

**CHARTER TOWNSHIP OF ORION
PLANNING COMMISSION REGULAR MEETING AGENDA
WEDNESDAY, FEBRUARY 1, 2023 - 7:00 PM
ORION TOWNSHIP MUNICIPAL COMPLEX BOARD ROOM
2323 JOSLYN ROAD
LAKE ORION, MI 48360**

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

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CHARTER TOWNSHIP OF ORION PLANNING COMMISSION
******* MINUTES *******
REGULAR MEETING, WEDNESDAY, JANUARY 18, 2023

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, January 18, 2023, at 7:00 p.m. at the Orion Township Municipality Complex Board Room, 2323 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Don Walker, PC Rep to ZBA	Scott Reynolds, Chairman
Don Gross, Vice Chairman	Joe St. Henry, Secretary
Kim Urbanowski, BOT Rep to PC	Jessica Gingell, Commissioner
James Cummins, Commissioner	

PLANNING COMMISSION MEMBERS ABSENT:

None

1. OPEN MEETING

Chairman Reynolds opened the meeting at 7:00 p.m.

2. ROLL CALL

As noted above.

CONSULTANTS PRESENT:

John Enos (Township Planner) of Carlisle Wortman Associates, Inc.
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:

Dominick Tringali	Mitchell Harvey
Amy Harris	Scott Harris
Mike Lawrence	

3. ELECTION OF OFFICERS

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission **nominate and elect** Scott Reynolds as the Chairman.

Roll call vote was as follows: Gingell, yes; Cummins, yes; St. Henry, yes; Urbanowski, yes; Walker, yes; Gross, yes; Reynolds, yes. **Motion carried -7-0**

Moved by Trustee Urbanowski, seconded by Commissioner Walker, that the Planning Commission **re-elect** their current Vice-Chairman Don Gross and Secretary Joe St. Henry.

Roll call vote was as follows: Gross, yes; Urbanowski, yes; Cummins, yes; Gingell, yes; St. Henry, yes; Walker, yes; Reynolds, yes. **Motion carried 7-0**

Moved by Chairman Reynolds, seconded by Trustee Urbanowski, that Planning Commission **appoint** Commissioner Walker as the representative from the Planning Commission to serve on the Zoning Board of Appeals for 2023.

Roll call vote was as follows: Walker, yes; Gross, yes; Urbanowski, yes; Cummins, yes; St. Henry, yes; Gingell, yes; Reynolds, yes. **Motion carried 7-0**

Moved by Chairman Reynolds seconded by Commissioner Walker, that the Planning Commission **appoint** the current Site Walk members which are Secretary St. Henry, Chairman Reynolds, and Vice-Chairman Gross.

Roll call vote was as follows: St. Henry, yes; Walker, yes; Urbanowski, yes; Cummins, yes; Gross, yes; Gingell, yes; Reynolds, yes. **Motion carried 7-0**

4. MINUTES

A. 12-21-22, Planning Commission Regular Meeting Minutes

Moved by Trustee Urbanowski, seconded by Commissioner Gingell to **approve** the minutes as presented. **Motion carried.**

5. AGENDA REVIEW AND APPROVAL

Moved by Vice-Chairman Gross, seconded by Secretary St. Henry, to **approve** the agenda as presented. **Motion carried.**

6. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None.

7. CONSENT AGENDA

None.

8. NEW BUSINESS

A. PC-2018-49, Hills of Woodbridge Final PUD plan extension, located on a vacant parcel 09-26-451-004 north of 3805 S. Lapeer Rd., Vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.).

Chairman Reynolds asked the applicant to state their name and address for the record.

Mr. Daniel Spatafora with Hills of Woodbridge, LLC, the developer for Hills of Woodbridge PUD, presented.

Chairman Reynolds asked him to give an overview of why they are requesting this extension.

Mr. Spatafora stated that after they received a final PUD approval they immediately engaged at the beginning of the engineering and plat review process. Along the way, they ran into some lengthy delay processes mainly with the Michigan Department of Transportation which they still are going back and forth with them to obtain their permit. The Township had previously reviewed and approved a revised Traffic Impact Study with an engineer, MDOT, unfortunately, did not accept it because the traffic engineer that they had at the time apparently did not meet their current standards that they had. They changed the personnel with different reviewers, unfortunately, for them, and at their expense, they had to start that whole process over again. He added that they were asked to work cooperatively with Walley Edgar Chevrolet to the south of where they are located on the east side of Lapeer Rd. north of Silverbell Rd. They have been doing that, so they have been sharing engineering plans as well. As a result, the final PUD, to the point where they look to begin infrastructure construction probably in another month or two with mass land clearing. He respectfully requested that the Planning Commission give an extension of their Final PUD.

Chairman Reynolds asked what the timeline of the extension they are looking for was. Mr. Spatafora asked if they could have it for a year.

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission **approves** the Final PUD plan extension request for PC-2018-49, Hills of Woodbridge Final PUD plan for a one-year period. This approval is based upon the fact that they have been diligently working with the Department of Transportation relative to gaining access to Lapeer Rd. and they are coming close to making a final resolution.

Roll call vote was as follows: Urbanowski, yes; Gross, yes; Gingell, yes; Walker, yes; Cummins, yes; St. Henry, yes; Reynolds, yes. **Motion carried 7-0**

9. UNFINISHED BUSINESS

A. PC-22-39, Hudson Square Planned Unit Development (PUD) Concept Plan, located at 3030 S. Lapeer Rd. (Sidwell #09-26-101-021).

Chairman Reynolds asked the applicant to state their name and address for the record. He added that they have heard this project in depth recently and asked to be postponed coming back with some conclusions on traffic mitigations.

Mr. Michael Wayne 3250 Auburn Rd. Auburn Hills, MI presented.

Mr. Wayne stated when they were in front of them last time on December 7th obviously one of the biggest question marks about their proposal was what is MDOT's response going to be to their proposed traffic volumes. This is something they have explored with MDOT exhaustively. He mentioned this in the past and they have spent the time since they were last in front of them doing exactly that. They have prepared a full Traffic Impact Study. They have gathered data they have analyzed it and it has been exhaustively explored. What they found out yesterday was that MDOT has made the decision that they will approve their Traffic Impact Study and they will permit the project. What that means is that there are really a few decisions that MDOT makes, the first is independently just accessing their project they determine whether the traffic impacts from the project are acceptable, and that is its own approval, that is the one they received. Then within MDOT, there are various other forms of approvals for specific improvements that they are going to make at a given intersection, it is a separate approval process. That approval process is still being contemplated by MDOT but the key approval that has been received as of yesterday is that they will permit their project today given the proposed volumes.

Mr. Wayne said that they do acknowledge that the traffic congestion at this intersection is a problem that they did not create. They mentioned that many times in the past, but they also mentioned that they want to be part of the solution, and they meant that when they said that. As a result of that they have committed to contribute \$25,000 towards whatever improvement decisions MDOT decides to make at this intersection. By doing so that money becomes the seed funding that MDOT needs to then internally create the rest of the funding to fund the improvement. That seed money is so critical because the reality with MDOT is that they have so many improvements that could choose to make they have to decide which ones they will do. The fact that this one has a private investment contribution would dramatically increase the speed at which MDOT is able to make those improvements.

Mr. Wayne stated that the Traffic Impact Study that they provided is the very reason they are aware of the need for these improvements. Between making them aware of the need for improvements and providing a \$25,000 contribution toward those improvements they feel like they have done their part to mitigate traffic impacts. That is the news they received yesterday. This was verbal, but the Township Engineer could verify what they were told. They acknowledge that any approval tonight would be contingent upon written documentation that is

consistent with what he is saying. They feel that it is sufficient to move this project forward toward final approval.

Chairman Reynolds said they are in flux between their previous Planner and their new Planner, they will talk about that later in the evening. This project is one of those that straddle the two plan reviews. There was a second review of the plans submitted in early January in preparation for this, which was in their packet this evening. If they have any questions, they can go over that four-page review in their packet.

Chairman Reynolds asked OHM if they could touch base on any additional items that they had.

Engineer Landis stated that they did have discussions with MDOT this week and they will be approving the drive permit for the project and are in general agreement with their traffic study. MDOT does have its own internal process that they go through in evaluating what mitigation may be required. They told them that nothing is finalized but it looks like they will probably want to signalize the crossover south of the intersection. The fact that this contribution is being made as part of the PUD, it does move the project up in the design construction priority list that MDOT has. While it wouldn't fully fund a signal it certainly does give it that boost that it needs. Based on that they have no further concerns relative to the traffic.

Chairman Reynolds stated that there were reviews from the Fire Marshal and WRC.

Chairman Reynolds said he would turn it over to the Planning Commissioners. He asked them to keep in mind that this is PUD eligibility, and one of the major points of contention is obviously traffic solutions and the impact of traffic. He thought that a couple of topics that were early on were the public contribution, the public benefit of the project, specifically some of the walkways, and also about landscaping. If there are any topics, he thought this would be the time to bring those up.

Vice-Chairman Gross stated that this is a request for concept approval and not for final site plan approval. There were some issues related to the site plan that was submitted with the concept relative to some variances that are going to be required. He thought that any action on the concept approval should not contain any waiver of any kind since that should be treated as a final site plan as opposed to the concept.

Chairman Reynolds asked if he was specifically referring to some of the setbacks. Vice-Chairman Gross replied yes. Chairman Reynolds asked if it was specifically the drive-through. Chairman Gross replied it would be the drive-through and setbacks for some of the townhouse units. Basically, it would be the setback on the north property line.

Chairman Reynolds stated that was one of his points of contention on the project. He was happy that the Traffic Impact Study and essentially where they have landed with the Lapeer Rd. intersection, that it is prompting the improvement that really needs to happen there either way, whether there is development on the corner or not. He agreed that the landscaping on the north side, the buffer, where they are going to have an issue with the setback distance but then with the turnaround, they are talking tens of feet to the west, and they have 30-ft. to the north. Yes, there is some multi-family up there but one of his driving concerns was the drive-through. At concept, he liked what was presented and thought that some of the technicalities are something that he would still like to see some improvements on.

Trustee Urbanowski said she did remember the conversation about the drive-through. The big sticking point at that time was the traffic, and she did appreciate the effort made and the contribution towards the mitigation. There was a concern about the drive-through and how it

was going to be configured. She thought it was a little too close to that north property line. They heard from neighbors that were much happier with this and she liked the concept as well.

Secretary St. Henry felt his biggest concern was the traffic issue and the intersection when they reviewed this last time. It does sound like they made a good-faith effort to address both of those. If the engineers and planners are comfortable with traffic study results, then he was comfortable with this development. They are going to put a light there and it was probably long overdue. If this seed money and this development prompted MDOT to move forward, he felt that would be good for the Township.

Chairman Reynolds thought they needed to circle back to the setbacks as a discussion item on whether people want to support or have a condition on the concept.

Trustee Urbanowski asked what setbacks he was talking about. Chairman Reynolds replied that if they go back to the original planner report it is where the charts kind of exist. Commissioner Walker asked if the report of 12/29/22 is what he was referring to, the summary of Zoning Ordinance compliance. Chairman Reynolds replied correct. Commissioner Walker thought it was summarized there and if the petitioner is ok with knowing that those things are not going to be waived at the concept stage, he has no problem with it.

Chairman Reynolds said that some of the issues were that the drive-through setback to the building measured 52.8 versus their standard being 100, and some of the greenbelts are reduced.

Chairman Reynolds stated that they discussed some of the setbacks for the drive-through restaurant and the distance to the north property line. The other discussion was the variation from the 35-ft. setback that the buildings are closer to 30-ft. The last one was the west side the turnaround was added because this was a dead end previously but gets reduced pretty significantly. As previously discussed, they talked about how there is some existing buffer on the other side of the property line but how it is going to be resolved on this parcel. Those are still some things that need to be resolved to provide a larger buffer to the west. He could see some plantings and things are proof that the 30-ft. works on the north, he was less concerned about the 30-ft. to the north for the residential he was more worried about the setback distance to the drive-through restaurant being that close to the north.

Trustee Urbanowski asked if they talked or asked about flipping it. Chairman Reynolds replied that he didn't know if they discussed there would be another orientation of this. He thought the big thing was just the fact that there is one way of circulation and maybe adding a bypass lane so that it is all pretty tight, but they are still putting something right up against that property line especially a drive-through which he was not in favor of. Trustee Urbanowski said it is not just a couple of feet it is half.

Mr. Wayne said he thought this came up at their last meeting. The technicality as to why this is not compliant is because the north property is technically zoned single-family even though it has an existing institutional use on it. If it was zoned something representative of that institutional use like commercial for example, that setback requirement would be reduced, and therefore, they wouldn't be as far out of compliance. He felt that should be considered on this topic that while the requirement is 100 because the zoning is technically single-family the building that is built there right now is a church. He felt the commercial setback should be considered given the reality of this location. He added with respect to buffers that is something that he has a lot of control over and can influence. The intent would be to work with the grade change and determine the most effective way to provide either landscape or berm/buffers for the north side and also to the west.

Mr. Wayne stated that they don't have a ton of flexibility when it comes to actual site layout, it is kind of a big majanga to try to make those three things fit with all the right parking. At the expense of some parking, they could increase setbacks but to keep their current parking count it would be a challenge to increase setbacks. They would have preferred to maintain the 35-ft. on the residential and preferred a larger setback by the drive-through, with the variables they were dealing with that is what they came up with.

Chairman Reynolds said that he wanted to be clear, as the concept, that they are talking about all of this stuff here in concept but the reality of the true setback distances. He agreed that there are some discussion points through final engineering and final PUD. He wanted to make sure it is clear that this is all kind of tightly packed in on there and whether they are good on the by-product of that as it sits right now or is there some kind of compromise that they are looking to have to increase those and address those conditions.

Trustee Urbanowski wondered what if it were to be zoned commercial what would the setback be. Chairman Reynolds said to keep in mind that for any religious facility, it is typical that it is on a residentially zoned parcel and that is technically what that parcel is zoned. Just because there is a church there now, they are kind of counting on that being rezoned in the future to address that buffer in a different way.

Planning & Zoning Director Girling stated that the drive-through has more of an extreme when it abuts residential. If they are saying that this drive-through was abutting a commercial then they would just have a normal setback, there is not an extreme, that would be a side and the normal side setback, or this particular use of a drive-through restaurant is going to be a side of 20-ft.

Secretary St. Henry wondered if the Township and the developer could find a compromise on this setback on the drive-through side. They are talking approximately a 48-foot difference. Chairman Reynolds said there is a buffer proposed, it is 30 feet of clear space, and then it is 52.8 feet to the building edge. Secretary St. Henry didn't think they needed to decide tonight but meet them in the middle. Vice-Chairman Gross said that a lot will depend upon what kind of landscaping is going in. Secretary St. Henry said exactly, which they will find out in the final site plan review. He wanted to place that seed with them that there is a possibility to find some compromise, especially considering they know that church is there that church has been there and he didn't think the church was going anywhere. To him, he thought it was a viable compromise.

Chairman Reynolds asked for additional thoughts on the drive-through setback. Trustee Urbanowski thought it should be a little bit more, if possible, to see if they can find some space for that.

Chairman Reynolds wanted thoughts on the residential apartments being 30 feet. Trustee Urbanowski thought on the north side it was fine there.

Chairman Reynolds said the one point of contention for him was it doesn't look like there was going to be much of a buffer to the west to the apartments and thought that was something that needed to be fixed moving forward. He thought by the time they landscaped that area there was not a whole lot there left and thought that was going to be a point of concern moving forward. If there was a way to present some compromise to some of the buffers or shorten some of these distances up. Secretary St. Henry asked what he was looking for there in terms of the additional buffer needed. Chairman Reynolds said right now it appears to him that it is less than 20 feet so if they look at the idea that it is multi-family abutting single-family typically, they are asking for quite a bit more than that, double that. He felt if there were measures of

landscaping and berms that addressed it but he thought that was a significant pinch-point there especially when they are talking about transition zones with a PUD. To him, he would like to see that they are making some compromises on the others and would like to see that one withheld, especially including that of the turnaround. Trustee Urbanowski agreed with that.

Chairman Reynolds said they had talked about this project quite a bit previously and there was the resubmission made. Additional thoughts on where it is for the sake of PUD Concept and Eligibility.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission **forward a recommendation to the Township Board** to approve PC-22-39, Hudson Square Planned Unit Development Concept and Eligibility plan, located at 3030 S. Lapeer Rd. (Sidwell #09-26-101-021) for plans date stamped and received December 14, 2022. This recommendation to approve does not represent a final site plan approval or any variances under the current zoning ordinance. The applicant has met the following eligibility criteria of Section 30.03(B) of the Township Zoning Ordinance: with the recognizable benefit that the PUD will result in a recognizable substantial benefit to the ultimate users of the project and the community; the proposed type and density will not result in a material increase in the use of public services, facilities and utilities, in relation to what would be permitted if the property were developed without using the PUD; the PUD will not place an unreasonable burden upon the subjects surrounding and/or surrounding land and/or property owners and occupants or the natural features of the property; the proposed development is consistent with the intent and spirit of the Master Plan; the proposed PUD will result in a reasonable economic impact upon surrounding properties in relation to the economic impact that would occur from a more traditional development; the proposed PUD contains as much usable open space as would be required in the Ordinance for the most dominant uses in the development; the proposed PUD under single ownership or control such that there is a single person or entity having responsibility for completing the project with this Ordinance. This recommendation to approve is based upon the following conditions: the applicant has indicated a commitment of \$25,000 to use by MDOT towards the improvements necessary for traffic improvements on Lapeer Rd.

Discussion on the motion:

Chairman Reynolds asked if the motion maker would add the condition about the western buffer increase, he thought that was an important one to call out.

Vice-Chairman Gross said that he indicated that it does not include any waivers to the ordinance which includes setbacks and or landscaping and he would also include the west property line setback and landscaping.

Planning & Zoning Director Girling stated that the \$25,000 would be a payment to the Township that they would then pay to MDOT.

Vice-Chairman amended the motion, Commissioner Walker re-supported that it does not include any waivers to the ordinance which includes setbacks and or landscaping and he would also include the west property line setback and landscaping. Also, the \$25,000 would be a payment to the Township that they would then pay to MDOT.

Roll call vote was as follows: Cummins, yes; St. Henry, yes; Urbanowski, yes; Gross, yes; Gingell, yes; Walker, yes; Reynolds, yes **Motion carried 7-0**

B. PC-22-29, Baldwin Village Final PUD, located at 4410 & 4408 S. Baldwin Rd. (parcel 09-32-301-001), and unaddressed parcel 09-32-301-014 located at the NW corner of Morgan and S. Baldwin Roads, an unaddressed parcel 09-32-151-020 located north of 4408 S. Baldwin, and 4292 S. Baldwin Rd. (parcel 09-32-151-021).

Chairman Reynolds asked the applicant to state their name and address for the record.

Mr. Jim Eppink is a land planner located at 9336 Sashabaw Rd., Clarkston, presented. He was representing Red Equities and their development team led by Buzz Silverman. Buzz apologizes he has the flu but is participating online but doesn't have the ability to communicate with them but is watching currently.

Mr. Eppink said they had the opportunity to introduce themselves back in August. They have a robust team led by Buzz Silverman and his group. Also, joining as part of the development team is Moceris Jacobson Companies, Dominick Moceris is the lead there and Manny Kianicky is the lead representative for Jacobson. They are also led with the commercial portion by Alrig Development Gabe Schuchman and his representatives Mike Lawrence are here tonight. They also have their entire team here for any questions they might have Stonefield Engineering, AEW Engineering, and Dominick Tringali their architect is here. They have submitted what turns out to be perhaps the largest submission package he has submitted to a Township, about 178 pages. Their PUD process is a little unique compared to many communities, although it makes a lot of sense. In most communities, they are used to seeing a PUD go through that conceptual approval and then come in phase by phase for the final site plan. Orion Township in its wisdom says it is all interrelated it is all interconnected so let's look at the whole thing. They were there in August they appreciate the Commission considered it carefully and made a recommendation to the Board, the Board in turn granted them preliminary or conceptual approval of the PUD.

Mr. Eppink stated at that time what they tried to communicate to the community is that as indicated by their recommendation and the Board the project did qualify at least conceptually as a PUD. They dealt with not only the Township PUD ordinance but also the Gingellville Overlay District and so there are several components of their ordinance that came together here. They were able to go through and demonstrate their belief and they ratified that the plan certainly meets the goals and intents of the Gingellville Overlay District, as well as the PUD. He added that it also aligns with their Master Plan they found it intends to be the village center of Orion Township, so they tried to design Baldwin Village to exemplify the goals and the vision of their Master Plan. It is a mixed-use concept, and he will go through the uses that they went through in August. The plan is very similar to what they saw in August. What they have done in the meantime was brought in additional architectural amenities that really focused on creating a livable 15-minute neighborhood in Orion Township, picking up the vision of the Master Plan.

Mr. Eppink said between conceptual and final really most of their time is spent in engineering looking at infrastructure, doing traffic studies, working with the Township consultants, and with RCOC. They have provided several review letters and he knew that the consultants have provided a lot of time going through those reviews as well.

Mr. Eppink stated that they had presented the Gingellville Overlay Ordinance and really found that in every case they either met or exceeded that in their opinion and also the Township Master Plan.

Mr. Eppink said that what they have done since August when they received their recommendation and the subsequent Board conceptual approval they really focused not from a planner's point of view, the nuts and bolts are critically important and they are all here tonight, but really what their team is focused on is creating a place or what they call place-making and

he thought what Orion Township is recognized for. Everything they have done is in consideration of not only how it is going to work, how are the sewers, the road, the traffic, parking, and the lighting, how is all that going to work, but what is it going to feel like when people live, shop and dine here. What is it going to feel like to the neighbors and to the people driving up and down Baldwin Rd.? All the plans that are before them tonight all went from that conceptual stage to the final stage of really what is it going to feel like, how will it work, and what is it going to look like as it is built. Then more importantly, 5, 10, 15 years down the road they want to make sure that it is done in a very sustainable way, and a very infrastructurally sound way. Landscape architecturally will stand the test of time, is the quality there, and is really proud of the quality that they are bringing forth across the board on all these items.

Mr. Eppink stated that the plan is almost identical in terms of uses, layouts, densities, and everything that they brought to them in August. The one significant change is in the commercial area where they had previously proposed a carwash at the southern end of the site. That was recommended and approved but they understood that was conditional and they got a lot of feedback, and he thought good feedback that said, "is that really the highest and best for a village center". What they have done is they have removed that proposed carwash and replaced it with another restaurant. What they are proposing tonight is for that to be a Shake Shack restaurant, they will go through the details of that, but the carwash has been removed.

Mr. Eppink said everything else across the plan, this is a four-village concept, really remains very consistent with what they had proposed before. Phase one is the commercial center with various uses and is anchored by a grocery store. Phase two is really components because he thought the phases were intended to be interworking, so he will call them components. Component two is that Uptown Village or that for lease community of three-story apartments. What they have done is try to constrain the setbacks, and bring the project more towards the center, they heard a lot about what was called the ladle street off of Baldwin, so they tried to increase those setbacks to make sure they are preserving trees.

Mr. Eppink stated that the North Village remains very much the same. They worked hard on creating that significant pedestrian connection to The Cottages at Gregory. Opinions varied across the Board, the Planning Commission, and even within the community on whether or not that should be a vehicular connection, they are proposing that that is a pedestrian connection, really due to the significant grade change.

Mr. Eppink said the South Village remains consistent with what they had seen before. What they had done before they came before the Planning Commission and the plan that they recommended is that they deliberately changed out some previous ideas of townhomes along the western portion that abuts the Peppermill neighborhood those are now duets, two-family homes, or duplex homes, they are single story so these homes will be lower than the height of the adjacent homes. They have significant setbacks and they have increased that, and they will go through the landscaping.

Mr. Eppink stated what they are excited about is how this is going to look, feel and integrate with Orion Township. They still propose a grand entrance with significant landscaping up and down Baldwin. As they head west into the site that roundabout was designed to have a spur that would go off to the west. They named this in recognition of the history of the community and being in the Gingellville Overlay District they enter onto Gingell Ridge Rd. which really becomes the main spur going through the development. When they go into the development and turn south, they head into the commercial area. There are five different uses here anchored by 45,000-sq. ft. grocery, quite small or boutique in today's terms, but what they think is going to be a very exciting grocery market right on the corner. Then as they move south, they come upon these two multi-tenant buildings. What they have done is face them to the road, and have

brought patios out to the road, sidewalk connections, great architecture, trying to activate the sidewalk and the front door of Baldwin, and tucking all the parking behind the buildings.

Mr. Eppink said at the far south end is consistent with what they talked about in August is a proposed Chick-fil-A in Orion Township, which would be closest to Morgan Rd. Landscaped well around all its parameters, with heavy buffers to the west where it abuts the Shalom Baptist Church. They are bringing in the Gingellville Overlay District Design Standards in terms of benches, streetlights, pillars, fences, and landscaping as well.

Mr. Eppink stated in the middle between the mixed-tenant building and the Chick-fil-A is the proposed Shake Shack, so they have taken out that carwash. They were and are proud of the architecture for the carwash that they have proposed before and they will use that again. What is great about this is that these are smaller buildings now more pedestrian in scale, and less automotive even though the Chick-fil-A and the Shake Shack are proposed to have a drive-through but those are put off to the side and to the back.

Mr. Eppink said that the plazas and the patios will be certainly between and in front of the retail buildings in the front and obviously then the Shake Shack and the Chick-fil-A will also have outdoor patios with umbrella tables and activities throughout the building.

Mr. Eppink stated that the pedestrian connection is not only from Baldwin Rd. Planner Enos and the Planners recommended some additional sidewalk connections to Baldwin Rd. and they were in agreement with that and will strive to make additional connections onto Baldwin Rd. Equally important, they think that the pedestrian access points throughout Baldwin Village. They are bringing people through different areas of Baldwin Village down sidewalks, down paths, and down passageways so that people can walk directly from their homes into the shops. With that connection up to The Cottages at Gregory certainly, kids will be able to ride their bikes, and families will be able to walk down pushing strollers and get down to the restaurants without having to get out and having alternate routes other than vehicles.

Mr. Eppink said that the Uptown Village on the northwest corner is really anchored by a significantly large pond. Their detention pond will take almost all the stormwater throughout the development towards the pond, and a portion of the southern half will go into some existing storm sewers. Mitch and Steve, their two engineers, worked together to ensure that this really worked well. What is great about this is there is going to be an iconic vision as they come down Baldwin, it will have fountains, it will be landscaped, and it will be very parklike. They also have a pocket park along the front of the road. The frontage along Baldwin particularly as they are coming south and as they go north get through the roundabout, they are really greeted with almost a park-like experience with that pond on the corner.

Mr. Eppink stated the architecture like before they have gone through Dominick Tringali and his team have really spent a lot of time and they will see a lot of detail in terms of trellis work and architectural detail. What they have done is try to create not only the landscape not only through building architecture but through architectural elements, trellis work, benches, and public plazas. They have taken these through the entire community so there really is this celebration, which focuses on outdoor space. It is not just, is it landscaped, and do I walk by it and not notice it, but they have created many areas where people can stop whether they live in Baldwin Village or you are walking or driving through, there are gathering areas, there are places for families or people working from home that can take their laptop outside. There are a lot of outdoor activities which they were excited about.

Mr. Eppink said that the apartment buildings and the architecture throughout the development have been led by Dominick Tringali. He has worked with Alexander Bogaerts and other really

top-tier architects. It all has a really great modern farmhouse architecture. They deliberately tried to look forward in terms of the look and feel of the neighborhood. What it is really marketed towards is that more exciting youthful but still timeless architecture that is going to hold the test of time over the next 20-30 years. They deliberately got away from what might be typical for townhomes and buildings like this, the red brick materials are of great quality, and they have provided a lot of detail on the quality and the types of materials. Dominick has really led a great vision of this modern farmhouse style throughout all of their buildings.

Mr. Eppink stated that within Uptown Village or that second component to the northwest, there will be a clubhouse, the clubhouse will have a fitness room, meeting rooms, places to have baby showers, card nights, and those types of things. They will also have a big pool and activity area outside. The clubhouse will be available, because this is centrally owned and centrally managed, for all the residents of Baldwin Village. If they are in the apartments, townhomes, and duplexes they will be able to use the clubhouse, the pool, and everything. They thought that was a huge advantage because what they have seen in other communities is when they have these different components if there is not some kind of uniformity or ability to use all of the outdoor areas there is kind of this different factions. In this case, they are really looking at this as a very interchangeable flexible neighborhood.

Mr. Eppink said looking to the future, looking at how people live now, they have created a mail kiosk just outside of the clubhouse, and it will also be an Amazon station. They are bringing all the modern amenities that they have the advantage of as they build a new neighborhood in Orion Township. How do they build it for today and for the future?

Mr. Eppink stated that North and South Village just like the Uptown component was anchored by the pond. Really what, he thought, becomes the calling card of the neighborhood is the preservation of the wetland. They have a very significant very healthy wetland. It is a wooded wetland. It is not an accidental wetland. It is not something because of farming activity, it is a natural wetland, and it has significant habitat in it and water features in it. What they have done is focused, as they come into Gingell Ridge Rd., they will have a look right through a pocket park right into that wetland. All the trees and all the undergrowth is all preserved around that whole area. When they take, on top, the preservation of the entire buffer along the western buffer just that alone is over seven acres of preservation area. They will work to put woodchip trails through it but that really is intended to be left as a natural area. It is not only beautiful, but it creates a great buffer for their neighbors to the west, and Peppermill, as well as The Cottages at Gregory.

Mr. Eppink said that the architecture for both the North and South Village, again, continues that theme of the modern farmhouse. They have worked hard to have frontloaded garages, sideloaded garages, and even rear-loaded garages. As they move through the neighborhood the intent is that the buildings will be very similar in architecture and complimenting each other, have similar materials, and color palettes that are complimentary, but they don't have the same building repeated over and over, so every building is different. It gives them the opportunity to move cars into different locations. It gives them the opportunity to place trees, and landscaping in different ways, and make it so it is not boring and cookie-cutter. When they design large mixed neighborhoods like this, he always says does it pass the pizza delivery guy test, and that is, is my front door, building, or house, different enough that the pizza delivery guy says oh yeah that is where Jim lives, and it is easy to find as opposed to trying to squint for all of the addresses.

Mr. Eppink stated that the buildings will be different sizes, this is deliberate again so that everything is not just monolithic and looks the same. They will go from triplex homes, again they have the duplex up in the Southern Village but triplex all the way up to six-plex buildings

throughout the north and south buildings in South Village. All the buildings are two stories, some of them because of the grade as they go towards Gregory, they are three stories in front when the garage is in the front, but from the western point of view, all of the living would be just on two floors.

Mr. Eppink said they did an exhausted tree survey, they did replacement calculations, and they really tried to provide as much data as possible. Carlisle Wortman and OHM have provided really thorough reviews. They put together a quick response to the Planner's report because there were an awful amount of items on there. To him, it made sense for him to digest how they group those together. They submitted that to the Planning & Zoning Director Girling just in the last few days, those were his opinions of how he groups those together so that he could understand really the thoroughness of both OHM and Carlisle Wortman's reports. What it meant to him was that a great number of those items were part of or considered within the conditional recommendation and approval. Things like general layout, qualification for a PUD, and density were sent, and are less than half of what the Gingellville Ordinance would actually provide in terms of density. He tried in his mind and then he provided the Township with a list of what he thought was previously covered in terms of conditional approval or conceptual approval. Then there were things to him, that would typically be smart to note at this time but typically happens between final approval and permitting final engineering. Working with the Road Commission and final configurations and those types of things.

Mr. Eppink stated that there were, on a project of this size, a handful of things that he would call housekeeping, adding additional data, and a couple of extra numbers to the plans. The important thing is there is nothing at all that they disagreed with or said this is just not going to work. For example, that might be on the elevations, they noted the height of each floor but didn't provide the total height of the buildings. Those are the type of housecleaning items that they will come back and provide.

Mr. Eppink said that there were just four or five items that he thought were kind of opinions, these are things that they are asking for, like an LED light, they are proposing to have LED light fixtures with a style that will match the modern farmhouse as opposed to the light that is specified in the Gingellville Overlay District. Those were the type of things that are on that list, all of which they will respectfully ask for their consideration. To him, those seem manageable, and with the request that those would be, should they consider the recommendation, things that would be applied for conditionally. They can follow up even before they get to the Board should they head them in that direction with some of those additional details, and the acknowledgment that things would be handled down the road.

Planner Enos read through his review date stamped January 13, 2023.

Engineer Landis read through his review date stamped January 12, 2023.

Engineer Landis read through his Traffic Impact Study review date stamped January 18, 2023.

Chairman Reynolds stated that they did have reviews from the Fire Marshal and Public works. Overall, there were no major concerns, although there were a number of items to be essentially fixed or addressed. The Fire Marshal would be comfortable with an administrative review noting all of the changes and requested changes being made.

Chairman Reynolds said as previously mentioned this is a final PUD, so this is their opportunity to really dig into the details of this project. Since they went through the big picture overview of where they are at, and where the project is. He turned it over to their Planning Commissioners for their initial thoughts and discussion points.

Secretary St. Henry asked if they could provide a quick summary of the density of the development, and what it is zoned for. He thought it was mentioned that it is half of what it could be.

Mr. Eppink currently right now the total property is about 58-59 acres, about 11 when they take out the right-of-way is commercial, so the balance is residential. The Gingellville Overlay Ordinance provides a number of mechanisms that would allow this property to achieve a density of up to 20 units per acre. What that would equate to, and they went over that in the conceptual stage but was over 640 units or so, the total density was permitted under given open space, given excellent design, given all the criteria that Gingellville Overlay District could be achieved at 20 units per acre. Their density within the residential portion is 6.7, so when he said they were half of the density that could be theoretically conceived given their ordinances were at just under 10 units per acre, 9.7 units per acre. That goes all the way from two resident buildings all the way up to the apartment buildings which have 24 units per building within those. The total number of residents on this property will be 465 residences on the property, which is about half of what could happen. When he breaks that down between the villages, the Uptown Village or the apartments has 304 apartment units, the North Village has 79 townhome units, and then the South Village has a total of 82, 14 of those are duplexes, and then the balance would be townhomes in the South Village, 465 total or 9.75 units.

Vice-Chairman Gross said a big project, frankly, is very difficult to absorb in one meeting, especially when they are looking at over 175 pages that were submitted. The Planner had a 30-page document as to his analysis with a 6-page summary. 84 potential conditions to be considered. They indicated that a lot of those can be resolved very easily with some revisions to the plans. He had some specific questions. He asked if the entire site was in the Gingellville Overlay District. Planning & Zoning Director Girling replied that the Chick-fil-A and Shake Shack are (BIZ), and everything else is Gingellville.

Vice-Chairman Gross asked who is responsible for making approvals on the variances of the various ordinance requirements. Such as the size of the grocery store, and the setbacks, or are those things handled by the Zoning Board of Appeals, or through their PUD review process? Planner Enos stated that under the PUD Ordinance, they are given a tremendous amount of flexibility on modifications or waivers. He didn't want to use the term variances because that may conflict with the ZBA, that term. They do have the ability to really get down to the brass tax with setbacks, square footage, for example, the size of the grocery store, locations, and designs. All of this as part of their modifications under the conceptual plan review can be and has been incorporated into this plan. Planning & Zoning Director Girling said the Ordinance specifically says a PUD cannot go to the Zoning Board of Appeals. That is why they have signs within a PUD submittal because they would have to come back if all of a sudden, they found their signs did not meet the ordinance they would have to come back to the Planning Commission because it is explicatively in the Ordinance that they cannot go to the ZBA.

Vice-Chairman Gross asked if the signs have been included in the submittal. Mr. Eppink replied that they have not been submitted as part of the package as of yet. He added that they provided within the drawings the bases of the sign both for residential and commercial. The intent would be that the sign panel particularly for commercial would be dependent on what those tenants were but would fit within that sign panel. Their understanding is that they would be permitted to certainly not go back to the ZBA or go beyond the Ordinance but come back and apply for a standard sign permit at the time as long it met all of the ordinance requirements for the individual users and wall signs for the retail tenants.

Planner Enos said he would suggest, and that works for meeting the ordinance requirements for signage but also maybe as a condition that the signages are relatively uniform. He realizes that

Chick-fil-A and those others might have their standard signage but again they want to tie the entire project so he would say those signs would be relatively uniform in their design and materials. Mr. Eppink said he agreed and that is why they provided that kind of uniform stone base that will be along Baldwin Rd. both for the residential and for the commercial. It ties together with pillars that are outlined in the Gingellville Overlay Design Standards.

Vice-Chairman Gross asked if there were lighting standards that were in their plans. Chairman Reynolds asked if they had cut a sheet of the fixture that they are proposing at this time. Mr. Eppink said he said that one had been submitted but he didn't have one that he could bring up. The difference was that their light fixture, the Gingellville calls for a standard acorn light, kind of a historic nature because of their modern farmhouse look they proposed a light fixture that is a little more contemporary and a little sleeker in design. It also calls for an LED light source as opposed to an incandescent. He has seen a lot of the communities just starting to update those requirements in their ordinances. He added that they would meet the height requirements and those types of things.

Vice-Chairman Gross said this is their last shot at it and there are an awful lot of conditions that he wouldn't even know where to begin to add conditions that could be resolved by amendments or revisions of the plans, and he didn't mean the Master Plan.

Chairman Reynolds stated that he is always all for being redevelopment-ready and moving projects along when he sees fit. This is a large project; they have been working on it for a long while and there is a decent laundry list. His feeling is that a resubmission would bring some comfort and himself and some fellow Planning Commissioners. There are a lot of items that need to be addressed. He thinks it is worthwhile talking through some of their points of contention. He wants to give some direction. There are a lot of things that are subjective that could come back as not revised and they still discuss it. He wants to be respectful, and this is with all due respect for obviously submitting a response letter and speaking about some of those concerns and how they can be addressed. Either way they slice this, it is going to be a large project to review so for him it comes down to some of these bigger points of contention. He thought there were some changes through here, but he is still in support of the general concept of changing out from a carwash over to another drive-through with that kind of unit. There is some information to him that needs to be provided to bring some comfort, the gradings through residential areas, and some of the grading that has appeared now that they are in the final review is bringing some concerns. In the packet, for example, regarding the main entranceway, they spoke to elevations of some of the commercial buildings initially and he still has those concerns especially when they have a grocery of 40,000-sq. ft. up against Baldwin Rd. and now there is kind of this terrace effect. He thinks that there is still the need and warrants something that addresses Baldwin Rd. façade. All of those are potentially kind of adding to the laundry list that they have here but he thought it was worthwhile going through some of these points. Maybe starting with the idea of some of these bigger-picture discussions of drive-throughs and some of these setback modifications that are before them to talk through. He was thinking high-level, if someone feels otherwise that they want to work through a solution tonight, he was all for that too.

Commissioner Walker said one of his favorite expressions as he sits on this commission is he is not an architect and he is not an engineer, sometimes it is good and sometimes it is bad. He is sitting here overwhelmed by this. Did he hear correctly that the finish date is 2030? Mr. Eppink said when they projected out the traffic study likes to look at when will the different things come online. They are very bullish on Orion Township and on moving quickly forward. The commercial would start this spring, residential would also start, and they can talk about the phasing and the shared infrastructure. They look to begin all phases right away in the spring and the summer, following permitting and so forth. Commissioner Walker asked where the

completion date came from. Mr. Eppink replied that from a traffic study point of view, they project actual growth over a period of years. If they were to start in the summer of 2023 buildings may begin to open in the spring of 2024, and then they would continue to come online. They would expect the longest term might take another six years, which would be 2030, but they would expect that to be completely developed given everything in half that time. The total buildout would likely be in about 2.5 to 3 years. The traffic study does project it out longer, just so that they can apply those numbers. They expect it to be really built out in the next 3 to 3.5 years but the traffic study projects up to 6-7 years of construction.

Commissioner Walker asked why they are acting like the house is on fire today. There is a lot here to digest. We have our new Planner and there are a lot of moving parts to this. He has never seen so many moving parts in the application for the final site plan, ever, since he has been doing this. He knows that they indicated that most of them can be done administratively and even Engineer Landis indicated that a bunch of them can, but to him, there is a lot here to digest in an hour and a half of chatting with them. Mr. Eppink said that they have had the pleasure of working with Planner Enos and Carlisle Wortman, and OHM for many years, and frankly two of the best Planning & Engineering consultants. They have done a phenomenal job. What he thinks that both consultants did and thanked them for is to look very holistically. In his opinion, the Planner's letter in particular did a phenomenal job of really telling the total story. That is why he went through it because he thought that a lot of those questions were recommended at the Planning Commission stage. Appropriately to continue this package, for example, there were 84 conditions, one of those was the size of the grocery store whether it be 13,000-sq. ft. as the Gingellville Ordinance says or it 45,000-sq. ft. as they have proposed. His thought is that was part of that recommendation at conceptual, so that is in there and was one of the 84 but when he whittled down that list and took out a lot of those things that were discussed and he thought recommended at conceptual a lot of the things that would typically be done as they go into final engineering and permitting post-review then all of a sudden they are left with just a fraction of that list. As Engineer Landis pointed out, so many of those things are crosswalks, trees over utilities, all of those types of things that are certainly important but, in his opinion, won't fundamentally change the plan or the layout. They know from an infrastructure point of view that it works and thought that the Township has concurred with that in their reviews. They know from a planning point of view that it meets the ordinances. He was not trying to dismiss whatsoever his points and the number of conditions, but he thought a lot of those because of the way it is proposed four different villages really got four different reviews and so a lot of those 84, kind of repeat from one village to the next but they are really the same comment. That is why he said let me summarize this so he could digest it and were really left with five points that he put out in the letter that warrant a discussion and providing some direction, one of those is the LED lights others are the amount of open space and how they calculate that.

Chairman Reynolds said there is the introduction of the Shake Shack in lieu of the carwash. He thought that was a district that was worthwhile exploring. One of his points of contention on this list was some of these loading zones that are shown out in the parking zones didn't really seem to make sense in that there isn't justification for supporting that. Parking seems like they are starting to deviate from standards because they need more parking spaces and to him, that seems like maybe some of the retail or some of these center buildings are too large in nature. There are some of these areas that he is still not sold on. He thought with starting with the commercial grocer and the two center buildings, the elevation deviates from their Overlay Standards of a single-story and he didn't think that the architectural proposal fits with everything. Then they went into parking, and he didn't think they were just boiling this down to five things. He thought that they needed to talk about the final site plan that is before them and where they are seeing things that they support and things that they are not going to, moving forward. Those two center buildings to him it seems like their elevations he was still missing and that was

something they discussed at concept just how it fits within the district of this whole neighborhood feel. He asked the applicant if the plaza area that is out in front, is supposed to be this pedestrian plaza way but there is no connection through to Baldwin Rd. and it is not clear whether that is proposed to be a patio for the tenant or those are going to be directed toward those. Circling back on the earlier comment of the grocer they have kind of the front door facing the south and then the east and north facades are pretty bland, so he thought those were all important things in this commercial district that he still sees needed to address their ordinance or at least another pass at them. He said he wanted to turn it over to the Planning Commissioners for their thoughts on that. Maybe the commercial district and they can start there and maybe move around and discuss some of these points of contention. They talked about loading, elevations, and pedestrian ways.

Vice-Chairman Gross said he tends to agree with him in terms of getting an understanding of the elevations from Baldwin Rd. especially southbound Baldwin at the main entrance and the frontage along Baldwin Rd. for the grocery store. He thought that would be significant. The two commercial buildings he sees as being more secondary retail office type uses. He would like to see the elevation of those along Baldwin. The parking he was not too concerned with it he was satisfied with the parking being sufficient. In terms of the two restaurants, he thought that was fine. He was an opponent of the carwash from the beginning and thought that was a good solution for that.

Commissioner Gingell said she didn't like Chick-fil-A from the start, but she knew that was pivotal to the project. Then they are adding another high-volume restaurant that is super popular right now in an area that is supposed to be walkable. She thought they were putting in a lot of cars in this one little area that is supposed to be walkable, so she was struggling with that. She thought it was better than a carwash. There are Shake Shacks that don't have drive-throughs, and she didn't know why the drive-through was necessary. They could definitely do more parking instead. If they go to the one in Rochester where there is no drive-through it is all walkable. Because it is in the walkable mall area and it kind of fits a little bit better. She said the whole project gives her anxiety because it is so big.

Trustee Urbanowski said she was glad it was not a carwash as well. Shake Shack is really popular, and it can be a sit-down restaurant. She had forgotten that they had recently just gone there, and it was in Rochester in that walkable village.

Commissioner Gingell thought it was beautiful and done really well. She didn't know if it was Gingellville, it is not what she thinks of when she thinks of Gingellville.

Secretary St. Henry felt it would be a nice development if it goes through, but it deviates significantly from the look and feel of what he thought was envisioned for the Gingellville corridor and the community feel of it. He thought they had best-laid intentions here but going back to comments about just the back-to-back drive-throughs in such a tight area and then drive-throughs that will attract a lot of people both walking into the complex as well as driving into the complex. His concerns about this development back in August he had no question that at the end of the day, this would be a high-quality very attractive metropolis. That footprint is so big and what has been historically considered a village or a smaller community will change the look and feel of that area forever and it has to be done right. In regard to the elevations, they better be dead on with what they want. If that is what we want for Gingellville then we better be comfortable with it. The footprint is massive, that is why I asked about the density. He understood that they are obviously meeting those density issues. It is going to change the look and feel of Orion Township forever, so they better be comfortable with it.

Chairman Reynolds said they are past the concept and eligibility phase. When a use changes from the carwash to Shake Shack is that a point of discussion at this point, that they are still arguing that it is still the same concept now that there is a drive-through versus a carwash. Are they arguing that they could say yeah or nay to the drive-through or is it because it is past concept and eligibility at this point? Planner Enos asked when the Commission and the Board when the initially approved the concept plan, they removed the carwash but did they request or make the change that they would allow a restaurant at this location, or was it lets remove this carwash and you guys come back with something. Mr. Eppink said that his belief was that the carwash was conditionally approved but there was talk both during the meeting and after that they questioned if that was really what they wanted. He felt that the minutes would reflect that the carwash was conceptually approved. They took it to heart and said what is a different use a better use. What is interesting is that the lower southern portion is in the (BIZ) district so the underlying zoning is (BIZ) does allow a drive-through and so both of those uses the Chick-fil-A and the Shake Shack had they all been under separate ownership could come in individually and would meet the ordinance standards in terms of use and drive-through. What is interesting is they do an awful lot of large mix-use plans like this and there are both good and evil when they do large plans. Secretary St. Henry pointed out that it is big. It is the same 58 acres that might be immediately north on Baldwin Rd., which happens to be 20 different individual parcels. The advantage of those 20 individual parcels is they are kind of digestible. They are usually individuals or groups that they can deal with, and they are talking about one building at a time. The disadvantage, he thought, from a planning point of view is dealing with those 20 parcels under the same 58 acres, there is no ability for the Township and applicant to work together to solve larger regional issues like traffic. If I am just developing 2.5 acres just a quarter mile down the road, he didn't have to do a traffic study, or a cross parcel easement, shared parking all of those different things. He thought that they all could agree are really good things and will make Orion Township and certainly Baldwin Village a better place. They got the ability because they are one controlled PUD, they got the ability to talk about shared parking, and the ability to talk about the cross-access easement, and the ability to talk about shared infrastructure and creating large detention basins which are not only beautiful but are functional. They are not upsetting the ecosystem and topography of the land. Absolutely, it is a lot to digest but looking at 20 individual parcels just down the street on that same 58 acres he thought would be more challenging, would make Orion Township more fragmented, would not solve some of the regional infrastructure problems, some of their regional traffic issues would not make the investment into additional sidewalks and connections to paths, would not be planting greater than 12,000 trees and shrubs. There is an economy to scale, but he grants them he is right with them; it is not easy, but he didn't want to overlook the point that he does think that PUDs in general certainly in Orion Township have proven it and other communities. PUDs have a tremendous advantage because they allow this give and take and he thought they resulted in better projects. They can go back to those underlining zoning and at least say it is not a great departure from what their Zoning Ordinance has envisioned. They envision a (BIZ) district use there they are putting in a (BIZ) district use there. They think they are doing a better job because they are making it part of a larger PUD given all the other benefits.

Secretary St. Henry said he agreed with them that looking at this as one very large development they can design and plan it much better than if they had 20 individual projects. As he mentioned, a Planning Commission, perhaps at the Board of Trustee level has to be comfortable with how this will change the look and feel of that portion of the Township forever. If that is the future and everybody here is comfortable with that and they recommend that this goes through for approval and the Board of Trustees does the same thing, then that means that the folks that they have been put in place here to make these types of decisions they are comfortable with forever changing the feel of in that part of the Township. There are other parts of this Township that are going through the exact same evaluation and coming to grips with what is going on in their community. He was not saying that this development is not good or

bad, he was just saying that they have to be comfortable with the decision that they make because it will be there forever, long after we are long gone.

Trustee Urbanowski stated that they did say at the last meeting, that they did revise the motion to talk more about and make sure that they are following the Gingellville Standards for the commercial piece. She asked specifically what they are missing here, is it a flat roof? She asked if they were just talking about the grocery portion of this. Planning & Zoning Director Girling thought that they were looking at whether it was discussed in the motion at concept whether the drive-through was approved. Her recollection was that concept was approved and then there was a side note, but they really don't like the carwash so maybe take a look at that. Trustee Urbanowski stated that they said that before the motion was made. She added that she was just talking about going back to what Commissioner Gingell was saying.

Chairman Reynolds said to keep in mind that they are here at the final site plan approval. They talked about the concept and eligibility. They are here kind of hashing out some of the finite details, if they don't feel like it meets that criterion what operative is it that they want to be changed? For him, the flat roofs of the retail, he thought there was a better balance there. He was struggling with the walkability of the retail component that is there. The elevations of the grocery did improve the Baldwin Rd. façade from the concept but there is still a blank façade on the north that they would see driving down Baldwin Rd. The same thing they are going to see is the blank façade on the west. He thought that there were some of those components. For him, yes, at concept that is what they were looking at here but now they are talking about a parking deficiency of 20 spaces for the grocer. Then they are asking for deviations in their parking design standards. Is that something to where they are saying they are kind of ok with that or are they saying that they need to balance this out to say they are ok with the bigger grocer, but parking needs to be addressed? Those are some of the bigger pictures, they are kind of picking on the commercial district, but he thought that there were some items to be discussed.

Chairman Reynolds said he was in support of saying it either meets the Gingellville District Overlay or meets the architectural standards. He understood that Chick-fil-A and Shake Shack kind of have their own design standards but then they have standard retail that doesn't fit within the other context. That was one of his comments he was not in agreement with that. He was not in agreeance with deviating from their parking design standard to squeeze out a few more parking spaces because they have more retail, especially for those that they don't necessarily have designated towards an anchored tenant, their standard kind of spec building. The same thing goes with the walkability of that area in between, it is a plaza space, but what is it for, it doesn't connect to Baldwin Rd. Is it intended that it is something for those design intents? It is not like the area along Big Beaver where they are promoting walkability and that to be a front. Right now there is no connection to it in any way shape or form, besides the parking lot. Those are some of the things he is picking on to say, concept yes, we are still there but technicalities here they are looking at the finite details and is it what they want here.

Trustee Urbanowski said she understood that. There are design standards for Chick-fil-A and Shake Shack just like there were for the hotels when they were discussing those that were in (BIZ). She asked if there were design standards for whatever grocery store this is going to be. She didn't know.

Secretary St. Henry added that the sign standards that these companies that manage these restaurants have, but if they go to the Village and look where that Shake Shack there, and then you go to the Shake Shack that is behind Great Lake Crossing it is two totally opposite looks and feels. What is in the Village is they went into an existing building. There is some flexibility there.

Chairman Reynolds said there is a long list here and he was trying to get to the discussion of things that might prompt changes in the plans. If they are leaning towards not moving forward on a recommendation to the Board of Trustees this evening and they want revisions, what kind of revisions are they asking for? Or are they putting that back on the applicant to make those decisions?

Vice-Chairman Gross said he is not an architect but the elevation for the grocery store, for example, Meijer, the fake second-story elevations that kind of give it more of a homey feel as opposed to a big box feel. If that makes any sense. Chairman Reynolds said yeah, breaking down the scale to respond to a pedestrian scale. The large architecture has some response to that ask from architect terms.

Vice-Chairman Gross stated the same with the retail buildings the two buildings south of that. Again, providing some human/residential scale in terms of just a square façade.

Chairman Reynolds said he was ok to be clear with a modern façade. Even the façade that is being proposed on Baldwin Rd. now is much improved over what they saw at concept. His point would be that they are right on Baldwin Rd. and the north façade is still a blank façade. He still thought there were things on the Baldwin Rd. façade that could address some of those comments of Gingellville's desire for a walkable community. They are already deviating in a sense plus the idea of a larger grocer. Some of those components of that walkability between those few and Commissioner Gingell's point of the walkability of those restaurants are pretty vehicular driven at this point and time. He was ok with that of a balance but what is kind of circumventing those thoughts, and to him, it ties back to the lack of landscape islands and those types of deviations that promote the walkability in that even from someone driving into the site parking and walking in. To him, it comes down to square footage getting reduced or whatever, if they have a demand drive-through tenant then the retail what one of those is going to give if those are their two anchors especially if the grocer is the other end of it to make up for some of that lost parking there, especially the design standards, and that connection through. They are trying to say this all ties in and it is a big walkable district neighborhood. Where does that play into, specifically he was essentially picking on the grocery, the two retail components all through that district there?

Commissioner Cummins said he concurred with the comments on the architecture, and they are good-looking buildings, but they do lack on both Baldwin Rd. and the other roadside on the north and the east sides. The landscaping and the setbacks along Baldwin Rd. also are a little tight in scale for the size of the building that they have. The drive-throughs are the drive-throughs, if they approved them then they have to do what they can to get a little bit more landscaping in. The walkability and how they are going to get across through there is a different item and would take a little bit more work than they think that they will be able to tackle here tonight. Overall, the project when they start breaking it down into the components will probably start to flow better once, they get three-quarters of these items put behind them so they know that the project is actually going to finish up more in compliance than not. Especially with Gingellville because he was in the dark in regards to that Gingellville Overlay, he was not up to speed on that at this meeting.

Mr. Eppink said if they are moving away from the commercial he would like to read back what he heard so that they are clear on what they are trying to accomplish. Some of those he thought we easily addressable. When they are looking at retail like this and commercial like this there is a big move toward shared parking and that is really what they try to assume here. He added that they are 20 spaces short and a lot of those are in areas where there are greater than 20 spaces in a row without a landscape island, some of them are about 23 so it didn't make sense to break it up. What they did was two things, one relied on shared parking, and the idea

that the grocery store may not be as busy if they have some type of a diner or a restaurant, one of the multi-tenant buildings that they probably have opposing hours and so it makes sense to share parking as opposed to trying to maximize individual parking. In terms of island space, maybe one item he skipped over too quickly, as they got this greenway right through the middle of the parking lot and they showed an elevation of what that might look like as he was coming from South Village. If they look into the plans what that really is, is they have created central islands where they can kind of walk through that parking lot and feel safe not like they are jumping through parking lot islands. What they have is 10 ft. of landscaping, 5 ft. of sidewalk, and then another 10 ft. of landscaping to a total of 25 ft. wide islands by 40 ft. So, they are really large oasis points that he can safely cross with a crosswalk through the parking lot and he doesn't feel like he is sending his 10-year-old kid to ride a bike through a parking lot. In fairness, if they were to take those spots, and they are not suggesting that they would want to do this and spread that 25 ft. out and meet the ordinance of 10 ft. parking lot islands they certainly could do that, but he thought it breaks down the walkability of that commercial area. Some things like the Shake Shack and the drive-throughs absolutely. Years ago he was involved with helping design Rochester Village which is a different type of experience it is a larger regional mall that has enormous amounts of parking around the perimeters and actually up by the roads to kind of create that clustered feel in the middle. What they are trying to do, like they have done successfully in other parts of Baldwin Rd., is bring those buildings deliberately to the street. Absolutely they agree, and he mentioned that earlier was adding some additional sidewalk connections. Frankly, that was just an oversight on their part to get people into those buildings from the safety path on Baldwin. Their goal is to bring those buildings to the road and to really create that street front for Baldwin which they have done with some of the historic, as they move north, and with some of the newer retail buildings as they move south, and they thought it meets the intent of the ordinance.

Mr. Eppink stated that in terms of the grocer on the corner and its penetration points into the building, what they do know and what they have shown in their plans, is as they enter the new Gingell Ridge Rd. he is going up in elevation. They will see from their elevations, and their engineering plans, that the northeast corner of that grocery store is elevated. What they have proposed which they will find in their packets are beautiful landscape walls, and frankly, they are not really going to see them because they put so much landscaping in front of it and it is pedestrian-oriented landscaping. They have plenty of trees, they have a decorative wall that addresses that hill, and then they have benches, and a crazy amount of shrubbery but because they are centrally managed because they are one developer, and they will own it for the long-haul maintenance is not a question it will be beautiful, and it will continue to be beautiful. Those are the ways that they said, how do they bring a building to the road, how do they deal with that elevation, how do they make Baldwin flanked with parking lots? They think from an architectural point of view they have been very deliberate in terms of the materials and the designs. They do have a particular tenant for that grocery, they are under a nondisclosure agreement, and as they move closer to permitting they should be to a point where they will be able to have that grocer come forward. They do have a standard just like Chick-fil-A or those others do so they have tried very hard to maximize those standards realizing that it is a four-sided building it is not a building that is hidden in some alleyway. They are convinced between the landscaping, the walls, the architecture, and the quality of the materials, that that is a four-sided building will be attractive whether they are traveling north or south on that road.

Chairman Reynolds said he respects his thoughts toward those, even the pedestrian way he gets that. They are saying they are going to promote interaction through the site. They have a pedestrian way that goes south to Baldwin Rd., which they are trying to move people along, and then there is no connection to Baldwin Rd. That was what he was kind of struggling with. The grocery, whether it is a major tenant, mom, and pop who wants to occupy 40,000-sq. ft. he would still say those facades want to be something that presents well, they are right on Baldwin

Rd. Unfortunately, no amount of landscaping fixes a big ugly wall. He wasn't saying they were that but he thought there needed to be some look at that because it is something that they are going to be highly critical of now and moving forward.

Moved by Chairman Reynolds, seconded by Commissioner Walker, that the Planning Commission **postpone** action on PC-22-29, Baldwin Village Final PUD, located at 4410 & 4408 S. Baldwin Rd. (parcel 09-32-301-001), an unaddressed parcel 09-32-301-014 located at the NW corner of Morgan and S. Baldwin Road, an unaddressed parcel 09-32-151-020 located north of 4408 S. Baldwin and 4292 S. Baldwin (parcel 09-32-151-021) for plans date stamped received December 2022, for the following reasons: to allow time for the applicant to revise and resubmit to address the comments set forth in the Carlisle Wortman review letter along with the OHM review, and the address the comments brought forth by the Fire Marshal along with some of the discussion points that were brought forth here tonight by the Planning Commission.

Discussion on the motion:

Planner Enos said that this is a lot, this is one of the biggest projects he has worked on and he has been doing this for a long time. He appreciated the care in regard to what this is going to be when completed. He felt that once the applicant goes through their review, which they have, he appreciated that. This next submittal is not going to be as daunting to the Commission or himself, or to anyone looking at it from the Township standpoint because many of those issues are going to be addressed, and many of those bullet points are going to be added to the plan. This then allows them as a Commission to get down to the more detailed look of whether this is pedestrian-oriented, is this too much for the commercial areas if they say that, and start to talk from that standpoint. He would hate for this to get to the Board of Trustees level and then the Board says that they are not too happy with this either. Their jobs as Commissioners are to give them something that they are comfortable with. He thought knowing this team here, the next delineation plan that gets submitted is going to be a lot more comfortable to walk through the big issues.

Secretary St. Henry stated that this is the largest mixed-use development he has ever seen for however long he has been on the Planning Commission and living here for 40 years. There is a long tick list of items here, but some of them can be addressed real quick, some of them might take a little more thought, they have discussed a lot of those bigger issues tonight. He wanted to say that he would feel much more comfortable making a decision one way or the other with all of these issues addressed. This is a milestone development in this Township right off the highway that people will see for a long time. They just want to make sure they get it right; they must get this right.

Ms. Wendy Wroby 3986 Morgan Rd. had three questions. She wanted to thank them for their support in trying to keep the spirit of the community alive with these plans. She understood that progress is something that they all have to live with, but she has lived here for 30 years so it is a little bit difficult to take in. She asked if that was Morgan Rd. right on the side of Chick-fil-A. Chairman Reynolds replied correct. Ms. Wroby asked if there were any entrances to any of those going onto Morgan Rd. Chairman Reynold replied no. Ms. Wroby said she had a huge concern about the drive-through with the Chick-fil-A and she knew that they talked about that several times. She thought they have all seen Chick-fil-A on M-59 where they have queues of cars in three or four lanes going through the strip mall to try to get to the drive-through. She is not an engineer or a planner, but she didn't see where they were going to be able to accommodate that. She didn't know if they experienced what she had experienced at Starbucks just a little bit down the road where people are backing up onto Baldwin creating a big safety concern.

She encouraged them to really think about that because she thought it was going to be a big mess. She thought that they talked about the safety paths that go around Judah. She asked if there were any plans for any safety paths around the Baldwin Rd. area. Her concern is those multi-family dwellings that are across Baldwin from Morgan. During the nice weather, there are all sorts of people that are walking, they walk across Baldwin by Morgan to go to the strip mall over there. This is going to bring a lot more people across Baldwin and she didn't think, especially the kids/teenagers, they are not going to walk all the way down to Judah to take the crosswalk and then up Baldwin Rd. She didn't know if that was included in any of their plans but she would highly recommend that they think of something. She thought it was just a matter of time with the way the traffic is, and with this even going to be more traffic, a safety issue is going to happen somebody is going to get hit by a car.

Secretary St. Henry said when they first look at these plans back in August traffic congestion issues and safety issues were discussed at length, so they are very aware of that.

Mr. Noah Stevens, 3507 Pasadena Dr. said his property is on the northwest corner. The plans that he reviewed online show that there is an acre between where his property line ends and the development, and he liked that. He was kind of concerned that they are looking at the shopping center below and saying they need more parking spaces or anything like that, that possibly this could get shifted where then maybe he doesn't have such a big buffer. That is a concern of his. He also likes that through The Cottages of Gregory is a pedestrian path instead of a driveway. He was happy to see the carwash removed. He was afraid as this corner gets developed more stuff will get shifted and lose some of that buffer there.

Roll call vote was as follows: Gingell, yes; Cummins, yes; St. Henry, yes; Gross, yes; Urbanowski, yes; Walker, yes; Reynolds, yes **Motion carried 7-0**

Mr. Eppink stated that their entire team truly appreciates the time and care that the seven Commissioners, Planning & Zoning Director Girling and her team, OHM and Carlisle Wortman, it is a big project. They are doing their job by engaging in the conversation and they continue to be committed to getting it right and working together. They will do that; they will take these comments seriously and come back to them.

10. PUBLIC COMMENTS

None.

11. COMMUNICATIONS

None.

12. PLANNERS REPORTS

Chairman Reynolds welcomed their new planner to the team. He thanked him for jumping out of the gate on the smallest project they have had in a while and submitting 40 pages worth of review. The Carlisle Wortman team was with them in the past and is back.

Planner Enos said that he was looking forward to working with the Commissioners. He is a Vice-President of Carlisle Wortman. His mentor was Don Wortman who spent many years working in the Township and he still communicates with Don but it has to be on a golf course. He has nothing to say but good things about this community. As he gets to know it and drives around it the Planning Commissioners, the Planners, and everyone in the past have done a great job. He was going to try to bring his experience, he grew up in Green Oak Township,

growing communities and some of the things he has done and just helped them along. He hoped that they would do that a little bit tonight. He thought that Secretary St. Henry made a good comment earlier, they are all playing the long game here in Orion Township and the long game in regards to Gingellville. Depending on how this project comes along and the things that they do and approve, change or modify, they are going to be requested to do some of those things in the future so they want to keep from too much modification because he knows they spent a lot of time on the Village Overlay District. He is looking forward to it and he will get the hang of the ordinance and be their assistant as much as they can be.

13. COMMITTEE REPORTS

None.

14. PUBLIC HEARINGS

None.

15. CHAIRMAN'S COMMENTS

Chairman Reynolds stated that all of their seats are appointed and wanted to welcome Commissioner Cummins to the Planning Commission. He is a fellow architect and sat on the Commission with him in the Village for a number of years.

16. COMMISSIONERS' COMMENTS

Commissioner Cummins said it was interesting to sit on a different Commission. He thought there couldn't have been three better items for the first meeting here. He thought that the direction they took tonight was probably the right direction but at least the number of items he saw open and the concerns with the Overlay District which he was not aware of. He thought it would be a much better project. Look at those elevations and take care of the walkable concerns.

Trustee Urbanowski welcomed Planner Enos and Commissioner Cummins.

Vice-Chairman Gross said ditto. Looking forward to a good relationship, welcome.

Secretary St. Henry said welcome to Planner Enos and Commissioner Cummins to the adventure. He appreciated them joining them, and said it was a good group to work with.

Commissioner Walker said to Planner Enos to tell Mr. Wortman the next time that he sees him on the third hole that he did say hello and he does miss him. He welcomed Commissioner Cummings. He added that he spent 11 hours at the Orion Public Library at the book sale. He wanted to remind everybody that that sale is running through Saturday. It started off really well yesterday and he stopped in there today and they are doing well. He thanked the community for supporting the library.

Commissioner Gingell welcomed both of them.

17. ADJOURNMENT

Moved by Chairman Reynolds, seconded by Commissioner Cummins, to adjourn the meeting at 9:24 p.m. **Motion carried.**

Debra Walton

PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date

DRAFT



Charter Township of Orion

2323 Joslyn Rd., Lake Orion MI 48360
www.oriontownship.org

Planning & Zoning Department

Phone: (248) 391-0304, ext. 5000

TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Planning & Zoning Director

DATE: January 23, 2023

RE: 2022 Planning Commission Annual Report

SUGGESTED MOTION:

Move to receive and file the 2022 Planning Commission Annual Report and forward a copy to the Board of Trustees.



CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

ANNUAL REPORT 2022

Number of Meetings Held

- 21 – Regular Meetings
- 0 – Special Meetings
- 13 – Public Hearings
- 15 – Site Walks
- 2 - Workshops

Number of Cases

- | | |
|---|---|
| 3 – Text Amendments to Zoning Ord. No. 78 | 4 – Planned Unit Developments |
| 5 – Special Land Uses | 2 – Miscellaneous |
| 6 – Wetland Permits | 2 – Planned Unit Development Minor Amendments |
| 19 – Site Plans | 5 – Ordinance 154 Applications |
| 14 – Administrative Reviews | 3 – Site Plan Extensions |
| 2 – Rezone Requests | 1 – Use Determination |
| 0 – Conditional Rezone Requests | 3 – Landscape Review |

<u>Planning Commissioners</u>	<u>Term Expires</u>
Scott Reynolds, Chairman	12-31-24
Don Gross, Vice Chairman	12-31-23
Joseph St. Henry, Secretary	12-31-24
Kim Urbanowski, Board of Trustee (BOT) Representative to the PC	11-20-24
Donald Walker, PC Representative to the Zoning Board of Appeals (ZBA).....	12-31-23
Derek Brackon.....	12-31-22
Jessica Gingell.....	12-31-25

Township Consultants

Township Planner: Rodney Arroyo, Matt Wojciechowski and Eric Pietsch, of Giffels-Webster
Township Engineer: James Stevens, and Mark Landis of Orchard, Hiltz & McCliment, Inc.
Township Attorney: Dan Kelly and Brittney Kimball of The Kelly Firm, PPC

Building Official

David Goodloe

Zoning/Planning Director

Tamara Girling

Specialist Planning/Zoning

Lynn Harrison

PC/ZBA Clerk

Debra Walton & Courtney Keisman



CHARTER TOWNSHIP OF ORION PLANNING COMMISSION 2022 ANNUAL REPORT

ZONING ORDINANCE NUMBER 78 TEXT AMENDMENTS

PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2021-65	Twp. Initiated Txt Amd, to Zoning Ordinance #78 2021-2022 Ordinance Updates	Orion Township				10/19/2022 Motion carried to proceed with amendment as discussed/proposed at the discretion of the Planning & Zoning Director.
PPC-22-22	Twp. Initiated Txt Amd, Articles 19, and 27	Orion Township				06/01/2022 Discussion only. 06/15/2022 Public hearing held; motion carried to forward a recommendation to the Township Board of Trustees to approve and adopt the text amendment. 06/20/2022 Motion carried to approve the first reading by the Township Board of Trustees. 07/05/2022 Motion carried to approve the second reading by the Township Board of Trustees.
PC-22-35	Twp. Initiated Text Amendment, Articles 30, Section 30.09 Performance Guarantees	Orion Township				09/07/2022 Discussion only. 10/19/2022 Public hearing held; motion carried to forward a recommendation to the Township Board of Trustees to approve and adopt the text amendment. 11/01/2022 Motion carried to approve the first reading by the Township Board of Trustees. 12/05/2022 Motion carried to approve the second reading by the Township Board of Trustees.

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SPECIAL LAND USES

PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2022-09	Grand Square of Orion	RA Chiesa Architects/Ronald A. Chiesa	2/17/2022	595 Brown Rd.	09-32-400-098	03/16/2022 Public hearing held; motion carried to grant special land use for a drive-thru.
PC-2022-10	The River Church	(API) Architectural Planners, Inc.	3/9/2022	3920 S. Baldwin Rd. 3910 S. Baldwin Rd. 3900 S. Baldwin Rd.	09-29-301-038 09-29-301-034 09-29-301-029	04/06/2022 Public hearing held only. 06/15/2022 Motion carried to grant special land use for a church.

SPECIAL LAND USES						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2022-16	Lava Mountain Coffee Drive-Thru	Ziad Kassab	4/13/2022	1472 S. Lapeer Rd.	09-14-100-074	05/04/2022 Public hearing held; motion carried to postpone special land use for a drive-thru for 6-months. 11/16/2022 Motion carried to grant a one-year extension to the application postponment date.
PPC-22-18	3850 Joslyn Rd. - Renovations to Existing Service Station.	Keith Ford	7/6/2022	3850 Joslyn Road	09-28-376-031	07/06/2022 Public hearing held; motion carried to postpone the special land use request for a gas station with a drive-thru so the applicant can appear before the Zoning Board of Appeals. 08/22/2022 Motion carried by the <u>Zoning Board of Appeals</u> to deny the variances as presented.
PC-22-28	General Motors	GM Orion BET 2	7/6/2022	4555 Giddings	09-34-200-006 09-34-400-011	08/3/2022 Public hearing held; motion carried to approve the special land use request to expand an automotive manufacturing facility.
SITE PLANS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2021-51	Kay Industrial	Kay Industrial Land, LLC	5/26/2021	50 Kay Industrial	09-35-400-033	12/21/2021 Motion carried to conditionally approve the site plan. 12/07/2022 Motion carried to approve the site plan elevations.
PC-2021-52	Kay Industrial	Kay Industrial Land, LLC	5/26/2021	50 Kay Industrial	09-35-400-044	12/21/2021 Motion carried to conditionally approve the site plan. 12/07/2022 Motion carried to approve the site plan elevations.
PC-2021-96	Natrabis DBA Society C	Quadrate Construction, LLC	12/13/2021	S. of Delta Court W. side of Giddings	09-34-100-012	01/05/2022 Motion carried to conditionally approve the site plan.
PC-2022-05	Quattro Development Retail Building	Quattro Development, LLC	1/26/2022	North of 4983 S. Baldwin Rd.	09-32-377-057	02/16/2022 Motion carried to approve the multi-tenant/10 acre requirement waiver; motion carried to approve the minimum yard area, side yard setback, front yard setback, parking calculation and parking setback waivers; motion carried to conditionally approve the site plan.

SITE PLANS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2022-07	Edgar Development	Jeffrey Edger	2/9/2022	805 S. Lapeer Rd.	09-26-451-005	03/02/2022 Motion carried to approve site plan modifications with conditions.
PC-2022-08	Peninsula Developments, LLC Provisioning Center	Peninsula Developments, LLC	2/9/2022	North of East Silverbell Rd. and west of Lapeer	09-26-300-014	03/02/2022 Motion carried to postpone site plan. 05/18/2022 Motion carried to conditionally approve the site plan.
PC-2022-09	Grand Square of Orion	RA Chiesa Architects/Ronald A. Chiesa	2/17/2022	595 Brown Rd.	09-32-400-098	03/16/2022 Motion carried to conditionally approve the site plan.
PC-2022-10	The River Church	(API) Architectural Planners, Inc.	3/9/2022	3920 S. Baldwin Rd. 3910 S. Baldwin Rd. 3900 S. Baldwin Rd.	09-29-301-038 09-29-301-034 09-29-301-029	06/15/2022 Motion carried to approve the Gingellville Village Center Overlay Standards waivers; motion carried to approve the parking lot landscape adjacent to road waiver; motion carried to conditionally approve the site plan.
PC-2022-16	Lava Mountain Coffee Drive-Thru	Ziad Kassab	4/13/2022	1472 S. Lapeer Rd.	09-14-100-074	05/04/2022 Motion carried to postpone site plan for 6-months. 11/16/2022 Motion carried to grant a one-year extension to return with a re-submittal.
PPC-22-18	3850 Joslyn Rd. renovations to Existing Service Station.	Keith Ford	7/6/2022	3850 Joslyn Road	09-28-376-031	07/06/2022 Motion carried to deny site plan approval to allow applicant to go to the Zoning Board of Appeals, make changes and resubmit. 08/22/2022 Motion carried by the <u>Zoning Board of Appeals</u> to deny the variances as presented.
PPC-22-19	Oakland Business Park Buildings A & C Site Plan Amendment	James Garrison	5/11/2022	163 Premier Dr. 187 Premier Dr.	09-35-477-022 09-35-476-003	06/01/2022 Motion carried to grant a waiver for the Lapeer Overlay Design Standards; motion carried to conditionally grant site plan approval.
PPC-22-21	Buckhorn Service Towing & Recovery	RA Chiesa Architects/Ronald A. Chiesa	5/18/2022	1258 S. Lapeer Rd.	09-14-201-013	On Planning Commission meeting in 2023.

SITE PLANS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PPC-22-23	BACA Systems Site Plan Modification	BACA Systems	5/202/2022	101 Premier Dr.	09-35-451-001	06/15/2022 Motion carried to deny site plan approval to seek variances from the ZBA. However, if variances are granted, then deemed conditionally approved. 08/22/2022 Motion carried by the <u>Zoning Board of Appeals</u> to approve variances for one year.
PC-22-26	Rigel Terrace	Dominic J. Moceri	6/29/2022	2410 S. Lapeer Rd.	09-23-301-005 09-23-301-012 09-23-301-013	07/20/2022 Motion carried to grant the covered trash enclosure waiver; motion carried to conditionally approve the site plan.
PC-22-27	Willow Creek Apartments	Joseph P. Salome	6/29/2022	3120 S. Lapeer Rd.	09-26-151-019	07/20/2022 Motion carried to grant the covered trash enclosure waiver; motion carried to conditionally approve the site plan.
PC-22-28	General Motors	GM Orion BET 2	7/6/2022	4555 Giddings	09-34-200-006 09-34-400-011	08/3/2022 Motion carried to approve the off-street parking calculation waiver; motion carried to approve the internal parking lot landscaping waiver; motion carried to approve the loading/unloading requirements waiver; motion carried to approve the wetland setback waiver; motion carried to approve the safety path construction waiver; motion carried to conditionally approve the site plan.
PC-22-30	Waldon Reserve Site Condominium	AP Builders	7/14/2022	625 Waldon Rd.	09-27-276-038	08/17/2022 Motion carried to deny the wetland setback waiver; motion carried to conditionally approve the site plan. 09/06/2022 Motion carried by the Township Board of Trustees to conditionally approve the creation of a condominium conditioned upon the conditions given by the Planning Commission in their motion of conditional approval on 8/17/22 and approval of the Master Deed, By-Laws, and Exhibit B.

SITE PLANS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-22-37	Stadium Ridge Apartments	MJC Stadium Ridge LLC	10/6/2022	101 Stadium Dr.	09-14-400-025 09-14-400-026	On Planning Commission meeting in 2023.
PC-22-46	General Motors Site Plan Amendment	GM Orion BET 2	11/21/2022	4555 Giddings Rd.	09-34-200-006 09-34-400-011	12/07/2022 Motion carried to allow the applicant to appear at the Zoning Board of Appeals for a variance. If variance is approved, then the site plan is conditionally approved. 12/12/2022 Motion carried by the <u>Zoning Board of Appeals</u> to grant variance.
SITE PLAN EXTENSIONS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2018-31	Brown Road Hyatt House	Klabat Engineering/Iden Kalabat	5/24/2022	NW corner of Brown and Huston Dr.	09-32-378-075	06/01/2022 Motion carried to grant a 6-month extension.
PC-2019-06	Silverbell Pointe PUD	Franklin Ridge	10/26/2022	S. of Silverbell E. of Joslyn	09-33-201-001 09-33-128-001 09-28-379-001	11/16/2022 Motion carried to grant a one year extension.
PC-2021-43	Orion Lakes Community Center	Jay Van Tassell	3/24/2021	47 Blue Hills Dr.	09-35-300-001	05/04/2022 Motion carried to grant a conditional one-year extension.
PLANNED UNIT DEVELOPMENTS (PUD)						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2021-78	The Woodlands PUD Concept	Detroit Riverside Capital	10/11/2021	310 Waldon Rd. & 3030 S. Lapeer Rd.	09-23-351-024 09-26-101-021	02/02/2022 Joint public hearing held; motion carried to forward a recommendation to the Township Board of Trustees to deny the Planned Unit Development (PUD) concept plan. 03/07/2022 The Township Board of Trustees referred back to the Planning Commission with Township Board of Trustees recommendations. 05/04/2022 Motion carried to forward a recommendation to the Township Board of Trustees to deny the Planned Unit Development. 05/16/2022 Motion carried by the Township Board of Trustees to deny the concept and eligibility PUD plan.

PLANNED UNIT DEVELOPMENTS (PUD)						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2021-90	Ridgewood PUD Concept & Eligibility Plan	IN-SITE LLC (Daniel Johnson)	11/2/2021	625 W. Clarkston Rd. & vacant parcel east of 625 W. Clarkston Rd.	09-15-226-006 09-15-226-008	<p>01/5/2022 Joint public hearing held; motion carried to postpone the case for 3 months.</p> <p>04/06/2022 Motion carried to grant revised plans extension request for 90 days.</p> <p>06/01/2022 Motion carried to forward a recommendation to the Township Board of Trustees to approve concept plan with conditions.</p> <p>07/18/2022 Motion carried by the Township Board of Trustees to approve for the reasons given by the Planning Commission in their motion to recommend conditional approval.</p>
PC-2021-90	Ridgewood Final PUD	IN-SITE LLC (Daniel Johnson)	11/21/2022	626 W. Clarkston Rd. & vacant parcel east of 625 W. Clarkston Rd.	09-15-226-006 09-15-226-008	12/21/2022 Motion carried to postpone the final PUD plan.
PC-22-29	Baldwin Village PUD	RED Equities, LLC	7/7/2022	4410 & 4408 S. Baldwin Rd., NW corner of Morgan and S. Baldwin Roads N. of 4408 S. Baldwin 4292 S. Baldwin	09-32-301-001 09-32-301-014 09-32-151-020 09-32-151-021	<p>08/03/2022 Joint public hearing held; motion carried to forward a recommendation to the Township Board of Trustees to conditionally approve the Planned Unit Development (PUD) Concept and Eligibility Plan.</p> <p>08/15/2022 Motion carried by the Township Board of Trustees to approve with conditions for the reasons given by the Planning Commission in their motion to recommend conditional approval on August 3, 2022.</p>
PC-22-39	Hudson Square	Dr. John Canine	10/20/2022	3030 S. Lapeer Rd.	09-26-101-021	<p>11/16/2022 Joint public hearing held; motion carried to postpone the PUD concept plan.</p> <p>12/07/2022 Motion carried to postpone the PUD concept plan.</p>
MINOR PUD AMENDMENTS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2019-06	Silverbell Pointe	Franklin Ridge	3/24/2020	S. of Silverbell E. of Joslyn	09-33-201-001 09-33-128-001 09-28-379-001 09-28-451-001	10/05/2022 Motion carried to conditionally approve the plan submitted at the meeting.
PPC-22-24	Lavender Ridge PUD Modifications as Allowed in PUD Agreement	Manny Kianicky P.E. Jacobson Moceri Onion LLC	6/8/2022	S. of E. Silverbell and E. of Squirrel	09-36-226-001	Still under review by the Township Supervisor as provided for in the PUD Agreement.

ORDINANCE 154 APPLICATIONS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2022-02	Ferndale Maize LLC Ord. 154 - Processing Center	Ferndale Maize LLC	12/20/2021	163 Premier Dr.	09-35-476-001	01/19/2022 Motion carried to conditionally approve the Ord. 154 application.
PC-2022-03	Ferndale Maize LLC Ord. 154 - Processing Facility	Ferndale Maize LLC	12/20/2021	163 Premier Dr.	09-35-476-001	01/19/2022 Motion carried to conditionally approve the Ord. 154 application.
PC-2022-13	Kurativ, LLC Ord 154 Adult Processing	Kurativ, LLC	3/10/2022	1050 W. Silverbell	09-27-301-050	04/04/2022 Motion carried by the Township Board of Trustees to deny certain location requirements under Article VI of ordinance #154.
PC-22-33	Peninsula Agriculture LLC Ord. 154 C-Grower	Brian Milosch	8/18/2022	210 W. Silverbell Rd.	09-26-300-012	09/07/2022 Motion carried to grant approval of #154 application with conditions.
PC-22-34	Peninsula Agriculture LLC. Ord. 154 C-Grower	Brian Milosch	8/18/2022	210 W. Silverbell Rd.	09-26-300-012	09/07/2022 Motion carried to grant approval of #154 application with conditions.
ADMINISTRATIVE REVIEWS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2022-04	Blanche Sims Elementary Watermain Extension (Final Engineering Review Only)	GMB Architecture	1/21/2022	465 E. Jackson St.	OL-09-01-302-016	Project related to a school. Only an engineering review applicable 07/18/2022 Received engineering approval.
PC-2022-06	Skalnek Ford - Parking	Skalnek Ford, Inc.	2/4/2022	95 E. Clarkston Rd.	09-11-479-009	03/27/2022 Administratively approved by Planning & Zoning Director.
PC-2022-14	Dutton Park	Henry Yandt Construction, LLC - Tom Beauchamp	3/24/2022	4898 Bald Mt. Rd. & property W. of 4898 Bald Mt. Rd.	09-35-400-048 09-35-477-003	04/04/2022 Administratively approved by Planning & Zoning Director.
PPC-22-15	Polly Ann Trail/Orion Sunrise Rotary Garden	Linda S. Moran	4/1/2022	East of Lawson Dr. S. of Joslyn Rd.	09-09-226-016	04/18/2022 Administratively approved by Planning & Zoning Director.
PC-22-32	Silver Spruce PUD Admin Review	Sean Awdish	8/1/2022	3901 S. Lapeer	09-26-452-017 09-26-452-009	08/18/2022 Administratively approved by the Township Supervisor as per PUD agreement.

ADMINISTRATIVE REVIEWS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-22-36	Gerber - Parking Resurface & Stripe	Robert Bender	10/3/2022	921 Brown Rd.	09-33-378-012	10/10/2022 Administratively approved by Planning & Zoning Director.
PC-22-38	AMT - 250 Kay Industrial	Applied Manufacturing	10/6/2022	250 Kay Industrial Dr.	09-35-401-006	10/31/2022 Administratively approved by Planning & Zoning Director.
PC-22-41	Goddard School Lake Orion	Kellie McDonald	10/24/2022	935 E. Silverbell	09-25-400-036	10/31/2022 Administratively approved by Planning & Zoning Director.
PC-22-42	T-Mobile Antennas Upgrade	T-Mobile by Agent Crown Castle	10/28/2022	4881 Bald Mountain Rd.	09-36-300-003	11/07/2022 Administratively approved by Planning & Zoning Director.
PC-22-43	Self-Storage Lake Orion (Brown Rd.)	Oliver Architecture-David Kaplan	11/3/2022	1007 Brown Rd.	09-33-378-009	12/01/2022 Administratively approved by Planning & Zoning Director.
PC-22-44	Natrabis/Society C Provisioning Center	NTBS Properties LLC	11/10/2022	1201 Delta Ct.	09-34-100-012	Reviews by consultants listed revision needed; waiting for resubmittal.
PC-22-45	Meijer Adm Review	Meijer Inc. Attn: Anthony Amato	11/15/2022	1107 S. Lapeer	09-14-226-001 09-14-226-008	12/19/2022 Administratively approved by Planning & Zoning Director.
PC-22-47	WXOU Oakland University STL Project`	Summitt Technology	11/18/2022	4881 Bald Mountain Rd.	09-36-300-003	12/06/2022 Administratively approved by Planning & Zoning Director.
PC-22-48	Dutton Park	Henry Yandt Construction	12/29/2022	4898 Bald Mountain	09-35-477-003	Not yet approved.

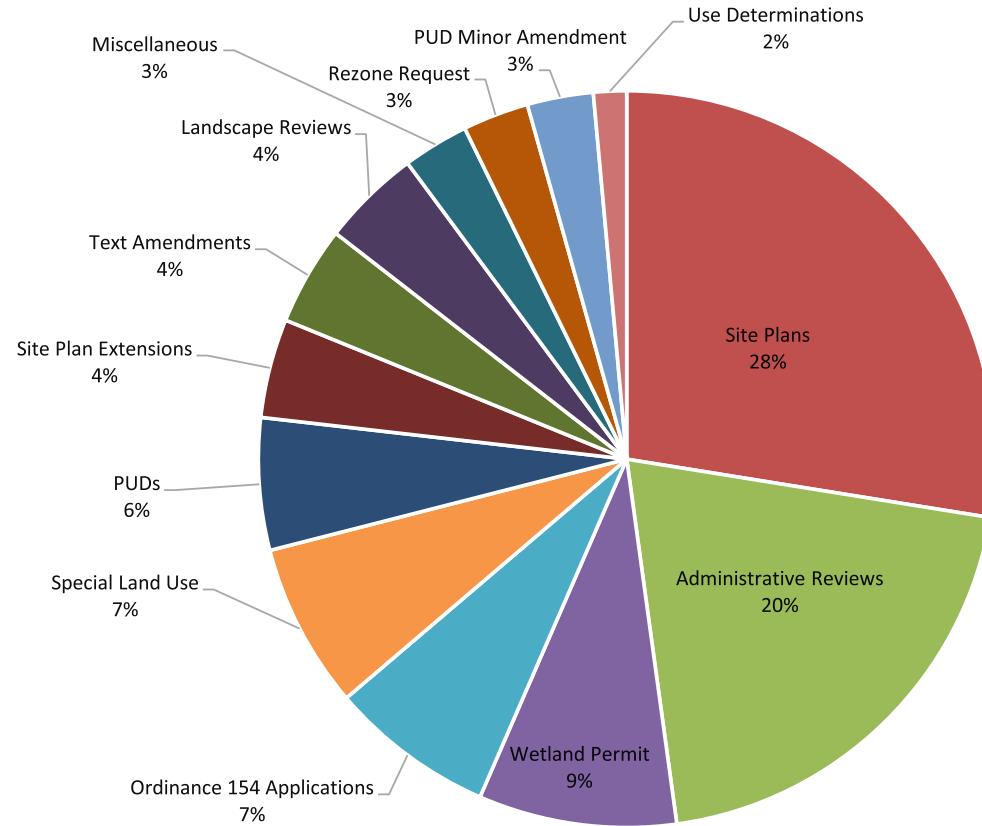
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MISCELLANEOUS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2021-07	5-Year Master Plan	Orion Township				<p>01/19/2022 Master Plan Workshop meeting; motion carried to revise the Master Plan by the Township Planner and return to the Planning Commission.</p> <p>02/16/2022 Master Plan Workshop meeting; motion carried to forward resolution to the Township Board of Trustees to request authorization to distribute the Master Plan for the review of agencies, adjacent municipalities, and general public.</p> <p>03/07/2022 Township Board of Trustees approved to review the draft master plan and forward questions to Planning & Zoning.</p> <p>04/06/2022 Motion carried to have the Planning & Zoning Director forward a formal requirement to the Township Board of Trustees for staff to distribute the draft Master Plan to neighboring communities and reviewing agencies.</p> <p>05/02/2022 Township Board of Trustees authorized the distribution of the draft Master Plan including the new Future Land Use Map, to review agencies and adjacent municipalities and making draft available for review by the public for 63 days.</p> <p>05/18, 06/01, 06/15, 06/15, 7/6/2022 Discussions only.</p> <p>07/20/2022 Public hearing held; motion carried to amend the draft Master Plan; motion carried to adopt the Master Plan update.</p>
PC-2022-12	PC By-Laws	PC By-Laws Amendment PC				<p>05/04/2022 Motion carried to approve with clerical modifications and forward to the Township Board of Trustees for approval.</p> <p>05/16/2022 Motion carried by the Township Board of Trustees to adopt the Planning Commission amended By-Laws.</p>
REZONES						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2022-11	CSB Investments, LLC	CSB Investments, LLC	3/9/2022	1050 W. Silverbell Rd.	09-27-301-050	04/06/2022 Applicant withdrew request.
PC-22-31	1112-1128 Lapeer	KN West LLC	7/19/2022	1112, 1116, 1120, 1124, 1128, & 1132 S. Lapeer Rd.	09-14-201-005	<p>08/17/2022 Public hearing held; motion carried to forward a recommendation to the Township Board of Trustees to approve the rezone request from (RB) to (GB).</p> <p>09/06/2022 Motion carried to approve the first reading by the Township Board of Trustees.</p> <p>10/03/2022 Motion carried to approve the second reading by the Township Board of Trustees.</p>

WETLAND PERMITS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PC-2022-01	Stadium Drive Elementary School Secure Entry Ph 2	GMB Architecture	12/14/2021	244 Stadium Dr.	09-014-400-013	01/19/2022 Motion carried to approve wetland permit.
PC-22-26	Rigel Terrace	Dominic J. Mocer	6/29/2022	2410 S. Lapeer Rd.	09-23-301-005 09-23-301-012 09-23-301-013	07/20/2022 Motion carried to conditionally approve the wetland permit.
PC-22-27	Willow Creek Apartments	Joseph P. Salome	6/29/2022	3120 S. Lapeer Rd.	09-26-151-019	07/20/2022 Motion carried to approve the wetland permit.
PC-22-28	General Motors	GM Orion BET 2	7/6/2022	4555 Giddings	09-34-200-006 09-34-400-011	08/3/2022 Motion carried to approve the wetland permit.
PC-22-30	Waldon Reserve Site Condominium	AP Builders	7/14/2022	625 Waldon Rd.	09-27-276-038	08/17/2022 Motion carried to approve the wetland permit.
PC-22-46	General Motors Site Plan Amendment	GM Orion BET 2	11/21/2022	4555 Giddings	09-34-200-006 09-34-400-011	12/07/2022 Motion carried to approve the wetland amendment.
USE DETERMINATION						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PPC-22-20	Use not otherwise included within a district determination, use of manufacturing/assembly square footage greater than 4,000,000.	Orion Township				05/18/2022 Motion carried to approve the determination that the use is appropriate under IC as a Special Land Use.
LANDSCAPE REVIEWS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PPC-22-17	Conscious Senior Living Properties II dba Grace Senior Living	David Fulkerson	4/20/2022	985 Lapeer	09-02-126-007	06/01/2022 Motion carried to conditionally approve.

LANDSCAPE REVIEWS						
PC#	Project	Applicant	Date Rec	Location	Sidwell /Acreage	Comments
PPC-22-25	Tommy's Car Wash Landscape Review	Bill Schmiz	6/10/2022	861 Brown Rd.	09-33-351-021	07/05/2022 Administratively approved by Planning & Zoning Director.
PC-22-40	Dutton East Retail	Henry Yandt Construction	10/24/2022	4898 Bald Mountain Rd.	09-35-477-003	Plan not yet approved.

Charter Township of Orion Planning Commission 2022 Annual Report





Charter Township of Orion

2323 Joslyn Rd., Lake Orion MI 48360
www.oriontownship.org

Planning & Zoning Department

Phone: (248) 391-0304, ext. 5000

TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Planning & Zoning Director

DATE: January 25, 2023

RE: PC-22-21, Buckhorn Service Towing & Recovery 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.

Off-street Parking Calculation Waiver (Ord. No. 78, Section 14.03 C)

Motion 1: I move that the Planning Commission **approves/denies** a parking calculation waiver for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on the following: (motion make to 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

Parking Setback Waiver (Ord. No. 78, Section 14.03 C, 3)

Motion 2: I move that the Planning Commission **approves/denies** a parking setback waiver for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on the following findings of facts (**motion make to insert findings of facts**).

Greenbelt Landscape Waiver (Ord. No. 78, Section 14.03 D, 5)

Motion 3: I move that the Planning Commission **approves/denies** a landscape waiver for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on **finding/not finding** one or more of the following:

- a. limited parcel depth
- b. existing vegetation or
- c. other site factors which limit the practical application of landscaping standards

Internal Parking Lot Landscaping Waiver (Ord. No. 78, Section 27.05 A, 6)

Motion 4: I move that the Planning Commission **approves/denies** an internal parking lot

landscaping waiver for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on the following: (motion maker insert findings of facts)

Trash Enclosure Requirement Waiver (Ord No. 78, Section 14.03 I)

Motion 5: I move that the Planning Commission **approves/denies** a trash enclosure requirement waiver for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on **finding/not finding** that the amount of trash generated can be adequately disposed of without use of an outside trash receptacle.

Loading/Unloading Requirements Waiver (Ord. No. 78, Section 27.04, B 3 b)

Motion 6: I move that the Planning Commission **approves/denies** a waiver from the loading/unloading requirement of Section 27.04B for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, because the applicant **did/did not** demonstrate that the proposed use will require infrequent deliveries and/or deliveries will usually be made by automobile, van or small truck. (motion make to insert findings of facts).

Landscaping Design Standards Waiver (Ord. No. 78, Section 27.05 A 3)

Motion 7: I move that the Planning Commission **approves/denies** a waiver from the landscape design standards for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on the following findings of facts (**motion make to insert findings of facts**).

Outdoor Storage Screening Waiver (Ord. No. 78, Section 27.19 B, 4)

Motion 8: I move that the Planning Commission **approves/denies** an outdoor storage screening waiver for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on the applicant **meeting/not meeting** the following:

- a. Outdoor storage will be adequately screened from view by existing or proposed buildings, trees or shrubs, other physical features. (Insert findings of facts).
- b. Screening would serve no useful purpose due to similar uses located on adjacent land. (Insert findings of facts).

Site Plan (Ord. No. 78, Section 30.01)

Motion 9: I move that the Planning Commission grants site plan **approval** for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, based on the following findings of facts (**motion make to insert findings of facts**).

This **approval** is based on the following conditions:

- (Motion maker to list any unresolved issues related to the Township Planner's review letter).
- (Motion maker to list any unresolved issues related to the Township Engineer's review letter).
- (Motion maker to list any unresolved issues related to the Fire Marshall's review

letter).

- (Motion maker to list any additional conditions).

Or

I move that the Planning Commission **denies** site plan approval for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022. 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-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1258 S. Lapeer Rd., (Sidwell #09-14-201-013) for plans date stamped received November 17, 2022, 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)).

RECEIVED

DEC 07 2022

giffels
webster

December 6, 2022

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

Orion Township
Planning & Zoning

Site Plan Review no. 1

Buckhorn Service Addition

Case Number: PC-2022-21
Address: 1258 S. Lapeer Road
Parcel ID: 09-14-201-013
Area: 1.91 acres

Applicant: R.A. Chiesa Architects
Plan Date: 11/18/2022
Zoning: GB – General Business
Reviewer: Eric Pietsch
Rod Arroyo, AICP

Dear Planning Commission Members:

We have reviewed the above application and site plan, landscape plan, and tree survey and a summary of our findings is below. Items in **bold** require specific action by the Planning Commission. Items in *italics* can be addressed administratively.



SUMMARY OF REVIEW

Project Summary

The subject site is a narrow parcel abutting the west side of S. Lapeer Road and functions as an existing vehicular towing facility. A proposed addition of 5,243 square feet of shop and vehicle maintenance bays will increase the overall square footage of the three buildings on-site to 11,880.5 square feet. Due to the improvements being made to an existing operating facility, the items listed below require clarification.

Revisions & Additional Information

1. Confirm designated parking areas are curbed.
2. Confirm if a covered trash enclosure exists or is proposed on the site.
3. Confirm if the facility includes a designated loading berth or area intended for loading and unloading.
4. The plans shall identify the lot coverage, accounting for the proposed additional square footage.
5. Dimension at least one parking space in a row or surface parking, including all handicap spaces.
6. Indicate if the parking lot consists of curbs.
7. Provide wheel stops with the surface parking spaces.
8. Landscape irrigation note should include all required landscaping and not just grasses.
9. Provide landscape screening (shrubs, wall, or both in front of the 6 parking spaces closest to S. Lapeer Road.
10. Provide landscaping within the rear yard greenbelt where feasible.
11. Clarify and confirm the layout of perimeter fences and walls. An obscuring wall or fence is required along property lines abutting the R-1 residential district.
12. Clarify the wall-mounted lighting around the awning over the main entrance to the proposed addition. See comments below for more information.
13. Provide clarification if the facility is to operate with rear yard outdoor storage. Additional information is required if outdoor storage is proposed.

Planning Commission Waivers

1. Reduction of off-street parking spaces (29% deficient, or 13 spaces short). Applicant to demonstrate sufficiency of proposed spaces.
2. Surface (existing) parking facilities within the 20-ft. setbacks.
3. 20-ft. and 30-ft. greenbelt around perimeter of site. Existing conditions limit implementing a greenbelt along the north and south sides of the site, except the rear of the property behind the existing building and proposed addition.
4. A waiver not to provide a loading berth but for PC to approve adequate space for a loading area.
5. A waiver from the general landscape requirements due to existing site constraints (provide required plantings where feasible).

Zoning Map



Zoning Ordinance Compliance Tables

General Business (GB) Zone (Article XIV)			
Section	Requirement		Comment
14.01 Uses Permitted	Automobile repair garages, service centers, & other automotive retail operations (no gasoline sales)		Permitted by right.
	No greater than 55,000 square feet GFA per tenant space		3,360 sf existing 5,243 sf proposed 2,400 sf existing 877.5 sf existing (shed) 11,880.5 sf total
14.03 Required Conditions	A.	Site plan approval required.	Plans submitted for review & approval.
	B.	Minimum parcel size: 12,000 sf.	83,200 sf.
	Off-Street Parking		
	C.	1.A. 1 space for every 200 sf. GFA (.005 x 11,890.5 sf. = 59 spaces)	46 spaces (13 spaces short) Applicant may request a waiver from the PC.

		3. No parking area or driveway shall be closer than 30 ft. to the adj. property lines when the parcel abuts residentially zoned or used property. 20 ft. setback when abutting commercial/office or ind. zoned prop.	No parking is shown adj. to the R-1 Dist. (west/SW sides). Parking spaces about the south prop. line adj. to the GB Dist. Paved drive aisle abuts north prop. line adj. to RB Dist. The applicant may request a waiver from the PC.
		4. Driveways & parking areas shall be curbed and consist of hard surfaced concrete, blacktop or equivalent as approved by the PC.	<i>The plans shall confirm this ordinance standard for parking and drive aisles.</i>
		5. All off-street parking shall conform to the standards set forth in Sec. 27.04 of this Ordinance.	See the General Provisions section below.
		6. The req. setback for parking may be reduced in width or waived by the PC 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.	The applicant may request a waiver from the PC for the existing parking/paving within the north & south setbacks.
	Landscaping		
	D.	1. A landscape plan shall be submitted to the PC for approval. The landscape plan shall specify plant materials & landscape treatment, based on the requirements of Sec. 27.05 of this Ord. for such items. This landscape plan shall be part of, or accompany, the site plan.	A Landscape Plan is provided on Sheet A-1.1. See General Provisions section below.
		2. A landscaped greenbelt at least 20 ft. in width shall be provided along the entire perimeter of a GB District, except where ingress or egress drives are located when the parcel abuts commercial/office or industrially zoned property. When the parcel abuts residentially used or zoned property, the landscape greenbelt shall be at least 30 ft. in width except where ingress or egress drives are located.	The developed (front) portion of the site is existing nonconforming with paving & bldgs. encroaching. The applicant may request a waiver from the PC. The proposed bldg. addition honors the 20' setback req. along the north property line.
		3. The off-street parking areas & access driveways shall be screened from view from any adjoining res. property. Such screening shall consist of earth berms, permanent walls, or evergreen landscaping subject to approval of the PC.	The parking & drive aisles are located in front of the existing & prop. bldgs. & are obstructed from adj. res. west & SW sides.
14.03 Required Conditions	D.	4. All landscaping & screening shall be maintained in an attractive, litter-free, safe & healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition.	This ordinance standard is noted on the plans.
		5. The landscaped greenbelt required along with the perimeter of the parcel may be reduced in width or waived by the PC when the parcel abuts commercial/office or industrially zoned property.	The applicant may request a waiver from the PC for this ordinance standard.

		The PC may, at their discretion, modify or waive certain landscaping requirements in accordance with the considerations outlined in Sec. 27.05.	
		6. Where commercial uses abut residential uses, the PC may require a greenbelt buffer, berm, or obscuring wall or combination of these methods of screening in accordance with Sec. 27.05 (A)(5).	<i>The vacant land west/SW of the site is zoned R-1 res. The plans show an ex. chain link fence to be relocated to the west prop. line. The landscape plan does not show greenbelt screening in the rear yard.</i> The applicant may request a waiver from the PC.
	Signs		
	E.	All signs shall comply with the standards set forth in the Orion Twp. sign ordinance number 153.	N/A. Front sign is labeled as "existing". Address & awning signage to be reviewed under separate permit.
	Lighting		
	F.	1. A lighting plan shall be submitted with all site plans as set forth in Sec. 27.11 of this Ordinance. All other Zoning Ord. regulations shall apply unless otherwise noted in this Ord.	A Photometric Plan is provided on Sheet A-1.1. Please see the General Provisions section below for review details.
		2. Exterior site lighting shall be fully shielded & directed downward to prevent off-site glare.	Exterior, wall-mounted lighting fixtures are found on Sheets A-3 & A-4. Positions must be directed downward. A Fixture Schedule is on Sheet A-1.1. This standard appears to be met.
		3. Site illumination on properties adjacent to residential properties shall not exceed 0.3 foot-candle along property lines, or 1.0 foot-candle along non-residential property lines. Parking lot lighting shall be governed by Sec. 27.11.	The photometric plan demonstrates compliance of these ord. standards.
14.03 Required Conditions 14.03 Required Conditions	Public Road Access		
	G.	Any use developed or proposed within this district shall have direct access to a dedicated public rd. having an existing or prop. ROW of at least 120 ft.	No change proposed with these improvements.
	Utilities		
	H.	All utilities servicing the buildings or structures shall be buried underground.	<i>The applicant shall verify this standard is met.</i>
	Covered Trash Areas		
	I.	1. Covered trash receptacles, surrounded on 3 sides by masonry brick-type walls 1 ft. higher than the receptacle shall be provided in the rear yard of the building or principal use structure.	The plans do not show an existing or proposed covered trash area. <i>The applicant shall verify the status of this ordinance standard.</i>
		2. The 4 th side of the trash receptacle enclosure shall be equipped with an opaque lockable gate that is the same height as the brick-type wall.	

		3. The PC may, at their discretion, waive the req. for a covered trash receptacle as described herein, if, after considering the nature of the operation being proposed, the PC determines that the amount of trash generated can be adequately disposed of without use of an outside trash receptacle.	The applicant may request a waiver from the PC if applicable.		
Loading & Unloading					
J.	1. Loading and unloading areas shall be located in the rear or side yard of a non-residential district.	The plans do not indicate an area for loading & unloading. <i>The applicant shall verify the site does not include loading & unloading facilities in order to address this ordinance standard.</i>			
	2. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress and egress.				
	3. All loading and unloading areas shall be in conformance with the reqts. set forth in Sec. 27.04.				
K.	Performance Guarantee Requirement. The PC shall require a performance guarantee to be deposited with the Twp. Clerk in accordance with the provisions set forth in Sec. 30.09, to ensure that necessary and required improvements proposed on the site plan will be completed.	The applicant shall coordinate with the Twp. Clerk & comply.			
L.	Safety Paths. Construction of safety paths for pedestrian use and use by non-motorized vehicles shall be required in conjunction with the development of all parcels in this zoning district. The safety paths shall conform to the specifications outlined in Sec. 27.06 and Ord. No. 97.	A safety path exists along the west side of S. Lapeer Rd. This standard is met.			
M.	Tree Preservation Regulations. The tree permit requirements apply to developments in this District, according to the terms of Sec. 27.12.	Refer to the General Provisions section below.			
N.	Wetland Setbacks. The wetland setback requirements apply to all developments in this District, according to the terms of Sec. 27.17.	There are no wetland areas on the subject site. This standard is met.			
O.	Noise. Regulations regarding the abatement & control of excessive noise are found within the Charter Twp. of Orion Noise Ordinance No. 135.	<i>The applicant shall demonstrate compliance of this ordinance standard.</i>			
14.04 Area & Bulk Req.	STANDARD		REQUIREMENT	PROPOSED	COMMENT
	Front yard setback		30 ft.	No change	Standard is met.
	Rear yard setback		30 ft.	Approx. 232 ft.	Standard is met.
	Side yard setback		20 ft. each	No change south 22 ft. north	Standard is met.
	Minimum lot area		12,000 sf.	83,200 sf.	Standard is met.
	Maximum lot coverage		30%	Undetermined	Applicant to provide.
	Maximum structure height		25 ft.	21'-6"	Standard is met.
	Min. clear space around structures		20 ft.	20'+	Standard is met.



Relocation of west & north fences to the property lines. -Image source: Oakland Co. Parcel Map

General Provisions. The standards in the table below are a summary of the applicable Zoning Ordinance standards in Article XXVI; please refer to the individual sections referenced herein for the full Zoning Ordinance text.

General Provisions (Article 27)		
Section	Requirement	Comment
	Projections into required yards	
27.03 Yard Requirements	C. 1. In all yards. Awnings and canopies; steps 4 ft. or less above grade which are necessary for access to a permitted bldg. or for access to a zoning lot from a street or alley; chimneys projecting 24-in. or less into the yard; approved free-standing signs; arbors and trellises; flagpoles; window unit air conditioners projecting not more than 18-in. into the required yard; & fences or walls, subject to applicable height restrictions.	No projections from the proposed addition are found to be encroaching into a required yard. This standard is met.
	Off-street parking	
	2. General Requirements	
27.04 Parking & Loading	A. a. Location. Unless otherwise specified in the regulations for each district, a min. setback of 20 ft. shall be maintained btw. any off-street parking area & adj. prop. lines. Enclosed bldgs. & carports containing off-street parking shall be subject to applicable yard requirements for the district in which they are located.	No parking is shown adj. to the R-1 Dist. (west/SW sides). Parking spaces abut the south prop. line adj. to the GB Dist. Paved drive aisle abuts north prop. line adj. to RB Dist. The applicant may request a waiver from the PC.

	d. Access. Except on lots accommodating single-fam. dwellings, each off-street parking space shall open directly onto an aisle or driveway of sufficient width & design as to provide safe & 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 res. use shall not be across land zoned for res. use.	The plans state the existing, paved, surface parking lot is being restriped to the layout shown on the site plan. Access standards appear to be met. We defer to the twp. engineer for additional review & comment.
	g. Storage and Repair Prohibited. The storage of merchandise, sale of motor vehicles, storage of junked vehicles, or repair of vehicles is prohibited in off-street parking areas. Emergency service required to start vehicles shall be permitted.	We note the gated area behind the bldg. facilities appear to be used as outdoor vehicle storage on an existing gravel surface.
	h. Parking spaces for physically handicap.	
	i. Number. Each parking lot that services a bldg. entrance, except single or two-family res. or temporary structures, shall have a number of level parking spaces as set forth in the following table, & identified by above grade signs as reserved for physically handicapped persons.	Each bldg. entrance includes adj. handicap parking spaces. The site requires 3 handicap spaces & consists of 3 total. This standard is met.
	ii. Size. Accessible Parking Spaces for cars shall be a min. of 13 ft. wide (8' wide parking space plus a 5' wide marked access aisle). Van-Access. Parking Spaces shall be a min. of 16 ft. wide (8' wide parking space plus an 8' wide marked access aisle).	<i>The plans shall dimension all accessible spaces to demonstrate ordinance compliance.</i>
	iii. Location. Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways, & entrances. Parking spaces shall be located so that the physically handicapped persons are not compelled to wheel or walk behind parking cars to reach entrances, ramps, walkways, or elevators.	This standard appears to be met.
	iv. Curbs. Where a curb exists btw. a parking lot surface & a sidewalk surface, an inclined curb approach or a curb cut with a gradient of not more than 1 ft. in 12 ft. & a width of not less than 4 ft. shall be provided for wheelchair access.	Sidewalk ramp detail on the site plan demonstrates compliance of this ordinance standard.
	v. Number of Required Off-Street Spaces. Off-street parking spaces shall be provided in the quantities required by the regulations for the districts in which the buildings or uses are located.	59 parking spaces required. 46 parking spaces provided. The site is 13 spaces short. The applicant may request a waiver from the PC.
	3. Layout & Construction.	

	<p>b. Maneuvering Lanes. Maneuvering lanes shall have adequate width to permit safe one-way traffic movement, with the exception of the 90 pattern, which shall provide for safe two-way traffic movement. Each entrance & exit to & from a parking lot shall be at least 25 ft. from the nearest point of any property zoned for res. use.</p>	<p>Drive aisles are a min. of 23-ft. wide, where 22-ft. is the minimum requirement. This standard is met. We defer to the twp. engineer for additional review & comment.</p>
	<p>c. Surfacing and Drainage. Unless otherwise specified in the regulations for each district, all off-street parking areas, access lanes, & driveways req. under this sec. shall be surfaced with concrete, asphalt, or equivalent hard, dustless surface as approved by the PC. Off-street parking areas, except those serving single or two-fam. res. & railroad freight yards, shall also be curbed. Off-street parking areas, access lanes, & driveways shall be graded & drained so as to not drain onto adj. property or toward bldgs. The grading, surfacing, & drainage plans shall be in conformance with the specifications of the Twp. Surfacing of all parking areas, access lanes, & driveways must be completed within 1 yr. of the date the permit is issued.</p>	<p>The main, front surface parking lot consists of asphalt & concrete. 40-ft. of concrete pavement will be located behind the main bldg. & addition. If this area is to be used as additional parking spaces to meet ord. requirements, the surface must comply with the standards of this sec. <i>Curbing standards shall be shown & labeled on the site plan.</i> We defer to the twp. engineer for additional review & comment.</p>
	<p>d. Lighting. Any lighting used to illuminate off-street parking areas shall be directed on the parking area only & away from nearby res. properties & public streets. In no case shall lighting exceed 3 ft.-candles meas. at the lot line.</p>	<p>This standard is met.</p>
	<p>e. Screening & Landscaping. Except for those serving single & two-fam. dwellings, all off-street parking areas 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 PC. & in accordance with the provisions set forth in Sec. 27.05. In cases where a wall extends to any alley which serves as a means of ingress & egress to a parking area, the wall may be ended within 10 ft. from the nearest edge of the alley so as to provide a wider access route to the parking area.</p>	<p><i>The applicant shall clarify the screening standards along the west & southwest property lines, where the adjacent zone is R-1 residential. The landscape plan does not extend to the west property line. This standard is not met.</i></p>
	<p>f. Wheel Stops. Except for those serving single & two-fam. dwellings, all parking lots shall be provided with wheel stops or bumper guards so located that no part of parked vehicles will extend beyond the prop. line or into req. landsc. areas.</p>	<p><i>The site plan shall show parking spaces with wheel stops. This standard is not met.</i></p>

		h. Signs. Accessory signs shall be permitted in parking areas in accordance with the provisions set forth in the Orion Twp. Sign Ord., Ord. No. 153.	<i>The applicant shall demonstrate compliance under review of separate permit.</i>
	Off-street loading & unloading		
		2. General Requirements	
		a. Location. Permitted & req. loading berths shall be located as provided in the regulations for each zoning dist. Except as provided under Central Loading below, all req. loading berths shall be located on the same zoning lot as the use served. No permitted or req. loading berth shall be located within 30 ft. of the nearest intersection of any 2 streets. Loading & unloading facilities shall not be so located as to interfere with ingress or egress or off-street parking.	There is no loading facility shown on the site plan. This standard does not apply.
		3. Specific Requirements	
	B.	b. Business Districts. Off-street loading facilities accessory to uses allowed in districts zoned for business related uses (OP, RB, GB SP-1, SP-2, REC-1, REC-2) shall be provided in accordance with the following min. req., except that the PC may, at their discretion, modify or waive the loading & unloading req. upon finding that the proposed use will req. infrequent deliveries and/or deliveries will usually be made by auto., van or small truck.	The proposed facility will have 8,603 sf of GFA. A loading area is not strictly required, but adequate loading facilities are subject to approval by the PC.
		i. Establishments containing less than 10,000 sf. of GFA shall be provided with adequate facilities, accessible by motor vehicle off any adj. alley, service drive, or designated delivery area on the same zoning lot.	
		v. For all other uses (including automobile related), loading facilities shall be provided in accordance with the following schedule (7,000-60,000 sf. GFA: 1 loading berth is required.	
	Landscaping		
		3. Landscaping design standards	
	A.	a.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, & similar site features may be incorporated, with PC approval.	The landscape plan shows proposed improvements within the ROW & in areas of the site where it is feasible to plant landscaping. Due to existing site limitations, the applicant may request a waiver from the PC.
		ii. A mixture of evergreen & deciduous trees shall be planted at the rate of 1 tree for each 3,000 sf, or portion thereof, of landsc. open-space area.	2 trees required. 2 trees planted at front of site.

	iii. Required trees & shrubs may be planted at uniform intervals, at random, or in groupings.	Trees & shrubs are planted where space allows on the existing site.
	iv. All landscaped areas shall have an underground irrigation system or shall be provided with a readily available & acceptable water supply with at least 1 hose bib within 100 ft. of all planted material to be maintained.	<i>Landscape note 16 provides irrigation to all grass areas, but should include all required landscaped areas.</i>
	v. The total landsc. area shall be the basis for determining the req. number of trees or shrubs, irrespective of the portion which is devoted to patios, terraces, sidewalks, or other site features.	See item ii. above.
	vi. In consideration of the overall design & impact of the landscape plan, the PC 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 Ord., & more specifically, with the intent of Sec. 27.05.	Due to existing site limitations, the applicant may request a landscape waiver from the PC.
	4. Parking lot landscaping adjacent to roads. Excluding Single-Fam. Res. Uses. A greenbelt separation area is req. btw. the right-of-way property line & the nearest portion of any off-street parking area, for parcels fronting roads but excluding single-fam. res. uses. Said area shall be a min. of 20 ft. in width and minimally landscaped as follows and as illustrated in the following figure:	Six existing parking spaces obstruct a portion of the 20-ft. greenbelt along S. Lapeer Rd. The access drive to and from the site accounts for the remainder of the lineal frontage.
	a. 1 tree for each 30 lineal ft., or fraction thereof, of req. greenbelt separation area (incl. driveways). Such trees shall be located btw. the abutting ROW & the off-street parking area or vehicular use area.	3 trees required in the front greenbelt. 3 trees provided (1 existing, 2 proposed) This standard is met.
	b. In addition, a hedge, wall, decorative metal fence, or berm, or other landscape elements with a vertical rise of at least 30-in. 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 1 shrub or vine for each 10 lineal ft. of masonry wall on the street side of the wall.	A new row of shrubs is planted along the front of the bldg. but does not screen the 6 existing parking spaces adj. to the ROW line. A new green area is labeled along the parking but appears to be ground cover and not screening. <i>The plans should be revised to demonstrate adequate screening of parking spaces.</i>
	c. The remainder of the req. landscape separation area shall be landscaped with grass, ground cover or other landscape treatment, excluding paving	An existing green area along the front of the site is labeled to remain. This standard is met.

	such as concrete or asphalt. This shall not be construed to prohibit decorative brick paving.	
	d. The PC may at their discretion wave or modify the req. 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 landsc. standards.	The applicant may request a landscape waiver from the PC for strict application of the ordinance, due to unique existing conditions.
	e. Public rights-of-way & other public open-space areas adj. to req. landscaped areas & greenbelts shall be planted with grass or other suitable ground cover & maintained by the owner of the adj. property as if they were part of req. landscaped areas & greenbelts.	The landscape plan labels existing green area to remain within the right-of-way. This standard is met.
	f. Regulations Pertaining to Landsc. Areas Used for Sight Distance. When a driveway intersects a public ROW or when the subject property abuts the intersect. of public ROW or intersect. of interior driveways, all landsc. within the corner triangular areas described below shall permit unobstructed cross-visibility.	Only ground cover landscaping is shown within the visibility triangles along S. Lapeer Rd. This standard is met.
	5. Screening for conflicting land uses. Where non-res. uses abut res. uses or where multi-fam. uses abut single-fam. uses, the PC may req. a greenbelt buffer, berm, or obscuring wall or combination of these methods of screening.	<i>The west & SW, adj. property is zoned R-1 but is not used as res. as it is vacant. There is ample room for a landsc. greenbelt in this area & the GB dist. requires a greenbelt. The applicant should provide landscaping or may request a waiver from the PC.</i>
	c. Obscuring walls	
	i. General Requirements. In order to protect residential uses from the possible noise, light, traffic, litter, visual disruption, & other impacts associated with more intensive, non-res. uses, an obscuring wall, fence, berm, or other protective barrier, as approved by the PC, shall be req. bet. any non-res. use or off-street parking area & adj. res. zoned districts. Furthermore, such walls, fences, berms, or other protective barriers shall be req. bet. any res. zoned district & any utility bldgs., stations, & substations, except where all utility equipment is contained within a bldg. or designed so as to be similar in appearance to the surrounding res. bldgs. Where a non-res. use is located directly, a berm shall be req. along the front property line of the non-res. property.	Plans show an existing chain link fence extending west from the west property line, that will be relocated back to the west property line. It appears a masonry screen wall may exist along the west property line. The applicant shall confirm, & if so, indicate the height. <i>If an existing wall does not exist, this section requires an obscuring wall or fence adj. to the residentially zoned property (west & SW sides).</i>
	ii. Location. Req. obscuring walls, fences, & protective barriers (other than berms) shall be	

	placed on the lot line, except where underground utilities interfere, in which case the req. walls or fences shall be placed on the utility easement line nearest the lot line.	
	v. Substitution. As a substitute for required obscuring walls or berms, the PC may, in its review of the site plan, approve the use of existing and/or other natural or man-made landscape features that would produce substantial results in terms of screening, durability, and permanence.	The applicant may request a waiver from the PC pertaining to the above standards.
	vi. Wall Specifications. Required obscuring walls shall be a min. of 6 ft. in height, & shall be constructed of the same materials as, or of materials that are architecturally compatible with, the materials used on the facade of the principal structure on the lot. Masonry walls shall be erected on a concrete foundation which shall have a min. depth of 42-in. & shall not be less than 4-in. wider than the wall to be erected.	The applicant should provide an obscuring wall or fence or may request a waiver from the PC. Barbed wire is not permitted, per item C.viii.
	vii. Fence Specifications. Fences req. for screening purposes shall be a minimum of 6 ft. in height, & shall be constructed of redwood, cedar, or No. 1 pressure-treated wood, vinyl or other materials approved by the PC or Bldg. Official, with posts sunk into the ground at least 3 ft. Chain link fences shall not be permitted for screening purposes.	
	6. Interior parking lot landscaping	
	a. Off-street parking areas containing greater than 20 spaces shall be provided with at least 20 sf of interior landsc. per parking space. A min. of 1/3 of the trees req. in Sec. 27.05 .A.5 shall be placed on the interior of the parking area & the remaining may be placed surrounding the perimeter parking lot within 10 ft. When possible, parking lot landsc. shall be arranged to improve the safety of pedest. & vehicular traffic, guide traffic movement, & imp. the appearance of the parking area.	<p>The existing surface parking lot does not appear to be changing, other than to be restriped. The prop. addition does not appear to cover (& thus remove) existing parking spaces. Therefore, the parking lot is existing nonconforming relating to landscaping.</p> <p>The applicant shall develop the remaining 13 parking spaces, with req/ landscaping, in the rear of the site, or may request a waiver from the PC.</p> <p>We note that the adjacent sites to the north & south contain existing, mature trees that aid in screening of the</p>
	b. A min. of 1 tree shall be planted per 200 sf. or fraction thereof of interior parking lot landscaping. At least 50% of each interior landscaped area shall be covered by living plant material, such as sod, shrubs, ground cover, or trees. Interior parking lot shrubs & trees shall permit unobstructed visibility & maintain clear vision between a height of 30 in. to 8 ft.	
	c. Interior parking lot landscaping islands shall be no less than 10 ft. in any single dimension and no less than 200 sf. in any single area & shall be	

		protected from parking areas with curbing, or other permanent means to prevent vehicular encroachment onto the landscaped areas.	surface parking at the subject site.
		d. The landscape plan shall designate the sizes, quantities, & types of plant material to be used in parking lot landscaping.	
		e. Req. landscaping elsewhere on the parcel shall not be counted in meeting the parking lot landscaping requirements.	
		f. Interior parking lot landscaping and/or landsc. islands shall be dispersed throughout the parking lot in order to break up lg. expanses of pavement.	
		g. The PC may, at their discretion, waive or modify the req. for interior landsc. in cases where the parking lot consists of only 1 aisle & the area surrounding the parking lot is heavily landscaped or where existing off-street parking drives and/or structures are located on the parcel.	
Materials Standards and Specifications.			
	B.	Except as otherwise specified in the general req. for each zoning district, all plant & non-plant material shall be installed in accordance with the standards of this sec.	<i>Should the applicant opt, or be required to provide parking lot landscaping, the plans shall meet the ord. standards of this section.</i>
		Installation and Maintenance. The following standards shall be observed where installation and maintenance of landscape materials is req.:	<i>Should the applicant opt, or be required to provide parking lot landscaping, the plans shall meet the ord. standards of this section.</i>
	C.	1. Installation. Landscaping shall be installed in a sound, workman-like manner & according to accepted good planning procedures, with the quality of plant materials as hereinafter described. Landscaped areas shall be protected from vehicular encroachment by use of wheel stops or some other means. Landscaped areas shall be elevated above the pavement to a height adequate to protect plant materials from snow removal operations, salt, & other hazards. If bldg. or paving construction is completed in an off-planting season, a temporary Cert. of Occupancy may be issued only after the owner provides a performance guarantee to ensure installation of required landscaping in the next planting season.	
		2. Maintenance. The owner of landsc. req. by this Ord. shall maintain the landsc. in a healthy, neat, & orderly appearance, free from refuse & debris. All unhealthy & dead plant material shall be replaced in the next appropriate planting period. Maintenance of landsc. areas in public ROW adj.	

		to req. landsc. areas shall be the responsibility of the owner of the adj. pvt. property.	
27.06 Streets, Roads, & Means of Access	A.	Public streets required.	Access to the existing site is not changing. We defer to the twp. engineer for additional review & comment.
	B.	Access across residential district land.	
	C.	Acceleration/deceleration/passing lanes.	
	D.	Internal roadways.	
	E.	Service roads.	
	F.	Safety paths.	A safety path exists on the west side of S. Lapeer Rd. This standard is met.
27.11 Lighting	Lighting plan submittal requirements.		
	D.	1. Location of all free-standing, bldg.-mounted & canopy light fixtures on the site plan and/or bldg. elevations.	The plans indicate all proposed lighting is wall-mounted as well as the location of each fixture. This standard is met.
		2. Photometric grid overlaid on the proposed site plan, indicating the overall light intensity <u>throughout the site</u> (in ft.-candles). (The PC is authorized to waive the req. of a photometric grid when it is determined that such info. is not necessary for site plan review.)	The entire site is not included in the photometric plan; however, it appears only the portions with lighting fixtures are shown. The ordinance standards appear to be met.
		3. Specifications & details for the type of fixture being proposed, including the total ft.-candle output, type of lamp, & method of shielding.	
		4. Use of the fixture proposed.	
		5. Any other info. deemed necessary to determine the appropriateness of lighting by the Bldg. Dept. and/or PC.	
	Non-residential lighting standards		
	E.	1. Free-standing pole lighting.	Proposed pole lights are not found on the site plan.
		2. Bldg.-mounted lighting.	
		a. Bldg.-mounted lighting shall be fully shielded & directed downward to prevent off-site glare. The intensity of light shall not exceed 20 ft.-candles, unless lights are recessed within an overhead roof or canopy structure. Light shall not exceed 0.3 ft.-candle along new and existing res. property lines & 1.0 ft.-candle along non-res. property lines.	All values on the photometric plan abutting the south property line (where adj. property is zoned R-1) are zero.
		b. Metal halide, incandescent, fluorescent, or mercury vapor fixtures shall be used in an effort to maintain a unified lighting standard throughout the Twp. & prevent light pollution. Sodium vapor fixtures may be used, but only with color corrected & shielded lenses.	The applicant shall confirm compliance if applicable.
		c. The PC may approve decorative or historic light fixtures as an alternative to shielded fixtures.	These standards are not applicable.

		when it can be proven that there will be no off-site glare & that the proposed fixtures will be more consistent with the character of the site.	
		d. Luminous tube and exposed bulb fluorescent lighting is prohibited as an architectural detail on all bldgs., e.g., along the roof line & eaves, around windows, etc. The PC may approve internally illuminated architectural bands or external lighting directed on bldgs., where it can be shown that the treatment will serve a legitimate function & will not adversely impact neighboring prop.	
		3. Canopy lighting.	
		All internally lit translucent or fabric awnings shall be prohibited within any zoning dist., unless the Bldg. Official or his or her designee determines that the following conditions are met	
		i. Fluorescent tubes are not visible from the ROW.	
		ii. Light levels comply with other ord. provisions & are not offensive to the adj. neighbors.	
		iii. Any proposed signage on the translucent or fabric awning shall comply with Orion Twp. Sign Ord. No. 153 requirements.	<i>The photometric plan shows L2 & L3 light fixtures in the location of the awning affixed to the prop. addition. The front bldg. elev. does not show wall-mounted lighting fixtures in this location. The applicant shall clarify compliance of this ord. standard.</i>
Outdoor storage			
27.19 Outdoor Storage	A.	1. <u>Principal Use</u> . If a principal use, the storage area shall comply with the front & rear yard setbacks of the zoning dist. Outdoor yards for the storage of materials, equipment & vehicles are permitted by right when located 100 ft. or more from the prop. line of a res. zoned or used parcel. When located within 100 ft. of the property line of a res. zoned or used parcel, outdoor storage yards may be permitted as a <u>special land use</u> & shall be permitted only upon special land use review & approval as set forth in Sec. 30.02 & upon meeting the landscaping standards of Sec. 27.05	<i>There appears to be extensive rear yard storage of vehicles on the site. The applicant shall confirm how the facility operates with any outdoor storage of vehicles or other items.</i>
		2. <u>Accessory Use</u> . An incidental storage area located outside of the principal bldg. which does not exceed 10% of the principal bldg. area, 1,000 sf., or 8,000 cubic ft., whichever is less shall be permitted. The outdoor storage shall be incidental to the existing principal bldg. The accessory storage area shall be located in the rear yard & screened from view of any public ROW.	

Outdoor storage regulations		
B.	Outdoor storage either as a Principle Use or Accessory Use shall be subject to the following regulations in addition to any specific regulations listed within each district's use matrix.	
	1. Outdoor storage shall not exceed 8 ft. in height. The outdoor storage of any product or material greater than 8 ft. in height shall req. special land use approval in accordance with Sec. 30.02.	
	2. Outdoor storage shall be limited to the rear yard area or as otherwise permitted.	This standard appears to be met.
	3. Outdoor storage areas shall be completely fenced with a chain link fence at least 8 ft. high.	<i>The perimeter fence(s) or wall(s), as mentioned above, may satisfy this standard. The applicant shall provide additional information.</i>
	4. Outdoor storage areas shall be screened from view from all roadways. This screening shall be either opaque screening or evergreen landscape screening in accordance with the provisions set forth in Sec. 27.05. The PC may waive or modify these req. for fencing & screening upon determining that:	The rear yard, outdoor storage is behind the existing & proposed bldgs. & out of site. This standard appears to be met.
	a. Outdoor storage will be adequately screened from view by existing or proposed bldgs., trees or shrubs, or other physical features.	The applicant may request a waiver from the PC if the proposed improvements do not meet these standards.
	b. Screening would serve no useful purpose due to similar uses located on adj. land.	
	5. The outdoor storage is allowed only when such storage is specifically shown on the site plan as approved by the PC. The site plan shall illustrate or specify the following information, at minimum:	
	a. The exact boundaries of prop. outdoor storage.	<i>The applicant shall provide information that demonstrates compliance of these ordinance standards if the rear yard is to be used as outdoor storage. As submitted, these standards are not met.</i>
	b. Surfacing and drainage details.	
	c. Screening details.	
	d. Layout of outdoor storage areas, incl. access & maneuvering areas. Storage areas shall be marked (with striping, staking, or another method), & maneuvering lanes shall have a min. width of 20 ft., unless the applicant can demonstrate on the site plan how clear access throughout the storage area will be maintained for emergency vehicles. For public safety purposes, at least 1 means of direct access for emergency vehicles shall be provided that does not req. entry into a bldg.	

Staff is available to discuss this review.

Respectfully,
Giffels Webster



Rodney L. Arroyo, AICP
Partner Emeritus



Eric Pietsch
Senior Planner



December 6, 2022

Scott Reynolds, Planning Commission Chairperson
CHARTER TOWNSHIP OF ORION
2323 Joslyn Road
Lake Orion, MI 48360

RECEIVED
DEC 07 2022
Orion Township
Planning & Zoning

RE: Buckhorn Service – Towing and Recovery, PC-2022-21
Site Plan Review #1

Received: November 18, 2022, by Orion Township

Dear Mr. Reynolds:

We have completed our review of the Buckhorn Service Towing and Recovery plan set. The plans were prepared by R.A. Chiesa Architecture 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 the west side of M-24 south of Clarkston Rd. within the northeast quadrant of Section 14 of the Charter Township of Orion. The site is zoned General Business (GB) and bound by parcels to the north and south zoned Restricted Business (RB), parcels to the west zoned Single-Family Residential (R-1), and parcels to the east across M-24 zoned Office and Professional (OP) and Restricted Business (RB).

The existing site is comprised of a parking lot with two (2) buildings, and a shed. The parcel is home to both Buckhorn Towing and Moto Medic, which are a towing service company and a mechanic shop respectively. The parking lot appears to be frequently full of vehicles that are scheduled for maintenance or repairs. The only easement shown appears to be an 18-foot access easement located along the main drive aisle on the north border of the site.

The applicant is proposing to build an expansion to the Buckhorn Service building located in the center of the parcel. In addition to the building expansion, some of the gravel/asphalt pavement on the west side of the site will be repaved with new concrete pads near the proposed expansion.

The full legal description of the parcel should be included on the Site Plan. A second benchmark will be required at Engineering.

Given the nature of the business, it is recommended the applicant consider the potential for contaminated soil. It is suggested that the proper method for testing/transporting any found contaminated soil or groundwater be noted in the plans. Of particular concern is the protection of the existing groundwater well on-site.



WATER MAIN AND SANITARY SEWER:

There is 16-inch water main located along the west side of M-24 and an 8-inch hydrant lead that extends west into the parcel south of the site. The hydrant lead extends about a third of the length of the parcel (east/west) along the southern property border. The existing water main and water service leads were not shown on the Site Plan, however there appears to be an existing well located just east of the proposed building addition. The applicant shall show all existing water main and services on the Site Plan and shall incorporate any proposed lead locations into the site plan. The applicant shall also confirm whether the existing well is still active or if the site is connected to Township water main. Given the existing usage and the potential for contaminated ground water, it is recommended that the existing well be tested if still in service for potable water. Size and material type will be required at Engineering should any leads be proposed. We defer comment on hydrant coverage to the Township Fire Marshal.

There is existing 10-inch sanitary located along the west side of M-24. Existing sanitary is shown on the site plan with a new proposed Sanitary Inspection Manhole located at the wye of the sanitary lead that connects the Moto-Medic and Buckhorn Towing buildings to the existing sanitary sewer along M-24. No size or material information is included on the Site Plan and should be identified on the plans. Additionally, any existing cleanouts should be shown on the plans. If none exist, we recommend adding cleanouts at each bend in the sanitary leads and at intermittent points to ensure allowance for continued maintenance. The applicant shall also verify that the sanitary discharge is treated for grease and oil prior to entering the main line sanitary sewer. If no grease/oil separator is currently in use, one will be required at Engineering.

Basis of Design for both water main and sanitary sewer demand did not appear to be included in the plans and is required at Site Plan.

STORMWATER MANAGEMENT:

The existing site does not appear to have any stormwater management facilities on site. No preliminary detention or C-value calculations were provided for the entire site, and it does not appear that the applicant is proposing any stormwater improvements for the site. The majority of the site is paved with broken asphalt and gravel. The building addition will generate a slight increase in impervious area strictly because the asphalt (in its current state) in that area is partially broken and exposing gravel. Given the use of the site, it is not favorable to promote infiltration into the ground directly from the parking lot.

While the existing site does not currently contain stormwater facilities or detention and the increase in impervious area is negligible, we recommend that the site be required to be upgraded to meet the new Oakland County Stormwater Standards. Methods for capturing and treating the runoff for oil and grease should be incorporated into the plans.

PAVING/GRADING:

The existing site access is comprised of a single two-way approach that is approximately 42 feet wide. The applicant should add a dimension across the approach on the Site Plan. From this approach, there appears to be an 18-foot-wide easement located north of the Moto Medic building that is used for shared access to Buckhorn Towing. The only changes proposed to the approach appear to be the addition of detectable warning mats for the pathway ramps on either side of the approach. The southern pathway ramp should be realigned to direct pedestrians directly to the northern pathway ramp. Currently the ramps appear to be offset from each other.

Pavement slopes were provided via one-foot contours and spot grades. The pavement grades appear to be acceptable based on the information provided. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. The applicant included a concrete paving detail that calls for 8 inches of concrete atop 8 inches of 21AA aggregate base. This pavement section is acceptable per Township Standards. The applicant shall



include a pavement section for the public pathway that matches the Township pathway detail. A right-of-way permit will be required from MDOT for any proposed work within the M-24 right-of-way.

The Site Plan does not clearly indicate the existing condition under the proposed building footprint, but based on desktop analysis, it appears that the only changes to the Buckhorn access is a new proposed gate with two (2) 10-foot swing doors. The applicant shall coordinate access to the proposed building addition with the Township Fire Marshal. The Township Fire Apparatus appears to be able to navigate the rear of the site without any parked vehicles on-site. However, per recent aerial images and site visits, it appears there are numerous vehicles parked on-site which could impair access. We defer further comment on access and required fire lanes to the Township Fire Marshal.

No grading appears to be proposed outside the limits of the proposed pavement. No retaining walls are necessary for this site. Overall, the grading information provided is acceptable for Site Plan. Detailed grades will be required for the pathway ramps on the approach at Engineering to ensure that they are ADA compliant.

LANDSCAPING:

The applicant is proposing several small plants along the east side of both of the existing buildings, as well as two trees in the green space east of the Moto Medic building. The Landscaping Plan appears acceptable as no trees are placed within the influence of public utilities or sanitary and water main services.

NATURAL FEATURES:

Wetlands:

According to the National Wetlands Inventory, there is a 0.51 acres freshwater pond approximately 200 feet from the proposed improvements. No proposed improvements appear to be located within proximity of the existing water body or its 25-foot setback. No wetland impact permit application should be necessary, however SESC measures shall be provided at Engineering to ensure that the proposed improvements have no impact on the existing water body.

Woodlands:

No Tree Survey appeared to be included in the plans and is required at site plan. A Tree Survey shall be provided and incorporated into the Site Plan.

CONCLUSION:

In our opinion, the site plan as submitted is in substantial compliance with the Township's ordinances and engineering standards. We ask that any approval include the following:

1. The applicant should bring the site up to current Orion Township Engineering Standards by incorporating detention and pretreatment.
2. The public pathway ramps should be reconfigured to be aligned with each other.
3. The Basis of Design for the water and sewer usage should be included in the plans.
4. Add the Orion Township pavement section for the safety path and ramps.
5. Add the location of the existing water service leads to each building.
6. A Tree Survey should be incorporated into the Site Plan.
7. 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) 751-3100 or mark.landis@ohm-advisors.com.

Sincerely,
OHM Advisors

Joe Lehman
Project Engineer

Mark Landis, P.E.
Project Manager

cc: Chris Barnett, Township Supervisor
David Goodloe, Building Official
Bill Basigkow, Director of Public Services
Tammy Girling, Director of Planning and Zoning
Lynn Harrison, Planning and Zoning Coordinator
Jeff Williams, Township Fire Marshal
David Nelder, Moto Medic Inc
Ronald Chiesa, Chiesa Architects
File

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Charter Township of Orion

3365 Gregory Rd., Lake Orion MI 48359
www.oriontownship.org

Fire Department

Phone: (248) 391-0304, ext. 2000
Fax: (248) 309-6993

To: Planning Commission/Planning & Zoning Director
From: Jeff Williams, Fire Marshal
Re: PC-22-21, Buckhorn Service Towing & Recovery Site Plan
Date: 12/6/2022

The Orion Township Fire Department has completed its review of Application PPC-22-21 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
Approved with Comments (See below)
X Not approved

Comments:

- The turning radius for the emergency apparatus road shall be in accordance with the Orion Township Fire Department turning performance analysis template. Overlays of the Fire Engine template shall be shown on the plans (503.2.4).
- Details for No Parking Fire Lane signage including road striping (cross hatching) area shall be indicated on the plan (503.3). Fire department access roads 20 to 26 feet wide shall be posted with NO PARKING FIRE LANE signage on both sides of the fire apparatus access road (D103.6.1). Fire department access roads greater than 26 feet shall only require posting on one side of the roadway.
- Where security gates are installed, they shall have an approved means of emergency operation (Siren Activation Feature if gates are powered / Knox Pad Lock if gates are manually operated). The security gates and emergency operation shall be maintained operational at all times. Please include this information in your site plan submittal
- A 3-foot clear space around fire hydrants and fire department connections shall be maintained at all times (507.5.5). The proposed site plan shows the fire hydrant on the adjoining south property being obstructed by trees and an existing shed. The Fire Department will require the following:
 1. The existing shed shall be removed and or relocated to an area where it does not obstruct fire hydrant access.
 2. Trees shall be cleared from the area around the fire hydrant eliminating all visual obstructions.
 3. 1 parking spot in front of fire hydrant shall be eliminated, creating a clear unobstructed path to the fire hydrant. This area shall have road striping and "No Parking" signage.

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

DEC 06 2022

66 Orion Township
Planning & Zoning

Courtney Keisman

Subject: Buckhorn Towing [ReSub SPA]

From: Jeff Williams <jwilliams@oriontownship.org>
Sent: Wednesday, February 1, 2023 9:59 AM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: RE: Buckhorn Towing [ReSub SPA]

The Fire Department has reviewed the proposed "revised" documentation and have the following comments:

1. The fire department would like to see the fire hydrant located in the island near the light pole by the main drive isle that leads to the back tow yard lot. Bollards or a curbed island may need to be added to the site plan to protect the hydrant from vehicle traffic.
2. The fire department would be comfortable reviewing all revised information as an "administrative review" if approved by the planning commission.

Please let me know if you have any further questions. Thanks



Jeffrey Williams, CFPS – Fire Marshal
Orion Township Fire Department - Fire Prevention
3365 Gregory Road Lake Orion, MI 48359
Office: 248.391.0304 ext. 2004 Cell: 248.978.5143
Fax: 248.309.6993

From: Tammy Girling <tgirling@oriontownship.org>
Sent: Wednesday, February 1, 2023 9:04 AM
To: Jeff Williams <jwilliams@oriontownship.org>
Subject: FW: Buckhorn Towing [ReSub SPA]

Let me know on this. They are on agenda this evening. Call if you need to discuss but my afternoon is booked.



Tammy Girling
Director
Planning & Zoning
2323 Joslyn Road, Lake Orion, MI 48360
O: 248.391.0304, ext. 5000 C: 248.978.2132
W: www.oriontownship.org

From: Ronald Chiesa <rchiesa@chiesaarchitects.com>
Sent: Tuesday, January 31, 2023 6:07 PM
To: Jeff Williams <jwilliams@oriontownship.org>; Tammy Girling <tgirling@oriontownship.org>
Subject: Buckhorn Towing [ReSub SPA]

Hi Jeff,

Thanks for returning my call to discuss the Buckhorn Towing Building Addition. We are on the agenda for Site Plan Approval tomorrow evening(2/1/23). As discussed earlier today we have addressed the concerns or clarifications you have in your review, also attached for your reference with our updated plans.

We have addressed the 4 items in your review as follows-

1. We have included the simulation & turning radius for your fire truck on our Sheet A-2 Landscape Plan for easier clarity. The firetruck can maneuver around the revised parking layout design we have provided. In addition per the NFPA "The Accepted Alternative To 120' Hammerhead" will also work on this site. The site has wider aisles for the wrecker tow trucks Buckhorn uses to maneuver around the site also. The gravel area west of the new gate will also allow for your truck access.
2. We have indicated on Sheet A-1 the "No Parking Fire Lane" signage area along the existing masonry wall at the north property line. The drive aisle is wider than 26' so signage will be posted only along the north side.
3. The new security gate will be electronically controlled with Siren Activation for emergency access. This is noted on Sheet A-1 at Detail #4 Fence Gate Detail.
4. We have added a new fire hydrant onto my clients property between the existing building and shed building. It will meet code for clearance and will be protected by guard posts. The hydrant will be visually unobstructed and provided a clear path near the HC Parking spaces. See Sheet A-1.

These revisions or clarifications hopefully will meet your approval so we can have your support for our Site Plan Approval. If you have any questions regarding this matter please contact my office.

Thanks,
Ron

Ronald A. Chiesa, AIA
RA Chiesa Architects, PC
43260 Garfield Rd. Suite 210
Clinton Township, MI 48038
Office: (586) 263-5519
Email: rchiesa@chiesaarchitects.com
Website: chiesaarchitects.com





Charter Township of Orion

2323 Joslyn • Lake Orion, Michigan 48360 • (248) 391-0304

To: Tammy Girling
Planning & Zoning Director

RECEIVED

From: William Basigkow
Director, Department of Public Services

DEC 07 2022

Orion Township
Planning & Zoning

Date: December 7, 2022

Re: PC-22-21, Buckhorn Service Towing & Recovery Site Plan
Site Plan Review #1

Dear Tammy,

The Department of Public Services has reviewed the above-mentioned project and has no further objections or concerns at this time.

If you have any questions, please contact me.

Respectfully Submitted,

William Basigkow
Director
Department of Public Services



WRC

WATER RESOURCES COMMISSIONER

Jim Nash

May 20, 2022

Lynn Harrison
Orion Township
Planning & Zoning
2323 Joslyn Road
Lake Orion, MI 48360

Reference: **Buckhorn Service – CAMS #202200406**
Part of the NW & NE ¼ of Section 14, Orion Township

Dear Ms. Harrison,

This office has received one set of plans for the Buckhorn Service Project to be developed in the Northwest & Northeast ¼ of Section 14, Orion Township.

Our stormwater system review indicates that the proposed project has no direct involvement with any legally established County Drain under the jurisdiction of this office. Therefore, a storm drainage permit will not be required from this office.

The water system is operated and maintained by Orion Township and plans must be submitted to Orion Township for review.

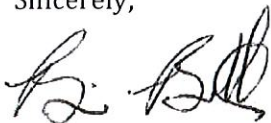
The sanitary sewer is within the Clinton-Oakland Sewage Disposal System. Any proposed sewers of 8" or larger may require a permit through this office.

Please note that all applicable permits and approvals from federal, state or local authorities, public utilities and private property owners must be obtained.

Any related earth disruption must conform to applicable requirements of Part 91, Soil Erosion and Sedimentation Control of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994. An application should be made to Orion Township for the required soil erosion permit.

If there are any questions regarding this matter, please contact Dan Butkus at 248-897-2744.

Sincerely,



Brian Bennett, P.E.
Civil Engineer III



A site walk was conducted on PPC-2022-21 Buckhorn service Site Plan on December 8, 2022. The site is located on the west side of Lapeer Road south of Clarkston Road. It is currently used for Buckhorn Towing Service for the towing, service and storing of vehicles. There are 2 buildings on the site used for administrative purposes. The rear portion of the site is used for storing vehicles is an unpaved surface. The site is void of any landscaping. The property to the north is an existing shopping center with multiple tenants and an office building. The property to the south is an existing shopping center with multiple tenants.

Respectfully submitted
Donald Gross, Planning Commissioner

Donald Gross, Planning Commissioner
Charter Township of Orion
2323 Joslyn Rd., Lake Orion MI 48360
dgross@oriontownship.org
<http://www.oriontownship.org>

RECEIVED
DEC 09 2022
Orion Township
Planning & Zoning



Charter Township of Orion
 Planning & Zoning Department
 2323 Joslyn Rd., Lake Orion MI 48360
 P: (248) 391-0304 ext. 5000

Case # PRC-22-21
 Meeting Date 12/21/22

Charter Township of Orion Planning Commission Site Plan Approval Application

30.1 , 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: BUCKHORN SERVICE - TOWING & RECOVERY

Name of Development if applicable: NAME AS ABOVE

Applicant	Name: <u>RA CHIEKA ARCHITECTS</u> Address: <u>42260 WARFIELD ME 21A</u> City: <u>CLINTON TWP.</u> State: <u>MI</u> Zip: <u>48028</u> Phone: <u>(519) 262-5519</u> Cell: _____ Fax: _____ Email: <u>rchieka@chiekaarchitects.com</u>
*Property Owner(s)	* Name: <u>David Nelder</u> Address: <u>1470 S. Coats rd</u> City: <u>Oxford</u> State: <u>MI</u> Zip: <u>48371</u> Phone: <u>248-670-0089</u> Cell: <u>Same</u> Fax: <u>248-693-9045</u> Email: <u>motomedicine@hotmail.com</u> * If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.
Plan Preparer Firm/Person	Name: <u>RA CHIEKA ARCHITECTS / RONALD A. CHIEKA, AIA</u> Address: <u>42260 WARFIELD ME 21A</u> City: <u>CLINTON TWP</u> State: <u>MI</u> Zip: <u>48028</u> Phone: <u>(519) 262-5519</u> Cell: _____ Fax: _____ Email: <u>rchieka@chiekaarchitects.com</u>
Project Contact Person	Name: <u>NAME AS ARCHITECTS ABOVE</u> Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ Cell: _____ Fax: _____ Email: _____

Property Description	Sidwell Number(s): <u>09-14-201-013</u>								
	Location or Address of Property: <u>1258 W. LAPEER RD.</u>								
Project Information	Side of Street: <u>WEST</u> Nearest Intersection: <u>W. OF CLARKSTON & LAPEER</u>								
	Acreage: <u>1.91 AC</u> Current Use of Property: <u>TOWING BUSINESS</u>								
	Is the complete legal description printed on the site plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if no please attach to the application)								
	Subject Property Zoning: <u>UB</u> Adjacent Zoning: N. <u>RB</u> S. <u>UB</u> E. <u>RB</u> W. <u>UNDEV. VACANT R-1</u>								
Submittal to Outside Agencies	List any known variances needed (subject to change based on Township consultant's review)								
	Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed <u>PROPOSED ADDITION (5,243 SF) TO AN EXISTING BUILDING (3,300 SF) FOR TOWING OPERATION</u>								
	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 as proof of delivery.								
	<table border="1"> <tr> <td>AT&T 54 Mill St. Pontiac, MI 48342</td> <td>Consumers Power Company 530 W. Willow St. Lansing, MI 48906</td> </tr> <tr> <td>DTE Energy Co. ATTENTION: NW Planning & Design 1970 Orchard Lake Rd. Sylvan Lake, MI 48320</td> <td>Oakland County Health Department Building 34 East 1200 N. Telegraph Rd. Pontiac, MI 48341</td> </tr> <tr> <td>Michigan Department of Transportation (if applicable) 800 Vanguard Dr. Pontiac, MI 48341</td> <td>Road Commission of Oakland County (if applicable) ssintkowski@rcoc.org (electronic submittal only)</td> </tr> <tr> <td>Oakland County Water Resources To Be Submitted by the Township</td> <td></td> </tr> </table>	AT&T 54 Mill St. Pontiac, MI 48342	Consumers Power Company 530 W. Willow St. Lansing, MI 48906	DTE Energy Co. ATTENTION: NW Planning & Design 1970 Orchard Lake Rd. Sylvan Lake, MI 48320	Oakland County Health Department Building 34 East 1200 N. Telegraph Rd. Pontiac, MI 48341	Michigan Department of Transportation (if applicable) 800 Vanguard Dr. Pontiac, MI 48341	Road Commission of Oakland County (if applicable) ssintkowski@rcoc.org (electronic submittal only)	Oakland County Water Resources To Be Submitted by the Township	
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Michigan Department of Transportation (if applicable) 800 Vanguard Dr. Pontiac, MI 48341	Road Commission of Oakland County (if applicable) ssintkowski@rcoc.org (electronic submittal only)								
Oakland County Water Resources To Be Submitted by the Township									

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

Signature of Applicant: Ronald A. Chieka Date: 05/09/22
(must be original ink signature)

Print Name: RONALD A. CHIEKA

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 (if the deed of ownership does not show an individual, ie is a corporation, partnership, etc., documentation must be provided showing the individual signing this application has signing rights for the entity):

* David Nelder Date: 05-04-2022
(must be original ink signature)

Print Name: David Nelder



Charter Township of Orion

2323 Joslyn Rd., Lake Orion MI 48360
www.oriontownship.org

Planning & Zoning Department

Phone: (248) 391-0304, ext. 5000

TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Planning & Zoning Director

DATE: January 25, 2023

RE: PC-2019-47, Lavender Ridge Final PUD Plan Extension

On February 3, 2020, the Board of Trustees conditionally approved PC-2019-47, Final PUD Plan for Lavender Ridge. On March 17, 2021, the PC granted a 1-year extension until 2/3/22, and on December 15, 2021, granted an extension until 2/3/2023. The applicant is again requesting an extension to the expiration of the plan. As of today's date, the PUD Agreement Amendment has been signed and engineering plans have been submitted for review. Attached, please find the applicant's request for another Final PUD Plan extension and a page of the currently approved plan for your reference.

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.

Final PUD Plan Extension (Ord. 78, Article XXX, Section 30.03,H,2)

Motion 1: I move that the Planning Commission **approves** the Final PUD Plan extension request for PC-2019-47, Lavender Ridge Final PUD plan for _____ (insert time frame). This **approval** is based on the following findings of facts: (*insert findings of facts*).

Or

I move that the Planning Commission **denies** the Final PUD Plan extension request for PC-2019-47, Lavender Ridge Final PUD plan. This **denial** is based on the following findings of facts: (*insert findings of facts*).

Courtney Keisman

Subject: FW: Lavender Ridge PUD Extension Request

From: Manny Kianicky <mkianicky@srj.com>

Sent: Wednesday, January 4, 2023 1:42 PM

To: Tammy Girling <tgirling@oriontownship.org>

Cc: Courtney Keisman <ckeisman@oriontownship.org>; Scott Jacobson <sjacobson@srj.com>; Dominic J. Mocerì <dominic@mocerì.com>

Subject: RE: Lavender Ridge PUD Extension Request

Tammy:

Thank you for the reminder.

Please consider this email as a request for an additional extension of the PUD for Lavender Ridge due to very unfavorable economic conditions. I will plan on attending the 2/1 meeting. Please let me know if there is anything else you may need in regards to this request.

Manny Kianicky, P.E.

Vice President, S.R. Jacobson Development Corp.

32400 Telegraph Road, Suite 200 A

Bingham Farms, MI 48025

(248) 642-4700 ext. 237

mkianicky@SRJ.com

Cell (248) 535-2404

Executive:	MP
Manager:	NS
Designer:	NS
Quality Control:	MP
Section:	36
T-04-N R-10-E	

Professional Seal:



Know what's below.
Call before you dig.

DATE	ISSUE
07.18.2019	SUBMIT TO TOWNSHIP
08.30.2019	SUBMIT CONCEPT PUD TO TOWNSHIP
11.26.2019	SUBMIT FINAL PUD TO TOWNSHIP
02.17.2020	RESUBMIT FINAL PUD TO TOWNSHIP
06.29.2020	RESUBMIT FINAL PUD TO TOWNSHIP

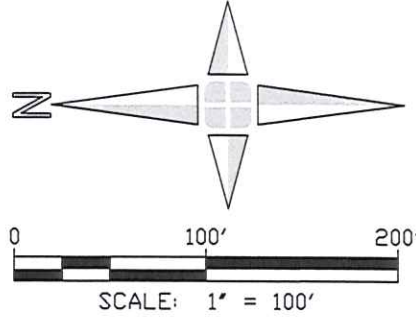
Developed For:
JACOBSON MOCERI
ORION, LLC
32400 TELEGRAPH ROAD
SUITE 200A
BINGHAM FARMS, MI 48025
248.642.4700

SITE RENDERING

LAVENDER RIDGE
ORION TOWNSHIP
OAKLAND COUNTY
MICHIGAN

Date:	07.18.2019
Scale:	1"=100'
Sheet:	C2
Project:	19622.00

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S.R. JACOBSON
DEVELOPMENT CORP.



Charter Township of Orion

2323 Joslyn Rd., Lake Orion MI 48360
www.oriontownship.org

Planning & Zoning Department

Phone: (248) 391-0304, ext. 5000

TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Zoning/Planning Director
DATE: January 26, 2023
RE: Master Plan Discussion

As you may remember, we had a discussion of the action strategies in the Master Plan and assigned a time frame for implementing each of them. There were several that were identified as short term (next 1-3 years). The Master Plan was adopted on 7/20/22 and we have not had further discussion on the strategies. In that the agenda is fairly light, I have added this item so we can start discussions on the Master Plan and priorities.

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