Public Hearing at 7:05pm: PC-2021-49, M-24 Rezone Request, the request is to rezone 2410 S. Lapeer Rd. (parcel 09-23-301-005) and vacant parcels 09-23-301-012 & 09-23-301-013 (both south of 2410 S. Lapeer Rd.) from Office Professional (OP) to Multiple Family-2 (RM-2).

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

***** A G E N D A *****

REGULAR MEETING – WEDNESDAY, JUNE 16, 2021 - 7:00 P.M.
ORION COMMUNITY CENTER
1335 JOSLYN ROAD, LAKE ORION, MI 48360

Public Hearing at 7:05pm: PC-2021-49, M-24 Rezone Request, the request is to rezone 2410 S. Lapeer Rd (parcel 09-23-301-005) and vacant parcels 09-23-301-012 & 09-23-301-013 (both south of 2410 S. Lapeer Rd.) from Office Professional (OP) to Multiple Family-2 (RM-2).

1. OPEN MEETING

2. ROLL CALL

3. MINUTES
   A. 06-2-21, Planning Commission Regular Meeting Minutes
   B. 06-2-21, PC-2021-47 Orion Village Center Special Land Use Public Hearing Minutes

4. AGENDA REVIEW AND APPROVAL

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

6. CONSENT AGENDA

7. NEW BUSINESS
   A. PC-2021-49, M-24 Rezone Request, the request is to rezone 2410 S. Lapeer Rd (parcel 09-23-301-005) and vacant parcels 09-23-301-012 & 09-23-301-013 (both south of 2410 S. Lapeer Rd.) from Office Professional (OP) to Multiple Family-2 (RM-2).
   B. PC-2021-51, Kay Industrial Site Plan, located at 50 Kay Industrial Dr., parcel 09-35-400-033
   C. PC-2021-52, Kay Industrial Site Plan, located at unaddressed parcel 09-35-400-044 (a parcel south of 100 Kay Industrial Dr.)

8. UNFINISHED BUSINESS
   A. PC-2019-04, Orion Storage Site Plan, located at 1781 W. Clarkston Rd., parcel 09-16-226-001

9. PUBLIC COMMENTS

10. COMMUNICATIONS

11. PLANNERS REPORT/EDUCATION
    A. Planned Unit Development Article

12. COMMITTEE REPORTS

13. FUTURE PUBLIC HEARINGS
    A. 7-7-21 at 7:05p.m., PC-2021-50, Township Initiated Text Amendment to Zoning Ordinance #78, Assemblies

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, June 2, 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             Kim Urbanowski, BOT Rep to PC
Jessica Gingell, Commissioner     Joe St. Henry, Secretary
Don Gross, Vice-Chairman            Don Walker, PC Rep to ZBA
Garrett Hoffman, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
None

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

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Paul Deters     Idan Kalabat
Tracy Rubin     Bill Grannis

3. MINUTES
A. 05-19-21, Planning Commission Regular Meeting Minutes
B. 05-19-21, PC-2021-45, Mountain Substation SLU Public Hearing Minutes.
Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski to approve both sets of minutes as submitted. Motion carried

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, to approve the agenda as amended. (Switch 7A to 7D) 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-2021-47, Orion Village Center, Special Land Use request for an outdoor cafe, located at 600 S. Lapeer Rd., 09-11-428-015 at 7:05 pm and closed the public hearing at 7:06 pm.
Chairman Reynolds asked to be recused due to seeing the preparation of drawings for the applicant for PC-2021-47, Orion Village Center.

Moved by Commissioner Walker, seconded by Trustee Urbanowski, that Chairman Reynolds be recused from PC-2021-47, Orion Village Center.

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

7. NEW BUSINESS
A. PC-2021-47, Orion Village Center, Special Land Use request for an outdoor café and amendment to Site Plan, located at 600 S. Lapeer Road, 09-11-428-015
Acting Chairman Gross asked if the applicant had anything more to add? They did not.

Planner Fazzini read through his review date stamped May 24, 2021.

Acting Chairman Gross asked if the applicant had anything to respond to regarding the Planners review?

Mr. Bill Grannis, Opa Foods & Spirits, 600 S. Lapeer Rd., stated that on the print there is a fencing barrier already drawn in. He said if there were any questions it could be updated so they could see it better. He added that they have for a lot of years had the garage doors open, so, as far as the noise they don’t get complaints. He knew that they have changed the rules with the liquor control too as far as carry out liquor and eased up on some of the rules that they had, because of COVID but they are going to keep it contained inside.

Trustee Urbanowski stated this was considered a café because of the alcohol service. She asked if they were moving into the space next door as well? Mr. Grannis replied they are. Trustee Urbanowski asked if they were expanding what was already there? Mr. Grannis replied correct. Trustee Urbanowski asked if there was going to be any live music? Mr. Grannis said that they have in the past but it was not an event place. Trustee Urbanowski asked if the sidewalk was on there? Planner Fazzini replied that it appeared to be met they just requested a dimension of 5-ft. just to show that it is 5-ft. Trustee Urbanowski asked assuming that they are going to just continue the same materials into that extra space? Mr. Grannis replied yes.

Trustee Urbanowski asked if they needed to address some of the things on page two about outdoor cafés? She wasn’t sure if they needed to because it was just an extension of what they are already doing. She stated that they did do a sketch plan of the tables.

Secretary St. Henry asked if the garage door will still be in place, and will they still open those for that side? Mr. Grannis replied yes.

Commissioner Walker said that he noticed somewhere there was a reference to the width, the wide driveway that is next to it. He asked how close is the end of that fence going to be from the driveway? Mr. Grannis said it will be the driveway, then their entrance, then the fencing. He added that it will be just as it is now it will just be pulled out a little bit. The outdoor seating already exists, they are making it bigger. Commissioner Walker questioned if the patrons won’t have access to that driveway because the fencing will keep them in? Mr. Grannis replied yes. He added that they have to go through the restaurant and come out the door.

Secretary St. Henry asked if the new outdoor seating goes to the full length of the restaurant including the new section? Mr. Grannis replied yes.
Moved by Trustee Urbanowski, seconded by Commissioner Hoffman, that the Planning Commission approve PC-2021-47, Orion Village Center Renovation, Special Land Use request for an outdoor café, located at 600 S. Lapeer Rd., parcel 09-11-428-015 for plans date stamped received May 4, 2021. This approval is based on the following findings of facts: it is compatible with adjacent uses, it is just an extension of what already exists; there are adequate public services, as was mentioned in the Fire Marshal’s review; no further impact on traffic; no detrimental effects; it is enhancing the surrounding environment, making the business more open to customers.

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

Moved by Trustee Urbanowski, seconded by Secretary St. Henry that the Planning Commission grants site plan approval PC-2021-47, Orion Village Center amended site plan, located at 600 S. Lapeer Rd., parcel 09-11-428-015 for plans date stamped received May 4, 2021, based on the following findings of facts: in terms of unresolved issues, they will put the 5-ft. dimension for the walkway on the plan; the plans will identify the lighting issues; that the parking dimensions will be put on the site plan; this is an extension of something that already exists.

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

B. PC-2201-48, Kohls/Sephora Minor PUD Modification (sign addition), located at 4872 Baldwin Road, 09-32-351-020.
Chairman Reynolds asked if the applicant was present?

Mr. Paul Deters with Metro Signs and Lighting, 11444 Cults Ave., Warren, MI presented.

Mr. Deters said they were before them this evening because Kohl’s is undergoing a change in its retail locations. They have signed an agreement with Sephora at over 200 of their locations where Sephora is basically opening up a store within the store almost. It is a unique arrangement that they have come together, it is probably going to become the most prominent brand or offering within the Kohl’s stores. He said that the Sephora brand was very prominent in JC Penney locations previously. Now they have struck a relationship with Kohl’s which is a much more financially strong company, in the effort that they are going to be able to continue that brand because it is such a big and important part of the brand and has such a nice following. They wanted to make sure that they could communicate that at all their stores so they have asked for some identification in addition to the existing Kohl signs for consumers to identify that.

Planner Fazzini read through his review date stamped May 27, 2021.

Trustee Urbanowski said because the Sephora brand is known for the black and white strips, and typically that goes as a frame around the store itself. She wondered if it is not considered part of the sign itself to have that framing around it if that needs to be considered in the calculation? Chairman Reynolds said that most of the time it is in reference to the text, font, or verbiage, the slogan that is being stated. Even though a brand or an item might be looked at as a whole it is typically going to be architectural features. There are some discretions sometimes but it’s part of the building. Planner Fazzini said that they define architectural features separately from a sign, typically a sign means a commercial message, which is like a fake coin feature. If it was closer to the sign maybe like coming off of the sides they might box it in that way, but they didn’t look at those improvements as a sign.
Trustee Urbanowski said that they have had requests for two signs before, Walgreens, and Chase Bank. It would help to identify Kohl’s as being one of the places that Sephora is part of Kohl’s now. She thought it would be an added benefit for people looking for that particular store.

Secretary St. Henry said that he was looking at the graphic illustration of the front of the building that was included in the proposal. They have the main Kohl’s sign and then the Sephora sign. He asked if the Sephora sign would be over each entrance or just the one entrance. Mr. Deters replied just the one entrance. Secretary St. Henry asked if there was a consideration why they wouldn’t put it over both of them or was it just a matter of trying to stay in compliance? Mr. Deters replied that part of it is just realizing what the code restrictions are within the Township, and then the other thing is it is going to be closer to where they intend to have the Sephora section of the store, it will help identify because a lot of people are going to go there just for that name.

Vice-Chairman Gross said in this day and age where retailers are having a tough time staying afloat, he thought anything they can do to help them manage their business and make the public aware of what they have to offer he thought would be a benefit to them and hopefully the community as well.

Commissioner Walker said in the request he wasn’t talking about the additional sign but the additional square footage and it was 12-ft. On the façade of the building that is a pretty small number, he thought. He thought that the petitioner has taken their ordinance into consideration with regards to the number of signs, and he appreciated that, not coming in and asking for everything and hoping to get half.

Moved by Commissioner Walker, seconded by Vice-Chairman Gross, that the Planning Commission approve PC-2021-48, Kohl’s/Sephora PUD Minor Amendment, requesting 1 additional wall sign, located at 4872 Baldwin Rd. (Sidwell #09-29-351-020), for plans date stamped received May 12, 2021. This is based on the following findings of facts: the revision will be a benefit to future users of the project; this will help the citizens of Orion know that Sephora is in there, and because the placement of the sign will help them locate where inside Kohl’s the Sephora section is located; it will probably help increase in the use of public services facilities, and utilities; it will not place an unreasonable burden upon the existing PUD; it will not result in unreasonable negative economic impact; this revision will allow the PUD to continue to promote the preservation of any of the natural resources and features that were in the original PUD.

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

C. PC-2021-50, Township Initiated Text Amendment to Zoning Ordinance #78, Assemblies

Chairman Reynolds said there was not a formal review from their Planner. He stated that this was brought forth to them tonight just based on some verbiage needing to be updated and some languages, essentially changing some of their language in our zoning ordinance throughout. When referred to typically as a church they are having an amendment to essentially speak to places of worship. From his understanding this text amendment change is best practices moving forward there are some reviews in their packet that speak to it.

Planning & Zoning Director Girling stated that she will advertise for the public hearing she just wanted them to have it ahead of time. They had some room on their agenda this evening, and when they have room on the agenda there is usually a text amendment. They can see what is being deleted and what is being added. It will be as any text amendment it will be given to the
attorney between now and the public hearing to make sure that what they have proposed is acceptable and they will have their public hearing a month from now after it is advertised.

Vice-Chairman Gross thought it made a lot of sense. It is just a clarification of the ordinance.

Moved by Chairman Reynolds, seconded by Commissioner Hoffman, to receive and file the text amendment and move forward with the next steps with staff.

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

D. PC-2018-31, Brown Road Hyatt House Site Plan Extension, located at unaddressed parcel 09-32-378-075 just south of 4930 Huston Dr. (moved from 7.A)

Chairman Reynolds asked the petitioner to state their name and address for the record and give a brief overview of why they are asking for an extension.

Mr. Iden Kalabat with Kalabat Engineering 31333 Southfield Rd. Suite 250, Beverly Hills, MI presented.

Mr. Kalabat said that this project is a hotel development that was originally approved a year ago. They had a one-year extension due to the COVID19 pandemic. They are at this point requested an additional six-month extension, that six-month extension coincides with a six-month extension that they just recently received from the franchise, Hyatt, for this project as well, for branding and developing that. Over the past year, finance engines have been nonexistent for new construction hotels, those are starting to come back in a strong force. Not quite strong now but there is promise on those finance engines getting moving again right now. Whereas before the pandemic they were looking at an 80% loan to value with the financing options that were available for new hotels, that obviously went away over the last 3-4 months, a lot more private financial institutions have been entertaining 60% loan to cost ratio finance engines on them. They are starting to see that trend kind of pick up. The financial institutions are seeing a light at the end of the tunnel in the hotel industry and so they are looking at the next 6 months here to see if this project is something that is viable, is feasible, can be funded, and actually has a need and use for success. They still believe that the location and the project itself would bring value to the area, be a great success in this area. They think the location is excellent for this property and this product. They don’t want to continue to take too much of the Township’s time in just letting that property sit around, so 6-months would kind of coincide with the franchise extension. If it is not in the cards at that point then they would entertain and start looking at other development options for this property.

Chairman Reynolds said that there were obviously some ongoing issues with the pandemic and a couple of other extensions that they had granted previously.

Vice-Chairman Gross stated that he doesn’t want to see them again, he would rather give them a one-year extension.

Trustee Urbanowski said reading back through the notes it was actually April 8th, so if they have to extend it from April 8th then they are already a couple of months into that 6-month extension.

Planning & Zoning Director Girling stated that there was the State of Emergency from the Supervisors office a 3-months of wiggle related to COVID on basically any of them. It still comes to play on the calculation of how much they are going to give them, but they are not late on coming back because of that.
Chairman Reynolds said that they are a couple of months in if they grant a six-month extension, it is truly four at this point and time from today’s date or close to it. They have extended this project out before, he knew that COVID really has thrown quite the curveball in the mix. He thought if the project is still moving forward and there is due diligence being done, he was in favor of a one-year extension.

Commissioner Hoffman said he would be in favor of 1 year as well. He noted that this is not the only one that came before them asking for an extension because of financing. They are definitely aware of the financing issues out there.

Moved by Secretary St. Henry, seconded by Commissioner Hoffman, that the Planning Commission approves the site plan extension request for PC-2018-31, Brown Road Hyatt House Hotel Site Plan for one year from today’s date. This approval is based on the following findings of facts: that COVID pandemic and the fall out from it has resulted in financial challenges for the applicant, with the market improving and continue due diligence in place they thought that this was a fair extension on the project.

Discussion on the motion:

Mr. Kalabat thanked the board for the one-year extension. He said he didn’t want to overreach their request so he really appreciated their understanding and working with them on it.

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

8. UNFINISHED BUSINESS
A. PC-2021-07, Master Plan Update
Planner Fazzini said that they will have the survey summary that was requested for the market assessment, leadership advance survey, and then the posters to them early next week for any comments before the 16th Open House.

Chairman Reynolds stated that this is alluding to their next meeting which is on June 16th from 4:00-6:30 pm. They welcome everyone’s public input no matter what their skill set level is. He knew that there was a press release that went out from the Township, it went out in the Orion Review. They welcome everyone’s discussion points; this is the initial information-gathering phase from that. They are going to take that information along with the leadership survey results, the online survey results, and start compiling that data into what they would call their Master Plan. This is a big process, this is the time to put their input in and hoped that everyone comes out with great force, all ages, all occupations, any interest that they have please come forth. If you can’t make it feel free to reach out to them, they are available. The Master Plan updates landing page is on the main page of the Township website. There are many opportunities for them to provide input and review. He believed that there was going to be some items as a follow up to their workshop that will stay open for a period to allow some continued interaction, so if they weren’t physically able to come, whether it be COVID restrictions or guidelines, or just a general conflict in their schedule there is still an opportunity and there will be additional opportunities moving forward. Please make sure that they participate in any way shape or form that they will be able to.
Secretary St. Henry thought that there was a new story in the Oakland Press, and a couple of other publications over the last few days too, so people probably have seen that and it includes more detail.

Trustee Urbanowski said that they are two weeks away from it, what should they be doing to prepare for it because they are going to have a roll. She asked if they were going to be assigned a station? Do they get to pick a station they are interested in? She wondered what they need to be doing to get ready for it. Planner Fazzini said just to encourage people to come. He added that there is nothing expected of them to do at the Open House so they can view it as a resident and participate in the engagement dot poster samples there. He said he would just treat it as a resident of the Township and encourage people to come. It will not be the last point of public input it is part of the package of everything that they are going to consider. If there are certain things that they would like to see in the Master Plan or certain things emphasized or focused on maybe look at those posters if it is housing or PUD’s, safety paths. Some of the information will be general, wetlands, woodlands, preservation things that apply to every community, then some information will be more focused on the issues they have been experiencing like the PUD’s. He said he would just come with an open mind approach. Trustee Urbanowski said she was confused because she thought they were all going to take a station. Planner Fazzini said they can. Secretary St. Henry said what he would recommend that amongst them they each decide who is going to be stationed at each one and kind of be the host of each table. He added that if they wanted to, they could maybe halfway through switch it up if they want just for mixing it up. What he would strongly recommend is that they come prepared with the ability to take some notes, depending on how many people come, so they have clear detailed notes from what people are telling them. He thought that beforehand they could divvy it up, and if they like the idea, which he thought would be good, just switch it up halfway through if they get a chance. Planner Fazzini said sometimes they will find that some people make really interesting comments, but they have to get them to write it down, so the next day they remember, so that will be part of hosting each poster is to try to document really important things or feedback points.

Chairman Reynolds stated that they are attending as Planning Commissioners but also the citizens that they are and help facilitate some conversations and get most importantly public input. Let’s get some friends and family and people here because that is what is really going to make the input and discussion points to be rich in comments and give them a lot of discussion points in moving forward with developing their Master Plan.

9. PUBLIC COMMENTS
None.

10. COMMUNICATIONS
None.

11. PLANNERS REPORTS/EDUCATION
A. Community Planning Update Spring 2021 Issue

Planner Fazzini said that the PDF in Boardbook they provided didn’t have the clickable links so he sent Planning & Zoning Director Girling the direct link to that newsletter so that they can read the entire thing. It is an article on tiny houses, some of the implications for zoning, building codes, things like that should any community desire to permit them, what would be some of the roadblocks to allowing them. Chairman Reynolds said always changing scenery on different housing types, at least what is allowable by zoning.
12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
Chairman Reynolds said it would be great if everyone could shoot a text or a phone call out to 5-6 people and encourage those people to bring a few. He thought a lot of people were fearful of participation because they don’t feel like they are qualified. That is what they and their professionals are here to do is help to facilitate and discuss and pull out that information that is going to be important to people for Master Plans moving forward. Post on Facebook, send a couple of emails out, but let’s bring a few people along and see if they can make it the most populated Open House they have had.

15. COMMISSIONERS’ COMMENTS
Trustee Urbanowski congratulated Commissioner Hoffman on his new baby boy.

Secretary St. Henry said he knew that there were a lot of golfers out there and a lot of people that have been impacted one way or the other by breast cancer. He wanted to give them a heads up that the 6th annual Mothers Wish Golf Outing is taking place on August 28th at Indianwood Golf & Country Club. Last year it was suspended because of COVID and he knew that there was a lot of pent-up demand for getting out and hitting the links. Last time they held the event there were over 100 golfers. For those who are not familiar with the Mothers Wish, it is a charity that was started about 12 years ago by a number of women here in the Orion community in memory of a beloved teacher Kathy Luby who succumbed to the disease. The ladies of this group, it is truly a grassroots effort, each month they provide $1,000 grants to families who are impacted by breast cancer, and those grants can be used for anything that family needs while they are going through treatment. They have treated over 350 women since the launch of this charity several years ago across Oakland County. The golf outing is on August 28th, and they hope to make it just as big as the last time the event was held. For more information visit amotherswishmichigan.com.

Commissioner Walker stated that this Friday at 8 pm the library because of the huge demand is having their first outdoor movie showing. They don’t know what the movie is yet but it is a G or a PG, it is for kids, it will be outside, the seating will be socially distant, it is free. There will be concessions, he was in charge of that. He hoped that they could all come and bring their kids or grandkids. So, it is at 8 pm weather permitting, it was delayed a month, he hoped it will not be delayed again.

16. ADJOURNMENT
Moved by Commissioner Hoffman, seconded by Vice-Chairman Gross, to adjourn the meeting at 7:49 p.m. Motion carried.

Respectfully submitted,
The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, June 2, 2021, at 7:05pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, MI 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Don Walker, PC Rep to ZBA
Kim Urbanowski, BOT Rep to PC
Joe St. Henry, Secretary
Garrett Hoffman, Commissioner

Scott Reynolds, Chairman
Don Gross, Vice-Chairman
Jessica Gingell, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
None.

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Paul Deters Iden Kalabat
Tracy Rubin Bill Grannis

PC-2021-47, Orion Village Center, Special Land Use request for an outdoor cafe, located at 600 S. Lapeer Road, 09-11-428-015.

Ms. Tracy Rubin the owner of the shopping center at 600 S. Lapeer presented. She stated that they are requesting some outdoor seating to help promote business. She added that restaurants have suffered with COVID and social distancing so anything that can help small businesses and businesses in this community she supported and that is why they were there.

Chairman Reynolds asked if there were any citizen input? There was not.

Chairman Reynolds asked if there were any comments from the Commissioners? There was not.

Chairman Reynolds closed the public hearing at 7:06 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion
TO: The Charter Township of Orion Planning Commission  
FROM: Tammy Girling, Zoning/Planning Director  
DATE: June 10, 2021  
RE: PC-2021-49, M-24 Rezone Request

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

Rezone Request (Ord. 78, Section 30.04)

Motion: I move that the Planning Commission forwards a recommendation to the Township Board to approve/deny PC-2021-49, M-24 rezone request to rezone 2410 S. Lapeer Rd (parcel 09-23-301-005) and vacant parcels 09-23-301-012 & 09-23-301-013 (both south of 2410 S. Lapeer Rd.) from Office Professional (OP) to Multiple Family-2 (RM-2) as depicted on the plan date stamped received 5/19/2021. This recommendation to approve/deny is based on the following findings of facts:

a. The objectives of the Master Plan (Insert findings of facts),  
b. Existing uses of property within the general area of the property in question (Insert findings of facts),  
c. The zoning classification of property within the general area of the property in question (Insert findings of facts),  
d. The suitability of the property in question to the uses permitted, under the existing zoning classification (Insert findings of fact),  
e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification (Insert findings of facts).  
f. Any additional findings of facts.

If the motion is to recommend approval it is conditioned upon:  
(motion maker to insert any conditions).
June 7, 2021

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

Rezoning Review
Request: from OP to RM-2

Case No: PC-2021-49
Site: 2410 S. Lapeer Road
Applicant: David Stollman
Plan Date: 5/19/2021 (stamped)
Zoning: OP Office & Professional
Parcel ID: 09-23-301-005, -012 & -013

Dear Planning Commission Members:

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

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

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

a. The objectives of the Township’s Master Plan.
b. Existing uses of property within the general area of the property in question.
c. The zoning classification of property within the general area of the property in question.
d. The suitability of the property in question to the uses permitted under the existing zoning classification.
e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

SUMMARY OF FINDINGS

Existing Conditions

1. Site. The site consists of three undeveloped parcels totaling 15.95 acres located on the west side of South Lapeer Road immediately north of Home Depot. The site has 818 feet of frontage along South Lapeer Road. Safety paths are not present along this portion of Lapeer Road. The site is heavily wooded and contains a small area of potential wetlands in the southwest corner of the site as indicated on the last page of this review. The applicant has submitted a written explanation of the purpose of this request which includes recent history of rezoning and development proposals for the parcels in question. The site is not within the Lapeer Road Overlay District.

June 2019 Google Street View image of the site’s frontage looking west from Hram Street
2. **Adjacent zoning & land uses.**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>PUD</td>
<td>Parkview at Orion Commons, Villas at Parkview, LO KinderCare</td>
</tr>
<tr>
<td>East</td>
<td>R-1, OP, RB</td>
<td>Round Tree Subdivision, Office, Strip Center</td>
</tr>
<tr>
<td>South</td>
<td>GB</td>
<td>Home Depot</td>
</tr>
<tr>
<td>West</td>
<td>SE</td>
<td>Large Lot Single-Family</td>
</tr>
</tbody>
</table>

![Map showing adjacent zoning and land uses](image-url)
Master Plan

3. **FLU Map.** The Future Land Use Map designates the north half of the site (09-23-301-005) as Multiple Family Low Density and the south half of the site (09-23-301-012 & -013) as General Office. This split designation may be due to the different property ownership between these two areas and extensions or transitions from existing developments to the north (Villas at Parkview PUD) and south (Home Depot) of the site.

**Multiple Family Low Density**

"Multiple Family Low Density Residential is planned for selected areas along Lapeer Road (M-24) as a buffer from the more rural residential neighborhoods to the east and west of the corridor. The planned density for these areas is between 5 to 7 dwelling units per acre, depending on the number of rooms per unit (defined in the Zoning Ordinance). Proximity to a major thoroughfare, utilities, commercial amenities and the limited presence of significant natural resources makes these areas viable for multi-family uses. The correlating zoning classification is the RM-1, Multiple Family Residential zoning district at a density of 20.1 rooms per acre."

**General Office**

"General Office uses in the Township are implemented through use of the Office and Professional District (OP) of the Zoning Ordinance, and located predominantly within the Lapeer Road corridor. General Office areas are intended to provide for development on small sites and to be limited to uses that will be relatively compatible with residential uses. Direct access to a major thoroughfare or collector street is key to the viability of these uses, which include administrative offices of all types. Professional offices for administrative services, including medical, are anticipated to be the predominant office use, while service type uses are also permitted under certain situations. The standards applicable to these areas reflect the intent to be able to place the uses on small parcels of land, with comparable small setback requirements (see the Zoning Ordinance)."
4. **Master Plan Text.** The 2015 Master Plan text, including the Objectives, also provide guidance related to this request. Below are several sections that broadly relate to this rezoning request.

**IV. Environmental Resources**

**Goal A:** To preserve the natural features of Orion Township.

**Objective III:** Enforce the Township Woodland Protection Ordinance in order to minimize tree loss and disruption of valuable wooded areas.

**Goal B:** To provide environmentally sustainable developments.

**Objective I:** To implement low-impact development (LID) techniques to accommodate development while preserving existing natural features.

**VI. Transportation and Thoroughfares**

**Goal A:** To provide a traffic circulation system that safely and efficiently serves residents and businesses located within the Township.

**Objective IV:** To encourage improved roadway aesthetics.

**Objective VI:** To strive toward a balanced relationship between the transportation system and the overall land use pattern.

**Policy 2:** Alternative development proposals should be analyzed to determine the amount of traffic that will be generated and how the increased traffic will affect the transportation system.

**Objective VII:** To reduce or limit conflicts between land use and traffic wherever possible.

**Policy 5:** Improve the efficiency and safety of Baldwin Road and Lapeer Road corridors.

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

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

**VII. Growth Management**

**Goal A:** To guide growth within Orion Township in a rational and sequential manner which will avoid patterns of sprawl and “leapfrog” development. Innovative and flexible approaches for growth management shall be employed which will prevent overcrowding, protect critical open space, preserve a balance of housing options, and minimize traffic congestion.

**Objective I:** Direct higher-density residential and commercial development to appropriate areas of the township in order to maintain the rural character of low-density areas.

**VII. Residential Areas**

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

**Objective II:** To provide for the development of new, high-quality single-family residential growth at varying densities.

**Objective III:** To provide appropriate areas for housing other than conventional single-family homes.

**Objective IV:** To encourage the use of land in accordance with its character and adaptability through the use of innovative planning techniques that will result in substantial benefit to future residents and to the township.

www.giffelswebster.com
Zoning Ordinance Considerations

5. **RM District Intent.** The intent of the Multiple Family Residential Districts (RM-1 & RM-2), from Zoning Ordinance Section 7.00 – Preamble, is as follows:

“The Multiple Family Residential Districts are intended to provide locations for a variety of residential land uses to meet the housing needs of people who cannot or choose not to live in single-family residences. These multiple family districts provide locations for garden apartments, townhouses, duplex, triplex, and quad-plex units, and in a medium-low to medium-high density context.

Multiple Family Residential Districts are typically mapped so as to provide a transition between non-residential districts and nearby single-family residential districts. These districts should have direct access onto an existing or proposed major thoroughfare.”

6. **Section 7.04 – Area and Bulk Requirements.** C. Maximum Number of Dwelling Units Per Acre.

1. The number of dwelling units (du) per acre in the RM Districts shall not exceed the following:

   RM-1: 6 du/acre  
   RM-2: 8 du/acre

**Planner Comments:** The Zoning Ordinance does not include substantially different requirements between the RM-1 and RM-2 districts with the exception of the maximum permitted dwelling units per acre being slightly higher in the RM-2 district as indicated above. With a site acreage of 15.95, the maximum permitted number of units under each zoning district would be as follows, excluding other Zoning Ordinance requirements that would reduce the feasible number of units on the site:

   RM-1: 6 du/acre @ 15.95 acres = 95.7 units  
   RM-2: 8 du/acre @ 15.95 acres = 127.6 units

Given the large acreage of the site, 25% more units (31.9) would be permissible under RM-2 zoning than RM-1 zoning. If desired, the Planning Commission may request the applicant address potential development of the site under RM-1 zoning (not requested) as the written explanation submitted as part of the application does not address development under the RM-1 district, which correlates to the Multiple Family Low Density classification on the north half of the site.

Additionally, it is our understanding that there is only one other site within the township zoned RM-2 currently, being the Orion Village development located on the south side of Maybee Road, east of South Baldwin Road. This lack of RM-2 zoning may be due to multiple reasons, including: the lack of difference between the RM-1 and RM-2 districts other than density, a lack of successful rezoning proposals to RM-2 (we are not aware of any), the significant use of PUD’s for residential development within the township instead of rezoning to the RM districts.
Charter Township of Orion Planning Commission
Rezoning Application

30.04, Amendments to the Zoning Ordinance: Map amendments may be initiated by any governmental body or any persons having a freehold interest in the subject property, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest entitled to exclusive possession or which is specifically enforceable.

Project Name:

Applicant

Name: Ernest Development, LLC  attn: David Stollman
Address: 736 S. Pleasant City: Royal Oak State: MI Zip: 48067
Phone: 248.563.5800 Cell: Fax:
Email: Dstollman@me.com

Name: Multiple property owners - see attached sheet
Address: __________________________ City: __________________________ State: ______ Zip: ______
Phone: __________________________ Cell: __________________________ Fax: __________________________
Email: __________________________

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

Name: Atwell attn: John Ackerman
Address: Two Towne Square, Suite 700 City: Southfield State: MI Zip: 48076
Phone: 248.447.2000 Cell: Fax:
Email: jackerman@atwell-group.com

Plan Preparer Firm/Person

Name: David Stollman
Address: 736 South Pleasant Street City: Royal Oak State: MI Zip: 48067
Phone: 248.563.5800 Cell: Fax:
Email: Dstollman@me.com
Sidwell Number(s): 09-23-301-005, 09-23-301-012 & 09-23-301-013

Location or Address of Property: 2410 S. Lapeer Rd, Lake Orion, MI 48360

Side of Street: West Nearest Intersection: Lapeer & Greenshill

Acreage: 15.95 ac Current Use of Property: Vacant

Frontage (in feet): Approx. 818' Depth (in feet): Approx. 985'


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

Requested Zoning Classification: RM - 2 Multiple Family Residential

Existing Use of Property: Vacant Proposed Use of Property: Multifamily Residential

Explain why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership: Please see attached sheet for answers to these three questions.

Explain why the existing zoning classification is no longer appropriate:

Explain why the proposed rezoning will not be detrimental to surrounding properties:
I/We, the undersigned, do hereby submit this application for Rezoning, pursuant to the provisions of the Charter Township of Orion
Zoning Ordinance; No. 78, Section 30.04 and applicable ordinance requirements. In support of this request the above facts are
provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: ___________________________ Date: 5/10/21
Print Name: David Stillman on behalf of Ernest Development LLC

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: ___________________________ Date: ______________
Print Name: ____________________________________________

Signature of Owner: ___________________________ Date: ______________
Print Name: ____________________________________________

Signature of Owner: ___________________________ Date: ______________
Print Name: ____________________________________________
I/We, the undersigned, do hereby submit this application for Rezoning, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.04 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant:  
(must be original ink signature) ____________________________ Date: ____________________________

Print Name: ____________________________

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

Signature of Owner:  
(must be original ink signature) ____________________________ Date: 5/3/2021

Print Name: ____________________________

Signature of Owner:  
(must be original ink signature) ____________________________ Date: 5/5/2021

Print Name: ____________________________
I/We, the undersigned, do hereby submit this application for Rezoning, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.04 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant:
(must be original ink signature) ____________________________ Date: __________________

Print Name: ____________________________________________

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

Signature of Owner:
(must be original ink signature) ____________________________ Date: 5/8/2021

Print Name: ____________________________________________

Signature of Owner:
(must be original ink signature) ____________________________ Date: __________________

Print Name: ____________________________________________
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-5904 ext. 5002; Fax (248) 391-1454

Project Name__________________________________________

PC#____________________Parcel#(s)________________________

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

5/10/21
Date

David Stillman on behalf of Ernest Development LLC
Printed Name of Applicant

736 Sot
SURVEY FOR BUILDER/DEVELOPERS

Did you know Orion Township is located within the Clinton River Watershed?

A watershed is another name for a river basin. It is an area of land that drains into a common body of water. Did you know that rain water and melting snow makes its way into our lakes and the Clinton River after it leaves the parking lot or storm drain? Orion Township, along with our neighboring communities, is in the process of developing a watershed management plan to comply with Federal stormwater permit regulations to improve the quality of stormwater generated from new development and redevelopment. Your opinion on the following questions would be appreciated. Please answer these short questions and return to the Building Department.

1. Please rate the following governmental goals and objectives.

<table>
<thead>
<tr>
<th></th>
<th>Very Important</th>
<th>Important</th>
<th>Not Important</th>
<th>Don't know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improving Recreational Quality &amp; Opportunities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preserving Fish &amp; Wildlife Habitat</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reducing erosion and flooding</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Protecting wetlands and woodlands</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. How significant do you believe the problems caused by soil erosion, chemicals such as fertilizer, oil and pesticides are in the watershed?

<table>
<thead>
<tr>
<th>Very Significant</th>
<th>Somewhat Significant</th>
<th>Insignificant</th>
<th>Don't Know</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Are you aware of the functional benefits of preserving natural features in stormwater management, such as increasing infiltration capacity and slowing runoff and decreasing infrastructure expenses?

YES NO

4. Have you experienced a correlation between preservation of natural areas and quality of the development or sales volume?

YES NO

5. Have you implemented State recommended Best Management Practices (BMPs), such as bio-retention, vegetated swales, or porous pavement in past developments?

YES NO

Over Please
6. Would you be interested in participating in future surveys or volunteer committees?

YES

NO

<table>
<thead>
<tr>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>Phone</strong></td>
</tr>
<tr>
<td><strong>Email</strong></td>
</tr>
</tbody>
</table>

27 Sotut
Lapeer Road Parcel Rezoning Request – Supplemental information

Property owner information

**Parcels 09-23-301-012 & 09-23-301-013**
Dan Jan Clark, LLC
250 N. Park Blvd.
Lake Orion, MI 48362

**Parcel 09-23-301-005**
DEI Orion, LLC
950 E. Highland Rd
Howell, MI 48843
Attachment to
Lapeer Road Parcel RM-2 Multiple Family Residential Rezoning Request

The Subject Property, which is undeveloped, consists of three parcels with a total of 15.95 +/- acres, has approximately 818 feet of frontage on Lapeer Road, and a depth of approximately 985 feet. The northerly parcel is owned by DEI Orion, LLC and consists of 9.31 +/- acres, being parcel no. 09-23-301-005. The southerly two parcels are owned by Dan & Jan Clark, LLC and have a total of 6.64 +/- acres, being parcel nos. 09-23-301-012 and 09-23-301-013.

The DEI Orion northerly parcel is master planned Multi Family Residential Low Density, which corresponds to the RM-1 Multiple Family Residential Zoning District. The northerly parcel has been zoned OP (or similar office classification) since the 1980s. The Dan & Jan Clark southerly parcels are master planned General Office, which corresponds to the OP, Office & Professional Zoning District. The Dan & Jan Clark southerly parcels were rezoned by the Township from GB-2 to OP in 2006.

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

In contrast to OP, the proposed RM-2 zoning will preserve the rights of usage commonly associated with property ownership. RM-2 zoning will satisfy a market need, and allow the Subject Property to be developed, while also serving as a better transitional land use between adjacent developments than the existing, nonresidential OP zoning. RM-2 zoning will provide a superior transition and land use buffer between the single family detached and two-family homes on the north and big box retail (Home Depot) on the south.

As to the existing OP zoning, there have been no viable proposals to develop the Subject Property with office uses.

In 2006 the owners of the northerly parcel petitioned for rezoning of that property from OP to GB-2. The petition was denied. The stated purpose of the GB-2 rezoning request was to allow development of a Target store on the northerly parcel and the Dan & Jan Clark southerly parcels. The minutes of the Planning Commission's August 2, 2006 consideration of the GB-2 rezoning request include the statement of the owner's broker that over the previous five or six years, while he had listings for the northerly and southerly parcels, no inquiries had been made for office use of the parcels.

Dan & Jan Clark, L.L.C. acquired the southerly parcels in 1999, when the southerly parcels were zoned GB-2. In 2006, after the adjacent Home Depot was complete, the Township petitioned for and rezoned the southerly Dan & Jan Clark parcels from GB-2 to OP. The purpose of the rezoning was to buffer the newly rezoned residential land to the north from the Home Depot and to provide a transitional use from the Home Depot to adjacent residential properties.
In 2015, DEI Orion, LLC acquired the northerly parcel with the intent to develop an assisted living or similar senior facility pursuant to the OP zoning. After acquiring the property, DEI Orion, LLC determined not to pursue assisted living facility use due to the proximity of competing facilities and the concomitant impact on market demand.

**Explain why the existing zoning classification is no longer appropriate:**

The existing OP designation is no longer appropriate because, since at least 2006, there has been little market interest and no viable development proposals for the Subject Property under the OP zoning. The recent (2014/2015) development of the single- and two-family residential Parkview PUD north of the Subject Property makes RM-2 a more appropriate zoning classification than the existing OP zoning.

The 2006 Dan & Jan Clark properties rezoning was related to a significant change in the zoning and ownership of the 85 +/- acre parcel, formerly a State Park, located directly north of the Subject Property. The Michigan Department of Natural Resources determined a State Park was no longer needed at that location and conveyed the 85-acre parcel to a private party. In 2006, when the Dan & Jan Clark, L.L.C. parcels were rezoned to OP, the Township also rezoned the former State Park from REC to single family residential. Eight or nine years later, the Township approved the former State Park property for development as the single- and two-family residential Parkview PUD.

The Subject Property, when developed under RM-2 zoning, will continue the Township-intended transitional character of the Subject Property while providing a better buffer and transition than existing zoning between the recent Parkview PUD development to the north and the Home Depot to the south.

**Explain why the proposed rezoning will not be detrimental to surrounding properties:**

Development of the Subject Property under the proposed RM-2 zoning will provide a better buffer and transition to adjacent residential properties than development under the existing OP zoning.

**Surrounding Properties**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>PUD - Residential</td>
<td>Single and two-family homes (Parkview).</td>
</tr>
<tr>
<td>South</td>
<td>General Business</td>
<td>Home Depot</td>
</tr>
<tr>
<td>East (Across Lapeer Road)</td>
<td>General Business Office Professional SFR (R-1)</td>
<td>Strip commercial at Southeast corner of Hiram and Lapeer Office Building at Northeast Corner of Hiram and Lapeer Single family subdivision</td>
</tr>
<tr>
<td>West</td>
<td>Suburban Estates</td>
<td>Single family homes</td>
</tr>
</tbody>
</table>
Development under the OP zoning will necessarily be nonresidential. In addition to office buildings, the existing OP zoning allows, as permitted and special land uses, a range of nonresidential uses that would be expected to have a more detrimental impact on Parkview than an RM-2 development:

- The trips generated from an office development of the Subject Property will be measurably greater than trips generated by the uses allowed under the RM-2 zoning classification.
- Research and design centers are permitted as of right in the OP classification if at least 300 feet from adjacent residentially zoned property and by special land use if nearer than 300 feet.
- Pet daycare facilities (allowed as a matter of right – no outdoor runs or kennels permitted).
- Veterinary clinics and hospitals with boarding for animals being treated.
- Incidental retail and service uses.

The proposed RM-2 zoning will allow development of the Subject Property in a manner consistent with the intent of the Zoning Ordinance and the Master Plan that transitional use buffers be established between General Business uses, such as the Home Depot to the south, and the single- and two-family residential uses of Parkview to the North and the single-family homes to the west.

The Zoning Ordinance provides that:

Multiple Family Residential Districts are typically mapped so as to provide a transition between non-residential districts and nearby single-family residential districts. These districts should have direct access onto an existing or proposed major thoroughfare.

Development of this site under the RM-2 classification will provide a better transition and buffer than existing zoning between the Parkview development and the Home Depot property and will also provide for residential use adjacent to the Parkview residential use.
Hi Tammy,

I am basically in favor of using this property for new residential uses.

I am unable to attend the planning commission meeting next Wednesday but I do have some questions. If you can raise these with the planning commission, that would be great.

1. What is the plan to retain the old growth trees that border the property adjacent to Parkview? Can we retain a thirty foot buffer of the existing trees? Many residents selected these lots because of the trees.

2. What is the plan for the new utility services? Specifically, can we use this as an opportunity to bury the existing electrical lines along Lapeer Road, and can the existing transformers be relocated, along with the new ones that will be required, to ground level at the rear of the property where they won’t be seen?

Basically I favor the rezoning of the property for residential purposes.

Guy Potok
2315 Monte Vista Ct,
May 12, 2021

Mr. David J. Stollman
Everest Development LLC
736 S. Pleasant Street
Royal Oak, MI 48067

RE: Trip Generation Comparison for a Residential Development in Orion Township, MI

Dear Mr. Stollman:

Pursuant to your request, ROWE Professional Services Company has completed a trip generation comparison analysis for the proposed residential development on the west side of M-24, located approximately ½ mile south of Scripps Road and ¾ mile north of Waldon Road (immediately adjacent to the existing Home Depot), in Orion Township, MI. This analysis is intended to give you, Orion Township, and the Michigan Department of Transportation (MDOT) information regarding the difference in trip generation when comparing your proposed residential development with the trip generation potential of allowable development alternatives. Through information that you and your consultants have provided, as well as our review of the materials received via email, we understand the following regarding your proposed project:

1. The proposed residential development contains 116 dwelling units (DU) of townhomes.
2. The development proposes two access points to M-24.
3. The parcel is currently vacant.

ROWE utilized the information published in the most recent (10th) edition of Trip Generation, published by the Institute of Transportation Engineers (ITE) and calculated the trip forecasts shown in the table below for comparison. To draw a comparison between the trip generation potential of the proposed residential development and the trip generation potential of other types of allowable land uses on the site, ROWE calculated three proposed development alternatives:

1. Medical/professional office with up to 208,000 square feet (SF) of office space (Land Use Code [LUC] 710 – General Office Building).
2. Industrial/research facility with up to 208,000 SF of office space (LUC 760 – Research and Development Center).
3. Shopping/retail space with up to 208,000 SF floor area. (LUC 820 – Shopping Center)
When comparing the trip generation potential of the proposed residential development with the three allowable development alternatives, the proposed residential development is expected to generate significantly fewer AM peak hour, PM peak hour, and weekday vehicle trips.

We hope that this letter meets your current needs. Please feel free to contact us if you have any questions.

Sincerely,
ROWE Professional Services Company

Brandon M. Hayes, PE, P.Eng.
Project Manager
Know what's below. Call before you dig.

DEVELOPER / APPLICANT
EVERNEST DEVELOPMENT, LLC
736 S. PLEASANT
ROYAL OAK, MI 48067
CONTACT: DAVID STOLLMAN
EMAIL: DSTOLLMAN@ME.COM
PHONE: (248) 563-5800
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: June 16, 2021
RE: PC-2021-51, Kay Industrial Site Plan, 09-35-400-033

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.

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

**Motion 1:** I move that the Planning Commission grants site plan approval for PC-2021-51, Kay Industrial Site Plan, located at 50 Kay Industrial Dr., parcel 09-35-400-033 for plans date stamped received 05/26/2021 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:

a. (Motion maker to list any unresolved issues related to the Township Planner's review letter).
   
b. (Motion maker to list any unresolved issues related to the Township Engineer’s review letter).
   
c. (Motion maker to list any unresolved issues related to the Fire Marshall's review letter)
   
d. (Motion maker to list any additional conditions).

Or

I move that the Planning Commission denies site plan approval for PC-2021-51, Kay Industrial Site Plan, located at 50 Kay Industrial Dr., parcel 09-35-400-033 for plans date stamped received 05/26/2021. 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-2021-51, Kay Industrial Site Plan, located at 50 Kay Industrial Dr., parcel 09-35-400-033 for plans date stamped received 05/26/2021 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s, Fire Marshall’s, or Engineer’s review letter(s). Case to resubmit to Township within (insert time frame).
June 14, 2021

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

Site Plan Review #1
Kay Industrial Park (2 Separate Development Parcels)

<table>
<thead>
<tr>
<th>West Development Parcel -033</th>
<th>East Development Parcel -044</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case No.</td>
<td>PC-2021-51</td>
</tr>
<tr>
<td>Address:</td>
<td>50 Kay Industrial Drive</td>
</tr>
<tr>
<td>Acreage:</td>
<td>3.12 acres</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Kay Industrial Land, LLC</td>
</tr>
<tr>
<td>Plan Date:</td>
<td>05/26/2021 (Stamped)</td>
</tr>
<tr>
<td>Zoning:</td>
<td>IP Industrial Park &amp; Lapeer Overlay District</td>
</tr>
<tr>
<td>Parcel ID:</td>
<td>09-35-400-033</td>
</tr>
</tbody>
</table>

Project Summary

The applicant is proposing speculative industrial facilities on two separate undeveloped parcels located within the same industrial park. The parcels border each other for 60 feet in the rear corner of each parcel. The applicant's cover letter states that they are aware of variances that will be needed for each development and that the required additional information and design features for each development will be submitted in the future if variances are obtained and end users are identified for each site.
SUMMARY OF ZONING ORDINANCE COMPLIANCE

1. **18.01 Use Matrix.** As the applicant has indicated that each development is speculative, uses for each site cannot be reviewed for compliance with the IP district. The Planning Commission should consider what measures should be taken, based on previous speculative developments without uses identified, to ensure that the end user of each site is permitted in the IP district. This consideration should also include any changes to required and proposed parking based on the end users identified in the future.

2. **18.03 F. Lighting.** The IP district requires a lighting plan in compliance with Section 27.11 and additional requirements specific to the IP district and Lapeer Road Overlay District (35.04 A.7.). A lighting plan has not been submitted for either site. The applicant should verify if they are requesting lighting be reviewed administratively as a condition of approval or if this would be presented to the Planning Commission for consideration at a future date.

3. **18.03 N. Tree Preservation (27.12).** The IP district requires a tree permit (included with SPR) for all developments in accordance with Section 27.12. A tree survey and inventory has not been submitted at this time for either site and it is unclear if this is in-progress or requested to be waived. It is our understanding that the tree permit requirement has occasionally been waived (Menard’s) or permitted to be submitted as a condition of approval (Cottages at Gregory Meadows) for other developments.
   a. **18.03 D. Landscaping.** A re-review of the landscaping plan for each site should occur as the amount of landscaping required is directly related to the amount of protected or landmark trees removed.

**West Development Parcel Only**

4. **18.03 C.3. & 27.04 A.2.a. Off-Street Parking Setback.** The IP district and General Provisions require a 20-foot parking area and driveway setback (with corresponding greenbelt) adjacent to property lines. Approval of the site plan as currently proposed would require approval of a variance as the east and south boundaries of parking improvements are setback only 10 feet.

5. **18.03 D., 27.05 & 35.04 A.8.b. Greenbelts.** See above item.

6. **18.03 I. Covered Trash Areas.** The IP district requires that dumpsters be located in the rear yard. Approval of the site plan as currently proposed would require approval of a variance as the dumpster is located in the side yard which is dictated by the side yard setback indicated to the east boundary. Alternatively, the applicant could request waiver approval to not be required to provide a dumpster.

7. **18.04 Front Yard Setback.** The IP district requires a 50-foot front yard setback. As this site is a corner lot, this setback is required from both Lapeer Road and Kay Industrial Drive. Approval of the site plan as currently proposed would require approval of a variance as the building is only 20 feet from the Kay Industrial Drive right-of-way line at its closest point in the northwest corner of the building.

**East Development Parcel Only**

8. **18.03 C.3. & 27.04 A.2.a. Off-Street Parking Setback.** The IP district and General Provisions require a 20-foot parking area and driveway setback (with corresponding greenbelt) adjacent to property lines. Approval of the site plan as currently proposed would require approval of a variance as the south boundary of parking improvements are setback only 10 feet.

9. **18.03 D., 27.05 & 35.04 A.8.b. Greenbelts.** See above item.

**Lapeer Road Overlay District (Both Parcels)**

10. The Lapeer Road Overlay District includes numerous detailed requirements related to internal sidewalks connected to safety paths, ground floor façade architecture features, building entrances, roofs, and building materials and colors (see end of letter). As both developments are speculative and conditional approval appears to be requested, the applicant should address compliance with the Overlay district standards directly with the Planning Commission as has been done for similar proposals.

www.giffelswebster.com
Existing Conditions

1. **Zoning.** Both sites are zoned IP Industrial Park and is located within the Lapeer Road Overlay District. The IP District permits “industrial, research, and technology” uses as well as “office” uses by right with no use-specific footnote conditions.

2. **Adjacent Zoning.**

3. **Wetlands (none apparent).**

5. Lapeer Road Overlay District.

35.04 – Development Standards
A. Site Design.

3. Pedestrian Circulation
b. Internal sidewalks of no less than five (5) feet in width shall be provided connecting the safety paths to the principal customer entrances and adjacent to all parking areas. No less than ten (10) feet shall exist between the building façade and the planting bed for foundation plantings.

B. Design Standards.
1. Facades & 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.
   b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than fifty percent (50%) of their horizontal length.
   c. Building facades must include repeating patterns of color, texture, and architectural or structural bays of twelve (12) inches in width (i.e. offsets, reveals or projecting ribs).

2. Building Entrances
   a. Each principal building shall have clearly defined, highly visible customer entrances consisting of a variety of architectural features such as:
      Canopies, porticos, or overhangs;
      Recesses/projections;
      Raised, corniced parapets above the door;
      Peaked roof forms;
      Display windows;
      Integrated tile work and moldings;
      Integral planters;
      Pavement/material changes for pedestrian crosswalks

3. Roofs
a. Flat Roofs. Incorporate parapets to conceal rooftop equipment from public view. The heights of the parapets shall not exceed one-third (1/3) of the height of the supporting wall.

b. Pitched Roofs.

Provide overhanging eaves that extend no less than three (3) feet past the supporting walls.

The average slope shall be one (1) foot of vertical rise for three (3) feet of horizontal run.

4. Materials & 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.

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.

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.

d. Exterior building materials shall provide texture on at least fifty percent (50%) of the façade but shall not completely consist of smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

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.

Respectfully,

Giffels Webster

Eric Pietsch
Senior Planner

Eric Fazzini, AICP, CNU-A
Senior Planner

www.giffelswebster.com
June 10, 2021

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

RE: Kay Industrial - 033, PC-2021-51
Site Plan Review #1

Received: May 26, 2021 by Orion Township

Dear Mr. Reynolds:

We have completed our review of Kay Industrial - 033 plan set. The plans were prepared by Fenn & Associates Inc. 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 southeast corner of M-24 and Kay Industrial Dr. within the northeast quadrant of Section 35 of the Charter Township of Orion. The site is zoned Industrial Park (IP) and bound by parcels on all sides zoned Industrial Park (IP).

The existing site is Lot 8 in the Kay Industrial Subdivision. No further development appears to have taken place since the original construction of the industrial park. The site is 3.12 acres with very mild slopes. There are four major easements located within the parcel, including a public utilities easement along the southern border, a detention easement on the west side of the site, a sanitary and water supply easement in the northwest corner, and a pathway easement along the western site border. The applicant is proposing to construct a 45,060 sqft building with parking and drive aisles around the perimeter. There are two proposed approaches on Kay Industrial Dr. as well as one cross-access point to the abutting parcel at the southeast corner of the site for future development. A cover sheet and sheet index shall be added to the plan set.

WATER MAIN AND SANITARY SEWER:
There is existing 16-inch water main located along the east side of M-24, and 12-inch main located along the north side of Kay Industrial Dr. There is also 8-inch water main located along the east side of the site that appears to be attributed to Lot 7. The water main located in Lot 7 appears to be public and a 12-foot water main easement should be included on the plans for this location. The applicant is proposing to extend 8-inch water main with a 12-foot-wide water main easement along the southern border of the site from the 6-inch main on M-24. The proposed water main ends at a dead-end hydrant located in green space on the south side of the proposed building. The applicant shall address the comments provided by the Fire Marshal in the letter dated June 3, 2021. Please note that any changes made to the plans may generate additional comments in future submittals. The applicant should provide a looped water main connection by extending water main southeast across the cross-access location to the water main on that site (Parcel I.D. #09-35-400-044).
There is an existing sanitary manhole at the corner of M-24 and Kay Industrial Dr. 10-inch sanitary sewer extends east into the Kay Industrial Park and north along the east side of M-24. The existing sanitary sewer easement on this parcel should be amended to include all portions of the lot which are within a 10-foot horizontal separation from the sanitary sewer. Currently, the existing sanitary easement does not cover the entirety of the minimum separation requirements. The applicant is proposing to extend a sanitary service lead from the north face of the building to the existing 10-inch sewer located along the south side of Kay Industrial Dr. Per OCWRC requirement, a monitoring manhole is required on leads prior to entering the public sanitary sewer. Proposed light pole locations should be shown to avoid conflicts with utilities. A photometric plan should also be included per ordinance.

**STORMWATER MANAGEMENT:**
The existing Kay Industrial Park has an existing storm management system in place for the lots included in the subdivision. A description or reference to the originally approved detention storm sewer agreement for this lot should be provided from the original Kay Industrial Park. The applicant has proposed a storm sewer network throughout the paved area within the site, and shows an outlet to the existing detention basin. The applicant shall calculate the proposed C-value for the site and confirm that the proposed conditions are within the acceptable limit originally proposed for the Kay Industrial Park Development. Offsite drainage coming from the parcel to the south should also be accounted for in the stormwater management plan. A mechanical pretreatment device shall be added to the plan prior to discharging to the existing detention basin as it appears a forebay was not part of the original design. Roof conductors did not appear to be included in the plan set and should be included in the site plan and connected to the storm sewer system. Note an oil/water separator will be required for the truck dock at engineering.

**PAVING/GRADING:**
There are no existing approaches for this site. The applicant is proposing to construct two concrete approaches on Kay Industrial Dr. with asphalt drive aisles internal to the site. A cross-access approach appears to be proposed between this site and the parcel to the southeast (Parcel I.D. #09-35-400-044), which is also undergoing the site plan review process. Note a cross access easement will be required at engineering.

Pavement slopes do not appear to have been provided at any capacity for this site. General pavement slopes and corner lot grades 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. Public pathway grades shall be provided so that it may be assessed for ADA compliance. It appears as though no pavement sections were provided in the plan set, and all are required at site plan. A pavement section shall be included for the concrete approaches, internal drive aisles, concrete dumpster pad, concrete garage pads, internal sidewalk, curb & gutter, and the public pathway that is proposed along the south side of Kay Industrial Dr.

Existing grades are provided via contours and spot grades throughout the site. Proposed grades do not appear to have been provided at any capacity within the site. The applicant shall provide general grades via spot grades in pavement and proposed contours in green space or a combination of the two. The applicant should also show the project’s limits of disturbance and where it ‘matches existing’ grades at either the limits of disturbance or site borders. Pathway grades must be provided so that it may be assessed for ADA compliance. No retaining walls are proposed for this project.

**TRAFFIC & CIRCULATION:**
Drive aisles are a minimum of 22-feet wide edge-of-metal to edge-of-metal, with the smallest width being on the west side of the building at the approach on to Kay Industrial Dr. Approach radii should be dimensioned on the plans. We defer further comment on the site circulation as it pertains to fire access to the Orion Township Fire Department.
A receiving ramp should be added to the safety path just east of the west approach to align with the existing ramp form the north.

LANDSCAPING:
A landscaping plan was included in the plans and does not appear to generate any conflicts between proposed trees and underground utilities. The applicant should coordinate with the overhead utility companies to ensure that the tree located within the overhead public utility easement on the south side of the site will not cause any issues.

NATURAL FEATURES:
Wetlands:
There do not appear to be any existing wetlands on site. No wetland permit from EGLE or the Township will be required for this work.

Woodlands:
A tree inventory was not provided for this site and one is required at site plan. The tree inventory shall identify landmark trees and quantify the number of trees that need to be removed to facilitate construction.

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. Add proposed grades to the plans.
2. Add stormwater pretreatment devices prior to discharging to the existing detention pond since a forebay was not part of the original system.
3. Address off-site drainage from the south in the storm water management plan.
4. Provide calculations to show the proposed development was included in the sizing of the existing detention pond.
5. All existing water main and sanitary sewer easements be shown on the site.
6. Proposed pavement-sections shall be included in the plans for the drives, parking spaces, dumpster pad, safety path, sidewalks and curb & gutter.
7. Add a receiving ramp to the safety path just east of the west approach to align with the existing ramp from the north.
8. The water main should be looped within the site.
9. Show proposed exterior light pole locations and include a photometric plan.
10. A tree survey shall be provided per ordinance.
11. Add a cover sheet and sheet index to the plan set.
12. Note that a cross access easement will be required for the connection point in the southeast corner of the site.
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

cc: Chris Barnett, Township Supervisor
David Goodloe, Building Official
Jeff Stout, Director of Public Services
Tammy Girling, Director of Planning and Zoning
Lynn Harrison, Planning and Zoning Coordinator
Jeff Williams, Township Fire Marshal
Bill Rasigkow, Water and Sewer Superintendent
Sara D’Agostini, Kay Industrial Land, LLC
Jeff Rizzo, Penn & & Associates, Inc.
File
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-51, Kay Industrial Sidwell # 09-35-400-033, Site Plan  
Date: 06/03/2021

The Orion Township Fire Department has completed its review of Application PC-2021-51 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 with Requirements (See below)
Not approved

Requirements:
- The proposed fire hydrant located on the site plan will not be required at this time. The Fire Department will require fire hydrants in the following locations (Please see below).
  - Location 1 - Inside of curbed corner island in South West corner of parking lot
  - Location 2 - Inside of curbed corner island in South East corner of parking lot
- The Fire Department Connection shall be located on the South East corner of the building. There shall be no parking located in front of this connection at any time.
- The drive isle located on the West side of the building shall be increased to 26’ wide.
- The Orion Township truck turning template overlay shall be provide on the site plan.
- No Parking Fire Lane signage shall be posted on both West and South side of the building.

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
Charter Township of Orion
2525 Joslyn • Lake Orion, Michigan 48360 • (248) 391-0304

To: Tammy Girling
Planning & Zoning Director

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

Date: June 10, 2021

Re: PC-2021-51 Kay Industrial Sidwell #09-35-400-033

Dear Tammy,

The Department of Public Services has reviewed the information given on the above-mentioned project. We have also reviewed our Engineering firms review letter of 6/10/21 which has several recommendation’s that will need to be addressed before proceeding with the project.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
A site walk was conducted on June 8, 2021 for PC 2021-52 and PC 2021-51.

PC 2021-51
The property is located at the southeast corner of Lapeer Road and Kay Industrial Drive. The site is vacant with some scrub trees and overgrown ground cover. There is industrial development to the north, east and south of the site. All the buildings and development in the Industrial Park are well maintained and landscaped.

PC 2021-52
The property is located on the south side of Kay Industrial Drive and is adjacent to other industrial buildings to the north, west and south. All properties are well maintained and landscaped. The site is a flat vacant site with no trees on it.

Respectfully submitted,

Don Gross, Planning Commissioner

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

<table>
<thead>
<tr>
<th>Name of Development if applicable</th>
<th>Kay Industrial Park</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant</strong></td>
<td></td>
</tr>
<tr>
<td>Name:</td>
<td>Kay Industrial Land, LLC</td>
</tr>
<tr>
<td>Address:</td>
<td>38700 Van Dyke, Ste 200</td>
</tr>
<tr>
<td>City:</td>
<td>Sterling Heights</td>
</tr>
<tr>
<td>State:</td>
<td>MI</td>
</tr>
<tr>
<td>Zip:</td>
<td>48312</td>
</tr>
<tr>
<td>Phone:</td>
<td>586-977-8640</td>
</tr>
<tr>
<td>Cell:</td>
<td>NA</td>
</tr>
<tr>
<td>Fax:</td>
<td>586-977-8640</td>
</tr>
<tr>
<td>Email:</td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Property Owner(s)</strong></td>
<td></td>
</tr>
<tr>
<td>Name:</td>
<td>Kay Industrial Development, LLC</td>
</tr>
<tr>
<td>Address:</td>
<td>5585 Orchard Ridge Drive</td>
</tr>
<tr>
<td>City:</td>
<td>Rochester</td>
</tr>
<tr>
<td>State:</td>
<td>MI</td>
</tr>
<tr>
<td>Zip:</td>
<td>48306</td>
</tr>
<tr>
<td>Phone:</td>
<td>248-377-3826</td>
</tr>
<tr>
<td>Cell:</td>
<td>NA</td>
</tr>
<tr>
<td>Fax:</td>
<td>248-650-7856</td>
</tr>
<tr>
<td>Email:</td>
<td>NA</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.

| **Plan Preparer Firm/Person** | | |
| Name: | Fenn & Associates, Inc. |
| Address: | 14933 Commercial Drive |
| City: | Shelby Township |
| State: | MI |
| Zip: | 48315 |
| Phone: | 586-254-9577 |
| Cell: | | |
| Fax: | 586-254-9020 |
| Email: | jeff@fennsurveying.com |

| **Project Contact Person** | | |
| Name: | Sara D'Agostini |
| Address: | 38700 Van Dyke, Ste 200 |
| City: | Sterling Heights |
| State: | MI |
| Zip: | 48312 |
| Phone: | 586-977-8640 |
| Cell: | 586-405-4143 |
| Fax: | 586-977-7946 |
| Email: | sdagostini@dagostini.net |
Sidewell Number(s): 09-35-400-033

Location or Address of Property: 50 Kay Industrial Drive

Side of Street: South Nearest Intersection: Lapeer Road & Kay Industrial Drive

Acreage: 3.12 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. IP E. IP W. NA

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

Front yard building set back of 20 FT. South and east side parking set back of 10 FT. South and east landscape greenbelt of 10 FT.

Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed. 45,060 SF speculative industrial facility that includes 5,400 SF of first floor office, with the ability to add an additional 5,400 SF of second floor office.

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

<table>
<thead>
<tr>
<th>Agency Name</th>
<th>Address</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>AT&amp;T</td>
<td>54 Mill St. Pontiac, MI 48342</td>
<td><a href="mailto:oaklandcountywaterresourcescommission@oakgov.com">oaklandcountywaterresourcescommission@oakgov.com</a> (electronic submittal only)</td>
</tr>
<tr>
<td>Consumers Power Company</td>
<td>530 W. Willow St. Holly, MI 48442</td>
<td>oaklandcountyhealthdepartmentbuilding34east1200ntelegraphrdPontiac,MI48341</td>
</tr>
<tr>
<td>DTE Energy</td>
<td>37849 Interchange Dr. Farmington Hills, MI 48335</td>
<td>roadcommissionofoaklandcounty@ifapplicable2420pontiacleakerdWaterford,MI48328</td>
</tr>
<tr>
<td>Michigan Department of Transportation (if applicable)</td>
<td>800 Vanguard Dr. Pontiac, MI 48341</td>
<td></td>
</tr>
</tbody>
</table>

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: Kay Industrial Land, LLC
Print Name: P. Cogswell, Agent, it Manager
Date: 5-25-2021

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: Kay Industrial Development, LLC.
Print Name: Joseph Radowczyk
Date: 5-24-21
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: Kay Industrial
PC# Parcel(s): 09-35-400-033

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]  [5-25-2021]

Kay Industrial Land, LLC

Printed Name of Applicant
May 25, 2021

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

Re: Site Plan Application

Dear Orion Township Planning Commission,

Enclosed please find our application for site plan approval for 50 Kay Industrial Drive, Orion Township, MI 48359. The application provides for a 45,060 square foot speculative industrial facility on a 3.12-acre parcel.

Currently, we are under contract to purchase the parcel for this facility. After thorough due diligence, we believe the viability of this project depends on receiving the variances shown in our application. We therefore respectfully submit a site plan that does not meet certain requirements of the Orion Township ordinance, with the understanding that if we receive the variances, we will provide for proper submission of those items. These include a tree survey and exterior lighting plan.

Lastly, I note that because this facility is speculative, certain design features remain unknown until the end user is identified. Accordingly, the mechanical locations and screening requirements are not included in this submission. These will be forthcoming when a user is identified.

We appreciate your thoughtful consideration and look forward to the continued partnership with Orion Township.

Very truly yours,

[Signature]

Sara D'Agostini

Enclosures
1. FIRE HYDRANT LOCATION AND SPACING REQUIRED FOR REVIEW
   - FIRE DEPARTMENT APPROVAL IS REQUIRED FOR FIRE LANES AND HYDRANT REQUIREMENTS.

2. FIRE HYDRANTS SHALL BE LOCATED AT LEAST 50 FEET FROM THE PUBLIC RIGHT-OF-WAY.
   - FIRE DEPARTMENT REQUESTS THAT THE PETITIONER COMPLY WITH THE REQUIREMENTS OF SECTION C105 OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 1581.
   - FIRE APPARATUS ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED WIDTH OF NOT LESS THAN 20 FEET, AND AN UNOBSTRUCTED OUTLET TO EXISTING ONSITE DETENTION BASIN.

3. FIRE LANE SIGNAGE TO BE PROVIDED.
   - SANITARY SEWER ON SOUTH SIDE OF KAY INDUSTRIAL DRIVE.
   - STORM SEWER SHALL BE PROVIDED ONSITE AND SHALL BE CHECKED BY A UNITED STATES BUREAU OF RECLAMATION APPROVED INSPECTOR.

4. FIRE APPARATUS ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED STORM SEWER SHALL BE PROVIDED ONSITE AND SHALL BE CHECKED BY A UNITED STATES BUREAU OF RECLAMATION APPROVED INSPECTOR.

5. FIRE DEPARTMENT APPROVAL IS REQUIRED FOR FIRE LANES AND HYDRANT REQUIREMENTS.
   - SANITARY SEWER, CLEANOUT & MANHOLE
   - WATERMAIN, HYD., GATE VALVE, TAPPING SLEEVE & VALVE
   - TELEPHONE U.G. CABLE, SPLICING BOX & MANHOLE
   - ELEC., PHONE OR CABLE TV O.H. LINE, POLE & GUY WIRE

6. FIRE DEPARTMENT APPROVAL IS REQUIRED FOR FIRE LANES AND HYDRANT REQUIREMENTS.
   - FIRE DEPARTMENT REQUESTS THAT THE PETITIONER COMPLY WITH THE REQUIREMENTS OF SECTION C105 OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 1581.
   - FIRE APPARATUS ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED WIDTH OF NOT LESS THAN 20 FEET, AND AN UNOBSTRUCTED OUTLET TO EXISTING ONSITE DETENTION BASIN.

NOTE
- LANDSCAPE REQUIREMENTS
- MIN. 30" HIGH BERM/HEDGE/WALL
- 1 TREE PER 3,000 S.F.
- 1 TREE PER 200 S.F. INTERIOR LANDSCAPING
- 20 S.F. INTERIOR LANDSCAPING PER SPACE
- 1 TREE PER 30 L.F.
- 1 TREE PER 3,000 S.F.

PEER REVIEWED
- MEASURED
- RECORDED
- NOT TO SCALE
- LOCATION MAP

REMARKS
- LOT 7
- LOT 8
- PARCEL I.D. #09-35-400-044
- PARCEL I.D. #09-35-400-043
- PARCEL I.D. #09-35-400-042
- PARCEL I.D. #09-35-400-041
- PARCEL I.D. #09-35-400-040
- PARCEL I.D. #09-35-400-039
- PARCEL I.D. #09-35-400-038
- PARCEL I.D. #09-35-400-037
- PARCEL I.D. #09-35-400-036
- PARCEL I.D. #09-35-400-035
- PARCEL I.D. #09-35-400-034
- PARCEL I.D. #09-35-400-033
- PARCEL I.D. #09-35-400-032
- PARCEL I.D. #09-35-400-031
- PARCEL I.D. #09-35-400-030
- PARCEL I.D. #09-35-400-029
- PARCEL I.D. #09-35-400-028
- PARCEL I.D. #09-35-400-027
- PARCEL I.D. #09-35-400-026
- PARCEL I.D. #09-35-400-025
- PARCEL I.D. #09-35-400-024
- PARCEL I.D. #09-35-400-023
- PARCEL I.D. #09-35-400-022
- PARCEL I.D. #09-35-400-021
- PARCEL I.D. #09-35-400-020
- PARCEL I.D. #09-35-400-019
- PARCEL I.D. #09-35-400-018
- PARCEL I.D. #09-35-400-017
- PARCEL I.D. #09-35-400-016
- PARCEL I.D. #09-35-400-015
- PARCEL I.D. #09-35-400-014
- PARCEL I.D. #09-35-400-013
- PARCEL I.D. #09-35-400-012
- PARCEL I.D. #09-35-400-011
- PARCEL I.D. #09-35-400-010
- PARCEL I.D. #09-35-400-009
- PARCEL I.D. #09-35-400-008
- PARCEL I.D. #09-35-400-007
- PARCEL I.D. #09-35-400-006
- PARCEL I.D. #09-35-400-005
- PARCEL I.D. #09-35-400-004
- PARCEL I.D. #09-35-400-003
- PARCEL I.D. #09-35-400-002
- PARCEL I.D. #09-35-400-001

RECEIVED
May 26, 2021
Planning & Zoning

LOT 8
PARCEL I.D. #09-35-400-033
3.12 AC.

LOT 7
PARCEL I.D. #09-35-400-020

LOT 8, Kay Industrial Subdivision, as recorded in Liber 216, Pages 28, 29, 30 and 31 of Plats, Oakland County Records.

Parcels:
- PARCEL I.D. #09-35-400-043
- PARCEL I.D. #09-35-400-044

KAY INDUSTRIAL DRIVE (70’ WIDE - PUBLIC)
M-24 LAPEER ROAD (180’ WIDE - PUBLIC)

Parcels:
- PARCEL I.D. #09-35-400-033
- PARCEL I.D. #09-35-400-043
- PARCEL I.D. #09-35-400-044

Lot 8
PR. INDUSTRIAL BUILDING
45,060 S.F.

50 KAY INDUSTRIAL DR.
MODE DEVELOPMENT, INC.
38700 VAN DYKE, STE.200
STERLING HEIGHTS
MI 48312
PHONE: 586-977-8640

LANDSCAPE REQUIREMENTS

- RIGHT-OF-WAY FRONTAGE:
  - 1 TREE PER 30 L.F.
  - KAY INDUSTRIAL DR. - 15 CRIMSON SENTRY MAPLE TREES
  - M-24 LAPEER RD. - 9 CRIMSON SENTRY MAPLE TREES

- MIN. 30” HIGH BERM/HEDGE/WALL
  - PROPOSED:
    - KAY INDUSTRIAL DR. - 15 CRIMSON SENTRY MAPLE TREES
    - 30” HIGH BERM
    - M-24 LAPEER RD. - 9 CRIMSON SENTRY MAPLE TREES

- OFF-STREET PARKING AREAS:
  - 20 S.F. INTERIOR LANDSCAPING PER SPACE
  - 86 SPACES x 20 S.F. = 1,720 S.F.
  - 1 TREE PER 200 S.F. INTERIOR LANDSCAPING
  - 1,720 S.F. / 200 S.F. = 9 TREES

- PROPOSED:
  - 2,164 S.F. INTERIOR LANDSCAPING AREAS
  - 9 AUTUMN BLAZE MAPLE TREES

- GREENBELTS:
  - 1 TREE PER 3,000 S.F.
  - SOUTH SIDE - 5,922 S.F. / 3,000 S.F. = 2 TREES
  - EAST SIDE - 3,434 S.F. / 3,000 S.F. = 1 TREE

- PROPOSED:
  - SOUTH - EXISTING OVERHEAD WIRES
  - EAST - 3 WHITE SPRUCE TREE

PLANT SCHEDULE

- TREES
  - AUTUMN BLAZE MAPLE/ACER FREEMANII..........................9 1.5” CAL.
  - CRIMSON SENTRY MAPLE/ACER PLATANOIDES......................24 2” CAL.
  - WHITE SPRUCE/PICEA GLAUCA....................................................3 5’ HT.
  - TOTAL TREES.......................................................................36

- SHRUBS AND PERENNIALS
  - AUTUMN JOY SEDUM/HYLOTELEPHIUM TELEPHIUM...............4 3GAL
  - STELLA D’ORO DAYLILY/HEMEROCALLIS ‘STELLA D’ORO’.......8 3GAL
  - TOTAL SHRUBS AND PERENIALS...................................12

- PLANT SCHEDULE
  - TREES
  - SHRUBS AND PERENNIALS

PERENNIAL PLANTING DETAIL

DECIDUOUS TREE PLANTING DETAIL

PLANT SCHEDULE

- TREES
  - AUTUMN BLAZE MAPLE/ACER FREEMANII..........................9 1.5” CAL.
  - CRIMSON SENTRY MAPLE/ACER PLATANOIDES......................24 2” CAL.
  - WHITE SPRUCE/PICEA GLAUCA....................................................3 5’ HT.
  - TOTAL TREES.......................................................................36

- SHRUBS AND PERENNIALS
  - AUTUMN JOY SEDUM/HYLOTELEPHIUM TELEPHIUM...............4 3GAL
  - STELLA D’ORO DAYLILY/HEMEROCALLIS ‘STELLA D’ORO’.......8 3GAL
  - TOTAL SHRUBS AND PERENIALS...................................12

- PLANT SCHEDULE
  - TREES
  - SHRUBS AND PERENNIALS

LANDSCAPE REQUIREMENTS

- RIGHT-OF-WAY FRONTAGE:
  - 1 TREE PER 30 L.F.
  - KAY INDUSTRIAL DR. - 15 CRIMSON SENTRY MAPLE TREES
  - M-24 LAPEER RD. - 9 CRIMSON SENTRY MAPLE TREES

- MIN. 30” HIGH BERM/HEDGE/WALL
  - PROPOSED:
    - KAY INDUSTRIAL DR. - 15 CRIMSON SENTRY MAPLE TREES
    - 30” HIGH BERM
    - M-24 LAPEER RD. - 9 CRIMSON SENTRY MAPLE TREES

- OFF-STREET PARKING AREAS:
  - 20 S.F. INTERIOR LANDSCAPING PER SPACE
  - 86 SPACES x 20 S.F. = 1,720 S.F.
  - 1 TREE PER 200 S.F. INTERIOR LANDSCAPING
  - 1,720 S.F. / 200 S.F. = 9 TREES

- PROPOSED:
  - 2,164 S.F. INTERIOR LANDSCAPING AREAS
  - 9 AUTUMN BLAZE MAPLE TREES

- GREENBELTS:
  - 1 TREE PER 3,000 S.F.
  - SOUTH SIDE - 5,922 S.F. / 3,000 S.F. = 2 TREES
  - EAST SIDE - 3,434 S.F. / 3,000 S.F. = 1 TREE

- PROPOSED:
  - SOUTH - EXISTING OVERHEAD WIRES
  - EAST - 3 WHITE SPRUCE TREE
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: June 16, 2021
RE: PC-2021-52, Kay Industrial Site Plan, 09-35-400-044

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.

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

**Motion 1:** I move that the Planning Commission grants site plan approval for PC-2021-52, Kay Industrial Site Plan, located at unaddressed parcel 09-35-400-044 (a parcel south of 100 Kay Industrial Dr.) for plans date stamped received 05/26/2021 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:

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

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

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

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

Or

I move that the Planning Commission denies site plan approval for PC-2021-52, Kay Industrial Site Plan, located at unaddressed parcel 09-35-400-044 (a parcel south of 100 Kay Industrial Dr.) for plans date stamped received 05/26/2021. 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-2021-52, Kay Industrial Site Plan, located at unaddressed parcel 09-35-400-044 (a parcel south of 100 Kay Industrial Dr.) for plans date stamped received 05/26/2021 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s, Fire Marshall’s, or Engineer’s review letter(s). Case to resubmit to Township within (insert time frame.)
Site Plan Review #1
Kay Industrial Park (2 Separate Development Parcels)

<table>
<thead>
<tr>
<th>West Development Parcel -033</th>
<th>East Development Parcel -044</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case No.</td>
<td>Case No.</td>
</tr>
<tr>
<td>PC-2021-51</td>
<td>PC-2021-52</td>
</tr>
<tr>
<td>Address</td>
<td>Address</td>
</tr>
<tr>
<td>50 Kay Industrial Drive</td>
<td>Unassigned</td>
</tr>
<tr>
<td>Acreage</td>
<td>Acreage</td>
</tr>
<tr>
<td>3.12 acres</td>
<td>4.39 acres</td>
</tr>
<tr>
<td>Applicant</td>
<td>Applicant</td>
</tr>
<tr>
<td>Kay Industrial Land, LLC</td>
<td>Kay Industrial Land, LLC</td>
</tr>
<tr>
<td>Plan Date</td>
<td>Plan Date</td>
</tr>
<tr>
<td>05/26/2021 (Stamped)</td>
<td>05/26/2021 (Stamped)</td>
</tr>
<tr>
<td>Zoning</td>
<td>Zoning</td>
</tr>
<tr>
<td>IP Industrial Park &amp; Lapeer Overlay District</td>
<td>IP Industrial Park &amp; Lapeer Overlay District</td>
</tr>
<tr>
<td>Parcel ID</td>
<td>Parcel ID</td>
</tr>
<tr>
<td>09-35-400-033</td>
<td>09-35-400-044</td>
</tr>
</tbody>
</table>

Project Summary

The applicant is proposing speculative industrial facilities on two separate undeveloped parcels located within the same industrial park. The parcels border each other for 60 feet in the rear corner of each parcel. The applicant’s cover letter states that they are aware of variances that will be needed for each development and that the required additional information and design features for each development will be submitted in the future if variances are obtained and end users are identified for each site.
SUMMARY OF ZONING ORDINANCE COMPLIANCE

1. **18.01 Use Matrix.** As the applicant has indicated that each development is speculative, uses for each site cannot be reviewed for compliance with the IP district. The Planning Commission should consider what measures should be taken, based on previous speculative developments without uses identified, to ensure that the end user of each site is permitted in the IP district. This consideration should also include any changes to required and proposed parking based on the end users identified in the future.

2. **18.03 F. Lighting.** The IP district requires a lighting plan in compliance with Section 27.11 and additional requirements specific to the IP district and Lapeer Road Overlay District (35.04 A.7.). A lighting plan has not been submitted for either site. The applicant should verify if they are requesting lighting be reviewed administratively as a condition of approval or if this would be presented to the Planning Commission for consideration at a future date.

3. **18.03 N. Tree Preservation (27.12).** The IP district requires a tree permit (included with SPR) for all developments in accordance with Section 27.12. A tree survey and inventory has not been submitted at this time for either site and it is unclear if this is in-progress or requested to be waived. It is our understanding that the tree permit requirement has occasionally been waived (Menard’s) or permitted to be submitted as a condition of approval (Cottages at Gregory Meadows) for other developments.
   a. **18.03 D. Landscaping.** A re-review of the landscaping plan for each site should occur as the amount of landscaping required is directly related to the amount of protected or landmark trees removed.

**West Development Parcel Only**

4. **18.03 C.3. & 27.04 A.2.a. Off-Street Parking Setback.** The IP district and General Provisions require a 20-foot parking area and driveway setback (with corresponding greenbelt) adjacent to property lines. Approval of the site plan as currently proposed would require approval of a variance as the east and south boundaries of parking improvements are setback only 10 feet.

5. **18.03 D., 27.05 & 35.04 A.8.b. Greenbelts.** See above item.

6. **18.03 I. Covered Trash Areas.** The IP district requires that dumpsters be located in the rear yard. Approval of the site plan as currently proposed would require approval of a variance as the dumpster is located in the side yard which is dictated by the side yard setback indicated to the east boundary. Alternatively, the applicant could request waiver approval to not be required to provide a dumpster.

7. **18.04 Front Yard Setback.** The IP district requires a 50-foot front yard setback. As this site is a corner lot, this setback is required from both Lapeer Road and Kay Industrial Drive. Approval of the site plan as currently proposed would require approval of a variance as the building is only 20 feet from the Kay Industrial Drive right-of-way line at its closest point in the northwest corner of the building.

**East Development Parcel Only**

8. **18.03 C.3. & 27.04 A.2.a. Off-Street Parking Setback.** The IP district and General Provisions require a 20-foot parking area and driveway setback (with corresponding greenbelt) adjacent to property lines. Approval of the site plan as currently proposed would require approval of a variance as the south boundary of parking improvements are setback only 10 feet.

9. **18.03 D., 27.05 & 35.04 A.8.b. Greenbelts.** See above item.

**Lapeer Road Overlay District (Both Parcels)**

10. The Lapeer Road Overlay District includes numerous detailed requirements related to internal sidewalks connected to safety paths, ground floor façade architecture features, building entrances, roofs, and building materials and colors (see end of letter). As both developments are speculative and conditional approval appears to be requested, the applicant should address compliance with the Overlay district standards directly with the Planning Commission as has been done for similar proposals.
Existing Conditions

1. Zoning. Both sites are zoned IP Industrial Park and is located within the Lapeer Road Overlay District. The IP District permits “industrial, research, and technology” uses as well as “office” uses by right with no use-specific footnote conditions.

2. Adjacent Zoning.

3. Wetlands (none apparent).

- West Development Parcel -033
- East Development Parcel -044

5. Lapeer Road Overlay District.

<table>
<thead>
<tr>
<th>35.04 – Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Site Design.</td>
</tr>
<tr>
<td>3. Pedestrian Circulation</td>
</tr>
<tr>
<td>b. Internal sidewalks of no less than five (5) feet in width shall be provided connecting the safety paths to the principal customer entrances and adjacent to all parking areas. No less than ten (10) feet shall exist between the building façade and the planting bed for foundation plantings.</td>
</tr>
<tr>
<td>B. Design Standards.</td>
</tr>
<tr>
<td>1. Facades &amp; Exterior Walls:</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than fifty percent (50%) of their horizontal length.</td>
</tr>
<tr>
<td>c. Building facades must include repeating patterns of color, texture, and architectural or structural bays of twelve (12) inches in width (i.e. offsets, reveals or projecting ribs).</td>
</tr>
<tr>
<td>2. Building Entrances</td>
</tr>
<tr>
<td>a. Each principal building shall have clearly defined, highly visible customer entrances consisting of a variety of architectural features such as: Canopies, porticos, or overhangs; Recesses/projections; Raised, corniced parapets above the door; Peaked roof forms; Display windows; Integrated tile work and moldings; Integral planters; Pavement/material changes for pedestrian crosswalks</td>
</tr>
<tr>
<td>3. Roofs</td>
</tr>
</tbody>
</table>
a. Flat Roofs. Incorporate parapets to conceal rooftop equipment from public view. The heights of the parapets shall not exceed one-third (1/3) of the height of the supporting wall.

b. Pitched Roofs.

Provide overhanging eaves that extend no less than three (3) feet past the supporting walls.

The average slope shall be one (1) Foot of vertical rise for three (3) feet of horizontal run.

4. Materials & 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.

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.

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.

d. Exterior building materials shall provide texture on at least fifty percent (50%) of the façade but shall not completely consist of smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

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.

Respectfully,

Giffels Webster

[Signature]

Eric Pietsch
Senior Planner

[Signature]

Eric Fazzini, AICP, CNU-A
Senior Planner
June 10, 2021

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

RE: Kay Industrial - 044, PC-2021-52
Site Plan Review #1

Received: May 26, 2021 by Orion Township

Dear Mr. Reynolds:

We have completed our review of Kay Industrial - 044 plan set. The plans were prepared by Fenn & Associates Inc. 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 Kay Industrial Dr. north of Northpointe Dr. within the southeast quadrant of Section 35 of the Charter Township of Orion. The site is zoned Industrial Park (IP) and surrounded by parcels on all sides zoned Industrial Park (IP) with the exception of one parcel on the west side which is zoned Limited Industrial (LI).

The existing site is 4.39 acres of land south of the Kay Industrial Park subdivision. There are five existing easements on site, including a sanitary sewer easement along the south side of the site, a Consumers Gas easement along the north side of the site, two storm sewer easements on the west side of the site, and a water main easement that is called out but not shown on the west side of the site. The existing storm sewer easements do not appear to be aligned properly based on existing storm sewer. The applicant shall verify the location of the existing easements on site. There appears to be existing sanitary sewer that extends to the northern parcel along the western property border which is not within an existing sanitary sewer easement. The applicant shall either verify that the sewer is intended for a private lead for future connection or provide sanitary easement for this run of sewer. The applicant is proposing a 60,955 sqft building with parking and drive aisles around the south, east, and west sides.

Since it appears the site was not part of either the Kay Industrial Subdivision or the Northpointe Industrial Park No. 1, a maintenance agreement and shared use agreement should be provided for the roads, storm sewer and detention basins.

A cover sheet and sheet index shall be added to the plan set.

WATER MAIN AND SANITARY SEWER:
There is existing 8-inch water main located along the border within the adjacent parcels to the north and south of the site. There is 12-inch on the east side of Kay Industrial Dr. and on southern parcel on the eastern border of the site. The applicant is proposing to extend water main across the south side of the site from the 12-inch main on the
west to the 12 inch main on the east. A stub appears to be present on the 12-inch main west of the site that does not appear to be reflected in the plans. The applicant shall utilize any existing stub for this purpose. If no such stub exists, then the method of connection shall be identified as a tapping sleeve and valve. Three hydrants are proposed on site, and a 12-foot casement is provided along the entirety of the proposed main. This easement appears to conflict with the existing sanitary sewer. New water main easements shall be exclusive from existing easements and may not overlap for long stretches of parallel installation. The water main alignment shall be adjusted so that the water main easement is free from obstruction. The applicant shall address the comments provided by the Fire Marshal in the letter dated June 4, 2021. Please note that changes made to the plans to address these comments may generate more comments in future submittals. The applicant should provide a connection to the water main on Lot 8 of Kay Industrial Dr. (Parcel #09-35-400-020) in the location of the proposed cross-access.

There is existing 8-inch sanitary sewer located along the south side of the site which extends from the 10-inch sanitary sewer located along the west side of Kay Industrial Dr. The existing sanitary sewer easement that extends north into the proposed building should be vacated and rewritten to include the stub to the west. The applicant is proposing to extend a 6-inch sanitary sewer lead from the 10-inch sanitary on the west side of Kay Industrial Dr. to the eastern face of the building. A monitoring manhole will be required prior to entering public sanitary sewer per OCWRC requirement. Proposed light pole locations should be shown to avoid conflicts with utilities. A photometric plan should also be included per ordinance.

STORMWATER MANAGEMENT:
The applicant has proposed a storm sewer network throughout the paved area within the site and shows two separate connection points to existing storm manholes which ultimately outlet into the existing detention system on the east side of Kay Industrial Dr. Background information is required as to how the detention from the site is accounted for in the existing detention pond directly east of Kay Industrial Dr. The applicant shall calculate the proposed C-value for the site and confirm that the proposed conditions are within the acceptable limit originally proposed for the detention basin on the east side of Kay Industrial Dr. A mechanical pretreatment device shall be added to the plan prior to discharging to the existing detention basin as it appears a forebay was not part of the original design. Roof conductors did not appear to be included in the plan set and should be included in the site plan and connected to the storm sewer system. Note an oil/water separator will be required for the truck dock at engineering. An additional catch basin appears to be necessary near the southwest corner of the building to provide adequate coverage.

PAVING/GRADING:
The site has no existing entrances or approaches. The applicant is proposing one concrete approach on the west side of Kay Industrial Dr. and a cross-connection to the parcel northwest of the site (Parcel I.D. #09-35-400-033) which is also currently undergoing the site plan review process. Note a cross access easement will be required at engineering.

No pavement grades were provided and pavement slopes cannot be assessed. More grading information shall be provided for the pavement to ensure that pavement slopes are within the allowable limits per Orion Township Engineering Standards. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. It appears as though no pavement sections were provided in the plan set, and all are required at site plan. A pavement section shall be included for the concrete approaches, internal drive aisles, concrete dumpster pad, concrete garage pads, internal sidewalk, curb & gutter, and the public pathway that is proposed along the west side of Kay Industrial Dr.

Existing grades are provided via contours and spot grades throughout the site. Proposed grades do not appear to have been provided at any capacity within the site. The applicant shall provide general grades via spot grades in pavement and proposed contours in green space or a combination of the two. The applicant should also show the project's limits of disturbance and where it 'matches existing' grades at either the limits of disturbance or site borders. Pathway grades must be provided so that it may be assessed for ADA compliance.
No retaining walls are proposed for this project.

**TRAFFIC & CIRCULATION:**
Drive aisles appear to be a minimum of 28 feet in width. Approach radii appear to be 25 feet. The applicant should verify that the anticipated vehicles that will access this site will not have an issue with a radius of that size. We defer further comment on the site circulation as it pertains to fire access to the Orion Township Fire Department.

Additional pavement should be added to the north of the east bank of parking spaces to provide an adequate T-turnaround or the two end spaces removed.

**LANDSCAPING:**
There appear to be some trees within existing and proposed easements. The trees must be kept as far away from the centerline of the sanitary sewer and water main as feasibly possible.

**NATURAL FEATURES:**
**Wetlands:**
There do not appear to be any existing wetlands on site. No wetland permit from EGLE or the Township will be required for this work.

**Woodlands:**
A tree inventory was not provided for this site, and one is required at site plan. The tree inventory shall identify landmark trees and quantify the number of trees that need to be removed to facilitate construction.

**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. Add proposed grades to the plans.
2. Provide calculations to show how the proposed development was included in the sizing of the existing detention pond.
3. Add stormwater pretreatment devices prior to discharging to the existing detention pond since a forebay was not part of the original system.
4. A connection to the water main on Lot 8 of Kay Industrial Dr. should be provided at the proposed cross access location.
5. Additional pavement should be added to the north of the east bank of parking spaces to provide an adequate T-turnaround or the two end spaces removed.
6. Proposed pavement-sections shall be included in the plans for the drives, parking spaces, dumpster pad, safety path, sidewalks, and curb & gutter.
7. A tree survey shall be provided per ordinance.
8. Show exterior light pole locations and include a photometric plan.
9. Add a cover sheet and sheet index to the plan set.
10. Verify the existing easements and their alignments.
11. Since it appears the site was not part of either the Kay Industrial Subdivision or the Northpointe Industrial Park No. 1, a maintenance agreement and shared use agreement should be provided for the roads, storm sewer and detention basins.
12. Note that a cross access easement will be required for the connection point in the northwest corner of the site.

13. The existing sanitary sewer easement that extends north into the proposed building should be vacated and rewritten to include the stub to the west.

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

Sincerely,

OHM Advisors

[Signature]

Joe Lehman
Project Engineer

[Signature]

Mark Landis, P.E.
Project Manager

cc: Chris Barnett, Township Supervisor
    David Goodloe, Building Official
    Jeff Stout, Director of Public Services
    Tammy Girling, Director of Planning and Zoning
    Lynn Harrison, Planning and Zoning Coordinator
    Jeff Williams, Township Fire Marshal
    Bill Basiglow, Water and Sewer Superintendent
    Sara D’Agostini, Kay Industrial Land, LLC
    Jeff Rizzo, Penn & Associates, Inc.
    File
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-52, Kay Industrial Sidwell # 09-35-400-044, Site Plan  
Date: 06/04/2021

The Orion Township Fire Department has completed its review of Application PC-2021-52 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

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

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

Requirements:
- The proposed fire hydrant located on North property line behind the building shall be moved to the West side of the proposed dumpster enclosure.
- The Orion Township truck turning template overlay shall be provide on the site plan. The template overlay shall be shown on the access drive that leads to the adjoining site to the North West.
- No Parking Fire Lane signage shall be posted on South side of the building.

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
Dear Tammy,

The Department of Public Services has reviewed the information given on the above-mentioned project. We have also reviewed our Engineering firms review letter of 6/10/21 which has several recommendation’s that will need to be addressed before proceeding with the project.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
A site walk was conducted on June 8, 2021 for PC 2021-52 and PC 2021-51.

PC 2021-51
The property is located at the southeast corner of Lapeer Road and Kay Industrial Drive. The site is vacant with some scrub trees and overgrown ground cover. There is industrial development to the north, east and south of the site. All the buildings and development in the Industrial Park are well maintained and landscaped.

PC 2021-52
The property is located on the south side of Kay Industrial Drive and is adjacent to other industrial buildings to the north, west and south. All properties are well maintained and landscaped. The site is a flat vacant site with no trees on it.

Respectfully submitted,

Don Gross, Planning Commissioner

Donald Gross, Planning Commissioner
Charter Township of Orion
2525 Joslyn Rd., Lake Orion MI 48360
dgross@oriontownship.org
http://www.oriontownship.org
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P. (248) 391-0304 ext. 5000; Fax (248) 391 1454

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: Kay Industrial

Name of Development if applicable: Kay Industrial Park

Applicant

Name: Kay Industrial Land, LLC
Address: 38700 Van Dyke, Ste 200 City: Sterling Heights State: MI Zip: 48312
Phone: 586-977-8640 Cell: NA Fax: 586-977-8640
Email: NA

Property Owner(s)

Name: Kay Industrial Development, LLC
Address: 5585 Orchard Ridge Drive City: Rochester State: MI Zip: 48306
Phone: 248-377-3826 Cell: NA Fax: 248-650-7856
Email: NA

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

Plan Preparer Firm/Person

Name: Fenn & Associates, Inc.
Address: 14933 Commercial Drive City: Shelby Township State: MI Zip: 48315
Phone: 586-254-9577 Cell: Fax: 586-254-9020
Email: Jeff@fennsurveying.com

Project Contact Person

Name: Sara D'Agostini
Address: 38700 Van Dyke, Ste 200 City: Sterling Heights State: MI Zip: 48312
Phone: 586-977-8640 Cell: 586-405-4143 Fax: 586-977-7946
Email: sdagostini dagostini.net
Sidewell Number(s): 09-35-400-044

Location or Address of Property: Address TBD; West side of Kay Industrial Drive just north of Northpointe Dr

Side of Street: West Nearest Intersection: Kay Industrial Drive & Northpointe Drive

Acreage: 4.39 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. IP E. IP W. IP

List any known variances needed (subject to change based on Township consultant's review)

South Landscape Greenbelt 12 FT; South Parking Setback 12 FT

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

66,955 SF speculative industrial facility that includes 6,000 SF of first floor office, with the ability to add an additional 6,000 SF of second floor office

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

AT&T
54 Mill St.
Pontiac, MI 48342

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

DTE Energy
37849 Interchange Dr.
Farmington Hills, MI 48335

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

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

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

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

I, 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: Kay Industrial Land, LLC
(print must be original ink signature) Date: 5-25-2021

Print Name: P. Eugene D'Agostini, its Manager

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: Kay Industrial Development, LLC
(print must be original ink signature) Date: 5-24-2021

Print Name: Joseph J. Kowalczyk

Version 10/19/18
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: Kay Industrial

PC# ........................................ Parcel#(s) 09-35-400-044

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]

Kay Industrial Land, LLC

Printed Name of Applicant

Date: 5-25-2021
May 25, 2021

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

Re: Site Plan Application

Dear Orion Township Planning Commission,

Enclosed please find our application for site plan approval for the vacant parcel on Kay Industrial Drive, Orion Township, MI 48359 identified by ID#09-35-400-044. The application provides for a 66,955 square foot speculative industrial facility on the 4.39-acre parcel.

Currently, we are under contract to purchase the parcel for this facility. After thorough due diligence, we believe the viability of this project depends on receiving the variances shown in our application. We therefore respectfully submit a site plan that does not meet certain requirements of the Orion Township ordinance, with the understanding that if we receive the variances, we will provide for proper submission of those items. These include a tree survey and exterior lighting plan.

Lastly, I note that because this facility is speculative, certain design features remain unknown until the end user is identified. Accordingly, the mechanical locations and screening requirements are not included in this submission. These will be forthcoming when a user is identified.

We appreciate your thoughtful consideration and look forward to the continued partnership with Orion Township.

Very truly yours,

[Signature]

Sara D’Agostini

Enclosures
6. Fire lane signage to be provided with IFC 2012 edition and all adopted ordinances.

5. The fire department requests that the petitioner comply to existing detention basin on parcel 09-35-400-042.

"Vertical clearance of not less than 13'6".

"Width of not less than 20 feet, and an unobstructed storm sewer shall be provided onsite and shall be connected to existing onsite storm sewer that outlets to the existing sanitary sewer on west side of Kay Industrial Drive.

4. Fire apparatus access roads shall have an unobstructed department connection.

3. Hydrants shall be located within 100 feet, but no closer to the sanitary sewer on west side of Kay Industrial Drive.

2. Fire hydrants shall be located at least 50 feet from the proposed site utilities.

1. Handicapped spaces shall be furnished as required by state and federal law if space is the common responsibility of tenant/s, such requirements include:

- No handicap vehicles need to be contained.
- All structures shall be maintained in a safe condition.
- No vehicles shall block the driveway.
- All accessibility features shall be maintained.
- All accessibility features shall be accessible to emergency personnel.
- All access features shall be visible.

4. No wetlands exist on this site according to the national wetland inventory map.
SITE DATA

1. THIS PROPERTY IS NOT IN A FLOOD ZONE.
2. NO WETLANDS EXIST ON THIS SITE ACCORDING TO THE NATIONAL WETLAND INVENTORY MAP.

EASEMENTS

11. Easement for gas pipeline to Consumers Energy Company recorded in Liber 22422, Page 317, Oakland County Records, as to Parcel 2. Item located as shown.
12. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 126 and corrected Easement recorded in Liber 23134, Page 48, Oakland County Records, as to Parcel 2. Item located as shown.
13. Easement for sanitary sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 128, Oakland County Records, as to Parcel 2. Item located as shown.
14. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 130, Oakland County Records, as to Parcel 2. Item located as shown.
15. Easement for water main purposes vested in Township of Orion by instrument recorded in Liber 23022, Page 166, Oakland County Records, as to Parcel 2. Item located as shown.

POC

E 1/4 COR
SEC 35
T4N, R10E

SITE BENCHMARKS

TOPOGRAPHIC MAPPING

C20-038.03 KAY INDUSTRIAL DR

MODE DEVELOPMENT, INC.
38700 VAN DYKE, STE.200
STERLING HEIGHTS MI 48312
PHONE: 586-977-8640

NOT TO SCALE

KAY INDUSTRIAL DR
M-24 LAPEER ROAD
E SILVERBELL RD
N SQUIRREL RD
BALD sucht ...

LOCATION MAP

DUTTON RD
MOUNTAIN ROAD
NORTHPOINTEDR

11. Easement for gas pipeline to Consumers Energy Company recorded in Liber 22422, Page 317, Oakland County Records, as to Parcel 2. Item located as shown.
12. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 126 and corrected Easement recorded in Liber 23134, Page 48, Oakland County Records, as to Parcel 2. Item located as shown.
13. Easement for sanitary sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 128, Oakland County Records, as to Parcel 2. Item located as shown.
14. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 130, Oakland County Records, as to Parcel 2. Item located as shown.
15. Easement for water main purposes vested in Township of Orion by instrument recorded in Liber 23022, Page 166, Oakland County Records, as to Parcel 2. Item located as shown.

CALL WEGS INC

11. Easement for gas pipeline to Consumers Energy Company recorded in Liber 22422, Page 317, Oakland County Records, as to Parcel 2. Item located as shown.
12. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 126 and corrected Easement recorded in Liber 23134, Page 48, Oakland County Records, as to Parcel 2. Item located as shown.
13. Easement for sanitary sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 128, Oakland County Records, as to Parcel 2. Item located as shown.
14. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 130, Oakland County Records, as to Parcel 2. Item located as shown.
15. Easement for water main purposes vested in Township of Orion by instrument recorded in Liber 23022, Page 166, Oakland County Records, as to Parcel 2. Item located as shown.

CALL WEGS INC

11. Easement for gas pipeline to Consumers Energy Company recorded in Liber 22422, Page 317, Oakland County Records, as to Parcel 2. Item located as shown.
12. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 126 and corrected Easement recorded in Liber 23134, Page 48, Oakland County Records, as to Parcel 2. Item located as shown.
13. Easement for sanitary sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 128, Oakland County Records, as to Parcel 2. Item located as shown.
14. Easement for storm sewer system purposes vested in County of Oakland by instrument recorded in Liber 22527, Page 130, Oakland County Records, as to Parcel 2. Item located as shown.
15. Easement for water main purposes vested in Township of Orion by instrument recorded in Liber 23022, Page 166, Oakland County Records, as to Parcel 2. Item located as shown.

CALL WEGS INC
LANDSCAPE REQUIREMENTS

RIGHT-OF-WAY FRONTAGE:
· 1 TREE PER 30 L.F.
231.5' / 30' = 8 TREES
· MIN. 30" HIGH BERM/HEDGE/WALL

PROPOSED:
8 CRIMSON SENTRY MAPLE TREES
30" HIGH BERM

OFF-STREET PARKING AREAS:
· 20 S.F. INTERIOR LANDSCAPING PER SPACE
120 SPACES x 20 S.F. = 2,400 S.F.
· 1 TREE PER 200 S.F. INTERIOR LANDSCAPING
2,400 S.F. / 200 S.F. = 12 TREES

PROPOSED:
2679 S.F. INTERIOR LANDSCAPE AREAS
12 AUTUMN BLAZE MAPLE TREES

GREENBELTS:
· 1 TREE PER 3,000 S.F.
SOUTH SIDE - 9,452 S.F. / 3,000 S.F. = 3 TREES
WEST SIDE - 4,752 S.F. / 3,000 S.F. = 2 TREES
NORTH SIDE - 15,160 S.F. / 3,000 S.F. = 5 TREES

PROPOSED:
SOUTH - 3 WHITE SPRUCE TREES
WEST - 2 WHITE SPRUCE TREES
NORTH - 5 WHITE SPRUCE TREES

PLANT SCHEDULE

TREES
AUTUMN BLAZE MAPLE/ ACER FREEMANII ..................................12  1.5" CAL.
CRIMSON SENTRY MAPLE/ ACER PLATANOIDES..........................8  2" CAL.
WHITE SPRUCE/ PICEA GLAUCA....................................................10  5' HT.
TOTAL TREES.......................................................................30

SHRUBS AND PERENNIALS
AUTUMN JOY SEDUM/ HYLOTELEPHIUM TELEPHIUM...............4  3GAL
STELLA D'ORO DAYLILY/ HEMEROCALLIS 'STELLA D'ORO'.......8  3GAL
TOTAL SHRUBS AND PERENIALS...................................12
Finished floor
Limestone accent band
Brick veneer
Expansion joint
Limestone piers
Aluminum architectural siding panel
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band
Brick veneer
Man door
Transparent glazing
Spandrel glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Top of parapet
Spandrel glazing
Transparent glazing
Limestone accent band
Brick veneer
Transparent glazing
Architectural insulated pre-finished metal siding panels
Painted CMU
Man door
Limestone accent band

Expansion joint
Limestone accent band
Brick veneer
Painted CMU
Architectural insulated pre-finished metal siding panels

Partial North Elevation
1/8" = 1'-0"

Partial North Elevation
1/8" = 1'-0"

Partial North Elevation
1/8" = 1'-0"

Overall West Elevation
1/8" = 1'-0"

6" std. pipe bollard type, concrete filled
34'-0" x 34'-0" O.H. Mt. Dr.
Insulated

6" std. pipe bollard type, concrete filled
34'-0" x 34'-0" O.H. Mt. Dr.
Insulated

Man door
Painted CMU

5'-0" x 5'-0" O.H. Mt.
Dr. insulated
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: June 10, 2021
RE: PC-2019-04, Orion Storage Site Plan

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

Off-street Parking Calculation Waiver (Ord. No. 78, Section 16.03 C)
Motion 1: I move that the Planning Commission approve/deny a parking calculation waiver for PC-2019-04, Orion Storage Site Plan for plans date stamped received 5/26/2021, based on the following: (motion maker insert findings of facts)

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

Site Plan (Ord. No. 78, Section 30.01)
Motion 2: I move that the Planning Commission grants site plan approval for PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 05/26/2021 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:

   a. Approval of boundary adjustment adding the 40' strip owned by Lake Orion Schools to parcel 09-19-226-001.
   b. (Motion maker to list any unresolved issues related to the Township Planner’s review letter).
   c. (Motion maker to list any unresolved issues related to the Township Engineer’s review letter).
   d. (Motion maker to list any unresolved issues related to the Fire Marshall’s review letter).
   e. (Motion maker to list any additional conditions).
Or
I move that the Planning Commission **denies** site plan approval for PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 05/26/2021. This **denial** is based on the following reasons (insert findings of facts).

Or
I move that the Planning Commission **postpones** site plan approval for PC-2019-04, Orion Storage Site Plan, located at 1761 W. Clarkston Rd. (parcel 09-19-226-001) for plans date stamped received 05/26/2021 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s, Fire Marshall’s, or Engineer’s review letter(s). Case to resubmit to Township within (insert time frame).
Site Plan Review #2
Orion Storage

Case No: PC-2019-04
Site: 1761 W. Clarkston Road (east of Joslyn Road)
Applicant: Thomas C. Reed, Orion Investment Group, LLC
Plan Date: 5/24/2021
Zoning: LI (Limited Industrial)
Parcel ID: 09-16-226-001

Dear Planning Commissioners:

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

1. **Zoning.** Upon submittal and review of this application, a 40-foot wide strip of property along Clarkston Road ran the depth of the west boundary of the site and was zoned SF, Suburban Farms. As “mini-storage and warehousing” is not a permitted use in the SF district, an application for rezoning the strip to LI was submitted and approved by the Township Board of Trustees on 6/7/2021.

2. **Setback Variance.** The proposed side yard setbacks of 5 feet for the east property line and 12.48 feet for the west property line are less than the district’s requirement of 25 feet.

3. **Lot Coverage.** The calculated lot coverage is 37.20%. The ordinance requires 30% lot coverage. A variance or site plan revision to reduce the amount of impervious cover is required.

4. **UPDATED - Parking Area & Driveways Setback.** The proposed parking lot is 5 feet from the east property line. A variance to permit this reduced setback from 20 feet is required as the Zoning Ordinance does not specify that this standard may be reduced through a waiver. We recommend the parking lot be redesigned to provide the required setback given the location of the trailhead.

5. **UPDATED - Greenbelts.** Section 16.03 D. requires a landscaped greenbelt of 20 feet in width along the north property line, abutting Clarkston Road, and 50 feet in width along the south and west property lines abutting residential zoning for the school property. This section does not specifically address the east boundary of the site that is adjacent to recreation use and zoning for the trail.
   a. A variance to permit the reduced greenbelt width along the east, south, and west property lines is required as the Zoning Ordinance does not specify that greenbelts may be reduced through a waiver when abutting residential or recreational property.

6. **Off-Street Parking.** The off-street parking requirement is 57 spaces. 8 parking spaces are proposed – a deficiency of 49 spaces, or 86%. The site plan indicates 1 ADA space is provided, where 3 are required. The Planning Commission may modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates another standard would be more reasonable.

7. **UPDATED - Loading and Unloading.** The LI district requires that loading areas be located in the rear or side yard, not interfere with parking or access, and be in conformance with Section 27.04. Section 27.04 B.3. C. states that loading berths are required for “warehousing, storage and wholesale establishments” based on the gross floor area of building(s). It is our interpretation of the Zoning Ordinance that a loading berth may not be required for “mini-storage and warehousing” uses, which is the term the proposed use is under, as this is a different use than the “warehousing, storage and wholesale establishments” term provided in Section 27.04.
   a. Mini-storage facilities typically have a less-intense function than industrial “wholesale establishments” as there would be no bulk sale or other transfer of goods or materials from a mini-storage facility as it simply a personal storage use for numerous individuals.
   b. Additionally, it is not typical for mini-storage facilities to provide individual loading berths for each building as loading and unloading would occur at each storage unit, rather than at a centralized loading area that you would see for a single-user commercial or industrial building. If the Planning Director or Planning Commission disagrees with this interpretation, the applicant should seek a variance to this section, which may be included with other variance
requests that are needed. We have no objection to a determination that a variance to this section is needed.

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

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

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

**Project Summary**

The applicant requests site plan approval to construct five self-storage facilities and one office facility on the property located at 1761 W. Clarkston Road, east of Joslyn Road. The applicant is under contract to purchase a 40-foot strip of undeveloped land along the entire west property line which is owned by Lake Orion Community Schools. The rezoning of this 40’ strip was approved on June 7, 2021 and is included within the site plan boundary. Patrons will access the site from Clarkston Road but may only access the fenced storage buildings through a security gate. The exterior of the proposed buildings will consist of wall-mounted lighting and the perimeter of the development will include landscaping for additional screening from adjacent properties.

**Existing Conditions**

1. **Existing site.** The subject site consists of 3.02 acres and is identified as “Lot 35 of Supervisor’s Plat of Randell Beach Park Addition”. The site is bound by Clarkston Road to the north, the Polly Ann Trailway to the east, and Orion Oaks Elementary School to the west and south. The site is currently used as a landscape and outdoor storage company which are permitted uses within the LI District.

September 2018 Google Street View image of the site looking south from Clarkston Road. Land is currently vacant.

September 2018 Google Street View image of the site looking southwest from Polly Ann Trail. Land is currently vacant.
2. **Zoning.** Upon submittal and review of this application, a 40-foot wide strip of property along Clarkston Road ran the depth of the west boundary of the site and was zoned SF, Suburban Farms. As “mini-storage and warehousing” is not a permitted use in the SF district, an application for rezoning the strip to LI was submitted and approved by the Township Board of Trustees on 6/7/2021.

3. **Adjacent Zoning & Land Uses.**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>LI – Limited Industrial</td>
<td>The Complete Companies Automation</td>
</tr>
<tr>
<td>South</td>
<td>SF – Suburban Farms Residential</td>
<td>Lake Orion Community Schools</td>
</tr>
<tr>
<td>East</td>
<td>REC-2 – Recreation 2</td>
<td>Polly Ann Trailway</td>
</tr>
<tr>
<td>West</td>
<td>SF – Suburban Farms Residential</td>
<td>Lake Orion Community Schools</td>
</tr>
</tbody>
</table>
Zoning Ordinance Compliance
All proposed development and construction within the Limited Industrial Zoning District shall comply with the following standards:

4. LI District Area and Bulk Requirements.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Parcel Size</td>
<td>2 acres</td>
<td>3.02 acres – Met</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>50 ft</td>
<td>73 ft – Met</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>25 ft</td>
<td>Met</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>25 ft each side</td>
<td>5.00 ft (east); 12.48 ft (west)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>VARIANCE NEEDED</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
<td>37.20% – Not Met</td>
</tr>
<tr>
<td></td>
<td></td>
<td>VARIANCE NEEDED or reduce coverage</td>
</tr>
<tr>
<td>Maximum Height of All Structures</td>
<td>40 ft</td>
<td>Office building: 15 ft – Met Storage buildings: Not Provided</td>
</tr>
<tr>
<td>Minimum Clear Space Around</td>
<td>25 ft</td>
<td>Defer to Fire Dept. Review</td>
</tr>
<tr>
<td>Structures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking &amp; Driveways Setback</td>
<td>20 ft</td>
<td>5.00 ft (east of parking lot)</td>
</tr>
<tr>
<td>Landscaped Greenbelt</td>
<td></td>
<td>VARIANCE NEEDED</td>
</tr>
<tr>
<td>Wetland Setbacks</td>
<td>25 ft</td>
<td>No wetlands apparent</td>
</tr>
<tr>
<td>Off-Street Parking</td>
<td>57 spaces (1 spc / 1,000 sf GFA)</td>
<td>8 spaces – Not met (see #5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Waiver may be considered</td>
</tr>
</tbody>
</table>

5. Off-street Parking.

a. Parking requirements shall be based upon the following schedule, except as modified for a specific use within Section 16.02 (amended 08.06.07):
   i. One (1) parking space per one thousand (1,000) square feet of gross floor area or one (1) space per employee, whichever is greater. The proposed development requires 57 parking spaces. The Conceptual Site Plan on Sheet C1.0 states seven (7) off-street parking spaces and one (1) ADA space will be provided. (1 / 1,000 sq ft GFA = .001 x 56,909 sq ft). This results in a parking deficit of 49 spaces, or 86%.
   ii. One (1) additional parking space shall be added for every four (4) required spaces for facilities which operate more than one employee shift. Within the parking analysis, the applicant should provide a statement addressing this requirement and include the additional number of parking spaces required and provided, if this subsection applies.

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

c. No parking area or driveway shall be closer than twenty (20) feet to the adjacent property line. However, if the parcel in question abuts a residentially used or zoned parcel, then no parking area or driveway shall be closer than fifty (50) feet to the adjacent property line. (amended 06.15.89) The proposed surface parking spaces are setback 27' from the Clarkson Road right-of-way line but
only 5’ from the east property line. The east property line is adjacent to a land parcel identified as “Grand Trunk Railroad” on the site plan, which is currently used as the Polly Ann Trailway. A variance to permit this reduced setback from 20 feet is required as the Zoning Ordinance does not specify that this standard may be reduced through a waiver. We recommend the parking lot be redesigned to provide the required setback given the location of the trailhead.

d. The required setback for parking may be reduced in width or waived by the Planning Commission when the parcel abuts commercial/office, or industrial zoned property, and when existing off-street parking, drives, and/or structures are located within the setback area. (amended 09.16.93) See 5.c above. A variance to permit the reduced setback along the east property line would be required. The adjacent property consists of recreational open space as a component of the Polly Ann Trailway facility. A north-south overhead power line blanket easement creates an additional buffering between the site and the active pathway and its amenities.

Section 27.04.A. – Parking and Loading Regulations

e. 1.D. Submission of Plot Plan. No off-street parking facilities shall be constructed unless a building permit is first obtained from the Building Department. Any application for a building permit shall include a plot plan showing any off-street parking facilities proposed in accordance with the provisions of this Ordinance. Calculations for required parking shall be submitted on the plot plan or site plan and shall indicate the proposed use, building square footage and required number of parking spaces. Whenever a site plan is required in accordance with the provisions of Section 30.01, said site plan shall meet the requirements of this section. (amended 11.14.85, 08.06.07) The applicant should provide an analysis, with supporting documentation, identifying the amount of parking suitable for the proposed facility if less spaces than the ordinance requires are proposed.

f. Access. Except on lots accommodating single-family dwellings, each off-street parking space shall open directly onto an aisle or driveway of sufficient width and design as to provide safe and efficient means of vehicular access. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement. Backing directly onto a street shall be prohibited. Ingress and egress to an off-street parking area lying in the area zoned for other than residential use shall not be across land zoned for residential use.

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

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

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

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

i. Warehousing, storage, and wholesale establishments.

7. Lighting. The proposed lighting fixtures comply with the non-residential ordinance standards of 27.11.
8. **Fencing.** Fences required for screening purposes shall be a minimum of six (6) feet in height, and shall be constructed of redwood, cedar, or No. 1 pressure-treated wood, vinyl or other materials approved by the Planning Commission or Building Official, with posts sunk into the ground at least three (3) feet. Chain link fences shall not be permitted for screening purposes. viii. Barbed Wire Prohibited. Barbed wire, spikes, nails, or any other sharp-pointed intrusions shall be prohibited on top or on the sides of any fence, wall, or protective barrier, except that barbed wire cradles consisting of no more than three (3) strands of wire may be placed on top of fences enclosing public utility buildings. A 6' high, aluminum, ornamental fence is proposed parallel to the front property line, between the office and storage buildings in the rear. The fence will include separate 6' tall vehicular and pedestrian gates adjacent to the office building. A 6’ tall chain link fence, with gate, is proposed around the detention basin at the rear of the property. Small segments of chain link fencing are also shown between the storage buildings near the periphery of the site.

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

10. **Safety Paths.** Required pathways for pedestrian and bicycle use shall be constructed in conformance with the following specifications:

   a. **Location and Width.** Required pathways shall be eight feet in width and shall be located in the road right-of-way, with a setback of one (1) foot from the property line. The Planning Commission may modify this requirement in consideration for the location of utilities, existing landscaping, or other site improvements. **The existing safety path along Clarkston Road is shown to be located within the boundaries of the subject property. A pedestrian access easement may be required.** The width should be called out on the site and landscape plans. We defer to the Township Engineer on compliance with Ordinance No. 97.

   b. **Design Standards.** Required pathways shall be constructed of asphalt or concrete in accordance with adopted engineering standards for the Township. **Applicant should demonstrate compliance upon permitting and inspection.**

   c. **Alignment with Adjacent Pathways.** Required pathways shall be aligned horizontally and vertically with existing pathways or sidewalks on adjacent properties. The Planning Commission may waive this requirement if existing adjacent pathways or sidewalks are not constructed in conformance with the standards set forth herein. **The existing safety path ties into the Poly Ann Trail at the subject site. Additionally, a proposed connector of the Poly Ann Trail with the Paint Creek Trail to the east, falls along the Clarkston Road corridor to the east. Trail access amenities, such as vehicle and bicycle parking, bicycle repair, maps, and resting facilities, underscore the importance of pathway connectivity at this specific site.**

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

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

Rod Arroyo, AICP
Partner

Eric Pietsch
Senior Planner
June 1, 2021

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

RE: Orion Storage, PC-2019-04
Site Plan Review #3

Received: May 26, 2021 by Orion Township

Dear Mr. Reynolds:

We have completed our review of the Orion Storage plan set. The plans, dated April 20, 2021, were prepared by Sujak Engineering PLC and were reviewed with respect to the Township’s Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township’s Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located along south side of Clarkston Rd, east of Joslyn Rd. within the East 1/2 of Section 16 of the Charter Township of Orion. The east edge of the property is bounded by the Polly Ann Trail (Grand Trunk Western R.R.). The site is zoned Limited Industrial (LI) and bound by parcels to the west and south of the property zoned Suburban Farms (SF), and parcels to the north and east of the Polly Ann Trail property also zoned Limited Industrial (LI). Currently the site is occupied by a residential house, that fronts along Clarkston Rd. that serves as an office for a landscape business and a gravel lot utilized for outdoor RV and trailer storage. There is an existing overhead electric tower line along the east property line. The easement for this overhead electric tower line is indicated as a blanket easement rather than prescribed width. Approval from ITC for the proposed improvements will be necessary during engineering. The revised plans include a 40’ wide acquisition of the school property to the west which has recently been rezoned to (LI) for the entire length of the site. However, the proposed legal description should be revised to include this additional 40’ of property.

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

WATER MAIN AND SANITARY SEWER:
There is an existing 12-inch water main along the north side of Clarkston Rd. that was recently installed as part of the Clarkston Phase 1A Township water main extension. A 1-inch water service was provided as part of improvements to the south side of the road. The applicant should contact the DPS department for service lead tie down location. The plans indicate boring under Clarkston Rd. to extend 8-inch water main and three hydrants into the site from a tap connection along the north side of Clarkston Rd. The plan has been revised to include the looping of the 8-inch watermain within the site and connecting to the existing stub in Rhodes Dr. This was necessary to provide the required fire flow for the proposed use.
Currently, public sanitary sewer is not available to the site. There is an existing sanitary septic system on-site just west of the existing residence. The applicant is proposing to construct a new septic field further west to provide sanitary service to the office. The field locations will need to shift slightly west to avoid overlapping the watermain easement at engineering. Final approval from the Oakland County Health Department (OCHD) will be required for construction of the septic system.

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

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

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

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

GRADING:
Existing contours are shown on the site plan and indicate that the site gradually slopes to the west and south. There is an existing shallow swale along the northwest edge of the property. Proposed pavement grades are indicated with spot grades with some proposed contours for landscape areas. It appears that proposed grading generally matches the existing drainage pattern with drainage directed more southerly toward the detention pond as the exception. Additional grades shall be provided within the parking lot and along the sidewalk at engineering. At engineering elevations and design calculations need to be provided for the proposed retaining walls, signed and sealed by a licensed professional engineer. Further, any walls over 30 inches high will require provisions for 42-inch tall fence.

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

1. The proposed legal description shall be revised to include the recently acquired and rezoned 40 ft of land from the adjoining parcel to the west.
2. The engineering plan, designed in accordance with Zoning Ordinance No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance No. 139, and the Township’s Engineering Standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

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

Sincerely,

**OHM Advisors**

Joe Lehman  
Project Engineer

cc:  Chris Barnett, Township Supervisor  
     David Goodloe, Building Official  
     Jeff Storm, Director of Public Services  
     Tammy Girke, Director of Planning and Zoning  
     Lynn Harrison, Planning and Zoning Coordinator  
     Jeff Williams, Township Fire Marshal  
     Bill Basigkow, Water and Sewer Superintendent  
     Ken Zmijewski, Orion Investment Group, LLC, 1761 W. Clarkston Rd, Lake Orion, MI 48365  
     Sujak Engineering, P.C., 4030 Coolidge Hwy., Troy, MI 48098
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2019-04, Orion Storage Site Plan. 3rd Submittal  
Date: 06/02/2021

The Orion Township Fire Department has completed its review of Application PC-2019-04 for the limited purpose of compliance with Charter Township of Orion Ordinances, 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 Comments (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
Dear Tammy,

Department of Public Services has no objections or concerns with the above-mentioned project.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
Good Morning,

My name is Linda Moran and I am the Polly Ann Trail Manager. The Polly Ann Trailway Management Council is the owner of the property to the East of the proposed rezoning area. We have several concerns we would like to have addressed.

1. The fence. It needs to be removed and replaced as part of the proposed project.
2. We would like a copy of a current certified survey of the property. We believe the fence is on part of our property and would like this verified and corrected as part of the project.

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

Sincerely,

Linda S. Moran
Polly Ann Trail Manager
(248)981-1242
Charter Township of Orion Planning Commission
Site Plan Approval Application

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

Project Name: ORION STORAGE

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Name: ORION INVESTMENT GROUP LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Address: 1761 W. CLARKSTON RD</td>
</tr>
<tr>
<td></td>
<td>City: LAKE ORION State: MI Zip: 48360</td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:ken@landscape-gardens.com">ken@landscape-gardens.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Name: KENNETH ZMIJEWSKI</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Address: 150 TIFFANY LN.</td>
</tr>
<tr>
<td></td>
<td>City: ROYAL OAK State: MI Zip: 48067</td>
</tr>
<tr>
<td></td>
<td>Phone: Cell: 248-425-3448 Fax: 248-364-3986</td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:ken@landscape-gardens.com">ken@landscape-gardens.com</a></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Plan Preparer Firm/Person</th>
<th>Name: SUJAK ENGINEERING PLC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Address: 4030 COOLIDGE HWY</td>
</tr>
<tr>
<td></td>
<td>City: TROY State: MI Zip: 48086</td>
</tr>
<tr>
<td></td>
<td>Phone: 248-885-8431 Cell:</td>
</tr>
<tr>
<td></td>
<td>Fax: 248-885-8432</td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:sujakengineering@comcast.net">sujakengineering@comcast.net</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Contact Person</th>
<th>Name: KENNETH ZMIJEWSKI</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Address: 1328 WERNON DR</td>
</tr>
<tr>
<td></td>
<td>City: TROY State: MI Zip: 48085</td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:ken@landscape-gardens.com">ken@landscape-gardens.com</a></td>
</tr>
</tbody>
</table>
Sidwell Number(s): 09-16226001

Location or Address of Property: 1761 W. CLARKSON RD. LAKESIDE ORION MI 48365

Side of Street: SOUTH Nearest Intersection: CLARKSON & JOSLYN

Acreage: 3.50 Current Use of Property: OUTSIDE STORAGE

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

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

List any known variances needed (subject to change based on Township consultant's review) GREENBELT

SETBACKS ON EAST & WEST SIDES DRIVE AISLES LESS THAN 25' WIDE

Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed. MINI STORAGE 5 BUILDINGS 20', 30' & 40' WIDE

By 400+ 24' x 16' OFFICE

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

AT&T
54 Mill St.
Pontiac, MI 48342

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

DTE Energy
37849 Interchange Dr.
Farmington Hills, MI 48335

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

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

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

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

I, 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: ____________

Print Name: _____________________________________________________

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

Signature of Owner: (must be original ink signature) ____________________________________________ Date: ____________

Print Name: _____________________________________________________

Version 10/19/18
Project Name: ORION STORAGE

PC# Parcel#(s)

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
### Luminaires Schedule

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Qty</th>
<th>L1</th>
<th>Description</th>
<th>Lum. Walls</th>
<th>Lum. Lumin.</th>
<th>Avg/Min</th>
</tr>
</thead>
<tbody>
<tr>
<td>L2</td>
<td>2</td>
<td>L1</td>
<td>LIMARK PRR-42S-D-LNW-74-62Y</td>
<td>97</td>
<td>10261</td>
<td></td>
</tr>
<tr>
<td>L2</td>
<td>4</td>
<td>L1</td>
<td>LIMARK XTO1038-W</td>
<td>25.5</td>
<td>2710</td>
<td></td>
</tr>
</tbody>
</table>

### Calculation Summary

<table>
<thead>
<tr>
<th>Label</th>
<th>Units</th>
<th>Avg</th>
<th>Min</th>
<th>Max</th>
<th>Min/Max</th>
<th>Avg/Min</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Lot</td>
<td>Fc</td>
<td>1.55</td>
<td>1.0</td>
<td>1.3</td>
<td>1.0</td>
<td>1.2</td>
<td></td>
</tr>
<tr>
<td>Property Line Industrial Zone</td>
<td>Fc</td>
<td>0.07</td>
<td>0.7</td>
<td>0.0</td>
<td>N.A</td>
<td>N.A</td>
<td></td>
</tr>
<tr>
<td>Property Line near SF Raw Zones</td>
<td>Fc</td>
<td>0.00</td>
<td>0.0</td>
<td>0.0</td>
<td>N.A</td>
<td>N.A</td>
<td></td>
</tr>
<tr>
<td>Storage Drive Areas</td>
<td>Fc</td>
<td>1.62</td>
<td>22.6</td>
<td>0.0</td>
<td>0.0</td>
<td>N.A</td>
<td>N.A</td>
</tr>
</tbody>
</table>

### NOTE

- WALL PACK TYPE L2 SHALL BE MOUNTED 7'-4" A.F.G. AS MEASURED FROM BOTTOM OF LUMINAIRE.
- AREA POLE HEIGHT AT 15'-0" A.F.G.

---

**NOTE**

1. THE ENGINEER ADOPTS AND ARCHITECT MIGHT DETERMINE APPLICABILITY OF LAYOUT TO
   ENSURE THE STRUCTURAL BOUNDARY AND ALL APPROPRIATE BUILDING AND LIFE SAFETY CODES
   AND COMPLIANCE.
2. LIGHTING LEVELS DEPEND ON A MOUNTING LUMINARIA SHALL BE CALCULATED FROM LABORATORY DATA
   TAKEN UNDER CONTROLLED CONDITIONS FOR ACCURACY OF ILLUMINATING LUMINARIA.  THIS APPROPRIATE METHOD.
   VARYING PERFORMANCE OF VARIOUS MANUFACTURER'S LUMIDORES MAY BE IMPACTED CONDITIONS.
3. MOUNTING HEIGHT MODIFIED BASE FROM GRADE AND FLOOR IN.
4. CLARUS DO NOT ACT AS THE ELECTRICAL, ELECTRICAL, OR STRUCTURAL ENGINEER AND DOES NOT
   DETERMINE THE REQUIREMENTS AND APPLICABLE CODE COMPLIANCE. CLARUS IS NOT
   LIEU FOR ANY CODE COMPLIANCE DETERMINATION.
5. THE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR UNDERTAKING ENGINEERING
   ANALYSIS BY LEADING EXPERIENCE IN PROJECTS WITH SAFETY, THE ENGINEER AND USE ARCHITECT
   DETERMINE THE APPLICABILITY OF THE DESIGN TO THE LOCAL, STATE, COUNTY, OR OTHER RELEVANT BUILDING CODES
   AND ENFORCEMENT QUALITY CODES.
DESCRIPTION

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

SPECIFICATION FEATURES

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

Optics
Precision molded, high efficiency optics are precisely designed to shape the distribution, maximizing efficiency and application spacing. Available in Type II, III, IV and V distributions with lumen packages ranging from 6,100 to 18,900 nominal lumens. Light engine configurations consist of 1 or 2 high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to 92/60,000 hours at 25°C) per IESNA TM-21. For the ultimate level of spill light control, an optional house side shield accessory can be field or factory installed.

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

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

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

Warranty
Five-year warranty.

DIMENSIONS

2-3/4" (70mm)
13-1/16" (338mm)
26-13/16" (681mm)

CERTIFICATION DATA
UL and cUL Listed
Location Listed
IP66 Rated
3G Vibration Rated
ISO 9001
DesignLights Consortium® Qualified®
Dark Sky Approved (2000K CCT and warmer only)

ENERGY DATA
Electronic LED Driver
0.9 Power Factor
<20% Total Harmonic Distortion
120-277V/50Hz and 100-120V
347V/60Hz, 480V/60Hz
-40°C Minimum Temperature Rating
+40°C Ambient Temperature Rating

EPA
Effective Projected Area (Sq. Ft.): 0.75

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

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

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

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

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

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

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)
The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomical or time schedules based on a 7 day week.
### ORDERING INFORMATION

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

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Light Engine</th>
<th>Driver</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Mounting</th>
<th>Color</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRV-Prevail</td>
<td>A15=1 LED, 6,100 Nominal Lumens</td>
<td>D=Dimming (0-10V)</td>
<td>UNV=Universal (120-277V)</td>
<td>T2=Type II</td>
<td>SA=Standard Versatile Arm</td>
<td>AP=Grey</td>
</tr>
<tr>
<td></td>
<td>A25=2 LEDs, 10,200 Nominal Lumens</td>
<td></td>
<td>347=347V</td>
<td>T2=Type II</td>
<td>MA=Mast Arm</td>
<td>BZ=Bronze (Standard)</td>
</tr>
<tr>
<td></td>
<td>A46=2 LED(s) 15,100 Nominal Lumens</td>
<td></td>
<td>480=480V</td>
<td>T4=Type IV</td>
<td>WM=Wal Mount Arm</td>
<td>BK=Black</td>
</tr>
<tr>
<td></td>
<td>A66=2 LED(s) 18,900 Nominal Lumens</td>
<td></td>
<td></td>
<td>T4=Type IV</td>
<td>DP=Dark Platinum</td>
<td>DP=Dark Platinum</td>
</tr>
</tbody>
</table>

**Options (Add as Suffix):**
- 7930=70 CRI / 3000K CCT
- 7980=70 CRI / 5000K CCT
- 10K=10kV/10kA UL 1649 Fused Surge Protective Device
- LW=LuminaWatt Pro Wireless Sensor, Wide Lens for 8'-16' Mounting Height
- M=Medium Lens for 10'-20' Mounting Height
- MSP=MSM-2S1=Integrated Sensor for Dimming Operation, 8'-12' Mounting Height
- M=Medium Lens for 10'-20' Mounting Height
- MSP=MSM-2S1=Integrated Sensor for ON/OFF Operation, 12'-30' Mounting Height
- PER=NEMA 2-PIN Twillstock Photocell Receptacle
- PER2=NEMA 7-PIN Twillstock Photocell Receptacle
- HSS=House Side Shield
- HA=50°C High Ambient Temperature
- LO=Options Rotated 90° Left
- RO=Options Rotated 90° Right

### Accessories (Order Separately):
- PRVWM-XX=Wal Mount Kit
- PRVMA-XX=Mast Arm Mounting Kit
- PRVSA-XX=Standard Arm Mounting Kit
- HS/VERD=House Side Shield
- MA1010-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1011-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1012-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1013-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1014-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1015-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1016-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1017-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1018-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1019-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1020-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- MA1021-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon
- OA/RA1013=NEMA Photocell Shorting Cap
- OA/RA1014=NEMA Photocell Control - 120V
- OA/RA1015=NEMA Photocell Control - Multi-Tap 105-285V
- OA/RA1027=NEMA Photocell Control - 480V
- OA/RA1291=NEMA Photocell Control - 347V
- RSH=91=Integrated Sensor Programming Remote
- WOLC-7P-10A=Waveline Outdoor Control Module (7-pin)

### STOCK ORDERING INFORMATION

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

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Light Engine</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Options (Add as Suffix)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRV-Prevail</td>
<td>A15=1 LED, 6,100 Nominal Lumens</td>
<td>UNV=Universal (120-277V)</td>
<td>T3=Type III</td>
<td>S=Standard Mounting Arm</td>
</tr>
<tr>
<td></td>
<td>A25=2 LED(s) 10,200 Nominal Lumens</td>
<td>347=347V</td>
<td>T4=Type IV</td>
<td>T3=Type III</td>
</tr>
<tr>
<td></td>
<td>A46=2 LED(s) 15,100 Nominal Lumens</td>
<td></td>
<td>T4=Type IV</td>
<td>T4=Type IV</td>
</tr>
<tr>
<td></td>
<td>A66=2 LED(s) 18,900 Nominal Lumens</td>
<td></td>
<td></td>
<td>T4=Type IV</td>
</tr>
</tbody>
</table>

**NOTE:** Bronzes only; 4000K CCT, 120-277V; 347V, standard mounting arm, standard non-fused 347V MDV and 0-10V dimming.

---

**NOTES:**
1. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for all applications. Refer to installation instructions IS000005EN and pole white paper MPS12001EN for additional support information.
3. Standard 3000K CCT and 70 CRI.
4. Can accept factory for diversity surge protection values.
5. Only for use with 408V Wire systems. For NEC, not for use with grounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems).
6. Difficult housing color impact output. KES rates for the non-standard colors are available upon request.
7. Extended led times apply. Use dedicated ES files for 3000K and 5000K when performing layouts. These files are published on the Prevail luminaire product page on the website.
8. LuminaWatt Pro wireless tenons are factory tested and vendor networked components WAP-Ext-1, WAP-Ext-2, and WAP-Ext-3 in appliances. See websites for LuminaWatt Pro application information.
9. LuminaWatt Pro wireless systems can be available with photocell receptacles (if needed).
10. Not available in conjunction with A66 Luminaire package at HA (High Ambient).
11. Not available with MSP or LW options.
12. Replace XX with part only.
13. Requires 7-pin NEMA twistlock photocell receptacles.
14. Option will come factory-installed. Must order one per fixture as an a009250-1; House Side Shield not suitable for TS distribution.

---

**STOCK ORDERING INFORMATION**

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

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Light Engine</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Options (Add as Suffix)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRV-Prevail</td>
<td>A15=1 LED, 6,100 Nominal Lumens</td>
<td>UNV=Universal (120-277V)</td>
<td>T3=Type III</td>
<td>S=Standard Mounting Arm</td>
</tr>
<tr>
<td></td>
<td>A25=2 LED(s) 10,200 Nominal Lumens</td>
<td>347=347V</td>
<td>T4=Type IV</td>
<td>T3=Type III</td>
</tr>
<tr>
<td></td>
<td>A46=2 LED(s) 15,100 Nominal Lumens</td>
<td></td>
<td>T4=Type IV</td>
<td>T4=Type IV</td>
</tr>
<tr>
<td></td>
<td>A66=2 LED(s) 18,900 Nominal Lumens</td>
<td></td>
<td></td>
<td>T4=Type IV</td>
</tr>
</tbody>
</table>

**NOTE:** Bronzes only; 4000K CCT, 120-277V; 347V, standard mounting arm, standard non-fused 347V MDV and 0-10V dimming.
**DESCRIPTION**

The patented Lumark Crosstour® LED Wall Pack Series of luminaries provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/Canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

**SPECIFICATION FEATURES**

**Construction**

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

**Optical**

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

**Electrical**

LED driver is mounted to the die-casting housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 12W, 18W, 26W and 38W series operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 89% of initial light output after 72,000 hours of operation. Three half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized electrical wiring compartment. Integral LED electronic driver incorporates surge protection. 120-277V 50/60Hz or 347V 60Hz models.

**Finish**

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

**Warranty**

Five-year warranty.

---

**DIMENSIONS**

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

**ESCUTCHEON PLATES**

<table>
<thead>
<tr>
<th>12W, 18W, 26W</th>
</tr>
</thead>
<tbody>
<tr>
<td>38W</td>
</tr>
<tr>
<td>6-5/8&quot; [168mm]</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>17-1/2&quot; [445mm]</th>
</tr>
</thead>
<tbody>
<tr>
<td>10&quot; [254mm]</td>
</tr>
</tbody>
</table>

---

**CERTIFICATION DATA**

ULcUL, Wet Location Listed
LM79 / LM80 Compliant
ROHS Compliant
ADA Compliant
NOM Compliant Models
1P6 Ingress Protection Rated
Title 34 Compliant
DesignLights Consortium® Qualified®

**TECHNICAL DATA**

40°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum

**EPA**

Effective Projected Area (Sq. Ft.):
XTOR1B, XTOR2B, XTOR3B=0.34
XTOR4B=0.45

**SHIPPING DATA:**

Approximate Net Weight:
3.7 - 5.25 lbs (1.7 - 2.4 kgs)
POWER AND LUMENS BY FIXTURE MODEL

<table>
<thead>
<tr>
<th>LED Information</th>
<th>XTOR1B</th>
<th>XTOR1B-W</th>
<th>XTOR1B-Y</th>
<th>XTOR2B</th>
<th>XTOR2B-W</th>
<th>XTOR2B-Y</th>
<th>XTOR3B</th>
<th>XTOR3B-W</th>
<th>XTOR3B-Y</th>
<th>XTOR4B</th>
<th>XTOR4B-W</th>
<th>XTOR4B-Y</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delivered Lumens (Wall Mount)</td>
<td>1,418</td>
<td>1,366</td>
<td>1,327</td>
<td>2,125</td>
<td>2,103</td>
<td>1,997</td>
<td>2,751</td>
<td>2,710</td>
<td>2,575</td>
<td>4,289</td>
<td>4,205</td>
<td>3,995</td>
</tr>
<tr>
<td>Delivered Lumens (With Flood Accessory Kit)</td>
<td>1,005</td>
<td>990</td>
<td>940</td>
<td>1,495</td>
<td>1,472</td>
<td>1,389</td>
<td>2,099</td>
<td>2,068</td>
<td>1,985</td>
<td>3,188</td>
<td>3,121</td>
<td>2,965</td>
</tr>
<tr>
<td>B.U.G. Rating ²</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B1-U0-G0</td>
<td>B2-U0-G0</td>
<td>B2-U0-G0</td>
<td>B2-U0-G0</td>
</tr>
<tr>
<td>CCT (Kelvin)</td>
<td>5,000</td>
<td>4,000</td>
<td>3,000</td>
<td>5,000</td>
<td>4,000</td>
<td>3,000</td>
<td>5,000</td>
<td>4,000</td>
<td>3,000</td>
<td>6,000</td>
<td>4,000</td>
<td>3,000</td>
</tr>
<tr>
<td>CRI (Color Rendering Index)</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
</tr>
<tr>
<td>Power Consumption (Watts)</td>
<td>12W</td>
<td>12W</td>
<td>12W</td>
<td>12W</td>
<td>18W</td>
<td>18W</td>
<td>28W</td>
<td>26W</td>
<td>26W</td>
<td>36W</td>
<td>38W</td>
<td>38W</td>
</tr>
</tbody>
</table>

NOTES: 1 Includes shield and visor 2 B.U.G. Rating does not apply to floodlighting.

LUMEN MAINTENANCE

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>TM-21 Lumen Maintenance (72,000 Hours)</th>
<th>Theoretical L70 (Hours)</th>
</tr>
</thead>
<tbody>
<tr>
<td>XTOR1B Model</td>
<td>&gt; 95%</td>
<td>255,000</td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 95%</td>
<td>234,000</td>
</tr>
<tr>
<td>50°C</td>
<td>&gt; 89%</td>
<td>215,000</td>
</tr>
<tr>
<td>XTOR2B Model</td>
<td>&gt; 89%</td>
<td>240,000</td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 89%</td>
<td>212,000</td>
</tr>
<tr>
<td>50°C</td>
<td>&gt; 87%</td>
<td>196,000</td>
</tr>
<tr>
<td>XTOR3B Model</td>
<td>&gt; 89%</td>
<td>240,000</td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 89%</td>
<td>212,000</td>
</tr>
<tr>
<td>50°C</td>
<td>&gt; 87%</td>
<td>196,000</td>
</tr>
<tr>
<td>XTOR4B Model</td>
<td>&gt; 89%</td>
<td>222,000</td>
</tr>
<tr>
<td>25°C</td>
<td>&gt; 87%</td>
<td>198,000</td>
</tr>
<tr>
<td>50°C</td>
<td>&gt; 87%</td>
<td>184,000</td>
</tr>
</tbody>
</table>

CURRENT DRAW

<table>
<thead>
<tr>
<th>Voltage</th>
<th>XTOR1B</th>
<th>XTOR2B</th>
<th>XTOR3B</th>
<th>XTOR4B</th>
</tr>
</thead>
<tbody>
<tr>
<td>120V</td>
<td>0.103A</td>
<td>0.15A</td>
<td>0.21A</td>
<td>0.24A</td>
</tr>
<tr>
<td>208V</td>
<td>0.060A</td>
<td>0.09A</td>
<td>0.13A</td>
<td>0.17A</td>
</tr>
<tr>
<td>240V</td>
<td>0.053A</td>
<td>0.08A</td>
<td>0.11A</td>
<td>0.17A</td>
</tr>
<tr>
<td>277V</td>
<td>0.048A</td>
<td>0.07A</td>
<td>0.10A</td>
<td>0.15A</td>
</tr>
<tr>
<td>347V</td>
<td>0.039A</td>
<td>0.06A</td>
<td>0.082A</td>
<td>0.12A</td>
</tr>
</tbody>
</table>
### Ordering Information

**Sample Number:** XTOR2B-WWT-PC1

<table>
<thead>
<tr>
<th>Series</th>
<th>LED Kelvin Color</th>
<th>Housing Color</th>
<th>Options (Add as Suffix)</th>
<th>Accessories (Order Separately)</th>
</tr>
</thead>
<tbody>
<tr>
<td>XTOR1B=Small Door, 12W</td>
<td>(Blank)=Bright White (Standard, 5000K)</td>
<td>(Blank)=Carbon Bronze (Standard)</td>
<td>PC1=Photocontrol 120V</td>
<td>WG/XTOR=Wire Guard</td>
</tr>
<tr>
<td>XTOR2B=Small Door, 16W</td>
<td>W=Neutral White, 4000K</td>
<td>WT=Summit White</td>
<td>PC2=Photocontrol 208-277V</td>
<td>XTORFILD-KNC=Knuckle Floodlight Kit</td>
</tr>
<tr>
<td>XTOR3B=Small Door, 26W</td>
<td>Y=Warm White, 3000K</td>
<td>BK=Black</td>
<td>347V=347V</td>
<td>XTORFILD-KNC=W=Knuckle Floodlight Kit, Summit White</td>
</tr>
<tr>
<td>XTOR4B=Medium Door, 38W</td>
<td></td>
<td>BZ=Bronze</td>
<td>HA=50°C High Ambient</td>
<td>XTORFILD-TRN=Trunnion Floodlight Kit, Summit White</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AP=Grey</td>
<td></td>
<td>EWP/XTOR=Escutcheon Wall Plate, Carbon Bronze</td>
</tr>
<tr>
<td></td>
<td></td>
<td>GM=Graphite Metallic</td>
<td></td>
<td>EWP/XTOR-TRN=Escutcheon Wall Plate, Summit White</td>
</tr>
<tr>
<td></td>
<td></td>
<td>DP=Dark Platinum</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOTES:**
2. Photocontrols factory-installed.
3. Order PC2 for 47V models.
4. Thru-branch wiring not available with HA option or with 347V. XTOR1B not available with HA and 347V or 120V combination.
6. Floodlight kit accessories supplied with knuckle (KNC) or trunnion (TRN) base, small and large top visors and small and large impact shields.

### Stock Ordering Information

<table>
<thead>
<tr>
<th>12W Series</th>
<th>18W Series</th>
<th>28W Series</th>
<th>38W Series</th>
</tr>
</thead>
<tbody>
<tr>
<td>XTOR1B-PC1=12W, 5000K, 120V PC, Carbon Bronze</td>
<td>XTOR2B-PC1=18W, 5000K, 120V PC, Carbon Bronze</td>
<td>XTOR3B-PC1=26W, 5000K, 120V PC, Carbon Bronze</td>
<td>XTOR4B-PC1=38W, 5000K, 120V PC, Carbon Bronze</td>
</tr>
<tr>
<td>XTOR2B-WC1=18W, 4000K, Carbon Bronze, 347V</td>
<td>XTOR3B-WC1=26W, 5000K, Carbon Bronze, 347V</td>
<td>XTOR4B-WC1=38W, 5000K, Carbon Bronze, 347V</td>
<td></td>
</tr>
<tr>
<td>XTOR2B-WT-PC1=18W, 5000K, 120V PC, Summit White</td>
<td>XTOR3B-WT-PC1=26W, 5000K, 120V PC, Summit White</td>
<td>XTOR4B-WT-PC1=38W, 5000K, 208-277V PC, Summit White</td>
<td></td>
</tr>
</tbody>
</table>

---

**Eaton**

121 West Highway 71 South
Peachtree City, GA 30269
P. 770-456-4993
www.eaton.com/qrng

Specifications and dimensions subject to change without notice.

September 17, 2016 3:02 PM
Planned unit development provides flexibility in local zoning

Kurt H. Schindler, Michigan State University Extension - January 26, 2015

Zoning ordinances are often not very flexible, requiring neighborhoods or commercial areas to appear the same. Planned unit development is one tool which can provide more flexibility and innovation for development.

One of the critiques of zoning is that it is not flexible, and results in “cookie cutter” neighborhoods of sameness. Sort of like the target of the 1960s protest song Little Boxes sung by Pete Seeger in 1963:

\[
\begin{align*}
&\text{Little boxes on the hillside,} \\
&\text{Little boxes made of ticky tacky,} \\
&\text{Little boxes on the hillside,} \\
&\text{Little boxes all the same.} \\
&\text{There’s a green one and a pink one} \\
&\text{And a blue one and a yellow one,} \\
&\text{And they’re all made out of ticky tacky} \\
&\text{And they all look just the same.} \\
\end{align*}
\]

(Little Boxes words and music by Malvina Reynolds; copyright 1962 Schroder Music Company, renewed 1990).

In 1980, Michigan amended its zoning enabling acts to allow for more flexibility in zoning. Today, the Michigan Zoning Enabling Act (MZEA), houses that authorization at MCL 125.3503.

That added flexibility is called planned unit development (PUD), which allows for mixed-land uses in a single development, and clustering and flexibility in design of a PUD’s parcels. Others may refer to this practice by other names: cluster zoning, planned development, community unit plan, planned residential development and other terminology.

An example of this could be a ski resort. A typical northern Michigan ski resort will take advantage of a PUD’s ability to mix different land uses into one development. Think about the mix of uses and clustering that is in a typical ski resort:

https://www.canr.msu.edu/news/planned_unit_development_provides_flexibility_in_local_zoning
Crystal Mountain Ski Resort; Google Maps

Planned unit development example from Crystal Mountain. Photo credit: Google Maps

- Ski hill (open space)
- Golf course (open space)
- Hotel/motel
- Restaurant
- Health club
- Pro shop
- Ski shop

https://www.canr.msu.edu/news/planned_unit_development_provides_flexibility_in_local_zoning
• Other retail and services
• Conference center
• Trails (open space)
• Single family and multi-family housing

All of this may be owned by one person; all one parcel, all very flexible in design.

The second aspect of a PUD is flexibility with the parcel sizes and shapes. For example, zoning might require a 15,000 square foot minimum parcel size, or a parcel that is 100 feet by 150 feet in size. That means two to three parcels per acre. So if one has 10 acres, they may be able to create 25 parcels (after land for streets is taken out). But a PUD can allow clustering, so the 25 parcels occupy only five of the 10 acres because there is a desire to keep open space (wetland, scenic view, recreation area) on the other five acres. The PUD allows each parcel to be about 7,500 square feet, instead of 15,000 square feet. But the overall density of 25 for the entire 10 acres is the same in this example.

In this PUD example, the development starts out as one parcel and owner, but when done several different land owners, and 25 different parcels are created.

A PUD can also be set up to allow both the clustering and mix of land uses in one project. A PUD can be done in conjunction with various different means of splitting and conveying land. It can be done in coordination with creating a subdivision, creation of a condominium of the surface of land, leasing property and land divisions.

A criticism of PUD is that the process to obtain approval can be involved and time consuming. So developers may be encouraged not to seek a PUD approval. The MZEA provides local governments with two options for the review and approval of a PUD. The local zoning ordinance has to specify which one of the two options is used in the zoning jurisdiction.

The first option is to handle the PUD like a zoning amendment. When done this way, it is a legislative, or policy decision, and the legislative body makes the final approval (township board, village council, city council, county board of commissioners). The zoning ordinance must also specify:

• Conditions for eligibility
• Participants in review process
• Requirements, standards for review
• Procedures for application, review
Planning commission recommends, legislative body adopts amendment

The second option is to handle the PUD like a special use permit. When done this way, it is an administrative decision. Most often (and recommended) the final decision is made by the planning commission or zoning staff. The zoning ordinance must specify:

- Conditions for eligibility
- Participants in review process
- Requirements & standards for review & approval
- Procedures for application, review & approval.
- Who approves the PUD (which can be the planning commission (usually), administrative official (zoning administrator) (sometimes), or legislative body (more rarely) (not recommended).

A comparison between PUD as an administrative versus as a zoning amendment shows: When done administratively, the review time is faster, and the decision is based on standards spelled out in detail in the zoning ordinance. The reviewing body must produce a findings of fact and detail its reasons for the decisions. If all the standards are met, then the PUD must be approved. If handled as a zoning amendment, the review time takes longer (a disincentive to use the PUD), but there is more flexibility and more discretion to say “yes” or “no” to a PUD request.

Michigan State University Extension educators specializing in land use, can assist further with PUD, or one can participate in the Michigan Citizen Planner program where this and many zoning concepts are introduced.

This article was published by Michigan State University Extension. For more information, visit [https://extension.msu.edu](https://extension.msu.edu). To have a digest of information delivered straight to your email inbox, visit [https://extension.msu.edu/newsletters](https://extension.msu.edu/newsletters). To contact an expert in your area, visit [https://extension.msu.edu/experts](https://extension.msu.edu/experts), or call 888-MSUE4MI (888-678-3464).
**NOTICE OF PUBLIC HEARING**

The Charter Township of Orion Planning Commission will hold a Public Hearing on Wednesday, July 7, 2021 at 7:05 p.m. in-person at the Orion Center, 1335 Joslyn Road, Lake Orion, Michigan 48360, on the following matter:

**PC-2021-50, Township Initiated Text Amendment to Zoning Ordinance #78, Assemblies, Articles 2, 5, 6, 7, 9, 11 and 14 providing for repeal of conflicting ordinances and portions thereof; and, providing an effective date.**

If you are not able to attend, you may send correspondence to the Orion Township Hall, addressed to the Planning Commission to express your concerns and comments. A copy of the proposed text amendment is on file in both the Planning & Zoning Department office and the Township Clerk’s office and may be examined during normal business hours, 8:30 a.m. to 4:30 p.m., Monday through Friday until the date of the public hearing or you may ask questions regarding this case by emailing ckeisman@oriontownship.org or calling (248) 391 0304 x 5003. The application packet can also be viewed on the Township website: www.oriontownship.org.

Orion Township will provide necessary and reasonable auxiliary aids, and services for individuals with disabilities at the public hearing upon advance notice by writing or calling Penny S. Shults, Township Clerk, 2525 Joslyn Road, Lake Orion, Michigan 48360; (248) 391-0304, ext. 4001. Please contact the Clerk’s office at least 72 hours in advance of the public hearing.

Scott Reynolds
Planning Commission

Penny S. Shults
Township Clerk