1. OPEN MEETING

2. ROLL CALL

3. MINUTES
   A. 09-01-21, Planning Commission Regular Meeting Minutes
   B. 09-01-21, Planning Commission Public Hearing Minutes, PC-2021-63, Meijer SLU

4. AGENDA REVIEW AND APPROVAL

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

6. CONSENT AGENDA

7. NEW BUSINESS
   A. PC-2021-67, J.S. Brown Rd., LLC Site Plan, located at 851 & 861 Brown Rd.,
      (parcel numbers 09-33-351-020 & 09-33-351-021).
   B. PC-2021-68, Dutton Park Site Plan Amendment, located at vacant parcels 09-35-400-048 and 09-35-477-003 located on the north side of Dutton Rd. 1 parcel east of Interpark N.

8. UNFINISHED BUSINESS
   A. PC-2021-07, 5-Year Master Plan Update

9. PUBLIC COMMENTS

10. COMMUNICATIONS

11. PLANNERS REPORT/EDUCATION

12. COMMITTEE REPORTS

13. FUTURE PUBLIC HEARINGS
   A. 10-06-21 at 7:05 p.m., PC-2021-70, Grandview – Lapeer Road Rezone Request, the request is to rezone approx. 17.44 acres of 3120 S. Lapeer Road (parcel 09-26-151-019) from Recreation 2 (Rec-2) to Multiple Family Residential (RM-2), and approx. 4.21 acres from Recreation 2 (Rec-2) to General Business (GB).
   B. 10-06-21 PC-2021-71 (immediately following the PC-2021-70 Public Hearing at 7:05 p.m.), F&D Silverbell Rezone Request, the request is to rezone approx. 23.05 acres of vacant parcel (09-35-100-019) located at the SW corner of Silverbell and Lapeer Road from Office Professional (OP) to Industrial Park (IP), and approx. 7.02 acres from Office Professional (OP) to General Business (GB).

14. CHAIRMAN’S COMMENTS

15. COMMISSIONERS’ COMMENTS

16. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two hours in advance of the meeting when requesting accommodations.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, September 1, 2021, at 7:00 pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, MI 48360.

PLANNING COMMISSION MEMBERS PRESENT
Scott Reynolds, Chairman Derek Brackon, Commissioner
Joe St. Henry, Secretary Don Walker, PC Rep to ZBA
Don Gross, Vice-Chairman

PLANNING COMMISSION MEMBERS ABSENT:
Kim Urbanowski, BOT Rep to PC
Jessica Gingell, Commissioner

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

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rod Arroyo, (Township Planner) of Giffels Webster
Matt Wojciechowski, (Township Planner) of Giffels Webster
Mark Landis, (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Ashley Mack
Jason Vander Kodde

3. MINUTES
A. 08-18-21, Planning Commission Regular Meeting Minutes
B. 08-18-21, Planning Commission Workshop Meeting Minutes.
Moved by Secretary St. Henry, seconded by Commissioner Brackon to approve both sets of minutes as submitted. Motion carried

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

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

6. CONSENT AGENDA
None

Chairman Reynolds recessed the regular meeting and opened the public hearing for PC-2021-63, Meijer Inc. #680, Special Land Use request for a 24-hour operation, located at 1107 S. Lapeer Road, parcel number 09-14-226-008, and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008) at 7:05 pm and closed the public hearing at 7:15 pm.
7. NEW BUSINESS
A. PC-2021-63, Meijer Inc #680, Special Land Use request for a 24-hour operation, located at 1107 S. Lapeer Road, parcel number 09-14-226-008 and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008).

Chairman Reynolds asked the applicant if they had anything to add? They did not.

Planner Arroyo read through his review date stamped received August 18, 2021.

Vice-Chairman Gross asked what their anticipated schedules of the demolition and construction of the site? Mr. Vander Kodde said they are anticipating demolition within the next couple of months, they do have a permit applied for presently, and are awaiting the Township review of that permit application. Obviously, once the building has been removed then they would begin site construction, so later this fall and the intent would be to open the store in 2022 prior to Christmas. Vice-Chairman Gross asked if they were anticipating a site plan extension? Mr. Vander Kodde replied that they are not anticipating any site plan extension requests at this time.

Chairman Reynolds said that he didn't have any specific concerns, seeing other facilities in adjacent City's and Township's with 24-hour operations he hasn't had many issues with the entity, and since it is adjacent to many 24-hour operations in that area he didn't see it posing any significate issues or compatibility items. He felt that they have proven in other ways that it essentially meets our criteria for 24-hour operation.

Secretary St. Henry stated that when he had younger children, and they were up in the middle of the night looking for medicine or diapers, or whatever there was nothing open in the Lake Orion they would have to drive to other communities. His wife is a nurse that works weird hours and there are times when she shops at 4 am. There are a lot of advantages to having a store like this open 24-7.

Moved by Vice-Chairman Gross, seconded by, Secretary St. Henry that the Planning Commission approve PC-2021-63, Meijer #680 Special Land Use request for a 24-hour operation located at 1107 S. Lapeer Rd., parcel #09-14-226-008 and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008) for plans date stamped received August 4, 2021. This approval is based on the following finding of fact: that this is compatible with adjacent uses within the area some of which are currently 24-hour operations; it is also compatible with the Master Plan which indicates this area as being developed with commercial land uses; there are adequate public service facilities since this is an existing site with existing public utilities available; the impact on traffic was addressed during the original Site Plan, and Special Land Use request for Meijer, and it was demonstrated on that Special Land Use and Site Plans; there should be no detrimental effects as a result of this facility being available on a 24-hour a day operation; the site has been appropriately submitted a Landscape Plan to enhance the surrounding environment; there will be no isolation of existing land uses within the area.

Discussion on the motion:

Planning & Zoning Director Girling asked if they were going to address the lighting within the Special Land Use criterion? Mr. Vander Kodde said that the way the ordinance is written, as his understanding, that if the business is open lighting is permissible and so with the approval of a 24-hour request the lighting is allowed 24-hour. He thought what Planning & Zoning Director Girling was referring to was in the event that Meijer is open
from 6a-12m would the lighting still be allowed from 12m-6a? Because as a 24-hour approved use, even though it is not currently operating that way because of the pandemic.

Planning & Zoning Director Girling said that the lighting section talks about turning off lighting after 11p or reducing it if approved by the Planning Commission it can stay on longer for security. She added just making sure because of the section that says lighting should be off after 11p or dimmed, what are their feelings on the lighting.

Planner Arroyo said that typically he is seeing more and more uses when they are not open during hours of operation go to a lower level of lighting, not necessarily having no lighting but dropping the level down, and felt that was the pattern. He asked if that was something that was a feasible alternative to have a lower level of lighting if they are not open for business but still want some security lighting? Mr. Vander Kodde replied yes; they can have a lower level of lighting with an asterisk being that in the areas that they are continuing to have operations such as their receiving area, and their front entryway where the vendors or service technicians are coming and going, and their night stockers are parking, obviously, they would want to maintain security and safety for well-lit conditions and inclement weather rain, snow, wind. They would like to have that especially adjacent to building continue to be lit. The perimeter of the parking lot they could certainly dim.

Commissioner Walker asked about something like a motion detector lighting, that if no activity is out there it would go out, and if there was activity would turn on? Mr. Vander Kodde said that the difficulty with that is they would have to have a motion sensor across the entire property, so how do they set up their motion detection system where the lights just go on wherever the motion is and off, so there is a technical challenge there, and the creation of it. It is also very disruptive when that particular light goes on if they were sleeping or getting in and out of their vehicle and adjacent residents or wherever. He felt that when the light is just at a low level that is ambient there is no interruption and no sudden shock. He stated that he is not a lighting Engineer so he would defer the meat of the question to his staff if it becomes a bigger question. He said that the way that the system functions on a photocell he didn’t think that the individual lights have individual photocells. They have wall-packs on the building, and they have lights in the parking lot, and trying to get all of that system to effectively motion detect is not something that they have considered yet.

Secretary St. Henry said that they had K-Mart there for 50-years, they had the lights on in the middle of the night for security reasons as much as anything. They have Planet Fitness right next door it is open 24-7, they have customers all night long, obviously not as crowded as during the day, but they do have customers, and he thought that they had lights that illuminate the parking lot for safety, operation reasons, to him what is the difference? This is a commercial area, the Ponds of Orion is not even built yet, there is nothing there, up until a few years ago when they started construction. They have the dealership that has their lights on full-blast. To him, the lighting issue is a moot point as long as the lights themselves meet the ordinances, the types, and directions of lights.

Chairman Reynolds said that he didn’t have any concerns with lighting. He added that it would be nice if as a courtesy if there are not operations that light levels be reduced to maintain minimal security measures. He didn’t think that they needed any explicit conditions but acknowledge that lighting would be addressed 24-hours.
Vice-Chairman Gross amended the motion, Secretary St. Henry re-supported, this approval is based upon the following conditions they would allow lighting on a 24-hour basis during operating hours, and if the facility is not open for 24-hours the lighting will be reduced in intensity.

**Roll call vote was as follows:** Brackon, no; St. Henry, yes; Walker, yes; Gross, yes; Reynolds, yes. **Motion carried 5-0.** (Urbanowski & Gingell absent)

**8. UNFINISHED BUSINESS**  
**A. PC-2021-07, 5-Year Master Plan Update**

Planner Arroyo started off with Section 13 of the Township. He noted that in this area they have some school facilities that are designated institutional and they are shown in the SW corner of the presentation. They also have the (R1) zoning which is consistent with allowing for public type uses. They have one area of interest towards the northern portion along Clarkston Rd., where they have (SE) zoning, the Master Plan calls out for single-family low-density when really the zoning is in alignment with single-family low-density, that would be an adjustment that they would make if they were trying to reflect the current zoning and development pattern in that area.

Chairman Reynolds asked what was at that eastern border of section 13, what road is that is that Kern, they have Clarkston at the top they are just east of M24 in this Section? Planner Arroyo replied correct, the next section over is M24.

Planner Arroyo stated this is mostly the Bald Mountain State recreation area. What it looks like they have is a series of historic flag lot type development that has occurred in this (SE) area. He asked if they would like to make any changes to the Future Land Use Map? Chairman Reynolds said he thought that they needed to bring some things up to speed to align with their current discussions and then evaluate some of these zoning districts as a whole, once they have gone section by section, and if there are some areas were bringing them up to speed and then discussing whether it was a good fit or what is the better vision for some of these districts was his thought.

Planner Arroyo said moving over one section to section 14 to the west. They have Lapeer Rd. coming in through the eastern half of this section as they look at it. They have a large area along Lapeer Rd. that is planned for general commercial. When they look at the Zoning Map, they can see that there is a wide variety of zoning that occurs in this area. One of the things they think that needs to happen with the description of the general commercial category in the Future Land Use Plan is it doesn’t really mention office, it doesn’t mention some of these uses, and they have some office zoning. He felt they needed to broaden the description. The fact that they have these different categories of zoning is not necessarily a bad thing, it may just be a reflection of how things have happened over time. He did think that broadening the description, and they have talked about this before, makes some sense of this particular area. They do have an area in the northwest quadrant, where they have (R2) zoning, and that is planned for medium-low density and really it would go to the medium-high density if it was aligned with the (R2) zoning. He added that there was a lot of substantial development that has already occurred there, so that would be a logical change in the Future Land Use Map in order to reflect that. They also have a number of multiple-family areas here which do seem to align quite well with zoning, the Master Plan, and the Future Land Use Plan.

Commissioner Brackon asked if his question isn’t to modify the description of General Commercial? Planner Arroyo replied to include a broader range of uses particularly office. He said that typically the general commercial district allows office, so the Master Plan just doesn’t
discuss it in that way it is much more restricted than it does. He said that Scripps Rd. is down on the bottom that is planned for multiple-family, low-density. He said that is consistent with what they already have north of there. That is an area that is emerging as either a multi-family or senior living type of district and felt that would be consistent with that.

Chairman Reynolds said that when he reviewed these, he thought that refining some of these sections and looking at more of an area or a vision for a corridor. He thought general commercial should include uses that they know were intending from the actual zoning map are included in that, and better align with their current allowable uses in the special land uses. To him it almost seemed like a commercial corridor that aligns, M-24 is different than Clarkston Rd. For him it does come down to how intensive are the uses but also what does it mean, larger facilities closer to the road, or is it smaller facilities setback that lends itself to residential. That to him was more of a discussion. Yes, update the uses to align to what they actually allow but is general commercial too broad of a topic that they are going to use as a paintbrush along M24 along with some of these other corridors. Is there a stepdown or something in between that? Maybe it isn’t as much uses for him as intensity, density, or a corridor visual, M-24 might not have that heavily wooded corridor but maybe others do, or it is a stepdown from Clarkston Rd. closer to M24 versus Clarkston closer to Baldwin Rd.

Planner Arroyo said moving on to Section 15. Here they have a couple of other alignment issues with (R1) zoning there in the NE corner that would align with single-family medium-high instead of medium. The same thing they have the (R2) zoning which also it with the single-family medium-high density rather than medium in the NW quadrant there. The other question related to that are the (SC) districts which are generally reflected Consent Judgements and others, do they want to try to bring those into the Master Plan so that they are reflecting the actual approved density. He thought they had discussed it before, and the general consensus was yes. Chairman Reynolds thought they needed to be realistic of what they have ended up with or what they have promoted in the past to decide how they are going to work with it or guide things differently in the future.

Chairman Reynolds asked in the top left corner of the presentation, he asked if that was part of public property, part of Camp Agawam, the green portion to the left of (R2)? Planning & Zoning Director Girling replied yes, it is based on how it was platted. She added that Agawam’s parcel line actually goes into Tommy’s Lake, so based on the configuration of the actual parcels.

Planner Arroyo moved on to Section 16, Joslyn Rd. going through. They have some Township property being developed in this area, so the Institutional seems to work well from a long-range planning perspective. They do have an area that is surrounded by that red-line which is interesting it is (LI) zoning there, there is actually boat storage and a few miscellaneous businesses up there. He added that it is not really consistent with the single-family medium density that is on the Master Plan, so he thought it might be time to refresh that into a research industry. He didn’t know if there has been some discussion of a vision for that area in the past? He didn’t think it would develop as single-family medium density. Vice-Chairman Gross said that it is right across the street from an industrial facility. Chairman Reynolds said correct, there is one to the north side, and then all of those parcels essentially, on Rhodes Rd., they have the boatyard. He thought the other thing too, just from a bigger picture standpoint, utilities are a concern for a couple of those parcels but he thought more important than anything is compatibility. He said even if it is a use that lends itself to some of the existing uses at least something that if it were to be redeveloped or continual use there how does it create a nice transition to the (R2) and institutional uses that are there because they have a lot of park area. For him it is either a less dense commercial use or office professional. Even if there was to be a yard or something adjacent to it that it is not the same light industrial use that they are seeing on the south end of the Township. Planner Arroyo said that they also have this (R2) alignment that
goes with single-family medium-high versus medium, so that would be another clean-up since that is all developed there.

Planner Arroyo said in Section 17 they just have a few areas here. The NW corner is actually part of the Friendship Woods hamlet area because that is on the north side, the next section up. They have an existing neighborhood/commercial at the corner and then in terms of alignment they have (RM1) but that actually needs to be changed to medium-family low-density on the Master Plan to reflect that there is (RM1) zoning there even though that is not their traditional apartment complex but it is at a higher density. Chairman Reynolds agreed with those changes. Vice-Chairman Gross asked if this was at the corner of Clarkston and Baldwin, that is the area they are considering a hamlet type? Planner Arroyo replied correct, most of the available land is really in the NW quadrant. But still, the neighborhood center helps, they have a lot of really good neighborhood commercial uses in that center.

Planner Arroyo moved on to Section 18 on the western border. They have (R1) parcels along Baldwin that are not really supported by the (SF) medium-low Future Land Use category. It is kind of an isolated (R1) area there surrounded by different patterns of development. He thought that they needed to think about when they come back with more information on the hamlet would this area be influenced at all by that, and maybe a little higher density might be appropriate right at that NE corner there to support that. He knew there were some wetlands in that area that is going to impact the ability to develop that. He thought that was something they needed to think about and revisit that when they take a look at the hamlet in more detail. He added that they have another (SC) district in the SE corner. Chairman Reynolds asked the corner parcel that they are talking about that would be one of those parcels for him that, and he didn't know if it was appropriate for Master Plan, but to say what could it be, and identify parcels that are “difficult to develop” or maybe promoting a (PUD) and understanding the difficulty and why they would promote a (PUD) there from a transition from that neighborhood community center to medium or low-density that is adjacent to it to where they need that rapid transition. He questioned if that was uncommon to do, to isolate some thoughts of when they have some of these difficult or less than ideal transition areas to identify somewhat it’s or this is a vision for an area, what could it be, and have the Future Land Use support that. Planner Arroyo said not at all, in fact, he could see them when they look at the hamlet a little bit more and look at these areas and they may say that they may actually call this out and say this is an area where likely (PUD) development might be the way to make it happen. There is nothing wrong with including that kind of a statement in the Master Plan and recognizing it. Chairman Reynolds thought to him that is one way to have themselves to either commit or publish the (PUD) tool in the way they are hoping it gets intended versus they don't like the density or whatever, to say it is a difficult parcel, they get it, and that is where they want a rapid transition from neighborhood to larger homes, and they see this being a mixed-use development or providing something that is missing in that area, a small grocery store, a butcher. He added on top of their ordinance requirement that kind of outlines some of that vision. Planner Arroyo said it is basically telling the development community they are open to some creative suggestions that are in line with the vision.

Planner Arroyo said now they go to the next section down which is Section 19. They do have some approved (SE) districts and they also have an area that is zoned (R3) right now that would likely have to shift over to that single-family medium-high, the rest of the (R3) has got that but for some reason that one area is not planned out the same way. It seemed like it would make sense that it would be extended there since it is already zoned that way and they already have some parcels created thereof an (R3) size in that location.

Planner Arroyo said next is Section 20. Here they have a couple of observations the (R1) zoning is not supported by the single-family low-density Future Land Use designation, so that
would be one that they would suggest being changed to single-family medium-high in the NW quadrant there. The northern portion of the (R1) pocket is currently a place of worship there, so they have that already identified but the rest was pretty straightforward.

Planner Arroyo said in Section 21 they have the Civic Center Park area could go to an institutional designation, it probably makes more sense, since it is under that type of control. They have institutional just south of that that is currently zoned office and professional. Chairman Reynolds thought that his correction of institutional use on where it says Civic Center Park truly that is still a recreation parcel even with the new Township Hall on it. He thought just from a practicality standpoint or vision even though the southern institutional parcel has some Township uses, he thought the bigger picture is that it wants to be (REC), that southern institutional zoning. He thought that the zoning of (OP) that from a bigger picture standpoint is probably going to go back to park with the Township Hall moving up one parcel. Planner Arroyo said that should probably then be (REC). Chairman Reynolds said that even if it is institutional, it wouldn't be inaccurate there is still some uses on that parcel but thought that the greater with the Township is that it wants to be (REC), DPW, and a couple of those facilities that are not going anywhere are just leading to those recreation purposes or government support versus promoting a school there or education facility. He added that a similar comment goes to that institutional parcel. At the end of the day, it's institutional use on a (REC) parcel. Planner Arroyo said right so there is interchangeability on some of that. Chairman Reynolds said even from that standpoint how do they want to look at a couple of those entities, that is the goal of developing on that parcel was to keep it intended for recreation purposes and allow for parks and rec versus another school district. He didn’t know how they are treating all of those across the board but just food for thought. Planning & Zoning Director Girling thought that was a good point. She added that they are running into on their Future Land Use they had a lot that are churches that are labeled institutional that are smaller churches and they are closing and then they don’t have what is the Future Land Use of them. She thought that was a side direction may be looking at existing churches, she knew that they were doing sections but that would be a use that they are seeing a turnover and then what does the Future Land Use show institutional. Planner Arroyo said that one way sometimes that they address that is through a separate density map and then they actually assign a residential density to the institutional use so when the institutional use goes away, they already designated it even though it is not technically planned for residential it has a density already assigned, so that could be a good solution to that. Chairman Reynolds said even in an overlay or just a hatch or something that speaks to a special condition. He added that at the end of the day the underlying zoning with any of those it wants to be recreational. Even in the other areas where they know that churches are allowed in residential districts, it is more that it wants to be a residential district and they know in certain circumstances a church is an allowable component. Maybe as they move forward and they identify some of these corridors maybe there are others areas where they say, this is kind of where they want these to congregate around versus the middle of the corridor, they want them near an intersection or something.

Planner Arroyo moved on to Section 22, he said it was pretty minimal, they have an interesting (R1) development right in the middle of the (REC) area on Greenshield Rd., which is kind of a unique couple of few parcels there.

Planner Arroyo said in Section 23 they are back to Lapeer Rd. They have an approved (PUD) that could be called out as they have been talking about doing on the Master Plan, designating those (PUDs), and if they have an approved density reflecting that, he thought that made sense. They have an area that has a split designation with office and commercial but it is actually zoned for (OP), and then beneath that is (GB)/(GC). They also have along the southern border there they have (RM1) zoning so they would likely want to have medium-family low-density designated in that area, it is not consistently applied along that southern border if that is the
desire to match the zoning. Planning & Zoning Director Girling said that the (OP) on the zoning map was the one that was just successfully rezoned to (RM2). Commissioner Brackon asked what is that there? Planning & Zoning Director Girling said that they had and the Board of Trustees had just approved the (RM2), there is nothing there now, it is adjacent to the new (PUD), the Pulte neighborhood right at Scripps and M24, just south of that. Planner Arroyo thought it was probably multi-family medium-high.

Planner Arroyo said in Section 24 not too much to talk about here, there (R1) zoning though is not consistent with the planned single-family medium, so they would likely change that to medium-high to reflect the (R1) zoning there. Chairman Reynolds asked where that was? Planner Arroyo thought it was the neighborhood next to Round Tree. Planning & Zoning Director Girling thought it was the continuation of Bald Mountain Rd., because Bald Mountain Rd. used to cut through Bald Mountain State Recreation, basically behind the new Meijer.

Planner Arroyo said that to keep in mind they are going to see all of this and revisit this, this is kind of the first pass.

Planner Arroyo moved on to the Objectives and Goals. He stated that they took another look at this. He said that Matt Wojciechowski did a lot of work trying to get this re-envisioned and to hopefully incorporate what they were looking for based on their last discussion. They have modified the vision somewhat and they have incorporated, “Living as a Vacation”, into the vision which was something that was appropriate. They have then gone through the individual goals and attached a number of objectives to them. They have their high-quality and diverse housing, so they have their overall goal and several objectives with bullet points. They have tried to do a couple of things, one incorporates the spirit of those that were already in their plan, and then updating those and revising them and incorporating new ones as appropriate. They have supporting healthy communities by improving connectivity and access to green space and new and existing neighborhoods; ensure adequate housing styles and density are available to provide options for first-time buyers and those looking to downsize and age in the community; develop programs to maintain and enhance existing neighborhood character especially within older neighborhoods; encourage land use in accordance with the existing character of the Townships Future Land Use Plan; then promote adaptability through the use of innovative planning and zoning techniques that will result in a full range of housing types; then were they interested in inserting an objective related to accessory dwelling units? Chairman Reynolds thought that it was new, to him his only comment was to ensure adequate housing styles and densities available to provide for first-time home buyers. He thought it was important to speak to the circle of life or the process. They want people to come here and be able to buy their first home, also upgrade and find one for their family, and then potentially downsize on the backside of it. That to him could be an accessory dwelling, multi-family unit, they don’t know what that is but. For him, he thought that they keep it bigger picture not necessarily call it out. He said he would like to be open to how else do you address that desire. Planner Arroyo said that there will still be the opportunity may be in some of the hamlet areas or maybe in some of the other locations to allow for some of that creativity.

Planner Arroyo said natural and historic resources, they have updated that to rephrase that overall goal, and then they have identified several objectives including, protecting and enhancing the Township’s woodland, wetlands, water features, habitats, and open space by enforcing regulations that preserve natural features and the functions that they provide to the community; improve storm water management using best management practices, establish appropriate standards for the community in coordination with Oakland County Water Resources Commissioner; Adopt and enforce policies that minimize pollution and preserve the lakes and watershed areas of the Township; promote and communicate sustainability concepts and incentive residents and businesses to implement relevant strategies; encourage energy-efficient
and environmentally sustainable development through raising awareness and creating standards that support best practices; provide resources and guidelines for the development and application of solar, wind and other alternative energies; preserve the inherent architectural character of individual historical architecture resources throughout the Township; promote sustainable practices that craft solutions to today’s challenges that are cognizant of and sensitive to impacts on future generations; require street tree planting as part of all residential and non-residential development in order to foster environmental benefits, enhance property values, and act in support of the Township’s recognition in the Tree City USA program.

Commissioner Brackon asked how often is the Tree City USA designation given? Planning & Zoning Director Girling said she could ask that specific question. Commissioner Brackon asked what if those change? Planner Arroyo said he thought the idea was they were part of it and they want to try to continue to promote that. Certainly, it makes sense in the street trees being a critical component and it does enhance property values. Chairman Reynolds said that he liked the comment that it recognizes Tree City USA. For him, to protect and enhance woodlands, wetlands, water features, habitats, and open space. He would like a comment about trees but to him in objectives, the Tree City USA is one way that they maintain and promote woodlands in woodland areas. He thought that maybe that comment or that goal objective tends to be a little bit bigger picture and he didn’t just want to zoom in on just street trees but rather why wouldn’t you promote someone to create a woodland area on their property not just maintain it but what if they were to return it back to what it once was and go to less intrusive. Somehow even with development know that it is an important part to us in that could mean street trees, they speak to woodland areas in the first point, but he thought what if they were to promote more trees, protect the trees, want more trees. Planner Arroyo stated to require the street tree planting and promote the preservation of important woodland areas in order to foster the benefits. He said he will look at broadening that a little bit. Chairman Reynolds said not just to preserve but rather to create. If they are going to ask for street trees, why wouldn’t they ask for big woodland areas in a development that is in an open field now as an exchange? They want tree plantings they want to create that character so it is not just that they speak to maintaining it what if they do something beyond it. Commissioner Walker suggested using a word like encourage.

Commissioner Brackon asked what is an important woodland area versus just a woodland area? Planner Arroyo said they could have a small little woodland pocket that only provides a modest benefit whereas their goal would be to have a woodland area that is large enough that it actually serves as a habitat maybe for wildlife, that is what makes it more important. He said important could be removed. Secretary St. Henry said they could take the word out and call it significant. Commissioner Brackon asked to take it out and say all or just take out the adjective. Secretary St. Henry asked if the purpose of this exercise was to go through the words or are they looking at the big picture. He said he could go through this document and clean it up. Planner Arroyo said right now they are looking at the big picture this isn’t the last chance. Secretary St. Henry said that they went from 30 pages down to 4 pages.

Planning & Zoning Director Girling asked if they updated the woodland map? Planner Arroyo replied yes. Planning & Zoning Director Girling asked if it was close to what it was, was it a lot of areas? Planner Arroyo said he would have to get that to her, he knows it has been done.

Planner Arroyo moved on to economic development. He said that here they have a number of objectives. To achieve a balanced variety of neighborhood-, community-, and regionally-oriented facilities that will meet the shopping and service needs of the community and nearby metropolitan area populations without unnecessary duplication; promote the physical clustering of commercial establishments by encouraging mixed use, shared parking facilities, non-motorized access, consolidated driveways, pleasant pedestrian spaces, and contextual extensions of utilities; regulate the physical clustering of industrial businesses in planned industrial parks, such as those within the southern of the Township along Brown Rd. and Lapeer.
Rd. corridors rather than in stand-alone development, thereby providing for minimal extension and impacts on utilities and nearby residential uses; support residents of all ages in the local workforce by serving as an information clearinghouse on local and regional training, education, and business needs; expand the Township’s economy and tax base by supporting existing local businesses, encouraging entrepreneurship, and attracting new businesses; implement incentive programs available through Oakland County and the State of Michigan regarding emerging employment sectors; continue participation in the Michigan Economic Development Corporation’s Redevelopment Ready Communities Program; continue and refine the practice of identifying and improving key corridors and districts for growth and economic development; promote the redevelopment of obsolete sites so that they can once again make meaningful contributions to the Township. Commissioner Brackon asked what was an example of an obsolete site? Planner Arroyo replied it is a site that either has a use that is no longer viable and the building is empty that is probably the most common or significantly underused. Planner Arroyo said that they are going to do redevelopment sites and then they will have some for there, there is some in the Township. Planning & Zoning Director Girling asked if K-Mart would be one of those? Planner Arroyo said that K-Mart would be a perfect example of one of them. It has been sitting vacant it once had a use no longer has a use that is an obsolete site.

Chairman Reynolds asked regarding promoting the physical clustering of commercial establishments. A couple of things that they are saying in here promoting physical clustering would be to minimize brawl and to maintain woodland areas or island uses or at least bring common resources to promote walkability, that to him could be one bullet point. They want to promote density in an area so they don’t sprawl into wooded areas, and then the mixed use would promote that there are multiple uses within an area and they are talking about the hamlet and walkable communities and five-minute areas. He felt they might want to expand on this one or touch those two topics. Just saying the why versus the statement that they are here. Why are they doing physical clustering? Planning Arroyo said it is because they are implementing this goal up here which is the Township will promote and encourage the concept of 15-minute neighborhoods, that is the connection, that is the overall goal, this is the objective, so it is linked back to that.

Planner Arroyo moved on to Community Facilities. Facilitate multi-modal connections that provide access to residential areas, economic destinations and parks & recreation facilities throughout the Township in a safe, efficient and effective manner; ensure civic spaces, utilities and other infrastructure are well-maintained while providing sustainable strategies for growth in a practical manner; provide community support to ensure Orion Township police, fire and first responders can continue to operate efficiently in a manner that best serves all residents within the community; pursue new facilities that enhance the quality of life for Township residents and businesses including the new Township Hall (it will be opened before this is adopted); improved parks, and non-motorized facilities that connect these assets with residential and non-residential areas; actively promote and, where appropriate, require the installation of non-motorized facilities in accordance with the Township’s Safety Path Plan and establishment of the core 15-minute neighborhoods; deliver outstanding parks and recreation facilities and programs; encourage Township staff to promote ways in which all Township-owned facilities can conserve energy and serve as a model for energy efficiency in the Township.

Planner Arroyo said this is a new one Community Character and Aesthetics. It says Orion Township’s tagline, Where Living as a Vacation, encompasses a wide variety of community qualities and features that make the Township unique and cherished by those that live here. In addition to the goals and objectives, the Township will continue to support retaining community character elements and aesthetic qualities that are consistent with the vision of the Township and promotion of health, safety, and general welfare. Enforce Township regulations that reduce glare and preserve the dark sky; promote the preservation of natural vegetation along rural
corridors of Township through creative zoning regulations and coordination with the Road
Commission for Oakland County; seek out preservation of important viewsheds that permit
Township residents to view lakes, streams and other natural resources; require high quality
finishing materials and furnishings in high-profile districts and corridors, consistent with
recommendations and policies in the Master Plan; support the advancement of the four
identified 15-minute neighborhoods and develop regulations that support hamlet and village-
style development; encourage the incorporation of design elements into new development that
reflect the historic character of the Township; continue to update and enforce sign regulations
to ensure that signage in the Township is an aesthetic asset that affects communication and
quality appearance over blight, clutter and oversaturation of messaging. He said that these all
have a common theme, and many of those are items that they talked about before. They
thought it was important that that actually had its own goal and objectives to try to make it clear
that these were important to the Township and the development of the Master Plan. Chairman
Reynolds asked in the high-profile districts wouldn’t they promote high-quality and long-lasting
finishing and furnishing materials in all districts and corridors? Planner Arroyo replied that they
could. Chairman Reynolds asked if they want to say they have low-profile districts where it
doesn’t matter? Planner Arroyo said what they may say then is include that but then also
recognize that there are certain districts and corridors that have unique materials. Chairman
Reynolds said he would rather go with a direction like that, just establish it as a corridor vision or
district vision, or regional aesthetic or something. He thought that high-quality and long-
lasting finishing materials that promotes monumental, they are not talking about a 5-year
material but a 50-100-year material. Planning & Zoning Director Girling asked in the corridors
do they want harmonious? Chairman Reynolds replied yes, he thought that harmonious
corridors, districts, or regions. Planner Arroyo said how about “require high-quality and durable
finishing materials and furnishings consistent with recommendations and policies in this Master
Plan and recognize that certain districts and corridors require unique and harmonious
elements”. Chairman Reynolds said he liked that.

Commissioner Walker said that he just heard a quote that he liked, and maybe they could work
it into that woodland aspect of that report, a woman told him that she was planting trees that she
will never see grow, he thought that it said a lot of stuff.

Vice-Chairman Gross asked as they progress with the Future Land Use considerations will they
ultimately arrive at a projection for the Future Land Use population? Planner Arroyo replied yes.
Vice-Chairman Gross asked if they were going to communicate what our holding capacity in the
Township will be based upon the recommendations of the Master Plan? Planner Arroyo replied
yes, typically he presents it as a range because they have some of the unknowns like the
mixed-use areas where they don’t even know how much residential they are going to get. He
added that there would be an expectation because they will have a buildout population range.

9. PUBLIC COMMENTS
None.

10. COMMUNICATIONS
A. Tree City USA
B. Communication from the Planning & Zoning Director Regarding PC-2021-53, Administrative
   Review of Site Plan for Cell Tower equipment upgrades.
C. Communication from the Planning & Zoning Director Regarding PC-2021-57, Administrative
   Review of Site plan for Cell Tower change of equipment.
D. Communication from the Planning & Zoning Director Regarding PC-2021-61, Administrative
   Review of Site Plan for Cell Tower new equipment.
E. Communication from the Planning & Zoning Director Regarding PC-2021-64, Administrative
   Review of Site Plan for Cell Tower equipment modification.
11. PLANNERS REPORTS/EDUCATION
None.

12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
None.

15. COMMISSIONERS’ COMMENTS
None.

16. ADJOURNMENT
Moved by Chairman Reynolds, seconded by Vice-Chairman Gross, to adjourn the meeting at 8:23 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date
The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, September 1, 2021, at 7:05 pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, MI 48360.

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

PLANNING COMMISSION MEMBERS ABSENT:
Kim Urbanowski, BOT Rep to PC
Jessica Gingell, Commissioner

CONSULTANTS PRESENT:
Rod Arroyo, (Township Planner) of Giffels Webster
Matt Wojciechowski, (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Ashley Mack
Jason Vander Kodde

PC-2021-63, Meijer Inc. #680, Special Land Use request for a 24-hour operation, located at 1107 S. Lapeer Road, parcel number 09-14-226-008, and unaddressed parcel number 09-14-226-001 (surrounded by parcel 09-14-226-008).

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

Ms. Ashley Mack, Real Estate Manager with Meijer, 2350 3 Mile Rd. NW, Grand Rapids, MI.

Ms. Mack said as they are finalizing their due diligence on the project, with hopes of closing in the next few weeks, they are requesting a Special Land Use to allow for 24-hour operation. Currently, the Meijer store fleet is only operating from 6a-12m to allow for additional cleaning and restocking during the pandemic. They are optimistic that this will hopefully be temporary and will return to their 24-hour operation. As such, they need to preserve the right to be open for 24-hours to be in alignment with their brand and other stores across the chain. In addition, the extending hours provide greater flexibility and convenience for those customers that may work 3-shift, health care works, and child-care providers. They would also like to request the ability for the parking lot, and the truck receiving lighting to be on for 24-hours as well. Meijer will have team members, maintenance workers, vendors, and so forth, servicing the store 24-hours a day, and as such, they want to protect the property and have it well lit for safety, and security purposes.

Mr. Jason Vander Kodde is a licensed Civil Engineer with Fishbeck, 1515 Arboretum Dr. SE, Grand Rapids. He stated that he was there to talk about the technical aspects of this special use request. He stated that he had a 9-page brief presentation. He was happy to go through it with as much or as little detail as they want. He assumed that they read the information that they provided, and this is just a high-level summary of that information.

Mr. Vander Kodde stated that the criteria by which the Special Land Use is to be evaluated and present how they comply with each of those criteria. The #1 criterion is compatibility with adjacent uses, to the north is Planet Fitness which is a 24-hour operation, across the street is a Speedway gas station which is a 24-hour operation, and in front of them is S. Lapeer Rd. which is a 24-hour operation, and to their SW, is Oxford Back which has a 24-hour drive-thru.
They are compatible with 24-hour use in the corridor and with their neighbors. Behind them is the future Ponds of Orion which is currently vacant and it is facing the rear of the building which doesn’t have any 24-hour activity proposed.

Mr. Vander Kodde said compatibility with the Master Plan. The Master Plan calls for general commercial along S. Lapeer Rd., which is exactly what Meijer is proposing, and the Master Plan does not make any limitations for 24-hour use. He stated that they were of the opinion and present to them that it is compliant with the Master Plan.

Mr. Vander Kodde noted public services adequacy. He stated that S. Lapeer Rd., and E. Clarkston are both available for 24-hour use. Police and fire in the Township are always available for 24-hour use. They don’t anticipate using them during the evening or early morning hours any more than any other similar business might. Drainage is provided 24-hours, water and sewer are provided 24-hours, and schools are not applicable for a retail establishment like Meijer.

Mr. Vander Kodde noted the impact on traffic. He stated that their proximity to M24 is adjacent to the site. They have a signalized intersection that has been reviewed and approved by MDOT. He added that they are working on their final construction drawings to present to them for a permit. Their closest intersection is E. Clarkston Rd., and both E. Clarkston Rd., and the southbound crossover that is signalized can handle traffic 24-hours a day. They have adequate sight distance for their entrances, they have adequate off-street parking. The turning movements have all been studied and don’t change in a 24-hour condition, other than they would under a normal 18-hour condition. The pedestrian traffic route is also easily assessable and lit for 24-hour. He felt that there was no impact on the traffic for their 24-hour request.

Mr. Vander Kodde said that there are no detrimental effects from traffic, it is an existing site with an existing set of driveways and traffic patterns. The noise that may be generated would only be on the west side of the building where the pharmacy drive-up, when the pharmacist is working, which typically is not 24-hours, however, if a pharmacist is able to work during that period and Meijer would like them to, they would like to protect that right. The curbside pick-up on the north side of the building is also adjacent to 24-hour use. They didn’t feel that there would be any additional noise based on the 24-hour request. He noted that vibration, smoke, and dusk are not applicable, they are not going to generate any of that. Any fumes or orders that might be generated from their food preparation will be vented through the roof and not adjacent to the businesses and so there will be no impact from that. Any glare that might be generated would be facing the north or northwest off the front entry of the building, which doesn’t face any of the residential zones to the east or south. Therefore, they find no detrimental effects with the 24-hour request.

Mr. Vander Kodde stated enhancement of surrounding environment via landscape, amenities, walk placement of the building, and the materials of construction. The landscaping plan was presented and approved by the Planning Commission a couple of months ago, with the position of the building as it is and the intent being to shield the property to the east and south and provide the 24-hour use, again adjacent to their neighbors that also have 24-hour uses. There is the enhancement of the surrounding environment and in compliance with the ordinance.

Mr. Vander Kodde noted isolation of existing land use or more specifically non isolation. They are not surrounding a small residential they are in a commercial corridor and the residential area will be to our east, and they are compatible with the existing retail uses. There is no isolation of existing land use with this 24-hour request.

Mr. Vander Kodde stated that their Special Land Use request for 24-hour meets the criteria as presented in the ordinance of adjacent uses, Master Plan, public services, impact on traffic, detrimental effects, enhancement of the environment, and non-isolations of existing land uses.

Chairman Reynolds asked if there were any citizen’s comments. There was not.

Chairman Reynolds asked if there were any discussion items that the Planning Commissioners would like to bring forth at the Public Hearing.
Commissioner Brackon asked why this wasn’t brought up before? Ms. Mack replied that it was an oversight, they had so many waivers, variances, and so forth, it fell through the cracks. Commissioner Brackon asked if there were any Meijer that isn’t open 24-hours? Ms. Mack replied probably very few, she knew of one in downtown Detroit, and that was based on the City’s request because they were concerned with loitering. That was just a partnership decision with the city and Meijer. Other than that, there are very few that are not open 24-hours. Commissioner Brackon asked what the next oversight that they are going to have to see? Mr. Vander Kodde said that it is their sincere desire that this would be the final oversight, however, if they encounter any, they will pay their application fee and be back in front of them. To the best of their knowledge, there are no further oversights, at this point and time.

Commissioner Brackon asked what other competitors in the area are open 24-hours? Ms. Mack replied non locally here in the Township itself, but it is more focused on the brand, Meijer is consistently opened 24-hour and they would like to keep that service consistent for our customers that is why it is very important for them. They want to try to limit customers coming to a Meijer and then be disappointed when it is not open 24-hours.

Commissioner Brackon asked what the statistics in criminal activity for stores that are open 24-hours versus not? Ms. Mack replied very minimally they have very few challenges with their stores, it was just the one in downtown Detroit, other than that they have not had any other issues at any other stores. Mr. Vander Kodde stated as far as disproportionate, there is loss prevention and security measures in place, but as far as disproportionate activity, he was not aware of any.

Chairman Reynolds closed the public hearing at 7:15 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5000; Fax (248) 391-1454

TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: September 9, 2019
RE: PC-2021-67, J.S. Brown Rd., LLC, Site Plan Modification

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.

**Multi-tenant /10 acre Requirement Waiver** (Ord. No. 78, Section 34.01,C)
**Motion 1:** I move that the Planning Commission **grant**/does not grant a waiver from the requirement that the ancillary use of a car wash be developed in conjunction with a larger-scale planned development project having multiple tenants with a total land area of at least 10 acres for the following reasons:

- The project **does**/does not promote the economic development goals of the Township.

**Modification of the Brown Road Standards** (Ord 78, Article 34, section 34.04)
**Motion 2:** I move that the Planning Commission waives/modify the following standards of Section 34.03 for PC-2021-67, J.S. Brown Rd. LLC, based on the economic impact, quality of architectural design, and overall compatibility with the District: (motion maker to insert findings of facts for each that are granted)

- Side yard setback from 20’ to 16’
- Parking setback waiver
- Front yard parking waiver
- Projections/recesses waiver
- Greenbelt Width

**Site Plan** (Ord. No. 78, Section 30.01)
**Motion 3:** I move that the Planning Commission grants site plan **approval** for PC-2021-67, J.S. Brown Rd., LLC site plan, located at 851 & 861 Brown Rd. (parcels 09-33-351-020, 09-33-351-021) for plans date stamped received August 24, 2021. This **approval** is based on the following conditions:
a. (Motion maker to list any unresolved issues).

Or

I move that the Planning Commission **denies** site plan approval for PC-2021-67, J.S. Brown Rd., LLC site plan, located at 851 & 861 Brown Rd. (parcels 09-33-351-020 & 09-33-351-021) for plans date stamped received August 24, 2021. This **denial** is based on the following reasons (insert findings of facts).

Or

I move that the Planning Commission **postpones** site plan approval for PC-2021-67, J.S. Brown Rd., LLC site plan, located at 851 & 861 Brown Rd. (parcels 09-33-351-020 & 09-33-351-021) for plans date stamped received August 24, 2021 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner's and Engineer's review letter(s)).
Site Plan Review no. 1
Mattress Firm

Case Number: PC-2021-67
Address: 851 Brown Road
Parcel ID: 09-33-351-020 & -021
Area: 2.02 AC
Applicant: J.S. Brown Rd., LLC

Plan Date: 8/23/2021
Zoning: Brown Road Innovation Zone (BIZ)
Reviewer: Matt Wojciechowski
Rod Arroyo

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 *italics* require specific action by the Planning Commission. Items in **bold** require additional information or plan amendments.
SUMMARY OF Review

Revisions & Additional Information. We find the plan is not in substantial compliance with the Zoning Ordinance and should be revised prior to Planning Commission review. The following information should be provided, and the noted revisions should be made to the site plan or landscape plan:

1. Revise the Brown Road Line of 60’ ROW label to correctly reflect the 60’ half ROW
2. We recommend that applicant explore land banking excess parking. The site proposes 36 spaces above the required minimum
3. The parking area along the western property line does not meet required 20’ setback. This setback can be met if the excessive drive aisle widths are reduced. Alternatively, a landscape island could be introduced north of the building within the parking lot.
4. The internal sidewalk network needs to connect to the pathway along Brown Road
5. Address the 60% window/awning/arcade standard on south elevations that face Brown Road, as it does not appear to be met
6. The front yard Landscape greenbelt does not meet minimum 20’ width. This can be accommodated if the front yard parking is removed
7. Note location of berm (within the front yard greenbelt) intended to screen front yard parking area. Alternatively, a low wall may be used or the parking can be removed from the front yard and not berm or wall would be required.
8. Provide details of light fixture “EX G” as shown on photometric plan (page 1 of 2)
9. Provide a note to the site plan indicating compliance with underground utility requirement
10. Add details of the enclosed trash area, including the height and materials, to site plan
11. Drive aisle widths within that parking area are excessive, we recommend they are reduced to 22’, which is the standard. Excess aisle width could increase vehicular speeds and reduce pedestrian safety
12. If necessary, increase turning radii at end islands and turns to address fire truck circulation.
13. Wheel stops are required for all parking spaces
14. Light poles details (height) shall be added to site plan
15. Clear vision triangle should be added to landscape plan to demonstrate compliance.
16. Dimensions and areas of all parking lot landscape islands shall be added to landscape plan
17. Provide the required information for proposed replacement of landmark trees.

Planning Commission Waivers

18. APPROVED - PC waived 10-acre min. & stand-alone requirements for site (03/27/2019)
19. Setback waiver requested for deficient building setback along west side setback.
20. Setback waiver for deficient parking setback along west property line.
21. If this property is to be split into two, additional deficient parking setback waivers will be necessary for both Mattress Firm and Car Wash sites.
22. Front yard parking spaces are proposed and require planning commission approval and additional screening. Alternatively, they can be removed as they are not required.
23. This would be a second ancillary use permitted prior to a primary use.
Project Summary

1. The applicant is seeking site plan approval to construct a 4,309 sq.-ft. retail structure on the property located on the north side of Brown Road, west of Joslyn Road, within the Brown Road Innovation Zoning (BIZ) district. The project entails developing the western parcel; the parcel to the east was recently approved and developed with a car wash facility. The projects share an access drive and internal circulation drive, which is currently constructed as shown on the proposed site plan.
Zoning Ordinance Compliance Tables

2. **BIZ District Waivers.** The Planning Commission is permitted to waive or modify the standards of Section 34.03 (required conditions) based upon the economic impact, quality of architectural design, and overall compatibility with the District.

3. **BIZ District Standards.** Retail uses consisting of less than 55,000 square feet are considered Type C ancillary uses in the BIZ district. The table below indicates compliance or required waivers with respect to the applicable standards for this site and proposed use within the BIZ district.

### Brown Road Innovation Zone (Article XXXIV)

<table>
<thead>
<tr>
<th>34.01 – Uses Permitted</th>
<th>Proposed</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Ancillary/Stand-alone uses allowed in conjunction with larger-scale projects involving planned developments of over ten (10) acres in size</td>
<td>4,309 sq.-ft. standalone Type C ancillary retail</td>
<td>PC waived 10-acre min. &amp; stand-alone requirements for site (03/27/2019) This would be a second ancillary use permitted prior to a primary use</td>
</tr>
<tr>
<td>C. Ancillary commercial only permitted after primary permitted</td>
<td>Development Agreement</td>
<td>Required</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>34.03 – Required Conditions / Flex Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Table 34-3 Schedule of Mixed-Use Regulations – Group C</strong></td>
</tr>
<tr>
<td>Min. Lot Area</td>
</tr>
<tr>
<td>Min. Lot Width</td>
</tr>
<tr>
<td>Min. Front Yard</td>
</tr>
<tr>
<td>Min. Side Yard</td>
</tr>
<tr>
<td>Min. Rear Yard</td>
</tr>
</tbody>
</table>

**C. Height Limit.**
The Brown Road Innovation Zone does not contain a height limit. However, all applications for development shall be reviewed by the PC for height compatibility with adjoining residential areas. One Story 20’ – 5’ Compliant

**E. Parking.**
1. One (1) parking space per two hundred (200) square feet of gross floor area for general retail uses
2. Mattress Firm requires 22 spaces (4,309/200 = 21.5)
3. Parking area and driveway setback require 20’ when adjacent comm./ind. zone
4. Parking setback for parking may be reduced in width or waived by the PC subject to landscaping or screening requirements

| 56 proposed | Deficient |
| We recommend that applicant explore land banking excess parking |
| Waiver requested for deficient parking setback |

**F. Design Standards (See ZO for full text)**
<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Recommendation</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Design shall be consistent with Master Plan Vision</td>
<td>PC Discretion</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Mix of uses allowed as long as appropriated buffered and sited</td>
<td>Located adjacent to car wash</td>
<td>PC Discretion</td>
</tr>
<tr>
<td>3.</td>
<td>Access management</td>
<td>Shared Access</td>
<td>Complaint</td>
</tr>
<tr>
<td>4.</td>
<td>The Planning Commission may allow parking in the front yard, subject to traffic safety, visibility, convenience, landscape buffering, or other site factors</td>
<td>Five (5) unscreened spaces within front yard</td>
<td>Waiver requested</td>
</tr>
<tr>
<td>5.</td>
<td>Pedestrian Pathways and Sidewalks</td>
<td>Provided around buildings</td>
<td>Internal site connection to path</td>
</tr>
<tr>
<td>6.</td>
<td>General Site Design/Architectural Guidelines. It is the intent of the District to provide an environment of high quality and complementary building architecture and site design.</td>
<td>See site plan</td>
<td>PC Discretion</td>
</tr>
<tr>
<td>7.</td>
<td>Brown Road Design/Architectural Guidelines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a.</td>
<td>Architectural interest shall be provided through the use of repetitious patterns of color, texture and material modules, at least one of which shall repeat horizontally. Each module should repeat at intervals of no more than 50 feet. Plain 8” x 16” concrete masonry units shall be avoided. Clay brick, stone and/or textured, split face or patterned masonry units shall be used.</td>
<td>Aluminum panels, brick masonry, metal panels &amp; break metal / coping</td>
<td>Appears compliant subject to PC accepting decorative metal panels</td>
</tr>
<tr>
<td>b.</td>
<td>Varying roof lines, projections/recesses etc. are encouraged. Windows, awnings, and arcades must total at least 60% of a façade length abutting a public street.</td>
<td>~50% south façade is window/awning</td>
<td>Applicant should specifically address 60% standard on south elevation</td>
</tr>
<tr>
<td>c.</td>
<td>Standardized pre-engineered metal sided industrial buildings shall be prohibited unless approved by the Planning Commission.</td>
<td>Decorative metal panels</td>
<td>This does not apply to decorative metal panels that are proposed.</td>
</tr>
<tr>
<td>d.</td>
<td>Primary building entrances should be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.</td>
<td>Awning at entrance</td>
<td>Compliant</td>
</tr>
<tr>
<td>e.</td>
<td>Greenbelts for Use Group C shall be 20’ in width.</td>
<td>&lt; 20’ greenbelt</td>
<td>Deficient (See landscaping review)</td>
</tr>
<tr>
<td><strong>H.</strong></td>
<td><strong>Lighting Regulations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Lighting plan required in compliance with 27.11</td>
<td>-</td>
<td>Compliant</td>
</tr>
<tr>
<td>2.</td>
<td>Fully shielded and directed downward to prevent off-site glare</td>
<td>-</td>
<td>Compliant</td>
</tr>
<tr>
<td>3.</td>
<td>Illumination (max): 1.0 fc along property line</td>
<td>0.1</td>
<td>Compliant</td>
</tr>
<tr>
<td>4.</td>
<td>Greenbelt ornamental lighting adj. to Brown Road compatible with DTE North Yorkshire poles and fixtures spaced 125’ apart on the north side of the safety path facing road</td>
<td>Existing Light Poles north of pathway (EX G)</td>
<td>Applicant shall provide details of EX G as shown on photometric plan (page 1 of 2)</td>
</tr>
</tbody>
</table>
5. Lighting fixtures within the interior portion of the BIZ district and not within the greenbelt of Brown, Joslyn or Jordan Roads shall be bronze color, shoebox style LED on a square pole. (added 07.17.17)  

<table>
<thead>
<tr>
<th>Section</th>
<th>Requirement</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Knee Wall</td>
<td>A 30&quot; high knee wall shall be installed located within the greenbelt, parallel to the R.O.W. and adjacent to the entry planting.</td>
<td>None</td>
</tr>
<tr>
<td>K. Utilities</td>
<td>All utilities servicing the buildings or structures shall be buried underground</td>
<td>Not shown</td>
</tr>
</tbody>
</table>
| L. Covered Trash Area | 1. Covered trash receptacles shall be surrounded on three (3) sides by masonry brick-type walls one (1) foot higher than the receptacle shall be provided in the rear yard of the building or principal use structure  
2. The fourth side of the trash enclosure shall be equipped with an opaque lockable gate that is the same height as the brick-type wall. | Proposed dumpster enclosure shown in rear yard; No details provided | Details shall be added to site plan |
| M. Loading and Unloading | 1. Loading and unloading areas shall be located in the rear or side yard of a non-residential district  
2. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress and egress | 50’ x 12’ Space located in Rear yard adjacent to building | Complaint |
| N. Performance Bond | PC Shall require per 30.09 | - | Applicant to provide as required by Twp. |
| P. Safety path | Safety path per 27.06 required | Existing path | See General Provisions Table |
| Q. Tree Preservation | Require per 27.12 | | See General Provisions Table |

4. **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 XXVII)

<table>
<thead>
<tr>
<th>Section</th>
<th>Proposed</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>27.04 Parking and Loading</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. A. Off Street Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Minimum setback of 20' shall be maintained for parking areas</td>
<td>5'</td>
<td>Waiver Requested</td>
</tr>
<tr>
<td>h. Parking for physically handicapped (3 required)</td>
<td>3</td>
<td>Compliant</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Dimensions of off-street parking facilities</td>
<td>31' &amp; 27' wide drive isles</td>
<td></td>
</tr>
<tr>
<td>d. Parking lot lighting cannot exceed 3.0 fc at lot line</td>
<td>0.1</td>
<td>Compliant</td>
</tr>
<tr>
<td>f. Wheel stops required for all space</td>
<td>None</td>
<td>Applicant shall provide</td>
</tr>
</tbody>
</table>

### Lighting Regulations

1. Free standing pole lighting

E. d. Maximum pole height of 20'

Not provided

Applicant shall add to plan

### Landscape Plan

We have completed a review of the landscape plan and have identified the following on sheet C.101:

### Landscaping (Multiple Articles)

<table>
<thead>
<tr>
<th>Section</th>
<th>Proposed</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>34.03. Required Conditions</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Landscaping adjacent to roads

a. Where a use type C abuts a public road, a twenty (20) foot greenbelt shall be provided with one (1) shade tree per 30 lineal feet, and one (1) shrub per ten (10) lineal feet (Figure 34.6). A 24”-30” berm or 30” high knee wall shall be required to screen parking areas fronting on public roadways. The berm or knee wall shall be required to block headlight glare and screen parking lot areas.

7 trees proposed within greenbelt per previous site plan approval (car wash); No screenwall is proposed for front yard parking

Greenbelt does not meet 20' minimum width; Applicant shall note location of berm intended to screen front yard parking area or eliminate parking

Street trees approved and installed with adjacent development

Any dead landscaping shall be replaced to comply with previous site plan approval

Landscaping of street trees and ornamental trees shall be comprised of the varieties or other species in Table 34-4 as approved by the Township.

None

Entryway landscaping

Installed per the 2019 site plan approval of the car wash

www.GiffelsWebster.com
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>c. For screening between any other uses (C), a twenty (20) foot buffer shall be provided with one (1) shade tree per thirty (30) lineal feet, and a combination of shrubs at one (1) shrub per ten (10) lineal feet, wall, fence, or berm at a height of six (6) feet as approved by the Planning Commission (Figure 34.9).</td>
<td>13 Shawnee Brave Bald Cypress trees (ornamental) are provided within the west greenbelt</td>
<td>Greenbelt is deficient in width (~15'); parking lot isles can be reduced (from 35' to 22') to meet this standard</td>
</tr>
<tr>
<td><strong>27.05 Landscape, Fences and Walls</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3. Landscape Design Standards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. All portions of the landscaped area shall be planted with grass, ground cover, shrubbery, or other suitable plant material</td>
<td>Four new canopy trees provided in rear open space area</td>
<td>Landscape area (sf) not provided – applicant shall provide</td>
</tr>
<tr>
<td>ii. A mixture of evergreen and deciduous trees shall be planted at the rate of one (1) tree for each three thousand (3,000) square feet, or portion thereof, of landscaped open-space area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>iv. Irrigation system required</td>
<td>Landscape plan note no. 19 states underground irrigation provided</td>
<td></td>
</tr>
<tr>
<td><strong>4. Parking lot landscaping adjacent to Roads</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20’ wide greenbelt required between ROW and parking area</td>
<td>Greenbelt does not appear to meet 20’ width</td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. One tree per 30’ frontage required (200’ frontage = 7 trees required)</td>
<td>7 trees</td>
<td>Compliant</td>
</tr>
<tr>
<td>b. Hedge, wall, decorative metal fence, or berm, or other landscape elements with a vertical rise of at least thirty (30) inches shall be developed within said separation zone and shall have the effect of reducing the visual effect of parked cars</td>
<td>30’ HT berm</td>
<td>Applicant shall provide location of berm or wall on plan</td>
</tr>
<tr>
<td>f. Clear vision triangle to remain unobstructed</td>
<td>-</td>
<td>Add to plan</td>
</tr>
<tr>
<td><strong>6. Interior Parking Lot Landscaping</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. 20 sf landscaping per space</td>
<td>Not noted</td>
<td>Applicant shall provide total area proposed</td>
</tr>
<tr>
<td>56 spaces x 20 = 1,120 sf required</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. One tree required per 200 sf landscaping</td>
<td>5 withing islands; 1 adjacent to lot</td>
<td>Compliant</td>
</tr>
<tr>
<td>1,120/200 = 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Landscape islands min. 200 sf</td>
<td>Not provided</td>
<td>Applicant shall provide dimensions and areas</td>
</tr>
<tr>
<td><strong>27.12 Tree and Woodlands Protection</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2. Replacement Trees Required</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. One (1) landmark tree shall be replaced at a rate of one (1) inch of replacement tree for each d.b.h. inch of landmark tree removed.</td>
<td>15 landmark trees removed; 15 replacements proposed</td>
<td>This was originally address during the car wash site plan. Please clarify on plan which trees are the landmark replacement trees.</td>
</tr>
</tbody>
</table>

Staff will be available to discuss this review at the next Planning Commission meeting.

www.GiffelsWebster.com
Respectfully,

Giffels Webster

Rodney L. Arroyo, AICP
Partner

Matt Wojciechowski
Associate Planner
September 8, 2021

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

RE: Mattress Firm, PC-2021-67  
Site Plan Review #1

Received: August 24, 2021, by Orion Township

Dear Mr. Reynolds:

We have completed our review of Mattress Firm plan set. The plans were prepared by Krieger Klatt Architects 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 on the north side of Brown Rd. west of Joslyn Rd. within the southwest quadrant Section 33 of the Charter Township of Orion. The site is zoned Brown Road Innovation Zone (BIZ) and bound by parcels to the north, east, and west zoned Brown Road Innovation Zone (BIZ) and to the south of the property is the border between Orion Township and the City of Auburn Hills.

The existing site shares a parcel with the recent Tommy’s Car Wash development. The site is located on the west side of the car wash and has been cleared as part of the Tommy’s development. Overall, the combined site is 2.02 acres. Approximately half of the site is currently developed with paving and landscaping nearly completed. The applicant is proposing a 4,309 sqft building as well as associated parking facilities and landscaping to complete the development of the full parcel.

The legal description of the proposed parcel split appears to be missing from the plans. Additionally, the site will require a reciprocal access easement, and shared use agreement for the storm network and drainage system.

The existing conditions sheet shall be updated to show the existing completed work at Tommy’s Car Wash.

Please note that the plans provided are missing key elements that are required at site plan, and that additional comments may be generated once those elements are shown in the plans.

WATER MAIN AND SANITARY SEWER:
There is existing 16-inch water main along Brown Rd. and 8-inch was extended north along the east side of the proposed development as part of the Tommy’s Car Wash development. The 8-inch water main was not shown in the plans and is required along with the 12-foot water main easement that extends into the site. No proposed water main, water service, or FDC was shown on the plans and is required at site plan.
There is existing 10-inch sanitary sewer located along Brown Rd. that was not shown in the plans. The sanitary is located north of the right-of-way and the 20-foot sanitary sewer easement shall be reflected in the plans. Additionally, there appears to be a sign proposed within the sanitary sewer easement and will have to be relocated. No sanitary sewer lead was shown on the plans and is required at site plan.

**STORMWATER MANAGEMENT:**
The existing collection system includes a series of catch basins and storm sewer that are detained via underground detention north of the proposed Mattress Firm before being pumped into the Brown Rd. storm sewer network. No existing or proposed storm sewer information was included in the plan set. A site C-value, and the detention calculations from Tommy’s Car Wash should be included in the site plan set.

**PAVING/GRADING:**
Existing site access is provided via a single drive entrance onto Brown Road which allows access to Tommy’s Car Wash as well as the proposed site. Proposed drive aisles appear to provide a minimum width of 22 feet and appear acceptable. A turning template shall be added to the plans to ensure that the Orion Township Fire Truck can navigate through the site. We defer further comment on fire access to the Fire Department.

No pavement slopes or grades are included in the plan set and are required at site plan. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. Asphalt is called out as the pavement type in the parking lot and drive aisles; however no pavement sections were included in the plans. Pavement sections are required for the parking lot, concrete sidewalk, loading zone and dumpster pad.

No grades are provided for any of the pavement or green area throughout the entirety of the site. General slopes and grades are required at site plan. The plans must show matching the existing grades at the property border, as well as enough information to generally assess the proposed slope and drainage patterns of the site.

**TRAFFIC & CIRCULATION:**
The site already has existing access to Brown Rd. and should not cause any additional circulation issues.

**LANDSCAPING:**
Landscape trees appear to be proposed around the perimeter of the site and in landscape islands. The utilities are not shown on the plans, so it is unclear whether or not the proposed landscaping will impact the site utilities. Existing utilities must be added to the plans.

**NATURAL FEATURES:**
The site has already been cleared and mass graded. No wetlands or woodlands exist currently on the site.

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

1. The legal description for the proposed parcel split shall be added to the plans.
2. Grading information shall be added to the plans for the green space as well as the paved areas.
3. Existing and proposed utilities need to be included throughout the site, including water main, sanitary sewer, and storm sewer.
4. Proposed pavement cross sections shall be included in the plans and their location of use shall be indicated.
5. Light poles shall be added to the utility plan.
6. Preliminary detention calculations shall be provided for the site including a site C-value and storage volume.
7. Show the existing utility easements on site.
8. Move the proposed monument sign from the existing sanitary sewer easement.
9. The existing conditions sheet shall include the recent improvements as part of the Tommy’s Car Wash development.

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

Sincerely,

**OHM Advisors**

Joe Lehman  
Project Engineer

Mark Landis, P.E.  
Project Manager

cc:  
Chris Barnett, Township Supervisor  
David Goodloe, Building Official  
Jeff Stout, Director of Public Services  
Tammy Gilling, Director of Planning and Zoning  
Lynn Harrison, Planning and Zoning Coordinator  
Jeff Williams, Township Fire Marshal  
Bill Basigkow, Water and Sewer Superintendent  
Bill Schmitz, JS Brown Rd, LLC.  
Jeff Klett, Krieger Klett Architects  
File
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-67, J.S Brown Road Site Plan  
Date: 09/07/2021

The Orion Township Fire Department has completed its review of Application PC-2021-67 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

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

X Approved  
Approved with Requirements (See below)  
Not approved

Comments: NONE

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

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

Sincerely,

Jeffrey Williams  
Jeff Williams, Fire Marshal  
Orion Township Fire Department

RECEIVED
SEP 7 2021  
Orion Township  
Planning & Zoning
Dear Tammy,

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

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
August 31, 2021

Orion Township
Attn: Lynn Harrison
2525 Joslyn Road
Lake Orion, MI 48360

RE: R.C.O.C. PRELIMINARY PLAN REVIEW 21P0030
LOCATION: 851 BROWN RD, ORION TOWNSHIP
PROJECT NAME: MATTRESS FIRM

Dear Ms. Harrison:

At your request, the Road Commission for Oakland County has completed a preliminary review for the above referenced project. There is no work proposed in public right-of-way under the jurisdiction of the Road Commission for Oakland County unless there will be a public utility tapping within Brown Road right-of-way.

Please contact this office at (248) 858-4835 if you have any questions, or if we may be of further assistance.

Respectfully,

[Signature]

Simon Yousif, P.E.
Permit Review Engineer
Department of Customer Services

Enclosure
September 8, 2021

Lynn Harrison, Planning & Zoning Coordinator
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd
Lake Orion, MI 48360

Re: Mattress Firm – Preliminary Review
OCWRC Submittal No. 0230-2021
Part of the SE ¼ of Section 33, Orion Township

Dear Ms. Harrison,

This office has received a request for information pertaining to possible public facilities under the jurisdiction of this office for the referenced project. The subject plans were submitted by your office for review.

Our review indicates that the proposed project has no direct involvement with any legally established County Drain, Sanitary Sewer or Water Main under the jurisdiction of this office.
- The construction plans did not propose/indicate any sanitary sewer improvements.

Storm Drainage, Sewage Disposal & Water Main serving this area are under the jurisdiction of the Orion Township and/or Oakland County Health Department. It shall be the responsibility of the local municipality, in their review and approval of the site plan, to ensure compliance with their requirements.

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. Application must be made to Orion Township for any required soil erosion permit.

Please call me at 248-897-2748 with any questions or concerns.

Sincerely,

Mark W. Davis
Senior Engineering Systems Coordinator

c: Chris Barnett, Twp. Supervisor – Orion Township
   Jeff Stout, Twp. DPW Director – Orion Township
   Tammy Girling, Twp. Planning & Zoning Director – Orion Township
   Mark A. Landis, P.E. – OHM Advisors
Charter Township of Orion Planning Commission
Site Plan Approval Application

30.01, A. Intent: The site plan review procedures and standards are intended to provide an opportunity for consultation and cooperation between the applicant and the Planning Commission so as to achieve maximum utilization of land with minimal 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: J.S. BROWN RD., LLC

Name of Development if applicable: ________________________________

<table>
<thead>
<tr>
<th>Applicant</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: J.S. BROWN RD., LLC</td>
<td>Address: 155 ROMEO RD., SUITE 300</td>
<td>City: ROCHESTER</td>
<td>State: MI</td>
</tr>
<tr>
<td>Phone: 248-650-9850</td>
<td>Cell:</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>Email: <a href="mailto:BILL.SCHMITZ@JSCAPITOL.COM">BILL.SCHMITZ@JSCAPITOL.COM</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Owner(s)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: JEFF SCHMITZ</td>
<td>Address: 155 ROMEO RD.</td>
<td>City: ROCHESTER</td>
<td>State: MI</td>
</tr>
<tr>
<td>Phone: 248-650-9850</td>
<td>Cell: 248-909-7697</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>Email: <a href="mailto:JEFF.SCHMITZ@JSCAPITOL.COM">JEFF.SCHMITZ@JSCAPITOL.COM</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Plan Preparer Firm/Person</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Krieger Klatt Architects / Jeff Klatt</td>
<td>Address: East 11 Mile 2120</td>
<td>City: Royal Oak</td>
<td>State: MI</td>
</tr>
<tr>
<td>Phone: 248.414.9270</td>
<td>Cell:</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>Email: <a href="mailto:jeff@kriegerklatt.com">jeff@kriegerklatt.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Contact Person</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: BILL SCHMITZ</td>
<td>Address: 155 ROMEO RD., SUITE 300</td>
<td>City: ROCHESTER</td>
<td>State: MI</td>
</tr>
<tr>
<td>Phone: 248-650-9850</td>
<td>Cell: 248-467-9383</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>Email: <a href="mailto:BILL.SCHMITZ@JSCAPITOL.COM">BILL.SCHMITZ@JSCAPITOL.COM</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Sidewell Number(s): 09-33-351-020 Lot #18, 09-33-351-021 Lot #19, 09-33-376-010 Lot #20

Location or Address of Property: 851 Brown Road

Side of Street: Brown Road  Nearest Intersection: Brown Road / Joslyn Road

Acreage: 2.02  Current Use of Property: C

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

Subject Property Zoning: I-1, BIZ  Adjacent Zoning: N. BIZ  S. E. BIZ  W. BIZ

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. Proposed 4,309 SQFT. building for Mattress Firm to the West of existing Tommy’s Car Wash. Proposed site plan includes a new asphalt parking lot and landscape areas.

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.

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

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

Signature of Applicant: ________________________________ Date: 8/17/2021

Print Name: _______________________________________

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

Signature of Owner (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):

______________________________ Date: 8/17/2021

Print Name: _______________________________________

Version 12/7/20
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5002; Fax (248) 391-1454

Project Name  J.S. BROWN RD., LLC ________________________________
PC# 2021-67 Parcel#(s) 09-33-351-020 ____________________________

Please select an option below:

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

Signature of Applicant

8/16/2021
Date

Printed Name of Applicant

☐ Do not want plans posted on Web Site
Mattress Firm
851 Brown Rd. Orion Twp., MI 48369

Project Location

1412 E. 11 Mile Rd. | Royal Oak, MI 48067
P: 248.414.9270
F: 248.414.9275
www.kriegerklatt.com

Architect
Krieger | Klatt Architects Inc.
Jeff Klatt
1412 E. 11 Mile Rd.
Royal Oak, MI 48067
P: 248.414.9270
F: 248.414.9275

Civil Engineer
Tri-County Engineering Consultants
Semmed K. Safi, PE, CDT
48701 Hayes Rd.
Shelby Township, MI 48315
P: 810.394.7987

MEP Engineer
Clark Trombley Randers
Robin Hyman, PE
504 S. Creyts Rd Suite B
Lansing, MI 48917
P: 517.886.0550
F: 517.886.0003

Owner
J.S. Capitol Group
Jeff Schmitz
155 Romeo Rd. Suite 300
Rochester, MI 48307
P. 248.650.9850

Client:
Mattress Firm
1201 S. Main Street
Houston, TX 77003

851 Brown Rd. Orion Twp., MI 48369

North Arrow:

Sheet Index:
G.001 Cover Sheet
C.1 Boundary/Topographic/Tree Survey
C.100 Site Plan
C.101 Landscape Plan
A.100 Floor Plan
A.200 Elevation Plan
A.300 Renderings
1 of 2 Photometric Plan
2 of 2 Photometric Plan

RECIEVED
AUG 24, 2021
Orion Township Planning & Zoning

Issued Description By
08/23/2021 Site Plan Approval

Sheet Title: Cover Sheet
Zoning Information (Orion Township)

Parcel Identification Number: 09-33-331-021, 09-33-331-021
Zoned: Brown Road Innovation Zone, Use Group C
Lot Area: 88,000 SQ. FT.
Maximum Lot Coverage Allowed: N/A
Lot Coverage (Footprints): 4,300 SQ. FT.
Height: Maximum Building Height: N/A

Setback Information
1. Front Yard Required: 40.00' - Existing Front Yard Setback to Remain
2. East Side Yard Required: 20.00' - Existing Side Yard to Remain
3. West Side Yard Required: 20.00' - Existing West Side Yard to Remain
4. Rear Yard Required: 30.00' - Existing Rear Yard to Remain

Parking Information

<table>
<thead>
<tr>
<th>Required Spaces</th>
<th>Provided Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Off Street Parking</td>
</tr>
<tr>
<td></td>
<td>(56) Parking Spaces Provided</td>
</tr>
</tbody>
</table>

Sec. 22-345 - On-site Parking:
(1) A parking space shall not meet the following criteria in order to satisfy the requirements of this section:
   a. Minimum length of 19 feet
   b. Maximum width shall be no more than the existing driveway width, whichever is less.

Project:

- Mattress Firm
- 851 Brown Rd
- Orion Twp, MI 48369

Issued Description By:

08.23.2021 Site Plan Approval
Client: Mattress Firm
1201 S. Main Street
Houston, TX 77025

Project: Mattress Firm
851 Brown Rd
Orton Twp, MI 48369

Note: Do not scale drawings; use calculated dimensions only. Verify leveling conditions in field.

North Arrow:

1/4" = 1'-0"

Floor Plan

Show Room
3517 SF

Men’s Restroom
56 SF

Women’s Restroom
56 SF

Files/Record Room
56 SF

Wash/Record Room
56 SF

PRELIMINARY NOT FOR CONSTRUCTION

A. 100
Exterior Material Schedule

<table>
<thead>
<tr>
<th>SYMBOL</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-1</td>
<td>ALUMINUM PANELS</td>
</tr>
<tr>
<td>M-2</td>
<td>CORRUGATED METAL PANELS</td>
</tr>
<tr>
<td>M-5</td>
<td>UNION BLOCK MASONRY VENEER</td>
</tr>
<tr>
<td>M-3</td>
<td>STANDARD BRICK MASONRY VENEER</td>
</tr>
<tr>
<td>M-4</td>
<td>SOLDIER COURSE - TYP.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SUPPLIER</th>
<th>MANUFACTURER</th>
<th>FINISH / COLOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-1</td>
<td>KAWNEER</td>
<td>ANODIZED / DARK BRONZE</td>
</tr>
<tr>
<td>M-2</td>
<td>TAYLOR CLAY PRODUCTS</td>
<td>CHARCOAL GRAY</td>
</tr>
<tr>
<td>M-3</td>
<td>BELVEDERE</td>
<td>WIRECUT / COBALT BLACK</td>
</tr>
</tbody>
</table>

Note:
- Do not scale drawings; use calculated dimensions only.
- Verify existing conditions in field.
- North Arrow:
- Metric:
- Issued Description By: 08/23/2021 Site Plan Approval

Project: Mattress Firm
1201 S. Main Street
Houston, TX 77025
851 Brown Rd.
Orion Twp, MI 48369

www.kriegerklatt.com

Preliminary Not for Construction
View toward West
Scale: N.T.S.

View toward Northwest
Scale: N.T.S.

View toward Southwest
Scale: N.T.S.
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: September 9, 2021
RE: PC-2021-68, Dutton Park Amended Site Plan Amendment

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.

**Lapeer Overlay Design Standards (Ord. No. 78, Section 35.04, B)**

**Motion 1:** I move that the Planning Commission grants/denies a Lapeer Overlay Design Standard waiver for *building orientation, * façade colors, *façades greater than 100’ (west side), and *dumpster location, for PC-2021-68, Dutton Park amended site plan, for plans date stamped received 08/25/21 based on consideration of the following and the following findings of facts:

a. The standards of this Section would prevent reasonable use of the site (insert findings).

b. Existing site design including architecture, parking, driveways, etc. are placed in a manner which makes application of standard impractical (insert findings).

c. Limited lot area and the arrangement of existing features provide inadequate space to accommodate design requirements (insert findings).

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

**Motion 2:** I move that the Planning Commission grants site plan approval for PC-2021-68, Dutton Park Site Plan Amendment, located at vacant parcels 09-35-400-048 and 09-35-477-003 located on the north side of Dutton Rd. one parcel east of Interpark N. for plans date stamped received 08/25/21 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:

a. Resubmittal of the plans and re-review to the satisfaction of the consultants, containing all of the issues listed in the Planner, Engineer, and Fire Marshal reviews. Specifically (motion maker to insert specifics for each consultant review as listed below).

- (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)
  
  b. (Motion maker to list any additional conditions).

Or

I move that the Planning Commission **denies** site plan approval for PC-2021-68, Dutton Park Site Plan amendment, located at vacant parcels 09-35-400-048 and 09-35-477-003 located on the north side of Dutton Rd. one parcel east of Interpark N. for plans date stamped received 08/25/21. 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-2021-68, Dutton Park Site Plan amendment, located at vacant parcels 09-35-400-048 and 09-35-477-003 located on the north side of Dutton Rd. one parcel east of Interpark N. for plans date stamped received 08/25/21 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)).
DATE: September 8, 2021
TO: Orion Township Planning Commission
FROM: Rod Arroyo & Eric Pietsch, Giffels Webster
SUBJECT: Dutton Park – Site Plan Review Modification – Retail Material Sales

The Dutton Park development located at the northwest corner of Dutton and Bald Mountain Roads has requested approval of a site plan modification in order to permit an additional 5,000 square feet to the western building. The 5,000 square foot western building was approved by the Orion Township Planning Commission on February 3, 2021. The overall Dutton Park development consists of 26.79 acres of vacant land, is zoned IP- Industrial Park, and is within the Lapeer Road Overlay. The proposed use remains the same, being building material sales.
**Zoning Ordinance Compliance**

**IP District Area & Bulk Requirements** – Proposed changes are in bold and explained numerically below.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
<th>Provided (west building)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Parcel Size</td>
<td>20 acres</td>
<td>26.79 acres – Met</td>
</tr>
<tr>
<td>Industrial park as a whole</td>
<td>2 acres</td>
<td></td>
</tr>
<tr>
<td>Individual lots</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Parcel (Lot) Size (west parcel)</td>
<td>2 acres</td>
<td>24.98 acres – Met</td>
</tr>
<tr>
<td>Front Yard Setback (Dutton Rd)</td>
<td>50 ft.</td>
<td>76.2 ft. – Met&lt;sub&gt;1&lt;/sub&gt;</td>
</tr>
<tr>
<td>Front/Rear Yard Setback (to north)</td>
<td>50 ft.</td>
<td>160.9 ft. to roadway easement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>– Met&lt;sub&gt;2&lt;/sub&gt;</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>20 ft.</td>
<td>Met (east &amp; west sides)</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>35%</td>
<td>0.92% – Met&lt;sub&gt;3&lt;/sub&gt;</td>
</tr>
<tr>
<td>Maximum Height of All Structures</td>
<td>40 ft / 50 ft Overlay</td>
<td>27 ft. (2 stories) – Met&lt;sub&gt;4&lt;/sub&gt;</td>
</tr>
<tr>
<td>Minimum Clear Space Around Structures</td>
<td>15 ft.</td>
<td>Defer to Fire Dept. Review</td>
</tr>
<tr>
<td>Parking &amp; Driveways Setback</td>
<td>20 ft.</td>
<td>20 ft. – Met</td>
</tr>
<tr>
<td>Landscaped Greenbelt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetland Setbacks</td>
<td>25 ft.</td>
<td>No wetlands apparent</td>
</tr>
<tr>
<td>Off-Street Parking (Overlay supersedes)</td>
<td>50 spaces (1 spc / 200 sf GFA)</td>
<td>128 spaces – Met&lt;sub&gt;5&lt;/sub&gt;</td>
</tr>
</tbody>
</table>

1. The front yard setback increased from 72.5' to 76.2’, accounting for a 3.7' landscape strip abutting the building.
2. The rear yard setback (to the roadway easement) decreased from 239.3' to 160.9', accounting for the northward expansion of the building footprint and the increased width of the roadway easement, from 41.6' to 60'.
3. The overall lot coverage increased due to the proposed expansion of the footprint of the building from 5,000 square feet to 10,000 square feet.
4. The height of the proposed building decreased from 38' to 27' and consists of the same 2 stories. The height of the first floor decreased by 6', from 20' to 14', and the height of the second floor will remain the same, 12' high.
5. There are 128 surface parking spaces to satisfy the required 100 spaces. The site plan includes an additional 57 landbank parking spaces along the north side of the development near the 60’ wide roadway easement, for a total of 185 parking spaces. Applicant should indicate why so much additional parking is proposed. See site plan comparisons below.

![Diagram: Approved February 2021 and Proposed September 2021]

**Summary of Comments**

The plans are in substantial compliance with the Zoning Ordinance subject to satisfactory resolution of the items below:

1. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate projections or recesses, neither of which shall exceed one hundred (100) horizontal feet. The entrance vestibule, projecting from the east side of the building complies with this requirement. There is no projection or recession of the building along the west side, which should be addressed by the applicant and discussed with the Planning Commission.
2. Applicant should explain why so much extra parking is proposed over ordinance standards.
3. Section 35.04 A.1. requires that buildings with customer entrances be oriented towards Lapeer Road; and that loading docks, outdoor storage, trash collection and processing, HVAC equipment, truck parking and servicing areas, and other service functions not be visible form Lapeer Road. As the site does not have frontage on Lapeer Road, the building has been oriented with the entrance facing east and the loading area reoriented to the west side of the building. We do not believe this section strictly applies as the site does not have frontage on Lapeer Road and is separated from Lapeer Road by several hundred feet. The Planning Commission granted a waiver from this requirement on February 3, 2021 and therefore may reconsider a new waiver request for the changes to the building orientation.
4. The revised plans do not indicate rooftop equipment, as was shown on the previous plans. The applicant should demonstrate that if rooftop equipment is present, the height of the parapets is sufficient to screen the equipment from public view.

5. Façade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited. The façade is composed of brick and a dark/neutral tone. The Planning Commission may consider whether the black painted surfaces are appropriate to meet this design standard or if a waiver or plan change is warranted.

6. Most of the proposed parking aisles are 26 feet wide versus 22 feet, which is the standard. Excessive width can lead to increased travel speeds in parking areas. Unless the Fire Code calls out a wider area adjacent to building or fire hydrant, 22 feet should be used for parking lot aisle width.

**Lapeer Road Overlay District**

Section 35.04. A. – Site Design

**A.1 Building Orientation.** Section 35.04 A.1. requires that buildings with customer entrances be oriented towards Lapeer Road; and that loading docks, outdoor storage, trash collection and processing, HVAC equipment, truck parking and servicing areas, and other service functions not be visible form Lapeer Road. **As the site does not have frontage on Lapeer Road, the building has been oriented with the entrance facing east and the loading area reoriented to the west side of the building.**

We do not believe this section strictly applies as the site does not have frontage on Lapeer Road and is separated from Lapeer Road by several hundred feet. The Planning Commission granted a waiver from this requirement on February 3, 2021 and therefore may reconsider a new waiver request for the changes to the building orientation.

**A.3. Pedestrian Circulation**

a. Safety paths shall be provided in accordance with the Safety Path Ordinance No, 97. An 8-foot-wide safety path is proposed to tie into an existing safety path along Dutton Road to the south of the developments and will extend east to the intersection with Bald Mountain Road. A five-foot wide pedestrian path is proposed to connect the safety path with the building’s front door on the east side. At such time Interpark Drive is extended, sidewalks will likely be required at that time as part of the development of the interior of the site.

b. Internal sidewalks of no less than five feet in width shall be provided connecting the safety paths to the principal customer entrances and adjacent to all parking areas. No less than 10 feet shall
exist between the building façade and the planting bed for foundation plantings. The amended site plan provides 5-foot internal sidewalks connecting the front entrance of the building to the proposed 8-foot safety path along Dutton Road.

A.4.C. Front Yard Parking
The number of parking spaces located within the front yard shall be limited to a maximum of 50% of the total parking provided for the site unless modified by the Planning Commission. Parking should be located to the rear or side of the building to the greatest extent possible. The 10 surface parking spaces will remain along the south side of the building facing Dutton Road. These 10 spaces are far below the maximum allowed under this criteria and considering the new total spaces provided is 185.

A.6. Loading and Unloading
a. Loading and unloading areas shall be located in the rear or side yard.
b. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress or egress.
c. All loading and unloading areas shall be in conformance with the requirements set forth in Section 27.04. The proposed loading area has been expanded from 57.2' in length to 130.6' and relocated from the north side of the building to the west side yard.

Section 35.04. B. – Design Standards

B.1. Facades and Exterior Walls
a. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate projections or recesses, neither of which shall exceed one hundred (100) horizontal feet. The entrance vestibule, projecting from the east side of the building complies with this requirement. There is no projection or recession of the building along the west side, which should be addressed by the applicant and discussed with the Planning Commission.
b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than 50% of their horizontal length. Met – see notes on each elevation sheet.
c. Building facades must include repeating patterns of color, texture, and architectural or structural bays of 12 inches in width (i.e. offsets, reveals or projecting ribs). Met – see elevations, Sheet A2-01.

B.3. Roofs
a. Section 35.04 B.3.a. states that parapets should be incorporated to conceal rooftop equipment from public view, with the height of the parapet not exceeding one-third of the height of the supporting wall. Composite metal parapets, trimmed with metal coping, are shown on the elevations to extend beyond the roof line between 4 and 6 feet. The revised plans do not indicate rooftop equipment, as was shown on the previous plans. The applicant should demonstrate that if rooftop equipment is present, the height of the parapets is sufficient to screen the equipment from public view.

B.4. Materials and Colors
a. Predominant exterior building materials shall be high quality material, including, but not limited to brick, stone, and integrally tinted/textured concrete masonry units. The applicant has revised the design of the west building that incorporates a mix of brick, metal, and three levels of tinted glass (clear, black tinted, and black spandrel).
b. Façade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited. The façade is composed of brick and a dark/neutral tone. The Planning Commission may consider whether the black painted surfaces are appropriate to meet this design standard.

c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas. Met- no neon tubing is indicated on the building elevations.

d. Exterior building materials shall provide texture on at least 50% of the façade but shall not completely consist of smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels. The revised building elevations indicate that texture would be provided on at least 50% of all facades for each building. If the Planning Commission accepts the proposed building materials under item a. above, no action is needed related to providing texture on the facades.

B.5. Covered Trash Areas

a. Covered trash receptacles shall be surrounded on three (3) sides by masonry brick-type walls one (1) foot higher than the receptacle in the rear yard of the building or principal use structure. The required dimensions of the proposed dumpster enclosure maintain compliance of the design standards; the placement of the enclosure has been relocated from directly behind the building (north rear yard) to the far east side of the parking lot.

b. The fourth side of the trash receptacle enclosure shall be equipped with an opaque lockable gate that is the same height as the brick-type wall. – Met

Section 35.04. D. - The Planning Commission shall have the authority to waive or modify the standards of Section 35.03 and 35.04 upon consideration of the following:

1. The standards of this Section would prevent reasonable use of the site.
2. Existing site design including architecture, parking, driveways, etc. are placed in a manner which makes application of standard impractical.

3. Limited lot area and the arrangement of existing features provide inadequate space to accommodate design requirements.

**Industrial Park (IP) District**

Section 18.03 requires the following landscaping for the IP District:

1. A landscape plan for each use in the Industrial Park shall be submitted to the Planning Commission for approval. The landscape plan shall specify plant materials and landscape treatment based on the requirements of Section 27.05 of this Ordinance for such items. This landscape plan shall be part of, or accompany, the site plan. *The landscape plan can be found on Sheet L7.*

2. A landscaped greenbelt at least 20 feet in width shall be provided along the entire perimeter of the zoning lot, except where ingress or egress drives are located, when the parcel abuts commercial/office or industrially zoned property. However, when the parcel abuts residentially zoned property, the landscaped greenbelt shall be at least 50 feet in width, except where ingress or egress drives are located. *Compliance of this standard is maintained. Landscaping is provided within these areas.*

3. The off-street parking areas and access driveways shall be screened from view from any adjoining residential property. Such screening shall consist of earth berms, permanent walls, or evergreen landscaping subject to approval of the Planning Commission. *N/A- the parcel is not adjacent to any residential property.*

All landscaping and screening shall be maintained in an attractive, litter-free, safe and healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition. In addition, an underground lawn irrigation system shall be required in any landscaped area located in the front yard. *Compliant/no change – Maintenance and irrigation notes are included in the General Landscape Notes on the landscape plans.*

**General Provisions**

Section 27.04 – Parking and Loading

**Most of the proposed parking aisles are 26 feet wide versus 22 feet, which is the standard. Excessive width can lead to increased travel speeds in parking areas. Unless the Fire Code calls out a wider area necessary adjacent to building or fire hydrant, 22 feet should be used for parking lot aisle width.**

Section 27.05 – Landscaping, Fences, and Walls:

**A.3. Landscaping Design Standards.** Except as otherwise specified in the general requirements for each zoning district, all landscaping shall conform to the following standards:

a. General Landscaping. (amended 11.14.85) All developed portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as a greenbelt, berms, or screening are required:
i. All portions of the landscaped area shall be planted with grass, ground cover, shrubbery, or other suitable plant material, except that paved patios, terraces, sidewalks, and similar site features may be incorporated, with Planning Commission approval. No change. The Landscape Plan indicates all perimeter yard beds shall be hydroseeded and mulch on minimum 3” topsoil. Compliance should be verified during construction and inspection.

ii. A mixture of evergreen and deciduous trees shall be planted at the rate of one tree for each 3,000 square feet, or portion thereof, of landscaped open-space area. Met

iv. All landscaped areas shall have an underground irrigation system or shall be provided with a readily available and acceptable water supply with at least one hose bib within 100 feet of all planted material to be maintained. No change. The Landscape Planting Plan General Note #19 indicates that an automatic underground irrigation system will be provided.

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

a. One tree for each 30 lineal feet, or fraction thereof, of required greenbelt separation area (including driveways). Such trees shall be located between the abutting right-of-way and the off-street parking area or vehicular use area. No change. The west development complies and requires 9 trees along Dutton Road, based on the lineal frontage; 14 Bowhall Red Maple trees are provided.

b. In addition, a hedge, wall, decorative metal fence, or berm, or other landscape elements with a vertical rise of at least 30 inches shall be developed within said separation zone. The hedge, wall, fence, or berm shall have the effect of reducing the visual effect of parked cars. No change. The west development provides a Ward’s Yew screening hedge for the length of the surface parking along Dutton Road.

c. The remainder of the required landscape separation area shall be landscaped with grass, ground cover or other landscape treatment, excluding paving such as concrete or asphalt. This shall not be construed to prohibit decorative brick paving. No change. Complies – Sodded lawns are proposed.

e. The Landscaping of Right-of-Way and Other Adjacent Public Open Space Areas. Public rights-of-way and other public open-space areas adjacent to required landscaped areas and greenbelts shall be planted with grass or other suitable ground cover and maintained by the owner of the adjacent property as if they were part of required landscaped areas and greenbelts. The applicant should demonstrate compliance of this requirement and may do so as part of the permitting and inspection process if approved.

f. Regulations Pertaining to Landscaping Areas Used for Sight Distance. When a driveway intersects a public right-of-way or when the subject property abuts the intersection of public rights-of-way or intersection of interior driveways, all landscaping within the corner triangular areas described below shall permit unobstructed cross-visibility. The applicant should demonstrate compliance of this requirement and may do so as part of the permitting and inspection process if approved.
A.6. Interior Parking Lot Landscaping. Off-street parking areas shall be landscaped as follows:

a. Off-street parking areas containing greater than 20 spaces shall be provided with at least 20 square feet of interior landscaping per parking space. *West development: 128 spaces x 20 = 2,560 square feet required. 2,560+ square feet of landscape area provided and called out on the landscape plans.*

A minimum of one-third of the trees required in Section 27.05 (A)(5) shall be placed on the interior of the parking area and the remaining may be placed surrounding the perimeter parking lot within 10 feet. *Complies.*

b. A minimum of one tree shall be planted per 200 square feet or fraction thereof of interior parking lot landscaping. *The west development requires 13 trees; 13+ trees are provided.*

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 and trees shall permit unobstructed visibility and maintain clear vision between a height of 30 inches to eight feet. *All areas surrounding the internal parking are identified with approved landscaping materials such as typical sod, hydoseed, and mulch lawns, as well as additional tree, shrub, and ground cover species.*

c. Interior parking lot landscaping islands shall be no less than 10 feet in any single dimension and no less than 200 square feet in any single area and shall be protected from parking areas with curbing, or other permanent means to prevent vehicular encroachment onto the landscaped areas. *This standard appears to be met.*

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

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

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

g. The Planning Commission may, at their discretion, waive or modify the requirement for interior landscaping in cases where the parking lot consists of only one (1) aisle and the area surrounding the parking lot is heavily landscaped or where existing off-street parking drives and/or structures are located on the parcel.

27.05 B. Materials Standards and Specifications. Except as otherwise specified in the general requirements for each zoning district, all plant and non-plant material shall be installed in accordance with the following standards:

4. Required Plant Material Specifications. The following specifications shall apply to all plant material required by this section. The applicant shall demonstrate compliance with the following:

   b. Deciduous shade trees shall be a minimum of two inches in caliper measured 12 inches above grade with the first branch a minimum of four 4 feet above grade when planted. *The Plant Schedules for the development indicates compliance.*
b. Deciduous ornamental trees shall be a minimum of one and one-half (1-1/2) inches in caliper measured six (6) inches above grade with a minimum height of four (4) feet above grade when planted. Applicant shall demonstrate compliance, where applicable.

c. Evergreen trees shall be a minimum of five (5) feet in height when planted, except that juniper, yew and arborvitae species shall be a minimum of three (3) feet in height when planted. Furthermore, evergreen trees shall have a minimum spread of three (3) feet, and the size of the burlapped root ball shall be at least ten (10) times the caliper measured six (6) inches above grade. The Plant Schedule for the development indicates compliance of evergreen tree and shrub species within this criterion.

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

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

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

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

h. Grass areas shall be planted in species normally grown as permanent lawns in Oakland County. Grass may be plugged, sprigged, seeded or sodded, except that rolled sod, erosion-reducing net, or suitable mulch shall be used in swales or other areas subject to erosion. Grass, sod, and seed shall be clean and free of weeds, noxious pests, and diseases. No swales or detention areas are indicated on the site.

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

We are available to answer questions.

Respectfully,

Giffels Webster

Rod Arroyo, AICP
Partner

Eric Pietsch
Senior Planner
September 9, 2021

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

RE: Dutton Park – Revised Site Plan, PC-2021-68
Site Plan Review #1

Received: August 25, 2021 by Orion Township

Dear Mr. Reynolds:

We have completed our review of the Dutton Park plan set. The plans were prepared by Nowak and Freas Engineers and were reviewed with respect to the Township’s Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township’s Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located at the southwest intersection of Bald Mountain Rd. and Premier Dr. within Section 35 of the Charter Township of Orion. The site is zoned Industrial Park (IP) and bounded by parcels to the north and west zoned Industrial Park (IP), and to parcels on the east zoned Special Purpose 2 (SP-2). To the south is the southern border of Orion Township.

The existing site is comprised of two undeveloped parcels totaling 26.2 acres. Both parcels are located between Dutton Rd. and Premier Dr. The site is made up of sprawling hills with sharp slopes around the perimeter and a low flat spot near the center of the parcel. There are several trees on site and a small culvert located at the low point on the eastern half of Parcel 1. The applicant has submitted plans showing development on Parcel 2 and the southwest corner of Parcel 1. The two buildings that are currently proposed are both 2-story buildings. The eastern building is 5,000 sqft and the western building is 10,000 sqft.

There appear to be several monitoring wells located on site and the underlying soils on site may require special consideration and stabilization for the proposed work. It is our understanding the property has buried refuse onsite. The limits of refuse and associated leachate collection system appear to be shown on the plans. We recommend consulting with a geotechnical engineer and an environmental engineer to ensure that the infrastructure on site is protected from any issues related to the questionable ground conditions and a review of required permits for construction be discussed with appropriate regulating agencies.

WATER MAIN AND SANITARY SEWER:
There is existing 12-inch water main located along the north side of Dutton Rd., 12-inch water main along the west side of Bald Mountain Road as well as 8-inch water main located north of the parcel along the south side of the recent Oakland Business Park development. The existing 12-inch along Dutton Rd. extends north into the Dutton Retail Centre west of Parcel 1. The applicant appears to be proposing separate fire and domestic services from the 12-inch on Bald Mountain Rd. to the building on Parcel 2. Two (2) additional hydrants are proposed around this building, both extend from the main on Bald Mountain Rd. and are located in the northeast and southwest corners of the building. The leads for the building in Parcel 1 extend from the 12-inch main on Dutton Rd. along with two (2) additional hydrants located at the southeast and northwest corners of the parking lot. Water service shutoff valves
will be required at engineering and should be located within the right-of-way or water main easement. Along with the hydrant and building lead extensions, the applicant is proposing to extend 12-inch main into the site from Dutton Retail Centre. The main extension appears to be for the future development of Parcel 1. Hydrants appear adequately spaced for both buildings and FDC's were shown on the plans. The dumpster pads appear to obstruct visibility of the FDC's and may need to be moved per Fire Marshal review. Water main easements appear to be included and acceptable.

There is existing 12-inch sanitary sewer located along Premier Dr. that ends at a manhole located northwest of Parcel 2 which ultimately flows into the Orion Business Park. The applicant is proposing to connect to this manhole by installing three (3) additional manholes, 160 feet of sanitary lead and approximately 600 feet of sanitary sewer. The sanitary connection for the building on Parcel 1 appears to extend from an existing 10-inch sanitary sewer stub located near the northwestern corner of the site. A 20-foot easement is required for all public sanitary sewer and appears to be shown correctly in the plans.

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

It should be noted that the two sites will require separate Part 41 permits for this development as Parcel 1 outlets into an existing pump station. The flow of the pump station must be provided on the EGLE application for that building.

At engineering, full pipe details including segment length, diameter, slope, type, and class of pipe will be required for each water main and sanitary sewer pipe segment for permitting purposes. Profiles shall also be included along with plan views on the same sheets. Please call out water main bend-to-bend, bend-to-tee, etc.

**STORMWATER MANAGEMENT:**

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

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

Parcel 2 was also accounted for in the Dutton Corporate Centre but is referred to as ‘off-site’ drainage area. Per the drainage area map from the Dutton Corporate Centre development, Parcel 2 is to drain south and ultimately enter the Dutton Corporate Centre detention system. The section of storm sewer that crosses Dutton Rd. should be shown on the plans in future submittals.

C-value calculations were provided for both parcels. The C-value calculation for Parcel 2 appears acceptable. The calculation for Parcel 1 appears to count the banked parking spaces as green space and should instead account for this area as pavement. Additionally, the impervious area attributed to the development should only apply to one of the two C-values calculated for Parcel 1. A total site C-value is not necessary as the parcel is designed to drain to
two separate outlet locations. A new C-value calculation will be required for the entirety of Parcel 1 should the rest of the site be developed in the future.

The existing 20-foot-wide storm sewer easement located on the storm sewer west of Parcel 1 was shown accurately in the plans.

**PAVING:**
The existing sites contain no drive entrances. Parcel 2 has frontage along Dutton Rd., Bald Mountain Rd. and Premier Dr. The applicant is proposing to add an entrance on Premier Dr. to access Parcel 2. Parcel 1 only has frontage along Dutton Rd. and the stub of the internal drive for the Dutton Retail Centre (Interpark Dr.) which was constructed for development of Parcel 1. The applicant is proposing to remove the existing tee-turnaround and extend a 35-foot-wide drive into the parcel that is stubbed east for the possibility of future development. On the south side of this stub are two (2) 26-foot-wide drive aisles that serve the building proposed on Parcel 1. Minimum drive aisle width around both buildings is 26 feet and appears to accommodate the Orion Township Firetruck Turning Template.

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

Pavement slopes appear to be acceptable. Entrance drive slopes for both buildings appear to be under 4%. Pavement grading will be reviewed in greater detail at engineering. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. Multiple pavement sections have been included for the buildings. There is an asphalt pavement section that is 9 inches of HMA atop 8 inches of aggregate, and a concrete pavement section that is 8 inches of concrete atop 6 inches of aggregate. There is also a concrete sidewalk section that is 4 inches of concrete atop 4 inches of aggregate. These pavement sections are acceptable based on the Industrial zoning requirements. Parking stalls appear to be 9-feet wide by 19-feet deep which is acceptable.

It appears that the proposed pathway along the Dutton Rd. frontage is located over a roadside ditch. The ditch shall be enclosed or redesigned per RCOC standards.

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

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

Due to the existing topography from the previous landfilling/mining operations, grading is proposed outside of the building limits to flatten the steep slopes to a maximum slope of 1:3. Proposed contours were provided to the limits of both parcels and appear acceptable to maintain this requirement. It appears the easterly portion of Parcel 1 where tree preservation is proposed has existing slopes of approximately 1:5 and would therefore not be impacted.

**TRAFFIC:**
A traffic impact study shall be included in the plans as this project anticipates generating over 100 trips during peak hour or over 750 trips per day. Please submit the Traffic Impact Study for review.

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

The proposed site plan includes pedestrian facilities along Dutton Rd. and up Bald Mountain Rd. across the frontage of both parcels. 8-foot public pathway is proposed within the RCOC right-of-way and approval will be required for this paving. Proposed grades along the pathway will be required to assess longitudinal slope and cross slope to ensure ADA compliance.

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

LANDSCAPING:
A Landscape Plan was included in the set and does not appear to conflict with any utility locations for either building. The tree plantings on Parcel 2 appear to be spaced such that there is no structural threat to the retaining wall due to proximity of tree and root growth from the plantings. Tree plantings may need to be readdressed should the existing water main along Bald Mountain Rd. be closer to the parcel border than originally anticipated.

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

1. Provide a Traffic Impact Study (TIS) for the project for review and incorporate required mitigation.
2. Revise the grading plans to address the enclosure or relocation of the existing ditch located along Dutton Rd due to the proposed pathway.
3. Adjust the C-value for parcel 1 to include the banked parking as impermeable surface.
4. Revise the sheet index to reflect the changes to the architectural plans.
5. Provide the missing sheets, “drainage plans” and “leachate & refuse plans” listed on the sheet index.

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

Sincerely,

OHM Advisors

Joe Lehman
Project Engineer

Mark Landis, P.E.
Project Manager

cc: Chris Barnett, Township Supervisor
    David Goodloe, Building Official
    Jeff Stout, Director of Public Services
    Tammy Gilding, Director of Planning and Zoning
    Lynn Harrison, Planning and Zoning Coordinator
    Jeff Williams, Township Fire Marshal
    Bill Basigkow, Water and Sewer Superintendent
    Pat Williams, Nowak and Fraus
    File
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-68, Dutton Park Site Plan  
Date: 09/03/2021

The Orion Township Fire Department has completed its review of Application PC-2021-68 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

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

   Approved
   X  Approved with Comments
   Not approved (See Below)

Comments Regarding Methane Gas Detection

- Attached letter dated September 2, 2021 from Henry Yandt Construction shall be noted for future reviews. At this time the applicant is addressing and investigating possible modifications to the existing gas collection system. The applicant has agreed to continue to update township departments as the final design is pending the outcome of the investigation in progress.
- Per the Orion Township Building Official the Methane Gas collection system that is located on site will be reviewed and inspected by the building department at time of construction.

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

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

Sincerely,

Jeff Williams
Jeff Williams, Fire Marshal
Orion Township Fire Department
September 2, 2021

Mr. Jeffrey Williams, CFPS
Fire Marshal
Orion Township Fire Rescue
2525 Joslyn Road
Lake Orion, MI

RE: Dutton Park Retail – Revision to West Building Footprint
Site Plan Review
Methane Gas Concerns

Fire Marshal Williams,

With regard to the methane gas collection/ventilation and the Site Plan Submission for the Dutton Park Retail, Henry Yandt Construction, LLC has the following information regarding the existing system in place, actions taken to date and plans for going forward with the development of this site.

Premier Drive, LLC completed Soils Investigation that included soil borings and test pits in 2018 to evaluate existing soil conditions for development of the site with McDowell & Associates. Their report is dated August 2, 2018. This report provides information on the soil composition at various depths for use in determining construction design for structures and paving.

Premier Drive, LLC engage Applied Environmental to complete a Phase 1 Environmental Site Assessment in 2018 to confirm current environmental information for this Vacant Parcel. Their report is dated July 17, 2018. This report provides current and historical data on the recognized environmental conditions of this site with evaluations of the potential environmental hazards.

This parcel is a portion of a retired landfill formally known as Sanicem Landfill, a 60 acre site operating from 1965 to 1978. A methane gas venting system and leachate collection have been installed to control the landfill gas.

In 2008, an active methane collection system was installed. This consisted of 64 extraction wells connected to a manifold system tied into a blower at the north end of the property to an enclosed flare to burn off the methane and other VOCs. This active system was in operation from 2008 to 2011, when
the flare was taken offline. This active system was converted to a passive venting system in 2013 and still active today.

Premier Drive, LLC has actively pursued input from EGLE, ERG, PM Environmental, Applied Environmental and McDowell & Associates with regard to the impact of development on these existing systems. Premier Drive, LLC, through the recommendations of the entities noted above, will finalize design for the new development and potentially modifying the existing operational passive ventilation system and leachate collection systems to remain operational during and after the development of the property. This may include, but are not limited to relocating wells, vents, manifold piping, installing an underground collection/ventilation system, installing a vapor intrusion barrier and/or methane gas detection within the building structure. The final design is pending the outcome of the investigation in progress.

All results will be forwarded to the Orion Township Planning & Zoning, Fire Rescue and Building Department for record.

Please direct any questions or concerns regarding this letter to:
Tom Beauchamp, President
Henry Yandt Construction, LLC
TBeauchamp@HenryYandt.com
(248) 941-4650

Sincerely,
Henry Yandt Construction, LLC

Tom Beauchamp
President

(248) 941-4650
1615 S. Telegraph Road
Bloomfield Hills, MI 48302

CC:
Greg Yatooma, Premier Drive, LLC
Tammy Girling, Orion Township Planning
Dear Tammy,

The Department of Public Services has reviewed the above-mentioned project and has no objections to the amended plans as submitted.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout  
Director  
Department of Public Services
September 8, 2021

Lynn Harrison, Planning & Zoning Coordinator
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd
Lake Orion, MI 48360

Re: Dutton Park (Parcel A & B) Sanitary Sewer Ext – Preliminary Review
OCWRC Submittal No. 0235-2021
Part of the SE ¼ of Section 35, Orion Township

Dear Ms. Harrison,

This office has received a request for information pertaining to possible public facilities under the jurisdiction of this office for the referenced project. The subject plans were submitted by your office for review.

Our review indicates that the proposed project has no direct involvement with any legally established County Drain or Water Main under the jurisdiction of this office.

The construction plans propose to construct new public sanitary sewers.
- Separate OCWRC & EGLE Permits shall be required to be applied for prior to the start of any construction.

Storm Drainage, Sewage Disposal & Water Main serving this area are under the jurisdiction of the Orion Township and/or Oakland County Health Department. It shall be the responsibility of the local municipality, in their review and approval of the site plan, to ensure compliance with their requirements.

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. Application must be made to Orion Township for any required soil erosion permit.

Please call me at 248-897-2748 with any questions or concerns.

Sincerely,

Mark W. Davis
Senior Engineering Systems Coordinator

c: Chris Barnett, Twp. Supervisor – Orion Township
    Jeff Stout, Twp. DPW Director – Orion Township
    Mark A. Landis, P.E. – OHM Advisors
Ms. Harrison,
I reviewed the preliminary plans submitted by your office under OCWRC Sanitary Permit Application 0230-2021. (see attachments)

1. The submitted construction plans propose new public sanitary sewer improvements and/or building services.
   a. OCWRC Permit & Inspection shall be required.
   b. GLWA & MIEGLE Approvals shall be required.
   c. Due to separate outlet sewers, separate OCWRC & EGLE Pt. 41 Permit Applications shall be required.

2. There are no legally established Storm Drains under the jurisdiction of the OCWRC in this area of Orion Township.
   a. Storm Drainage for this project is under the jurisdiction of the Charter Township of Orion.

3. Soil Erosion & Sediment Control is under the jurisdiction of the Charter Township of Orion.

Due to no Sanitary Extension being proposed at this time, I will be closing out the Sanitary Sewer Extension Application 0235-2021 submitted by your office.
- When ready Township Approved Plans and Permit Applications must be submitted to the OCWRC EnerGov Permit Portal.

Thank you

Mark W. Davis
Senior Engineering Systems Coordinator
Oakland County Water Resources Commissioners Office
248-452-2172 (p)
248-858-1066 (f)
248-897-2748 (cell)
Charter Township of Orion Planning Commission
Site Plan Approval Application

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

Project Name: Dutton Park

<table>
<thead>
<tr>
<th>Name of Development if applicable:</th>
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<tbody>
<tr>
<td>Name: Henry Yandt Construction, LLC - Tom Beauchamp</td>
<td></td>
</tr>
<tr>
<td>Address: 1615 S. Telegraph Road</td>
<td>City: Bloomfield Hills</td>
</tr>
<tr>
<td>Phone:</td>
<td>Cell: (248) 941-4650</td>
</tr>
<tr>
<td>Name: Premier Drive, LLC - Greg Yatooma</td>
<td></td>
</tr>
<tr>
<td>Address: 1615 S. Telegraph Road</td>
<td>City: Bloomfield Hills</td>
</tr>
<tr>
<td>Phone:</td>
<td>Cell: (248) 459-8832</td>
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* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

Name: Nowak & Fraus - Pat Williams

<table>
<thead>
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<th>Plan Preparer Firm/Person:</th>
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<tbody>
<tr>
<td>Address: 46777 Woodward Avenue</td>
<td>City: Pontiac</td>
</tr>
<tr>
<td>Phone: (248) 332-7931</td>
<td>Cell:</td>
</tr>
<tr>
<td>Email: <a href="mailto:pwilliams@nfe-engr.com">pwilliams@nfe-engr.com</a></td>
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Name: Tom Beauchamp

<table>
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<th>Project Contact Person:</th>
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<tbody>
<tr>
<td>Address: 1615 S. Telegraph Road</td>
<td>City: Bloomfield Hills</td>
</tr>
<tr>
<td>Phone:</td>
<td>Cell: (248) 941-4650</td>
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</table>
Sidwell Number(s): 09-35-400-048 & 09-35-477-003

Location or Address of Property: Northwest corner of Dutton and Bald Mountain

Side of Street: Nearest Intersection: 

Acreage: 26.79 Current Use of Property: Vacant

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

Subject Property Zoning: IP Adjacent Zoning: N, IP S, PUD E, SP-2 W, PUD

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. This is a re-submittal to increase the size of the western building from 5k to 10k S.F.

There aren’t any unit/lot changes.

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>
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<tr>
<th>AT&amp;T</th>
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<tr>
<td>54 Mill St.</td>
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<tr>
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<tr>
<td>ATTENTION: NW Planning &amp; Design</td>
<td>Building 34 East</td>
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<tr>
<td>1970 Orchard Lake Rd.</td>
<td>1200 N. Telegraph Rd.</td>
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<tr>
<td>Sylvan Lake, MI 48320</td>
<td>Pontiac, MI 48341</td>
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<tr>
<th>Michigan Department of Transportation (if applicable)</th>
<th>Road Commission of Oakland County (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>800 Vanguard Dr.</td>
<td><a href="mailto:ssintkowski@rcoc.org">ssintkowski@rcoc.org</a> (electronic submittal only)</td>
</tr>
<tr>
<td>Pontiac, MI 48341</td>
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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:  
(must be original ink signature)  
Date: 8/23/21

Print Name: Tom Beauchamp

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):

(must be original ink signature)  
Date: 8/34/21

Print Name: Greg Yatooma
Project Name: Dutton Park

PC# Parcel#(s) 09-35-400-048 & 09-35-477-003

Please select an option below:

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

_________________________________________  _________________
Signature of Applicant  Date

_________________________________________
Printed Name of Applicant

☑ Do not want plans posted on Web Site
LEGAL DESCRIPTION - PARCEL 1

TOWNSHIP, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

196.96 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS OF 895.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID SECTION 35, 455.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 117,662.24 SQUARE FEET OR 2.701 ACRES OF LAND.

LEGAL DESCRIPTION - PARCEL 2

TOWNSHIP, ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COURSES ALONG THE NORTH LINE OF SAID DUTTON ROAD: 1) 30.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS OF 360.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID EASEMENT, 183.24 FEET; 2) 30.25 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS OF 895.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID EASEMENT, 104.78 FEET, 3) 104.84 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS OF 1015.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID EASEMENT, 30.25 FEET, 4) SOUTH 87 DEGREES 53 MINUTES 58 SECONDS WEST 945.80 FEET AND 5) 37.29 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS OF 1015.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID EASEMENT, 30.25 FEET, 6) 37.29 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS OF 895.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID EASEMENT, 104.78 FEET, 7) 104.84 FEET ALONG THE ARC OF A CURVE TO THE LEFT, RADIUS OF 895.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID EASEMENT, 183.24 FEET; 8) 104.78 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, RADIUS OF 895.00 FEET, CENTERING ALONG THE SOUTH LINE OF SAID EASEMENT, 183.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,088,289.68 SQUARE FEET OR 24.984 ACRES OF LAND.
Boundary / Topographic / Tree Survey

Dutton Road - Vacant Land
Orion Twp., MI

Henry Yandt Construction LLC
Contact: Tom Beauchamp
Ph: (248) 941-4650

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

LEGAL DESCRIPTION - PARCEL 1

MISS DG / UTILITY DISCLAIMER NOTE

COVID-19 PANDEMIC CONDITION

LEGEND

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

Part of the Southeast 1/4 of Section 14, T. 4 North, R. 10 East
Orion Township, Oakland County, Michigan

Know what's below
Call before you dig.

Henry Yandt Construction LLC
Contact: Tom Beauchamp
Ph: (248) 941-4650

Dutton Road - Vacant Land
Orion Twp., MI

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

Sheet: 1 of 5
Date: December 13, 2020
Scale: N.T.S.

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

Sheet: 1 of 5
Date: December 13, 2020
Scale: N.T.S.
List of Surveyed Trees

SP-6

SCALE:

Part of the Southeast 1/4
of Section 15
T. 4 North, R. 10 East
Orion Township,
Oakland County, Michigan

Know what's below
Call before you dig.

Henry Yandt Construction LLC
Contact: Tom Beauchamp
Ph: (248) 941-4650

Dutton Road - Vacant Land
Orion Twp., MI

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

01-13-21  REVISED PER TWP. REVIEW

NOWAK & FRAUS
ENGINEERS

03-08-21  REVISED PER PC MINUTES
03-22-21  REVISED PARCELS
07-14-21  REVISED PER TWP.
08-23-21  REVISED BUILDING PER

N.T.S.

A. Eizember
P. Williams

APP-109-103 SHEET 102

1.998 SP-6
PROPOSED TWO STORY 10,000 S.F. FOOTPRINT RETAIL/OFFICE BUILDING

CAUTION!!

Henry Yandt Construction LLC
Contact: Tom Beauchamp
Ph: (248) 941-4650
Dutton Road - Vacant Land
Orion Twp., MI

SEAL
December 15, 2020

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

DATE            ISSUED/REVISED
DRAWN BY:
DESIGNED BY:
APPROVED BY:
DATE:
sheet no.
NFE JOB NO.

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

GENERAL PAVING NOTES

PUBLIC RIGHT-OF-WAY NOTES

DETECTION NOTES

COVID-19 PANDEMIC CONDITION
GENERAL TREE PROTECTION NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR THE REPLACEMENT PER ORDINANCE.
2. THE GRUBBING OF UNDERSTORY VEGETATION WITHIN CONSTRUCTION AREAS SHOULD BE CLEARED BY CUTTING VEGETATION AT THE GROUND WITH A CHAIN SAW OR EQUIVALENT, OR BY MACHINERY WITHOUT EXCESSIVE創新, AND SHALL REMAIN IN PLACE UNTIL THE GENERAL TREE PROTECTION NOTES OCCUR OUTSIDE OF THE PROTECTIVE FENCING.
3. DURING CONSTRUCTION, NO PERSON SHALL ATTACH ANY DEVICE OR WIRE OF CONSTRUCTION ACTIVITIES, AND SHALL REMAIN IN PLACE UNTIL THE TOTAL REPLACEMENT TREES PROVIDED:
4. TREE PROTECTION FENCING TO BE APPROX LOCATION TREE PROTECTION DETAIL-SECTION

TOTAL NUMBER OF TREES TO BE REMOVED (L2):

TOTAL REPLACEMENT TREES PROVIDED:

SITE

SILVERBELL RD.
BALD MOUNTAIN RD.
DUTTON RD.

DESCRIPTION:

Part of the Southeast 1/4 of Section 15
30 feet East
Orion Township
Oakland County, Michigan

DESIGNED BY:

NOWAK & FRAUS ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
NOWAK & FRAUS ENGINEERS
101 MONTRAVELL AVE
PONTIAC, MI 48342-5032
TOLL FREE: 1-888-606-5782
FAX: 1-734-543-1427
WWW.NOWAKFRAUS.COM

March 21, 2021

SCALE: 1" = 50'
GENERAL TREE PROTECTION NOTES

1. Tree preservation guidelines and requirements shall be provided by the owner of the property. By signing this agreement, the owner agrees to abide by all guidelines and requirements.

2. The construction project shall not begin until all required tree protection measures have been completed and approved by the owner.

3. Tree preservation guidelines and requirements shall be provided by the contractor. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

4. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.

5. During construction, no person shall attach any device or wire to any tree, nor shall any person enter any tree or remove any branches or leaves from any tree.

6. The owner shall provide tree preservation guidelines and requirements to the contractor. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

7. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.

8. Tree preservation guidelines and requirements shall be provided by the contractor. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

9. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.

10. Tree preservation guidelines and requirements shall be provided by the owner. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

11. The owner shall provide tree preservation guidelines and requirements to the contractor. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

12. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.

13. Tree preservation guidelines and requirements shall be provided by the owner. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

14. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.

15. Tree preservation guidelines and requirements shall be provided by the owner. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

16. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.

17. Tree preservation guidelines and requirements shall be provided by the owner. By signing this agreement, the contractor agrees to abide by all guidelines and requirements.

18. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.

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30. The contractor shall not begin construction until all required tree protection measures have been completed and approved by the owner.
TOWNSHIP NOTES

DECIDUOUS TREE PLANTING DETAIL

PROJECT SCHEDULE

PLANT SCHEDULE

LANDSCAPE REQUIREMENTS

NOTES:

1. BRANCHES. DO NOT PRUNE TERMINAL LEADER.

2. LANDSCAPE ARCHITECT FOR HEAVY CLAY SOILS AS IT BORE ORIGINALLY OR SLIGHTLY.

3. REMOVE AFTER ONE (1) YEAR.

4. FROM TREE TO STAKE OPPOSITE.

5. TREE PIT = 3X 4" GAS

6. 8" TREE = 2

7. 6" TREE = 3-BN

8. 4" TREE = 4

9. River Birch

10. Gymnocladus dioica

11. Betula nigra

12. TYPICAL SOD LAWNS AREAS, SOWN ON 3" TOPSOIL

13. RESTORE EXISTING LAWN AREAS W/ HYDROSEED AND MULCH

14. PROVIDE CLEAN BACKFILL SOIL, USING MATERIAL STOCKPILED ON-SITE. SOIL DISCREPANCY BETWEEN PLAN AND PLANT LIST, THE PLAN SHALL INDICATED IN PLANTING DETAILS.

15. SLOW-RELEASE FERTILIZER SHALL BE ADDED TO THE PLANT PITS BEFORE SUPPLY PLANT MIX DEPTH IN ALL PLANTING BEDS AS INDICATED IN PLANT DETAILS.

16. NOWAK & FRAUS ENGINEERS

17. CIVIL ENGINEERS

18. LAND SURVEYORS

19. LAND PLANNERS

20. CALL 811 BEFORE YOU DIG.

SCALE: 1" = 30'
Plan View
Scale: 1" = 40ft

General Note
1. See schedule for luminaire mounting-height.
2. Calculations are shown in footcandles at 0'-8'.

The engineer and/or architect must determine suitability of the layout to existing / future field conditions. This lighting layout represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with illuminating engineering society approved methods. Actual performance of any manufacturer's luminaire may vary due to variation in electrical voltage, tolerance in lamp and other variable field conditions.

These lighting calculations are not a substitute for professional engineering analysis of lighting system suitability and safety. The engineer and/or architect is responsible to review for Wisconsin energy code and lighting quality compliance. Unless exempt, project must comply with lighting controls requirements defined in ASHRAE 90.3 2013. For specific information contact Gasser Bush at 734-266-6705.

Ordering Note
For inquiries contact Gasser Bush at quotes@gasserbush.com or 734-266-6705.

Alternative Note
The use of fixtures alternates must be submitted to the city for approval.

Plan View
Scale: 1" = 40ft

Mounting Height Note
Mounting height is measured from grade to face of fixture. Pole height should be calculated as the mounting height plus base height.

Drawing Note
This drawing was generated from an electronic design or restoration purposes only. Layout to be verified on field by others.

General Note
1. See schedule for luminaire mounting-height.
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