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 7:05pm: PC-2021-05, C & A Group, Request to Conditionally Rezone 512 E. Silverbell Road, parcel #09-35-200-023, from Single Family Residential (R-1) to Office Professional (OP) with conditions.

1. OPEN MEETING

2. ROLL CALL

3. MINUTES
   A. 02-03-21, 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-2021-05, C & A Group, Request to Conditionally Rezone 512 E. Silverbell Road, parcel #09-35-200-023, from Single Family Residential (R-1) to Office Professional (OP) with conditions.
   B. PC-2021-06, Orion Village Crossing Minor PUD Amendment, located at 3667 S. Baldwin Road, (parcel 09-29-326-042) for an additional wall sign & outdoor patio
   C. PC-2019-04, Orion Storage Site Plan, 1761 W. Clarkston Rd., 09-16-226-001
   D. PC-2021-10, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)
   E. PC-2021-11, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)
   F. PC-2021-12, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)
   G. PC-2021-13, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)
   H. PC-2021-14, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)
   I. PC-2021-15, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)
   J. PC-2021-16, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)
K. PC-2021-17, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

L. PC-2021-18, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

M. PC-2021-19, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

N. PC-2021-20, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

O. PC-2021-21, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

P. PC-2021-22, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Q. PC-2021-23, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

R. PC-2021-24, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

S. PC-2021-25, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

T. PC-2021-26, Tycoon I Operations LLC, Ord 154 Application (Excess Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

U. PC-2021-27, Tycoon I Operations LLC, Ord 154 Application (Adult-Use Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

V. PC-2021-28, Tycoon I Operations LLC, Ord 154 Application (Adult-Use Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

W. PC-2021-29, Tycoon I Operations LLC, Ord 154 Application (Adult-Use Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

X. PC-2021-30, Tycoon I Operations LLC, Ord 154 Application (Adult-Use Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Y. PC-2021-31, Tycoon I Operations LLC, Ord 154 Application (Adult-Use Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

Z. PC-2021-32, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

AA. PC-2021-33, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

BB. PC-2021-34, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)

CC. PC-2021-35, Tycoon I Operations LLC, Ord 154 Application (Medical Class C Grow) located at 180 Premier Dr. (parcel 09-35-477-001 & 09-35-477-002)
8. UNFINISHED BUSINESS
   A. PC-2021-07, 5-year Master Plan Update
   B. PC-2021-36, Township Initiated Text Amendment, Tree & Woodland Protection

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.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, February 3, 2021, 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 (Commissioner location):
Don Walker, PC Rep to ZBA (Orion Twp.)  Scott Reynolds, Chairman (Orion Twp.)
Kim Urbanowski, BOT Rep to PC (Orion Twp.)  Don Gross, Vice-Chairman (Orion Twp.)
Garrett Hoffman, Commissioner (Orion Twp.)  Jessica Gingell, Commissioner (Orion Twp.)

PLANNING COMMISSION MEMBERS ABSENT:
Joe St. Henry, Secretary

1. OPEN MEETING
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 Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Lindon Ivezaj  Timothy Brodoski

3. MINUTES
A. 01-20-21, Planning Commission Regular Meeting Minutes
B. 01-20-21, Planning Commission Public Hearing Minutes for Milosch Project Rezone

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, to approve both sets of minutes for January 20, 2021, as submitted.

4. AGENDA REVIEW AND APPROVAL
Vice-Chairman Gross asked to move item 8.A. under Unfinished Business, PC-2021-01, Dutton Park Site Plan to item 7.J. and item 7.J. Discussion on Tree and Woodland Protection Section of Ord. #78 to 7.K.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, to approve the agenda as amended.

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

6. CONSENT AGENDA
Chairman Reynolds asked if there were any comments or questions regarding the report.
There were not.

Moved by Vice-Chairman Gross, seconded by Secretary Hoffman, to receive and file the report and to forward a copy to the Township Board. **Motion Carried**

Chairman Reynolds disclosed a potential conflict of interest. He stated that the applicant, even though not in the same form as Pure Green, LLC, he and his firm had worked on this Class “C” grow facility located at the same address. He asked to be recused for modifying, the 154 applications. He added that the previous motions that were made for the applicant were when they were not present as an architect and now have since replaced the previous architect. He asked that he be recused for items 7.A. through 7.I.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker to recuse Chairman Reynolds for items 7.A. through 7.I. **Motion Carried.**

**7. NEW BUSINESS**


Acting Chairman Gross stated that items 7.A. through 7.G. are items that they had previously acted upon back in November of 2020. He added that they are existing marijuana facilities located on Premier Dr. They have under item 7.A. through 7.G., they are existing applications that have been approved. Items 7.A. through 7.E., are items that are asking for an amendment to the initial application to be from a Class “C” Grower permit to a Class “C” Grower Facility – Adult Use permit.

Acting Chairman Gross said that they had a memo from the Township Attorney indicated that a new hearing was not necessary, that the application could be amended by the Planning Commission. None of the conditions relative to meeting the requirements of the ordinance have changed, everything is the same except for the type of application that this is. It was his understanding that they could, under a single motion, adopt a resolution for item 7.A. through 7.E., which is amending the applications from a Class “C” Grower facility to the Adult Use facility.

Moved by Commissioner Walker, seconded by Commissioner Urbanowski, that the Planning Commission **grant** approval of the amendment to the licensed marijuana facility applications PC-2020-31 through PC-2020-35 submitted by Pure Green, LLC, and approved by the Planning Commission on November 18, 2020, with such amendment providing for a replacement of the approved “Class C Grower Permit” with a “Class C Grow Facility – Adult Use” permit with approval of the amendment conditioned upon the Licensed Marijuana Facilities applications provided by the applicant to the Township otherwise remaining consistent with the identical to the original application presented and approved by the Planning Commission on November 18, 2020.

**Roll call vote was as follows:** Gross, yes; Walker, yes; Gingell, yes; Hoffman, yes; Urbanowski, yes. **Motion carried 5-0 (Reynolds recused).**

F. – G. PC-2020-36 – 37, Pure Green, LLC, Modification to the Ord. 154 application (Excess Grower), located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

Acting Chairman Gross stated that the original application was approved for a Class “C” Grow permit, and the amendment is for an Excess Grower permit. He added that this was approved
by the Planning Commission on November 18, 2020, and there have been no changes to the ordinance or the application other than the type of permit.

Moved by Trustee Urbanowski, seconded by Commissioner Hoffman, that the Planning Commission grant approval of the amendment to the licensed marijuana facility applications PC-2020-36 and PC-2020-37 submitted by Pure green, LLC, and approved by the Planning Commission on November 18, 2020, with such amendment providing for a replacement of the approved “Class C Grower Permit” with an “Excess Grower” permit with approval of the amendment condition upon the Licensed Marijuana Facilities Applications provided by the applicant to the Township otherwise remaining consistent with the identical to the original application presented and approved by the Planning Commission on November 18, 2020.

Roll call vote was as follows: Walker, yes; Gingell, yes; Hoffman, yes; Urbanowski, yes; Gross, yes. Motion carried 5-0 (Reynolds recused).

H. PC-2021-08, Pure Green, LLC, Ord. 154 application (Class “C” Grower-medical) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

Acting Chairman Gross asked, Planning & Zoning Director Girling if there was anything that she would like to provide them with on the application. Planning & Zoning Director Girling replied that she did a review of the application, as it relates to location requirements. She added that for this particular one, it is the same as the amended applications, they are within the same building. She said she did do a review, and they demonstrated that the requirements were met. She said it was within the same zoning of (IP) Industrial Park, and is not closer to a church, residential, or school, than, the ordinance allows. It is not on a road that has traffic higher than the ordinance allows. It does not ingress or egress from a road that also serves as residential. The distance from the closest school, church, and residential were done from buildings edge to building edge, and they did not need to seek any variances on those distances. They are allowed to do the type of use that they are requesting per ordinance and have met all of the location requirements. She recommended the approval with the one suggested requirement that was within her review.

Acting Chairman Gross asked if there were any questions from the Commissioners. There were not.

Moved by Trustee Urbanowski, seconded by Commissioner Hoffman, that the Planning Commission grant approval of the application, as required per Ord. #154, for PC-2021-08, Pure Green, LLC, for a Class “C” Grower Facility – Medical, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the findings of fact that the operation does meet the following location requirements: is located in the (IP) Industrial Park District; is located in a building that meets all the distance requirements shown in Ord. 154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning; this is conditioned upon: that the applicant meets 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 Marijuana Regulatory Agency (MRA).

Roll call vote was as follows: Urbanowski, yes; Hoffman, yes; Gingell, yes; Walker, yes; Gross, yes. Motion carried 5-0 (Reynolds recused).
I. PC-2021-09, Pure Green, LLC, Ord. 154 application (Excess Grower) located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002)

Acting Chairman Gross asked, Planning & Zoning Director Girling if there was any additional information? Planning & Zoning Director Girling stated that it is identical, except for the use that they are seeking, but it is the same location, so all requirements are met.

Moved by Trustee Urbanowski, seconded by Commissioner Hoffman, that the Planning Commission grant approval of the application, as required per Ord. #154, for PC-2021-09, Pure Green, LLC, for an Excess Grower Facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the findings of fact that the operation does meet the following location requirements: is located in the (IP) Industrial Park zoning district; is located in a building that meets all the distance requirements shown in Ord. 154; is located in a building that has an ingress/egress road with less than 6,000 vehicles/day; is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning; this is conditioned upon: the applicant meets 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 Marijuana Regulatory Agency (MRA).

Roll call vote was as follows: Gross, yes; Urbanowski, yes; Hoffman, yes; Gingell, yes; Walker, yes. Motion carried 5-0 (Reynolds recused).

J. 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. (moved from 8.A.)

Chairman Reynolds stated that they had previously heard this case this year. He asked if the applicant was present? Mr. Lindon Ivezaj was present via GoToMeeting.

Mr. Ivezaj stated that they had addressed many of the comments with staff on their recent submittal package. They felt that the application as it stands was complete. The site plan he thought the intent and the use were the same. They are looking for roughly two 10,000-ft. retail buildings, speculative, for building material sales. He stated that the Planners letter showed a lot of informative comments. There were some questions on the actual elevation. He wanted his architect Tim Brodoski to go over the elevation and how they intend on meeting the ordinance and the intent. Mr. Ivezaj said they wanted the buildings, to look as attractive as possible from all road frontages for everyone. He added that they are looking for a front yard parking waiver with the application as well.

Mr. Tim Brodoski stated that he was responding to the building design comments found in Giffels Webster site plan review # 2. Starting with item number 13a, speaking to the ground floor facades that face public streets, they met that with revising or expanding the amount of textured material, display windows, the entry area, awnings, things like that were added to the plan or expanded to the plan. 13b on the review speaks to the overall texture and façade. He understood that it gets more challenging to present the materials, and what the actual samples are like, via these virtual meetings. He added that the plans provided photographs on the left side, of each of the plans depicting desired materials that they thought met the township ordinances, as well as, satisfying the overall look. He said that a lot of the materials that are, in their opinion, are modern or attractive colors, that they see on buildings these days, with the gray, darker grays, lights grays, a lot of wood tones, some of the brick being more of a traditional brick color is demonstrated in some of the photos. They will adhere to all the ordinance requirement for neutral type colors and things they don’t find offensive. Their goal is to put the nicest façade materials on that they can accommodate. He said that there was a comment about the additional window bay, the owner was ok with doing that, he thought that
they could offer more natural light, on more sides of the building. He added that unfortunately, that comment was made after the submittal was made but was an option and will be considered and included in the submittal for the building permit eventually.

Mr. Brodoski said the next section, the flat roofs, and the parapets, and the screening that was not described in the initial submittal, but they did go back and add the screening material that would be an architectural louver type of material more than likely a vertical louver that allows air and the necessary ventilation to the mechanical material and screening it from view. He said that the other comment that they did include on there is that the equipment would be more centered in the building to limit the visibility from the ground or the road and not create an issue with that. Ultimately, a parapet is also an option, it could easily be figured out to include a parapet all around the perimeter if that is easier than pursuing a waiver.

Mr. Brodoski stated that item 14b that all mechanical equipment shall be screened and they would move forward with. Item 15, the materials and colors, the example materials are shown in the resubmittal, mostly a neutral color, the material will not be black or metallic. They did comment that most likely the canopy material that would surround the building would be black, but a low reflectance, a matte black would be the preferred option there. He added that the overall use of high quality, high-grade type materials, to meet all of the requirements of the ordinance and to satisfy the owner and put forth the best building that they can. He thought that they addressed items 15 c. & d., no neon tubing on any of the building elevations. Also, expanding the amount of textured material shown to at least address over 50% of the building’s façade was covered on each of the buildings.

Chairman Reynolds said that they were going to turn it over to the consultants to go through their reviews. He added that it sounded like there were several items that they are willing to conform or address. If there are still open items, they will make sure that it is incorporated into the motion, so they can move forward.

Planner Fazzini read through his review date stamped January 28, 2021.

Engineer Landis read through his review date stamped January 27, 2021.

Chairman Reynolds noted that the Fire Marshal was not present but wanted to speak to a couple of the review letters that they had. He added that there was a review from the Fire Marshal on the revised submittal, approved with requirements, speaking to some of the requirements about the Fire Department connections being addressed along with clearances minimum unobstructed width of 26-ft. to be provided along with the inspection of methane gas collection system on-site during construction.

Chairman Reynolds said that there were no issues with the Public Service Director.

Chairman Reynolds stated that several items were discussed by the applicant. He wanted to turn it over to the Commissioners for any comments or questions that they have before they go through and address some of the open items.

Vice-Chairman Gross said that at the last meeting they had a slue of issues that were presented by the Planner and the Engineer. They indicated that these could probably be handled administratively or internally, but they felt it was more appropriate that the plans be revised to reflect the changes. The applicant has done that, provided some new plans with, most or all of the items being addressed, at least to his satisfaction. He was pleased with the results of their additions to the design characteristics of the proposal. He thought it helps a lot in terms of
breaking up the facades of the buildings. He thought the applicant came a long way on this application.

Chairman Reynolds agreed, he wanted to make sure they make their way through a couple of the items that were presented as still open concerns. He thought that they had quite a bit of progress that had been made. One of the open items that he had written down was the elevations, as presented, as it relates to the Lapeer Overlay District, and specific to flat roofs without parapets. He didn’t have any major issue with the building, as proposed. He might consider adding a couple of comments that the applicant did speak to, just for clarification. There was a response letter that was submitted in their packet, but he thought they should incorporate some of those items, just to be clear for anything administrative that might be addressed. He wanted to speak to a couple of those items, architecturally the Lapeer Overly Design Standards parapet screening, decorative lighting, any comments or concerns on that? He said it seemed like they might need to speak to a couple of motions on those, just to be clear with the ordinance.

Chairman Reynolds stated that one of the items that he thought also needed to be addressed were some of the open landscaping requirements as it relates to the ordinance, looks like a lot of that has been addressed, but he wanted to make sure that administratively, moving forward there were no issues and concerns there with anyone.

Chairman Reynolds said that they briefly discussed parking, based on the orientation of the building, in relationship to the site, that 25% of the parking being in the front yard wasn’t really, previously an issue. He didn’t think it was a drastic change with the proposed plan. He thought some of the comments that they received from Construction by Design was received on the 13th, he thought they were in response to or, agreeing to open items, so maybe that is a good point of reference if what the applicant presented that they should make sure they incorporate any open items into their motion.

Planning & Zoning Director Girling stated that she believed that the response letter was the response from the changes from the first plan to this one, versus responses to what the consultants currently have in their reviews. Chairman Reynolds thanked her for the clarification.

Moved by Trustee Urbanowski, seconded by Commissioner Walker, that the Planning Commission grants a Lapeer Overlay Design Standard waiver for building orientation, connectivity, and front yard parking, for PC-2021-01, Dutton Park, for plans date stamped received 01/13/21 based on consideration of the following and the following findings of facts: the standards of this section would prevent reasonable use of the site: it doesn’t face Lapeer Rd. only Dutton, and is further away from Lapeer; existing site design including architecture, parking, driveways, etc. are placed in a manner which makes the application of standard impractical; limited lot area and the arrangement of existing feature provide inadequate space to accommodate design requirements.

Roll call vote was as follows: Walker, yes; Gross, yes; Urbanowski, yes; Hoffman, yes; Gingell, yes; Reynolds, yes. Motion carried 6-0.

Chairman Reynolds asked if there were any other discussion points? There were none.

Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, that the Planning Commission grant site plan approval for 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. for plans date stamped received 01/13/21 based on the following findings of facts: that the revised plans have been reviewed by the Planner, the Engineer, and the Fire
Marshal, and the comments that they had previously submitted have been incorporated into the revised plans, and the site plan, therefore, meets the ordinance requirements.

Discussion on the motion:

Chairman Reynolds had a couple of questions for the motion makers. He stated from his understanding, there were some open comments from OHM, and the Fire Marshal, that still needed to be addressed or at least that they make sure they are addressed moving forward, and along with any things that they don’t believe have been submitted according to Giffels Webster. He thought that landscaping was one of them. He thought if there were any comments per building materials and anything that was presented, that they wanted to incorporate, to present those items, as discussion points.

Vice-Chairman Gross amended the motion, Commissioner Hoffman re-supported to indicate the specific reference to the OHM review, would be to provide a pavement section for the public pathways to meet the Township requirements; that the Fire Marshal’s request for the FDC be unobstructed by the dumpster location; and that the landscaping provided on the landscape plan complies with the conditions of the site plan. The parapet, he believed, was sufficient based upon the fact that the rooftop equipment should be set back sufficient from the edge of the building, so as not to adversely affect the visibility; the decorative light fixtures that are proposed are consistent with the architecture of the building; he believed the other issues were covered in the initial waiver on the previous motion.

Chairman Reynolds stated that he believed that a flat roof will require mechanical screening. He said the motion included a parapet wall to screen the mechanical units. He asked the applicant if that was acceptable, or did they prefer the flat roof solution? Mr. Brodoski said that he anticipated a parapet, and thought that the overall height of the building and the specific items on the floor, could certainly accommodate a 3 to 4-ft. parapet easily around the perimeter of the building. He said in the event if there is some sort of issue, and the equipment and its placement would still be visible from the road, they would screen it. He said that they could consider the criteria during the design, to ensure that the parapets would suffice.

Chairman Reynolds wanted to get clarification because they were speaking to the parapet, as a solution. He added that it was not shown on the drawing and wanted to clarify that comment. He thought it was a good way to hide mechanical units and not have a concern about where things might end up in future design phases.

Engineer Landis stated that the second comment on their letter spoke to the need for a traffic study to be provided to show that the traffic study or trip generation data be provided to show that the traffic study is not needed. He asked if there were any thoughts on that? Chairman Reynolds said it sounded like they could either generate a traffic report or a letter that justifies their trip counts being underneath the threshold. Trustee Urbanowski said that if it is a request from OHM, they should address that and make it part of the motion, that it happens. Chairman Reynolds said he didn’t think that a trip traffic study was needed but some supporting documentation to justify that, he would be ok with.

Vice-Chairman amended the motion, Commissioner Hoffman re-supported, that they provide documentation that trip generations would not require a traffic study, would be sufficient. He thought that the size of the building is relatively insignificant relative to other industrial uses. He thought if they could provide them with the documentation of what the trip generation is expected to be so, that a traffic study would not be required, would be sufficient.
Roll call vote was as follows: Urbanowski, yes; Walker, yes; Hoffman, yes; Gross, yes; Gingell, yes; Reynolds, yes. Motion carried 6-0.

K. Discussion on Tree and Woodland Protection Section of Ord. 78
Planning & Zoning Director Girling stated there are always sections of the ordinance that they get frequent questions on, and this is one is that. She stated that she has read it several times, and it can be a very confusingly written section of the ordinance. A text amendment was something that they could work on to make the language clearer, however, what is it they are looking to make clear? She was not looking for an elaborate discussion, just kind of teeing it up and getting their feelings on it. She asked them if they had the same feelings? And then it comes down to the question of reading the declaration of purpose. Is this ordinance with that purpose, doing what the purpose is, and is that what they want as a Township? It is regulating, so they are not clear-cutting, but then it has exemptions for those that don’t have to follow it. There is a certain way that it was followed for years, and it is very confusing to her but followed it as it had been done. When they started with Giffels Webster, they read it a different way, and she respected that, it brought it even more to the forefront, that they could read it several ways. She added that it was twofold, how do they get this rewritten, so it is clear? Also, what way do they want it written? If they read it and they can’t come up with a decision, maybe they should send it to the ZBA to interpret it. She thought that a text amendment at times can take longer than they want if they start getting busy. She wanted to come up with a clear path, at least in the meantime, because this comes up with every case, so they know what they are doing as they work through the text amendment.

Planner Arroyo said that they realize that there is a lot of confusion in terms of how this is interpreted. He added that they would like to find out what the Planning Commission’s desire.

Planner Fazzini said something they could consider is how it applies and he felt the way it is written now, it applied broadly. A subdivision, PUD, commercial site, and industrial are all under the same ordinance, so they could think about maybe certain types or sizes of projects that could be exempt from it. That could be potentially their starting point for looking at an amendment, is focusing on how they want it to apply it when they want to make it a requirement or when they don’t require it where it doesn’t make sense.

Planning & Zoning Director Girling stated that the way they have been done, again, she didn’t expect anything besides yeah go ahead and create a PC number, they agree that they need to talk about this. She didn’t expect much more but to give them something to go back with and digest. Looking at the packet they received, there is a check sheet that Giffels Webster uses when they are doing a review which gives all the different criteria that they use when they are looking at the tree section in the woodlands. She said going back to how this had been interpreted and used in the past was, yes, they have all of this out there so somebody doesn’t just go clear a site, however, if they are coming in with a site plan, and they show on their site plan, their trees and then overlay where the building is going to be, sewer and utility lines are going to be, where the parking lot is going to be, they don’t have to replace the trees that are within there. If they start demolishing trees that are outside of those categories she stated, then those have to be replaced. They have never run into anybody ever having to give money for it, because they have a requirement of greenbelt buffers and so many trees per linear feet, and they never ran into a case where somebody had more trees than they demolishing outside of the building envelop, that what they were proposing per ordinance to put in under the landscaping requirements. She is not saying one is right and one is wrong, she just wanted them to have both ways that it was looked at.
Planning & Zoning Director Girling added that she found it kind of unusual, and she did attach another section of the ordinance of what is required at site plan, they need to have a tree survey, was her understanding. She thought several developers have given her a dollar amount, she never wrote them down but remembered thinking, “Wow, that is a lot of money for a tree survey”, especially if it is heavily wooded. If they are reading it the old way, that they don’t have to replace any trees that are in the building envelope, then why are they making them spend so much money on a tree survey if we are not going to make them replace them? She said that it goes in several directions and with that little bit of history, read back through it, but it still comes down to even if they say they read it this way, they read it that way, and the other person reads it the other way. What is our intent? What do we as a Township want this tree protection section to say? Do they want to preserve trees, or make them have to replace trees if they are being removed from the building envelope?

Commissioner Walker asked the Planners if that would be something to be considered under the new Master Plan? Could they solve the problem that way? Planner Arroyo replied that in a general way, with the Master Plan, they do talk about natural features, preservation, and they also could be looking at identifying some implementation strategies. It is not the place for a detailed discussion of an ordinance, but certainly, a philosophy of how they want to treat existing wooded areas and treed locations could be discussed. He added that he thought it is probably more effective to discuss it at this level unless they feel like there is not a consensus on the direction at all, and then maybe they wait till it goes through the Master Plan, and see what comes out of that.

Planning & Zoning Director Girling said she noticed because they had an issue with a site recently where they challenged this section of the ordinance and they looked at it, and under definitions and mention of the term woodlands, she found that the Master Plan before the current Master Plan had a woodlands map. The current Master Plan that they are getting ready to update, that is the active one, that map was removed. So, within the definitions, talking about protecting per the woodland maps, that is something, a component, that they should list, that they need to work on for this Master Plan, and that they no longer have an active woodlands map.

Chairman Reynolds thought that this has been an ordinance section that seems to be needing some love for quite a while. A lack of some definition, a lack of clarity, there are some open to interpretation, what they have done over the past 30-years versus Giffels Webster bringing forward to them and interpreting their way, neither one is necessarily wrong. It is the fact that there is some wiggle room in here and thought that the goal for tonight was, for everyone to read that section. He would support at least getting into this text amendment because he believed there are some points to incorporate, or hear feedback in this Master Plan process about what they believe of their general intent, and give them some viewpoint on that. He thought the reality was that, even if they change nothing about their approach, the definitions, procedurally are very confusing. It leaves for a lack of confusion and what their goals are as a Township. There are several projects that they have reviewed that seem to be a discussion point on what is in the development area? Is it not accepted to be an area that they have to be concerned about trees? They are developing a lot of PUD related sites and Conditional Rezones that are those wooded areas. Do they want to consider a requirement for a sized project that, is a heavily wooded site? Right now, if they call it the development area, and they are within the setback, those trees unless they are landmark, or historic, or greater so much in size are allowed to be removed and don’t have to be replaced. He added that he thought there are those items where they can leave it to their staff and the professionals to kind of weigh in on some of that, but he thought the census was more about the approach. If there are sections of this that they feel passionate about maintaining or beefing up, he thought those are the direction items that they need to prepare. He stated that the other component here that was open to
interpretation in regards to when a tree survey is or isn’t required and really what is required in
the tree survey. He found from personal experience, it is a costly endeavor, not to say that it
isn’t a required or an important endeavor with certain sites. He thought they needed to look on
the first or second page in the packet adjust the caliper diameter of trees that are being
measured. He said they have a lot of what they would define as potentially not important, right?
That is a discussion point of a lot of other places that require 6-8 inches versus 4 inches. What
are they defining as their baseline? He didn’t think they were making any decision tonight, but
mainly pointing out as a weakness in the ordinance that they kind of commit some time to, so
they can clarify with projects moving forward.

Vice-Chairman Gross said that some of his concerns that he had relative to clear-cutting. Some
of the recent developments that they approved, resulted in basically clear-cutting, and the
ordinance says they can’t clear cut more than 20%. He thought that they need to look at that as
well because he thought some of the projects on Gregory Road were destroyed in terms of
clear-cutting the property. He thought that there was, a different situation with residential and
commercial types of developments in terms of how they are going to preserve property and
preserve trees.

Chairman Reynolds agreed and said that there is a balance between allowing people to
develop, and then also, there might be another measure or based on a circumstance, a way to
approach that. He knew there were other languages out there the speak to it.

Commissioner Hoffman thought it was something that they should talk further about, especially,
with some of the existing neighborhoods that still have lots. There are some HOA's and the size
of their diameter is more around 6-8 inches.

Chairman Reynolds asked the other Commissioner's to read through this more. He thought that
they would find that, if they are not a professional or an expert, they might find some circles on
there, and that is exactly what they want to get rid of. He asked them to highlight some things
that are important to them, things that they don’t agree with, so they can have some
constructive discussion with, potentially, an amendment soon.

Planning & Zoning Girling stated that she couldn’t remember what was on the next agenda, but
didn’t think it was immensely crowded. She was going to create a PC number and have
discussions again. In their packet, they will see it on the agenda, and it will be attached again,
with the minutes to see the few comments that they had. She didn’t want to set this aside and
let it become an issue and wanted to get it resolved soon. He asked them to read it to see how
confusing it was.

Planning & Zoning Girling wanted to make sure that they didn’t want it to go to the Zoning Board
of Appeals to get their interpretation? Chairman Reynolds replied no because they didn’t know
what they were sending yet.

8. UNFINISHED BUSINESS
None (moved to 7J)

9. PUBLIC COMMENTS
None

10. COMMUNICATIONS
None

11. PLANNERS REPORTS
A. Giffels Webster Motions PC Training Series

Planner Arroyo read through the training series on motions. He said that regarding the roll call vote, per the Open Meetings Act, two-thirds roll call vote, required the membership to call a closed section. The Planning Commission rarely has closed session. The Open Meeting Act requires either a roll call, a show of hands, or some other method that informs the public of the vote. If there is a motion, generally everybody is voting in favor of it, if you don't say anything on the voice vote, it is assumed that they are voting in favor of the motion, so they need to speak up if they are voting against and voting for. Otherwise, there may be an interpretation that they voting in favor of the motion.

Planner Arroyo said in terms of roll call votes, for ordinances and Master Plans, other important documents, it is good practice to take a roll call vote. Some communities do that, regardless, they just always do it on plans and ordinances.

Planner Arroyo stated that additions to motions, typically they can attach reasonable conditions to most motions. On a rezoning, it depends. They do have the concept of a Conditional Rezoning that does have a developer offer conditions. The ability to attach other conditions to rezoning is deemed generally being very limited. For text, Special Land Use, site plan, PUD, all of those, they can attach reasonable conditions.

Planner Arroyo noted that one of the things that are also important to consider is the concept of a quorum and communications. They must not have communication, that would constitute a quorum outside of the public meeting. Not to use email, and social media to contact other Planning Commissioners outside of a meeting. It has been deemed to be the equivalent of deliberating in certain instances and is not appropriate. So, sending out an email to every Planning Commissioner saying that they didn’t like the site plan, is not a good idea. They need to wait until they get to the meeting and express their concerns and not to do that outside of the meeting.

Chairman Reynolds asked regarding inserting the findings of fact, or items in motions. A lot of times, they are doing that. Why is that good? Why is that used? Is it a good practice to incorporate that? Planner Arroyo replied that the finding of facts is very helpful when they are crafting a motion because they establish the basis for the decision that they are making. It is particularly important if you are voting to deny, if they are voting to deny a project, it is important that they have findings of fact and they are stating why they are denying. That should be very clear in the motion and should be tied, if possible, to an ordinance provision to say that they are denying the site plan because it doesn’t meet section 2711.2 of the ordinance, and they didn’t provide the appropriate landscape, or whatever the case may be. So, findings of facts, are teeing up the reasons why you are making the decision that they are making, so if it ends up in court and there are some questions about their decision, it will be a lot easier to explain to the judge and the jury why that decision was made.

Planner Arroyo said he wanted to give a brief update on the Master Plan. He stated that they are working hard on getting the first set of information. They are planning on discussing with them at their next meeting, the second meeting in February, at 6 p.m. before the Planning Commission meeting. They would like to schedule that type of work session for the second meeting of the month for the remainder of the year. They would be flexible with holidays. They would like to be able to have an hour going over a particular section or topic related to the Master Plan. If they need to do more than that they will.

Chairman Reynolds asked the Planning Commissioners if they would be able to meet at 6 p.m. instead of 7 p.m. on the second meeting of the month to discuss Master Plan?
Planning & Zoning Director Girling said that any meeting is an open meeting. The next meeting in February will be virtual. They would use the same meeting number at 6 p.m.

12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
02-17-21 at 7:05 p.m. PC-2021-05, C & A Group, Request to Conditionally Rezone 512 E. Silverbell Road, parcel #09-35-200-023, from Single Family Residential (R-1) to Office Professional (OP) with conditions.

14. CHAIRMAN’S COMMENTS
Chairman Reynolds said for everyone to do their homework on the text amendments

15. COMMISSIONERS’ COMMENTS
Trustee Urbanowski thanked Giffels Webster for getting them ready for the Master Plan.

Commissioner Gingell said that she heard it was a great time to start on the Planning Commission when they are starting the Master Plan.

Planning & Zoning Director Girling said to check out the Orion Township website, on the main page they can find information on the Master Plan. There are two links, one is a survey and asked to get all the citizens, friends, family to look into and complete that survey. There is also something called picture this, it gives them the ability to insert a picture and then drop in on the map, what they like and dislike.

16. ADJOURNMENT
Moved by Trustee Urbanowski, seconded by Commissioner Hoffman to adjourn the meeting at 8:29 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: February 10, 2021

RE: PC-2021-05, C and A Group Conditional 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.

Conditional Rezoning (Section 30.05) and Amendments to the Zoning Ordinance (Section 30.04)

If the Recommendation is to approve/deny

Motion: I move that the Planning Commission forwards a recommendation to the Board of Trustees to approve/deny PC-2021-05, C and A Group Conditional Rezoning Request, a request to rezone 512 E. Silverbell Road, parcel #09-35-200-023, from Single Family Residential (R-1) to Office Professional (OP) with conditions. This recommendation to approve/deny is based on the following findings of facts:

Per 30.03
a. The objectives of the Master Plan (Insert any findings of facts),
b. Existing uses of property within the general area of the property in question (Insert finding 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).

Per 30.04
f. Compatibility with the policies and uses designate for the land & area in the Master Plan or deviation to if development is compatible with the overall development goals, character and/or needs of the
Township. (insert findings of facts)
g. Compatibility, or reasonable assimilation through offered conditions, with other uses in the surrounding areas considering the area as a whole and the overall development goals, character, and or needs of the Township. (insert findings of facts)
h. Availability and adequacy of public services and facilities, and whether there is likely to be any adverse impact from a development or use allowed under the rezoning with Conditional Rezoning agreement. (insert findings of facts)
i. Whether the development that would be approved shall advance the public interest, weighing the reasonably expected burdens likely to result form allowing the development against the reasonably expected benefits to be achieved by the development. (insert findings of facts)

If the Recommendation is to Approve:
This recommendation to approve is based on the following conditions:
   a. That the applicant and the Township enter into a conditional rezone agreement specifying the conditions of the project that the applicant has agreed upon in their application.
   b. Motion maker to insert any additional conditions.

If the Recommendation is to Postpone:
Motion: I move that the Planning Commission postpones PC-2021-05, C and A Group Conditional Rezoning Request to rezone 512 E. Silverbell Road, parcel #09-35-200-023, from Single Family Residential (R-1) to Office Professional (OP) with conditions until ____________________ (insert exact future PC meeting date), for the following reasons (insert findings of facts):
Conditional Rezoning Review
Request: from R-1 to OP

Case No: PC-2021-05
Site: 512 E. Silverbell Rd
Applicant: Anthony Battaglia
Plan Date: 01/19/2021
Zoning: R-1, Single-Family Residential
Parcel ID: 09-35-200-023

Dear Planning Commission Members:

We have completed a review of the request for conditional 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 #6 and #7.

b. Existing uses of property within the general area of the property in question. See #2.

c. The zoning classification of property within the general area of the property in question. See #2.

d. The suitability of the property in question to the uses permitted under the existing zoning classification. See #4.

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.

30.05 Conditional Rezoning

In addition to the factors for rezoning found in Section 30.04 of this Ordinance (above), the deliberations of the Planning Commission and Township Board shall include, but not be limited to, the following:

a. Compatibility with the policies and uses designated for the land and area in the Township's Master Plan, or deviation from the Master Plan if the proposed development is compatible with the overall development, goals, character and/or needs of the Township.

b. Compatibility, or reasonable assimilation through offered conditions, with other uses in the surrounding areas considering the area as a whole and the overall development, goals, character and/or needs of the Township.

c. Availability and adequacy of public services and facilities, and whether there is likely to be any adverse impact from a development or use allowed under the rezoning with Conditional Rezoning Agreement; and

d. Whether the development that would be approved shall advance the public interest, weighing the reasonably expected burdens likely to result from allowing the development against the reasonably expected benefits to be achieved by the development.

The Planning Commission, after public hearing and consideration of the factors for rezoning set forth in Section 30.05 B(9) of this ordinance (above), may recommend approval or denial of the rezoning.
Existing Conditions

1. **Site.** The site consists of one parcel with 2.34 gross acres and 1.57 net acres located on the southwest corner of the intersection of East Silverbell Road and Bald Mountain Road. The parcel is a corner lot with 250 feet of frontage along Silverbell Road and 363 feet of frontage along Bald Mountain Road. Bald Mountain Road is a gravel road in this location. No safety paths are existing along either road. The application indicates an existing vacant single-family home on the site as indicated in the Google Street View image below. The historic Howarth School was formerly located on the site and was previously relocated to Friendship Park for preservation.

   ![May 2019 Google Street View image of the site looking southwest from Silverbell Rd](image)

2. **Adjacent parcels.**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Future Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-1</td>
<td>Hi Hill Subdivision</td>
<td>Single Family Medium High Density</td>
</tr>
<tr>
<td>East</td>
<td>R-1</td>
<td>Howarth United Methodist Church</td>
<td>Institutional</td>
</tr>
<tr>
<td>West &amp; South</td>
<td>REC-2</td>
<td>Wetland Soils</td>
<td>Recreation</td>
</tr>
</tbody>
</table>

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Conditional Rezoning:

3. **Development Plan.** The development plan set indicates a one-story (25-foot tall), 9,870 sq. ft. office building with 44 parking spaces to the side and rear of the building accessed from both Silverbell Road and Bald Mountain Road. Safety paths are indicated along both roads on the drawing. The floor plan indicates that building access would be from the south side of the building and parking area, and four tenant spaces of approximately 2,000 sq. ft. each are proposed. Building elevations have also been submitted with an exterior building material schedule indicating stone veneer along the foundation and at the entrance, with brick veneer and windows around all sides of the building. The second elevation sheet PE-2 appears to be a duplicate sheet included with the plan set.

The applicant should clarify if the submitted development plan set is intended to be included as part of the written offer of conditions, typically as an exhibit to the Conditional Rezoning Agreement. If approved, this conditional rezoning does not grant any zoning variances should there be any Zoning Ordinance compliance issues found during the subsequent site plan review.

4. **Statement of Purpose.** The applicant has submitted a statement of purpose, provided below, as required for rezoning applications. The information provided in this statement directly relates to the required Planning Commission findings of fact for rezonings provided on review page two.

   a. "The intention is to design a one-story professional (office) building on the site. The surrounding area is sprinkled with a variety of zones, including OP. Rezoning to OP would be consistent with the surrounding areas. The land just to the east, although listed as Single Family Residential (R-1), holds a church which ensures minimal business traffic."

   b. "The surrounding area has homes, condos, and subdivisions. The size of the land in question is too small to build a couple homes to add to the many in Lake Orion. The parcel in question is unpractical to build one house. Due to the lack of appeal and limited options under the current zoning, we believe that is why the property has been sitting empty for a long time."

   c. "With the current zone request, not only would it be consistent with a variety of options already on Silverbell Road, it would also cause no detrimental problems with the surrounding area. The traffic would be no greater than the church flow, or cause any residential concerns due to the distance to the housing areas from the side. And the properties to the south and west are currently recreational. The intention is to build a low roof line building, have the parking in the back so you don’t see it when driving down Silverbell Road and ensure the style blends in with the surrounding natural areas."

5. **Offer of Conditions.** The applicant has submitted an offer of conditions as part of this conditional rezoning request. This offer includes reducing the potential OP permitted uses by-right from 16 uses to 10 uses and eliminating all 18 special uses that would otherwise be permitted in the OP district. The applicant states that this was done for the following reasons:

   - To avoid overnight activity with extended hours
   - To avoid duplicating another institutional use in the area
   - To limit the structure height to one-story
   - To avoid outdoor activity noises
   - To only view the front of the building and landscaping (rather than parking)
The applicant also states that the request would be limited to the following uses:

1. Professional and medical offices (no overnight patients)
2. Medical or dental laboratories
3. Data processing and computer centers
4. Schools/studios for music, dance, business or trade
5. Public service and government facilities
6. Financial and insurance service (banks, credit unions-with or without drive-thru)
7. Real estate/property management services
8. Travel/ticket agencies
9. Pharmacies (incidental to primary use)
10. Medical supply stores (incidental to primary use)

The written offer of conditions, summarized above, should be considered by the Planning Commission prior to being acted upon by the Township Board. The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are entered voluntarily by the owner. If the Township Board finds a rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a Conditional Rezoning Agreement.

**Master Plan**

Per Section 30.05 B.S.a. on review page two, conditional rezoning applications permit the Planning Commission to consider deviations from the Master Plan “if the proposed development is compatible with the overall development, goals, character and/or needs of the township”. This permitted deviation consideration may include deviations from the Future Land Use Map, as well as goals and objectives.

6. **FLU Map.** The Future Land Use Map classifies the site as Institutional. This classification may be related to the historic use of the site as the Howarth School, which is no longer present on the site. This classification extends to the existing church east of the site across Bald Mountain Road. The 2015 Master Plan Future Land Use Classification for Institutional is as follows:

“Institutional is located where existing schools, churches, public buildings and cemeteries are currently in operation within the township. Because such uses are permitted in a variety of zoning districts, the correlating zoning classifications are too numerous to mention. Institutional uses are permitted within nearly any zoning district within the township.”

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7. **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.

**II. Community Facilities**

**Goal F:** To encourage the location of appropriate health care facilities in the community.

Objective 1: To work with health-planning agencies to effectuate coordination in location and design considerations.

**Policy 1:** To attempt to locate such facilities where maximum service to existing and anticipated population concentrations are evidenced.

**VI. Transportation and Thoroughfares**

**Goal B:** To Develop a system of pedestrian/bicycle safety paths to link residential areas with schools, recreation areas, commercial districts and other destinations.

**Objective I:** To continue to require installation of safety paths in conjunction with all new development.

**VIII. Residential Areas**

**Goal A:** To emphasize and strengthen the single-family home character and rural suburban atmosphere of the Township, while providing for a variety of new, high-quality housing types at various densities and protecting the natural features of the Township.

**Objective I:** To maintain and enhance the residential character of existing neighborhoods.

**Policy 7:** Rehabilitate or remove blighted residential structures.

**IX. Office Areas**

**Goal A:** To provide exclusive areas for office uses that will have limited impact beyond the sites and which are intended to serve nearby residences or businesses.

**Objective II:** To provide for the utilization of relatively shallow frontages for office use when single-family residential use is not reasonable because of existing conditions and as an alternative to strip commercial development.

**Zoning Ordinance:**

8. The intent of the OP district, from Zoning Ordinance Section 9.00 – Preamble, is provided below. This information is provided for consideration of the proposed use of the site and relate directly to the Zoning Ordinance standards required of development in the OP district. Compliance with these standards will be reviewed as part of any future site plan review should this request be approved.

"The Office and Professional District is intended to provide locations of the office-type professional and administrative services necessary for the normal conduct of a community's activities. This district is also intended to provide locations, when located a considerable distance from residential properties, where activities of a testing, research, prototype planning or development, or a similar nature are permitted. Additionally, this District is intended to provide locations for light assembly as a special land use permit, where provided in conjunction with research and development activities. Community service activities such as training centers, meeting halls, and health clinics are also allowed."
Office and Professional Districts are specifically designed to prohibit retail establishments, manufacturing or industrial activities other than light assembly, and other business activities that generate heavy traffic or constant visits of the general public. However, a limited range of convenience retail and service businesses are permitted within the Office and Professional District for the benefit of workers and visitors within the district. Any such commercial uses should be designed to complement the predominant office and research and development uses within the district.

All activities in the Office and Professional District must take place in a completely enclosed building in a well landscaped setting. To protect the health, welfare, and safety of the community, the uses permitted in this district are not allowed to generate high noise levels or to use, store, or produce any toxic or hazardous substances. These districts shall have direct access onto an existing or proposed collector or major thoroughfare.”

Respectfully,

Giffels Webster

[Signature]

Eric Fazzini, AICP & CNU-A
Senior Planner

www.giffelswebster.com
APPLICATION FOR CONDITIONAL REZONING

Case Number PC-2021-05

*PROOF OF OWNERSHIP MUST BE INCLUDED IN THE APPLICATION*

(Applicable 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 Rezoning Approval. Regular meetings of the Planning Commission are held on the first and third Wednesday of each month at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion.

Date: JANUARY 14, 2021  Project Name: CANDAUGROUP

Applicants Name: ANTHONY BATALEGA

Applicants Address: 2700 W. GUNN ROAD

City: ROCHESTER  State: MICHIGAN  Zip Code: 48306

Phone#: 248-977-0985  Fax#:  E-Mail: ACCESSOANNETTE@GMAIL.COM

Property Owner Name: PETAR NIKPRELEVIC

Property Owner Address: 34265 SCARBOROUGH, SHELBY TWP, MICHIGAN 48316

Phone#: 248-760-2439  Fax#:  E-Mail: CHUCK.673ENERA@BRE.COM

Please attach an additional sheet, if there are two or more property owners.

Name of Firm/Individual who Prepared the plan: FAUDIE ARCHITECTURE (DAVID BRINKMEIER)

Address: 2102 W. EVERGREEN ROAD SUITE 123, SOUTHLANDS MI 48070

Phone#: 734-625-2871  Fax#:  E-Mail: DBRINKMEIER@FAUDIEARCHITECTURE.COM

*Please Indicate Above The Contact Person For The Proposed Rezoning*

Location/Property Description: Location or Address of the Property: 512 EAST SILVER BELL, LAKE ORION 48360

Side of Street: BALD MOUNTAIN  Nearest Cross Streets: SQUIRREL
Current Zoning Classification:
Subject Property SINGLE FAMILY

Adjacent Properties:
North SINGLE FAMILY South RECREATIONAL
East SINGLE FAMILY/church West RECREATIONAL

Requested Zoning Classification:
Subject Property OFF

Existing Use of Property
ABANDON HOME

Proposed Use of Property PROFESSIONAL BUILDING

Statement of Purpose: On a separate sheet of paper attach to the application the reasons why: 1. the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership; 2. the existing zoning classification is no longer appropriate, and, 3. the rezoning will not be detrimental to surrounding properties.

Offer of Conditions: On a separate sheet of paper please indicate the conditions that the owner of land is voluntarily offering in relationship to the use and/or development of land for which the rezoning is requested. At minimum, a preliminary Site Plan must be included with the offer of conditions if the proposed use would require Site Plan approval under the Township Zoning Ordinance.

***6 Sets Of The Plot Plan, The Rezoning Application, And Preliminary Site Plan Prepared In Accordance With The Orion Township Zoning Ordinance #78, Section 30.05 And One 8x11 Map Showing The Subject Area, Acreage, Current And Proposed Zoning Designations Are Required When Submitting For A Rezoning Request. All Applicable Fees Must Also Be Included As Part of The Rezoning Request. Please See Ordinance #41 For The Planning Commission Review Fees***

I hereby submit this application for Rezoning, pursuant to the provisions of the Orion Township Zoning Ordinance, Ordinance #78, Section 30.05 and any other applicable Township Ordinance requirements. In support of this Conditional Rezoning application, I hereby certify that the information provided herein is accurate in all respects as contained in the application that has been provided. 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 of Applicant

Date 1-14-2021
Second property owner:
Anton Jancaj
4439 Boxwood Ct, Oakland Twp, Michigan 48306
(248) 760-2439
chuck.ginster@cbre.com
Statement of Purpose:

List reasons why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership:

The intention is to design a one story professional building on the site. The surrounding area is sprinkled with a variety of zones, including OP. Rezoning to OP would be consistent with the surrounding areas. The land just to the east, although listed as Single Family Residential (R1), holds a church which ensures minimal business traffic.
List why the existing zoning classification is no longer appropriate:

The Surrounding area has homes, condos and subdivisions. The size of the land in question is too small to build a couple homes to add to the many in Lake Orion. The parcel in question is unpractical to build one house. Due to the lack of appeal and limited options under the current zoning, we believe that is why the property has been sitting empty for a long time.
List why the rezoning will not be detrimental to surrounding properties:

With the current zone request, no only would it be consistent with variety of options already on Silverbell Road, it would also cause no detrimental problems with the surrounding area. The traffic would be no greater than the church flow, or cause any residential concerns due to the distance to the housing areas from site. And the properties to the south and west are currently recreational. The intentions is to build a low roof line building, have the parking in the back so you don’t see when driving down Silverbell Road and ensure the style blends in with the surrounding natural areas.
Offer of Condition:

Indicate the conditions that the owner of land is voluntarily offering in relationship to the use and/or development of land for which the rezoning is requested. At minimum, a preliminary Site Plan must be included with the offer of conditions if the proposed use would require Site Plan approval under the Township Zoning Ordinance:

Currently under the OP listing you have 16 options and we are narrowing it down to 10 AND you have 18 Special use options and we aren’t striving for any of them. This would avoid overnight activity with extended hours, another church, another private club, another assisted living and another planned development. The neighbors wouldn’t have a two story structure to view.
The requested uses would avoid outdoor activity noises. The building will be situated where you just view the front of the building where the landscaping will be. Parking lot is purposely place in the rear. The following is the conditions we would put in place. We would limit our request to the following:

1) Professional and medical offices (No overnight patients)

2) Medical or dental laboratories

3) Data processing and computer centers

4) Schools/Studios for music, dance, business or trade

5) Public service and government facilities

6) Financial and insurance service (Banks, credit unions-with or without drive-thru)

7) Real estate/property management services

8) Travel/ticket agencies

9) Pharmacies (incidental to primary use)

10) Medical supply stores (incidental to primary use)
### Article IX

#### Office & Professional District (OP)

### Section 9.00 – Preamble (revised 02.01.16)

The Office and Professional District is intended to provide locations of the office-type professional and administrative services necessary for the normal conduct of a community’s activities. This district is also intended to provide locations, when located a considerable distance from residential properties, where activities of a testing, research, prototype planning or development, or a similar nature are permitted. Additionally, this District is intended to provide locations for light assembly as a special land use permit, where provided in conjunction with research and development activities. Community service activities such as training centers, meeting halls, and health clinics are also allowed.

Office and Professional Districts are specifically designed to prohibit retail establishments, manufacturing or industrial activities other than light assembly, and other business activities that generate heavy traffic or constant visits of the general public. However, a limited range of convenience retail and service businesses are permitted within the Office and Professional District for the benefit of workers and visitors within the district. Any such commercial uses should be designed to complement the predominant office and research and development uses within the district.

All activities in the Office and Professional District must take place in a completely enclosed building in a well-landscaped setting. To protect the health, welfare, and safety of the community, the uses permitted in this district are not allowed to generate high noise levels or to use, store, or produce any toxic or hazardous substances. These districts shall have direct access onto an existing or proposed collector or major thoroughfare.

### Section 9.01 – Use Matrix (added 02.01.16, amended 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. (added 07.16.18)

<table>
<thead>
<tr>
<th>LAND USE (amended 07.16.18)</th>
<th>Zoning District</th>
<th>Footnotes</th>
</tr>
</thead>
<tbody>
<tr>
<td>P = Permitted by Right</td>
<td>OP</td>
<td></td>
</tr>
<tr>
<td>S = Special Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S* = Special Use permitted within Lapeer Road Overlay District</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Office**
- Professional and medical offices (no overnight patients)
- Emergency or extended hour medical clinics
- Hospitals
- Veterinary clinics and hospitals (no overnight boarding)
- Extended hour veterinary clinics and hospitals
- Mortuary establishments

**Industrial, Research and Technology**
- Pilot research and design centers
- Medical or dental laboratories
- Data processing and computer centers
- Light assembly
- Mini-storage and warehousing

**Civic and Institutional**

**Educational Services**
- Day care centers and preschools
- Schools/Studios for music, dance, business or trade

---

* Charter Township of Orion Zoning Ordinance 78

Revised 07/26/18

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### Article IX
Office & Professional District (OP)

<table>
<thead>
<tr>
<th>LAND USE amended 07.16.89</th>
<th>Zoning District</th>
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</tr>
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<tbody>
<tr>
<td>P = Permitted by Right</td>
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<td>OP</td>
<td></td>
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<tr>
<td>Public service and government facilities</td>
<td>P</td>
<td></td>
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<tr>
<td>Private clubs, fraternal organizations, and lodge halls</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Churches</td>
<td>S*</td>
<td>J</td>
</tr>
<tr>
<td><strong>Retail and Service</strong></td>
<td></td>
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<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>J</td>
</tr>
<tr>
<td>Automotive repair, paint and body shop, collision shop</td>
<td>S*</td>
<td>J</td>
</tr>
<tr>
<td>Automotive dealership, repair, service center, and used car facilities</td>
<td>S*</td>
<td>J</td>
</tr>
<tr>
<td>Equipment repair and sales</td>
<td>S*</td>
<td>J</td>
</tr>
<tr>
<td><strong>Eating and Drinking Establishments</strong></td>
<td></td>
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</tr>
<tr>
<td>Restaurants, including drive-through restaurants</td>
<td>S*</td>
<td>J</td>
</tr>
<tr>
<td><strong>General Retail</strong></td>
<td></td>
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<tr>
<td>Retail and Service uses incidental to the primary office/research and development uses</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Showrooms for retail activities associated with fabrication, assembly processing, or wholesaling</td>
<td>S*</td>
<td>J</td>
</tr>
<tr>
<td><strong>General Service</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial and insurance service (banks, credit unions - with or without drive-thru)</td>
<td>P</td>
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<tr>
<td>Real estate/property management services</td>
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<td>Travel/ticket agencies</td>
<td>P</td>
<td></td>
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<tr>
<td>Pet grooming/daycare</td>
<td>P</td>
<td>B</td>
</tr>
<tr>
<td>Hotels/Motels</td>
<td>S*</td>
<td>J</td>
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<tr>
<td><strong>Residential</strong></td>
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<tr>
<td>Assisted living facilities</td>
<td>S</td>
<td>I</td>
</tr>
<tr>
<td><strong>Accessory Land Uses</strong></td>
<td></td>
<td></td>
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<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>
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</tr>
<tr>
<td>Pharmacies (incidental to primary use)</td>
<td>P</td>
<td>H</td>
</tr>
<tr>
<td>Medical supply stores (incidental to primary use)</td>
<td>P</td>
<td>H</td>
</tr>
<tr>
<td><strong>Other Uses</strong></td>
<td></td>
<td></td>
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<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><strong>Prohibited Uses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outdoor storage of materials, supplies, vehicles, equipment, or similar items</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Section 9.02 – Footnotes to the Use Matrix (added 02.01.16)**

A. General hospitals and extended hour medical facilities, when the following conditions are met. However, hospitals for criminals or those primarily intended for the treatment of persons who are mentally ill are not permitted. (amended 02.21.06)

1. Hospitals shall be constructed only on sites containing at least twenty (20) acres.

2. The site shall have at least one property line abutting a major thoroughfare of at least one hundred twenty (120) feet of right-of-way, existing or proposed. All ingress and egress to the off-street parking area for
EXHIBIT A

LEGAL DESCRIPTION

the following described premises situated in the Township of Orion, County of Oakland, State of Michigan, to wit:

Parcel 1
Land in the Township of Orion, County of Oakland, State of Michigan, to wit: Commencing at the Northeast corner of Section 35, Town 4 North, Range 10 East, thence running West along the North line of Section 35, 137.5 feet; thence South 3 degrees 36 minutes East 60.30 feet; thence East 136.40 feet to the center of the highway; thence North 12 degrees 31 minutes West along the center of the highway to the place of beginning.

Parcel 2
Commencing at a point on the North line of Section 35, 137.50 feet West of the Northeast corner of Section 35, Town 4 North, Range 10 East; thence running West along the said North line of said Section 35, 112.50 feet; thence South 354.63 feet; thence East 313.88 feet; thence North 12 degrees 31 minutes West along the center of highway 273 feet; thence West 136.60 feet; thence North 3 degrees 36 minutes West 108.30 feet to the place of beginning.

NOW DESCRIBED AS:
Part of the Northeast 1/4 of Section 35, and part of the Northwest 1/4 of Section 36, Town 4 North, Range 10 East, Orion Township, Oakland County, Michigan. Being more particularly described as beginning at the Northeast corner of said Section 35, also the Northwest corner of said Section 36; thence proceeding South 11 degrees 51 minutes 00 seconds

East 363.75 feet along the center line of Cold Mountain Road variable width (so called) to a point; thence North 89 degrees 56 minutes 35 seconds, 29 seconds West 323.40 feet to a point; thence North 00 degrees 00 minutes 00 seconds West 354.60 feet to a point on the North line of said Section 36; thence North 90 degrees 00 minutes 00 seconds East 250.00 feet along the North line of said Section 35 to the Point of Beginning.
**Yellow = Single Family**

**Green = Recreational**

**Light Teal = Special Circumstances**

**Teal = OP**

**Navy = Planned Unit**
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 Commissions’ 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-2021-06, Orion Village Crossing PUD Minor Amendment for Orion Grill (formerly Iris’s Café), requesting an additional wall sign over the existing (1) one wall sign and to add an outdoor patio, located at 3667 S. Baldwin Road (Sidwell #09-29-326-042), for plans date stamped received January 22, 2021. This approval/denial is based on the following findings of fact:

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

b. How will the revisions 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 revisions 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 revisions keep the existing PUD within the intent and spirit of the Master Plan (insert findings of facts),

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

f. Does the revisions maintain the existing approved open space requirement for the PUD (insert findings of facts),

g. Does the revisions require any waivers from the design standards of this PUD (insert findings of facts),

h. Will the revisions 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.*
Motion 2: I move that the Planning Commission postpone action on PC-2021-06, Orion Village Crossing PUD Minor Amendment for Orion Grill (formerly Iris’s Café), requesting an additional wall sign over the existing (1) one wall sign and to add an outdoor patio, located at 3667 S. Baldwin Road (Sidwell #09-29-326-042), for plans date stamped received January 22, 2021 for the following reasons (insert findings of facts).
memorandum

DATE: February 9, 2021
TO: Orion Township Planning Commission
FROM: Giffels Webster
SUBJECT: 3667 S. Baldwin Road – Orion Village Crossing – PUD Revision for Orion Grill

SUMMARY OF REVIEW

1. Site Plan. No site plan is required for administrative reviews unless requested by the Planning Commission.
2. Use. If an outdoor café is desired in the future, additional approvals will be required at that time.
3. Outdoor Patio Area. The application does not verify if the proposed outdoor patio area would be no greater than 25% of the existing interior restaurant gross floor area as required.
4. Sidewalk. The sketch plan should be revised to provide a 5-foot wide clear sidewalk area in front of the proposed outdoor patio, an increase of 0.5 feet from the proposed 4.5-foot sidewalk.
5. Parking. The Planning Commission may accept that the addition of outdoor patio seating does not affect seating capacity as it relates to Zoning Ordinance parking requirements.
6. Fences. The applicant should verify that no fencing is proposed to surround the outdoor patio area. If fencing is desired in the future, additional approvals will be required at that time.
7. Walls Signs. Not met- PUD Modifications may be approved as part of this request.
8. Lighting. The applicant should verify that no external building-mounted light fixtures are proposed for the wall signs.

Project Summary
The applicant has requested a revision to the Orion Village Crossing Planned Unit Development for the below proposed improvements related to Orion Grill. Orion Grill occupies corner building tenant space, formerly Iris Café Restaurant, within a strip center approved as part of this PUD. The applicant has submitted a PUD questionnaire which provides additional information on the purpose of the PUD revision.

Orion Grill Proposed Improvements
1. Replacement of one existing wall sign
2. Addition of a second new wall sign
3. Addition of an outdoor patio area 60 feet wide along the building by 15 feet deep

November 2016 Google Street View image looking northeast from Baldwi Rd – link to Street View
Outdoor Patios in RB District
Outdoor patios are a permitted use in the RB district, which the site is zoned, under the retail category of Eating and Drinking Establishments. Restaurant uses may include an outdoor patio subject to an administrative review by the Building Department. No site plan is required for administrative reviews unless requested by the Planning Commission. (§ 11.02 C.)

Outdoor Patio vs. Outdoor Cafe
The Zoning Ordinance provides the following definitions that distinguish between an outdoor cafe and an outdoor patio. The main difference between the two is that patios are limited in area and do not include any entertainment or alcoholic beverages service. The applicant has indicated that a cafe is not proposed. If an outdoor cafe is desired in the future, additional approvals will be required at that time.

Outdoor Cafe: An outdoor area adjoining a restaurant consisting of tables, chairs, plantings and related decorations, where one or more of the following is provided: live music, amplified music, dancing, staged entertainment or service of alcoholic beverages.

Outdoor Patio: An outdoor area adjoining a restaurant consisting of tables and chairs, and which is limited to a size which is not greater than 25% of the gross floor area (GFA) of the restaurant that does not included live music, amplified music, dancing, stage entertainment or service of alcoholic beverages. The application does not verify if the proposed outdoor patio area would be no greater than 25% of the existing interior restaurant gross floor area as required. This request should not be approved until compliance with this definition standard is verified by the applicant in writing or plans. The proposed outdoor patio area may need to be reduced to achieve compliance with this definition standard depending upon the interior restaurant area.

Outdoor Cafes in RB District
The following requirements apply to outdoor cafes, which are a special use in the RB district. While these standards do not strictly apply to outdoor patios, they should be considered by the Planning Commission as part of this request as these two restaurant-related uses are similar:

1. Seasonal use restrictions. May be considered as part of Planning Commission discussion.
2. Hours of operation. May be considered as part of Planning Commission discussion.
3. Sketch plan indicating location of tables, chairs, awnings, canopies, dance floor, protective fencing, railings, planters, or other pedestrian barriers. A sketch plan has been submitted. The Planning Commission may request additional details on the proposed improvements.
5. Compliance with Township Noise Regulations (Ord. 135). No speakers or entertainment areas are indicated. The Planning Commission may request verification of compliance with this ordinance. This will be an ongoing compliance measure if no additional information is requested at this time.
6. Other conditions as required by the Planning Commission, with the Planning Commission retaining the option of requiring a full site plan. The Planning Commission may require, upon request, that the applicant submit either a new site plan or a revised PUD site plan indicating the proposed improvements.

Outdoor Display and Sales Area
Outdoor display and sales area shall adhere to all setback requirements, shall not encroach upon a parking lot, driveway, or public right-of-way, and shall maintain at least five feet of clear pedestrian passage on sidewalk areas. Materials shall be displayed no closer than 10 feet form building entrance doors. (§ 11.02 D.2.) The sketch plan should be revised to provide a 5-foot wide clear sidewalk area in front of the proposed outdoor patio, an increase of 0.5 feet from the proposed 4.5-foot sidewalk.
Parking

Section 27.04 A.1.a.ii. requires that if the intensity of any building or premises is increased through the addition of gross floor area or seating capacity, additional off-street parking shall be provided for such increase in intensity of use. It is our understanding that the Fire Department does not consider the addition of outdoor seating as increasing the overall seating capacity of any restaurant use. The Planning Commission may accept this determination that the addition of outdoor seating does not affect seating capacity as it relates to Zoning Ordinance parking requirements.

Additionally, the Zoning Definition of “floor area” does not include areas that are outside of the principal building. Therefore, this section does not appear to require any consideration of additional parking for new outdoor seating areas based on the Fire Department’s policy and this definition. No action is needed.

(For reference, using the RB district parking ratio of one space per 100 sq. ft. of gross floor area, a 900 sq. ft. (60-foot by 15-foot) outdoor patio area would require a total of nine parking spaces if this ratio was required to apply to outdoor seating areas, which it does not. The existing strip center parking area was likely designed to accommodate additional parking demand as tenants change and evolve over time.)

Fences

Section 33.02 K. requires the following for fences within the Overlay district.

1. The finished side of all fences shall face the common property line boundary or the public right-of-way.

2. Only the following fence materials shall be allowed: wood (or vinyl closely resembling wood) wrought iron (or aluminum closely resembling wrought iron) stone or brick. All other fence materials, including chain link and vinyl-clad chain link are prohibited unless placed in side or rear yards or screened from public view by landscaping or other means.

The applicant should verify that no fencing is proposed to surround the outdoor patio area. If fencing is desired in the future, additional approvals will be required at that time.

Proposed Wall Signs

This request is being considered as a PUD revision as signage for PUD’s are approved as part of the PUD process (similar PUD revision requests were recently considered for Chase Bank and Walgreen’s also on Baldwin Road). We are not aware of any conditions from the previous PUD approval that prevent consideration of this request. The Sign Ordinance standards are provided below for consideration. The site is also within the Gingellville Village Center Overlay, which includes additional sign standards.

<table>
<thead>
<tr>
<th>Wall Signs — Non-Residential Zoned Areas</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Signs</td>
<td>1 wall sign per establishment</td>
<td>Not met- 2 wall signs. PUD Modification may be approved as part of this request.</td>
</tr>
<tr>
<td>Sign Area</td>
<td>10% of the façade area on which the sign is to be placed, or 200 sq. ft. per establishment whichever is less.</td>
<td>*Not met- 36.7 sq. ft. of proposed sign area for each façade; 73.4 sq. ft. total. PUD Modification may be approved.</td>
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</tbody>
</table>

*Notes have been submitted indicating that each façade area at the building entrance is 180 sq. ft. Based on this 180 sq. ft. area indicated, the proposed individual sign area of 36.7 sq. ft. for each façade area would be double the permitted 10% area (maximum 18 sq. ft.). The applicant could provide the façade area of the entire restaurant space, which would much larger than the façade area (360 sq. ft.) that occupies the building entrance area. With this additional information provided, a PUD Modification would not be needed for the proposed wall sign area as the façade area is much larger than indicated.
**Gingelville Village Center Overlay District**

The site is located within the Gingelville Overlay District. The overlay standards have been reviewed for compliance as indicated below for both proposed wall signs. All signs permitted within the Gingelville 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 Gingelville Village Center Overlay District shall be uniform in size, design, appearance, and material. Accordingly, all signs within the Gingelville 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 building as they would be integrated within the building façade in the same location as former wall signs for the previous Iris restaurant use.*

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 building-mounted light fixtures are proposed for the wall signs. 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 would not have internal illumination. 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.*
The Orion Township Fire Department has completed its review of Application PC-2021-06 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

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

X Approved
Approved with Requirements (See below)
Not approved

Comments: NONE

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

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

Sincerely,

Jeffrey Williams
Jeff Williams, Fire Marshal
Orion Township Fire Department
January 12, 2021

Charter Township of Orion

RE: Baldwin Summit Permission For Orion Grill To Apply For Signage On Building

To Whom It May Concern:

Please let this letter serve as the owners permission for Sofija Kalaj DBA of Orion Grill to apply for signage at 3667 S. Baldwin Rd. Orion, MI 48359.

Thank you and please call me with any questions at (248)626-9114.

Sincerely,

Cristy Evangelista  
Owner/ Landlord  
Baldwin Summit LLC
January 28, 2021

Orion Township
2525 Joslyn Road
Lake Orion, MI 48360
Attn: Lynn Harrison
Coordinator Planning & Zoning

Dear Ms. Harrison,

The owners of Orion Grill, formerly Iris’s Café, has my permission to seek an outdoor patio at 3667 S Baldwin Road in Orion Township.

Sincerely,

[Signature]
Cristy Evangelista
Evangelista Development, LLC
(248) 626-1114
APPLICATION FOR PLANNED UNIT DEVELOPMENT
REVISION

Case Number PC-2021-06

*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 1-19-21 Project Name Orion Grill

Applicants Name Sofija Kalaj
Applicants Address 36647 South Baldwin Rd
City Orion State MI Zip Code 48359
Phone # 248-933-383 Fax # E-Mail sofija.kalaj@me.com

Property Owner Name Christy
Property Owner Address
Phone# Fax # E-Mail

Name of Firm/Individual who Prepared the plan Boss Engineering
Address 3121 East Grand River Ave, DE 48843
Phone# 517-242-258 Fax # E-Mail

*Please Indicate Above The Contact Person *
Property Description:
Location or Address of the Property: 3667 South Baldwin
Side of Street  EAST Nearest Cross Streets: MAYBE & WALTON
Sidwell Number(s) 09-29-326-04 Total Acreage 4.761 Acres
Subdivision Name (if applicable) ORION VILLAGE CROSSING
Frontage (in feet) 40FT Depth (in feet) 75FT
*Please Attach to the Application a Complete Legal Description of the Subject Property

Zoning Classification:
Subject Property PUD

Adjacent Properties:
North OP South PUD
East MULTI-FAMILY West PUD

Current Use of Property: Family Restaurant / MULTI-TEEN-

Describe The Proposed Revision To The PUD Charities in Wall Sigrage Area

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?

****11 Sets of the Site/PUD Plan Prepared in Accordance with the Orion Township Zoning Ordinance #78, Section 30.03, Section 30.01 and any other Applicable Township Ordinance Requirements Must be Included as Part of the Application. 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 of Applicant]

[Date]
Trees
40.6" w x 58" h

Frame
121.5" w x 43.5" h

1/2" square tubing
powder coated

Vinyl flooring
120" w x 43" h

Letters 14" h, powder coated
40.0 ft

Total Square Foot

3005
Total Square Footage

40' ft

180 square ft

15' ft

4/0 Blocks at 4''
35 1/2 inch. fillers
18'' +
160'' = 178

12 ft x 15 ft

= 180 square ft.
Orion grill outdoor patio

plan.

Depth and width of patio is 60 ft long from west to east
15 ft from north to south wide

Umbrellas are not in the plan at this time, but if they are in the future we will submit plans with brands of commercial usage type. If you have a list of approved brands by the city we would appreciate a copy of those brands.

We will be using our south entry/exit door at the southeast end of our lobby area

Sent from my iPhone
ORION GRILL
Questionnaire on PUD

1. The revision will bring more awareness to the existing businesses in the area.

2. The revision will not bring any material increase to any public services, facilities or utilities, it is just extra outdoor seating for a different setting experience.

3. The revision will not set up any burden to the existing PUD or surrounding area, the natural environment will be not affected.

4. The revision will fill the intent and spirit of the Master Plan, that area was created for such a setting.

5. The revision will not affect in any way the economic integrity of the surrounding properties

6. The revision should maintain the required space for the proposed PUD, please review and thank you for your time, we are looking forward to making this a proud location for the community of Orion Township.

THANK YOU ORION TOWNSHIP.

Martin & Sofija Kalaj
Owners of the Orion Grill

3667 S Baldwin rd
Lake Orion Mi. 48359
TO: The Charter Township of Orion Planning Commission  
FROM: Tammy Girling, Planning & Zoning Director  
DATE: February 12, 2021  
RE: PC-2019-04, Orion Storage Site Plan

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 Commissions’ findings of facts for the project. Any additional findings of facts should be added to the motion below.

Parking Calculation Waiver (Ord. No 78, Section 16.03,C)
Motion 1: I move that the Planning Commission approve/deny a parking calculation waiver for PC- PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 01/27/2021, based on the following: (motion maker insert findings of facts)

a. The applicant did/did not provide evidence that indicates that another standard would be more reasonable, because of the level of current or future employment and/or the level of current or future customer traffic (insert how they did or didn’t demonstrate).

b. (motion maker to insert any additional findings of facts).

Landscaping Waiver (Ord. No. 78, Section 27.05,A,3)
Motion 2: I move to approve/deny a waiver of the general landscape requirements within the greenbelt area for PC- PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 01/27/2021, based on the following: (motion maker insert findings of facts)

a. That in consideration of the overall design and impact of the landscape plan the applicant did/did not prove that the proposed landscape is in keeping with the intent of the Ordinance, and specifically with the intent of section 27.05

Site Plan (Ord. No. 78, Section 30.01)
Motion 3: I move that the Planning Commission grants site plan approval for PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 01/27/2021 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:

a. Approval of the rezone of the 40’ strip on the west side from Suburban Farms
(SF) to Limited Industrial (LI) and approval of Boundary adjustment adding the 40’ strip to parcel 09-19-226-001.

b. (Motion maker to list any unresolved issues related to the Township Planner’s review letter).

c. (Motion maker to list any unresolved issues related to the Township Engineer’s review letter).

d. (Motion maker to list any unresolved issues related to the Fire Marshall’s review letter)

e. (Motion maker to list any additional conditions).

Or

I move that the Planning Commission **denies** site plan approval for PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 01/27/2021. This **denial** is based on the following reasons (insert findings of facts).

Or

I move that the Planning Commission **postpones** site plan approval for PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 01/27/2021 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s, Fire Marshall’s, or Engineer’s review letter(s). Postponement to Planning Commission meeting date or within noted number of days: ____________________________
February 10, 2021

Charter Township of Orion
Planning Commission
2424 Joslyn Road
Lake Orion, MI 48360

Site Plan Review #1
Orion Storage

Case No: PC-2019-04
Site: 1751 W. Clarkston Road (east of Joslyn Road)
Applicant: Thomas C. Reed, Orion Investment Group, LLC
Plan Date: 1/27/2021
Zoning: LI (Limited Industrial)
Parcel ID: 09-16-226-001

Dear Planning Commissioners:

We have completed a review of the application and site plan referenced above and a summary of our findings are below. Items in **bold** require specific action. Items in *italics* can be addressed administratively.

![Site Plan Diagram]

1025 E Maple, Suite 100 | Birmingham, Michigan 48009 | (248) 852-3100
www.GiffelsWebster.com
SUMMARY OF REVIEW

1. **Zoning.** A 40-foot wide (along Clarkston Rd) strip of property runs the depth of the west boundary of the site that is currently zoned SF, Suburban Farms. As “mini-storage and warehousing” is not a permitted use in the SF district, site plan consideration of any industrial improvements within this west strip area should be postponed until LI zoning is in place that would allow this use.

2. **Setback Variance.** The proposed side yard setbacks of 5 feet for the east property line and 12.48 feet for the west property line are less than the district’s requirement of 25 feet. This is also impacted by the SF zoning, which needs to be resolved.

3. **Lot Coverage.** A calculation of lot coverage was not provided. An estimate, based on the square footages given, is approximately 67% lot coverage. A variance or site plan revision may be required once determined.

4. **Parking Area & Driveways Setback.** The proposed parking lot is 5 feet from the east property line. A variance, waiver request or plan modification is required.

5. **Greenbelts.** Due to the reduced setbacks, the width of greenbelts is insufficient along the side property lines. A waiver may be sought for this ordinance requirement or the applicant can do a plan revision to address this issue.

6. **Off-Street Parking.** The applicant must provide a parking analysis for the proposed development. Based on the information provided, the estimated off-street parking requirement is approximately 58 spaces. 8 parking spaces are proposed to meet this requirement: a deficiency of 50 spaces, or 86%. The Planning Commission may modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates another standard would be more reasonable. Address ADA spaces with any changes to parking.

7. **Loading and Unloading.** Limited Industrial Districts require areas designated for loading. This multiple-building storage facility should lay out loading areas according to the requirements of the ordinance.

8. **Lighting.** The proposed lighting fixtures comply with the non-residential ordinance standards of 27.11.

9. **Fencing.** A 6’ tall, decorative, aluminum security fence is proposed at the front of the development and chain link fence segments will link the storage buildings around the perimeter of the site. The detention basin at the rear of the property will be fenced with a 6’ tall chain link fence.

10. **Outdoor Storage.** Outdoor storage is not shown to be included in the proposed development.

**Project Summary**

The applicant requests site plan approval to construct five self-storage facilities and one office facility on the property located at 1761 W. Clarkston Road, east of Joslyn Road. The applicant is under contract to purchase a 40-foot strip of undeveloped land along the entire west property line which is owned by Lake Orion Community Schools. This 40’ strip is included within the site plan boundary. Patrons will access the site from Clarkston Road but may only access the fenced storage buildings through a security gate. The exterior of the proposed buildings will consist of wall-mounted lighting and the perimeter of the development will include landscaping for additional screening from adjacent properties.
Existing Conditions

1. Existing site. The subject site consists of 3.02 acres and is identified as "Lot 35 of Supervisor’s Plat of Randell Beach Park Addition". The site is bound by Clarkston Road to the north, the Polly Ann Trailway to the east, and Orion Oaks Elementary School to the west and south. The site is currently used as a landscape and outdoor storage company which are permitted uses within the LI District.
2. **Zoning.** The majority of the site is zoned LI, Limited Industrial. The LI district includes “mini-storage and warehousing” as a permitted use by right. Therefore, the proposed industrial improvements associated with this use on the main portion of the site zoned LI would be permitted with site plan approval. A 40-foot wide (along Clarkston Rd) strip of property runs the depth of the west boundary of the site that is currently zoned SF, Suburban Farms (light yellow). As “mini-storage and warehousing” is not a permitted use in the SF district, site plan consideration of any industrial improvements within this west strip area should be postponed until LI zoning is in place that would allow this use. If the rezoning is not approved, it will impact the site plan and required setbacks from the SF 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>LI – Limited Industrial</td>
<td>The Complete Companies Automation</td>
</tr>
<tr>
<td>South</td>
<td>SF – Suburban Farms Residential</td>
<td>Lake Orion Community Schools</td>
</tr>
<tr>
<td>East</td>
<td>REC-2 – Recreation 2</td>
<td>Polly Ann Trailway</td>
</tr>
<tr>
<td>West</td>
<td>SF – Suburban Farms Residential</td>
<td>Lake Orion Community Schools</td>
</tr>
</tbody>
</table>
Zoning Ordinance Compliance

All proposed development and construction within the Limited Industrial Zoning District shall comply with the following standards:

4. LI District Area and Bulk Requirements.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Parcel Size</td>
<td>2 acres</td>
<td>3.02 acres – Met</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>50 ft</td>
<td>73 ft – Met</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>25 ft</td>
<td>Met</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>25 ft each side</td>
<td>5.00 ft (east); 12.48 ft (west) VARIANCE NEEDED</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>67% estimated – Not Met</td>
</tr>
<tr>
<td>Maximum Height of All Structures</td>
<td>40 ft</td>
<td>Office building: 15 ft – Met Storage buildings: Not Provided</td>
</tr>
<tr>
<td>Minimum Clear Space Around Structures</td>
<td>25 ft</td>
<td>Defer to Fire Dept. Review</td>
</tr>
<tr>
<td>Parking &amp; Driveways Setback</td>
<td>20 ft</td>
<td>5.00 ft (east of parking lot) VARIANCE/WAIVER NEEDED</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</td>
<td>Approx. 58 spaces (1 spc / 1,000 sf GFA)</td>
<td>8 spaces – Not met (see #5) Waiver may be considered</td>
</tr>
</tbody>
</table>

5. Off-street Parking.

a. Parking requirements shall be based upon the following schedule, except as modified for a specific use within Section 15.02 (amended 08.06.07):
   i. One (1) parking space per one thousand (1,000) square feet of gross floor area or one (1) space per employee, whichever is greater. The Conceptual Site Plan on Sheet C1.0 states seven (7) off-street parking spaces and one (1) ADA space will be provided. The applicant should identify square footages for all proposed structures and provide a calculation that determines the number of required parking spaces for the proposed use. Based on the dimensions of the buildings given on the site plan, a rough estimate of the number of parking spaces required is 58 spaces (1 / 1,000 sq ft GFA = .001 x 57,500 sq ft). This results in a parking deficit of 50 spaces, or 87%.
   ii. One (1) additional parking space shall be added for every four (4) required spaces for facilities which operate more than one employee shift. Within the parking analysis, the applicant should provide a statement addressing this requirement and include the additional number of parking spaces required and provided, if this subsection applies.

b. The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable, because of the level of current or future employment and/or the level of current or future customer traffic. (amended 01.30.86). We agree that this use typically does not generate the same parking demand as a traditional industrial use, but additional information should be provided to the Planning Commission with appropriate documentation that supports a reduced parking requirement.

c. No parking area or driveway shall be closer than twenty (20) feet to the adjacent property line. However, if the parcel in question abuts a residentially used or zoned parcel, then no parking area or driveway shall be closer than fifty (50) feet to the adjacent property line. (amended 06.15.89) The proposed surface parking spaces are located in the front yard, on the northeast side of the
development. The parking lots are setback 27' from the Clarkston Road right-of-way line but are only 5' from the east property line. The east property line is adjacent to a land parcel identified as “Grand Trunk Railroad” on the site plan, which is currently used as the Polly Ann Tramway.
d. The required setback for parking may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office, or industrial zoned property, and when existing off-street parking, drives, and/or structures are located within the setback area. (amended 09.16.93) The Planning Commission may consider waiving the setback requirement for the surface parking shown along the east property line or ask the applicant to revise the site plan so it is conforming. The adjacent property consists of recreational open space as a component of the Polly Ann Tramway facility. A north-south overhead power line blanket easement creates an additional buffering between the site and the active pathway and its amenities.

Section 27.04.A – Parking and Loading Regulations
e. 1.D. Submission of Plot Plan. No off-street parking facilities shall be constructed unless a building permit is first obtained from the Building Department. Any application for a building permit shall include a plot plan showing any off-street parking facilities proposed in accordance with the provisions of this Ordinance. Calculations for required parking shall be submitted on the plot plan or site plan and shall indicate the proposed use, building square footage and required number of parking spaces. Whenever a site plan is required in accordance with the provisions of Section 30.01, said site plan shall meet the requirements of this section. (amended 11.14.85, 08.06.07) The applicant should provide a parking analysis that both demonstrates the ordinance-required parking as well as an analysis, with supporting documentation, identifying the amount of parking suitable for the proposed facility, if less spaces than the ordinance requires are proposed.
f. Location. Off-street parking for other than residential uses shall be either on the same lot, or within three hundred (300) feet of the building or use it is intended to serve, if said spaces and uses are located in the same zoning district or zoned Parking District measured from the nearest point of the building or use and the nearest point of the off-street parking lot. The applicant should dimension the distance from all provided parking spaces to each building on the site plan in order to address this requirement.
g. Access. Except on lots accommodating single-family dwellings, each off-street parking space shall open directly onto an aisle or driveway of sufficient width and design as to provide safe and efficient means of vehicular access. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement. Backing directly onto a street shall be prohibited. Ingress and egress to an off-street parking area lying in the area zoned for other than residential use shall not be across land zoned for residential use.
h. Collective Use of Off-Street Parking. Off-street parking space for separate buildings or uses may be provided collectively. If parking facilities for separate buildings or uses are provided collectively, the total number of spaces so provided shall not be less than the number which would be required if the spaces were provided separately. However, the Zoning Board of Appeals may reduce the total number of spaces provided collectively by up to twenty-five percent (25%) if such reduction is specifically approved as part of the required site plan approval process. Such approval shall be granted only on a showing that the parking demands of the two (2) uses do not overlap.

6. Loading and Unloading. All loading and unloading areas shall be in conformance with the requirements set forth in Section 27.04. The applicant should explain the loading and unloading operation and logistics of the proposed self-storage facility. All designated loading and unloading
areas should be shown, labeled, and dimensioned on the site plan in a manner that demonstrates compliance of the above-mentioned requirements as well as those specified below.

Section 27.04.B.3.C. Industrial Districts. Off-street loading facilities accessory to uses allowed in districts zoned for industrial uses shall be provided in accordance with the following minimum requirements:

a. For the uses listed hereunder, one (1) loading berth shall be provided for buildings containing three thousand five hundred (3,500) to twenty thousand (20,000) square feet of gross floor area.

b. For buildings containing twenty thousand (20,000) to forty thousand (40,000) square feet of gross floor area, two (2) loading berths shall be provided, plus one (1) additional loading berth for each additional forty thousand (40,000) square feet of gross floor area or fraction thereof.
   i. Warehousing, storage, and wholesale establishments

7. Lighting. The proposed lighting fixtures comply with the non-residential ordinance standards of 27.11.

8. Fencing. Fences required for screening purposes shall be a minimum of six (6) feet in height, and shall be constructed of redwood, cedar, or No. 1 pressure-treated wood, vinyl or other materials approved by the Planning Commission or Building Official, with posts sunk into the ground at least three (3) feet. Chain link fences shall not be permitted for screening purposes.
   vii. Barbed Wire Prohibited. Barbed wire, spikes, nails, or any other sharp-pointed intrusions shall be prohibited on top or on the sides of any fence, wall, or protective barrier, except that barbed wire cradles consisting of no more than three (3) strands of wire may be placed on top of fences enclosing public utility buildings. A 6' high, aluminum, ornamental fence is proposed parallel to the front property line, between the office and storage buildings in the rear. The fence will include separate 6' tall vehicular and pedestrian gates adjacent to the office building. A 6' tall chain link fence, with gate, is proposed around the detention basin at the rear of the property. Small segments of chain link fencing is also shown between the storage buildings near the periphery of the site.

9. Outdoor Storage (§27.19). Outdoor storage is not shown to be included on the site plan.

10. Safety Paths. Required pathways for pedestrian and bicycle use shall be constructed in conformance with the following specifications:
   a. Location and Width. Required pathways shall be eight feet in width and shall be located in the road right-of-way, with a setback of one (1) foot from the property line. The Planning Commission may modify this requirement in consideration for the location of utilities, existing landscaping, or other site improvements. The existing safety path along Clarkston Road is shown to be located within the boundaries of the subject property. A pedestrian access easement may be required. The width should be called out on the site and landscape plans. We defer to the Township Engineer on compliance with Ordinance No. 97.
   b. Design Standards. Required pathways shall be constructed of asphalt or concrete in accordance with adopted engineering standards for the Township. Applicant should demonstrate compliance upon permitting and inspection.
   c. Alignment with Adjacent Pathways. Required pathways shall be aligned horizontally and vertically with existing pathways or sidewalks on adjacent properties. The Planning Commission may waive this requirement if existing adjacent pathways or sidewalks are not constructed in conformance with the standards set forth herein. The existing safety path ties into the Poly Ann Trail at the subject site. Additionally, a proposed connector of the Poly Ann Trail with the Paint
Creek Trail to the east, falls along the Clarkston Road corridor to the east. Trail access amenities, such as vehicle and bicycle parking, bicycle repair, maps, and resting facilities, underscore the importance of pathway connectivity at this specific site.

d. **Signage.** The Planning Commission may require installation of signage for the purposes of safety where it is necessary to separate vehicular traffic from pedestrian and bicycle traffic, or where it is necessary to alert vehicular traffic of the presence of the pathways.

e. **Maintenance.** The owner of the property which fronts on the required pathway shall be responsible for maintenance of the pathway, including patching cracked or deteriorated pavement and removal of glass and other debris. The site plan indicates the existing safety path will be replaced where needed.

Respectfully,

Giffels Webster

[Signatures]  
Rod Arroyo, AICP  
Partner  
Eric Pietsch  
Senior Planner
February 10, 2021

Charter Township of Orion
Planning Commission
2424 Joslyn Road
Lake Orion, MI 48360

Landscaping Review #1
Orion Storage

Case No: PC-2019-04
Site: 1761 W. Clarkston Road (east of Joslyn Road)
Applicant: Thomas C. Reed, Orion Investment Group, LLC
Plan Date: 1/27/2021
Zoning: LI (Limited Industrial)
Parcel ID: 09-16-226-001

Dear Planning Commissioners:

We have completed a review of the application and site plan referenced above and a summary of our findings are below. Items in bold require specific action. Items in italics can be addressed administratively.

SUMMARY OF REVIEW

1. **Greenbelts.** Due to the reduced setbacks, the width of greenbelts is insufficient along the side property lines. A waiver may be sought for this ordinance requirement. The issue of SF zoning on the subject site will impact the compliance with this requirement (see Planning letter).

2. **Landscaping.** A tree survey is required to conduct a full review of the landscaping requirements. Address the lack of open space trees along the south property line. The Planning Commission may consider the shrubs planted in lieu of the required open space trees as a waiver.

3. **Tree and Woodland Protection.** The plans should confirm the number of trees being removed from, or adjacent to, the property. A Tree Removal Permit may be required for trees that meet the ordinance criteria. The plans should include a landscape analysis that indicates from where the nine (9) replacement trees are derived. The applicant should confirm there are no landmark trees affected by these requirements.

Ordinance Compliance

1. **16.03.D. Landscaping (LI District)**
   a. A landscape plan shall be submitted to the Planning Commission for approval. The landscape plan shall specify plant materials and landscape treatment, based on the requirements of Section 27.05 of this Ordinance for such items. This landscape plan shall be part of, or accompany, the site plan. A Landscape Plan is provided within the set of submitted plans. The general provisions of landscaping design standards follow number 5 below, however, a complete review of landscaping requirements cannot be completed at this time as a tree survey has not been...
submitted, which is directly related to the amount of landscaping required for the
development.

b. A landscaped greenbelt at least twenty (20) feet in width shall be provided along the entire
perimeter of an LI District, except where ingress and egress drives are located, when the parcel
abuts commercial/office or industrially zoned property. However, when the parcel abuts any
residentially used or zoned property, the landscaped greenbelt shall be at least fifty (50) feet in
width, except where ingress or egress drives are located. (amended 06.15.89) This requirement is
not met. First, there is SF-zoned property on the subject property. Second, if this strip is
rezoned to LI, the site will still not comply with the greenbelt requirement. The site plan
dimensions the off-street surface parking to be 27’ back from the property line along Clarkston
Road which establishes the width of the greenbelt. Review of the Landscape Plan confirms the
required landscape plantings within this area along the length of Clarkston Road.

c. The off-street parking areas and access driveways shall be screened from view from any adjoining
residential property. Such screening shall consist of earth berms, permanent walls, or evergreen
landscaping subject to approval of the Planning Commission. The applicant should provide the
required screening for the surface parking lot at the front of the property.

d. All landscaping and screening shall be maintained in an attractive, litter-free, safe, and healthy
condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth
and deterioration from the original condition. Applicant to comply.

e. The landscaped greenbelt required along with the perimeter of the parcel may be reduced in
width or waived by the Planning Commission when the parcel abuts commercial/office or
industrially zoned property and when existing off-street parking, drives and/or structures are
located within the setback area. The Planning Commission may, at their discretion, modify or
waive certain landscaping. The adjoining property to the south and west is used as school,
however, it is zoned as Suburban Farms Residential. The west property line is landscaped with
the required trees but does not meet the required width. The south property line does not
propose the required landscaping. The Landscape Plan shows existing natural brush to remain
on the adjacent property in these areas.

2. Section 27.05: General Provisions – Landscaping, Fences, and Walls

   a. A.3. Landscaping Design Standards. Except as otherwise specified in the general requirements
      for each zoning district, all landscaping shall conform to the following standards:
      General Landscaping. (amended 11.14.85) All developed portions of the site shall conform to the
      following general landscaping standards, except where specific landscape elements, such as a
      greenbelt, berms, or screening are required:
      i. All portions of the landscaped area shall be planted with grass, ground cover, shrubbery, or
         other suitable plant material, except that paved patios, terraces, sidewalks, and similar site
         features may be incorporated, with Planning Commission approval.
      ii. A mixture of evergreen and deciduous trees shall be planted at the rate of one (1) tree for
          each three thousand (3,000) square feet, or portion thereof, of landscaped open-space area.
          16 trees are required within the landscaped open space area; 8 trees are provided. Per the
          landscape plan, the remaining 8 open space trees are substituted with shrubs and
          ornamental grasses, as specified in Section 27.05.5(b)(4) pertaining to berms. The plans do
          not consist of a berm so the Commission may issue a landscape waiver against this
          requirement. The number of shrubs planted, in lieu of the required trees, is 75, which
          complies.
      iii. All landscaped areas shall have an underground irrigation system or shall be provided with a
          readily available and acceptable water supply with at least one (1) hose bib within one
          hundred (100) feet of all planted material to be maintained. Provide a Landscape Irrigation
          Plan.
iv. The total landscaped area shall be the basis for determining the required number of trees or shrubs, irrespective of the portion which is devoted to patios, terraces, sidewalks, or other site features.

v. In consideration of the overall design and impact of the landscape plan, the Planning Commission may reduce or waive the requirements outlined herein for General Landscaping, or for landscaping in greenbelt areas, on berms, or as part of a screen, provided that any such adjustment is in keeping with the intent of the Ordinance, and more specifically, with the intent of Section 27.05. See number ii above.

3. A.4. Parking Lot Landscaping Adjacent to Roads Excluding Single Family Residential Uses. A greenbelt separation area is required between the right-of-way property line and the nearest portion of any off-street parking area, for parcels fronting roads but excluding single family residential uses. Said area shall be a minimum of twenty (20) feet in width and minimally landscaped as follows and as illustrated in the following figure:

a. One (1) tree for each thirty (30) lineal feet, or fraction thereof, of required greenbelt separation area (including driveways). Such trees shall be located between the abutting right-of-way and the off-street parking area or vehicular use area. Complies

b. In addition, a hedge, wall, decorative metal fence, or berm, or other landscape elements with a vertical rise of at least thirty (30) inches shall be developed within said separation zone. The hedge, wall, fence, or berm shall have the effect of reducing the visual effect of parked cars. If the developer decides to construct a masonry wall or decorative fence, he/she shall in addition plant one (1) shrub or vine for each ten (10) lineal feet of masonry wall on the street side of the wall. This standard is met.

c. The remainder of the required landscape separation area shall be landscaped with grass, ground cover or other landscape treatment, excluding paving such as concrete or asphalt. This shall not be construed to prohibit decorative brick paving. Complies

d. The Planning Commission may at their discretion waive or modify the requirements of this section subject to one or more of the following conditions: limited parcel depth, existing vegetation or other site factors which limit the practical application of landscaping standards.

e. Landscaping of Right-of-Way and Other Adjacent Public Open Space Areas. Public rights-of-way and other public open-space areas adjacent to required landscaped areas and greenbelts shall be planted with grass or other suitable ground cover and maintained by the owner of the adjacent property as if they were part of required landscaped areas and greenbelts. Applicant to comply.

f. Regulations Pertaining to Landscaping Areas Used for Sight Distance. When a driveway intersects a public right-of-way or when the subject property abuts the intersection of public rights-of-way or
intersection of interior driveways, all landscaping within the corner triangular areas described below shall permit unobstructed cross-visibility. *The site plan includes the visibility triangles and the applicant should demonstrate compliance of this requirement as part of the permitting and inspection process if approved.*

4. **A.5. Screening for Conflicting Land Uses.** Where non-residential uses abut residential uses or where multi-family uses abut single family uses, the Planning Commission may require a greenbelt buffer, berm or obscuring wall or combination of the aforementioned methods of screening. While the adjoining property to the south and west is zoned Suburban Farms Residential, the property is used as a school. The applicant has indicated that half of the open space tree requirement (16) will be shrubs in lieu of the required open space trees. 8 shrubs count for every tree (8 x 8 = 64) shrubs required; 75 provided. This ordinance requirement pertains to berms, so the Commission may consider a waiver to allow for fewer open space trees, as proposed by the applicant.

5. **A.6. Interior Parking Lot Landscaping.** Off-street parking areas shall be landscaped as follows:

   a. Off-street parking areas containing greater than twenty (20) spaces shall be provided with at least twenty (20) square feet of interior landscaping per parking space. A minimum of one-third (1/3) of the trees required in Section 27.05 (A)(5) shall be placed on the interior of the parking area and the remaining may be placed surrounding the perimeter parking lot within ten (10) feet, as illustrated on the following figure. Whenever possible, parking lot landscaping shall be arranged to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of the parking area. A parking analysis, once provided, may result in a parking requirement of more than 20 spaces. The applicant should address this landscaping standard if applicable.

   b. A minimum of one (1) tree shall be planted per two hundred (200) square feet or fraction thereof of interior parking lot landscaping. At least fifty percent (50%) of each interior landscaped area shall be covered by living plant material, such as sod, shrubs, ground cover, or trees. Interior parking lot shrubs and trees shall permit unobstructed visibility and maintain clear vision between a height of thirty (30) inches to eight (8) feet. *Applicant to verify compliance if applicable.*

   c. Interior parking lot landscaping islands shall be no less than ten (10) feet in any single dimension and no less than two hundred (200) square feet in any single area and shall be protected from parking areas with curbing, or other permanent means to prevent vehicular encroachment onto the landscaped areas. *Applicant to verify compliance if applicable.*

   d. The landscape plan shall designate the sizes, quantities, and types of plant material to be used in parking lot landscaping. *Complies.*

   e. Required landscaping elsewhere on the parcel shall not be counted in meeting the parking lot landscaping requirements.

   f. Interior parking lot landscaping and/or landscape islands shall be dispersed throughout the parking lot in order to break up large expanses of pavement. *Applicant to verify compliance if applicable.*

   g. The Planning Commission may, at their discretion, waive or modify the requirement for interior landscaping in cases where the parking lot consists of only one (1) aisle and the area surrounding the parking lot is heavily landscaped or where existing off-street parking drives and/or structures are located on the parcel.
6. **27.05.B. Materials Standards and Specifications.** Except as otherwise specified in the general requirements for each zoning district, all plant and non-plant material shall be installed in accordance with the following standards: Required Plant Material Specifications. The following specifications shall apply to all plant material required by this section:

   a. Deciduous shade trees shall be a minimum of two (2) inches in caliper measured twelve (12) inches above grade with the first branch a minimum of four (4) feet above grade when planted. *The Plant Schedule indicates compliance.*

   b. Deciduous ornamental trees shall be a minimum of one and one-half (1 1/2) inches in caliper measured six (6) inches above grade with a minimum height of four (4) feet above grade when planted. *Applicant shall demonstrate compliance, where applicable.*

   c. Evergreen trees shall be a minimum of five (5) feet in height when planted, except that juniper, yew and arborvitae species shall be a minimum of three (3) feet in height when planted. Furthermore, evergreen trees shall have a minimum spread of three (3) feet, and the size of the burlapped root ball shall be at least ten (10) times the caliper measured six (6) inches above grade. *Applicant shall demonstrate compliance, where applicable.*

   d. Shrubs shall be a minimum of two (2) feet in height when planted. Low growing shrubs shall have a minimum spread of fifteen (15) inches when planted.

   e. Hedges shall be planted and maintained so as to form a continuous, unbroken, visual screen within two (2) years after planting.

   f. Vines shall be a minimum of thirty (30) inches in length after one (1) growing season, and may be used in conjunction with fences, screens, or walls to meet required physical buffer requirements.

   g. Ground covers used in lieu of turf grasses in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one (1) complete growing season.

   h. Grass areas shall be planted in species normally grown as permanent lawns in Oakland County. Grass may be plugged, sprigged, seeded or sodded, except that rolled sod, erosion-reducing net, or suitable mulch shall be used in swales or other areas subject to erosion. Grass, sod, and seed shall be clean and free of weeds, noxious pests, and diseases.

   i. Mulching material for planted trees, shrubs, and vines shall be a minimum of three (3) inches deep and installed in a manner as to present a finished appearance. Also, straw or other mulch shall be used to protect newly seeded areas.

6. **16.03.N. Tree Preservation Regulations.** The tree permit requirements apply to developments in this District, according to the terms of Section 27.12. *(amended 08.03.00)*
Tree and Woodlands Protection

Section 27.12 – Tree and Woodlands Protection (amended 08.03.00)

C. Tree Removal Permit Required.

1. Requirements. A person shall not remove, transplant, or destroy, or cause to be removed, transplanted, or destroyed, on any undeveloped land in the Township, any protected tree (i.e., a tree having a d.b.h. of four (4) inches or greater) without first obtaining a Tree Removal Permit subject to the exceptions enumerated in Paragraph D below, "Exceptions". The applicant should provide additional detailed information pertaining to the number of trees being removed from the property and whether they require a removal permit. Explain the 9 replacement trees shown on the landscape plan.

Section 27.12 E.4. Application for Tree Removal Permit
For other developments, including site plans, site condominiums or subdivisions, the permit applicant shall provide ten (10) copies of a plan containing the same information required for one single-family building site, and the following additional information:

a. Plan. A topographical survey sealed by a registered engineer or registered surveyor shall be shown on the plat.

b. Tree Survey. A tree survey prepared by a State of Michigan registered forester, arborist, or landscape architect for all areas for which a Tree Removal Permit is required.

c. For larger sites over ten (10) acres in size containing more than 100 regulated trees, the Planning Commission may waive the detailed tree inventory requirements where it can be demonstrated that the proposed development will not impact woodland areas.

E.5. For All Developments. For all developments, any proposed tree relocation or replacement, consistent with Paragraph H, below, shall be specified in the application, including a drawing and detailed explanation of the proposal.

H. Tree Relocation or Replacement.

1. Requirement Established. For each protected tree required to be preserved under the terms and standards set forth above, and which is permitted to be removed by permit granted under this Section, the applicant shall replace or relocate trees according to the replacement tree requirements set forth below. The applicant should demonstrate compliance of the following requirements of the nine (9) replacement trees shown on the landscape plan.

2. Replacement Tree Requirements.

a. Replacement trees shall have shade potential and/or other characteristics comparable to the removed trees, shall be State Department of Agriculture Nursery Grade No. 1 or better, and must be approved by the Township prior to planting. Replacement trees must be staked, fertilized, and mulched, and watered, and shall be guaranteed by the applicant for two (2) years. An agreement together with appropriate security (cash or letter of credit) in a form approved by the Township, shall be provided in connection with such guaranty.
b. Trees usable for replacement trees may be transplanted on site using appropriate and accepted procedures and precautions.

c. For deciduous trees, replacement shall be on a one-for-one basis. For example, for each tree removed, a replacement tree shall be planted. All replacement trees shall have a d.b.h. of at least two (2) inches. All evergreen replacement trees shall be at least six (6) feet tall.

d. One (1) landmark tree shall be replaced at a rate of one (1) inch of replacement tree for each d.b.h. inch of landmark tree removed. The applicant should confirm there are no landmark trees affected by these requirements.

f. The Planning Commission shall be authorized to waive a portion or all of the tree replacement requirements when site factors, tree conditions, or development requirements preclude reasonable actions to conform with this Section, and the applicant proposes a contribution to the Tree Fund, created in Paragraph M, below, in an amount reasonably related to the cost of the tree replacement being waived.

3. Replacement Tree Location.

a. Township Approval Required. The Township shall approve tree relocation or replacement locations. To the extent feasible and desirable, trees shall be relocated or replaced on site and within the same general area as trees removed, provided that survival shall not be jeopardized by improvements or activities.

Respectfully,

Giffels Webster

Rod Arroyo, AICP
Partner

Eric Pietsch
Senior Planner
February 5, 2021

Scott Reynolds, Planning Commission Chairperson
CHARTER TOWNSHIP OF ORION
2525 Joslyn Road
Lake Orion, MI 48360

RE: Orion Storage, PC 2019-04
Site Plan Review #2

Received: January 27, 2021 by Orion Township

Dear Mr. Reynolds:

We have completed our review of the Orion Storage plan set. The plans, dated January 20, 2021, were prepared by Sujak Engineering PLC 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 along south side of Clarkson Rd, east of Joslyn Rd. within the East ½ of Section 16 of the Charter Township of Orion. The east edge of the property is bounded by the Polly Ann Trail (Grand Trunk Western R.R.). The site is zoned Limited Industrial (LI) and bound by parcels to the west and south of the property zoned Suburban Farms (SF), and parcels to the north and east of the Polly Ann Trail property also zoned Limited Industrial (LI). Currently the site is occupied by a residential house, that fronts along Clarkson Rd. that serves as an office for a landscape business and a gravel lot utilized for outdoor RV and trailer storage. There is an existing overhead electric tower line along the east property line. The easement for this overhead electric tower line is indicated as a blanket easement rather than prescribed width. Approval from ITC for the proposed improvements will be necessary during engineering. The revised plans include a proposed 40’ wide acquisition of the school property to the west for the entire length of the site.

The applicant is proposing to construct a mini-storage facility with 4-buildings (20 ft, 30ft, and 40 ft. wide by ~400 long) and a 400 square foot office. The developed site improvements will include sidewalks, concrete curb and gutter, paved parking lot and drive aisles, dumpster enclosure, storm sewer, detention pond, water main, septic system and retaining walls.

WATER MAIN AND SANITARY SEWER:
There is an existing 12” water main along the north side of Clarkson Rd. that was recently installed as part of the Clarkson Phase 1A Township water main extension. A 1” water service was provided as part of improvements to the south side of the road. The applicant should contact the DPS department for service lead tie down location. The plans indicate boring under Clarkson Rd. to extend 8” water main and three hydrants into the site from a tap connection along the north side of Clarkson Rd. A stub for future connection to the east is proposed at the south end of the site. The proposed dead-end stub was modeled within the existing Township water model to determine available fire flows and pressures. After modeling, it is apparent that the sites water main shall be looped with a second connection, to the 8” stub at Rhodes Dr., or to the recently constructed watermain in the Early Childhood
Center to achieve appropriate fire flows for an Industrial development. The current layout only yields an available fire flow of ~1900 gpm. This is just above typical requirements for residential developments. When looped we expect the available flows to be ~3100 gpm.

Currently, public sanitary sewer is not available to the site. There is an existing sanitary septic system on-site just west of the existing residence. The applicant is proposing to construct a new septic field further west to provide sanitary service to the office. The field locations will need to shift slightly west to avoid overlapping the watermain easement at engineering. Final approval from the Oakland County Health Department (OCHD) will be required for construction of the septic system.

**STORMWATER MANAGEMENT:**
The site generally drains southwesterly and a portion of the site drainage is collected in a shallow oval depression along the west edge of the property. There is a small amount of offsite drainage from the northeast that will be collected in a proposed bioswale. Preliminary site runoff coefficient and detention basin calculations were provided and appear adequate.

The site storm water is to be collected by catch basins. The storm drainage is conveyed through proposed storm sewer to outlet to the proposed detention pond. A mechanical pretreatment structure is proposed for storm water quality upstream of the detention pond. Proposed contours within the detention pond area and cross-section detail have been added to the plans. Properly designed retaining walls may be utilized, however they must meet Township Retaining Wall requirements at engineering. The location of a fence and access gates has been added to the plan.

**CIRCULATION AND PAVING:**
Access to the site is currently provided by a 35 ft wide gravel drive from Clarkston Rd. on the west edge of the site. The site plan proposes a paved access relocated toward the east side of the site frontage which will include deceleration and acceleration tapers. The proposed approach and tapers will require approval from the Road Commission for Oakland County (RCOC). Internal site circulation is provided with two-way drive aisles. The applicant has provided fire truck turning radii as outline reference. The site layout needs to be revised to accommodate the Township’s fire truck turning template. It appears there is still an issue near the first turn by the storage buildings.

Eight (8) individual parking spaces, including one ADA van accessible spot, are proposed adjacent to the proposed office building. All parking spaces are consistent with the Township’s off-street parking requirements (19 ft minimum depth and 9 ft. minimum width) and appear to be dimensioned to face of curb. All off-street parking areas are proposed to be curbed with concrete curb and gutter. Typical concrete curb and gutter and sidewalk cross-section details have been provided. An asphalt pavement cross-section has been provided, however, the Township requires asphalt pavement within light industrial zoning be a minimum of 6” thick over 8” min aggregate base. The cross section should be revised to clarify a total HMA thickness of 6” is being provided. A recreational pathway cross-section detail has been provided and appears adequate. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas.

**GRADING:**
Existing contours are shown on the site plan and indicate that the site gradually slopes to the west and south. There is an existing shallow swale along the northwest edge of the property. Proposed pavement grades are indicated with spot grades with some proposed contours for landscape areas. It appears that proposed grading generally matches the existing drainage pattern with drainage directed more southerly toward the detention pond as the exception. Additional grades shall be provided within the parking lot and along the sidewalk at engineering. At engineering review wall calculations need to be provided for the proposed retaining walls, signed and sealed by a licensed professional engineer. Further, any walls over 30 inches high will require provisions for 42-inch-tall fence.
CONCLUSION:
In our opinion, the site plan as submitted is in substantial compliance with the Township’s ordinances and engineering standards. We ask that site plan approval be contingent upon the following:

1. The 40 ft of land from the adjoining parcel to the west be acquired, rezoning as necessary and be combined with the main parcel (Lot 35).
2. Revise the site layout to accommodate the Township’s fire truck turning template. It appears there is still an issue near the first turn by the storage buildings.
3. The site water main shall be looped with a second connection to either the 8” stub at Rhodes Dr. or the recently constructed Early Childhood Center to the west to achieve appropriate fire flows for an Industrial development.
4. The asphalt pavement cross-section shall be revised to clarify the overall HMA thickness is at least 6” thick over 8" min aggregate base for Light Industrial (LI) zoning.
5. The engineering plan, designed in accordance with Zoning Ordinance No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance No. 139, and the Township’s Engineering Standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

The applicant should note the Township may require performance bonds, fees, and/or escrows for a preconstruction meeting and necessary inspections. Please feel free to contact us with any questions at (248) 751-3107 or mark.lundis@ohm-advisors.com.

Sincerely,

OHM Advisors

Joe Lehman
Project Engineer

Mark Landis, PE
Project Manager

cc: Chris Barnett, Township Supervisor
David Goodloe, Building Official
Jeff Stout, Director of Public Services
Tammy Girling, Director of Planning and Zoning
Lynne Harrison, Planning and Zoning Coordinator
Jeff Williams, Township Fire Marshal
Bill Basiekow, Water and Sewer Superintendent
Ken Zmijewski, Orion Investment Group, LLC, 1761 W. Clarkston Rd, Lake Orion, MI 48356
Sujak Engineering, PLC, 4039 Goodridge Hwy., Troy, MI 48098
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2019-04, Orion Storage Site Plan  
Date: 02/04/2021

The Orion Township Fire Department has completed its review of Application PC-2019-04 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:

- The fire department has an area of concern in regards to the truck turning template overlay. It appears that the overlay cuts into the curbed sidewalk at the entry point to the gated storage area.
- Ground markings shall be provided on the pavement in front of each fire hydrant located in the fenced in storage area. These ground markings shall deter occupants from parking in front of the fire hydrants.
- The electric gate shall be listed in accordance with UL 325 and shall comply with the requirements of ASTM F2200.

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

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

Sincerely,

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

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

Date: February 10, 2021

Re: PC-2019-04 Orion Storage Second Submittal

Dear Tammy,

After reviewing the above plan, which was submitted for my review, and discussing the above-mentioned project with our Township Engineering firm, we have no concerns or issues with the proposed project.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout  
Director  
Department of Public Services
February 15, 2019

The Charter Township of Orion  
Attn: Tammy Girling  
2525 Joslyn Road  
Lake Orion, MI 48360

RE: R.C.O.C. PRELIMINARY PLAN REVIEW 19P0004  
LOCATION: 1761 W CLARKSTON, ORION TOWNSHIP  
PROJECT NAME: ORION MINI STORAGE

Dear Ms. Girling:

At your request, the Road Commission for Oakland County (RCOC) has completed a preliminary review for the above referenced project. Enclosed you will find one set of plans with our comments in red. All comments are for conceptual purpose only and should be incorporated into detailed construction plans. Below you will find a listing of the comments generated by the RCOC review:

A) The RCOC Master ROW Plan indicates a 60-foot wide half width ROW for Clarkston Rd. The existing ROW is shown to be 33-foot wide half width. Please contact Mike Smith, Right-of-Way Supervisor, at (248) 645-2000 to discuss dedicating the ROW or establishing a dedicated highway easement.

B) Any pedestrian facilities shall be constructed in accordance with current Americans with Disabilities Act (ADA) guidelines.

C) Drive approach should include a detail M curb line with concrete spillway to provide controlled drainage across the driveway. Also, should include appropriately sized culvert.

D) Pavement cross section shall consist of a minimum 2 inches of MDOT 4C HMA, over 3 inches of 3C, over 4 inches of 2C, or 9 inches of MDOT 35-P concrete, with epoxy coated rebar lane and curb ties over a suitable base, as determined in the field by RCOC.

E) Right of way shall be ditched/graded to provide positive roadside drainage across the property frontage.

F) Remove or relocate all fixed objects prior to excavation. Fixed objects shall be no nearer than 6 foot from back of curb, or 12 feet from lane line.

G) Excavations within a 1:1 influence of the roadway will require MDOT Class II backfill compacted to 95% maximum density.
Once the comments above are addressed, plans should be submitted to this office with completed RCOC permit application(s) Form 64a, signed by the owner (or his agent), three sets of plans (per application, 5 for signal permit) and the appropriate application fee(s).

All future correspondence related to the above referenced project will be sent to the address provided by the applicant. Separate applications will be required for:

a) Drive approach  
   b) Utility connections

Upon receipt of the appropriate application packet, RCOC will provide a more detailed review. Please contact this office at (248) 858-4835 if you have any questions, or if we may be of further assistance.

Respectfully,

[Signature]

Scott Sintkowski, P.E.  
Permit Engineer  
Department of Customer Services

SS/mac  
Enclosure

cc: Orion Investment Group LLC
SITE WALK - ORION MINI STORAGE 1761 CLARKSTON ROAD

Site walk was conducted on March 6, 2019. Commissioners Gross, Reynolds and St. Henry attended.

The site is located on south side of Clarkston Road east of Joslyn Road. It is zoned industrial and currently used as an outdoor storage facility with approximately 25 house trailers and boats in a fenced in yard. The existing house is an old red house used for a landscaping company and is in poor condition and scheduled to be torn down.

The property is bordered by Township school property on the west, the Poly Anna trail to the east, and industrial buildings on the north side of Clarkston Road.

The proposal is to clear the site and do mass grading to support the new development consisting of approximately 200 mini self storage units in three buildings. The site will enclosed with a fence for security with a key pad entrance for users. There will be a single access drive onto Clarkston Road.

There are no natural features on the site. A new retention basin will be installed on the south end of the property.

Respectfully submitted,
Donald Gross

Donald Gross, Planning Commissioner
Charter Township of Orion
2525 Joslyn Rd., Lake Orion MI 48360
dgross@oriontownship.org
http://www.oriontownship.org

From: Debra Walton
Sent: Thursday, February 28, 2019 12:10 PM
To: Joe St. Henry; Scott Reynolds; Donald Gross
Subject: Site walk location 3/6/19 at 5pm

At this time there will only be one site walk location on March 6th at 5pm for the self storage unit located at:

1761 W. Clarkston Rd.
Lake Orion, MI 48362
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: Orion Storage

Name of Development if applicable:  

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Property Owner(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: ORION INVESTMENT GROUP LLC</td>
<td>Name: KENNETH ZMIEJEWSKI</td>
</tr>
<tr>
<td>Address: 1761 W CLARKSTON RD</td>
<td>Address: 3681 CROUSES RD, ROCHESTER HILLS, MI 48309</td>
</tr>
<tr>
<td>City: LAKE ORION</td>
<td>City: CLARKSTON</td>
</tr>
<tr>
<td>State: MI</td>
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</tr>
<tr>
<td>Zip: 48366</td>
<td>Zip: 48309</td>
</tr>
<tr>
<td>Phone: 248-364-3900</td>
<td>Phone: 248-431-7098</td>
</tr>
<tr>
<td>Fax: 248-364-3986</td>
<td>Fax: 248-364-3986</td>
</tr>
<tr>
<td>Email: <a href="mailto:ken@landscape-gardens.com">ken@landscape-gardens.com</a></td>
<td>Email: <a href="mailto:ken@landscape-gardens.com">ken@landscape-gardens.com</a></td>
</tr>
</tbody>
</table>

* 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.

<table>
<thead>
<tr>
<th>Plan Preparer Firm/Person</th>
<th>Project Contact Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: SUJAK ENGINEERING PLC</td>
<td>Name: KENNETH ZMIEJEWSKI</td>
</tr>
<tr>
<td>Address: 4050 COULIDGE HWY</td>
<td>Address: 1761 W CLARKSTON RD</td>
</tr>
<tr>
<td>City: JюР</td>
<td>City: LAKE ORION</td>
</tr>
<tr>
<td>State: MI</td>
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<tr>
<td>Zip: 48099</td>
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</tr>
<tr>
<td>Fax: 248-885-8433</td>
<td>Fax: 248-364-3986</td>
</tr>
<tr>
<td>Email: <a href="mailto:sujakengineering@comcast.net">sujakengineering@comcast.net</a></td>
<td>Email: <a href="mailto:ken@landscape-gardens.com">ken@landscape-gardens.com</a></td>
</tr>
</tbody>
</table>
Sidewell Number(s): 09-16-226-001

Location or Address of Property: 1761 W. Clarkston Rd., Lake Orion, MI 48365

Side of Street: SOUTH Nearest Intersection: Clarkston & Joslyn

Acreage: \[ \frac{3.02}{3.03} \] Current Use of Property: Landscape Company, Outside Storage

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

Subject Property Zoning: L1 Adjacent Zoning: N. L1 S. SF E. SF W. L1

List any known variances needed (subject to change based on Township consultant’s review): Corridor Belt

SETBACKS ON EAST & WEST SIDE, DRIVE MILES LESS THAN 25′ WIDE.

Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed: Mini Storage: 3 Buildings 20′ x 30′ x 40′ wide by 400′ t., 24′ x 16′ office.

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.

<table>
<thead>
<tr>
<th>AT&amp;T</th>
<th>Oakland County Water Resources</th>
</tr>
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<tbody>
<tr>
<td>54 Mill St.Pontiac, MI 48342</td>
<td>One Public Dr. Waterford, MI 48328</td>
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<th>Oakland County Health Department</th>
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<tr>
<td>14500 Dixie Hwy. Holly, MI 48442</td>
<td>Building 34 East 1200 N. Telegraph Rd. Pontiac, MI 48341</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DTE Energy</th>
<th>Road Commission of Oakland County (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>37849 Interchange Dr. Farmington Hills, MI 48335</td>
<td>2420 Pontiac Lake Rd. Waterford, MI 48328</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Michigan Department of Transportation (if applicable)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>800 Vanguard Dr. Pontiac, MI 48341</td>
<td></td>
</tr>
</tbody>
</table>

I, 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: 
Print Name: Thomas C. Reed 
Date: 1-30-19

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: 
Print Name: Thomas C. Reed 
Date: 1-30-19

Version 10/19/18
DEVELOPMENT NOTES:

Proposed Development is a Storage Metal Sprocket Facility. Building shall have 6'-6" roof overhang.

Proposed Storage shall be located in Section 26, Township 11N, Range 2E, West Half of the Northwest Quarter (80 acres).

Proposed Location shall be reviewed by the Planning Commission prior to approval. Final decision shall be made by the Village Council.

Parking shall be provided in accordance with Village Regulations.

No trees shall be removed unless specifically approved by the Planning Commission.
DESCRIPTION

The Prevail LED area, site luminaire combines optical performance, energy efficiency and long term reliability in an advanced, patent pending modern design. Utilizing the latest LED technology, the Prevail luminaire delivers unparalleled uniformity resulting in greater pole spacing. A versatile mount standard arm facilitates ease of installation for both retrofit and new installations. With energy savings greater than 62%, the Prevail fixture replaces 150-450W metal halide fixtures in general area lighting applications such as parking lots, walkways, roadways and building areas.

SPECIFICATION FEATURES

Construction
Construction is comprised of a heavy-duty, single-piece die-cast aluminum housing. The LED drivers are mounted in direct contact with the casting to promote low operating temperature and long life. The die-cast aluminum door is tethered to provide easy access to the driver if replacement is required. A one-piece silicone gasket seals the door to the fixture housing. The optics are mounted on a versatile, aluminum plate that dissipates heat from the LEDs resulting in longer life of the fixture. The fixture is IP66 and 3G vibration rated (ANSI C136.31) to insure strength of construction and longevity in the selected application.

Optics
Precision molded, high efficiency optics are precisely designed to shape the distribution, maximizing efficiency and application spacing. Available in Type II, III, IV and V distributions with lumen packages ranging from 6,100 to 18,900 nominal lumens. Light engine configurations consist of 1 or 2 high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to 69,000 hours at 125°C) per IESNA TM-21. For the ultimate level of spill light control, an optional house side shield accessory can be field or factory installed.

Electrical
LED drivers are mounted to the fixture for optimal heat sinking and ease of maintenance. Thermal management incorporates both conduction and convection to transfer heat rapidly away from the LED source for optimal efficiency and light output. Class 1 electronic drivers have a power factor >90%, THD <20%, and an expected life of 100,000 hours with <1% failure rate. Available in 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. 10kV/10 kA surge protection standard. 0-10V dimming driver is standard with leads external to the fixture. Suitable for ambient temperatures from -40°C to 40°C. Optional 50°C HA (high ambient) available. Standard NEMA 3-PIN twistlock photocontrol receptacle and NEMA 7-PIN twistlock photocontrol receptacles are available as options.

Mounting
Standard pole mount arm is bolted directly to the pole and the fixture slides onto the arm and locks in place with a bolt facilitating quick and easy installation. The versatile, patented, standard mount arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8". Removal of the door on the standard mounting arm enables wiring of the fixture without having to access the driver compartment. A knock-out on the standard mounting arm enables round pole mounting. Wall mount and mast arm mounting options are available. Mast arm adapter fits 2-3/8" O.D. tenon.

Finish
Housing and cast parts finished in five-stage super TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Standard color is bronze. Additional colors available in white, grey, black, dark platinum and graphite metallic.

Warranty
Five-year warranty.

RECEIVED
FEB 04 2019
Oriam Township Planning & Zoning

CERTIFICATION DATA
UL and cUL Wet Location Listed
IP66 Rated
3G Vibration Rated
ISO 9001
DesignLights Consortium® Qualified®
Dark Sky Approved (5000K CCT and warmer only)

ENERGY DATA
Electronic LED Driver
0.9 Power Factor
<20% Total Harmonic Distortion
120-277V 50 and 60Hz
347V/60Hz, 480V/60Hz
-40°C Minimum Temperature Rating
+40°C Ambient Temperature Rating

EPA
Effective Projected Area (Sq. Ft.) 0.75

SHIPPING DATA
Approximate Net Weight: 20 lbs. (9.09 kgs.)

*www.designlights.org

TD600018EN
November 28, 2018 12:10 PM
**VERSEATILE MOUNT SYSTEM**

**POLE MOUNT ARM**

**WALL MOUNT**

**MAST ARM MOUNT**

**MOUNTING CONFIGURATIONS AND EPAS**

**OPTICAL CONFIGURATIONS**

**POWER AND LUMENS**

<table>
<thead>
<tr>
<th>Light Engine</th>
<th>A15</th>
<th>A25</th>
<th>A40</th>
<th>A60</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominal Power (Watts)</td>
<td>57W</td>
<td>87W</td>
<td>143W</td>
<td>169W</td>
</tr>
<tr>
<td>Input Current @ 120V (A)</td>
<td>0.49</td>
<td>0.76</td>
<td>1.23</td>
<td>1.34</td>
</tr>
<tr>
<td>Input Current @ 277V (A)</td>
<td>0.22</td>
<td>0.35</td>
<td>0.54</td>
<td>0.60</td>
</tr>
<tr>
<td>Input Current @ 347V (A)</td>
<td>0.18</td>
<td>0.29</td>
<td>0.45</td>
<td>0.49</td>
</tr>
<tr>
<td>Input Current @ 480V (A)</td>
<td>0.13</td>
<td>0.21</td>
<td>0.33</td>
<td>0.35</td>
</tr>
</tbody>
</table>

| Type II | Lumens | 6,139 | 10,204 | 15,073 | 18,830 |
| Type III | Lumens | 6,192 | 10,292 | 15,203 | 18,992 |
| Type IV | Lumens | 6,173 | 10,261 | 15,157 | 18,935 |
| Type V | Lumens | 6,383 | 10,427 | 15,659 | 19,610 |

**LUMEN MAINTENANCE**

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>25°C</th>
<th>40°C</th>
<th>50°C</th>
</tr>
</thead>
<tbody>
<tr>
<td>25,000 Hours*</td>
<td>&gt; 96%</td>
<td>&gt; 93%</td>
<td>&gt; 92%</td>
</tr>
<tr>
<td>50,000 Hours*</td>
<td>&gt; 96%</td>
<td>&gt; 93%</td>
<td>&gt; 92%</td>
</tr>
<tr>
<td>60,000 Hours*</td>
<td>&gt; 93%</td>
<td>&gt; 92%</td>
<td>&gt; 91%</td>
</tr>
<tr>
<td>Theoretical L70 (Hours)*</td>
<td>&gt; 260,000</td>
<td>&gt; 255,000</td>
<td>&gt; 250,000</td>
</tr>
</tbody>
</table>

**LUMEN MULTIPLIER**

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>10°C</th>
<th>15°C</th>
<th>25°C</th>
<th>40°C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lumen Multiplier</td>
<td>1.02</td>
<td>1.01</td>
<td>1.00</td>
<td>0.98</td>
</tr>
</tbody>
</table>
CONTROL OPTIONS

0-10V (D)
This fixture is offered standard with 0-10V dimming driver(s). The dimming option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (PER and PER7)
Photocontrol receptacles (PER and PER7) provide a flexible solution to enable “dusk-to-dawn” lighting by sensing light levels. Advanced control systems compatible with NEMA 7-pin standards can be utilized with the PER7 receptacle.

Dimming Occupancy Sensor (MSP/DIM-LXX, MSP/X-LXX and MSP-LXX)
These sensors are factory installed in the luminaire housing. When the MSP/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MSP/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MSP-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity.

These occupancy sensors includes an integral photocell that can be activated with the ISHH-01 accessory for “dusk-to-dawn” control or daylight harvesting -- the factory preset is OFF. The ISHH-01 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lens are available to optimize the coverage pattern for mounting heights from 8'-30'.

LumaWatt Pro Wireless Control and Monitoring System (LWR-LW and LWR-LN)
The Eaton’s LumaWatt Pro powered by Enlighted is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P 16A)
The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomic or time schedules based on a 7 day week.
### ORDERING INFORMATION

**Sample Number:** PRV-A25-D-UNV-T3-SA-BZ

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Light Engine</th>
<th>Driver</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Mounting</th>
<th>Color</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRV-Preval</td>
<td>A15-1 LED (6,100 Nominal Lumens)</td>
<td>D+Dimming (0-10V)</td>
<td>UNV=Universal (120-277V) 347V</td>
<td>347V/347V</td>
<td>A4=Standard Versatile Arm</td>
<td>A5=Graphite Metallic</td>
</tr>
<tr>
<td>PRV-Preval</td>
<td>A25-2 LED (10,200 Nominal Lumens)</td>
<td></td>
<td></td>
<td></td>
<td>M=Kit Wall Mount Arm</td>
<td>B=Black</td>
</tr>
<tr>
<td>PRV-Preval</td>
<td>A40-2 LED (15,100 Nominal Lumens)</td>
<td></td>
<td></td>
<td></td>
<td>W=Wall Mount Arm</td>
<td></td>
</tr>
<tr>
<td>PRV-Preval</td>
<td>A60-2 LED (18,900 Nominal Lumens)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Options (Add as Suffix):**

- 7650=70 CRI/3000K CCT 
- 7650=70 CRI/5000K CCT
- 14K=10K/10K UL 1648 Fused Surge Protective Device
- LWIR-LW=Lumens Pro Wireless Sensor, Wide Lens for 8' - 16' Mounting Height
- LWIR-N=Lumens Pro Wireless Sensor, Narrow Lens for 18' - 40' Mounting Height
- M=Dimmer: M=Master Arm Mounting Kit
- N=Standard Arm Mounting Kit
- SD=Screwed: Screwed Arm Mounting Kit
- HS=Verdure: House Side Shield

**Accessories (Order Separately):**

- PRVMM-XX=Mas Mount Kit
- PRVMA-XX=Mas Mount Kit
- PV1-XX=Standard Arm Mounting Kit
- HS=Verdure: House Side Shield
- "=House Side Shield
- HA=50"C High Ambient Temperature
- L90=Optics Rotated 90° Left
- R90=Optics Rotated 90° Right

**NOTES:**

1. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for all applications. Refer to installation instructions IBS000310EN and poles white paper VPR130031EN for additional support information.
2. Design/Lights Consortium® Qualified and certified for DLC Standards, refer to www.designlights.org for details.
3. Standard 4900K CCT and 70 CRI.
4. Consult factory for smaller size projection values.
5. Only for use with 480V Wye 3 systems. Per NEC, not for use with ungrounded systems, impedance grounded systems, or corner grounded systems (commonly known as Three Phase Three Wire Data, Three Phase High Leg Data and Three Phase Co-Table Grounded Data systems).
6. Different housing colors impact human output. ESI files for the non-standard colors are available upon request.
7. Extended lead times apply. Use dedicated ESI files for 3000K and 5000K when performing layouts. These files are published on the Prevaline luminaire product page on the website.
8. LumensPro wireless sensors are factory installed and require network components LWIR-LW, LWIR-N, and LWIR-M in appropriate quantities. See website for LumensPro Pre application information.
9. LumensPro wireless system is not available with phobocoat® coatings (see website).
10. Not available in conjunction with A3 luminaire package HA (High Ambient).
11. Not available with MS or DR points.
12. Replace XX with paintable.
13. Requires 7-pin NEMA twistlock power connector.
14. Option will come factory installed. Must order one per optic as an accessory. House Side Shield not available for TS distribution.

### STOCK ORDERING INFORMATION

**Stock Sample Number:** PRV-A25-D-UNV-T3

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Light Engine</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Options (Add as Suffix)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRV=Preval</td>
<td>A15-1 LED (6,100 Nominal Lumens)</td>
<td>UNV=Universal (120-277V) 347V</td>
<td>T3=Type III</td>
<td>MSP-DIM=3D Integrated Sensor for Dimming Operation, Maximum 30&quot; Mounting Height</td>
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<tr>
<td>PRV=Preval</td>
<td>A25-2 LED (10,200 Nominal Lumens)</td>
<td></td>
<td>T4=Type IV</td>
<td></td>
</tr>
<tr>
<td>PRV=Preval</td>
<td>A40-2 LED (15,100 Nominal Lumens)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRV=Preval</td>
<td>A60-2 LED (18,900 Nominal Lumens)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOTE:** Bronze only: 160X; CCE 120-277V, 347V standard mounting arm, standard non-fused 108V 480V and 10-10V dimming.
The patented Lumark Crosstour LED Wall Pack Series of luminaries provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

**SPECIFICATION FEATURES**

**Construction**
Slim, low-profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and medium design. The small housing is available in 12W, 18W and 26W. The medium housing is available in the 38W model. Patented secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes three half-inch, NPT threaded conduit entry points. The universal back box supports both the small and medium forms and mounts to standard 3-1/2” to 4” round and octagonal, 4” square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. One-piece silicone gasket seals door and back box. Minimum 5” wide pole for site lighting application. Not recommended for car wash applications.

**Optical**
Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Available in seven lumen packages: 5000K, 4000K and 3000K CCT.

**Electrical**
LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 12W, 18W, 26W and 38W series operate in -40°C to 40°C [-40°F to 04°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 89% of initial light output after 72,000 hours of operation. Three half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized electrical wiring compartment. Integral LED electronic driver incorporates surge protection. 120-277V 50/60Hz or 347V 60Hz models.

**Finish**
Crosstour is protected with a Super durable TGIC carbon bronze or summit white polyester powder coat paint. Super durable TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life.

**Warranty**
Five-year warranty.

**DIMENSIONS**

<table>
<thead>
<tr>
<th>12W, 18W, 26W</th>
<th>38W</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-3/4&quot; [171mm]</td>
<td>8&quot;  [203mm]</td>
</tr>
<tr>
<td>5-3/4&quot; [146mm]</td>
<td>38W</td>
</tr>
<tr>
<td>6-5/8&quot; [188mm]</td>
<td>38W</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12W, 18W, 26W</th>
<th>38W</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-5/8&quot; [92mm]</td>
<td>38W</td>
</tr>
<tr>
<td>4&quot;  [102mm]</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ESCUTCHEON PLATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>17-1/2&quot; [445mm]</td>
</tr>
</tbody>
</table>

**CERTIFICATION DATA**
UL/ULC Wet Location Listed
LM70/LM80 Compliant
ROHS Compliant
ADA Compliant
NEM Compliant Models
IP66 Ingress Protection Rated
Tite 24 Compliant
DesignLights Consortium® Qualified

**TECHNICAL DATA**
40°C Maximum Ambient Temperature
External Supply Wiring 99°C Minimum

**EPA**
Effective Projected Area (Sq. Ft.):
XTOR15, XTOR15B, XTOR15B=0.34
XTOR48B=0.45

**SHIPPING DATA**
Approximate Net Weight:
3.7 – 5.25 lbs. [1.7 – 2.4 kg.]
# Power and Luminos by Fixture Model

<table>
<thead>
<tr>
<th>LED Information</th>
<th>XTOR1B</th>
<th>XTOR1B-W</th>
<th>XTOR1B-Y</th>
<th>XTOR2B</th>
<th>XTOR2B-W</th>
<th>XTOR2B-Y</th>
<th>XTOR3B</th>
<th>XTOR3B-W</th>
<th>XTOR3B-Y</th>
<th>XTOR4B</th>
<th>XTOR4B-W</th>
<th>XTOR4B-Y</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delivered Lumen (Wall Mount)</td>
<td>1,418</td>
<td>1,396</td>
<td>1,327</td>
<td>2,135</td>
<td>2,103</td>
<td>1,997</td>
<td>2,751</td>
<td>2,710</td>
<td>2,576</td>
<td>4,269</td>
<td>4,205</td>
<td>3,995</td>
</tr>
<tr>
<td>Delivered Lumen (With Flood Accessory Kit)</td>
<td>1,065</td>
<td>960</td>
<td>940</td>
<td>1,485</td>
<td>1,472</td>
<td>1,399</td>
<td>2,099</td>
<td>2,068</td>
<td>1,965</td>
<td>3,168</td>
<td>3,121</td>
<td>2,985</td>
</tr>
<tr>
<td>CCT (Kelvin)</td>
<td>5,000</td>
<td>4,000</td>
<td>3,000</td>
<td>5,000</td>
<td>4,000</td>
<td>3,000</td>
<td>5,000</td>
<td>4,000</td>
<td>3,000</td>
<td>5,000</td>
<td>4,000</td>
<td>3,000</td>
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<tr>
<td>CRI (Color Rendering Index)</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
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<td>70</td>
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<tr>
<td>Power Consumption (Watts)</td>
<td>12W</td>
<td>12W</td>
<td>12W</td>
<td>18W</td>
<td>18W</td>
<td>18W</td>
<td>26W</td>
<td>26W</td>
<td>26W</td>
<td>38W</td>
<td>38W</td>
<td>38W</td>
</tr>
</tbody>
</table>

**Notes:**
- Includes shield and visor.
- B.U.G. Rating does not apply to Floodlighting.

## Lumen Maintenance

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>TM-21 Lumen Maintenance 7,000 Hours</th>
<th>Theoretical L70 (Hours)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>XTOR1B Model</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 90%</td>
<td>255,000</td>
</tr>
<tr>
<td>40°C</td>
<td>&gt; 89%</td>
<td>234,000</td>
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<tr>
<td>50°C</td>
<td>&gt; 88%</td>
<td>215,700</td>
</tr>
<tr>
<td><strong>XTOR2B Model</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 89%</td>
<td>240,000</td>
</tr>
<tr>
<td>40°C</td>
<td>&gt; 85%</td>
<td>212,000</td>
</tr>
<tr>
<td>50°C</td>
<td>&gt; 87%</td>
<td>198,700</td>
</tr>
<tr>
<td><strong>XTOR3B Model</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 89%</td>
<td>240,000</td>
</tr>
<tr>
<td>40°C</td>
<td>&gt; 88%</td>
<td>212,000</td>
</tr>
<tr>
<td>50°C</td>
<td>&gt; 87%</td>
<td>198,000</td>
</tr>
<tr>
<td><strong>XTOR4B Model</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 89%</td>
<td>222,000</td>
</tr>
<tr>
<td>40°C</td>
<td>&gt; 87%</td>
<td>198,000</td>
</tr>
<tr>
<td>50°C</td>
<td>&gt; 87%</td>
<td>184,000</td>
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## Current Draw

<table>
<thead>
<tr>
<th>Voltage</th>
<th>XTOR1B</th>
<th>XTOR2B</th>
<th>XTOR3B</th>
<th>XTOR4B</th>
</tr>
</thead>
<tbody>
<tr>
<td>120V</td>
<td>0.103A</td>
<td>0.15A</td>
<td>0.22A</td>
<td>0.34A</td>
</tr>
<tr>
<td>208V</td>
<td>0.069A</td>
<td>0.09A</td>
<td>0.13A</td>
<td>0.17A</td>
</tr>
<tr>
<td>240V</td>
<td>0.053A</td>
<td>0.08A</td>
<td>0.11A</td>
<td>0.17A</td>
</tr>
<tr>
<td>277V</td>
<td>0.048A</td>
<td>0.07A</td>
<td>0.10A</td>
<td>0.15A</td>
</tr>
<tr>
<td>347V</td>
<td>0.039A</td>
<td>0.06A</td>
<td>0.082A</td>
<td>0.12A</td>
</tr>
</tbody>
</table>
## ORDERING INFORMATION

Sample Number: XTOR2B-W WT PC!

<table>
<thead>
<tr>
<th>Series 1</th>
<th>LED Kelvin Color</th>
<th>Housing Color</th>
<th>Options (Add as Suffix)</th>
<th>Accessories (Order Separately)</th>
</tr>
</thead>
<tbody>
<tr>
<td>XTOR1B=Small Door, 12W</td>
<td>(Blank)=Bright White (Standard), 5600K</td>
<td></td>
<td>FC1=Photocontrol 120V</td>
<td>W2/XTOR=Wire Guard</td>
</tr>
<tr>
<td>XTOR2B=Small Door, 18W</td>
<td>(Blank)=Carbon Bronze (Standard)</td>
<td></td>
<td>FC2=Photocontrol 208-277V</td>
<td>XTORFLD-KNC=Knuckle Floodlight Kit</td>
</tr>
<tr>
<td>XTOR3B=Small Door, 26W</td>
<td>W=Neutral White, 4000K</td>
<td></td>
<td>347V=347V</td>
<td>XTORFLD-TN=Trunnion Floodlight Kit</td>
</tr>
<tr>
<td>XTOR4B=Medium Door, 38W</td>
<td>Y=Warm White, 3000K</td>
<td></td>
<td>H=50°C High Ambient</td>
<td>XTORFLD-KNC-WT=Knuckle Floodlight Kit, Summit White</td>
</tr>
</tbody>
</table>

**NOTES:**
2. Photocontrols are factory installed.
3. Order PC1 for 247V models.
4. Thru-branch wiring not available with NA option or with 247V. XTOR3B not available with NA and 347V or 120V combination.
5. Wire guard for wall surface mount. Not for use with floodlight kit accessory.
6. Floodlight kit accessory supplied with knuckle (KNC) or trunnion (TRN) base, small and large top views and small and large impact shields.

## STOCK ORDERING INFORMATION

<table>
<thead>
<tr>
<th>12W Series</th>
<th>18W Series</th>
<th>26W Series</th>
<th>38W Series</th>
</tr>
</thead>
<tbody>
<tr>
<td>XTOR1B-PC1=12W, 5000K, 120V PC, Carbon Bronze</td>
<td>XTOR2B-PC1=18W, 5000K, 120V PC, Carbon Bronze</td>
<td>XTOR3B-PC1=26W, 5000K, 120V PC, Carbon Bronze</td>
<td>XTOR4B-PC1=38W, 5000K, 120V PC, Carbon Bronze</td>
</tr>
</tbody>
</table>
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: February 17, 2021
RE: PC-2021-10 through PC-2021-23, Tycoon I Operations, LLC, Ordinance 154 Applications

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

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE MEDICAL CLASS “C” GROWING FACILITIES FOR PC-2021-10 THROUGH PC-2021-17 (they all can be grouped into one motion but please list all the PC numbers here)

Ordinance #154 – Medical Class “C” Growing Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-10 PC-2021-11, PC-2021-12, PC-2021-13, PC-2021-14, PC-2021-15, PC-2021-16, PC-2021-17, Tycoon I Operations, LLC, for Medical Class “C” growing facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:

- Is located in and IP zoning district
- Is located in a building that meets all the distance requirements shown in Ord. 154
- Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
- Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE EXCESS GROW FACILITIES FOR PC-2021-18 THROUGH PC-2021-23. (they all can be grouped into one motion but please list all the PC numbers here)

Ordinance #154 – Excess Grow Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-18, PC-2021-19, PC-2021-20, PC-2021-21, PC-2021-22, and PC-2021-23, Tycoon I Operations,
LLC, for an Excess Grow facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation **does**/**does not** meet the following location requirements:

- Is located in and IP zoning district
- Is located in a building that meets all the distance requirements shown in Ord. 154
- Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
- Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

**If motion is grant approval - conditioned upon:**

1. The applicant meets 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 Medical Marihuana Licensing Board.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-10
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility's specific location and impact on the health and safety of Township residents:

- [X] Approved  
- [ ] Approved with conditions (See below)  
- [ ] Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department's approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department's review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe

David Goodloe  
Building Official  
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-11
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 –The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a, b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved
☐ Approved with conditions (See below)
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

☑ Approved  
  o Approved with conditions (See below)  
  o Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,  

David Goodloe  

David Goodloe  
Building Official  
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-12
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

   X Approved  
   □ Approved with conditions (See below)  
   □ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED  
FEB 16 2021  
Orion Township Planning & Zoning
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021  

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- **Approved**
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe

David Goodloe  
Building Official  
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION  
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-13  
Parcel Number:  09-35-477-001 & 09-35-477-002  
Property Address:  180 Premier Drive  
Applicant:  Tycoon I Operations LLC  
Request: Class “C” Grower - Medical  
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district:  The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 1,500 feet.  Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 2,000 feet.  Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 2,500 feet.  The closest school is over 2 miles from the parcel.  (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 – The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [x] Approved
- [ ] Approved with conditions (See below)
- [ ] Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

☑ Approved  
- Approved with conditions (See below)  
- Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe  
Building Official  
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:  PC-2021-14
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request:  Class “C” Grower - Medical
Date:  February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1.  – The Facility must be located in the Township’s IP (Industrial Park) district:  The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 1,500 feet.  Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 2,000 feet.  Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 2,500 feet.  The closest school is over 2 miles from the parcel.  (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
Charter Township of Orion

To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [X] Approved
- [ ] Approved with conditions (See below)
- [ ] Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2021-10 through-23
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

* Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe

David Goodloe
Building Official
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-15
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals ("ZBA"). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 –The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [X] Approved  
  - [ ] Approved with conditions (See below)  
  - [ ] Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township Planning & Zoning
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2021-10 through-23
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-16
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 – The location shall meet all applicable 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 Marijuan Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application: The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved
☐ Approved with conditions (See below)
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED

FEB 16 2021

Orion Township Planning & Zoning
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2021-10 through-23
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
CHARTER TOWNHSHIOP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-17
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG). The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6 – The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 – Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations. The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems. The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 – The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021  

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- Approved
- Approved with conditions (See below)
- Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved  
  - Approved with conditions (See below)  
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe  
David Goodloe  
Building Official  
Orion Township Building Dept.
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: February 17, 2021
RE: PC-2021-10 through PC-2021-23, Tycoon I Operations, LLC, Ordinance 154 Applications

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

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE MEDICAL CLASS “C” GROWING FACILITIES FOR PC-2021-10 THROUGH PC-2021-17 (they all can be grouped into one motion but please list all the PC numbers here)

Ordinance #154 – Medical Class “C” Growing Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-10 PC-2021-11, PC-2021-12, PC-2021-13, PC-2021-14, PC-2021-15, PC-2021-16, PC-2021-17, Tycoon I Operations, LLC, for Medical Class “C” growing facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/not meet the following location requirements:

- Is located in and IP zoning district
- Is located in a building that meets all the distance requirements shown in Ord. 154
- Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
- Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE EXCESS GROW FACILITIES FOR PC-2021-18 THROUGH PC-2021-23. (they all can be grouped into one motion but please list all the PC numbers here).

Ordinance #154 – Excess Grow Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-18, PC-2021-19, PC-2021-20, PC-2021-21, PC-2021-22, and PC-2021-23, Tycoon I Operations,
LLC, for an Excess Grow facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:

- Is located in and IP zoning district
- Is located in a building that meets all the distance requirements shown in Ord. 154
- Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
- Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-18
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Excess Grow
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 – The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved  
☐ Approved with conditions (See below)  
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township Planning & Zoning
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2021-10 through-23
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

☑ Approved
  ○ Approved with conditions (See below)
  ○ Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION  
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-19  
Parcel Number: 09-35-477-001 & 09-35-477-002  
Property Address: 180 Premier Drive  
Applicant: Tycoon I Operations LLC  
Request: Excess Grow  
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the findings are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG). The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6 - The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

☑ Approved  
☐ Approved with conditions (See below)  
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-20
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request: Excess Grow
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

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Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

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Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 –The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved  
☐ Approved with conditions (See below)  
☐ Not approved

Conditions:  
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2021-10 through-23
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-21
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Excess Grow
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6 – The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 – Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 – The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility's specific location and impact on the health and safety of Township residents:

- X Approved
- □ Approved with conditions (See below)
- □ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department's approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department's review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

Sincerely,

Jeff Williams, Fire Marshal
Orion Township Fire Department
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2021-10 through-23
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:  PC-2021-22
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request:  Excess Grow
Date:  February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district:  The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 1,500 feet.  Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 2,000 feet.  Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 2,500 feet.  The closest school is over 2 miles from the parcel.  (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 –The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application: The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [X] Approved
- □ Approved with conditions (See below)
- □ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township
Planning & Zoning
To: Planning Commission  
From: David Goodloe, Building Official  
Re: Medical Marijuana Applications PC-2021-10 through-23  
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved  
  - Approved with conditions (See below)  
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe  
Building Official  
Orion Township Building Dept.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-23
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request: Excess Grow
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6 - The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 –The location shall meet all applicable 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 Marijuan Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [x] Approved
- [ ] Approved with conditions (See below)
- [ ] Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township  
Planning & Zoning
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2021-10 through-23
Date: 2/17/2021

The applications for PC cases 2021-10 through 2021-23 have been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
  - Approved with conditions (See below)
  - Not approved

If you have any questions feel free to contact me at 248-391-0304. X6001

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

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Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

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Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 –The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021  

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [X] Approved  
- [ ] Approved with conditions (See below)  
- [ ] Not approved  

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-25
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Excess Grow
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG). The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6 – The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations. The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems. The applicant is requesting an Excess Grow - facility only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application: The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved
☐ Approved with conditions (See below)
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township Planning & Zoning
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-26
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Excess Grow
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting an Excess Grow - facility only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

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Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [X] Approved  
  - [ ] Approved with conditions (See below)  
  - [ ] Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township Planning & Zoning
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: January 12, 2021
RE: PC-2021-__, Tycoon I, LLC, Ordinance 154 Applications

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

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE MEDICAL CLASS “C” GROWING FACILITIES FOR PC-2021-10 THROUGH PC-2021-17 AND PC-2021-32 THROUGH 35. EACH CASE REQUIRES A SEPARATE MOTION.

Ordinance #154 – Medical Class “C” Growing Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-__, Tycoon I, LLC, for a Medical Class “C” growing facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:

- Is located in and IP zoning district
- Is located in a building that meets all the distance requirements shown in Ord. 154
- Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
- Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE EXCESS GROW FACILITIES FOR PC-2021-18 THROUGH PC-2021-26. EACH CASE REQUIRES A SEPARATE MOTION.

Ordinance #154 – Excess Grow Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-___, Tycoon I, LLC, for an Excess Grow facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:
• Is located in and IP zoning district
• Is located in a building that meets all the distance requirements shown in Ord. 154
• Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
• Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE ADULT-USE CLASS “C” GROW FACILITIES FOR PC-2021-27 THROUGH PC-2021-31. EACH CASE REQUIRES A SEPARATE MOTION.

Ordinance #154 – Adult-Use Class “C” Grow Facility

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-__, Tycoon I, LLC, for an Adult-Use Class “C” Grow facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:
• Is located in and IP zoning district
• Is located in a building that meets all the distance requirements shown in Ord. 154
• Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
• Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.
The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1.  – The Facility must be located in the Township’s IP (Industrial Park) district:  The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge.  The applicant stated within their application that the facility is more than the required 1,500 feet.  Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township:  Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet.  The closest school is over 2 miles from the parcel.  (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG). The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6 - The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations. The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems. The applicant is requesting a Class C Grow – Adult Use only.

Article VI, 10 – The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- X Approved
- ☐ Approved with conditions (See below)
- ☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-28
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Class C Grow – Adult Use
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG). The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6 – The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations. The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems. The applicant is requesting a Class C Grow – Adult Use only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved
☐ Approved with conditions (See below)
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-29
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Class C Grow – Adult Use
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class C Grow – Adult Use only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved  
☐ Approved with conditions (See below)  
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township Planning & Zoning
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:   PC-2021-30
Parcel Number:  09-35-477-001 & 09-35-477-002
Property Address:  180 Premier Drive
Applicant:  Tycoon I Operations LLC
Request: Class C Grow – Adult Use
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class C Grow – Adult Use only.

Article VI, 10 –The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
Charter Township of Orion

3565 Gregory Road, Orion Township MI 48359
www.oriontownship.org

Fire Department
Phone: (248) 391-0304, ext. 2000
Fax: (248) 309-6993

To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [X] Approved
- □ Approved with conditions (See below)
- □ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township
Planning & Zoning
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-31
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Class C Grow – Adult Use
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

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Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class C Grow – Adult Use only.

Article VI, 10 – The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

- [X] Approved
- [ ] Approved with conditions (See below)
- [ ] Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

[Stamp: RECEIVED
FEB 16 2021
Orion Township Planning & Zoning]
TO: The Charter Township of Orion Planning Commission  
FROM: Tammy Girling, Planning & Zoning Director  
DATE: January 12, 2021  
RE: PC-2021-__, Tycoon I, LLC, Ordinance 154 Applications

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

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE MEDICAL CLASS “C” GROWING FACILITIES FOR PC-2021-10 THROUGH PC-2021-17 AND PC-2021-32 THROUGH 35. EACH CASE REQUIRES A SEPARATE MOTION.

Ordinance #154 – Medical Class “C” Growing Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-__, Tycoon I, LLC, for a Medical Class “C” growing facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:

- Is located in and IP zoning district
- Is located in a building that meets all the distance requirements shown in Ord. 154
- Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
- Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE EXCESS GROW FACILITIES FOR PC-2021-18 THROUGH PC-2021-26. EACH CASE REQUIRES A SEPARATE MOTION.

Ordinance #154 – Excess Grow Facilities

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-__, Tycoon I, LLC, for an Excess Grow facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:
• Is located in an IP zoning district
• Is located in a building that meets all the distance requirements shown in Ord. 154
• Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
• Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.

PLEASE NOTE: THIS SUGGESTED MOTION CAN BE USED FOR THE ADULT-USE CLASS “C” GROW FACILITIES FOR PC-2021-27 THROUGH PC-2021-31. EACH CASE REQUIRES A SEPARATE MOTION.

Ordinance #154 – Adult-Use Class “C” Grow Facility

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2021-___, Tycoon I, LLC, for an Adult-Use Class “C” Grow facility, located at 180 Premier Dr., (parcel 09-35-477-001 & 09-35-477-002) based on the finds of fact that the operation does/does not meet the following location requirements:
• Is located in and IP zoning district
• Is located in a building that meets all the distance requirements shown in Ord. 154
• Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
• Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets 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 Medical Marihuana Licensing Board.
The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

**Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district:** The parcels are zoned IP (Industrial Park) as required.

**Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township:** Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

**Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district:** Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

**Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township:** Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG). The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations. The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems. The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 –The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility's specific location and impact on the health and safety of Township residents:

X Approved
☐ Approved with conditions (See below)
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department's approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department's review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED
FEB 16 2021
Orion Township Planning & Zoning
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case: PC-2021-33
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” Grow - Medical facility only.

Article VI, 10 – The location shall meet all applicable 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 Mariujana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.
Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application: The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director
From: Jeff Williams, Fire Marshal
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility's specific location and impact on the health and safety of Township residents:

X Approved
☐ Approved with conditions (See below)
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED

FEB 16 2021
Orion Township Planning & Zoning
Planning Commission Case: PC-2021-34
Parcel Number: 09-35-477-001 & 09-35-477-002
Property Address: 180 Premier Drive
Applicant: Tycoon I Operations LLC
Request: Class “C” Grower - Medical
Date: February 12, 2021

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district: The parcels are zoned IP (Industrial Park) as required.

Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest church and it was over 1,600 feet.

Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building is located (for simplicity vs. from edge of building which is further) to the edge of the closest residential property line (for simplicity) and it was 2,500 feet.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. The closest school is over 2 miles from the parcel. (Scripps and Stadium Rds.)
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG): The building has ingress and egress off of Premier Drive. SEMCOG’s website does not contain any traffic count reports for Premier Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The building has both ingress or egress off of Premier Dr. Premier Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

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Article VI, 10 –The location shall meet all applicable 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 Marijuana Regulatory Agency (MRA):

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located: This condition has been met. The building itself has received site plan approval.

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Article VI, 12 – If the Facility location is currently vacant land, the applicant must submit a site plan and building plans with the Application. The application is for an improved parcel that has received site plan approval.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

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Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved  
☐ Approved with conditions (See below)  
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

RECEIVED  
FEB 16 2021  
Orion Township  
Planning & Zoning
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ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

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Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other 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 Mariujana Regulatory Agency (MRA).

Tamara Girling
Planning & Zoning Director
To: Planning Commission/Planning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-10 to PC-2021-35 Tycoon I Operations LLC Ord 154 Applications  
Date: 02/16/2021

The Orion Township Fire Department has completed its review of Marihuana Applications PC-2021-10 to 35 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154 Article VI(g).

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Marihuana Facility’s specific location and impact on the health and safety of Township residents:

X Approved  
☐ Approved with conditions (See below)  
☐ Not approved

Conditions:  
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department’s approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department’s review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

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

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FEB 16 2021  
Orion Township  
Planning & Zoning
Article XXX

Administrative Procedures & Standards

30.01 Site Plan Review Procedures, Standards & Condominium Requirements

17) Landscape plan, including location and type of shrubs, trees, and other live plant material.

18) Location, sizes, and types of existing trees that are four (4) inches or greater in caliper, measured twelve (12) inches above grade, except that trees listed as Prohibited Plant Material need be shown only if they measure twelve (12) inches or greater in caliper. Only trees that measure twelve (12) inches or greater in caliper need be shown in wooded areas, clusters, or hedgerows, provided that the boundaries and predominant species of such area, are indicated.

19) All existing and proposed easements.

20) Designation of fire lanes.

c. Building and structure details, including (amended 05.04.20):

1) Location, height, and outside dimensions of all proposed buildings or structures, including all mechanical equipment placed on the roof. (amended 08.06.07)

2) Building floor plans.

3) Total floor area.

4) Obscuring walls or berm locations with cross sections, where required.

5) Building elevations, drawn to a scale of one (1) inch equals four (4) feet, or to another scale approved by the Enforcement Officer and adequate to determine compliance with the requirements of this Ordinance.

6) Sections, elevations/ color perspective drawings/photos or other visual aids showing architectural quality. Drawings shall also indicate final color schemes for exterior surfaces. (added 01.02.07)

7) Information on building materials, and complimentary color schemes. This shall include presentation of material sample boards. Material sample boards shall be presented at the time of consideration by the Planning Commission. (added 01.02.07)

8) Details of windows, recesses, roof over hangs, awnings, gables, soffit, roof design and roofing materials. (added 01.02.07)

9) Location and screening of roof mounted or ground mounted mechanical equipment or transformers and methods/materials used for screening. All such equipment shall be screened to minimize its visibility from adjacent roadways and abutting property lines. Screening shall be at least one (1) foot above the height of the mechanical equipment or transformers. The screening material shall be compatible with the building material and general architecture. Landscape materials or other screening structures shall not interfere with ventilation or access for maintenance. (added 01.02.07 amended 08.06.07)

10) Information on masonry materials, siding or other materials, and patterns used for building exterior. (added 01.02.07)

d. Information concerning utilities, drainage, and related matters, including:

1) Location of sanitary sewers and septic systems, existing and proposed.

2) Location and size of watermains, well sites, and building service, existing and proposed.

3) Location of hydrants, existing and proposed.

4) Location of storm sewers, existing and proposed.
Should any light fixture regulated under this Section, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the Building Department for administrative approval, together with adequate information to ensure compliance with the Zoning Ordinance, which must be received prior to substitution.

Section 27.12 – Tree and Woodlands Protection (amended 08.03.00)

A. Declaration and Purposes.

1. Declaration.

Uncontrolled development of the Township could result in an unregulated and, in many cases, unnecessary removal of trees and related resources, and other forms of vegetation and natural resources and processes. Regulation of the removal of tree resources will achieve a preservation of important physical, aesthetic, recreational, and economic assets for both present and future generations. Specifically, it is found that:

a. Woodlands provide for public safety through the prevention of erosion, siltation, and flooding.

b. Woodland growth protects public health through the absorption of air pollutants and contamination, including the reduction of excessive noise and mental and physical damage related to noise pollution.

c. Trees, vegetation, and associated natural resources provide a material aspect of the character of the Township.

d. Trees and woodland growth serve as an essential component of the general welfare by maintaining natural beauty, recreation, and irreplaceable natural heritage.

e. Trees and woodlands increase the economic value of land for most uses.

2. Purposes.

The purposes of this Section are as follows, to be applied throughout the Township:

a. To prohibit the unnecessary removal of trees on undeveloped land.

b. To discourage the unnecessary removal of trees and woodland resources in connection with the development of land.

c. To provide for the protection, preservation, proper maintenance, and use of trees and woodlands in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat.

d. To protect the woodlands (including woodland resources) for their economic support of local property values when allowed to remain uncleared and/or unharvested in whole or in significant part, and for their natural beauty, character, and geological, ecological, or historical significance.

e. To provide for the paramount public concern for these natural resources in the interest of the health, safety, and general welfare of the residents of this Township, in keeping with Article IV, Section 52 of the Michigan Constitution of 1963, and the intent of the Michigan Natural Resources and Environmental Protection Act, PA 451 of 1994.

B. Definitions.

The following definitions shall apply in the interpretation of this Section:
1. **Bona Fide Agricultural Use.** Agricultural use means land devoted as the principal use for the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities. The management and harvesting of a woodlot is not an agricultural use under this act.

2. **Building Envelope.** The area of a building enclosed or to be enclosed by the exterior walls of the principal building on the property, and any other area designated in this Ordinance as such.

3. **Clear-cutting.** The removal within any five (5) year period of more than twenty percent (20%) of the total number of protected trees located on a parcel of land without a tree removal permit.

4. **Commercial Nursery.** A licensed plant or tree nursery in relation to those trees planted and growing on the premises of the licensee, which are planted and grown for sale to the general public in the ordinary course of the licensee’s business.

5. **Diameter Breast Height (d.b.h.).** A tree's diameter in inches measured by diameter tape at four and one-half (4 1/2) feet above the ground. On multi-stem trees, the largest diameter stem shall be measured.

6. **Drip Line.** An imaginary vertical line extending downward from the outermost tips of the tree branch to the ground.

7. **Landmark Tree.** Shall mean any tree which stands apart from neighboring trees due to the size, form, species or historic significance. Criteria pertaining to the size of landmark trees is listed in Section L of these regulations.

8. **Parcel.** All contiguous land situated in a lot or plot of land owned by a person.

9. **Person.** An individual, partnership, corporation, association, or other legal entity. For the purposes of this definition, an individual or entity shall mean and include all individuals in an immediate family, and all entities in which an individual has more than a ten percent (10%) interest.

10. **Protected Tree.** Any tree having a diameter breast height (d.b.h.) of four (4) inches or greater and subject to the regulations of this Ordinance.

11. **Remove or Removal.** The act of removing or terminating the life of a tree by digging up or cutting down, or the effective removal through damage that would reasonably be expected to ultimately terminate the life of a tree.

12. **Transplant.** The relocation of a tree from one place to another on the same property.

13. **Tree.** Any self-supporting, woody plant of a species which normally grows to an overall height of fifteen (15) feet or more.

14. **Tree Survey.** A scaled drawing (one (1) inch shall not exceed one hundred (100) feet) which provides the following information: location of all protected trees (i.e., trees having four (4) inches or greater d.b.h.) plotted by accurate techniques, and the common or botanical name of those trees and their d.b.h.

15. **Undeveloped.** A parcel of land that has not been improved. With respect to land which is partially improved by virtue of a building(s) or other improvement(s) located on a portion of the land, the portion of the land which does not contain the building(s) or other improvements(s) shall be considered undeveloped.

16. **Woodland.** A stand of trees identified on the Township’s Woodland Area Map.

C. **Tree Removal Permit Required.**
27.12 Tree and Woodlands Protection

1. **Requirements.** A person shall not remove, transplant, or destroy, or cause to be removed, transplanted, or destroyed, on any undeveloped land in the Township, any protected tree (i.e., a tree having a d.b.h. of four (4) inches or greater) without first obtaining a Tree Removal Permit subject to the exceptions enumerated in Paragraph D below, "Exceptions".

2. **Plat or Site Plan Approval.** A subdivision plat and/or a site condominium or site plan shall not be approved by the Township until it has been reviewed and approved based upon the requirements for a Tree Removal Permit.

3. **Site Development Standards.** In addition to other requirements of this Section, compliance with the following standards is required in all developments:

   a. **Structures.** The applicant shall designate the location of all proposed structures or building sites and the area around them to be disturbed. Such designation shall be made with the objective of preserving protected trees, and the Planning Commission or Building Official, as the case may be, shall have discretion to require reasonable adjustments in this regard during the approval process.

   b. **Building Sites.** For each building site in a development, the applicant shall designate the "building envelope," which shall be the area enclosed or to be enclosed by the exterior walls of the proposed structure on the property, plus a reasonable area beyond such walls up to fifteen (15) feet, so long as the building or structure is not in any required setback. With the objective of preserving trees, and also allowing reasonable development, the fifteen (15) feet beyond each wall may be re-allocated so that the total distance on both sides of the exterior walls is thirty (30) feet (e.g., ten (10) feet on one side and twenty (20) feet on the other). The same treatment shall be authorized for areas beyond the front and back walls.

   c. **Activities Within Building Envelope.** A Tree Removal Permit shall not be required for construction of structures or improvements or other activities within a building envelope.

   d. **Activities Outside Building Envelope.** Subject to the exceptions enumerated in this provision, and in Paragraph D below, a tree removal permit shall be required to remove or cut a protected tree outside of the area designated for structures and building envelopes. The Planning Commission or Building Official, as the case may be, may issue an advanced written waiver of the requirement for a tree removal permit or mitigation when it is shown that tree removal is necessary and there is no reasonable alternative in connection with building location, road access, driveways, utilities, septic fields, or other disturbances customarily required for the particular development. The Planning Commission or Building Official may confer with other Township personnel and/or consultants in making decisions under this Section.

   e. **Minimum Preservation Requirement.** For parcels five (5) acres or greater, the applicant shall preserve and leave standing and undamaged a minimum of eighty percent (80%) of the total number of protected trees on the lot having a d.b.h. of four (4) inches or greater. However, trees contained within the designated building envelope, streets, drives, and parking areas, or within required drainage or utility improvement areas and/or driveway and sidewalk areas, as determined by the Building Official or designee, shall not be included in the calculation for determining the required minimum preservation percentage.

D. **Exceptions.**

Notwithstanding the requirements of Paragraph 3 above, the following activities shall be permitted without a Tree Removal Permit, unless otherwise prohibited by statute or other ordinance provision.

1. **Parcels Less Than Five Acres.** Tree removal on a parcel containing less than five (5) acres. For the purpose of calculating the size of a parcel, all contiguous land owned in common by one (1) owner, shall be included in determining total acreage. The term "one owner" in this provision shall include all persons in an immediate family, and all entities in which an individual has more than a ten percent (10%) interest. This provision shall not exempt parcels from regulations under the terms of this Ordinance at the time of application for approval of plats, site plans, condominiums or other land divisions. (amended 11-15-01)
2. **Activities Within Building Envelope or Building Site.** No tree removal permit shall be required for construction of structures or other activities within a building envelope or building site. This shall include roads, road rights-of-way, driveways, essential utilities, retention/detention ponds, or septic fields.

3. **Bona Fide Agricultural Use.** Tree removal or transplanting occurring during use of land for bona fide agricultural operations. In determining whether the land has a bona fide agricultural operation, the nature of the use, the duration of its operation, and other relevant factors shall be considered.

4. **Commercial Nursery.** Tree removal or transplanting occurring during use of land for the operation of a commercial nursery that is licensed with the State of Michigan and has previously been in operation on the property for three (3) years or more, or the property owner records an affidavit that the commercial nursery shall continue in active operation for a period of no less than five (5) years.

5. **Emergencies.** Actions made necessary by an emergency, such as tornado, windstorm, flood, freeze, dangerous and infectious insect infestation or disease, or other disaster, in order to prevent injury or damage to persons or property or restore order, and where it would be contrary to the interest of the public, or to the health or safety of one (1) or more persons to defer cutting pending submission and processing of a permit application. Unless life and property would be threatened, this exception shall not apply unless and until the Township Supervisor, or the Supervisor's designee, has approved the removal.

6. **Governmental Agencies.** Tree trimming, removal, or transplanting performed by, or on behalf of, governmental entities, Road Commission or agencies to the limited extent necessary to achieve authorized objectives of the entities or agencies.

7. **Public Utilities.** Repair or maintenance work performed by public utilities necessitating the trimming or cutting of trees to the limited extent necessary to achieve authorized objectives of the utility.

8. **Dead or Damaged Trees.** Removal or trimming of dead or damaged trees, provided the Township has first confirmed in writing the dead or damaged condition upon request of the property owner.

9. **Nominal Activity.** Where the activity involves the removal or transplanting of three (3) or fewer trees having six (6) inches or greater d.b.h. within a one (1) year period, and is not related to the development of a parcel or construction of a building or structure.

10. **Tree Management.** Where a tree management plan prepared by a State of Michigan registered forester or other natural resource professional who is qualified to prepare such a plan is submitted to and approved by the Building Official or designee, who may confer with the Township expert at his or her discretion, tree cutting may occur in accordance with the plan without a permit. To qualify under this exception, tree management activity shall be for the purpose of reducing the density of trees so as to promote and maintain the health and viability of the remaining trees and/or for forest or woodland improvements generally; for promotion of wildlife habitat; for facilitation of appropriate forest-related or woodland-related recreational activities, including but not limited to hunting; and for other similarly acceptable silvicultural practices. The management plan shall include the means by which cut trees shall be removed from the property with the least possible damage to remaining trees. The person seeking approval and exemption under this provision may be required to establish an escrow with the Building Official for the purpose of covering the costs of the Township's expert.

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E. **Application for Tree Removal Permit.**

1. **Application and Fee.** A person seeking a Tree Removal Permit must submit a written application to the Township Clerk and pay the permit application fee as established by resolution of the Township Board.

2. **Time of Application.** Application for a Tree Removal Permit shall be made before removing, cutting, or transplanting trees. Where the site is proposed for development necessitating site plan, site condominium or plat review, application for a Tree Removal Permit shall be made prior to or concurrent with site plan or final preliminary plat submittal. Where development of one (1) single-family home is proposed (on parcels of five...
Article XXVII

27.12 Tree and Woodlands Protection

(5) acres or more), application for tree removal permit shall be made prior to or concurrent with the building permit application.

3. One (1) Single-Family Building Site. For one (1) single-family building site on parcels of five (5) acres or more, the permit application shall include four (4) copies of a plan drawn to scale containing the following information:

a. Property Dimensions. The boundaries and dimensions of the property, and the location of any existing and proposed structure or improvement, and a statement identifying the type of structure or improvement.

b. Inventory of Trees. Location of all existing protected trees identified by common or botanical name. Trees proposed to remain, to be transplanted, or to be removed shall be so designated. The Building Official or designee may waive detailed tree inventory requirements for those areas of the site where proposed development will not impact regulated trees.

c. Tree Protection. A statement describing how trees intended to remain will be protected during development.

d. Easements and Setbacks. Location and dimension of existing and proposed easements, as well as all setbacks required by the Zoning Ordinance.

e. Grade Changes. Designation and description of grade changes proposed for the property.

f. Intended Tree Replacement. A cost estimate for any proposed tree replacement program, with a detailed explanation including the number, size, and species.

g. Tree Identification. A statement that all trees being retained will be identified by some method such as painting, flagging, etc., and, where protective barriers are necessary, that they will be erected before work starts.

h. Structures, Building Envelope, Utilities, and Driveway. The plan shall show the structures, building envelope, utilities, and driveway as existing and/or proposed on the property.

4. Other Developments. For other developments, including site plans, site condominiums or subdivisions, the permit applicant shall provide ten (10) copies of a plan containing the same information required for one (1) single-family building site, and the following additional information:

a. Plan. A topographical survey sealed by a registered engineer or registered surveyor shall be shown on the plat.

b. Tree Survey. A tree survey prepared by a State of Michigan registered forester, arborist, or landscape architect for all areas for which a Tree Removal Permit is required.

c. For larger sites over ten (10) acres in size containing more than one hundred (100) regulated trees, the Planning Commission may waive the detailed tree inventory requirements where it can be demonstrated that the proposed development will not impact woodland areas.

5. For All Developments. For all developments, any proposed tree relocation or replacement, consistent with Paragraph H, below, shall be specified in the application, including a drawing and detailed explanation of the proposal.

F. Application Review Procedure.

1. Staff Review. The Building Official or designee shall review the submitted Tree Removal Permit application to verify that the applicant has provided all required information. Completed applications shall be referred to the appropriate consultants. Upon request of either the applicant or the Township, the Township may conduct
a field inspection or review meeting. The Township personnel involved in the review shall submit their reports and recommendations to the Building Official, who shall forward them to the Planning Commission or Township Board, as appropriate, for further review.

2. **Reviewing Authority.** Where the site is proposed for development necessitating site plan review, site condominium or plat approval by the Township Planning Commission, the Planning Commission shall be responsible for granting or denying the application for a Tree Removal Permit (subject to affirmation, reversal, or modification by the Township Board, with respect to plat approvals). Where site plan review or plat approval by the Planning Commission is not required by ordinance, the grant or denial of the Tree Removal Permit application shall be the responsibility of the Building Official or designee, following the right and opportunity of the Building Official or designee to confer with consultants. Where the use of a consultant is reasonably required, the property owner shall establish an escrow in an amount determined by Township Board resolution establishing fees, out of which the consultant’s fee shall be paid. The decision to grant or deny a permit shall be governed by the review standards enumerated in Paragraph G, below.

3. **Denial of Tree Removal Permit.** Whenever an application for a Tree Removal Permit is denied, the permit applicant shall be notified, in writing, of the reasons for denial. If such decision is made by the Planning Commission or Township Board, it shall be a part of the minutes of the meeting at which action on a site plan, site condominium or plat review was taken. Denial of a tree removal permit may be appealed to the Zoning Board of Appeals, in accordance with the provisions of this Ordinance.

4. **Tree Removal Permit.** Whenever an application for a Tree Removal Permit is granted, the reviewing authority shall:

   a. **Conditions.** Attach to the granting of the permit any reasonable conditions considered necessary by the reviewing authority to ensure the intent of this Ordinance will be fulfilled and to minimize damage to, encroachment in, or interference with natural resources and processes within wooded areas, including, without any limitation, the trees to be preserved.

   b. **Completion of Operations.** Fix a reasonable time, up to a maximum of eighteen (18) months, to complete tree removal, transplanting, and replacement operations, ensuring that plantings occur at correct times of the year. Such time may be extended, upon written request submitted thirty (30) days before expiration of the original permit, by the body or entity that approved the original permit.

   c. **Security.** Require the permit grantee to file with the Township a cash or irrevocable bank letter of credit in an amount reasonably determined necessary by the Township to ensure compliance with the Tree Removal Permit conditions and this Ordinance in regard to transplanting and replacement of trees; provided, however, that security shall only be required if the developer is to perform the transplanting and/or replacement after six (6) months following grant of a permit, or to perform the transplanting and/or replacement after issuance of a Certificate of Occupancy. The security requirement may also be waived at the direction of the Planning Commission or Building Official. *(amended 08.15.16)*

   d. **Term of Permit.** A tree removal permit issued under this paragraph shall be null and void if commencement of work permitted under the permit has not been commenced within a reasonable time, not to exceed twelve (12) months. In addition, a permit shall be void after the expiration of eighteen (18) months from the date of issuance. A six (6) month extension may be granted upon written request to the body or entity that approved the original permit. The request must be received forty-five (45) days before expiration of the original permit.

5. **Time for Decision.** Where a single, one-family home on a parcel five (5) acres or more is proposed, or where a site plan, site condominium, or plat review is required, the Township’s decision on the application shall be issued within sixty (60) days of the date of the Township’s receipt of a complete application for a Tree Removal Permit or from the time that the application is considered administratively complete; or if the application under this Section is being considered in conjunction with a companion application for development approval involving the same property, the Township’s decision on the application under this Section shall be made concurrent with the decision on the other development proposal.
Article XXVII

27.12 Tree and Woodlands Protection

G. Application Review Standards.

The following standards shall govern the granting or denial of an application for Tree Removal Permit:

1. Limitation. Removal or transplanting of protected trees shall be subject to the Minimum Preservation Requirement set forth in Paragraph C (3), above, for site development, and removal or transplanting of protected trees shall otherwise be limited to instances where:

   a. Necessary for Construction. Removal or transplanting is necessary for the construction of a building, structure, or other site improvement, and the permit applicant has shown there is no feasible and prudent location alternative on site for improvement; or

   b. Disease, Damage, Etc. The tree(s) is demonstrated to the Township Building Official to be diseased, damaged, or in danger of falling; be located too close to existing or proposed buildings or structures; interfere with existing utility service or drainage; create unsafe vision clearance; or be in violation of other ordinances or regulations.

2. Minimum Preservation Requirements. Unless otherwise exempt from the regulations of this Ordinance, all sites shall maintain a minimum preservation as required in Subsection (C)(3)(e), above.

3. Preservation and Conservation. Tree preservation and conservation shall be of paramount concern and importance; provided, however, that an application shall not be denied solely because of the presence of trees on the site.

4. Developmental Alternatives. Preservation and conservation of wooded areas, trees, woody vegetation, wildlife, and related natural resources and processes shall have priority over development when there are feasible and prudent location alternatives on site for proposed buildings, structures, or other site improvements.

5. Diversity of Species. A diversity of tree species shall be maintained where feasible.

6. Clear-Cutting. Where the proposed activity consists of land clearing, or clear-cutting, it shall be limited to areas to be improved for roadways, sidewalks, drainage, and utilities and areas necessary for the construction of buildings, structures, or other site improvements as shown on an approved site plan, site condominium or subdivision plat. Clear-cutting of more than twenty percent (20%) of a site (excluding areas essential for development such as roads, drainage utilities, buildings etc.) shall be prohibited.

7. Relocation or Replacement. The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with Paragraph H, and tree protection, in accordance with Paragraph I.

H. Tree Relocation or Replacement.

1. Requirement Established. For each protected tree required to be preserved under the terms and standards set forth above, and which is permitted to be removed by permit granted under this Section, the applicant shall replace or relocate trees according to the replacement tree requirements set forth below.

2. Replacement Tree Requirements.

   a. Replacement trees shall have shade potential and/or other characteristics comparable to the removed trees, shall be State Department of Agriculture Nursery Grade No. 1 or better, and must be approved by the Township prior to planting. Replacement trees must be staked, fertilized, and mulched, and watered, and shall be guaranteed by the applicant for two (2) years. An agreement together with appropriate security (cash or letter of credit) in a form approved by the Township, shall be provided in connection with such guaranty.

   b. Trees usable for replacement trees may be transplanted on site using appropriate and accepted procedures and precautions.
c. For deciduous trees, replacement shall be on a one-for-one basis. For example, for each tree removed, a replacement tree shall be planted. All replacement trees shall have a d.b.h. of at least two (2) inches. All evergreen replacement trees shall be at least six (6) feet tall.

d. One (1) landmark tree shall be replaced at a rate of one (1) inch of replacement tree for each d.b.h. inch of landmark tree removed.

e. Trees listed in Section 27.05 (E) shall not be permitted as replacement trees.

f. The Planning Commission shall be authorized to waive a portion or all of the tree replacement requirements when site factors, tree conditions, or development requirements preclude reasonable actions to conform with this Section, and the applicant proposes a contribution to the Tree Fund, created in Paragraph M, below, in an amount reasonably related to the cost of the tree replacement being waived.

3. Replacement Tree Location.

a. Township Approval Required. The Township shall approve tree relocation or replacement locations. To the extent feasible and desirable, trees shall be relocated or replaced on site and within the same general area as trees removed, provided that survival shall not be jeopardized by improvements or activities.

b. Relocation or Replacement Off-Site. Where it is not feasible and desirable to relocate or replace trees on site, as determined by the Township decision-maker under this Section, relocation or replacement may be made at another location in the Township, approved as part of the permit. This shall not preclude reasonable actions to conform with this Section or contributions to the Tree Fund, created in Paragraph M, below, in an amount reasonably related to the cost of the tree replacement being waived.

I. Tree Protection During Construction.

1. Placing Materials Near Tree. No person may conduct any activity within the drip line of any protected tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or soil deposits within the drip line.

2. Attachments to Trees. During construction, no person shall attach any device to any remaining protected tree except for the protection of a tree in accordance with forestry procedures.

3. Protective Barrier. Before development, land-clearing, filling, or any land alteration for which a Tree Removal Permit is required, the applicant shall erect and maintain suitable barriers to protect remaining trees. Protective barriers shall remain in place until the Township authorizes their removal or issues a final Certificate of Occupancy, whichever occurs first. Wood, metal or other substantial material shall be utilized in the construction of barriers. Barriers are required for all trees designated to remain, except in the following cases:

a. Rights-of-Way and Easements. Street right-of-way and utility easements may be cordoned by placing stakes a minimum of fifty (50) feet apart and tying ribbon, plastic tape, rope, etc., from stake to stake along the outside perimeters of areas to be cleared.

b. Large, Separate Areas. Large property areas separate from the construction or land clearing area, onto which no equipment will travel or be stored, may also be cordoned off as described in Subparagraph (a) above.


1. Display of Permit. The tree removal permit grantee shall conspicuously display the permit on site. The permit grantee shall display the permit continuously while trees are being removed or replaced or while activities authorized under the permit are performed. The permit grantee shall allow Township representatives to enter
27.12 Tree and Woodlands Protection

and inspect the premises at any reasonable time, and failure to allow inspection shall constitute a violation of this Section.

2. **Stop Work: Withholding Certificate of Occupancy.** The Building Official may issue a stop work order if this Section is being violated, or if the Permittee is failing to conform with any conditions attached to a Tree Removal Permit. In addition, the Building Official may withhold issuance of a Certificate of Occupancy until a violation or conformance with a condition has been cured; provided, however, the Building Official may, in his or her discretion, issue a temporary Certificate of Occupancy, conditioned upon the posting of reasonable security coupled with an agreement in a form approved by the Township guaranteeing the cure of a violation or condition.

3. **Pursuit of Court Relief.** In addition to all other remedies available, the Township may issue a citation or initiate Circuit Court litigation to achieve compliance with this Section.

K. Historic or Landmark Trees.

A nomination for designation shall be brought up for consideration by the Planning Commission.

1. Any Township property owner may nominate a tree within their own property boundaries for designation as a landmark tree or historic tree. If nominated, the Planning Commission shall review the nomination request and if determined to meet the criteria listed below, shall be placed on the Township’s Landmark Tree Inventory.

2. The Planning Commission may designate a tree, upon nomination, as a historic tree upon finding that one (1) or more of the following unique characteristics exist:

   a. The tree is the predominant tree within a distinct scenic or aesthetically valued setting.

   b. The tree is of unusual age or size for that species in this climatic and geographic location. (Examples include trees listed on the Register of Big Trees or the Michigan Botanical Club as large trees.)

   c. The tree has gained prominence due to unusual form or botanical characteristics.

   d. The tree has some historical significance to the Township.

3. The Building Department shall maintain an inventory of all nominated and designated Historic Landmark Trees.

4. A permit shall be required to remove any landmark or historic tree. Any historic tree shall be replaced on a 1-to-1 caliper inch basis. For example, a 48" landmark tree shall be replaced by 24 two-inch trees. This replacement requirement may be waived if, in the opinion of the Planning Commission and after review by the Township's consultant, the health/condition of the tree is such that it should not be counted.
L. Landmark Trees.

1. The following landmark trees shall be protected under this Section:

<table>
<thead>
<tr>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>SIZE D.B.H.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Trees</td>
<td></td>
<td>36&quot; or greater</td>
</tr>
<tr>
<td>Arborvitae</td>
<td>Thuja</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Beech, American</td>
<td>Fagus grandifolia</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Birch</td>
<td>Betula</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Black Walnut</td>
<td>Juglans nigra</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Blue Ash</td>
<td>Fraxinus quadrangulata</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Blue-Beech</td>
<td>Carpinus caroliniana</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Chestnut</td>
<td>Castanea</td>
<td>10&quot;</td>
</tr>
<tr>
<td>Crabapple/Hawthorne</td>
<td>Mahs/Crataegus</td>
<td>12&quot;</td>
</tr>
<tr>
<td>Dogwood, Flowering</td>
<td>Cornus florida</td>
<td>6&quot;</td>
</tr>
<tr>
<td>Eastern Red Cedar</td>
<td>Juniperus virginiana</td>
<td>12&quot;</td>
</tr>
<tr>
<td>Fir</td>
<td>Abies</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Ginkgo</td>
<td>Ginkgo</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Hemlock</td>
<td>Tsuga</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Hickory</td>
<td>Carya</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Hop-Hornbeam</td>
<td>Ostrya virginiana</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Kentucky Coffeetree</td>
<td>Gymnocladus dioicus</td>
<td>20&quot;</td>
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<tr>
<td>Larch/Tamarack</td>
<td>Larix</td>
<td>18&quot;</td>
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<tr>
<td>London Planetree/Sycamore</td>
<td></td>
<td>24&quot;</td>
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<tr>
<td>Maple (Red)</td>
<td>Acer rubrum</td>
<td>24&quot;</td>
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<tr>
<td>Maple (Silver)</td>
<td>Acer saccharinum</td>
<td>36&quot;</td>
</tr>
<tr>
<td>Maple (Sugar)</td>
<td>Acer saccharum</td>
<td>24&quot;</td>
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<tr>
<td>Maple (Norway)</td>
<td>Acer platanoides</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Maple (Amur)</td>
<td>Acer ginnala</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Maple (Box Elder)</td>
<td>Acer negundo</td>
<td>36&quot;</td>
</tr>
<tr>
<td>Oak (All species)</td>
<td>Quercus</td>
<td>24&quot;</td>
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<tr>
<td>Pine (All species)</td>
<td>Pinus</td>
<td>30&quot;</td>
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<tr>
<td>Poplar</td>
<td>Populus</td>
<td>36&quot;</td>
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<tr>
<td>Redbud</td>
<td>Cercis canadensis</td>
<td>6&quot;</td>
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<tr>
<td>Sassafras</td>
<td>Sassafras albidurn</td>
<td>15&quot;</td>
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<tr>
<td>Serviceberry</td>
<td>Amelanchier</td>
<td>6&quot;</td>
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<tr>
<td>Spruce</td>
<td>Picea</td>
<td>24&quot;</td>
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<tr>
<td>Sweetgum</td>
<td>Liquidambar styraciflua</td>
<td>24&quot;</td>
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<tr>
<td>Tulip Poplar</td>
<td>Liriodendron tulipifera</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Wild Cherry</td>
<td>Serotina</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Witch-Hazel</td>
<td>Hammamelas virginiana</td>
<td>6&quot;</td>
</tr>
</tbody>
</table>

M. Tree Fund.

1. A Tree Fund is hereby created as the depository for all moneys proposed to be paid by applicants in lieu of tree replacement or relocation, as provided in this Section.

2. The Township Board shall administer the Tree Fund, with the objective of pursuing the planting of trees within the Township. In the administration of the Tree Fund, the Township Board shall, if reasonably feasible, attempt to purchase and install trees within a reasonable proximity of the development in connection with which funds have been paid to the Tree Fund.

Section 27.13 – Regulated Uses (added 03.04.02)

A. Intent and Purpose.
**Section 27.12 – Tree and Woodlands Protection**

<table>
<thead>
<tr>
<th>Comments</th>
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<tbody>
<tr>
<td><strong>C. Tree Removal Permit Required.</strong></td>
</tr>
<tr>
<td>1. Requirements. A person shall not remove, transplant, or destroy, or cause to be removed, transplanted, or destroyed, on any undeveloped land in the Township, any protected tree (i.e., a tree having a d.b.h. of four (4) inches or greater) without first obtaining a Tree Removal Permit subject to the exceptions enumerated in Paragraph D below, &quot;Exceptions&quot;.</td>
</tr>
<tr>
<td>2. Plat or Site Plan Approval. A subdivision plat and/or a site condominium or site plan shall not be approved by the Township until it has been reviewed and approved based upon the requirements for a Tree Removal Permit.</td>
</tr>
<tr>
<td>3. Site Development Standards. In addition to other requirements of this Section, compliance with the following standards is required in all developments:</td>
</tr>
<tr>
<td>a. Structures. The applicant shall designate the location of all proposed structures or building sites and the area around them to be disturbed. Such designation shall be made with the objective of preserving protected trees, and the Planning Commission or Building Official, as the case may be, shall have discretion to require reasonable adjustments in this regard during the approval process.</td>
</tr>
<tr>
<td>b. Building Sites. For each building site in a development, the applicant shall designate the “building envelope,” which shall be the area enclosed or to be enclosed by the exterior walls of the proposed structure on the property, plus a reasonable area beyond such walls up to fifteen (15) feet, so long as the building or structure is not in any required setback. With the objective of preserving trees, and also allowing reasonable development, the fifteen (15) feet beyond each wall may be reallocated so that the total distance on both sides of the exterior walls is thirty (30) feet (e.g., ten (10) feet on one side and twenty (20) feet on the other). The same treatment shall be authorized for areas beyond the front and back walls.</td>
</tr>
<tr>
<td>c. Activities Within Building Envelope. A Tree Removal Permit shall not be required for construction of structures or improvements or other activities within a building envelope.</td>
</tr>
<tr>
<td>d. Activities Outside Building Envelope. Subject to the exceptions enumerated in this provision, and in Paragraph D below, a tree removal permit shall be required to remove or cut a protected tree outside of the area designated for structures and building envelopes. The Planning Commission or Building Official, as the case may be, may issue an advanced written waiver of the requirement for a tree removal permit or mitigation when it is shown that tree removal is necessary and there is no reasonable alternative in connection with building location road access, driveways, utilities, septic fields or other disturbances customarily required for the particular development. The Planning Commission or Building Official may confer with other Township personnel and/or consultants in making decisions under this Section.</td>
</tr>
<tr>
<td>e. Minimum Preservation Requirement. For parcels five (5) acres or greater, the applicant shall preserve and leave standing and undamaged a minimum of eighty percent (80%) of the total number of protected trees on the lot having a d.b.h. of four (4) inches or greater. However, trees contained within the designated building envelope, streets, drives, and parking areas, or within required drainage or utility improvement areas and/or driveway and sidewalk areas, as determined by the Building Official or designee, shall not be included in the calculation for determining the required minimum preservation percentage.</td>
</tr>
<tr>
<td><strong>D. Exceptions.</strong></td>
</tr>
<tr>
<td>Notwithstanding the requirements of Paragraph 3 above, the following activities shall be permitted without a Tree Removal Permit, unless otherwise prohibited by statute or other ordinance provision.</td>
</tr>
<tr>
<td>1. Parcels Less Than Five Acres. Tree removal on a parcel containing less than five (5) acres. For the purpose of calculating the size of a parcel, all contiguous land owned in common by one (1) owner, shall be included in determining total acreage. The term &quot;one owner&quot; in this provision shall include all persons in an immediate family, and all entities in which an individual has more than a ten percent (10%) interest. This provision shall not exempt parcels from regulations under the terms</td>
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interest of the public, or to the health or safety of one (1) or more persons to defer cutting pending
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this exception shall not apply unless and until the Township Supervisor, or the Supervisor's
designee, has approved the removal.

6. Governmental Agencies. Tree trimming, removal, or transplanting performed by, or on behalf of,
governmental entities, Road Commission or agencies to the limited extent necessary to achieve
authorized objectives of the entities or agencies.

7. Public Utilities. Repair or maintenance work performed by public utilities necessitating the
trimming or cutting of trees to the limited extent necessary to achieve authorized objectives of the
utility.

8. Dead or Damaged Trees. Removal or trimming of dead or damaged trees, provided the Township
has first confirmed in writing the dead or damaged condition upon request of the property owner.

9. Nominal Activity. Where the activity involves the removal or transplanting of three (3) or fewer
trees having six (6) inches or greater d.b.h. within a one (1) year period, and is not related to the
development of a parcel or construction of a building or structure.

10. Tree Management. Where a tree management plan prepared by a State of Michigan registered
forester or other natural resource professional who is qualified to prepare such a plan is submitted
to and approved by the Building Official or designee, who may confer with the Township expert at
his or her discretion, tree cutting may occur in accordance with the plan without a permit. To
qualify under this exception, tree management activity shall be for the purpose of reducing the
density of trees so as to promote and maintain the health and viability of the remaining trees
and/or for forest or woodland improvements generally; for promotion of wildlife habitat; for
facilitation of appropriate forest-related or woodland-related recreational activities, including but
not limited to hunting; and for other similarly acceptable silvicultural practices. The management
plan shall include the means by which cut trees shall be removed from the property with the least
possible damage to remaining trees. The person seeking approval and exemption under this
provision may be required to establish an escrow with the Building Official for the purpose of
covering the costs of the Township's expert.

E. Application for Tree Removal Permit.

4. Other Developments. For other developments, including site plans, site condominiums or
subdivisions, the permit applicant shall provide ten (10) copies of a plan containing the same
information required for one (1) single-family building site, and the following additional
information:
a. Plan. A topographical survey sealed by a registered engineer or registered surveyor shall be shown on the plat.

b. Tree Survey. A tree survey prepared by a State of Michigan registered forester, arborist, or landscape architect for all areas for which a Tree Removal Permit is required.

c. For larger sites over ten (10) acres in size containing more than one hundred (100) regulated trees, the Planning Commission may waive the detailed tree inventory requirements where it can be demonstrated that the proposed development will not impact woodland areas.

F. Application Review Procedure.

4. Tree Removal Permit. Whenever an application for a Tree Removal Permit is granted, the reviewing authority shall:

a. Conditions. Attach to the granting of the permit any reasonable conditions considered necessary by the reviewing authority to ensure the intent of this Ordinance will be fulfilled and to minimize damage to, encroachment in, or interference with natural resources and processes within wooded areas, including, without any limitation, the trees to be preserved.

b. Completion of Operations. Fix a reasonable time, up to a maximum of eighteen (18) months, to complete tree removal, transplanting, and replacement operations, ensuring that plantings occur at correct times of the year. Such time may be extended, upon written request submitted thirty (30) days before expiration of the original permit, by the body or entity that approved the original permit.

c. Security. Require the permit grantee to file with the Township a cash or irrevocable bank letter of credit in an amount reasonably determined necessary by the Township to ensure compliance with the Tree Removal Permit conditions and this Ordinance in regard to transplanting and replacement of trees; provided, however, that security shall only be required if the developer is to perform the transplanting and/or replacement after six (6) months following grant of a permit, or to perform the transplanting and/or replacement after issuance of a Certificate of Occupancy. The security requirement may also be waived at the direction of the Planning Commission or Building Official. (amended 08.15.16)

d. Term of Permit. A tree removal permit issued under this paragraph shall be null and void if commencement of work permitted under the permit has not been commenced within a reasonable time, not to exceed twelve (12) months. In addition, a permit shall be void after the expiration of eighteen (18) months from the date of issuance. A six (6) month extension may be granted upon written request to the body or entity that approved the original permit. The request must be received forty-five (45) days before expiration of the original permit.

G. Application Review Standards.

The following standards shall govern the granting or denial of an application for Tree Removal Permit:

1. Limitation. Removal or transplanting of protected trees shall be subject to the Minimum Preservation Requirement set forth in Paragraph C (3), above, for site development, and removal or transplanting of protected trees shall otherwise be limited to instances where:

a. Necessary for Construction. Removal or transplanting is necessary for the construction of a building, structure, or other site improvement, and the permit applicant has shown there is no feasible and prudent location alternative on site for improvement; or

b. Disease, Damage, Etc. The tree(s) is demonstrated to the Township Building Official to be diseased, damaged, or in danger of falling; be located too close to existing or proposed buildings or structures; interfere with existing utility service or drainage; create unsafe vision clearance; or be in violation of other ordinances or regulations.

2. Minimum Preservation Requirements. Unless otherwise exempt from the regulations of this Ordinance, all sites shall maintain a minimum preservation as required in Subsection (C)(3)(e), above.
3. Preservation and Conservation. Tree preservation and conservation shall be of paramount concern and importance; provided, however, that an application shall not be denied solely because of the presence of trees on the site.

4. Developmental Alternatives. Preservation and conservation of wooded areas, trees, woody vegetation, wildlife, and related natural resources and processes shall have priority over development when there are feasible and prudent location alternatives on site for proposed buildings, structures, or other site improvements.

5. Diversity of Species. A diversity of tree species shall be maintained where feasible.

6. Clear-Cutting. Where the proposed activity consists of land clearing, or clear-cutting, it shall be limited to areas to be improved for roadways, sidewalks, drainage, and utilities and areas necessary for the construction of buildings, structures, or other site improvements as shown on an approved site plan, site condominium or subdivision plat. Clear-cutting of more than twenty percent (20%) of a site (excluding areas essential for development such as roads, drainage utilities, buildings etc.) shall be prohibited.

7. Relocation or Replacement. The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with Paragraph H, and tree protection, in accordance with Paragraph I.

H. Tree Relocation or Replacement.

1. Requirement Established. For each protected tree required to be preserved under the terms and standards set forth above, and which is permitted to be removed by permit granted under this Section, the applicant shall replace or relocate trees according to the replacement tree requirements set forth below.

2. Replacement Tree Requirements.

a. Replacement trees shall have shade potential and/or other characteristics comparable to the removed trees, shall be State Department of Agriculture Nursery Grade No. 1 or better, and must be approved by the Township prior to planting. Replacement trees must be staked, fertilized, and mulched, and watered, and shall be guaranteed by the applicant for two (2) years. An agreement together with appropriate security (cash or letter of credit) in a form approved by the Township, shall be provided in connection with such guaranty.

b. Trees usable for replacement trees may be transplanted on site using appropriate and accepted procedures and precautions.

c. For deciduous trees, replacement shall be on a one-for-one basis. For example, for each tree removed, a replacement tree shall be planted. All replacement trees shall have a d.b.h. of at least two (2) inches. All evergreen replacement trees shall be at least six (6) feet tall.

d. One (1) landmark tree shall be replaced at a rate of one (1) inch of replacement tree for each d.b.h. inch of landmark tree removed.

e. Trees listed in Section 27.05 (E) shall not be permitted as replacement trees.

f. The Planning Commission shall be authorized to waive a portion or all of the tree replacement requirements when site factors, tree conditions, or development requirements preclude reasonable actions to conform with this Section, and the applicant proposes a contribution to the Tree Fund, created in Paragraph M, below, in an amount reasonably related to the cost of the tree replacement being waived.

3. Replacement Tree Location.

a. Township Approval Required. The Township shall approve tree relocation or replacement locations. To the extent feasible and desirable, trees shall be relocated or replaced on site and within the same general area as trees removed, provided that survival shall not be jeopardized by improvements or activities.

b. Relocation or Replacement Off-Site. Where it is not feasible and desirable to relocate or replace trees on site, as determined by the Township decision-maker under this Section, relocation or
replacement may be made at another location in the Township, approved as part of the permit. This shall not preclude reasonable actions to conform with this Section or contributions to the Tree Fund, created in Paragraph M, below, in an amount reasonably related to the cost of the tree replacement being waived.

I. Tree Protection During Construction.

1. Placing Materials Near Tree. No person may conduct any activity within the drip line of any protected tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or soil deposits within the drip line.

2. Attachments to Trees. During construction, no person shall attach any device to any remaining protected tree except for the protection of a tree in accordance with forestry procedures.

3. Protective Barrier. Before development, land-clearing, filling, or any land alteration for which a Tree Removal Permit is required, the applicant shall erect and maintain suitable barriers to protect remaining trees. Protective barriers shall remain in place until the Township authorizes their removal or issues a final Certificate of Occupancy, whichever occurs first. Wood, metal or other substantial material shall be utilized in the construction of barriers. Barriers are required for all trees designated to remain, except in the following cases:

a. Rights-of-Way and Easements. Street right-of-way and utility easements may be cordoned by placing stakes a minimum of fifty (50) feet apart and tying ribbon, plastic tape, rope, etc., from stake to stake along the outside perimeters of areas to be cleared.

b. Large, Separate Areas. Large property areas separate from the construction or land clearing area, onto which no equipment will travel or be stored, may also be cordoned off as described in Subparagraph (a) above.


1. Display of Permit. The tree removal permit grantee shall conspicuously display the permit on site. The permit grantee shall display the permit continuously while trees are being removed or replaced or while activities authorized under the permit are performed. The permit grantee shall allow Township representatives to enter and inspect the premises at any reasonable time, and failure to allow inspection shall constitute a violation of this Section.

2. Stop Work: Withholding Certificate of Occupancy. The Building Official may issue a stop work order if this Section is being violated, or if the Permittee is failing to conform with any conditions attached to a Tree Removal Permit. In addition, the Building Official may withhold issuance of a Certificate of Occupancy until a violation or conformance with a condition has been cured; provided, however, the Building Official may, in his or her discretion, issue a temporary Certificate of Occupancy, conditioned upon the posting of reasonable security coupled with an agreement in a form approved by the Township guaranteeing the cure of a violation or condition.

3. Pursuit of Court Relief. In addition to all other remedies available, the Township may issue a citation or initiate Circuit Court litigation to achieve compliance with this Section.

K. Historic or Landmark Trees.

A nomination for designation shall be brought up for consideration by the Planning Commission.

1. Any Township property owner may nominate a tree within their own property boundaries for designation as a landmark tree or historic tree. If nominated, the Planning Commission shall review the nomination request and if determined to meet the criteria listed below, shall be placed on the Township’s Landmark Tree Inventory.

2. The Planning Commission may designate a tree, upon nomination, as a historic tree upon finding that one (1) or more of the following unique characteristics exist:

a. The tree is the predominant tree within a distinct scenic or aesthetically valued setting.

b. The tree is of unusual age or size for that species in this climatic and geographic location. (Examples include trees listed on the Register of Big Trees or the Michigan Botanical Club as large trees.)
c. The tree has gained prominence due to unusual form or botanical characteristics.

d. The tree has some historical significance to the Township.

3. The Building Department shall maintain an inventory of all nominated and designated Historic Landmark Trees.

4. A permit shall be required to remove any landmark or historic tree. Any historic tree shall be replaced on a 1-to-1 caliper inch basis. For example, a 48" landmark tree shall be replaced by 24 two-inch trees. This replacement requirement may be waived if, in the opinion of the Planning Commission and after review by the Township’s consultant, the health/condition of the tree is such that it should not be counted.

L. Landmark Trees.

1. The following landmark trees shall be protected under this Section:

<table>
<thead>
<tr>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>SIZE D.B.H.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Trees</td>
<td></td>
<td>36&quot; or greater</td>
</tr>
<tr>
<td>Arborvitae</td>
<td>Thuja</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Beech, American</td>
<td>Fagus grandifolia</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Birch</td>
<td>Betula</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Black Walnut</td>
<td>Juglans nigra</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Blue Ash</td>
<td>Fraxinus quadrangulata</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Blue Beech</td>
<td>Carpinus caroliniana</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Chestnut</td>
<td>Castanea</td>
<td>10&quot;</td>
</tr>
<tr>
<td>Crabapple/Hawthorne</td>
<td>Malus/ Crataegus</td>
<td>12&quot;</td>
</tr>
<tr>
<td>Dogwood, Flowering</td>
<td>Cornus florida</td>
<td>6&quot;</td>
</tr>
<tr>
<td>Eastern Red Cedar</td>
<td>Juniperus virginiana</td>
<td>12&quot;</td>
</tr>
<tr>
<td>Fur</td>
<td>Abies</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Ginkgo</td>
<td>Ginkgo</td>
<td>18&quot;</td>
</tr>
<tr>
<td>Hemlock</td>
<td>Tsuga</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Hickory</td>
<td>Carya</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Hop-Hornbeam</td>
<td>Osyra virginiana</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Kentucky Coffeetree</td>
<td>Gynoecladus dioicus</td>
<td>20&quot;</td>
</tr>
<tr>
<td>Larch/Tamarack</td>
<td>Larix</td>
<td>18&quot;</td>
</tr>
<tr>
<td>London Planetree/Sycamore</td>
<td>Platanus</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Maple (Red)</td>
<td>Acer rubrum</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Maple (Silver)</td>
<td>Acer saccharinum</td>
<td>36&quot;</td>
</tr>
<tr>
<td>Maple (Sugah)</td>
<td>Acer saccharinum</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Maple (Norway)</td>
<td>Acer platanoides</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Maple (Amur)</td>
<td>Acer ganiata</td>
<td>8&quot;</td>
</tr>
<tr>
<td>Maple (Box Elder)</td>
<td>Acer negundo</td>
<td>36&quot;</td>
</tr>
<tr>
<td>Oak (All species)</td>
<td>Quercus</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Pine (All species)</td>
<td>Pinus</td>
<td>30&quot;</td>
</tr>
<tr>
<td>Poplar</td>
<td>Populus</td>
<td>36&quot;</td>
</tr>
<tr>
<td>Redbud</td>
<td>Ceris canadensis</td>
<td>6&quot;</td>
</tr>
<tr>
<td>Sassafras</td>
<td>Sassafras albidan</td>
<td>15&quot;</td>
</tr>
<tr>
<td>Serviceberry</td>
<td>Amelanchier</td>
<td>6&quot;</td>
</tr>
<tr>
<td>Spruce</td>
<td>Picea</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Sweetgum</td>
<td>Liquidamber Styraciflua</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Tulip Poplar</td>
<td>Liriodendron tulipifera</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Wild Cherry</td>
<td>Serotina</td>
<td>24&quot;</td>
</tr>
<tr>
<td>Witch Hazel</td>
<td>Hamamamelis virginiana</td>
<td>6&quot;</td>
</tr>
</tbody>
</table>

M. Tree Fund.

1. A Tree Fund is hereby created as the depository for all monies proposed to be paid by applicants in lieu of tree replacement or relocation, as provided in this Section.

2. The Township Board shall administer the Tree Fund, with the objective of pursuing the planting of trees within the Township. In the administration of the Tree Fund, the Township Board shall, if reasonably feasible, attempt to purchase and install trees within a reasonable proximity of the development in connection with which funds have been paid to the Tree Fund.