all public sanitary sewer and none were shown in the plans. The easements must be included on all existing and proposed sanitary sewer.

It appears the sanitary sewer pump station constructed as part of the Dutton Retail Centre included Parcel 1 in the basis of design. It is our understanding that the sanitary sewer constructed for the Orion Business Park development has sufficient capacity to handle the additional flow from Parcel 2. The preliminary basis of design for both parcels should be included in the plans. The preliminary basis of design for parcel 1 should include consideration for future phases provided to show the pump station will have capacity for the ultimate build out.

**STORMWATER MANAGEMENT:**
The site as it exists drains to the center of the site where there is a large low point. The two proposed buildings are on opposite sides of the site, far from this point. Both buildings have a small storm network that collect drainage via catch basins before existing the site and discharging into an existing storm structure. The building on Parcel 2 is shown connecting to an existing basin on Dutton Rd. and the building on parcel 1 is shown connecting to an existing basin located in the plaza to the west.

Parcel 1 appears to be included in the drainage area map for the Dutton Corporate Centre development from 2003. Approximately half of Parcel 1 (10.06 acres) drains toward the Dutton Retail Centre and is accounted for in their conveyance calculations and overall storm network. The eastern half of Parcel 1 is meant to drain southeast and connect to the storm network that extends down Technology Ct.

Parcel 2 was also accounted for in the Dutton Corporate Centre but is referred to as ‘off-site’ drainage area. Per the drainage area map from the Dutton Corporate Centre development, Parcel 2 is to drain south and ultimately enter the Dutton Corporate Centre detention system.

Both C-value calculations should use the entire acreage of each parcel. The calculation for Parcel 1 calls out the 10.06 acres that is included in the Dutton Retail Centre drainage network but leaves out the other half of the parcel. All drainage area for the parcel shall be called out in the C-value calculation. An estimated ultimate C-value should also be provided for the rest of Parcel 1 based on anticipated build out to ensure that the overall site will
not surpass a C-value of 0.80. Separate C-values for the east and western half of the parcel may be used, but all acreage must be accounted for the site C-value.

The existing 20-foot-wide storm sewer easement located on the storm sewer west of Parcel 1 was not included in the plans. Please include all existing easements on future submittals.

**PAVING:**
The existing sites contain no drive entrances. Parcel 2 has frontage along Dutton Rd., Bald Mountain Rd. and Premier Dr. The applicant is proposing to add an entrance on Premier Dr. to access Parcel 2. Parcel 1 only has frontage along Dutton Rd. and the stub of the internal drive for the Dutton Retail Centre (Interpark Dr.) which was constructed for development of Parcel 1. The applicant is proposing to connect to the existing tee-turnaround and extend a 33-foot-wide drive into the site that is stubbed east for the rest of the future development. On the south side of this stub is a 23-foot-wide drive aisle that serves the building proposed on Parcel 1. Minimum drive aisle width around both buildings is 22 feet and appears to accommodate the Orion Township Firetruck Turning Template.

It is our understanding that Premier Drive is a private road. The applicant will need to obtain approval from the owner for the proposed improvements in the private road easement.

Pavement slopes appear to be acceptable. Entrance drive slopes for both buildings appear to be under 4%. Pavement grading will be reviewed in greater detail at engineering. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. Multiple pavement sections have been included for the buildings. There is an asphalt pavement section that is 4 inches of HMA atop 8 inches of aggregate, and a concrete pavement section that is 8 inches of concrete atop 6 inches of aggregate. There is also a concrete sidewalk section that is 4 inches of concrete atop 4 inches of aggregate. The development is located in an industrial park and must have a pavement section intended for industrial use. The pavement section for industrial zoned parcels is 9 inches of asphalt or 9 inches of concrete on top of an approved base. Parking stalls appear to be 9-feet wide by 19-feet deep which is acceptable.

Loading zones should be called out on the plans and verified for accessibility with truck turning templates overlayed on the plans.

**GRADING:**
The existing grades are provided via 1-foot contours and spot grades. The existing site has a perimeter of steep slopes with the highest elevation in the southeast on Parcel 2 at about 1137. The lowest elevation on site is in the center of the site. The elevation is approximately 1052.

Proposed grades are called out using spot grades along curb. More proposed grading information is required in green space including contours or more spot grades. At a minimum the site plan must show the limits of disturbance matching the existing grades.

Significantly more grading is required for the building on Parcel 2. A retaining wall is proposed along the south and west borders of the parking lot. A retaining wall submittal package containing details and calculations will be required at engineering for this wall. General top-of-wall and bottom-of-wall grades are required at site plan.

Due to the existing topography from the previous landfilling/mining operations, existing and proposed grades on-site shall be modified to meet a maximum grade requirement of 1:3. Grading may need to be extended to the property lines of both parcels and not just the current limits of proposed disturbance. It appears the easterly portion of Parcel 1 where tree preservation is proposed has existing slopes of approximately 1:5 and would therefore not be impacted.
**TRAFFIC:**
A traffic impact study shall be required for a site plan when the proposed uses could generate at least one hundred (100) trips during the peak hour or over seven hundred fifty (750) trips in an average day. The applicant should provide a TIS or trip generation data showing the thresholds are not exceeded to warrant a study.

The site plan extends the existing Interpark Drive to provide access to the proposed building on parcel 1. As part of the extension the existing pavement provided for the T-turn around should be removed. A new T-turn around should be provided at the eastern limits to avoid the building’s driveway and parking area being used for these maneuvers.

The proposed site plan lacks pedestrian facilities. Both Dutton and Interpark have pedestrian facilities that stub at the property line. The pathway along Dutton should be extended along the frontage and across Bald Mountain Road and pedestrian connections provided to the buildings. In addition, the sidewalk along Interpark Drive should be extended into the site.

**NATURAL FEATURES:**

**WOODLANDS:**
There do not appear to be any wetlands currently on site, however there is significant tree coverage. A tree survey appears to have been conducted and included in the plans. A tree replacement calculation has been provided including the landmark trees.

**LANDSCAPING:**
A Landscape Plan was included in the set and does not appear to conflict with any utility locations for either building. The tree plantings atop the retaining wall on Parcel 2 should be relocated to avoid failure or deterioration in the retaining wall. Currently, several trees are within two feet of the retaining wall and the growth of the roots may cause deformation of the wall over time.

**CONCLUSION:**
In our opinion, the site plan as submitted is not in substantial compliance with the Township’s ordinances and engineering standards. We ask that the following items be addressed:

1. Grades on site must be kept under the Township maximum allowable slope of 1:3.
2. Extend the pathway along the Dutton Rd frontage and across Bald Mountain Road. Add pedestrian connections to the buildings. Extend the sidewalk along Interpark Drive into the site.
3. The limits of refuse and associated leachate collection system shall be shown on the plans.
4. The tee-turnaround shall be removed from the existing drive aisle in the Dutton Retail Centre plaza and a new temporary tee-turnaround shall be provided at the drive stub for future development.
5. The proposed future phases of Parcel 1 should be included in the plan set as concept.
6. It should be noted whether buildings have fire suppression and FDC shown on the plans accordingly.
7. Easements for the proposed water main, sanitary sewer and storm sewer shall be added to the plans.
8. The existing storm sewer easement located in the Dutton Retail Centre shall be included in the plans.
9. The sanitary sewer connection for Parcel 1 should be shown on the plans.
10. More grading details are required in the green space.
11. Top-of-wall and bottom-of-wall grades shall be provided for the retaining wall.
12. Loading zones should be identified for each building.
13. An industrial pavement section is required for this site.
14. Provide C-value calculations that encompass the entire acreage of each parcel.
15. Provide an ultimate C-value calculation for the Concept Plan to ensure that the entire parcel will be kept under a value of 0.8 overall.

16. Drainage Plan references shall be provided from the Dutton Corporate Centre plans and the Dutton Retail Centre plans.

17. The tree plantings on top of the retaining wall on Parcel 2 should be relocated to avoid failure of the retaining wall.

18. Preliminary sanitary basis of design calculation should be provided for each building.

19. The applicant shall provide a TIS or trip generation data showing the thresholds are not exceeded to warrant a study.

Please feel free to contact us with any questions at (248) 751-3100 or mark.landis@ohm-advisors.com.

Sincerely,

**OHM Advisors**

Joe Lehman
Project Engineer

Mark Landis, P.E.
Project Manager

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 Marshal
    Bill Basigkow, Water and Sewer Superintendent
    Pat Williams, Nowak and Fraus
    File
To: Tammy Girling  
Planning & Zoning Director

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

Date: December 17, 2020

Re: PC-2021-01 Dutton Park Site Plan

Dear Tammy,

The proposed site currently has water mains bordering it to the south and east. The developer will need to extend sewer piping to the site.

If you have any questions, please feel free to contact me.

Respectfully Submitted,

Jeffery T. Stout  
Director  
Department of Public Services
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-01, Dutton Park Site Plan  
Date: 12/30/2020

The Orion Township Fire Department has completed its review of Application PC-2021-01 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
X Approved with Requirements (See below)
Not approved

Requirements:

Parcel #1
- The 2-story building is proposed to be equipped with a fire suppression system. The Fire Department Connection shall be located in the north/west corner of the structure.
- Fire Hydrant locations on site shall be relocated to the following areas:
  A. North/west corner of building inside of the curbed island
  B. South/east corner of the building inside of the curbed island
- This site is required to have an aerial fire apparatus access drive that has a minimum unobstructed width of not less than 26 feet. It is the fire departments recommendation that all roads on this site be increased to not less than 26 feet in width. (D105.1)
- Fire Department access roads 20 to 26 feet wide shall be posted with NO PARKING FIRE LANE signage on both sides of the apparatus access road. (D103.6.1)
- The Orion Township Fire Department turning template overlay shall be shown on the plan set to ensure emergency vehicles are able to circulate through the site.

Parcel #2
- The building on parcel #2 exceeds International Fire Codes 30-foot requirement and due to the number of overhead utilities located in the area the site will be required to have 2 separate and approved means of access. (D104.1)
- The 2-story building is proposed to be equipped with a fire suppression system. The Fire Department Connection shall be located in the north/west corner of the structure.
- Fire Hydrant locations on site shall be relocated to the following areas:
  C. North/west corner of building inside of the curbed island
  D. South/east corner of the building inside of the curbed island
- This site is required to have an aerial fire apparatus access drive that has a minimum unobstructed width of not less than 26 feet. (D105.1)
- Fire Department access roads 20 to 26 feet wide shall be posted with NO PARKING FIRE LANE signage on both sides of the apparatus access road. (D103.6.1)
- The Orion Township Fire Department turning template overlay shall be shown on the plan set to ensure emergency vehicles are able to circulate through the site.
General Site Comments
- It is the Fire Department's understanding that a Methane Gas collection system is located on site. The Fire Department is requesting further information / documentation that explains these site details and requirements.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2004.

Sincerely,

Jeffrey Williams
Jeff Williams, Fire Marshal
Orion Township Fire Department
I conducted a site visit on December 22, 2020. Other members may wish to add to this report.

The property is located at the northwest corner of Dutton and Bald Mountain Roads. It is directly across (west) from the Ajax Paving yard which has extensive outdoor storage and multiple paving trucks accessing the site daily. New industrial buildings are under construction on Premier Drive.

The only high ground is the immediate intersection with the balance of the property to the west having a significant grade change of approximately 20 feet or more (estimated).

Access to Dutton Road or Premier Road appears to be difficult without massive grade changes and earth movement.

Bald Mountain Road is unimproved at this location.

Respectfully,
Don Gross
Lynn Harrison

From: Scott Reynolds
Sent: Tuesday, December 29, 2020 3:09 PM
To: Lynn Harrison
Subject: Re: Site Walk for Dutton Park Site Plan

Lynn,

I stopped by the project site. I concur with Mr. Gross’s report and don’t have anything additional to add at this time.

Thank you,

Scott Reynolds

On Dec 29, 2020, at 2:13 PM, Lynn Harrison <lharrison@oriontownship.org> wrote:

Hi Scott, will you have a Site Walk report for the above plans? We did receive one from Don Gross with his findings only.

Lynn Harrison
Coordinator
Planning & Zoning

<image001.png> 2525 Joslyn Road, Lake Orion, MI 48360
O: 248.391.0304, ext. 5001
W: www.oriontownship.org
Orion Township, Oakland County, Michigan
SITE PLAN DOCUMENTS
PART OF THE SOUTHEAST 1/4 OF SECTION 35, TOWN 4 NORTH, RANGE 10 EAST

LEGAL DESCRIPTION - PARCEL 1
TOWNSHIP, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING PROMPTLIER DESCRIBED AS FOLLOWING:

Beginning at the southwesterly corner of the southeast quarter of Section 35, TOWN 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, said corner being established in the northeast corner of the north winding road extending north 86 degrees 07 minutes 50 seconds east, 65.78 feet; thence north 42 degrees 46 minutes 53 seconds east, 184.23 feet; thence north 03 degrees 10 minutes 57 seconds east, 223.84 feet; thence south 03 degrees 10 minutes 57 seconds west, 223.84 feet; thence south 87 degrees 53 minutes 58 seconds west, 204.29 feet; thence north 87 degrees 41 minutes 04 seconds west, 385.19 feet to the point of beginning.

CONTAINING 1,039,619.62 SQUARE FEET OR 23.87 ACRES OF LAND.

LEGAL DESCRIPTION - PARCEL 2
TOWNSHIP, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING PROMPTLY DESCRIBED AS FOLLOWING:

Beginning at the southwesterly corner of the southeast quarter of Section 35, TOWN 4 NORTH, RANGE 10 EAST, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, said corner being established in the northeast corner of the north winding road extending north 86 degrees 07 minutes 50 seconds east, 65.78 feet; thence north 42 degrees 46 minutes 53 seconds east, 184.23 feet; thence north 03 degrees 10 minutes 57 seconds east, 223.84 feet; thence south 03 degrees 10 minutes 57 seconds west, 223.84 feet; thence south 87 degrees 53 minutes 58 seconds west, 204.29 feet; thence north 87 degrees 41 minutes 04 seconds west, 385.19 feet to the point of beginning.

CONTAINING 150,661.12 SQUARE FEET OR 3.46 ACRES OF LAND.

Project Name
Dutton Rd. - Vacant Land

Site Plan

Location Map
N.T.S.

Orion Township, Oakland County, Michigan
SITE PLAN DOCUMENTS
PART OF THE SOUTHEAST 1/4 OF SECTION 35, TOWN 4 NORTH, RANGE 10 EAST

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Project Name
Dutton Rd. - Vacant Land

Site Plan

Location Map
N.T.S.

Orion Township, Oakland County, Michigan
SITE PLAN DOCUMENTS
PART OF THE SOUTHEAST 1/4 OF SECTION 35, TOWN 4 NORTH, RANGE 10 EAST

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CONTAINING 150,661.12 SQUARE FEET OR 3.46 ACRES OF LAND.

Project Name
Dutton Rd. - Vacant Land

Site Plan

Location Map
N.T.S.
### List of Surveyed Trees

**SCALE:**

- Part of the Southeast 1/4 of Section 35
- T. 4 North, R. 10 East
- Orion Township, Oakland County, Michigan

**Know what's below**

**Call before you dig.**

**Henry Yandt Construction LLC**

- Contact: Lindon Ivezaj
- Ph: (734) 347-8200

**Dutton Road - Vacant Land**

**Orion Twp., MI**

**SEAL**

**NOWAK & FRAUS ENGINEERS**

- 46777 Woodward Ave.
- Pontiac, MI 48342-5032
- Tel. (248) 332-7931
- Fax. (248) 332-8257
- WWW.NOWAKFRAUS.COM

**NOWAK & FRAUS ENGINEERS**

- Civil Engineers
- Land Surveyors
- Land Planners

**List of Surveyed Trees**

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<td>Pinus resprout</td>
<td>Gwinn</td>
<td>43</td>
<td>11</td>
<td>10</td>
<td>12</td>
</tr>
<tr>
<td>Pinus resprout</td>
<td>Gwinn</td>
<td>43</td>
<td>11</td>
<td>10</td>
<td>12</td>
</tr>
</tbody>
</table>
**List of Surveyed Trees**

**SCALE:**

Part of the Southeast 1/4 of Section 35

T. 4 North, R. 10 East

Orion Township, Oakland County, Michigan

---

**Know what's below Call before you dig.**

---

**Henry Yandt Construction LLC**

Contact: Lindon Ivezaj

Ph: (734) 347-8200

Dutton Road - Vacant Land

Orion Twp., MI

---

**Nowak & Fraus Engineers**

46777 Woodward Ave.

Pontiac, MI 48342-5032

Tel. (248) 332-7931

Fax. (248) 332-8257

WWW.NOWAKFRAUS.COM
BENCHMARK

CAUTION!!

PROPOSED TWO STORY
5,000 S.F. FOOTPRINT
RETAIL BUILDING

SCALE:
Part of the Southeast 1/4 of Section 35
T. 4 North, R. 10 East
Orion Township,
Oakland County, Michigan

Know what's below
Call before you dig.

Henry Yandt Construction LLC
Contact: Lindon Ivezaj
Ph: (734) 347-8200
Dutton Road - Vacant Land
Orion Twp., MI

SEAL
December 15, 2020

PROJECT
CLIENT
PROJECT LOCATION

SHEET
DATE            ISSUED/REVISED
DRAWN BY:
DESIGNED BY:
APPROVED BY:
DATE:

NOWAK & FRAUS ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
NOWAK & FRAUS ENGINEERS
46777 Woodward Ave.
Pontiac, MI 48342-5032
Tel. (248) 332-7931
Fax. (248) 332-8257
WWW.NOWAKFRAUS.COM

NOWAK & FRAUS
ENGINEERS

1" = 30'

Site Location Map

GENERAL PAVING NOTES
These notes are subject to change as required by the specifications and the Engineer.

PAVING LEGEND
6" MONOLITHIC CEMENT AND SEAMLESS DETENTION NOTES:
CONCRETE CURB DETAIL 'A'
CONCRETE CURB DETAIL 'B'
CONCRETE SIDEWALK SECTION
ASPHALT PAVEMENT SECTION
CONCRETE PAVEMENT SECTION
CONCRETE CURB DETAIL 'C'
6" MONOLITHIC CEMENT AND SEAMLESS DETENTION NOTES:
CONCRETE CURB DETAIL 'A'
CONCRETE CURB DETAIL 'B'
CONCRETE SIDEWALK SECTION
ASPHALT PAVEMENT SECTION
CONCRETE PAVEMENT SECTION
CONCRETE CURB DETAIL 'C'

Overall Weighted Run-off Coefficient Calculation "C"

<table>
<thead>
<tr>
<th>Area</th>
<th>&quot;C&quot; (average)</th>
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<tbody>
<tr>
<td>1</td>
<td>0.55</td>
</tr>
</tbody>
</table>

Detention capacity requirements are not shown on this site plan and are subject to change by the engineer.

DEPARTMENT OF TRANSPORTATION
DEPARTMENT OF PUBLIC WORKS

PE: A. Finzbit
DESIGNER: A. Finzbit
APPROVED: P. Williams
DATE: December 15, 2020
SCALE: 1" = 30'
SHEET No. 8-A

L998
NFE JOB NO.
00-00-00  REVISED PER
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

1 9 9 6 - 9 1 2 0
NOWAK & FRAUS
ENGINEERS
nowak & fraus
engineers
PROPOSED FLOOR PLAN -- 5,000 SF BUILDING

ENTRY AREA

UNISEX LAV.

EMPLOYEE UNISEX LAV.

MECH./ELEC. ROOM

STORAGE

OFFICE

BREAK ROOM

RETAIL

SALES AREA

43'-3"

8'-0"

9'-2"

8'-2"

10'-0"

43'-1"

7'-0"

6'-7"

37'-3"

7'-4"

18'-6"

13'-11"

NORTH

W

SW

S

SE

E

NE

N

NW

7'-0"

4'-0"

48'-8"

80'-0"

62'-6"

60'-6"

71

564

71

CORRIDOR

OFFICE

IT/DATA ROOM

J.C.

OFFICE

STORAGE

UNISEX LAV.

7'-0"

4'-0"

4'-0"

10'-0"

10'-3"

8'-0"

9'-1"

9'-1"

7'-4"

51'-8"

71

71

SALES AREA

43'-3"

8'-0"

9'-2"

8'-2"

10'-0"

43'-1"

7'-0"

6'-7"

37'-3"

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SW

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SE

E

NE

N

NW

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4'-0"

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80'-0"

62'-6"

60'-6"

71

564

71

CORRIDOR

OFFICE

IT/DATA ROOM

J.C.

OFFICE

STORAGE

UNISEX LAV.

7'-0"

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4'-0"

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NORTH

W

SW

S

SE

E

NE

N

NW

7'-0"

4'-0"

48'-8"

80'-0"

62'-6"

60'-6"

71

564

71

CORRIDOR

OFFICE

IT/DATA ROOM

J.C.

OFFICE

STORAGE

UNISEX LAV.
PROPOSED FACADE MATERIALS:

A. 8"x16" LIMESTONE PANEL
B. DECORATIVE LIGHT FIXTURE
C. CULTURED STONE MATERIAL
D. STEEL CANOPY
E. VERTICAL SMOOTH WOOD SIDING
F. HORIZONTAL SMOOTH WOOD SIDING
G. SIGN LOCATION
H. EIFS / STUCCO

ALL MATERIALS SUBJECT TO CHANGE / FINAL SELECTION BY OWNER
PROPOSED FACADE MATERIALS:

- 8"x16" LIMESTONE PANEL
- DECORATIVE LIGHT FIXTURE
- CULTURED STONE MATERIAL
- STEEL CANOPY
- VERTICAL SMOOTH WOOD SIDING
- HORIZONTAL SMOOTH WOOD SIDING
- EIFS / STUCCO

PROPOSED FRONT ELEVATION 3.0 (WEST BUILDING)
Scale: 1/4" = 1'-0"

PROPOSED SIDE ELEVATION 3.0 (WEST BUILDING)
Scale: 1/4" = 1'-0"

75 121 122 75
PROPOSED REAR ELEVATION 2.0 (WEST BUILDING)

Scale: 1/4" = 1'-0"

PROPOSED FACADE MATERIALS:

1. 8"x16" LIMESTONE PANEL
2. DECORATIVE LIGHT FIXTURE
3. CULTURED STONE MATERIAL
4. STEEL CANOPY
5. VERTICAL SMOOTH WOOD SIDING
6. HORIZONTAL SMOOTH WOOD SIDING
7. EIFS / STUCCO
8. SIGN LOCATION

PROPOSED SIDE ELEVATION 2.0 (WEST BUILDING)

Scale: 1/4" = 1'-0"

PROPOSED FINISHED GRADE (100'-0"

JUMBO / NORMAN SIZE BRICK
8"x16" LIMESTONE PANEL
DECORATIVE LIGHT FIXTURE
CULTURED STONE MATERIAL
STEEL CANOPY
VERTICAL SMOOTH WOOD SIDING
HORIZONTAL SMOOTH WOOD SIDING
EIFS / STUCCO
SIGN LOCATION

FIRST FLOOR CEILING (120'-0"
SECOND FLOOR CEILING (122'-0"
SECOND FLOOR CEILING (134'-0"
BUILDING HEIGHT (138'-0"

CONSTRUCTION BY DESIGN, LLC
tbrodoski@gmail.com | 248.930.5260

SHEET No.: TB
DRAWN BY: DATE:
REVISIONS:
PROJECT NAME:
SHEET NAME:

PROPOSED RETAIL FACILITY -- 5,000 SF
BUILDING, WEST BUILDING PARCEL
XXXXX PREMIER DRIVE, ORION TOWNSHIP, MI 48359
11.17.2020

PERMIT CONSTRUCTION REVIEW

SCALE: AS NOTED
ISSUED FOR:

PROPOSED REAR & SIDE ELEVATION -- 5,000 SF
BUILDING, WEST BUILDING PARCEL

SCALE: 1/4" = 1'-0"
Community Planning Update
Winter 2020 Issue

Image Source: Oakland Press

Changing Winter Attitudes
Community Adaption Strategies

Much like everything else in 2020, winter this year will be different. With social distancing guidelines and COVID-19 mitigation measures in full effect, the cold weather is bringing challenges that our local businesses, commercial centers, restaurants and downtowns have never seen before. While the cold weather can limit enthusiasm in any given year, it’s especially important to be supportive and creative this year. Now is the time to re-think our relationship with winter and embrace solutions that can be enacted to combat unpleasant conditions.

This newsletter explores what communities throughout southeast Michigan and beyond are doing to meet safety protocols and adapt to the unique circumstances we are all faced with. It is important to keep in mind that while some of these ideas involve capital and intellectual investment in the short term, these ideas can and should be carried forward beyond this pandemic-challenged winter.
Adapting to Changing Lifestyles

One positive change in 2020 is the amount of time people are spending outside participating in a variety of outdoor recreational activities. Many industries like cycling, golf, paddling and camping saw record sales as people explored safe outdoor activities. Recognizing that many of these activities are seasonal, this is where local recreation departments can fill a need by programming their parks as four season playgrounds for all ages.

Besides traditional winter activities like sledding and ice skating, other low-cost, short-term measures can be taken to provide outdoor opportunities. For example, snowshoeing and cross country skiing can be accommodated by designating trails and assigned areas within local parks and trail systems. Many communities do not plow park trails in the winter, meaning utilization of an existing network is just a snowfall away.

Winter IS a Special Event

The closure of streets, often only associated with festivals and special events, has become more commonplace throughout the pandemic. So why not think of winter as a special event? The instant demand for space to safely accommodate outdoor dining and shopping this year ‘forced’ many cities to reimagine the public space within their downtowns and how the right-of-way could be put to the highest and best use. In many cases, this meant closing a street or block to provide more space for pedestrians. As winter months have arrived and outdoor dining is less comfortable, we must challenge ourselves to embrace winter rather than hibernate and wait for spring. Continue Reading
Ferndale, MI - Restaurants, like Detroit Float pictured above, have found creative ways, such as the use of temporary dining bubbles, to extend the outdoor dining season by providing shelter from the elements while maintaining safe physical distancing.

Streamlining Permitting
Many municipalities saw an increase in use of the public realm over the summer, particularly in the use of public spaces and sidewalks to accommodate additional seating for restaurants or the spacing of goods for retail. The increased demand, and urgency required to accommodate an influx of requests, highlighted in many places challenges that the regulatory process poses.

Continue Reading

Rethinking Outdoor Spaces
In addition to providing seating for outdoor dining or shopping on sidewalks, there are several often-overlooked areas in commercial districts and downtowns that can be activated to create a sense of place or provide shelter from the elements. Some municipalities have taken steps to identify and market empty storefronts, vacant lots, unused driveways, and wide sidewalks for land swaps that...
Promotion and Organization
The City of Ferndale’s DDA took a slightly different approach and utilized social media to launch and promote the website Unbox the Holidays to provide a central location for shopping and dining resources and information in its downtown. The website features a full business registry to shop locally online, including a list of restaurants currently offering takeout and delivery, universal gift cards and a map of curbside pickup locations to avoid traffic congestion.

Giffels Webster News

CONGRATULATIONS TO ROD
Congratulations to Rod Arroyo on being elected Secretary of the Giffels Webster Board of Directors. Also, at their annual fall conference, the Michigan Association of Planning recognized and congratulated Rod on his 40 years as a member!

WELCOME ERIC PIETSCHE & STEPHANIE OSBORN
Say hello to the newest members of our team, Senior Planner Eric Pietsch and Staff Planner Stephanie Osborn.

Eric joins our team after 11 years with the City of Houston, Texas Planning and Development Department. Eric is also a Wayne State Planning Alumnus.

Stephanie has Bachelor of Science degrees in Sustainable Business and Biology, a Master of Public Health degree from Wayne State, and she will be completing her Master of Urban Planning degree from Wayne State in May 2021.

TOP WORKPLACE
We’re very excited to announce our 4th consecutive Top Workplaces Award from the Detroit Free Press! Our people have truly made the difference. Know more here

2020 MAP PRESENTATION
Our own Rod Arroyo, Jill Bahm and Eric Fazzini discuss how communities can rethink the relationship between the built environment and the personal automobile. View the presentation

Giffels Webster has been dedicated to making communities better for over 65 years, specializing in community planning, civil engineering, landscape architecture, Geographic Information Systems, traffic engineering, and surveying.

For more information, please contact Giffels Webster at: 866.271.9663. giffelswebster.com
28 W. Adams Street, Suite 1200 Detroit, MI 48226 United States Click here to unsubscribe.