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).

Public Hearing at 7:05 p.m; PC-2021-02, Milosch Project Rezone Request. The request is to rezone the western 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)

1. OPEN MEETING

2. ROLL CALL

3. MINUTES
   A. 01-06-20, Planning Commission Regular Meeting Minutes

4. AGENDA REVIEW AND APPROVAL

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

6. CONSENT AGENDA

7. NEW BUSINESS
   A. PC-2021-02, Milosch Project Rezone, a request to rezone the western 4.293 acres of unaddressed parcel (09-26-300-013) located at the nw corner of Silverbell and Lapeer Roads

   B. PC-2021-03, Village Square Minor PUD Amendment (Walgreens sign addition), located at 3520 S. Baldwin (09-29-301-082)

8. UNFINISHED BUSINESS

9. PUBLIC COMMENTS

10. COMMUNICATIONS

11. PLANNERS REPORT/EDUCATION

12. COMMITTEE REPORTS

13. FUTURE PUBLIC HEARINGS

14. CHAIRMAN’S COMMENTS

15. COMMISSIONERS’ COMMENTS

16. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two hours in advance of the meeting when requesting accommodations.
CHARTER TOWNSHIP OF ORION PLANNING COMMISSION
****** MINUTES *****
REGULAR MEETING, WEDNESDAY, JANUARY 6, 2021

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, January 6, 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 and the Michigan Department of Health and Human Services)

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

PLANNING COMMISSION MEMBERS ABSENT:
Justin Dunaskiss, Chairman

1. OPEN MEETING
Vice-Chairman Reynolds opened the meeting at 7:00 pm

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rodney Arroyo, (Township Planner) of Giffels Webster
Eric Fazzini, (Township Planner) of Giffels Webster
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:
Lindon Ivezaj
Pat Williams

3. ELECTION OF OFFICERS
Vice-Chairman Reynolds was nominated to be appointed as Chairman of the Planning Commission for 2021 by Commissioner Gross, seconded by Commissioner Walker. No one contested.

Commissioner Gross was nominated to be appointed as Vice-Chairman of the Planning Commission for 2021 by Commissioner Walker, seconded by Commissioner Urbanowski. No one contested.

Secretary St. Henry was nominated to be reappointed as Secretary of the Planning Commission for 2021 by Commissioner Gross, seconded by Commissioner Urbanowski. No one contested.

Moved by Commissioner Urbanowski, seconded by Commissioner Hoffman, to appoint Vice-Chairman Reynolds as Chairman, Commissioner Gross as Vice-Chairman, and to reappoint Secretary St. Henry as Secretary.

Roll call vote was as follows: Walker, yes; St. Henry, yes; Hoffman, yes; Gross, yes; Urbanowski, yes; Reynolds, yes. Motion carried 6-0 (Dunaskiss absent)
Moved by Vice-Chairman Gross, seconded by Secretary St. Henry, to reappoint Commissioner Walker as the representative from the Planning Commission to the Zoning Board of Appeals for 2021. No one contested.

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

Moved by Chairman Reynolds, seconded by Commissioner Walker, to reappoint Vice-Chairman Gross, Secretary St. Henry, and Chairman Reynolds to serve as the Site Walk Committee for 2021.

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

**4. MINUTES**
B. PC-2020-26, WOW Gas Station, Special Land Use Request Public Hearing Minutes.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, to **approve** the three sets of minutes as presented.

**5. AGENDA REVIEW AND APPROVAL**
Moved by Secretary St. Henry, seconded by Vice-Chairman Gross, to **approve** the agenda as presented.

**6. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY**
None

**7. CONSENT AGENDA**
None

**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. one parcel east of Interpark N.

Mr. Lindon Ivezaj representing the applicant presented.

Mr. Ivezaj showed the Board the site plans. He stated what they were proposing at the corner of Dutton and Bald Mountain Road, two speculative retail buildings with the intent of building material sales use only. That is their only intended use, and they will be providing ample parking on the entire site. He said they are looking for a 50% parking waiver requirement along road frontages. He added that the hardship for the waiver would be that they have three sides of the building facing a road, making it impossible to accommodate that requirement. The rest of the site plan, they believe, after discussions with staff and with the consultants, he felt that all the comments could be addressed. They have no reservations in providing additional information or working with staff, too, with all their comments, as far as the site plan goes.

Planner Fazzini read through his site plan review dated December 29, 2020.

Planner Pietsch read through his landscape review date stamped January 5, 2021.
Engineer Landis read through his review dated December 29, 2020.

Fire Marshal Williams read through his review dated December 30, 2020.

Chairman Reynolds noted that a site walk was completed by Vice-Chairman Gross and it was verified on an individual basis and by himself. He added that the Site Walk Committee did review the parcel.

Chairman Reynolds said that he would turn it back to the applicant. He added that there were some discussion points. He asked if they could speak to the future development of the parcel, the public roads and access that is being requested by the reviewers, and safety paths.

Mr. Ivezaj stated that he would start off with the comments from the Planner. He said that the entrance coming off of, or near the Culver’s site, there is an existing shared-use agreement in place that they could provide staff with, and the easement is already there. He said that the future phases, as far as the concept goes, they don’t currently have an additional concept plan they are planning on using on the site. The current, existing conform uses would be the building material sales retail buildings that they are proposing and is all they have for the entire site plan. Once they get something else in place, they would be glad to provide to the city, but at this point, all they are proposing is the two retail buildings. He said that they have no issue providing pedestrian paths connectivity between their site and Dutton Road.

Mr. Ivezaj said regarding the Fire Marshal comments, as far as the site goes, they are in very close contact with EGLE. There has been a long history with this entire intersection corner. They are very well aware of any of the environmental impacts on the site. The methane gas is definitely being taken into account. There are currently some vents on the site that were placed there, for good reason. All the buildings, once they come in for building plan review will definitely have a methane detection and a passive mitigation system involved. The secondary access to the eastern property, their engineer Pat Williams, which was also with them, has been in contact with the Fire Department and they didn’t have any issues providing secondary access, especially in order to accommodate the fire apparatus of the city and felt that safety was very important.

Mr. Ivezaj added that as far as engineering goes, the excessive grades on site are definitely accounted for, they are on the northern part of the property along the adjacent site. They will provide more grade lines to make sure that they are within 1 on 3 and stabilized on the site.

Mr. Ivezaj stated that as far as the traffic study, and a couple of the engineering points, he wanted to turn it over to Pat Williams to explain and summarize the traffic, and also address a few more of the engineering comments.

Mr. Pat Williams with Nowak and Fraus Engineers presented.

Mr. Williams said regarding the traffic they have got a few preliminary numbers, and the trip generation data shows that it will be underneath the threshold for needing a traffic impact study, and they were happy to provide the data. The overall C coefficients that have been requested and they were happy to provide that for the development that they are currently proposing but they don’t have any way of providing an overall C coefficient for the future build-on until they know what it is going to be. He stated that it will be built within the parameters of the existing detention and under the C value of 0.8. Until they have a plan for that future development that is really all the information they have. He said that loading zones have been provided they just made a mistake and didn’t label them on the drawing. With the additional grading that they are asking for, they will have no problem providing it. The building will be fire suppressed. The Fire
Department has indicated where they want the FDC and the hydrants and were happy to comply with those exact requirements. They are happy to provide the pathways on all the frontages as requested.

Chairman Reynolds asked about the loading zones, the storm easements, the future easements, and the storm easements that already exist on the parcel? Mr. Williams replied that the proposed easements for the new utilities, they will provide. He said regarding any existing easements, he assumed they were talking about an easement that is on the adjacent property, and stated that they would have to pull that off some of the reference drawings or they will have a title search pulled on the adjacent property. They only have the information for what is on their property and were happy to dig up that information add that information to their drawings, but didn’t have that information readily available. He added that all of the proposed utilities will definitely have the easements, as required by the Township, they didn’t have that depicted on the drawing. He stated that the loading zones are there, they are shown next to the dumpsters, they just didn’t label them on the drawing for the loading zone, but they are there and they have been provided, they just didn’t label them on the drawing by mistake.

Vice-Chairman Gross said that it was a difficult site. The two parcels are separated by a valley, and so, it is difficult to combine the two sites and make them into one. Topo is probably a grade change of 20 to 40-ft. between parcels. He asked relative to the site plan, is there barrier-free access required of the second floor of the two-story building, or an elevator, or some form of means of gaining access for handicapped to the second floor? He said the building height is at 38-ft., which is equivalent to a four-story building with the first floor being 20-ft. in height, the second floor being 18-ft. in height. He didn’t know if it impacts access to the fire department or not? But it is in effect a two-story building and four-story height. As a result of that, the elevations that are shown for the rear and the side are basically flat with little relief on the smooth wood siding and that is a lot of flat wall space without any relief on it.

Vice-Chairman Gross stated that Engineer Landis listed almost 20 items on his report. Most of them appear to be items that can be reflected, in terms of modifications to the site plan, without impacting the integrity of the development. He asked if this was something that could be done on a resubmittal, with those conditions being imposed on a subsequent site plan, or should it be returned to them with all of those items identified? Engineer Landis replied that there are a number of comments, but he thought Vice-Chairman Gross was correct it wouldn’t impact the buildings, setbacks, or parking. He thought that they could handle all of those comments in a straight review if they wanted him to make that a condition of approval.

Chairman Reynolds stated he agreed with Vice-Chairman Gross’s comments about the concern of the overall height of the building and their architectural standards. They have some pretty flat renderings and wanted to get more of a description or thoughts on the proposed look of the building as that is part of the Lapeer Overlay District. He asked if there were any comments from the applicant on that topic? Also, is the second floor handicapped accessible via an elevator? Mr. Ivezaj stated that he would answer the questions in order and then he will turn it over to their architect, Tim Brodowski (sp?). He said as far as ADA accessibility to the building, going through the building process, if it is a building code requirement, they would definitely work on providing the ADA access. He added that it is basically a spillover office space within the unit and they will have ample offices on the first floor. This is something they will definitely visit during the building plan review process. If accessibility is required, they will definitely provide it. The height of the building itself is within the permitted height requirements within both districts for (IP) and the Lapeer Overlay District and felt that the height was within a permitted use. He said as far as elevations go, he will turn that over to Tim Brodowski, he will break that out for them, as far as his design. They do want all four sides of the building, especially since three of them are going to be visible from the roadways, to be attractive, and
they want a nice building there. They want a beautiful interior with some glass high ceilings and they want it to look nice.

Mr. Tim Brodowski the Architect for the project stated that that direction was provided initially where they sat down and went through somewhat of a trendy, or modern building facades, with a lot of glass, smooth siding, the steel canopies that are indicated. He understood that the façade size didn’t offer much as far as projections or variations in the building itself, but the front elevation of some of the buildings have a steel canopy detail, which could be translated around the sides as well if that makes more sense to comply with the standards. The comments on the initial review letters about them meeting those standards and the zoning requirements, they would absolutely meet. He knew that there was a note on there that could easily be removed about all materials are subject to change and final selection by the owner, that can definitely be removed as well. He added that he was an Orion resident and has lived there for about 12 years. He wants to not only design a nice building, but obviously, make it attractive and something that everyone can be proud of.

Chairman Reynolds asked if there were any plans for mechanical to be located on the flat roof, and what the plans were for that? Mr. Brodowski replied yes, as the design would be developed further, they would anticipate having equipment which would be screened with a metal material of some sort that matches the building façade or whatever would make that the least visible as possible. They do anticipate roof modern equipment up there.

Commissioner Urbanowski stated that there were still a couple of things from the Planners review that hadn’t been touched on. They might be minor, but there was nothing said about the lighting and resubmitting the photometric plan for the light fixtures on the building. She added that there was something about the covered trash areas that are not included. She thought that there was so much stuff that concerned her, because if they don’t get it all in the motion, even if it is conditioned upon, there is just so much that needs to be address, there are 19 items on the engineering report. She knew that Engineer Landis said it could be handled with a resubmittal, but thought it was a lot and was concerned that they will miss something. She added that there was a separate memo about landscaping. She asked if they have to have a discussion about tree preservation? She questioned if that review was from Giffels Webster? Chairman Reynolds replied yes, the landscape review came from Giffels Webster.

Commissioner Walker agreed with Commissioner Urbanowski. He wondered why these things are not resolved before it comes to the Planning Commission. He knew it was the site plan, but there is just a ton of stuff. He said he was somewhat reluctant to give carte blanche even conditionally because it is so hard to keep track of every one of those things.

Chairman Reynolds agreed with Commissioner Walker. He stated that it is always difficult, he tends to be pro-development with projects when they meet their criteria, especially when the applicants are willing to meet all the items. His specific concerns are in regards to some of the standards, of the Lapeer Overlay District. He questioned how they are actually meeting that criteria for the Lapeer Overlay District, with some of the comments regarding landscaping and grading? He knew they could work through it and understood where OHM was going with even the “C” calculations for the overall development. He understood that some of those items were kind of a stab in the dark but thought that their efforts here are that they are developing two parts of this parcel and there is going to be a connection, they know there is going to have to be fire safety provided in the future when a development comes. He stated that they want to have some thought that at least there is some forethought of what is going to come in and that it is all going to be worked out even if it is to be revised in the future based on a separate development there. He echoed the same concerns of some issues and felt more comfortable with potentially another submittal review before they move forward with the approval or denial of the project.
Commissioner Urbanowski said that there are two motions for this case, one of them is the waiver for some of the Lapeer Road Overlay items. She asked if it was feasible for them to go ahead, for example, the front yard parking, and the building orientation. She said it felt like the whole project might be going in a different way for the moment. She questioned, in order to get those things out of the way, can they do that part of the motion, then work on the other, or does it not make sense? Chairman Reynolds replied absolutely. He said that it does make sense to address the design standards and waivers and things on an individual basis as they move to the approval of the site plan. His only caution with that would be with the number of items that are open and concerns that they have of potential changes that could be brought forth with a revision or incorporation and that his personal stance is to provide some feedback on some of the waivers. He did not have a problem with providing a waiver on the parking location, the front yard, or the 50% rule. He thought that some of the architectural standards, do have some large facades that are pretty flat. He said some of those things in the Lapeer Overlay District might be things that they want to discuss further with the recommendation for a site plan approval. Commissioner Urbanowski said she wasn’t talking about the site plan approval part she was talking about motion #1, which just grants the waiver for certain things. She questioned if they could do that motion to get it out of the way? Commissioner Reynolds replied specifically to the building orientation and connectivity in front yard parking, yes, they could grant that waiver. His only thing with the Lapeer Overlay District design standards is that that does apply to the building esthetics in the big picture, too. Planning & Zoning Director Girling said to clarify the three items that are listed under the waivers are ones that they are not meeting at all. The design criteria are really at their discretion whether what they are proposing is meeting the design standards, so that is more of a subjective versus the others, they don’t have it. That is why the waiver is asking for the ones they clearly don’t meet versus the others that they will determine whether they do or not. She understood what Commissioner Urbanowski was saying and that is totally at the discretion of the Planning Commission. She added that the Chair is saying that if those waivers are given and then they have to move something around related to the other things, then maybe the waiver wouldn’t have been appropriate. She said if she is asking could it be done even if they were choosing to postpone it, yes, they could have a motion that was made and passing at this meeting in spite of postponing the case itself.

Secretary St. Henry said that he was surprised at how many outstanding issues were out there presented by both the engineer and by the planners. He stated that he would be much more comfortable getting the majority of those outstanding issues resolved. He thought that they should hold off on making any approval on each one of the potential motions because he did agree that 19 or so outstanding issues that could impact the overlay direction in some of the decision made there.

Chairman Reynolds stated to the applicant if they had some general thoughts and feedback from the Commissioners and thought that they seemed fairly workable. He thought it sounded like there was a little bit of lack of comfort from the extensive list and not being present on the drawings. He asked what the applicant’s thoughts were? Mr. Ivezaj said they definitely take into account and respected all their comments, and felt they were all very good concerns, and thought they were definitely doing their jobs being Planning Commissioners. He said if he could alleviate some of those concerns, he will do his best. He said he knew there were some concerns about the photometric plan and the trash enclosure. He added that the photometric plan, as it is right now, the revision that they are looking at doing where if they ended up adding additional lights onto the building, which they don’t plan on doing at this point, and most certainly if they do add building lighting onto the site, they would definitely amend the photometric plan and resubmit it for approval. The trash enclosure itself they are missing a detail. The enclosure is actually on the plan itself right now, they are looking for further detail on
the trash enclosure for review, which they can provide in the next submittal. As far as engineering concerns, the site itself, right now, and he didn’t know if they went into too much detail on it, but there is actually already been allocated some stormwater detention across the Dutton Road on the prior development, as Engineer Landis was explaining earlier. He added that the C coefficient that he is asking for is to double-check that there is enough capacity on the site. As it is right now, in their current site plan and their current submittal, they are actually submitting for these two buildings alone. The runoff coming off of these two buildings alone does not impact anything over what is permitted within that regional basin or that regional detention. He said if they move forward with an additional site plan in the future, that will definitely be a concern and would be something to take into account at that point but as of right now, it shouldn’t be a concern with these two sites going in, because the only plan they are going for is these two retail buildings. They are not applying for any additional industrial buildings, or a park, or anything else at this point, nothing else has been accounted for. From their viewpoint, they are not looking at it as they are missing all this information, they are just not sure what they are doing with the rest of the development. It is within their option at this point, and if they do move forward, obviously, they will account for any additional stormwater detention or any additional site requirements. He added that as Engineer Landis has said, he believes with their contact and communications with staff, they believe they can address all these comments within another administrative approval process. He said he wouldn’t be coming in front of them tonight, with a number of comments that could not be addressed, or that he was not comfortable after talking with the staff, that could be addressed in the future. He thought it was for both of their benefits. He believed a lot of the other comments that are out there, he was more than willing, and he respected the opinions and the outlook but would love to clarify any additional comments off of that list that concerns any of the members before they make a vote. They are extremely confident after speaking to staff, it is not just necessarily a don’t worry we will take care of it later, it is more of, they have looked through the list, they have had a meeting on it, and they are extremely comfortable with these comments and addressing them.

Chairman Reynolds said that their concerns are mainly an extensive list, that would potentially influence the project, and that is not at the discretion of their reviewers, but at their discretion, and thought that there needed to be some comfort level. He knew that some of the items could be worked out with them, and they entrust in their professional consultants and they meet with them on a frequent basis. The big picture of grading not being proposed, and some items that could be addressed administratively, but there is only so far that comfort level is going to take them. He knew a couple of feedback items here that would bring some more comfort to them, is more clarification on them meeting or exceeding the architectural standards through the Lapeer Overlay District. He added that they didn’t address the comment about the mechanical being screened, dumpster enclosure, those details being added for them. They had a good discussion about the parking location being located in the front or street frontage, they mentioned safety paths, they were in support of adding per their reviewer’s comments. There are a number of general landscape review items to be addressed and the building photometric to be revised to their comments. He thought one of the larger items that would kind of check off some things is in regards to how the future parcel would be developed and maintaining access and proving to them that the stormwater detention could be addressed in the future, with a future development, along with addressing both the future storm easements and also the existing easements. He thought that there were a couple of items with the incorporation of either to accept or deny how the Dutton Corporation Center and Retail Development would be addressed. There were a couple of comments from the Fire Marshal. He thought that there needed to be some revisions brought forth to them to address those concerns. He thought that they were comfortable moving forward.

Commissioner Reynolds felt that they could have a brief discussion on the parking, if the Planning Commissioners were in support of the current layout of parking, being Lapeer Road
Overlay and asking for a waiver on that. Vice-Chairman Gross stated that he didn’t see that as being a major issue relative to this particular site because of the constraints of the site, location, and boundaries of it. He thought that there were a lot of things that the applicant has indicated that could be taken care of, so it shouldn’t be a long delay if they can revise the plans and get them back to them, reflecting that. He added but the engineer has 19 or 20 issues, the planner has 5 or 6, and the Fire Marshal has 5 or 6 issues.

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, to postpone this case to allow the applicant to incorporate the reports of the engineer of December 29, 2020, the planner report of December 29, 2020, and the Fire Marshal report of December 30, 2020, so that they can get everything on one plan before them, and then other comments that they talked about, relative to the architectural features of part of the building and the barrier-free access if it is not going to be, just take it off the plans, take the floor plans off altogether because they don’t want to deal with building department issues and building codes.

Discussion on the motion:

Chairman Reynolds wanted clarification from the motion maker of the timeframe included with the motion to postpone? Vice-Chairman Gross replied as soon as they can get it back to them.

Mr. Ivezaj thanked the Commissioners for their feedback and time.

Commissioner Urbanowski thought that there should be a timeframe. At least before 90 days from today.

Vice-Chairman Gross amended the motion, Commissioner Hoffman re-supported, that the applicant is to come back to the Planning Commission within 90 days.

Planner Fazzini asked if they would like to see the rooftop mechanical equipment on the renderings for the next meeting, or is that something that doesn’t need to be provided? Chairman Reynolds thought that a rendering, or a note that addressed the comment that the mechanical would be screened, per the zoning ordinance or a rendering that proves that, would be helpful.

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

9. UNFINISHED BUSINESS
None

10. PUBLIC COMMENTS
None

11. COMMUNICATIONS
None

12. PLANNERS REPORTS
A. Community Planning Update Winter 2020 Issue

Planner Arroyo read through the Community Planning Update – Winter 2020 Issue.
Planner Arroyo said this issue is about changing winter attitudes. Winter comes whether they like it or not, and what they are seeing more this year, and more communities are taking advantage of, and embracing it given some of the restrictions with COVID, particularly restaurants. He stated that he has dined out, both in December and January outside, and had pleasant experiences, with a coat on, and a heat source nearby, and it was something he probably would not have done in the past.

Planner Arroyo added that some communities are creating special zones where they can close down streets and open them up to dining, retail, and pedestrian activity. Others have amended their ordinances to allow for more outdoor dining on individual private sites, as well as, public sites. Changes to the Michigan Liquor Control Regulations due to emergency changes that allow for even communities to designate zones where people can walk with open alcohol within defined areas.

Planner Arroyo stated that other communities have been active in promoting unifying businesses as a group. In Ferndale, they did “Unbox the Holidays” and they had a website, and there was a gift card they could buy that was good for a variety of businesses within the city, there were bonus cards available. All of the restaurants that had outdoor dining were listed on there, so really, getting the word out to folks interested in what is happening and what is available.

Planner Arroyo said that there is a lot of different things that could be done, and hopefully, they can keep those in mind as they are going through the Master Plan updates and the zoning amendments. What can they do to make their community more flexible, and make it more adaptable to changes in, climate, and or changes in weather? Both are actually areas that need to be addressed.

Planner Arroyo said that Eric Pietsch joined them about 3 months ago. He is a Wayne State Graduate but was in Houston for about 11 years working in the Planning Department there. He added that they recently had Stephanie Osborne join them, she was also from Wayne State, another planner.

13. COMMITTEE REPORTS
None.

14. FUTURE PUBLIC HEARINGS
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 corner of Silverbell and Lapeer Roads from General Business (GB) to Industrial Park (IP).

Public Hearings will be virtual-only.

15. CHAIRMAN’S COMMENTS
Chairman Reynolds welcomed Commissioner Hoffman to the Planning Commission.

16. COMMISSIONERS’ COMMENTS
Secretary St. Henry wished everyone a Happy New Year. He said he is going to be a grandfather his oldest daughter is having a little boy. He welcomed Commissioner Hoffman.

Commissioner Walker welcomed Commissioner Hoffman. He recommended, for an outdoor dining experience, Northville for that. They have closed down 4-5 of their blocks, and all of the restaurants have these Eskimo things.
Commissioner Urbanowski welcomed Commissioner Hoffman. She wanted to congratulate the Chairman, Vice-Chairman, and Secretary for their appointments and thanked them for stepping up to do that. She thanked Planning & Zoning Girling for all of her hard work and keeping them on track. She thanked the Engineer & Planners. She also congratulated Planner Arroyo for being elected Secretary of Giffels Webster Board of Directors, and at the Michigan Association of Planning, he was congratulated for 40 years as a member. She welcomed Planner Pietsch.

Commissioner Gross welcomed Commissioner Hoffman. He hoped that in 2021 they can all get together and meet as a Planning Commission.

Commissioner Hoffman thanked the Commissioners. He was excited to be a part of the PC and stated that he loved this community. He said he was also a part of the Chamber he is the president of the Board, and also on his HOA Board for Keatington. He stated that he owned several businesses and had a fourth child on the way in May.

Secretary St. Henry said that now that it is 2021, he was looking forward to looking at the Master Plan, and redoing it.

17. ADJOURNMENT
Moved by Commissioner Urbanowski, seconded by Commissioner St. Henry to adjourn the meeting at 8:20 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion Planning Commission Approval Date
TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Zoning/Planning Director

DATE: January 13, 2021

RE: PC-2021-02, Milosch Project, Rezone Request

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.

Rezone Request (Ord. 78, Section 30.04)

Motion: I move that the Planning Commission forwards a recommendation to the Township Board to approve/deny PC-2021-02, Milosch Project Rezone Request. Requesting to rezone the western 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). This recommendation to approve/deny is based on the following findings of facts:

a. The objectives of the Master Plan (Insert findings of facts),

b. Existing uses of property within the general area of the property in question (Insert findings of facts),

c. The zoning classification of property within the general area of the property in question (Insert findings of facts),

d. The suitability of the property in question to the uses permitted, under the existing zoning classification (Insert findings of fact),

e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification (Insert findings of facts).

f. Any additional findings of facts.

If the motion is to recommend approval it is suggested that it be conditioned upon:

a. (if applicable) The approval of a land division request splitting the 4.293 acres from the other part of the parcel which is zoned GB.
January 8, 2021

Planning Commission
Orion Township
2525 Joslyn Road
Lake Orion, MI, 48360

Rezoning Review
Request: from GB, to split GB and IP

Case No: PC-2021-02
Site: 3800 S. Lapeer Road (Dealership)
Applicant: Donald E. Milosch
Plan Date: 12/17/2020
Zoning: GB General Business
Parcel ID: 09-26-300-013

Dear Planning Commission Members:

We have completed a review of the request for rezoning referenced above and a summary of our findings is below. Items in **bold** require specific action. Items in *italics* can be addressed administratively. A summary of the requested Planning Commission action is provided on the next page.
30.04 Amendments to the Zoning Ordinance

Findings of Fact and Recommendation of the Planning Commission. Following the public hearing, the Planning Commission shall transmit a summary of comments received at the public hearing and the proposed Ordinance amendments, including any maps and recommendations make written findings of fact and transmit same, together with its recommendation, to the Township Board. The Township Board may hold additional hearings if the Township Board considers it necessary, or if requested.

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make findings based on the evidence presented to it with respect to the following matters:

a. The objectives of the Township’s Master Plan. See #5 and #6 for planner comments.

b. Existing uses of property within the general area of the property in question. See #4.

c. The zoning classification of property within the general area of the property in question. See #4.

d. The suitability of the property in question to the uses permitted under the existing zoning classification. See #7 and #8 for planner comments.

e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification. See #6 for planner comments.

SUMMARY OF FINDINGS

Existing Conditions

1. Site. The site consists of one 7.75-acre parcel located on the northwest corner of the intersection of South Lapeer Road and Silverbell Road. The parcel has approximately 855 feet of frontage along Silverbell Road and 376 feet of frontage along South Lapeer Road. An incomplete safety path exists for the south half of the site’s Lapeer Road frontage. The site is undeveloped. Based on the May 2019 Google Street View image provided below, the east half of the site was previously a large gravel surface area with cross-access provided to the developed dealership site to the north and blocked access to Silverbell Road to the south. Based on the site image provided on the first page, it appears that this unpaved area was expanded as a result of the site’s use as a construction staging area for recent improvements to Lapeer Road.

May 2019 Google Street View image of site’s Silverbell Rd frontage (dealership in background to north)
2. **Rezoning Plan.** The rezoning plan submitted by the applicant indicates that the parcel would be subject to a future land division to create two parcels as follows:
   a. The west proposed parcel (Parcel A) would be 4.293 gross acres (3.45 net acres) and is proposed to be rezoned from GB, General Business, to IP, Industrial Park.
   b. The east proposed parcel (Parcel B) would be a 3.457-acre corner parcel located at the intersection and is proposed to remain zoned GB, General Business. As the site is currently one parcel, the existing GB corner area to remain GB has been included as part of the application. Should this application be denied, the entire parcel would remain GB.

3. **Lapeer Road Overlay District.** The entire site is currently within the Lapeer Road Overlay District. Should this rezoning request be approved, the site would remain within the Overlay District. We note that the application and/or rezoning plan does not indicate the presence of the Overlay District, and this Overlay District will still remain regardless of whether or not the rezoning request is approved. This should be referenced in any motion related to this application.

4. **Adjacent zoning & land uses.**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North/East</td>
<td>GB</td>
<td>Milosch's Palace CDJR</td>
</tr>
<tr>
<td>East</td>
<td>PUD</td>
<td>Mobil Gas Station</td>
</tr>
<tr>
<td>South</td>
<td>OP</td>
<td>Vacant</td>
</tr>
<tr>
<td>West/North</td>
<td>IP</td>
<td>Vacant- approved for PC-2020-06 Peninsula Agriculture</td>
</tr>
</tbody>
</table>
5. **FLU Map.** The Future Land Use Map designates the site as Industrial/Commercial/Residential Mixed Use. This designation extends to the north and south of the site along the west side of Lapeer Road in this area. The Master Plan considers this as an Industrial Classification as follows:

"Industrial/Commercial/Residential Mixed-Use Development is planned to provide a mix of industrial, commercial and residential uses in the area near Brown Road between Baldwin and Joslyn and along Lapeer Road between Brown and Waldon. The intent is a mix of industrial, residential, commercial, medical and office uses and ancillary commercial uses within a well-planned business setting. Large-format retail may be considered along the Brown Rd. frontage. The Township will also promote economic development initiatives for the area. Economic incentives may include Brownfield Redevelopment, Local Development Finance Authority (LDFA), Industrial Facilities Tax Exemption (IFT), Tax Increment Financing (TIF), infrastructure investments and State grant programs. Redevelopment projects will be reviewed by way of a Planned Unit Development for those projects which deviate from the listing of permitted/special uses. Specific zoning regulations are incorporated within the Light Industrial (LI), Brown Road Innovation Zone (BIZ) and Lapeer Road Overlay zoning districts."

6. **Master Plan Text.** The 2015 Master Plan text, including the Objectives, also provide guidance related to this request. Below are several sections that broadly relate to this rezoning request.

If desired, the Planning Commission may request that the applicant address the below objectives, and any other objectives contained within the Master Plan, as they may relate to the west Parcel A portion of the site proposed for IP, Industrial Park zoning. This should include the applicant expanding on the purpose of IP zoning as the application form only states that IP zoning is needed for "potential development". This description does not provide useful information related to if this potential development would be industrial, commercial, office, or another use.

### Existing Land Use Conclusion (pg 3-47)
- The largest concentrations of commercial uses are in proximity to residential developments along the Lapeer Road and Baldwin Road corridors.
- Industrial growth has concentrated in the southern portions of the Township and includes a number of industrial parks. Since the last Master Plan update, the Brown Road Innovation District and Lapeer Road Overlay District were adopted to encourage a flexible mix of uses within these industrial areas.

### Road Improvements and Traffic Studies (pg 4-10)
- Other traffic studies have been completed in conjunction with proposed projects that provide detailed information on the following intersections: Lapeer Road/Silverbell Road.
- The Lapeer Road/Silverbell Road traffic study is a component of the planned 2016 Lapeer Road rehabilitation project.

### Goals, Objectives, and Policies (pg 5-4)
- Transportation and Thoroughfares, Goal A: To provide a traffic circulation system that safety and efficiently serves residents and businesses located within the Township.
Objective VII: To reduce or limit conflicts between land use and traffic whenever possible.

- Growth Management, Goal A:
  - Objective II (part): Consider traffic impacts of new development and the cumulative impacts on traffic corridors.

- Office Areas, Goal B: To provide sites for Research and Development uses that are characterized by buildings in which people are employed in activities that are of a technical nature, or are professional activities, including technical training and education.
  - Objective I: To allocate areas in the Township which would be suitable for the development of high-technology office or research facilities.
    - Policy 4: Promote the Brown Road area and the Lapeer Road corridor for industrial, medical, office, and research-related facilities.

- Commercial Areas, Goal A: To provide for a proper distribution of commercial land uses.
  - Objective I: To strictly limit the location of commercial uses to protect the health, safety, and welfare of businesses and their patrons.
    - Policy 1: Commercial areas should be limited to appropriate areas within the Lapeer Road and Brown Road corridors.

- Industrial Areas, Goal B: To strive for high standards of design for industrial development in the township, especially since one of the most heavily traveled gateways to the Township (Lapeer Road) traverses the industrial area.
  - Objective I: To create industrial areas which are well served by infrastructure, area efficiently served by transportation facilities, and are as attractive as can be attained in an industrial district.

Zoning Ordinance Considerations:

7. The intent of the GB district, from Zoning Ordinance Section 14.00 – Preamble, is as follows:

Existing GB Zoning Intent
"The General Business (GB) District is intended to provide locations for individual businesses or a collection of businesses that provide a commodity or service on a regional basis. The zoning district is characterized by higher traffic generation and greater degrees of sight visibility and requires a site design which will not impede the flow of traffic or traffic safety. The GB District is intended to have the necessary restrictions to limit businesses’ impact upon the community. This includes safe and efficient traffic flow, adequate parking and attractive landscaping. The GB District is further intended to have direct access onto an existing or proposed thoroughfare, but only where optimum egress and regress can be provided."

8. The intent of the IP district, proposed for the west Parcel A portion of the site, is as follows:

Proposed IP Zoning Intent (west Parcel A area)
The Industrial Park (IP) Districts are intended to provide locations for the development of industrial subdivisions permitting a variety of industrial uses in a park-like setting with full
provision of roads and utilities and with adequate setbacks, greenbelts, and landscaping. This district is intended to provide locations for similar activities as are permitted in the Limited Industrial District. Furthermore, it is intended that the effects of any industrial activity in an IP District should be confined within the IP District, so as to not create any nuisance or hazard for adjacent or nearby uses. It is further intended that Industrial Park Districts shall have an internal roadway with a minimum sixty (60) foot right-of-way, that each building or use within the complex have direct access onto that internal roadway, and that the district, as a whole, have direct access onto an existing or proposed major thoroughfare.

As stated in the Master Plan Text section, the application form only states that IP zoning is needed for “potential development”. This description does not provide useful information related to if this potential development would be industrial, commercial, office, or another broad use. Therefore, it is difficult to consider the following items related to the Zoning Ordinance. The Planning Commission should consider all possible uses in the district when making these findings:

a. How the potential development of the entire site (west IP and east GB proposed parcels) would relate to the Zoning Ordinance intent statements for each area.
b. Why the site is not suitable for development under the existing zoning classification. (PC finding §30.04(d))

CONCLUSION

The applicant could submit additional information via the application form that may address how the proposal relates to the Future Land Use Plan, Master Plan text, and Zoning Ordinance provisions. This additional information could also be presented to the Planning Commission at the scheduled hearing.

Respectfully,
Giffels Webster

Rod Arroyo, AICP
President

Eric Fazzini, AICP & CNU-A
Senior Planner
Article XVIII

Section 18.00 – Preamble

The Industrial Park (IP) Districts are intended to provide locations for the development of industrial subdivisions permitting a variety of industrial uses in a park-like setting with full provision of roads and utilities and with adequate setbacks, greenbelts, and landscaping. This district is intended to provide locations for similar activities as are permitted in the Limited Industrial District.

Furthermore, it is intended that the effects of any industrial activity in an IP District should be confined within the IP District, so as to not create any nuisance or hazard for adjacent or nearby uses. It is further intended that Industrial Park Districts shall have an internal roadway with a minimum sixty (60) foot right-of-way, that each building or use within the complex have direct access onto that internal roadway, and that the district, as a whole, have direct access onto an existing or proposed major thoroughfare.

Section 18.01 – Use Matrix (added 07.16.18)

Uses Permitted by Right shall be permitted subject to the standards and requirements set forth herein. Special Uses shall be permitted subject to the standards and requirements set forth herein and subject to the standards and approval requirements as provided for in Section 30.02. Accessory Uses shall be permitted subject to the standards and requirements set forth herein and in Section 27.02. The Planning Commission may allow uses of a similar nature to those listed below, in accordance with Section 27.02.E., provided that such uses will not create adverse impacts to surrounding areas.

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>Zoning District</th>
<th>Footnotes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>P = Permitted by Right</strong></td>
<td><strong>S = Special Use</strong></td>
<td><em><em>S</em> = Special Use permitted within Lapeer Road Overlay District</em>*</td>
</tr>
<tr>
<td><strong>Industrial, Research, and Technology Uses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commodity, manufacture, assembly, treatment, repair, processing, packaging of</td>
<td></td>
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<tr>
<td>Electrical appliances, electronic instruments and devices, including but not limited to computers, cellular phones and tablets.</td>
<td>P</td>
<td></td>
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<tr>
<td>Electronic or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.</td>
<td>P</td>
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<tr>
<td>Previously prepared materials such as, but not limited to, the following: canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, leather, paper, plastics, precious or semi-precious metals or stones, shell, soil, textiles, millwork, tobacco, wax, wire, wood or yarns, and sheet metal, but not including large stamping plants and saw mills.</td>
<td>P</td>
<td></td>
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<tr>
<td>Pottery &amp; figurines or other similar ceramic products using only previously pulverized clay or kilns fired only by electricity or gas.</td>
<td>P</td>
<td></td>
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<tr>
<td>Bakery goods, candy, food products, cosmetics, pharmaceuticals, toiletries, hardware and cutlery.</td>
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<tr>
<td>Musical instruments, toys, novelties, and metal or rubber stamps or other small molded rubber products.</td>
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<tr>
<td>Storage buildings, repair facilities, and/or yards for vehicles, equipment, &amp; materials for contractors, landscaping, and/or lawn treatment services, and recreational vehicles</td>
<td>P</td>
<td>A</td>
</tr>
<tr>
<td>Packaging and/or parcel delivery services</td>
<td>P</td>
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<tr>
<td>Printing plants</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Tool, die, gauge, and machine shops</td>
<td>P</td>
<td></td>
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<tr>
<td>Warehousing and wholesale establishments, storage and transfer facilities (other than those accessory to an adjoining retail use and not including waste disposal transfer stations)</td>
<td>P</td>
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</tr>
<tr>
<td>Facilities where primary activities are of an experimental or testing nature</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><strong>Office</strong></td>
<td></td>
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<tr>
<td>Offices related to the principal use.</td>
<td>P</td>
<td></td>
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</tbody>
</table>

Revised 07/26/18

Charter Township of Orion Zoning Ordinance 78

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## Article XVIII

### Industrial Park (IP)

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>Zoning District</th>
<th>Footnotes</th>
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<tbody>
<tr>
<td><strong>P = Permitted by Right</strong></td>
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<tr>
<td><strong>S = Special Use</strong></td>
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<tr>
<td><em><em>S</em> = Special Use permitted within Lapeer Road Overlay District</em>*</td>
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</tr>
<tr>
<td>Veterinary clinics and animal boarding</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td><strong>Retail, Entertainment and Service</strong></td>
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<tr>
<td><strong>Entertainment, Amusement and Recreational Uses</strong></td>
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<tr>
<td>Health clubs and exercise establishments</td>
<td>S</td>
<td>B</td>
</tr>
<tr>
<td>Private indoor recreation facilities (such as batting cages, dance studios, indoor soccer, ice rinks, archery)</td>
<td>S</td>
<td>B</td>
</tr>
<tr>
<td><strong>Automobile-Related Uses</strong></td>
<td></td>
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<tr>
<td>Automotive retail and service facilities</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td>Automotive repair, paint and body shop, collision shop</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td>Equipment repair and sales</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td><strong>Eating and Drinking Establishments</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurants, including drive-through restaurants</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td><strong>General Retail</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building material sales</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Showrooms for kitchen, bath, household fixtures, household furniture or other retail activities associated with fabrication, assembly processing, or wholesaling</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td><strong>General Service</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mini-storage and warehousing</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td>Hotels and motels</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td>Financial and insurance service (banks, credit unions, etc. with or without drive-through)</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td><strong>Civic and Institutional</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Churches</td>
<td>S*</td>
<td>D</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planned Unit Development, subject to the standards and approval requirements of Section 30.03</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Outdoor storage as a principle use in accordance with Section 27.19</td>
<td>P/S</td>
<td></td>
</tr>
<tr>
<td><strong>Accessory Uses</strong></td>
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<td></td>
</tr>
<tr>
<td>Outdoor storage as an accessory use, in accordance with Section 27.19</td>
<td>P/S</td>
<td></td>
</tr>
<tr>
<td>Accessory buildings and accessory uses customarily incidental to the permitted uses in this Section, in accordance with Section 27.02</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td><strong>Uses Not Permitted</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities where activities of a retail nature, except for building material sales and parcel delivery services, are conducted.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stand-alone facilities for the sale and/or consumption of food or beverages either on or off-site (except as special land use within the Lapeer Overlay District)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section 18.02 – Footnotes to the Use Matrix

**Added 07.16.18**

A. See Section 27.19

B. Indoor recreation establishments are subject to a review of parking by the Planning Commission and subject to the submittal of parking studies based upon Institute of Transportation Engineers (ITE) standards, if required. The Planning Commission may allow a maximum building height of forty (40) feet, subject to the review of adjoining land use and a determination that additional building height for recreation uses will not adversely impact neighboring uses.

C. The following accessory uses shall be permitted, subject to the standards and requirements set forth herein and in Sections 27.02:
1. Repair and maintenance of vehicles and equipment owned by the proprietor or lessee of the storage facility, provided that such repair and maintenance activities take place within a completely enclosed building.

2. The repair and maintenance of vehicles and equipment left for long-term storage of at least four (4) months with the proprietor or lessee of the storage facility, provided that such repair and maintenance activities take place within a completely enclosed building.

3. One storage building for materials or equipment related to the principal use. However, building material outlets may be permitted, subject to Planning Commission approval.

4. Accessory uses which in the opinion of the Planning Commission are subordinate and customarily incidental to the above permitted or special uses.

D. Uses as listed below are allowed as a special land use subject to special use conditions imposed by the Planning Commission in accordance with Section 30.02, on parcels within the Lapeer Road Overlay District. These uses are to be complementary to the Industrial Park zoning district, and may include uses such as: (added 09.02.14, amended 07.16.18)

1. Showrooms for kitchen, bath, household fixtures, household furniture or other retail activities associated with fabrication, processing, or wholesaling. Products retailed shall be a minor part of the principal use activity. Retail floor area shall not exceed thirty percent (30%) of the total floor area.

2. Automotive retail and service facilities, such as trailer hitches, car stereo, window tinting and similar uses.

3. Automotive repair, paint and body shop, collision shop.

4. Equipment repair and sales, such as recreational vehicles, lawn equipment, power tools and construction equipment.

5. Banks and credit unions, with or without drive-through.

6. Restaurants, including drive-through restaurants including outdoor cafe and/or patio subject to:

   Seasonal use restrictions, hours of operation, sketch plan indicating location of tables, chairs, awnings, canopies, dance floor, protective fencing, railings, planters, or other pedestrian barriers, compliance with Michigan Liquor control Commission (MLCC) requirements (for a cafe), compliance with Township Noise Regulations (Ord. No. 135), and/or other conditions as required by the Planning Commission. No site plan will be required unless requested by the Planning Commission, with the Planning Commission retaining the option of requiring a full site plan.

7. Churches

8. Hotels and motels

9. Veterinary clinics and animal boarding

10. Mini-storage and warehousing

Section 18.03 – Required Conditions (amended 07.16.18)

All activities and uses in this District shall comply with the following required conditions, except where an existing building is legally in nonconformance with certain conditions, or where a variance from the conditions has been legally granted by the Zoning Board of Appeals. (amended 01.30.86)

A. Site Plan Approval. The proprietor shall submit a site plan for approval pursuant to the requirements set forth in Section 30.01 of the Zoning Ordinance.
30.04, Amendments to the Zoning Ordinance: Map amendments may be initiated by any governmental body or any persons having a freehold interest in the subject property, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest entitled to exclusive possession or which is specifically enforceable.

Project Name: Milosch Project

Name: Donald E. Milosch
Address: 3800 S Lapeer Rd. City: Lake Orion State: MI Zip: 48359
Phone: 248-393-2222 Cell: Fax: 248-393-7564
Email: brian@palacecj.com

Name: Milosch's Leasing & Rental Inc.
Address: 3800 S Lapeer Rd. City: Lake Orion State: MI Zip: 48359
Phone: 248-393-2222 Cell: Fax: 248-393-7564
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.

Name: Jim Sharpe
Address: 1750 Lakesview Dr. City: Oxford State: MI Zip: 48371
Phone: 248-877-2102 Cell: Fax:
Email: jim@sharpe-engineering.com

Name: Brian Milosch
Address: 3800 S Lapeer Rd. City: Lake Orion State: MI Zip: 48359
Phone: 248-393-2222 Cell: 248-496-1441 Fax: 248-393-7564
Email: brian@palacecj.com
Sidwell Number(s): 09-26-300-013

Location or Address of Property: Silverbell Rd, Lake Orion MI 48359

Side of Street: Silverbell Nearest Intersection: Silverbell & Lapeer Rd.

Acreage: 4.293 Current Use of Property: vacant

Frontage (in feet): 466 Depth (in feet): 475

Subject Property Zoning: GB Adjacent Zoning: NGB2/IP S. IP E. GB W. IP

Is the complete legal description printed on the site plan? ☑ Yes ☐ No (If no please attach to the application)

Requested Zoning Classification: IP

Existing Use of Property: vacant Proposed Use of Property: IP

Explain why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership: Need IP for potential development

Explain why the existing zoning classification is no longer appropriate: Need IP for potential development

Explain why the proposed rezoning will not be detrimental to surrounding properties: IP zoning is concurrent with north and west property and fits with other zonings in the area
I/we, the undersigned, do hereby submit this application for Rezoning, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.04 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:  
(must be original ink signature)  
Date: 12-16-2020

Print Name:  

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:  
(must be original ink signature)  
Date: 12-16-2020

Print Name:  

Page 3 of 4
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5002; Fax (248) 391-1454

Project Name ___________________________

PC# ______________________ Parcel#(s) (A) 09-26-300-013

Please select an option below:

☐ Permission to Post on Web Site
By signing below as applicant and on behalf of my consultants, we agree to allow the plans for the above named project, in which approval is being sought by the Planning Commission and/or Township Board, to be posted on the Township website.

Signature of Applicant ____________________________ Date __________

Printed Name of Applicant ____________________________
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: January 13, 2020
RE: PC-2021-03, Village Square PUD, Minor PUD Amendment – Signage Walgreens

As requested, I am providing suggested motions for the abovementioned project. Please feel free to modify the language. The verbiage below could substantially change based upon the Planning Commission’s findings of facts for the project. Any additional findings of facts should be added to the motion below.

**PUD Minor Amendment – (Ord. No. 78, Section 30.03)**
I move that the Planning Commission approves/denies PC-2021-03, Village Square PUD Minor Amendment, requesting 2 additional wall signs over the existing 2 wallsigns for Walgreens, located at 3520 S. Baldwin Rd. (Sidwell #09-29-301-082), for plans date stamped received December 28, 2020. This approval/denial is based on the following findings of facts:

a. How will the revision be a benefit to the future users of the project and community (Insert findings of facts),

b. How will the revision result in a material increase in the use of public services, facilities and utilities as compared to the existing PUD (Insert findings of facts).

c. Will the revision place an unreasonable burden upon the existing PUD or the surrounding property owners and/or the natural environment (Insert findings of facts),

d. Will the revision keep the existing PUD within the intent and spirit of the Master Plan (Insert findings of facts),

e. Will the revision result in an unreasonable negative economic impact upon the surrounding properties (Insert findings of facts),

f. Does the revision maintain the existing approved open space requirement for the PUD (Insert findings of facts).

g. Does this revision require any waivers from the design standards of this PUD (Insert findings of facts).

h. Will this revision allow the PUD to continue to promote the preservation of any natural resources and features that were in the original PUD (Insert findings of facts).

If motion is to approve:
*Motion maker to add any additional conditions.

Or

**Motion 2:** I move that the Planning Commission postpone action on PC-2021-03, Village Square PUD Minor Amendment, requesting 2 additional wall signs over the existing 2...
wall signs for Walgreens, located at 3520 S. Baldwin Rd. (Sidwell #09-29-301-082), for plans date stamped received December 28, 2020, for the following reasons (insert findings of facts).
DATE: January 13, 2021
TO: Orion Township Planning Commission
FROM: Giffels Webster

SUBJECT: 3520 S. Baldwin Road – Walgreens – PUD Revision for New Signs

The applicant has requested a revision to a Planned Unit Development in order to add two wall signs that read “Clinic” to an existing pharmacy building. Each sign would be 9.50 sq. ft. and would be located on the same street-side façades as existing “Walgreens” signs indicated as 45.13 sq. ft. each on the sign plan. One “Clinic” sign would be located on the east side of the building, facing Baldwin Road, and the other on the north side, facing Maybee Road. No new signage is proposed along the west side of the building, which faces adjacent single-family uses. The application states that the new signs will inform the public that there is a clinic inside of the Walgreens facility. It is unclear if this clinic is an existing or new service.

The Walgreens site is located within the Orion Ridge PUD located at the southwest corner of Baldwin Road and Maybee Road (see street view image below). This request is being considered as a PUD revision as signage for PUD’s are approved as part of the PUD process (a similar PUD revision request was recently considered for Chase Bank to the east of the site across Baldwin Road). We are not aware of any conditions from the previous PUD approval that prevent consideration of this request for two additional wall signs.

Sign Ordinance No. 153
The Sign Ordinance standards are provided below for consideration of the request. Additionally, the site is within the Gingellville Village Center Overlay District, which includes additional sign standards for this area. The Overlay standards are provided on the following page also for consideration.

Wall Signs – Non-Residential Zoned Areas

<table>
<thead>
<tr>
<th>Number of Signs</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 wall sign per establishment</td>
<td>Not met- 2 existing Walgreens and 2 proposed Clinic. PUD Modification may be approved as part of this request.</td>
<td></td>
</tr>
</tbody>
</table>

| Sign Area | 10% of the façade area on which the sign is to be placed, or 200 sq. ft. per establishment whichever is less. | Met- 54.63 sq. ft. of proposed sign area for each façade (45.13 + 9.5); 110 sq. ft. total. (approx. façade area of 2,228 sq. ft. each) |
Gingellville Village Center Overlay District

The site is located within the Gingellville Overlay District. The overlay standards have been reviewed for compliance as indicated below for both proposed wall signs.

All signs permitted within the Gingellville Village Center Overlay District shall be subject to the provisions of Ordinance No. 153 unless a stricter provision is provided below. In addition to the overall intent of this section, the intent of this subsection is to ensure that signs within the Gingellville Village Center Overlay District shall be uniform in size, design, appearance, and material. Accordingly, all signs within the Gingellville Village Center Overlay District shall be subject to the following requirements and standards:

Section 33.0(E)

1. All signs shall be designed so as to be integral and compatible with the architecture and landscaping component of the development. We believe both signs would be integral and compatible with the existing site. The new Clinic wall signs would accompany existing Walgreens signs on both the north and east building façades that face public rights-of-way.

4. Shielded external illumination is encouraged to reduce glare. No portion of the sign shall have a luminance greater than fifteen (15) foot candles measured at four feet perpendicular to any surface. The applicant should verify that no external illumination is proposed for the wall signs as it appears that these are channel letters with internal LED illumination. If no external illumination is proposed, this section would not apply as appears to be the case.

5. It is recommended that signs with internal illumination provide a dark background with lighter colored lettering or logo. An internally lit sign with white background will generally exceed the maximum allowable luminance. This section typically applies to panel signs that have a contrasting background, which is not the case with this proposal as the wall signs are proposed to be red to match the Walgreens signs and appear to be internally illuminated as stated above. Additionally, this standard is stated as a recommendation, rather than a strict requirement.

6. The light from illuminated signs shall be shielded at its source in a manner that will not shine light on adjacent properties or onto public streets or sidewalks. See #4 above.
APPLICATION FOR PLANNED UNIT DEVELOPMENT REVISON

Case Number PC- 21 - 03

*PROOF OF OWNERSHIP MUST BE INCLUDED IN THE APPLICATION*
(Acceptable documentation includes: Warranty Deed, Quit Claim Deed, Land Contract, and Option to Purchase with a Copy of the Warranty Deed. If the applicant is not the property owner, then written authorization from the property owner must be included.)

NOTICE TO APPLICANT

The following application must be completed (incomplete applications will be returned to the petitioner) and filed with the Township at least four (4) weeks prior to a scheduled Planning Commission meeting in order to initiate a request for PUD Revision. Regular meetings of the Planning Commission are held on the first and third Wednesday of each month at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion.

Date 12/15/2020 Project Name Walgreens

Applicants Name Allied Signs, Inc.

Applicants Address 33850 Giftos

City Clinton Twp. State MI Zip Code 48035

Phone# 586-791-7900 Fax # 586-791-7788 E-Mail Kim@alliedesignsinc.com

Property Owner Name P & P Real Estate Investment, Inc.

Property Owner Address 6539 Stonebridge E., West Bloomfield, MI 48322-3254

Phone# 248-701-6002 Fax # E-Mail

Name of Firm/Individual who Prepared the plan Everbrite

Address 4949 S. 110th St, Greenfield, WI, 53220

Phone# 414-529-7289 Fax # E-Mail

*Please Indicate Above The Contact Person*
Property Description:

Location or Address of the Property: 3520 S. Baldwin Rd.

Side of Street Southwest Nearest Cross Streets: Baldwin and Maybee Rd.

Sidwell Number(s) 0-09-29-301-082 Total Acreage

Subdivision Name (if applicable) N/A

Frontage (in feet) Depth (in feet)

*Please Attach to the Application a Complete Legal Description of the Subject Property

Zoning Classification:
Subject Property PUD

Adjacent Properties:

North PUD South RB

East OP and RB West R-2

Current Use of Property: Pharmacy

Describe The Proposed Revision To The PUD Add (2) additional wall signs that read
Clinic. One on the East elevation and one on the North elevation. Each sign is 9.50 sqft.

Please answer the following questions on a separate sheet of paper and attach to the application.

1. How will the revision be a benefit to the future users of the project and the community?

2. How will the revision result in a material increase in the use of public services, facilities and utilities as compared to the existing PUD?

3. Will the revision place an unreasonable burden upon the existing PUD or the surrounding property owners and/or the natural environment?

4. Will the revision keep the existing PUD within the intent and spirit of the Master Plan?

5. Will the revision result in an unreasonable negative economic impact upon the surrounding properties?

6. Does the revision maintain the existing approved open space requirement for the PUD?
7. Does this revision require any waivers from the design standards of this PUD?

8. Will this revision allow the PUD to continue to promote the preservation of any natural resources and natural features that were in the original PUD?

*** Sets of the Site/PUD Plan Prepared in Accordance with the Orion Township Zoning Ordinance #78, Section 30.03, Section 30.01 and any other Applicable Township Ordinance Requirements Must be Included as Part of the Application. Planning Commission Review Fees Included In Ordinance #41 Are Also Required When Submitting For A PUD Revision***

I hereby submit this application for Site Plan Approval, pursuant to the provisions of the Orion Township Zoning Ordinance, Ordinance #78, Section 30.03 and 30.01 and any other applicable Township Ordinance requirements. In support of the application, I hereby certify that the information provided herein is accurate and the application that has been provided is complete. As the property owner (or having been granted permission to represent the owner as to this application) and on behalf of all owners of this property, I hereby grant the Planning Commission members and Township Building Department staff permission to perform a site walk on the property, without prior notification, as is deemed necessary.

[Signature]

12/15/2020

Date

Signature of Applicant
P & P REAL ESTATE INVESTMENT, INC.
5006 Leroy Ct.
West Bloomfield, MI 48324

Date: November 9, 2020

To Whom It May Concern

RE: Walgreens – Lake Orion, MI

Dear Sir/Madam

We, P&P Real Estate Investment Inc, the owners of the property located at: 3520 S Baldwin Rd, Lake Orion, MI 48359 are writing this letter as formal notice authorizing our approval and support for the exterior changes to the building conceptual artwork drawings provided by Everbrite, as well as installation of required exterior signage for this project by Allied Signs Inc.

Should anyone have questions or require any additional information relative to the above, please do not hesitate to contact me.

Sincerely,

Name Jerry Pattah, President
P&P Real Estate Investment Inc,
Phone number 248-701-6002
Address 2207 Orchard Lake Road
Sylvan Lake, MI 48320
RE: Walgreens, 3520 S. Baldwin Road

Dear Members of the Planning Commission,

Below are the answers to the following questions:

1. How will the revision be a benefit to the future users of the project and the community?
   - It lets the public know there is a Clinic inside of Walgreens.

2. How will the revision result in a material increase in the use of public services, facilities and utilities as compared to the existing PUD?
   - The proposed wall signs won't have an affect on this as they are just wall signs.

3. Will the revision place an unreasonable burden upon the existing PUD or the surrounding property owners and/or the natural environment?
   - No it will not as the (2) proposed wall signs are only 9.50 square feet each.

4. Will the revision keep the existing PUD within the intent and spirit of the Master Plan?
   - Yes it will as these are small wall signs.

5. Will the revision result in an unreasonable negative economic impact upon the surrounding properties?
   - No it will not as these are small wall signs at 9.50 square feet each.

6. Does the revision maintain the existing approved open space requirement for the PUD?
   - Yes it does.

7. Does the revision require any waivers from the design standards of this PUD?
   - Do not know.

8. Will this revision allow the PUD to continue to promote the preservation of any natural resources and natural features that were in the original PUD?
   - Yes it will as the proposed are just small wall signs.
INFORMATIONAL ONLY

TO: Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: December 11, 2020
RE: PC-2020-41, Administrative Review T-Mobile Equipment Change

Plans were submitted by Haley Law Firm, PLC for an administrative review of a site plan replacing equipment onto an existing tower which did not increase its height. The cell tower is located at 467 E. Scripps Road. The applicant also provided a structural analysis proving that the tower could withstand the weight of the additional equipment.

The applicant was able to meet the criteria for administrative review per Ordinance No.78, Section 27.07. It appeared that all ordinance requirements had been addressed and I administratively approved their site plan.

If you have any questions regarding this matter, please contact my office at (248) 391-0304 x 5000.