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<td>A. PC-2021-37, Meijer ORI, Special Land Use Request for a Large Scale Retail Establishment equaling 90,000-sq. ft. located at 1025 S. Lapeer Road (Sidwell 09-14-226-008) &amp; unaddressed parcel 09-14-226-001 (surrounded by parcel 09-14-226-008)</td>
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<td>B. PC-2021-39, Lake Orion School Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).</td>
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The Charter Township of Orion Planning Commission will be held in-person at the above address, as well as, being held simultaneously via video conferencing (as detailed below). Due to the ongoing health concerns arising out of COVID-19 and the possible need to comply with Covid related orders or regulations, the Township may need to hold and reserves the right to convert the in-person public meeting to a video conference only. All Persons wishing to attend the meeting should monitor the Township’s website at OrionTownship.org or contact the Township Planning and Zoning Department to obtain updates on the meeting status and whether in person and/or video conferencing will be permitted.

The following is information of how to attend the meeting via video conference (GoToMeeting App.). The video conference can be accessed by downloading the GoToMeeting App. The meeting number is 599-669-285. Live comments and questions will be accepted during the meeting at an appropriate time that will be explained by the Chair of the meeting. Your comments may also be given live via GoToMeeting by phoning 1 (571) 317-3122 Access Code 599-669-285, or by email to pc@oriontownship.org.

Public Hearing at 7:05pm: PC-2021-39, Lake Orion Schools Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI)

Public Hearing (immediately following PC-2021-39 Public Hearing): PC-2021-37, Meijer ORI, Special Land Use Request for a Large-Scale Retail Establishment equaling 90,000-sq. ft., located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 (surrounded by parcel 09-14-226-008)

1. OPEN MEETING

2. ROLL CALL

3. MINUTES
   A. 04-07-21, Planning Commission Regular Meeting Minutes

4. AGENDA REVIEW AND APPROVAL

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

6. CONSENT AGENDA

7. NEW BUSINESS
   A. PC-2021-37, Meijer ORI, Special Land Use request for a Large-Scale Retail Establishment and Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001.
   
   B. PC-2021-39, Lake Orion Schools Rezone Request, a request to rezone a portion (approx. .648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).

8. UNFINISHED BUSINESS
9. PUBLIC COMMENTS

10. COMMUNICATIONS

11. PLANNERS REPORT/EDUCATION

12. COMMITTEE REPORTS

13. FUTURE PUBLIC HEARINGS

14. CHAIRMAN’S COMMENTS

15. COMMISSIONERS’ COMMENTS

16. ADJOURNMENT

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

*Please note this meeting was also available virtually via a “GoToMeeting” #599-669-285*

**PLANNING COMMISSION MEMBERS PRESENT (Commissioner location):**
- Scott Reynolds, Chairman
- Don Gross, Vice-Chairman
- Joe St. Henry, Secretary
- Don Walker, PC Rep to ZBA
- Kim Urbanowski, BOT Rep to PC

**PLANNING COMMISSION MEMBERS ABSENT:**
- Garrett Hoffman, Commissioner
- Jessica Gingell, Commissioner

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

2. **ROLL CALL**
   As noted

**CONSULTANTS PRESENT:**
- Rodney Arroyo, (Township Planner) of Giffels Webster
- Eric Fazzini, (Township Planner) of Giffels Webster
- Eric Pietsch, (Township Planner) of Giffels Webster
- Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
- Tammy Girling, Township Planning & Zoning Director

**OTHERS PRESENT:**
- Daniel Spatafora
- Pam Omilian
- Angie Aldridge
- Dominic Goric
- Brian Omilian
- Daniel Rhoto
- Tom Kalas

3. **MINUTES**
   A. 03-17-21, Planning Commission Workshop Meeting Minutes
   B. 03-17-21, Planning Commission Regular Meeting Minutes
   Moved by Secretary St. Henry, seconded by Commissioner Walker to approve both sets of minutes, as submitted. **Motion carried**

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

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

6. **CONSENT AGENDA**
   None

7. **NEW BUSINESS**
   A. PC-2021-38, Canterbury Village, Modify Existing Site Condominium, located at 2359 Joslyn Ct., (parcel 09-21-251-004).
Chairman Reynolds asked if the applicant was present?

Ms. Angie Aldridge, co-owner of Canterbury Village, 525 Indianwood Rd. presented.

Ms. Aldridge stated that they are selling Yates building to them and creating a new parcel off of Canterbury Village. They were there for two variances for the north and the east. The south setback is good at 92-ft. the west setback moved 40-ft. to be in compliance. She added that if they look north, they have two setbacks there, 23-ft. and 8-ft. It butts up to the sidewalk, they are not selling the sidewalk, which will remain Canterbury Village’s property. The sidewalk has always been on the lot line even when Stan Aldridge owned Canterbury Village and Yates was the Bullpen. When Stan bought the Bullpen, it became all of Canterbury Village. They are looking for the variance north it is supposed to be 30-ft. and they have two variances of 23-ft. and 8-ft. Chairman Reynolds stated that she was there tonight to subdivide the condominium unit, so they are just reviewing condo documents. He added that will be a future step that will be dependent upon their approval at this phase. Ms. Aldridge said she thought that this was for the approval of the two variances. Chairman Reynolds stated that this was to approve the division of land, and the next step is going to be a variance that they are seeking, and will be a condition of this motion. Chairman Reynolds said that the overview of splitting off the building was accurate. Ms. Aldridge apologized and said she thought she was there for a variance. Chairman Reynolds said that will be a different Board, it will be another process after this. It may be helpful to have the professional consultants walk them through, and then they will turn it back if there was anything else, she would like to add.

Planner Fazzini read through his review date stamped March 31, 2021.

Engineer Landis read through his review date stamped March 24, 2021.

Vice-Chairman Gross said that this appeared to be a straight forward application. The site is currently developed, no additions or modifications are being proposed to the site. The lot split application has been reviewed by the Township Attorney and he was satisfied with the appropriate Master Deed and documents, and there are appropriate easements provided in the lot split for the subject parcels.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission approve KALGW LLC’s application to subdivide condominium Unit 1 located within the condominium know as “Canterbury Village” into two units, subject to the recording of the “First Amendment to Master Deed Canterbury Village” as reviewed by the Township Attorney.

Discussion on the motion:

Chairman Reynolds said that sometimes these are a little complicated but since it is zoned (SP-1) and this is a separate condominium area if this was ever to be sold off partially, in the future, he asked if that creates any issues with setbacks? He questioned if it was a separate lot or if it was a whole? Planner Fazzini said that unit 3 would need to meet setbacks, there are 4 units within the condo, 2 are general common element areas. The units with buildings and improvements on them will need to meet setbacks and the standard district requirements. Unit 3 appeared to be the only one that may have some questions, and they can work with the Planning & Zoning Director on that as far as what is nonconforming or what needs a variance.

Chairman Reynolds said his concern was that they are creating a nonconforming lot which they cannot do, so technically they have to deny with a motion to approve if they
receive approval from the ZBA. Planner Fazzini said that they have not reviewed the plan on the screen that indicates the setbacks, so they have not verified if there are standards that are met or not, that is something that still needs to be done.

Chairman Reynolds asked if it was the north and east setbacks? Ms. Aldridge replied correct. Chairman Reynolds said that when there is a variance requested it is denied at this level but approved if the variances are approved. Secretary St. Henry questioned if they don’t have to come back? Chairman Reynolds replied correct. He added that if they are fine with the lot split, he thought that they were creating a nonconforming lot. Secretary St. Henry said so a conditional approval? Chairman Reynolds stated that there are already conditions, but it needs to go to the ZBA, but it is not in the motion currently.

Vice-Chairman Gross amended the motion, Commissioner Walker re-supported to include that this was subject to granting the approval of any necessary setback waivers by the Zoning Board of Appeals.

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

B. PC-2021-40, API Consulting Office Addition Site Plan, located at 339 W. Clarkston Rd. (parcel 09-14-100-008).

Chairman asked to be recused because he was in direct relationship to the drawings prepared by his office for API Consulting, and will come back for item 8A.

Moved by Trustee Urbanowski, seconded by Vice-Chairman Gross, to recuse Chairman Reynolds from the PC-2021-40, API Consulting site plan approval due to conflict of interest.

Roll call vote was as follows: St. Henry, yes; Urbanowski, yes; Walker, yes; Gross, yes. Motion carried 4-0 (Hoffman & Gingell absent, Reynold recused)

Acting Chairman Gross asked if the applicant would like to make a presentation?

Mrs. Pam Omilian with API Consulting located at 339 W. Clarkston Rd. She was present with her husband Brian Omilian, and are life-long Lake Orion residents and are both business owners in Lake Orion. They were proposing an 860-ft. addition to their existing 550-sq. ft. existing office building. It currently houses their office, but they are growing. Their building is neighbored on the east side by the Orion Area Eagles club, and on the west side is an unoccupied building. They wanted to explain a few items that came up in the review and they are requesting some waivers due to the existing building that is already on the property. The first one was a Parking & Buffer setback waiver. The Parking & Buffer setback waiver is limited by the existing building and the existing driveway at that location. They have thoroughly researched it and it is still the best place for parking. The Trash Enclosure, they are also asking for a waiver from a trash enclosure, since they only need one trash receptacle. They use a residential bin they don’t see a significant change or any request for an addition. They are a very small office and they are mostly paperless. The third thing was site lighting, there was a note referring to the lighting plans due to the small nature of the project they just wanted to keep the proposed lighting in line with what they already have on the existing portion of the building, and they have their lighting ordinances noted on the plans. The last item they had was the safety path. They understood the importance of safety paths but there is nothing on the south side of Clarkston Rd. from M24 except in front of the Speedway to Joslyn Rd. There is one right
across the street that goes from M24 to Baldwin. Their safety path would go nowhere and
would adhere to the cost of their project because it is a very low-cost project.

Planner Fazzini read through his review date stamped March 31, 2021.

Engineer Landis read through his review date stamped March 31, 2021

Secretary St. Henry asked in regards to the waiver request for the Parking and the Greenbelt
Waiver, he did agree that the existing driveway and the building footprint it is there and there is
not a whole lot they can do about that. He thought it would be unreasonable not to allow that.
In terms of the trash, he thought that residential trash pick-up was more than sufficient,
especially since a lot of their business is paperless. Regarding the Planners and the Engineers
talking about the safety path, there is no safety path. He didn't think he had ever seen anybody
on that side of the road on a bike. He thought it was sufficient for that part of Clarkston Rd.

Trustee Urbanowski said she agreed with the safety path because the safety path on the other
side of Clarkston is the one that is connected to all that beautiful stuff that they just recently
have done, and thought that most people would be walking on that side of the street. She
added that there is mostly just business on that side of the road. The covered trash area waiver
she knew that they didn't have a lot of garbage.

Trustee Urbanowski questioned the parking setback, and asked if that was the front parking
setback? Engineer Landis replied correct the northern parking. Trustee Urbanowski asked if
that would be even more affected by the Road Commission? Engineer Landis replied yes; if
they are measuring the setback from the Future Master Plan right-of-way, it would be 60-ft. off
the center of the road would be the right-of-way, but if they are looking to give a waiver for that,
that would be fine. Acting Chairman Gross said it would affect the landscaping setback, not
parking within that area, so the parking would not be affected just the setback for the parking.
Trustee Urbanowski said that it is an existing parking lot, and then the drive around as well.
She added that in the Fire Marshal review, that it is the Fire Departments’ recommendation that
the gravel surface located in the access turnaround be paved. She thought if that should be
paved because that was in the Fire Marshal report. Mrs. Omilian stated that was their plan to
have it all paved, and it is plowed now even though it is gravel, but it will continue to be paved
and plowed.

Trustee Urbanowski said that they have these plans now but some of these like the lighting
sheets, and the landscaping, she asked if that was something that could be resubmitted and
looked at again? Engineer Landis stated that he would be comfortable doing it as an
administrative review of the plans if they wanted to make a motion to meet the conditions of
their review except for the pathway if that is the way they are leaning.

Planner Fazzini said that the Parking Setback Waiver they could add that to the motion because
they need that waiver on the west side, they could reference the front setback area, as well if
they desired. Otherwise, they would need to redesign and potentially shift that area. He added
that on the lighting, it was unlikely that they will not meet the illumination levels at the property
line. He said that one-foot candle was pretty high, so what they would be looking for is that the
fixtures will cut off if there are pole lights in the parking lot, that don’t exceed 20-ft. He thought
that the lighting was relatively minor and could be changed without affecting the proposal
substantially. The safety path question he said the process for not constructing a safety path is
the payment in lieu, and that is a multi-step process with the Planning Commission and the
Safety Path Advisory Committee, then that is ultimately decided by the board, so they could
make a recommendation either way towards the safety path question.
Secretary St. Henry asked Engineer Landis if he was comfortable with making an administrative review on these items? Engineer Landis replied that he would be ok with that.

Acting Chairman Gross asked what API Consulting did? Mrs. Omilian replied that it was an accounting firm. Acting Chairman Gross asked how many customers do they have in a day. Mrs. Omilian replied not very many, it is mostly done virtually, especially now, but before they might have someone come in and drop stuff off, but there are four staff members and that is it. Acting Chairman said they have four people in the office, and then maybe an occasional client. Acting Chairman asked if their trash was just paper? Mrs. Omilian replied correct. Acting Chairman asked if it was handled manually as opposed to with a truck? Mrs. Omilian replied correct, they recycle and most of it is just paper in the garbage.

Acting Chairman Gross said the existing site was relatively narrow and it is confined by use on one side, the fraternal lodge, and then a future probably office on the other side that is currently on the market. Mrs. Omilian said it was on the market for lease.

Acting Chairman asked if there was a safety path on a Master Plan? Planning & Zoning Director Girling said whether it is on the Master Plan or not, the Planner is correct, that per the ordinance the plans should show the safety path, and then the Planning Commission can make a recommendation to the Safety Path Committee of whether they are to contribute in lieu of or construct it, and then the Safety Path Committee makes a recommendation to the Board that then decides whether they have to construct it or contribute in lieu of. If the vote is to contribute in lieu of, with the fact that it is not on the Master Safety Path plan they could have something contributing in lieu of that is considerably lower. It is ultimately not the Planning Commission’s decision. Planner Fazzini said that this location is on the north side of Clarkston Rd., but the ordinance language overrides the map, even though it is not shown on the map on the south side of the road, it still has to go through that safety path ordinance process. Acting Chairman noted that there would be a couple of motions that would be required. One is relative to the Off-Street Parking Setback Waiver for the front parking along Clarkston Rd. The second motion would be for the Landscaping Greenbelt Waiver along the perimeter of the site. He thought that they discussed both of those, it was the existing parking and the waiver was a result of the future right-of-way for Clarkston Rd.

Acting Chairman said that the Landscaping Greenbelt Waiver is a result of the restricted site size in terms of its frontage. He added that a Covered Trash Area Waiver is required and justification has been presented for that, which is that there is no trash generated warranting a trash dumpster on the site. Then there would be a fourth waiver relative to a safety path on Clarkston Rd. as to whether that should be shown and or requesting a monetary donation in lieu of the safety path. He said that there should be separate motions for each of those. Mrs. Omilian said that the lot is very narrow but it was very deep, and they are not going to do anything with the woods in the back quarter of the lot. It is all wooded until they get to the wetlands, they plan to leave that wooded section there. She noted that it was one of the only lots that still have the woods in between the water and wetlands, and there is a good chunk of woods there, with landscape plants and mulch around the rest of it.

Commissioner Walker asked if they would be willing to put that preservation of the wooded area in their request today, that if they were to grant them the parking waiver, would it be ok to put that in the motion? Mrs. Omilian replied that would be fine.

Moved by Trustee Urbanowski, seconded by Commissioner Walker, that the Planning Commission approves a 9-ft. waiver from the required 20-ft. parking area to property line setback for PC-2021-40, API Consulting Office Addition Site Plan located at 339 W. Clarkston
Road (09-14-100-008) for plans date stamped received March 17, 2021, for the following reasons: it is an existing site and it would create a hardship for them to try to fix that.

Trustee Urbanowski amended her motion, re-supported by Commissioner Walker to include the promise to preserve the back part of the lot, the woodlands, up to the wetlands.

**Roll call vote was as follows:** St. Henry, yes; Urbanowski, yes; Walker, yes; Gross, yes.  
**Motion carried 4-0** (Hoffman & Gingell absent, Reynold recused)

Moved by Trustee Urbanowski, seconded by Secretary St. Henry, that the Planning Commission grant a 9-ft. waiver from the required 20-ft. landscaping greenbelt requirement along the entire perimeter of the property for PC-2021-40, API Consulting Office Addition Site Plan located at 339 W. Clarkston Road (09-14-100-008) for plans date stamped received March 17, 2021, for the following reasons: it is a narrow site and it is already built upon.

**Roll call vote was as follows:** Gross, yes; St. Henry, yes; Urbanowski, yes; Walker yes.  
**Motion carried 4-0** (Hoffman & Gingell absent, Reynold recused)

Moved by Secretary St. Henry, seconded by Trustee Urbanowski, that the Planning Commission approve a waiver from the requirement for a covered trash receptacle for PC-2021-40, API Consulting Office Addition Site Plan located at 339 W. Clarkston Rd. (09-14-100-008) for plans date stamped received March 17, 2021, for the following reasons: the applicant plans to continue using the residential trash service for their business after the addition, and they are virtually paperless now, and there will be no need for a commercial dumpster or receptacle.

**Roll call vote was as follows:** Walker, yes; St. Henry, yes; Gross, yes; Urbanowski, yes.  
**Motion carried 4-0** (Hoffman & Gingell absent, Reynold recused)

Moved by Trustee Urbanowski, seconded by Secretary St. Henry, that the Planning Commission forward a recommendation to the Safety Path Committee to waive the safety path for PC-2021-40, API Consulting Office Addition Site Plan pending review and their decision about construction or payment in lieu of construction.

**Roll call vote was as follows:** St. Henry, yes; Urbanowski, yes; Walker, yes; Gross, yes.  
**Motion carried 4-0** (Hoffman & Gingell absent, Reynold recused)

Moved by Trustee Urbanowski, seconded by Commissioner Walker, that the Planning Commission grants site plan approval for PC-2021-40, API Consulting Office Addition Site Plan, located at 339 W. Clarkston Rd. (09-14-100-008) for plans date stamped received March 17, 2021, based on the following findings of fact: that the applicant rectifies any of the unresolved issues in the OHM report minus #1 and #5, including the grading shall be included in the plan set, revising the plans to include the paving of the southern tee turnaround extension; extending the proposed rain garden around the tee turnaround; showing the hydrants so that coverage may be assessed; add proposed pavement sections to the plan; and confirm that the building is connected to the sanitary sewer or show the location of the septic field.

**Discussion on the Motion:**

Planning & Zoning Director stated that even though that they are not recommending the safety path be constructed it should still be shown on the plan.
Trustee Urbanowski amended the motion, Commissioner Walker re-supported to include under the OHM report bullet point #5 a public pathway shall be included along the frontage of the property in the plan set.

**Roll call vote was as follows:** Urbanowski, yes; St. Henry, yes; Walker, yes; Gross, yes.  
**Motion carried 4-0** (Hoffman & Gingell absent, Reynold recused)

### 8. UNFINISHED BUSINESS

**A. PC-2018-49, Hills of Woodbridge Planned Unit Development (PUD) Final Plan, located on a vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.).**  
The property is split zoned, it consists of approximately 28-acres, the zoning on the property is for residential, office, and restricted business uses. He added that these units they felt were in demand not only in the Township but also throughout the southeast Michigan area. They are going to be nice beautiful condominium units ranging in square footage from 1,700 – 1,900-sq. ft., 2-car attached garage, and two to three bedrooms each.

Chairman Reynolds asked if the applicant was present?

Mr. Tom Kalas 31350 Telegraph Rd., Suite 201, Bingham Farms, 48025. He was representing the applicant Hills of Woodbridge LLC, pertaining to a request for a final PUD plan recommendation for approval so then they can proceed to the Township Board. Also, he had with him, if there are any questions, were representatives from the owner along with the engineer for the project.

Mr. Kalas said they have been going at this for close to two years or more. They have gone back and forth a few times, they tweaked the plans considerably, the number of units has been reduced, the proposed commercial buildings have been reduced from four to three. The number of units is a duplex condominium unit, they have been reduced from 128 units to 114 units. They did attach with their submittal a four-page summary of all the changes that have been made to the plans since they were last there in front of the Planning Commission at which time, they had received a conceptual site plan approval. He added that this was a project that is proposed for the east side of Lapeer Rd. just north of Silverbell Rd., north of the Edger Chevrolet Dealership. There will be duplex condominium units and along Lapeer Rd. there will be three retail buildings for future development. They are seeking a Final PUD Plan approval and felt that they had adequately addressed all the comments from the engineering consulting firm, from the Planner, and they are ready to proceed to the next step subject to their review and recommendation.

Mr. Kalas added that the property is split zoned, it consists of approximately 28-acres, the zoning on the property is for residential, office, and restricted business uses. He added that these units they felt were in demand not only in the Township but also throughout the southeast Michigan area. They are going to be nice beautiful condominium units ranging in square footage from 1,700 – 1,900-sq. ft., 2-car attached garage, and two to three bedrooms each. They have submitted as part of their package elevations, floor plans, building materials, all the materials and information that is required under the (PUD) ordinance. They felt that they have addressed all of the concerns that the Commissioners and the consultants had and would like to have a recommendation this evening for approval so that they can proceed with the plan and hopefully break ground sometime this summer.

Planner Fazzini read through his review date stamped April 1, 2021.


Chairman Reynolds stated that they had a few reviews from DPW, that there are not any additional concerns or comments with the development.
Chairman Reynolds said that they had a review letter from their Fire Marshal that they are recommending approval with comments from the residential portion of the development, with the understanding that a temporary Fire Department access drive that leads to Brookstone Dr. This temporary drive will be installed in phase one, as a portion of the project and shall meet the requirements of section 503 of the International Fire Code. The commercial development is not recommended for approval, a couple of requirements that are not addressed is truck turning template overlay shall be depicted on the plan for the commercial site, and an additional fire hydrant will be required on the commercial site with the location shown.

Chairman Reynolds said that there is a tree survey review that was dispersed today, just a chart. There was some clarification dispersed from the applicant just to clarify a few things that were recommended for visual purposes and was once again reviewed. A number of items are in here the Wetland Plan, as mentioned by OHM, there is an EGLE permit submitted, a lighting plan, and documents that support the application.

Vice-Chairman Gross thanked the applicant for spending a lot of time and effort on their site plan. As the Planner indicated this is the first time that they have actually seen a site plan with the building and elevations. He was disappointed with the site plan. As a review of the plan from the streetscape, all they are going to see is a series of garages in the front of the buildings. The entrance to the buildings is through a 5-ft. wide passageway between the garage and a building side. The elevations there are two, Ashley and a Barclay, which are the same basic elevations and there are no variations, they are very monotonous, showing brick veneer, and stone veneer on one elevation, and then they reverse that to stone and brick veneer on the other elevation. Units 1 – 114 are considered all the same. If they are going down any of the streets within the complex, they will be able to see 114 garages. He was not able to find any community open space within the development, there is very little passive open space for the individual units. There is not a lot of community open space that is available for the occupants of the building. 114 units he thought deserves and warrants a boulevard entrance off Lapeer Rd. A single entrance that serves both the 114 units plus the future commercial he thought would be better served with a boulevard entrance identifying the complex. He was disappointed with what he saw on the site plan.

Chairman Reynolds said he wanted to speak to the garage component and was one thing that was briefly mentioned in the Planners review, and didn’t agree with transpiring of the comments between architectural features, this was the first time they were seeing the real elevations of the project. The ordinance requiring at least 50% either to be a side entry or a minimum of 5-ft. recess. The ordinance does give two options to say as much as they prefer a side entry the recess is another allowable way to achieve that, and he was open to that, he didn’t see that in the plans and in any of the variation that it is proud of the main façade. How they are addressing that was one of his immediate concerns. He knew it was a challenging long skinny site, there is a lot of grade changes there so he knew that the boulevard was difficult, he would love to see more, he knew that there was some landscaping that was previously discussed at the concept level, to make it a welcoming façade, so maybe when they get into architectural features, they can walk them through that as the applicant. They can talk about some open space too, obviously, that is a major requirement when they look at the concept level and the density in general there are some modifications where units were reduced. He thought that the density was a similar platform, when they removed the small parcel that is adjacent to Walley Edgar, the same number of units was reduced there.

Secretary St. Henry said that his biggest concern looking that the site plan focused on the fact that there doesn’t appear to be enough open space for a development of this size. He understood that it was a tough piece of property to build on but at the same time if they are going to have over 100 units that are a community, he thought it deserved some sort of open
space consideration. In regards to the elevations, they do have that caveat in the ordinance in regards to the 5-ft. setback, and they know that developers take advantage of that.

Chairman Reynolds noted that from concept approval to where they are now there is a slight decrease in the overall units that are being proposed. He didn’t have the density requirements in front of him, he didn’t know how much this had strayed from the concept from final approval in density necessarily. There was concept approval for speaking to density and those big pictures, so to bring that back up now or to significantly change that kind of contradicts their process. Not that things don’t change from concept to final, he knew that there would always be items that they address at final and not at the concept, but generally following the path through he wanted to make sure that they don’t lose focus or start the process over even though they started this back in 2009.

Trustee Urbanowski said she understood that they are just forwarding the recommendation for rezoning it as a PUD, she did want to reiterate what they are saying about those elevations. They have made it a point before that 50% either needs to be a side entry, and it looks like obviously, it can’t be. She said different elevations and sticking to that, that to her was important. Making it so that there are different elevations or that garages being setback that 5-ft., and the open space too. There is not a lot of space but that is a lot of potential families in there.

Chairman Reynolds said that he wanted to turn it back over to the applicant. He stated that they have heard some initial knee-jerk reactions specific to their garage requirement of at least 50% being a 5-ft. recess or side access, some concerns about open space, and a discussion point of a nicer entry boulevard. He asked the applicant to speak to some of those comments.

Mr. Kalas said had color booklets that were prepared to help the Commissioners visualize it more because they felt that the units were nice-looking units. He added that they did understand as far as the commercial portion of the PUD that at some point in the future when the user does present for that site that they will have to come in for a separate site plan approval and meet all the Township requirements at that time relative to setbacks, parking, and buffer landscaping. He said they had no issues with that. As far as building materials, elevations, why the units were designed or laid out the way they were, he deferred to the applicant and owner Mr. Dominic Goric.

Mr. Dominic Goric with the Hills of Woodbridge Development.

Mr. Goric stated that he wanted to address the side entrance garages. He said this was something that they went through in their initial concept. This site has over 100-ft. of fall, the whole south side is going to be walkout basements, to do side entrance garages are going to have retaining walls everywhere. What they found in their 6 or 7 projects in the past that people don’t like side entrance garages especially when they are going to have to have 8-9-ft. retaining walls that they are going to be able to maneuver into these garages. The other point is when they do side entrance garages the minute, they do them they are going to add another 400-500-sq. ft. of concrete drive, so that will take away from the open space requirement. Their open space, what they focused on was the east side of the property, that is where they have most of the trees, and most of the residents, and that is where they felt they could leave a very large area that they could preserve the trees and to create a buffer between the condos. As they get closer to Lapeer Rd. that is where they start falling off and they are going to have a lot of walkouts. That is the reason they are not seeing too many side-entry garages, the minute they do a side entry garage on this particular site they are going to have an 8-10-ft. retaining wall, which is going to scare the heck out of people when they have to pull in. The other issue is the more side entrance garages they have the more concrete, more maintenance for the
associations. The open space they preferred to leave it in the rear yards as opposed to putting condos up to the property line and then creating an open space somewhere else, especially closer to Lapeer Rd. They carry elevations down the street, so there are four different variations. They are going to have a hip-roof, and a gable roof. They are going to have stone on one side, brick on one side, then they reverse. They carry that theme down the street reversing back and forth. This was common in all of their projects. As far as relief, they carry a 2-3-ft. relief between the units and then the porches are set back about 5-ft. and then they have the garages. They try not to protrude the garages too much forward because then all of a sudden when they are driving down the street all they are looking at is garages. They are trying to recess those garages back as far as they can.

Mr. Goric said this was not a new plan, they have used this plan in about 2 or 3 projects already. They have full brick, full stone, if it is a walkout it is going to be full brick as well. There will be 30-year shingles. He added that this will be all very high materials they are not using anything cheap, even the vinyl siding will be the highest-grade vinyl siding. They build luxury condominiums in Metro Detroit, so what they are going to bring is going to be first-class. The floor plans are 1,600-2,000-sq. ft. He was happy to address any item one at a time.

Chairman Reynolds said that regarding the garages, he agreed that there were some significant changes with side entry. He then asked about exploring the alternate in the ordinance requirement that says a 5-ft. recess? He questioned if that was feasible? Mr. Goric replied that he didn’t understand the 5-ft. recess what are they trying to accomplish? He asked if they are going to push the garage out 5-ft. then they are going to be starring at garages going down the street. Chairman Reynolds replied no; he said that the ordinance outlines 50% in a PUD has to either be a side entry garage or a minimum of a 5-ft. recess from the primary façade. He added that they provide two opportunities to still have addressed the architectural relief without necessarily guiding everyone toward a side entry garage. Mr. Goric said so then they’re going to push the garage 5-ft. back which then pushes the unit back 5-ft. on the backside. Now all of a sudden, they are just pushing the units closer to the road because they are getting 5-ft. closer to that open space area. He added that anything that is controlled from one side is going to be pushed out on the other side. There are detached units, and 3 car garages, which they are not going to find in a lot of projects. There is a side entrance garage where it is flat, so it is not just all straight, whatever they had a contour they had space they put a three-car garage in and also, they put side entrance garages in where they could, so it is not just all straight. He said regarding the double boulevard, they tried to put the double boulevard at Lapeer Rd., the problem there is when the state came through and did the widening, they expanded the pond in front of the property, it doesn’t give them much room. They went back and forth with the state where they could even put the entrance, and that was pretty much the controlled point where they could put an entrance in, they still have a lot of control over them it is not just – we can do what we want. Chairman Reynolds stated that it was a requirement of the ordinance for PUDs. There are three side entry garages currently indicated in the plan. Mr. Goric said that they had brought this point up, if they go back to the minutes at the original concept site plan, they brought this point up, and said this is not a site that they can do side entrance garages, 1) they are going to add $15,000 - $20,000 a unit in retaining walls, 2) people don’t like them. He could show them in Shelby he had to do two of them, he couldn’t sell the unit, he sold it to a 30-year-old who doesn’t mind coming out of the garage. People are scared to death when they see they have to go out and turn around and then they have a 10-ft. fall if they miss. This particular site is just not conducive to that, and that is what they brought up in the original site plan.

Secretary St. Henry said he understood exactly what he was saying about the side entrance garages, he was familiar with the piece of property. They do have this 5-ft. elevation. Mr. Goric asked what is 5-ft. considered? He stated they have a 5-ft. setback from the porches 5 almost 10-ft., he didn’t understand. He questioned if they are trying to get the garage back the whole 5-
ft. from the front? Chairman Reynolds replied yes. Mr. Goric said then they are going to push the unit back 5-ft. in the backside. Chairman Reynolds said that they are just speaking to an ordinance requirement that is required of a PUD. Mr. Goric said that he thought this was brought up in the original concept plan and they sought a waiver from it, and when they thought that they go with the conceptual site plan approval, he didn't think that they understood that they would be changing the site plan again. Chairman Reynolds said he didn't think they were speaking to changing the site plan to side entry garages, they are talking about a plan change or at least 50% of the plans changed, and this is something that they have required of other PUD's that have recently been approved. Mr. Goric said right, but now they are going to change the road pattern, setback, everything is going to change, it will change the whole plan because they have to push back the rear yards 5-ft. He said he would like to seek a waiver on that requirement. This is a product that they have done in 7 or 8 communities, and he has never had a problem with it.

Chairman Reynolds said that it was something that they have asked for and gotten in other PUD condo minimized products. Very frequently none of them are side-entry garages but they have provided multiple plans that address that ordinance requirement. Chairman Reynolds asked if it would be a variance? Planner Fazzini said they would have the deviation process for PUD's so on their site plan they have a table of standards that they can't meet and if the PUD is approved those deviations are accepted. Their recommendation to the Board could either be to include a deviation or to not include and to meet that PUD standard. Planner Fazzini said that this was discussed with The Cottages of Gregory Meadows, they committed to that percentage as part of the varied elevations, they didn't have the hard number at that time, but it was discussed and agreed that they would try to meet that 50%. Chairman Reynolds said he thought that this was something that was discussed and brought up in the past two times. He went back and reviewed the discussions from December, it was brought up as a concern that that would be something that they talked about. At concept review they didn't have any building plans, they talked to many concerns about decks, elevations, grade changes, and how that would affect.

Chairman Reynolds agreed with the architectural materials that are being proposed, he thought that plans looked nice, he was just going off a floor plan requirement specific to floor plans and garages if they are not going to offer any side entry garages, they do offer three, he agreed. Mr. Goric said on the deviation requirement it is listed and it was listed on the conceptual plan as well, the 54-unit reduction, and the offset. He said he didn't see the offset though.

Chairman Reynolds agreed that there could be things that were discussed as a concept. He went back through meeting minutes and discussion points, going back to December they spoke about this very topic. His effort is not to shut the project down or put any footwork against the project as it is proposed but they have had projects that have had two plan offerings that offer that and meet that criteria. He added that they are a recommending body, if his fellow Planning Commissioners agree to it, speak to that, or push forward but that is one item that he brought it up, they don't necessarily talk ahead of time, it was something that Vice-Chairman Gross brought up tonight. He went back through and did his homework back to concept to where they were in December to where they are right now. He added that concept doesn't necessarily mean that final approval gets granted especially when they didn't see floor plans or much else, other than that there was an elevation presented at the meeting.

Mr. Kalas said to Chairman Reynolds that he recognizes his concern. He added that at this point, under the PUD law ordinance they do have the right to grant the deviation, which they are requesting because otherwise physically if they had to abide by that 50% requirement, they would be back to square one. It changes the layout, the density, the road pattern. He said the emphasis was to leave the open space in the back for the units closer to Lapeer Rd. Based on prior developments that this developer has done, from the marketing, and the sales standpoint,
the front entry garages are what sell the duplex units. Secretary St. Henry said they are not questioning the side entrance. Mr. Goric said it is the 5-ft., he understood, but even the 5-ft. they are going to be starting all over because all the setbacks are going to change. If you push a garage back 5-ft. they push the rear of the unit back 5-ft. Secretary St. Henry said that this has been in the ordinance, they didn’t just come up with this week. Mr. Goric said he understood, but under the PUD they are requesting a deviation respectfully. He added that the demand right now and the market is they can’t build things fast enough, and material costs have gone up on this same unit $25,000-$35,000 just in one year. If they get approval, they can get this in the ground this year.

Secretary St. Henry stated that this is a landmark development coming into Orion Township, right down Lapeer Rd. They are very familiar with the neighborhood that sits behind Hi-Hill. It is very important to the Planning Commission, and to the other government officials, and many of the residents that this is done right. Because we are going to be long gone by then. Coming into Orion Township, it is very important to them that they get this right. That is why they are being sticklers about this. Mr. Goric said he understood but the property is a commercial and office property, and he thought they were bringing a lot of value, they are bringing in over 40 million dollars in tax base. Mr. Goric said if they look at their background, they do nothing but the highest quality. Secretary St. Henry said he was not questioning that at all.

Mr. Kalas said it was an alternative to what it is currently zoned. They felt that in and of itself is going to be a lot nicer than office and commercial development.

Mr. Goric said the 5-ft. offset, all they are now doing is just pushing the 5-ft. in the rear, and he doesn’t see the benefit of pushing the garage 5-ft. back. They already have the porches off-set over 5-ft. the front is off-set over 2-3-ft in between units and to push the garages back another 5-ft. now they are just going to line that up with the porch, and push the rear yard which means they have to start all over with the street patterns. Or they could build smaller units if that is what they want to do, instead of 1,600 they can build 150-250-sq. ft. smaller units, which is not what they want to do.

Chairman Reynolds said that the building design criteria as presented within the color elevations, and he asked for their, thoughts, concerns, support. He said that brick materials, long-lasting materials, he thought dimensionally they look nice, it was the ordinance requirement of the garage items. He thought that the units other than that of materiality he supported the project and what is being proposed. Trustee Urbanowski thought that it looked like a very attractive building and she liked the materials and she thought that the product would be beautiful.

Trustee Urbanowski said that she appreciated the amount of information that had given them, and it was very thorough, and it is a lot of work, and they all know that. She knew that they were very passionate about the project but they do have to do their diligence too. Mr. Goric asked what does the 5-ft. offset accomplish? He said they are now taking a nice building and they are just pushing the garage back 5-ft. and making it flat with the porch. These porches he was raising up and giving it a little bit of a contour so they stick up. Now they put the garage up and flat with the porch, architecturally it is not going to look good. They are meeting the 5-ft. setback but they are not architecturally achieving anything. Trustee Urbanowski said she thought that the idea, from the other plans, that she has seen in other PUD’s is that the front porch is the presentation point as opposed to the door of the garage. Chairman Reynolds said correct, there have been other plans submitted to them that adheres to that requirement that still has a nice architectural relief. They realize that is not possible everywhere in a development, that is why it is 50%. It is not just side garages it is side garages or the architectural relief element. They understand their concerns about reworking roads and things like that. Mr. Goric
said that they take pride in their elevations and they spend a lot of time on them, and he is passionate about it, this is not something they just throw together. He stated they went back probably 5 times on them and raised it and put 8-ft. doors on it, stuff that they don’t normally see in normal condos. They bring high luxury units, and the materials they use are just brick and stone and 30-year shingles. When they are done, they want to make sure that it lasts.

Commissioner Walker said he thought everyone thought it looked good. Their issue is that there is an ordinance that says they must do something. Not only must they do it every PUD application for the last 10, 15, 20 years has had to meet the same criteria. Their point is well taken that there are elevation issues with the property but almost every applicant for a PUD that comes before them could make that same kind of argument. They are asking them to do something here today that they have never done before, and if they did that, he could just see a line out the door of people that they put through more effort, more expense to do these things over the last 20-years.

Mr. Kalas said that the PUD does give them the discretion to deviate. This is a unique site perhaps unlike other sites that have come in front of them because of the slope, the contour, abutting Lapeer Rd., how it is currently zoned. These are factors that they felt should be taken into consideration in granting that deviation, and felt that it was warranted. He understood, but that is the beauty of a PUD, the law allows a lot of discretion as opposed to a regular site plan, where if they meet the ordinance, they have to grant the approval. PUD gives them the discretion because it realizes and the whole point of a PUD ordinance is to apply it to sites that are difficult to develop, either because of physical characteristics, wetlands, wooded areas, contours, and slopes. Again, that is the beauty of a PUD because it allows creativity and it allows the Township, both Planning Commission and the Township Board, to deviate from certain requirements if it makes sense if it looks good, and if it meets the spirit and intent of the zoning ordinance, and felt in this situation that it does. They are beautiful units even with the front-facing garages without the 5-ft. variation, and it is a product that they have developed before, they know it will sell, they know there is a demand for it, and to say that they have to push the garages back on 50% of the units 5-ft. will kill this project from a physical and an engineering standpoint.

Chairman Reynolds asked what if they pushed back recessed garages on units 12-28 or 78-91? Mr. Goric said that they could push back 12-29 if they don’t mind. Chairman Reynolds noted so there is a possibility to address. Mr. Goric said what happens to them, now they are changing the floor plan. When they build models, they build two variations and they go in. Now they have to build four models because he has a 5-ft. offset on the one side. He added that there were areas that they could do it but now they are introducing two more floor plans and he has to build two more models.

Mr. Daniel Rhoton the Engineer for the project stated that is where they are preserving the majority of the trees. They were all familiar with the development to the east, having an issue with it they were trying to give as much buffer and preserve as much natural foliage there, pushing that back 5-ft. is only going to increase the slopes and increase the number of trees they need to remove.

Secretary St. Henry said this the beauty of a PUD, it is messy in a good way, and that was a good point, that the engineer brought up because the neighborhood behind is very sensitive to this development.

Chairman Reynolds asked if they could speak to the phasing of the project and agreement to the construction schedules as brought forth by their engineer. They have spoken about phase one being initiating within one year of approval, was there any issue with that?
understanding that there are some open comments from a number of items on the commercial phase, so that would be a future phase? Mr. Kalas said if they get approval tonight, they will be out there real soon. He added that there is such a short window in this state, if they get approval, they go out for permits they are already going to be in the middle of summer. They have grading, underground paving, approval today is going to be really close to getting this in the ground. He stated that there was a comment about a temporary asphalt turnaround at the end of the court, they had no issues with that. The commercial component, they have no issue coming back, as they need users. If they have a site plan, they can treat that total separate site plan approval when they have uses, they have no issue with that.

Chairman Reynolds said that there was a discussion about the recommendation to have an additional safety path that connected to the middle of the development. One of the thoughts that he had upon review of the set was the temporary road. He understood that it was a unit that looks to be a side entry garage and a front entry, but a three-unit garage, he thought it was unit 40. If that temporary path turned into a walking path in the future. Mr. Goric stated that he did have a concern because they have built these where they have the commercial going back because that is the normal transition, commercial, multi-family, to residential. Most communities want the wall up, they don’t want any pedestrian traffic going through because it is a safety concern. The other problem they have there is 54-41 are all going to be walk-out basements, so if they do a safety path through there, there is a concern for liability for the association, if someone slips and falls on a safety path. He stated that there is a sidewalk that goes all the way around, right to the commercial component from the neighborhood. His recommendation would be because of the slope, the walkouts, association liability, and he didn’t think people like safety paths going through their yards to a commercial neighborhood. His suggestion would be not but he would leave that to discretion, again the concern would be the slope in that area.

Chairman Reynolds asked about the tree preservation details, or at least indicating preservation criteria. Mr. Goric replied that fencing and protection are no problem in those areas.

Chairman Reynolds said that they already talked through building design. There is the agreement that the commercial phase would be something in the future that would need additional final approval. Safety path is within the recommendation by Giffels Webster but the applicant has spoken to them that there is a slope and it would have two side yards of two units, construction schedule would agree to be within one year, it sounded even sooner than that, and tree preservation details would be spoken to. He added that may be just the point of their safety path, is their concern that there wouldn’t be a middle path, there are paths that go all the way around the site to the commercial development. Trustee Urbanowski said that the safety path in the middle of the site was not important to her. If she was in unit 40 or 41, she wouldn’t want people walking through her yard to get to whatever is there. Mr. Goric said that they had purchased a project and when they got in there, they told them to tear out the paths because people didn’t like them going through their yards. Mr. Goric thought that 54-41 are all walkout basements, so they are going to have an 8-10-ft. fall from that road to the bottom.

Chairman Reynolds stated that they need to pass the wetland permit, as brought forth, there is a review from OHM, there weren’t any significant comments, or open issues, that they do need some feedback. He said there are some items, in general, that support what is being mitigated. There was an application to EGLE currently. He asked if there were potential motions towards a wetland permit. Secretary St. Henry said he wasn’t ready to make a motion yet. He said that they have seen at least one maybe two other developers try to do something with this piece of property. There has been a lot of concern from the community, directly to the east about any development here. When there is a PUD or whenever they are looking at any development, there is a lot of give and take, back and forth, and compromise, and recognizing the importance of that buffer in the back of this development and how important that is to the community, and
the neighborhoods behind, he felt that they should seriously consider a deviation on those garages. If they do move back and they do have to take down trees, even if they took down one tree that they hadn’t planned on originally, then folks in that neighborhood are not going to be happy with that, and they need to take their concerns into consideration and find some middle ground. In this particular case, in this development, even though he hoped it didn’t set a president, this could open up a can of worms, he thought that being responsive to the neighborhood behind this development that more space they could give them, that is better and the compromise should be considered.

Chairman Reynolds agreed that a PUD is challenging in that they need to consider a lot of factors that is why it is not a single set process, it is a recommendation, it is not final approval. Upon reviewing the tree surveys and everything like that, he thought that there was the opportunity to attempt to address those ordinance requirements. He didn’t believe that when they look at the tree survey there are many gaps of trees, what is existing, there are going to be trees proposed, but to meet the ordinance and to address by a 5-ft. mark in many areas not significantly changing the open area or the landscape area that is proposed. He adhered that there was difficulty to the site with the mass grading, but he would like to see at least an attempt to address that concern or that ordinance requirement. He said they have stood on very solid ground with as difficult sites that are very long narrow that have had mass grading. They have the project off of Morgan Rd., Cottages of Gregory Meadows, where they had huge grading of that site. On their site walk they drove up that site and there has to be 50-60-ft. elevation grade change from existing, but they held them to that 50% requirement and said they need to put a stop to this plan or only sell “X” amount of plan “Y”. His issue with this is there are many reasons why it can’t be done versus an attempt to say they can accomplish 25% or 10%. He didn’t want to shoot down the whole project over that, he just believed that there was some sort of compromise that can be made whether those become a larger premium unit or a slightly different façade, but he thought there should be an attempt made towards that because it is something that they have over the last 2-3 years with PUD’s required and never deviated a single percent. Mr. Goric said that one of his concerns is when they start changing one unit, they have to change them all, or they have to introduce many models. He said understanding the history of this site, they had a Redwood project that was approved, it was all vinyl sided, there were no 5-ft. deviations, they had some side entrance garage which they appeased to them but it was just flatting the entire site and making a hole in it. He stated that maybe they can’t give them the 5-ft. but he is giving them quality materials, full brick, stone, 30-year shingles, versus a project that was already approved that to him was very lackluster and they approved it. He said now he is here and they are pounding on this 5-ft. and he is saying there is a lot more superior to their site plan, product, and their elevation than they have given Redwood. A 5-ft. setback starts this all over with this project, it wouldn’t be until next year.

Trustee Urbanowski said that they have asked this of others. She thought it was a hard place to be. She said she hasn’t seen all the other plans, she didn’t have that history, but she did know that there was some rocky history with this particular piece. She thought it will be something that people will see, Lapeer Rd. is the major artery in their Township, and to have something that looks nice, quality, and all that is very important. Mr. Goric said he didn’t think that a 5-ft. setback was going to do anything for cars going 60MPH. He said they have to put all the landscaping in to try to buffer. Trustee Urbanowski said that they still have other pieces of land that are going to come before them as a PUD and if they don’t follow their ordinance then there is really no reason to have it. She asked them if there was a way to work with them a little bit. Mr. Goric said it was not working with them it is starting all over. If they push back a garage 5-ft. that means they have to redesign the whole unit 5-ft., the first-floor plate changes. He added that if they look at the floor plans if they push back the garage 5-ft., it lines up with the porch, then they lose that 2-ft. and then they go back 5-ft., then it comes back. Trustee Urbanowski said she was not an architect and she admired the work that they do.
Chairman Reynolds said with the effort that they don’t want to shoot down projects, they are obviously just speaking to ordinance concerns and items that get brought forth to them, is there are some other pieces to this puzzle that they could make the motions towards, and they are a recommending body so there is the opportunity to have their recommendation reviewed at the Board of Trustees level, so, one way or the other. Chairman Reynolds said they were happy to proceed with some of these hang-ups that are being brought forth tonight, if that was favorable with them they would be working towards motions. He said that there is a wetland permit ordinance #107.

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission approves the wetland permit for PC-2018-49, Hills of Woodbridge located on a vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.) for plans date stamped received March 15, 2021. This approval is based on the following findings of facts: that the proposed impact for the wetland pond will not have long term negative effects and therefore can be approved; the proposed land use is consistent with the zoning of the property and the proposed minor impacts are consistent with the typical development provide and require stormwater management and prevention of soil erosion; there does not appear to be any feasible or pertinent alternatives for this particular site; the applicant has provided the adequate stormwater management facilities and not impacting wetland behaviors and should be considered a regulated wetland.

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

Chairman Reynolds said that brings them to the PUD, they can have a further discussion if someone wants to make a motion that they can discuss, he entertained that also.

Secretary St. Henry asked in the spirit of compromise, right now they are at zero 5-ft. recessed garages, was there any room to go from zero to 20-25% working together in good faith? Mr. Goric said if they change one thing, they change the whole unit, they would have to go back to the architect. Their focus is on every wall being moved a little bit so they are just not making it flat. They went and made 20x20 garages because everyone was complaining that the garages were small, and added 3-car garages. If that is the only thing, and they find the other things in the site plan are acceptable and up to the standard, if that would be the only recommendation would be that they don’t agree with the 5-ft., and move on, then maybe they can address it with the Board. Mr. Kalas said if they push them back 5-ft. it affects the setbacks, it is not that easy. Chairman Reynolds said they are well aware of the chain reaction. Mr. Goric said that this unit went from 1,450-sq. ft. to 1,600-sq. ft. because he thought that 1,450-sq. ft. was tight and small, and coming out to Orion they want at least a 1,600-sq. ft. ranch, so they expanded it to 1,600-sq. ft. and pushed them wider, and now to push it back 5-ft. they are going back to losing a 100-ft. He wished he could say move it back 5-ft. but now all of a sudden, the decks move back and they get into the setbacks and some of the decks are right at the setbacks.

Chairman Reynolds said if he were to make a motion if there was zero effort towards our ordinance that would significantly change the effort. If there was a compromise to say it is a difficult site there is a lot of grading but I gave them 15% or 25% he would personally have a different conversation. Mr. Goric asked if they could say, as he was looking at phase two, there are so many units on the north side they have more room on the north side, on the south side they are right up against the property line. Secretary St. Henry asked them to put it up on the screen, so it was easier for them to see. Chairman Reynolds stated that phase two starts at unit 74? Mr. Goric replied right. Mr. Goric said he wants to get this project rolling this year, so in phase 2 they can see the rear yards there have a little more room, so if they said that 74 – 98, 70-100% of those units they have to do the 5-ft. off-set on the north side, there is room there
and what it does is it gives them time to redesign the units when they go into the next phase because they are set to start phase one. He said that 74-98 there was plenty of rear yard setback, there are 2-3 units where it will be tight, but most of those units they can achieve the 5-ft. in the back, and then when they go to phase-two they can introduce another model, and show the people what will change. Secretary St. Henry asked if they would sell them just as quickly? Mr. Goric replied he hoped so. He added that it is not a matter of sales, he thought that the elevation that they have is tremendous and why would he want to put the porch even with the garage door, now he has a porch that is going to be sticking out in front of the garage door which he hates, but if that is what is going to get them there, then he can concede and that will give him time to redo a plan into next phase because that will probably be two to three years from now. That will help get the project rolling, maybe achieve their goal, and gives him time. Chairman Reynolds asked what would they say that represent or what criteria would they be putting forth, the requirement is 50%? Mr. Goric said that the 5-ft. deviation there are going to be some units, they are already 35-ft. on unit 74 and 75, but most of the units he thought they could achieve the 5-ft., there are 3 there that are going to be tight, so approximately 80% of those units. He didn’t want to have to go to the Zoning Board of Appeals for 2 or 3 of these units either because of the 5-ft., so, 20 of 24 wherever there is not an issue. He added that if they say that 20% of the site had to be 5-ft. he thought that they could find that.

Chairman Reynolds said he was not going to speak for everyone, he thought that was moving in the right direction, he would love to see as many as possible, and not be limited to phase 2. His personal feeling on the property is that there are not many other major comments he had besides that main piece. He said that there would be some time to address potentially compromise between now and the next step, they are a recommending body. He thought it was one of the conditions or criteria of findings of fact for one way of approval or denial. He said it seemed they were dancing around a recommendation here tonight, hanging on topic, he would really like to see that brought forth. He thought that if there was a significant movement in that or proof that they are either modifying some of the units in phase one to bring that criterion up, or proving some findings of fact of why that limitation really doesn’t exist. He said as a professional and as a design architect making a 5-ft. change in a façade isn’t that significant and isn’t going to make or break the entire project. He understood that grading plays into that and understood that there were a lot of parts, that is why he is suggesting that certain units. He thought that there was a way to bring that up without a significant change. He understood that economically they had to build two models or units, but he thought that there was a way to have some better faith towards that ordinance requirement. He said there were a number of items that still need to be addressed, a number of conditions. He thought one of the conditions beyond Planners, Engineers, and department reviews, future phasing, and adding some of these things could be the reason why it is denied and what they are asking for or potential findings of fact of what would change their feeling, he thought that they could submit that to the Board of Trustees.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission forwards a recommendation to the Township Board to deny PC-2018-49, Hills of Woodbridge Planned Unit Development (PUD) Final Plan request to rezone the property from Restricted Business (RB), Office Professional (OP), and Single Family Residential (R-1) to Planned Unit Development (PUD) located on a vacant parcel 09-26-451-004 north of 3805 S. Lapeer, vacant parcel 09-26-402-020, and vacant parcel 09-26-402-021 (both west of 40 Hi-Hill Dr.) for plans date stamped received March 15, 2021. This recommendation for denial is based on the following findings of facts: the plans are not in compliance with the PUD Concept, Section 30.03(g)(5), relative to the architectural and site rezoning requirements relative to the attached garages being at least 50% side entry or recessed, where the front of the garages is at least 5-ft. from behind the front line of the living portion of the principal dwelling; the impact on traffic, he thought, could be improved with a boulevard entrance, on Lapeer Rd., a project of 120
units with a commercialize will be part of this entrance deserves a major boulevard entrance to accommodate the traffic entering and exiting the project.

Vice-Chairman Gross amended the motion, Commissioner Walker re-supported that the plan does not include and the applicant indicates that they would come in with a subsequent review for the commercial development along Lapeer Rd.

Discussion on the motion:

Secretary St. Henry asked if they approve to deny and then the Board of Trustees agrees and then they deny, can the applicant come back and say that they have adjusted and they are at 20-25% of recessed garages? Chairman Reynolds said that it would be one year before they could come in with a resubmittal. Secretary St. Henry asked if they agree to deny and between now and the time they go to the Board of Trustees, they come up with some adjustments, then at that point, can the Board of Trustees approve this recognizing that the applicant worked in good faith to try to meet this? Planner Fazzini said they can do whatever they want it is a rezoning.

Chairman Reynolds said they are a recommending body, whether they recommend to approve or deny the Board could agree or disagree with their position. He understood that it is not in substantial completion, some of those things he would agree with. His opinion was that if it was to be overturned is that, there are some outstanding comments that need to be addressed. They don’t always get into this situation. He asked Planner Fazzini if they recommend denial and it was to be approved at the Board level that doesn’t necessarily address the open comments from their reviewers, or does it come back to them? Planner Fazzini said they could send it back to them. Planning & Zoning Director Girling said at the Board level they have three options to approve, deny, or send it back to the Planning Commission. If the recommendation from the Planning Commission is to deny then their deliberating on it on their own based on what is in their motion on why they denied it. Planner Fazzini said that they could discuss the garage percentages if there was a compromise or a change, then they could send it back to them for further discussion on what has changed and then back to the Board. Planning & Zoning Director Girling said correct, but the main point is if the motion is on the floor unless she was mistaken, she didn’t think that the motion mentioned that the garage was the issue. She said as it was a motion to recommend denial based on the conditions or the reasons that Vice-Chairman Gross gave, so that is what the Board is going to look at is what is within the motion.

Chairman Reynolds said that the motion that is currently on the table is a motion to deny since the plan is not in substantial completion to PUD requirements specifically due to the 50% garage requirements. The reasons for impact traffic could be improved with a major boulevard entrance, and the plans do not currently include the commercial development phase, and that would have to be a future approval.

Chairman Reynolds stated that if there are other concerns of why they are denying this, that they should include that or at least forward with their recommendation that they can include the idea if they were to disagree that it should come back for review versus just overturning it because there are items that need to be addressed and specifically to phasing, the commercial phase, tree preservation details, some of those are minor in nature but they are obvious items to address. They can include those currently even if it is a motion to deny just to clarify and keep the air clean because it is a messy subject. There is the potential that there is some difference in opinion between themselves as a recommending body, and the Board of Trustees as the final approver.
Vice-Chairman Gross said he would be agreeable to include those, and asked if Chairman Reynolds had a list. Chairman Reynolds said he would like to discuss it a little further, and he had a list that they could speak to.

Mr. Goric asked regarding the double boulevard, was he talking about segregation with plantings in the middle at the entrance? Vice-Chairman Gross replied yes. Mr. Goric said they typically do that and didn’t know why it wasn’t on the plan.

Vice-Chairman Gross amended the motion, Commissioner Walker re-supported, that the final approval of the commercial phase is not included in this recommendation, phase one construction is to commence within one year of approval, and tree preservation details and preservation requirements are to be provided and added to the plan. Also, that a temporary paved turn around is plotted at the end of phase one, and that the landscape plan be amended to extend the tree plantings shall be shown outside of the proposed water and sewer easement, and the Fire Marshal that is echoing those concerns. So, for the OHM requirements for the temporary access drive, the comments from the Fire Marshal, tree preservation details, construction schedule, and commercial phase are not included.

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

9. PUBLIC COMMENTS
None

10. COMMUNICATIONS
None

11. PLANNERS REPORTS/EDUCATION
None

12. COMMITTEE REPORTS
None

13. FUTURE PUBLIC HEARINGS
A. 4-21-21 at 7:05 p.m., PC-2021-39, Lake Orion Community Schools Rezone Request, to rezone a portion (approx. .648 acres) of parcel #09-16-200-002, located at 1013, 1135, 1155, and 1255 Joslyn Road, from Suburban Farms (SF) to Limited Industrial (LI).

B. 4-21-21 PC-2021-37 (immediately following the PC-2021-39 Public Hearing at 7:05 p.m.), Meijer ORI, Special Land Use Request for Large Scale Retail Establishment equaling 90,000-sq. ft. located at 1025 S. Lapeer Rd. (Sidwell #09-14-226-008) & unaddressed parcel #09-14-226-001 (surrounded by parcel #09-14-226-008).

14. CHAIRMAN’S COMMENTS
Chairman Reynolds said that he appreciated the discussion points, he knew they have some very difficult projects here in the Township. He thought it was important not only to get in-depth with some of these discussion points but also to bring forth comments about how they are applying some of the ordinances and approaches equally to the projects brought forth to them. He stated that the comment, that just because they didn’t explicitly mention it in the concept, he didn’t agree that it follows suit to final PUD. It was a big discussion point and they are always going to maybe bring up things that are different but thought that was one item.
Chairman Reynolds said that the next meeting is at 6pm, they have their Master Plan special meeting that will be in person starting at 6 pm at the Orion Center.

15. COMMISSIONERS’ COMMENTS
Trustee Urbanowski said that these are really tough, to see the effort and the care that people put into the projects, it is hard sitting here and looking people in the eye and making those decisions. She thanked them for mentoring her through this.

Chairman Reynolds said he thought that is why they have boards and commissions everyone brings insight and a perspective. Even if they are not a professional, with a room full of money being spent on professional consultants, they bring up valid points and he felt supporting their ordinance or their concerns as a resident and they are no less valuable. There is MTA and there are training dollars available to all of them. If they would like to be educated on something those are plenty of training seminars.

Secretary St. Henry said he likes to cut to the chase sometimes. Any organization or municipality compromise wins and as long as they are open to compromise, they are able to accomplish what they need to accomplish as a Planning Commission, as a Township, working with developers.

Commissioner Walker stated that he knew that Trustee Urbanowski was new to the board, but he was very impressed with her analytical skills, and her questions about how this stuff works.

16. ADJOURNMENT
Moved by Trustee Urbanowski, seconded by Secretary St. Henry to adjourn the meeting at 9:20 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion  Planning Commission Approve Date
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: April 14, 2021
RE: PC-2021-37, Meijer SLU and 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.

**Special Land Use (Ord. No. 78, Section 30.02)**

**Motion 1:** I move that the Planning Commission **approve/deny** 2021-37, Meijer-ORI, Special Land Use request for a large-scale retail establishment, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 (surrounded by parcel 09-14-226-008) for plans date stamped received March 24, 2021. This **approval/denial** is based on the following finding of facts:

- a. Compatibility with Adjacent Uses (Insert any findings of facts),
- b. Compatibility with Master Plan (Insert findings of facts),
- c. Adequate Public Services (Insert findings of facts),
- d. Impact on Traffic (Insert findings of fact),
- e. Detrimental Effects (Insert findings of facts),
- f. Enhancement of Surrounding Environment (Insert findings of facts),
- g. Isolation of Existing Land Use (Insert findings of facts).

**If Approved:**
This approval is subject to the following conditions (insert any additional conditions).

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

**Motion 2:** I move that the Planning Commission **approve/deny** a parking calculation waiver for PC-2021-37, Meijer- ORI Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, 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).

Parking Area/Driveway Setback Waiver (Ord. No. 78, Section 14.03 C)
Motion 3: I move that the Planning Commission approve/deny a parking area/drive setback waiver for PC-2021-37, Meijer- ORI Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, based on the following: (motion maker insert findings of facts).

Landscape Greenbelt Width Waiver (Ord. No. 78, Section 14.03 D)
Motion 4: I move that the Planning Commission approve/deny a greenbelt width waiver for PC-2021-37, Meijer- ORI Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, based on the following: (motion maker insert findings of facts).

Parking Lot Landscape Adjacent to Road Width Waiver (Ord. No. 78, Section 27.05 A 4)
Motion 5: I move that the Planning Commission approve/deny a parking lot landscape adjacent to road width waiver for PC-2021-37, Meijer- ORI Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, based on the following: (motion maker insert findings of facts)

a. The applicant did/did not demonstrate they met one or more of the following conditions:
   * limited parcel depth
   * existing vegetation
   * other site factors which limit the practical application of landscaping standards

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

Site Plan (Ord. No. 78, Section 30.01)
Motion 6: I move that the Planning Commission grants site plan approval for PC-2021-37, Meijer- ORI Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021. This approval is based on the following conditions:

a. (Motion maker to list any unresolved issues).

Or

I move that the Planning Commission denies site plan approval for PC-2021-37, Meijer- ORI Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021, This denial is based on the following reasons (insert findings of facts).
I move that the Planning Commission postpones site plan approval for PC-2021-37, Meijer- ORI Site Plan, located at 1025 S. Lapeer Road (Sidwell #09-14-226-008) & unaddressed parcel 09-14-226-001 for plans date stamped received 3/24/2021 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s and Engineer’s review letter(s)). However, the Planner’s review listed a number of known variances required. Those portions of the site plan are denied and as a result allow the applicant to appear at the Zoning Board of Appeals to seek variances and will return to the Planning Commission for further discussion of the site plan.
Special Land Use & Site Plan Review #1
Kmart Site Redevelopment

Case No: PC-2021-37
Site: 1025 S Lapeer Rd (former Kmart)
Applicant: Ashley Mack, Meijer, Inc.
Plan Date: 03/24/2021
Zoning: General Business (GB)
Parcel ID: 09-14-226-001 & 008

Dear Planning Commission Members:

We have completed a review of the application referenced above. The Zoning Ordinance standards for granting special land use approval are provided on the following page for your consideration. Following the special land use standards, is a summary of Master Plan and Zoning Ordinance compliance.
30.02 - Special Land Use Procedures and Standards

8. Planning Commission Determination. The Planning Commission shall make the final determination on the application for special land use approval. Such determination shall be based on the requirements and standards of this Ordinance. In making the final determination, the Planning Commission shall consider the reports and recommendations from the Enforcement Officer, Water and Sewer Department, Township Planner, Township Engineer, Township Fire Chief, the Road Commission for Oakland County, the Oakland County Health Department, the Oakland County Drain Commission, appropriate utility companies, and the Michigan Department of Transportation, where applicable.

13. Standards for Granting Special Land Use Approval. The Planning Commission shall approve special land uses upon determination that the proposed use will comply with all applicable requirements of the Ordinance, applicable standards for specific uses, and the following general standards. The applicant has addressed items a. through g. in detail in their SLU application letter dated March 24, 2021.

a. Compatibility with Adjacent Uses. The proposed special land use shall be designed, constructed, operated and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

1) The location and screening of vehicular circulation and parking areas in relation to surrounding development.
2) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment, in relation to surrounding development.
3) The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
4) The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.

b. Compatibility with Master Plan. The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and shall promote the intent and purpose of this Ordinance.

c. Public Services. The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

d. Impact of Traffic. The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. In determining whether this requirement has been met, consideration shall be given to:

1) Proximity and access to major thoroughfares.
2) Estimated traffic generated by the proposed use.
3) Proximity and relation to intersections.
4) Adequacy of sight distances.
5) Location of and access to off-street parking.
6) Required vehicular turning movements.
7) Provision for pedestrian traffic.

e. Detrimental Effects. The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.
f. Enhancement of Surrounding Environment. The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:

1) The provision of landscaping and other site amenities. Provision of additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.

2) The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.

g. Isolation of Existing Land Use. The location of the proposed special land use shall not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use shall not result in a small non-residential area being substantially surrounded by incompatible uses.

SUMMARY OF FINDINGS

Existing Conditions

1. Site. The site is located within the south half of the Lake Orion Plaza shopping center development, located along the east side of South Lapeer Road, south of Clarkston Road. This portion of the site is currently occupied by a vacant former Kmart building and associated site improvements.

![Image](June 2019 Google Street View image looking southeast from Lapeer Rd)

2. Adjacent zoning & land uses (from Lake Orion Plaza boundary).

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>GB General Business</td>
<td>Commercial</td>
</tr>
<tr>
<td>East</td>
<td>RM-1 Multiple Family Residential</td>
<td>Undeveloped multiple family</td>
</tr>
<tr>
<td>South</td>
<td>RM-1 Multiple Family Residential</td>
<td>Undeveloped multiple family</td>
</tr>
<tr>
<td></td>
<td>OP Office &amp; Professional</td>
<td>Oxford Bank &amp; Elite Endodontics</td>
</tr>
<tr>
<td>West (across</td>
<td>OP Office &amp; Professional</td>
<td>RCOC Lake Orion Garage</td>
</tr>
<tr>
<td>Lapeer Rd)</td>
<td>GB General Business</td>
<td>Speedway</td>
</tr>
<tr>
<td></td>
<td>RB Restricted Business</td>
<td>Commercial strip center</td>
</tr>
</tbody>
</table>
3. FLU Map. The Future Land Use Map classifies the site as General Commercial. The Future Land Use Classification is as follows:

"General Commercial is planned along the Baldwin and Lapeer Road corridors and is intended for commercial uses that supply a larger and more diversified number of goods than those in the Neighborhood Commercial classification. The intended character of these areas is comparable to those permitted within the General Business (GB) zoning districts which includes a wide range of regional commercial uses such as large-format retail, supermarkets and drugstores, discount stores, department stores along with facilities such as automobile dealers, other vehicle related services, and commercial recreation."
4. Master Plan Text. The 2015 Master Plan text, including the Goals and Objectives, provides guidance related to this request. Below are three sections that specifically relate to the special land use request.

I. Economic Development

Goal A: To provide jobs for existing and future residents of the township.

Goal B: To provide economically sustainable developments.

Objective I: To provide developments that can serve multiple purposes and reuse the existing buildings within the township.

II. Community Facilities

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

X. Commercial Areas

Goal C: To improve the appearance of existing and future commercial areas.

Zoning Ordinance Compliance

5. GB District. The below table indicates compliance with the GB district requirements in Article XIV. The standards in this table are a summary of Zoning Ordinance standards, please refer to the individual sections referenced below for the full Zoning Ordinance text. Text in green indicates special use or modifications/waivers that may be considered as part of the site plan review approval process. Text in red indicates variances required through the Zoning Board of Appeals prior to site plan approval.

<table>
<thead>
<tr>
<th>Article XIV – General Business (GB)</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.01 – Use Matrix</td>
<td>(14.02 Footnotes)</td>
</tr>
<tr>
<td>Large scale retail establishments</td>
<td>Special Use (F)</td>
</tr>
<tr>
<td>Pharmacy/drugstore (with or without drive-thru pharmacy)</td>
<td>Permitted (A, I)</td>
</tr>
<tr>
<td>14.02 – Footnotes to Use Matrix (see ZO for full text)</td>
<td></td>
</tr>
</tbody>
</table>

A. Drive-thrus

1. Setback. Buildings, canopies or speaker boxes setback 100' from res. Parking, maneuvering lanes or drive-thru lanes setback 50' from res. Buffering. 6' (tall) cont. buffer abutting SF res. (fence/wall/EV trees)

2. Lighting. Illumination (max): 0.3 fc along SF res. lot line Between dusk and dawn: illumination (max): 0 fc along SF res. lot line

F. Large scale retail establishments – 27.16

Drive-thru facilities – 27.05

14.03 – Required Conditions (see ZO for full text)

C. Off-Street Parking

1. General retail, personal services, banks, etc.: 1 space/200 sf GFA

2. PC may modify numerical requirements (1) for off-street parking

3. Parking area/driveway setback: 30' abutting res. zoning/use Parking area/driveway setback: 20' abutting comm./ind. zoning

4. Driveways and parking shall be curbed and hard surfaced

Variance: 63.9' Building & 10' Lanes ($ HD asphalt)

N/A (multi-fam)


Modification: 285 spaces provided (450 required)

Waiver: 11' (existing parking adj. to GB) (Twp Atty opinion)

Approved by PC

www.gfieiswebster.com
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Parking setback (3.) may be reduced/waived abutting comm./ind. when existing parking, drives, and/or structures within setback area</td>
<td>See C.3. above</td>
</tr>
<tr>
<td>1. Landscape plan required in compliance with 27.05</td>
<td>Waiver: 5' (N HD asphalt) &amp; 0' (multi-fam) (Twp Atty opinion)</td>
</tr>
<tr>
<td>2. Greenbelts (perimeter): 20' abutting comm./ind. zoning</td>
<td>Approved by PC</td>
</tr>
<tr>
<td>Greenbelts (perimeter): 30' abutting res. zoning/use</td>
<td>Administrative</td>
</tr>
<tr>
<td>3. Off-street parking screened from res. property (berm/wall/landsc.)</td>
<td>See D.2. above</td>
</tr>
<tr>
<td>4. Landscaping and screening maintenance</td>
<td>Subject to PC approval</td>
</tr>
<tr>
<td>5. Greenbelt (2.) may be reduced/waived abutting comm./ind.</td>
<td>Not Included with SPR</td>
</tr>
<tr>
<td>6. PC may require buffer/berm/wall/combo for comm. abutting res.</td>
<td></td>
</tr>
<tr>
<td><strong>E. Sign Regulations – Ordinance No. 153</strong></td>
<td></td>
</tr>
<tr>
<td>1. Lighting plan required in compliance with 27.11</td>
<td>Fixture cut sheets should be submitted to verify</td>
</tr>
<tr>
<td>2. Site lighting fully shielded and directed downward to prevent glare</td>
<td>Photometric Plan should be revised (&gt; 0.3 fc RM-1)</td>
</tr>
<tr>
<td>3. Illumination (max): 0.3 fc along res. PL or 1.0 fc along non-res. PL</td>
<td>Met (Lapeer Rd)</td>
</tr>
<tr>
<td><strong>G. Public Road Access. Direct access to public road with 120' r/w</strong></td>
<td>Met (no overhead)</td>
</tr>
<tr>
<td><strong>H. Utilities. All servicing buildings/structures buried underground</strong></td>
<td></td>
</tr>
<tr>
<td><strong>I. Covered Trash Areas</strong></td>
<td>Waiver: to not provide</td>
</tr>
<tr>
<td>1. 3-sided masonry brick-type wall 1' higher, located in the rear yard</td>
<td></td>
</tr>
<tr>
<td>2. Opaque lockable gate same height as brick-type wall</td>
<td></td>
</tr>
<tr>
<td>3. PC may waive requirement (need) for an outside trash receptacle</td>
<td></td>
</tr>
<tr>
<td><strong>J. Loading and Unloading</strong></td>
<td>Met (side yard)</td>
</tr>
<tr>
<td>1. Located in the rear/side yard of a non-residential district</td>
<td>Met (docks separated)</td>
</tr>
<tr>
<td>3. Compliance with 27.04</td>
<td>Administrative</td>
</tr>
<tr>
<td><strong>K. Performance Guarantee (Twp Clerk) – 30.09</strong></td>
<td>Met (existing)</td>
</tr>
<tr>
<td><strong>L. Safety Paths – Ordinance No. 97 (overrides SP Map)</strong></td>
<td>Met (existing)</td>
</tr>
<tr>
<td><strong>N. Wetland Setbacks – 27.17</strong></td>
<td>Operational Requirements</td>
</tr>
<tr>
<td><strong>O. Noise – Ordinance No. 135</strong></td>
<td>Proposed</td>
</tr>
<tr>
<td><strong>14.04 – Area and Bulk</strong></td>
<td></td>
</tr>
<tr>
<td>Front Yard Setback (from future r/w line)</td>
<td>Requirement</td>
</tr>
<tr>
<td>Rear Yard Setback (opposite front)</td>
<td>30 ft</td>
</tr>
<tr>
<td>Side Yard Setback (any non-front/rear)</td>
<td>20 ft</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>12,000 sf</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
</tr>
<tr>
<td>Maximum Height of All Structures</td>
<td>25 ft</td>
</tr>
<tr>
<td>Minimum Clear Space Around Structures</td>
<td>20 ft</td>
</tr>
</tbody>
</table>

| Proposed |
| Met (~287') |
| Met (32') |
| Met (varies 25+') |
| Met (7.55 ac) |
| Not provided (~27%) |
| Variance: 36° | Met (defer to Fire Dept.) |
6. General Provisions. The below table indicates compliance with the General Provisions in Zoning Ordinance Article XXVII. The standards in this checklist are a summary of Zoning Ordinance standards, please refer to the individual sections referenced below for the full Zoning Ordinance text.

<table>
<thead>
<tr>
<th>Article XXVII – General Provisions</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>27.04 – Parking and Loading Regulations (see ZO for full text)</td>
<td></td>
</tr>
<tr>
<td><strong>A. Off-Street Parking</strong></td>
<td></td>
</tr>
<tr>
<td>2.a. Minimum setback of 20’ shall be maintained for parking areas</td>
<td>See 14.03 C.</td>
</tr>
<tr>
<td>2.b. Parking Spaces for Physically Handicapped</td>
<td>Defer to Building Dept</td>
</tr>
<tr>
<td>3.b. Maneuvering Lanes. 25’ setback from res. zoning</td>
<td>Subject to PC approval</td>
</tr>
<tr>
<td>3.c. Surfacing and Drainage</td>
<td>Defer to Twp Engineer</td>
</tr>
<tr>
<td>3.d. Lighting</td>
<td>See 14.03 F.</td>
</tr>
<tr>
<td>3.e. Screening and Landscaping. Parking screened from res. prop.</td>
<td>Subject to PC approval</td>
</tr>
<tr>
<td>Off-Street Parking Chart (dimensions for all P rows not provided)</td>
<td>Met</td>
</tr>
<tr>
<td><strong>B. Off-Street Loading and Unloading</strong></td>
<td></td>
</tr>
<tr>
<td>2.b. Size. 10’ width by 50’ length, 14’ min. clearance</td>
<td>Dimensions of two loading berths not indicated</td>
</tr>
<tr>
<td>3.b.iv. Schedule. 61,000-100,000 GFA = 2 Loading Berths</td>
<td></td>
</tr>
<tr>
<td><strong>27.05 – Landscaping, Fences, and Walls (see ZO for full text)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>A. Landscaping</strong></td>
<td></td>
</tr>
<tr>
<td>3.a.i. Suitable plant material surfacing</td>
<td>Subject to PC approval</td>
</tr>
<tr>
<td>3.a.ii. Landscaped open space area</td>
<td>Add calculation to landsc. plan to verify compliance</td>
</tr>
<tr>
<td>3.a.iv. Underground irrigation or acceptable water supply</td>
<td>Specify irrigation measures on landscape plan</td>
</tr>
<tr>
<td><strong>4. Parking Lot Landscaping Adjacent to Roads (20’ r/w greenbelt)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>5. Screening for Conflicting Land Uses</strong></td>
<td></td>
</tr>
<tr>
<td><strong>6. Interior Parking Lot Landscaping</strong></td>
<td></td>
</tr>
<tr>
<td><strong>B. Materials Standards and Specifications</strong></td>
<td></td>
</tr>
<tr>
<td><strong>C. Installation and Maintenance</strong></td>
<td></td>
</tr>
<tr>
<td><strong>D. Regulations Pertaining to Existing Plant Material</strong></td>
<td></td>
</tr>
<tr>
<td><strong>E. Prohibited Plant Materials</strong></td>
<td></td>
</tr>
<tr>
<td><strong>F. Variances from Landscaping Regulations</strong></td>
<td>N/A pending calculations</td>
</tr>
<tr>
<td><strong>G. Entranceway Structures</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>27.06 – Streets, Roads, and Other Means of Access (see ZO for full text)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>C. Acceleration/Deceleration/Passing Lanes</strong></td>
<td>All improvements addressed under these subsections are existing</td>
</tr>
<tr>
<td><strong>D. Internal Roadways</strong></td>
<td></td>
</tr>
<tr>
<td><strong>E. Service Roads</strong></td>
<td></td>
</tr>
<tr>
<td><strong>F. Safety Pathways</strong></td>
<td></td>
</tr>
<tr>
<td><strong>27.11 Lighting Regulations</strong></td>
<td></td>
</tr>
<tr>
<td><strong>E. Non-Residential Lighting Standards</strong></td>
<td></td>
</tr>
<tr>
<td>1. Fully shielded and directed downward to prevent glare</td>
<td>Fixture cut sheets should be submitted to verify</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Maximum intensity 20 fc at base of light fixture</td>
<td>Met</td>
</tr>
<tr>
<td>1.a. Illumination (max): 0.3 fc along res. PL or 1.0 fc along non-res. PL</td>
<td>Photometric Plan should be revised (&gt;0.3 fc RM-1)</td>
</tr>
<tr>
<td>Minimum light intensity at ground level 0.3 fc anywhere</td>
<td>Met</td>
</tr>
<tr>
<td>Parking Lot Average Minimum Illumination 0.9 fc</td>
<td>Add to Stat. Area Summary</td>
</tr>
<tr>
<td>1.b. Fixture types</td>
<td>Fixture cut sheets should be submitted to verify</td>
</tr>
<tr>
<td>1.c. Planning Commission may approve decorative/historic fixtures</td>
<td>Met</td>
</tr>
<tr>
<td>1.d. Maximum height of pole fixtures 20' from ground level; 30' permitted where fixtures no closer than 200' from res. district</td>
<td>Met</td>
</tr>
<tr>
<td>2. Building-Mounted Lighting</td>
<td></td>
</tr>
<tr>
<td>G. Prohibited Lighting Types</td>
<td></td>
</tr>
<tr>
<td>27.12 Tree and Woodlands Protection (see ZO for full text)</td>
<td></td>
</tr>
<tr>
<td>C. Tree Removal Permit Required</td>
<td>Met (existing) permit included with SPR</td>
</tr>
<tr>
<td>27.14 – Access Management (see Zoning Ordinance for full text)</td>
<td></td>
</tr>
<tr>
<td>C. Application of Standards for Major Thoroughfares</td>
<td>Defer to Planning Director and Engineer regarding TIS</td>
</tr>
<tr>
<td>2. TIS Required for Site Plans</td>
<td></td>
</tr>
<tr>
<td>4. Redevelopment of Existing Sites</td>
<td></td>
</tr>
<tr>
<td>F. Driveway Standards</td>
<td></td>
</tr>
<tr>
<td>7. Clear Vision Areas and Buffer Areas</td>
<td>Met</td>
</tr>
<tr>
<td>27.16 – Large Scale Retail Establishments (see ZO for full text)</td>
<td></td>
</tr>
<tr>
<td>A. Minimum Area and Width</td>
<td>Met (Town Atty opinion)</td>
</tr>
<tr>
<td>B. Design Standards</td>
<td></td>
</tr>
<tr>
<td>1.a.i. Facades greater than 100’ in length</td>
<td>Variance: rear facades</td>
</tr>
<tr>
<td>1.a.ii. Ground floor facades facing public streets</td>
<td>Percentage not indicated</td>
</tr>
<tr>
<td>1.a.iii. Repeating patterns</td>
<td>Subject to PC discretionary approval</td>
</tr>
<tr>
<td>2. Roofs</td>
<td></td>
</tr>
<tr>
<td>3. Materials and Colors</td>
<td></td>
</tr>
<tr>
<td>4. Entryways (building)</td>
<td></td>
</tr>
<tr>
<td>C. Site Design</td>
<td></td>
</tr>
<tr>
<td>1. Parking Lot Location</td>
<td>Variance: more than 60%</td>
</tr>
<tr>
<td>2. Connectivity</td>
<td>Met (existing safety path)</td>
</tr>
<tr>
<td>3. Pedestrian Circulation</td>
<td>Met</td>
</tr>
<tr>
<td>4. Central Features and Community Space</td>
<td>Subject to PC approval</td>
</tr>
<tr>
<td>5. Loading, Trash Containers, Outdoor Storage (50’ res. setback)</td>
<td>Variance: truck docks 30’ See 27.14 C.</td>
</tr>
<tr>
<td>D. Traffic Impact. Required per 27.14</td>
<td></td>
</tr>
<tr>
<td>27.17 Wetland Setbacks (see ZO for full text)</td>
<td></td>
</tr>
<tr>
<td>B. Setbacks</td>
<td>Defer to Town Engineer if wetlands present in rear</td>
</tr>
<tr>
<td>All structures or buildings: 25’</td>
<td></td>
</tr>
<tr>
<td>Parking lots: 25’</td>
<td></td>
</tr>
<tr>
<td>Streets, roads, driveways: 25’</td>
<td>Waiver: if present</td>
</tr>
<tr>
<td>C. Waivers. Setbacks may be decreased by PC</td>
<td></td>
</tr>
</tbody>
</table>
Respectfully,

Giffels Webster

Eric Fazzini, AICP, CNU-A
Senior Planner
April 7, 2021

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

RE: Meijer, PC-2021-37
Site Plan Review #1

Received: March 24, 2021 by Orion Township

Dear Mr. Reynolds:

We have completed our review of Meijer plan set. The plans were prepared by Fishbeck 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 southeast of the intersection of E. Clarkston Rd. and M-24 within the northeastern quarter of Section 14 of the Charter Township of Orion. The site is zoned General Business (GB) and bound by parcels to the north of the property zoned General Business (GB), and parcels to the east of the property zoned Multiple Family Residential (RM-1), and parcels to the west and south of the property zoned Office and Professional (OP). The west border of the site is located on M-24.

The site currently contains significant parking area for the Kmart building that is no longer in use. There is one direct access point to this site from M-24, with several more to the adjacent parking lots. The existing Kmart is connected to the rest of the strip mall with the adjacent building being a Planet Fitness. The site also has access to the parking lot to the south which is home to Oxford Bank. The site contains an existing cross-access easement that extends from the entrances on Lapeer Rd. and wraps around the strip mall to the north. There is also a 30-foot berm easement along the outside of the southeast corner of the site.

The applicant is proposing to demolish the existing Kmart and place an 89,962 square-foot Meijer grocery store. The new store will be detached from the rest of the strip mall and will be located further in the southeast corner of the parcel. The parking stalls will be in the same general location, but the applicant is proposing 90° parking stalls as opposed to the existing angled parking.

WATER MAIN AND SANITARY SEWER:
The site is currently served by 8-inch diameter water main that loops around the existing strip mall and Kmart building. The 8-inch loop has a connection to the 12-inch water main on E. Clarkston Rd. and another on the 16-inch main on M-24. There are currently two hydrants east of the existing Kmart, and one on the west side in the parking lot. The existing 8" watermain does not have a recorded easement of record. Therefore the applicant is proposing a 12-foot water main easement to be dedicated to the Township. The applicant is proposing to reconstruct the water main south and east sides of the existing Kmart building to facilitate the new location of the Meijer building.
Two of the hydrants will be replaced on the east side of the building, and one will be added in the southwest corner. An additional gate valve will be necessary such that if there were a break in the main, the break could be isolated without putting more than two hydrants out of service at the same time. The applicant is proposing a 4-inch domestic water service and an 8-inch fire service on the east side of the building. The hydrant is shown proposed within a 20-foot-wide water main easement. The water main easement shall be revised to extend a minimum of 6 feet on all sides of any hydrant.

The hydrant detail included in the plans shall be removed and reference should be made to the Orion Township Water Main Details. The Utility Plan Notes should reference the Orion Township Standards and ensure that 5.5 feet of cover is provided over water main rather than the proposed 5 feet.

Currently, there is 8-inch sanitary sewer that exists west of the Kmart building. The sanitary sewer is shown within a 20-foot-wide sanitary sewer easement. The applicant is proposing to remove the existing building lead and the private manhole upstream of the public sanitary sewer and add an 8-inch sanitary service lead that will connect directly into the existing MH 20449. Per OCWRC requirements, a monitoring manhole will be required upstream of the connection to the existing public sanitary sewer.

Light poles should be shown on the Utility Plan to avoid conflicts with other utilities.

**STORMWATER MANAGEMENT:**

The existing storm sewer network serves the entire strip mall and Kmart building. There is a series of catch basins in the parking lot that drain to the north from Kmart and into a detention basin located east of the strip mall. The applicant is proposing to remove some of the existing storm sewer on the south and east side of the existing Kmart building. The proposed site plan calls for proposed catch basins and storm sewer on the north, south and east sides of the proposed Meijer building to capture the site drainage. Once collected, the storm network will essentially mimic the existing drainage pattern, with the exception that some of the drainage from the east of the building will head west at CB204 and enter the detention basin from a different portion of the storm sewer network. The ultimate outlet will still be the detention pond located northeast of the site. The existing detention basin has no forebay, so there is a mechanical pretreatment device proposed for each run of storm sewer to treat the runoff. There is also proposed storm sewer located on the proposed curb on the south side of the existing strip mall that extends north along the east side of the strip mall.

A stormwater management summary was provided on the plans which indicate the proposed site will have slightly less impervious area than the existing. Based on this information, no additional detention will be required for the proposed store.

Some of the storm sewer and structures appear to be located within the proposed 20 ft wide water main easement on the south side of the site. Proposed structures such as CB102 shall not be located within the water main easement, and long stretches of pipe running parallel to the water main shall remain outside the easement as well. A majority of these conflicts could be resolved by reducing the width of the easement down to meet the township requirement of 12 feet.

**PAVING & GRADING:**

Pavement slopes appear to be acceptable based on the contours provided, however more pavement, curb, and rim elevations are required to fully assess the grading plan. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. A light and heavy-duty pavement section have been included for the parking lot pavement but appear unfinished, calling out X" DOT SECTION in several locations. The pavement section must be completed per minimum Orion Township Standards for a pavement section under this use at site plan. A concrete sidewalk pavement section is included and appears adequate with 4 inches of asphalt on 4 inches of compacted sand.
There is very little grading proposed outside the paved area on site. Proposed grading is not shown outside the paved area. The limits of disturbance shall match existing grades either within or at the site border. More grading information is necessary south and east of the building outside the pavement.

**TRAFFIC & CIRCULATION:**
The site currently has one access directly to M-24 with a signalized intersection. The cross-access easement allows indirect access to three adjacent parking lots which have an additional five (two entrance, two exist, and one two-way) access points on M-24 along with one on E. Clarkston Rd. The applicant is not proposing any changes to the site access form any of these points. Proposed changes within the parking lot include the addition of a large greenbelt located along the border between the site and Oxford Bank. The parking stalls within the site will also be changed from angled parking stalls to 90° parking with 25-foot drive aisles. Parking stalls appear to be 19 feet deep by 9 feet wide, which is acceptable. Green islands are also proposed at the end of each of the parking bays, except for at the handicap accessible spaces.

A 6-foot-wide concrete sidewalk is proposed from the store to the northern site border, where it extends west to the existing safety path on M-24. A permit from MDOT for work within the M-24 right-of-way will be required prior to construction.

The proposed Meijer building is only 3½% larger than the existing Kmart building (~3,000 sq ft larger) and has the same intended use. The applicant has supplied trip generation data per ITE indicating this slight increase in building area will only generate an additional 152 trips per day or 13 trips in the PM peak hour. These figures are below the threshold in the ordinance that would require a traffic study. Therefore, we do not recommend a traffic study be required for this development.

The Meijer building will have a pharmacy pickup window located on the southwest corner of the site. The pharmacy one-way lane is 14 feet wide and separated from the rest of the parking lot and drive aisles by a parking island. The site also features a grocery pick-up lot for online orders located on the north side of the building. The pick-up lot appears to be one way with an 18-foot minimum drive aisle width. There are eight angled parking stalls that are 9.5 feet wide with a 6-foot-wide striped space on one side of each parking stall. To the east of this pick-up lot is a truck dock to facilitate off-loading from delivery trucks to the store. There is one garage available for grade-level receiving that is directly west of the truck dock. Any additional runoff collection features associated with the truck dock must be included at engineering for assessment.

The site has typical drive aisles of 25-feet wide with a single 20-foot fire access lane around the southeast of the building. The 20-foot fire access lane appears to be aligned such that the Orion Township Fire Truck will have sufficient space to navigate the site.

**LANDSCAPING:**
A landscaping plan was included in the plan set. Several trees appear to be within the water main easement and encroaching on the sanitary sewer. The trees should be relocated to provide as much separation between utilities and trees as possible. Please include utilities on the landscape plans for easy reference.

**CONCLUSION:**
In our opinion the site plan is in substantial compliance with the Township’s ordinances and engineering standards. We ask that site plan approval acknowledge the following:

1. More spot grades for pavement, curb, and trim elevations are required within the paved area.
2. The pavement section for the parking lot and drive aisles must be competed and meet minimum Township standards for the intended use.
3. The location where grading matches existing grades should be called out at the site border.
4. Contours should be provided for outside the paved area in the south and east side of the site.
5. The trees should be relocated to provide as much separation between utilities and trees as possible.
6. A monitoring manhole is required upstream of the connection to the public sanitary sewer per OCWRC requirements.
7. An additional gate valve will be necessary such that if there were a break in the main, the break could be isolated without putting more than two hydrants out of service at the same time.
8. The Utility Plan Notes should reference the Orion Township Standards and ensure that 5.5 feet of cover is provided over water main rather than the proposed 5 feet.
9. The hydrant detail included in the plans shall be removed and reference should be made to the Orion Township Water Main Details.
10. Light poles shall be added to the utility plan to avoid conflict.
11. The engineering plan, designed in accordance with Zoning Ordinance No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance No. 139, and the Township’s Engineering Standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

The applicant should note the Township may require performance bonds, fees, and/or escrows for a preconstruction meeting and necessary inspections. Please feel free to contact us with any questions at (248) 751-3100 or mark.landis@ohm-advisors.com.

Sincerely,

OHM Advisors

Joe Lehman
Project Engineer

Mark Landis, P.E.
Project Manager

cc: Chris Barnett, Township Supervisor
    David Goudie, Building Official
    Jeff Stout, Director of Public Services
    Tammy Geiringer, Director of Planning and Zoning
    Lynn Harrison, Planning and Zoning Coordinator
    Jeff Williams, Township Fire Marshal
    Bill Basiglow, Water and Sewer Superintendent
    Ashley MacK, Major, Inc.
    Jason Vander, Fishbeck
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2021-37, Meijer Special Land Use and Site Plan  
Date: 12/04/2020

The Orion Township Fire Department has completed its review of Application PC-2021-37 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

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

- Approved
- X Approved with Comments (See below)
- Not approved

Comments:

- No Parking Fire Lane Signage shall be provided on site to comply with International Fire Code 2015.
- The East drive isle located behind the proposed facility shall be listed as a Fire Department access drive with No Parking Fire Lane signage posted on both side of the drive isle.
- The Fire Department Connection shall be located on the North East corner of the structure.

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 Marshall
Orion Township Fire Department
To: Tammy Girling  
Planning & Zoning Director

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

Date: April 7, 2021

Re: PC-2021-37 Meijer Redevelopment Special Land Use and Site Plan.

Dear Tammy,

Department of Public Services has no objections to the project assuming all engineering questions related to water and sewer concerns have been addressed as outlined in the OHM review letter dated 4/7/21.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout  
Director  
Department of Public Services
April 6, 2021

Orion Township
ATTN: Tammy Girling
2525 Joslyn Road
Lake Orion, MI 48360

RE: R.C.O.C. PRELIMINARY PLAN REVIEW 21P0015
LOCATION: 1025 S LAPEER RD, ORION TOWNSHIP
PROJECT NAME: MEIJER STORE

Dear Ms. Girling:

At your request, the Road Commission for Oakland County has completed a preliminary geometric review for the above referenced project. There is no work proposed in public right-of-way under the jurisdiction of the Road Commission for Oakland County.

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

Respectfully,

[Signature]

Simon Yousif, P.E.
Permit Review Engineer
Department of Customer Services
SS/mac
Enclosure
SITE WALK REPORT

MEIJER GROCERY STORE - FORMER KMART SITE

Tuesday, April 13, 2021

Planning Commission members Don Gross and Scott Reynolds joined me for the site walk at the location of the proposed Meijer grocery store, to be located at the former KMart site at Lapeer and Clarkston Roads.

The applicant is proposing to tear down the existing KMart building and erect a 90,000 square foot store - smaller than your typical Meijer and only featuring food items. The structure would be detached from Planet Fitness, with a service drive running between the buildings.

Based on the site layout/pavement plan provided to us, at this point the biggest issue to address is the applicant's request for a parking space quantity variance. The building's size requires by ordinance a total of 450 spaces. Meijer wants 285 spaces, including eight for handicapped parking and eight for curbside pickup transactions. The plan indicates virtually all of the parking would be in the front of the building, with overflow into the shared lot with Planet Fitness and other smaller tenants.

Delivery trucks would use a loading dock in the back of the building. Details are needed on how the rear of the building will be buffered from a neighborhood that sits directly behind the development.

Another important issue is the 24/7 operation of a typical Meijer store and how this will impact deliveries, noise and other neighborhood concerns.

Respectfully submitted,

Joe St. Henry
MEIJER ORI - FOOD FORWARD

1025 S. LAPEER RD.
ORION TWP., MI

THE COLORS SHOWN ON THIS RENDERING ARE APPROXIMATIONS. BECAUSE OF THE VARIATIONS AND DIFFERENCES IN PRINTERS, AN EXACT COLOR MATCH CANNOT BE ACHIEVED. THE RENDERING IS INTENDED AS A GUIDE FOR THE ARRANGEMENT OF COLORS ON THE BUILDING AND TO THEIR RELATIONSHIP.

ELEVATION - FRONT

ELEVATION - BACK

ELEVATION - RECEIVING

ELEVATION - SIDE

RENDERING FINISH LEGEND

<table>
<thead>
<tr>
<th>CODE</th>
<th>FINISH</th>
<th>PRODUCT</th>
<th>COLOR</th>
</tr>
</thead>
<tbody>
<tr>
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<td>TUBULITE STOREFRONT</td>
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March 24, 2021
Orion Township
Planning & Zoning
Hard copy is intended to be 24"x36" when plotted. Scale(s) indicated and graphic quality may not be accurate for any other size.
STORMWATER MANAGEMENT PLAN

MAIN STORE
89,962 SQ FT. FF ELEV. = 1001.50

STORMWATER MANAGEMENT SUMMARY

STORMWATER UTILITY TABLE

GENERAL NOTES

STORM WATER NOTES
Traffic Control Signage / Striping Plan

**GENERAL NOTES**

1. **RED LETTERS**
   - WHITE BACKGROUND
2. **BLUE CABINET**
3. **CONCRETE BASE WITH PLAIN CONCRETE FINISH**
4. **DOUBLE FACED INTERNALLY ILLUMINATED LOGO CABINET**
5. **ENTIRE PYLON STRUCTURE ABOVE GRADE, EXCEPT CONCRETE BASE INCLUDING ELECTRIC BOXES AND EXPOSED CONDUIT IS TO BE PAINTED MAP TO MATCH PMS 286 (BLUE)**

**LOGO WAYFINDING SIGNS**

**PHARMACY DRIVE-UP WALL SIGN**

**MONUMENT SIGN**

**BOTTLE RETURN WALL SIGN**

**MEIJER WALL SIGN**

**PICKUP WALL SIGN**

**STORE SIGNAGE**

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<td>A5</td>
<td>Pickup Wall Sign</td>
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<td>B4</td>
<td>Monument Sign</td>
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<td>B5</td>
<td>Bottle Return Wall Sign</td>
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<td>B6</td>
<td>Rx Logo Wayfinding Sign</td>
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**MEIJER WALL SIGN**

**PICKUP WALL SIGN**

**GENERAL NOTES**

1. **PICKUP WALL SIGN**
2. **PHARMACY DRIVE-UP WALL SIGN**
3. **BOTTLE RETURN WALL SIGN**
4. **MONUMENT SIGN**

**A5**

**C-501**
meijer

MAIN STORE
89,962 SQ. FT., FF ELEV. = 1001.50

SYMBOL LEGEND

LANDSCAPE MATERIAL NOTE

SHADE TREE
(MAPLE, OAK, GINKO)
ORNAMENTAL TREE
(CRABAPPLE, REDBUD, DOGWOOD)
EVERGREEN TREE
(PINE, SPRUCE, FIR)
ORNAMENTAL TREE - SPECIAL
(MARILEE CRABAPPLE)
ORNAMENTAL SHRUB - LARGE
TREE REMOVAL
(STUNTED GROWTH, HEALTH ISSUES, SIGHT LINE ISSUES, OVERHEAD WIRES)
EXISTING SHADE TREE

LANDSCAPE NOTES

1. This Preliminary Landscape Plan is for conceptual purposes only. You may not use this or any part of this plan in any other manner.
2. The Preliminary Landscape Plan is subject to final city review. The city may require the Preliminary Landscape Plan to be revised or redone. Once the Preliminary Landscape Plan passes city review, it is subject to final approval by the city.
3. The Preliminary Landscape Plan does not contain all necessary details for construction or site development.
4. The Preliminary Landscape Plan is subject to change and may not be accurate for any other size.

CALL MISS DIG 1-800-482-7171 3 full working days before you dig.

Michigan's One-Call Utility Notification Organization

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FISHBECK PROJ. NO. 201289
Store No. ORI
1025 S. Lapeer Rd
Orion, MI 48360

Project Site:

1025 S. Lapeer Rd
Orion, MI 48360

on the net at: www.missdig.org

3/24/2021
SLU / 50% SPA
C-600

SUPERimpose on SOUTH LAPEER ROAD (M-24)

EDGEMIKE CRYSTAL

LANDSCAPE PLAN

C-600
Details

C-701

FISHBECK PROJ. NO. 201289

- Store No. ORI 1025 S.Lapeer Rd
  Orion, MI 48360

on the net at: www.missdig.org

1-800-482-7171

3 full working days before you dig:
Michigan's One-Call Utility Notification Organization
Call MISS DIG

JTV
3/24/2021
SLU / 50% SPA
C-701

JAB
KK3

A4 LIGHT DUTY/HEAVY DUTY PAVEMENT AT CB AND MH

A1 CONCRETE PAVEMENT EDGE

A2 TYP. BITUMINOUS PAVEMENT AT CB AND MH

A3 BITUMINOUS PAVEMENT EDGE DETAILS

A4 UNDERDRAIN AT LOADING DOCK

D1 SIDEWALK RAMP DETAIL

C1 CURB AND GUTTER DETAIL

C2 LIGHT DUTY/HEAVY DUTY PAVEMENT SECTION

C3 CURB AND GUTTER DETAIL

C4 MDOT 82 CURB AND GUTTER

C5 MDOT F4 CURB AND GUTTER

C6 CURB AND GUTTER DETAIL

B1 BOLLARD DETAIL

B2 CONCRETE CURBED WALK

B3 BOLLARD DETAIL

B4 SIDEWALK DETAIL

B5 MDOT 82 CURB AND GUTTER

B6 CURB TRANSITION DETAIL

C7 DETAIL UNDERDRAIN AT LOADING DOCK

D2 CURB AND GUTTER DETAIL

D3 TYP. BITUMINOUS PAVEMENT AT CB AND MH

D4 SIDEWALK DETAIL

D4 CURB TRANSITION DETAIL

D5 MDOT F4 CURB AND GUTTER

D6 CURB TRANSITION DETAIL
LUMINAIRE SCHEDULE

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STATISTICAL AREA SUMMARY

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5' Plane Above Surface | Illuminance | FC | 2.09 | 7.2 | 0.2 |
Parking Lot Study
Executive Summary

Prepared for the sole use of
Orion Township, MI

For the proposed Meijer Store at
1025 S. Lapeer Rd, Lake Orion, MI 48360
Goal
Study Meijer store parking lots to understand parking lot size requirements based on various volumes and store sizes. Base the time of the data collection on a usage rate in the 90th percentile of peak use. Using the data collected, calculate the size of the parking lot as a ratio of number of parking spaces to store size (gross square feet.)

Date/Time of Study
Saturday, December 17, 2016, 1:00 – 2:00 pm. This is considered one of the peak Saturdays, and is an approximate peak hour of the day, during the Holiday shopping season, and can be used to approximate the 90th percentile.

Process
Thirty (30) stores were selected across the Meijer portfolio to study based on store size and transaction volume. This volume translates to traffic and parking lot use. Roof mounted store security cameras were utilized to actively monitor parking lots in real time and identify the amount of actual used/unused customer spaces during that hour. All data was documented and compiled.

Conclusion
Prior to this study, Meijer Supercenters had been designed based on a minimum of 4 spaces per 1000 gross building square feet. This study showed, that on average, 56% of Meijer parking spaces provided are being utilized during a time that the store is in the top 10% use. This translates to approximately 2.5 customer spaces per 1000 gross building square feet with parked vehicles.

Recommendation
Based on conclusions from this study, Meijer will size parking lots to accommodate a minimum of 3 spaces per 1000 gross building square feet where local ordinance will allow. This will allow adequate parking during the busiest hours of the year and allow parking space turnover without waiting. It also allows Meijer to minimize stormwater impacts on the property.

On a site by site basis, Meijer will evaluate if additional area is needed to accommodate market needs and snow storage (i.e. southern market vs. northern market, property boundary and available green space.)

Parking Lot Utilization Chart

![Parking Lot Utilization Chart](image)
Memo

TO: Planning Commissioners – Orion Township
FROM: Jason T. Vander Kodde, PE – Fishbeck
DATE: March 24, 2021
RE: Meijer ORI Special Land Use Application

PROJECT NO.: 201289

On behalf of Meijer, Fishbeck is pleased to introduce a Special Land Use (SLU) and Site Plan Approval (SPA) application package to the Orion Township (Township) Planning Commission (PC).

Based on several positive demographic and economic factors, Meijer has identified the Township as a strong market to potentially launch a brand-new store format. This new store design will be approximately 90,000 square feet (sf) which is considerably smaller than a typical Meijer supercenter such as Oxford (185,000 sf) and Auburn Hills (215,000 sf). The new format will focus on food offerings including high quality produce, fresh bakery items, and deli along with a full range of beer, wine and liquor. The store will also provide customers with a full-service pharmacy with drive-thru and a dedicated digital pick up space to accommodate the increase in demand for buy online, pick up in store. The building will feature a single corner front entry with a contemporary building façade and an attractive glass tower. Meijer would like to commence construction this fall (2021) with the new format to be open in 2022.

The site at 1025 South Lapeer Road is ideal for our new store: It is already zoned General Business (GB), it is master planned for regional commercial use, it has good access to South Lapeer Road (M-24), it has existing public and private utilities in place, it formerly housed a Kmart store of similar size, and it is for sale. Meijer has secured an option to purchase the property conditional in part upon securing the land use approvals necessary from your Commission.

Over the last couple of months, Fishbeck and Meijer have worked diligently with the Township staff in order to prepare a SLU and SPA application in full compliance with the Township Zoning Ordinance. This has proven to be more challenging than expected because of the many unique existing conditions on the parcel for sale: Site geometry, access easements, utility easements, and current Township parking and greenbelt requirements.

We have prepared a well-planned site layout that we feel achieves everything the ordinance is intended to do: Provide neat and orderly development for the community, protect the neighbor’s interests and ability to live and do business and allow entrepreneurs to provide new and needed services to the community. This application is intended to secure a SLU for the proposed retail store exceeding 55,000 sf and get support from the planning commission in terms of site layout and ordinance waivers.

Fishbeck has provided an extensive site plan package in conjunction with the SLU request, but it may still be missing certain SPA checklist items. We anticipate resubmitting any outstanding information upon PC acceptance of the proposed our SLU application, site plan layout concept and any necessary ordinance waivers or revisions. If satisfied with the materials to date, the PC can direct us to submit the final SPA drawings for a subsequent meeting.

Copy: Ashley Mack – Meijer, Inc.
Charter Township of Orion Planning Commission
Special Land Use Approval Application

30.02 A. Intent: Special land use procedures and standards are instituted to provide consistent and uniform guidelines for the Planning Commission to follow in arriving at any special land use decision over which it has jurisdiction. Special land uses are uses that may be permitted in a district, but only if certain specified conditions are met, and only after review and approval by the Planning Commission. The review procedures which are conditions for approval are intended to provide protection for adjacent uses and ensure full compliance with the standards contained within Zoning Ordinance 78 and other applicable local ordinances and State and Federal laws.

Project Name: Meijer - ORI

Name of Development/Business if applicable:

Name: Meijer, Inc. Attn: Ashley Mack
Address: 2350 Three Mile Road NW City: Grand Rapids State: MI Zip: 49544
Phone: 616.249.6427 Cell: 616.240.5982 Fax: 616.791.3016
Email: Ashley.Mack@meijer.com

Name: The Boutrous Companies, Thomas Boutrous
Address: 506 N. Lapeer Road City: Lake Orion State: MI Zip: 48362
Phone: 248.814.9910 Cell: 248.505.6372 Fax: 248.814.9916
Email: tboutrous@boutrous.com

* 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: Fishbeck, Jason Vander Kodde, PE
Address: 39500 Mackenzie Drive, Suite 100 City: Novi State: MI Zip: 48377
Phone: 616.646.3938 Cell: 616.648.9165 Fax:
Email: jtvanderkodde@fishbeck.com

Name: Meijer, Ashley Mack
Address: 2350 Three Mile Road NW City: Grand Rapids State: MI Zip: 48362
Phone: 616.249.6427 Cell: 616.240.5982 Fax: 616.791.3016
Email: Ashley.Mack@meijer.com

Version 10-19-2018
Sidewell Number(s): 09-14-226-008 and 09-14-226-001

Location or Address of Property: 1025 S Lapeer Road, Lake Orion, MI 48360

Side of Street: East Nearest Intersection: S Lapper Road (M-24) and Clarkston Road

Acreage: 7.55 ac Current Use of Property: General Business - Vacant KMart

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

Subject Property Zoning: General Business
Adjacent Zoning: N  S  E  W  multiple family residential, office & professional general business, office & professional, restricted multiple family residential, office & professional

Give a detailed description of the proposed use, if applicable please indicate the number and size of the buildings or units being proposed

Meijer - 90,000 sqft grocery store

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 Rd.
  Lansing, MI 48906

- 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
1200 N. Telegraph Rd.
Pontiac, MI 48341

Road Commission of Oakland County (if applicable)
2420 Pontiac Lake Rd.
Waterford, MI 48328
The proposed special land use shall be designed, constructed, operated, and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met please describe the consideration given to the following:

Location and screening of vehicular circulation and parking areas in relation to surrounding development: **See attached**

Location and screening of outdoor storage, outdoor activity or work areas and mechanical equipment, in relation to surrounding development: **See attached**

The hours of operation of the proposed use: **See attached**

The bulk, placement and materials of construction of the proposed use in relation to surrounding uses: **See attached**

Describe how the proposed special land use is compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and how it promotes the intent and purpose of Zoning Ordinance 78: **See attached**

Describe how the proposed special land use is located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools. **See attached**
The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. Describe the consideration given to the following:

- Proximity and access to major thoroughfares
- Estimated traffic generated by the proposed use
- Proximity and relation to intersections
- Adequacy of sight distances
- Location of and access to off-street parking
- Required vehicular turning movements
- Provision for pedestrian traffic

The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. Describe the consideration given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. Describe how consideration was given to:

- Landscaping & other amenities

The bulk placement and materials of construction of proposed structures in relation to surrounding uses.
Explain how the location of the proposed special land use does not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use does not result in a small non-residential area being substantially surrounded by incompatible uses: See attached

Pursuant to Zoning Ordinance 78, Section 30.02 D a sign indicating the requested special land use shall be installed on the parcels(s) no less than 15 days prior to the scheduled public meeting. Please check one:

☐ I have reviewed Section 30.02 D and will install the sign(s) as required.

☐ I would like to lease signage from the Township and for it to be installed it as required (please complete attached Sign Request Form).

I/We, the undersigned, do hereby submit this application for Special Land Use, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.02 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: 3/22/21

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: __________________________ Date: 3/25/2021

Print Name: __________________________

Version 3.2.17
Compatibility of Adjacent Uses

The proposed special land use shall be designed, constructed, operated, and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met please describe the consideration given to the following:

Location and screening of vehicular circulation and parking areas in relation to surrounding development.

The location and screening of the proposed vehicle circulation and parking area will be compatible with the surrounding existing and proposed development as follows:

- North: Existing retail plaza parking lot and circulation routes to and from Lapeer Road (M-24) (specifically the signalized southbound (SB) crossover) will continue to be accessible to both Meijer and the existing retail plaza businesses via a shared use agreement. Similarly, the proposed Meijer parking lot and circulation routes will have access to East Clarkston Road via a shared use agreement in front of the buildings. Finally, the Meijer receiving area will also have access to East Clarkston Road behind the buildings via a shared use agreement.
- South: Existing Oxford Bank and Burger King circulation routes to and from Lapeer Road (M-24) (specifically the signalized SB crossover) will continue to be accessible via historic cross-connection points along Meijer’s south property line.
- East: Proposed Ponds of Orion Multi-family development will be protected from extensive impact by placing the building between the customer traffic areas and the shared property line. The Meijer receiving area is placed as far north as possible to minimize the Meijer delivery traffic adjacent to the Ponds of Orion. The only vehicle circulation expected around the building is a very low use fire lane on the east and a few employee parking spaces on the south. Additionally, the Ponds of Orion will be providing a 6-foot concrete screening fence along the shared property line.

Location and screening of outdoor storage, outdoor activity or work areas and mechanical equipment, in relation to surrounding development.

The location and screening of the proposed outdoor storage, outdoor activity, work areas and mechanical equipment will be compatible with the surrounding existing and proposed development as follows:

- Outdoor Storage: Will consist of cart corrals in the parking lot to temporarily store shopping carts after customers use them until they can be brought inside by staff. These are located in the main parking field away from adjacent uses and intended to prevent stray carts from occurring. The trash compactor is inside the store and discharges an enclosed unit near the truck docks, so no dumpster enclosure is needed.
- Outdoor Activity: There are three outdoor activity Customer points and one outdoor activity Meijer receiving point for review as follows:
  - Customer Front Entry — This entry is located in the middle of the site to focus customer foot and vehicle traffic onsite and minimize impact to neighbors.
  - Customer Pharmacy Drive-Through — This window is located on the west side of the building on the south side of the structure. This location is immediately adjacent to the Oxford Bank Drive-Through service area and therefore highly compatible as they are the same use.
  - Customer On-line Sales Pick-up — This area is located on the north side of the store in the middle of the building. This location will provide separation from the main Meijer entrance and provide compatibility with the Planet Fitness to the north by keeping the activity screened from their parking and entry area.
  - Meijer Receiving Point: Is placed on the north face of the building on the east end to eliminate truck traffic along the east and south sides of the building. This location provides the maximum protection to the proposed Pond of Orion.
March 24, 2021

- Work Areas: There are no outdoor work areas for this Meijer store.
- Mechanical Equipment: With the exception of typical utility service pedestals and meters, the mechanical equipment to serve the building is proposed to be roof mounted and screened by parapet walls.

The hours of operation of the proposed use.

The store will be open from 6 a.m. to Midnight seven days a week.

The bulk, replacement, and materials of construction of the proposed use in relation to surrounding uses.

The Meijer store bulk, replacement, and materials of construction will be compatible with the surrounding commercial uses. The rendering and elevations depict front façade following the ordinance intent with glass, texture, canopies, varying roof heights and attractive color palette. The proposed building will fit nicely into the Lapeer Road (M-24) corridor while still maintaining the distinctive Meijer brand.

Compatibility with Master Plan

Describe how the proposed special land use is compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and how it promotes the intent and purpose of Zoning Ordinance 78.

The proposed special land use is closely compatible with the Orion Township Master Plan (OTMP) as the future land use map (Map 17) depicts this site as “General Commercial”. Page 6-6 of the OTMP states that “General Commercial is planned along the Baldwin and Lapeer Road (M-24) corridors and is intended for commercial uses that supply a larger and more diversified number of goods than those in the Neighborhood Commercial classification. The intended character of these areas is comparable to those permitted within the General Business (GB) zoning districts which includes a wide range of regional commercial uses such as large-format retail, supermarkets, drugstores, discount stores, department stores along with facilities such as automobile dealers, other vehicle related services, and commercial recreation.” The proposed Meijer store clearly accomplishes this objective as it is specifically identified as an intended use.

The proposed special land use promotes the intent and purpose of the Zoning Ordinance 78 as the Preamble to the section 14.00 (General Business) states that “The GB District is intended to provide locations for individual businesses or a collection of businesses that provide a commodity or service on a regional basis. The zoning district is characterized by higher traffic generation and greater degrees of sight visibility and requires a site design which will not impede the flow of traffic or traffic safety. The GB District is intended to have the necessary restrictions to limit businesses’ impact upon the community. This includes safe and efficient traffic flow, adequate parking and attractive landscaping. The GB District is further intended to have direct access onto an existing or proposed thoroughfare, but only where optimum egress and regress can be provided.” The proposed Meijer store clearly accomplishes this purpose and intent as it will provide these site elements.

Public Services

Describe how the proposed special land use is located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

The proposed special land use is located so as to be adequately served by essential existing public facilities and services as follows:

- Highways and Streets – The proposed special land use intends to re-use the existing roads and access points to existing State Highway M-24 and County Road East Clarkston Road. These roadways and access points have served the retail plaza well for decades and will continue to do so with Michigan Department of Transportation (MDOT)’s and Road Commission of Oakland County (RCOC) approval.
- Police and Fire Protection – The proposed special land use will improve police and fire protection by reducing the length and size of the existing plaza building and providing an emergency fire lane around the proposed Meijer store. These design features will make fire protection and law enforcement easier than the current vacant Kmart building.

\WyomProjects\2020\05.1289\WORK\PERMITS\REGULATORY\SPA_3LU_ZBA_MONS_2021_03413_SPECIAL LAND USE APPLICATION RESPONSES_2021_0324.docx
• Drainage Systems – The existing Kmart site is served by an existing off-site detention basin in a dedicated easement to the northeast (NE) behind the existing retail plaza. The Ponds of Orion is proposing to relocate this detention basin and will accommodate the Meijer stormwater volume.

• Water and Sewage Facilities – The watermain and sanitary sewerage systems are already constructed and available for connection onsite. No system extensions or operational changes will be needed to our knowledge.

• And Schools – Meijer will not impact the schools with additional students. However, Meijer does offer employment to high-school students providing a benefit to the schools and community.

Impact on Traffic

The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. Describe the consideration given to the following:

Proximity and access to major thoroughfares:

The Special Land Use (SLU) site is adjacent to Lapeer Road (M-24) and has direct access with a signalized driveway.

The SLU site has a cross access agreement connection through the existing retail plaza to the north to a second unsignalized driveway onto Lapper Road and also to a driveway to East Clarkston Road.

The SLU site has existing historical connections to Oxford Bank and Burger King that are proposed to remain open.

Estimated traffic generated by the proposed use:

Materials have been submitted to the township engineer on 2/5/21 indicating the proposed Meijer SLU (90,000 square feet(s)) is approximately 3% larger than the previous Kmart use (87,000 sf) on the site. According to the ITE trip generation studies, the Daily Vehicle increase is less than 750 vehicles (152) and the PM Peak Hour increase is less than 100 vehicles (13). Therefore, the proposed traffic impact is consistent with the previous traffic impact, and no new traffic study is being recommended at this time.

Proximity and relation to intersections:

The proposed SLU is approximately 300 feet (1/16th mile) away from East Clarkston Road and Lapeer Road (M-24). It has its own signalized crossover entrance in the middle of the site. This proximity will protect surrounding uses from any adverse impact of the 3% traffic increase generated.

Adequacy of sight distances

Site distance is adequate for northbound (NB) Lapeer Road (M-24) and the required 15-by-15-foot clear vision triangles are depicted on the site plan.

Location of and access to off-street parking

The SLU proposes safe and convenient off-street parking in front of the building adjacent to the existing retail plaza parking lot. The SLU proposes a larger green buffer adjacent to the Oxford Bank drive-through service. The SLU proposes a limited number of employee parking spaces (16) on the south side of the building and no (zero) parking spaces on the east side of the building to minimize any impact on the multi-family residential area.

Required vehicular turning movements.

The SLU provides adequate drive isle widths and turning radius for the onsite traffic (customers and deliveries) to safely maneuver vehicles according to ordinance standards. No off-site impacts are anticipated.

Provision for pedestrian traffic

The SLU provides a direct pedestrian connection to the Lapeer Road (M-24) bike path for both the Meijer site and the existing retail plaza site. This was strategically designed to promote pedestrian safety and access to the entire commercial area in compliance with the Zoning Ordinance. This SLU will have a positive impact for pedestrians using the plaza.
Detrimental Effects

The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. Describe the consideration given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

The SLU was designed to minimize the production and impact of any adverse impacts to customers and neighbors as follows:

- Traffic – Reuse all existing access points with negligible increase (3%).
- Noise – Outside customer interface areas (pharmacy drive-through and on-line order pick-up) are located away from multifamily property lines and adjacent to similar uses (bank drive through and planet fitness).
- Vibration – Not expected.
- Smoke – Not expected.
- Fumes – Not expected.
- Odors – All building heating and cooling air exchange units are placed on top of the building.
- Dust – Not expected
- Glare – There are no windows placed on the south or east sides of the building near the multifamily area. The primary glass entrance and customer vehicle areas are designed along M-24 and existing parking lots.

Enhancement of Surrounding Environment

The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with of discourage the appropriate development and use of adjacent land buildings or unreasonably affect their value. Describe how consideration was given to:

Landscaping and other amenities.

The SLU maximizes the enhancement of the appropriate development and use of adjacent land and buildings by considering the following:

- North: The SLU proposes a pedestrian sidewalk adjacent to the existing retail plaza with the benches and amenities in accordance with the Zoning Ordinance. This will improve their connection to the Lapeer Road (M-24) bike path while still providing vehicle access to the signalized south bound crossover.
- West: The SLU proposes to place a large greenbelt adjacent to the north side of the Oxford Bank drive-through service. This will improve the aesthetics of that area considerably and provide a more pleasant experience for their customers adjacent to our parking area.
- South and East: The SLU proposes to protect the ability of the Ponds of Orion to develop their site as previously proposed, engineered and approved. This protection is provided by not exercising our right to have a landscaped berm in the recorded easement on the first 30 feet their property along the shared property line. Such a berm would considerably alter the site design and utilization of their property.

The bulk placement and materials of construction of proposed structures in relation to surrounding uses

The SLU maximizes the enhancement of the appropriate development and use of adjacent land and buildings by considering the following:

- North: The SLU proposes to allow adjacent businesses continued cross-access easements for vehicle access to the signalized south bound crossover. This placement will assure that they can continue to operate in the same fashion as they are today.
- West: The SLU proposes to place the building behind the Oxford Bank site. The proposed bulk placement of the Meijer building offers the bank continued unimpeded visibility along the Lapper Road corridor.
- South and East: The SLU proposes to protect the ability of the Ponds of Orion to develop their site as previously proposed, engineered and approved. This protection is provided by not exercising our right to have a landscaped berm in the recorded easement on the first 30 feet their property along the shared property line. Such a berm would considerably alter the site design and utilization of their property.
Isolation of Existing Land Use

Explain how the location of the proposed special land use does not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use does not result in a small non-residential area being substantially surrounded by incompatible uses:

Not surrounding a small residential area: The location of the SLU will not result in a small residential area being surrounded by non-residential development because it is replacing an existing non-residential development at the same location. The residential development is occurring to the east as zoned and master planned (multifamily and single family) with the commercial SLU occurring along the Lapeer Road (M-24) corridor adjacent to other existing businesses.

Not incompatible with small non-residential area: The location of the SLU will not result in a small non-residential area being substantially surrounded by non-compatible uses because it is replacing an existing non-residential development at the same location. The existing non-residential uses (retail plaza, Oxford Bank, Burger King) will continue to experience the same synergies that they had with Kmart.
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:**

<table>
<thead>
<tr>
<th>Name of Development if applicable:</th>
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<tbody>
<tr>
<td>Name:</td>
<td>Meijer, Inc., Attn: Ashley Mack</td>
</tr>
<tr>
<td>Address:</td>
<td>2350 Three Mile Road NW</td>
</tr>
<tr>
<td>City:</td>
<td>Grand Rapids</td>
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<td>MI</td>
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<tr>
<td>Fax:</td>
<td>616.791.3016</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:Ashley.Mack@meijer.com">Ashley.Mack@meijer.com</a></td>
</tr>
</tbody>
</table>

| Name: | The Boutrous Companies, Thomas Boutrous |
| Address: | 590 N. Lapeer Road |
| City: | Lake Orion |
| State: | MI |
| Zip: | 48362 |
| Phone: | 248.814.9910 |
| Cell: | 248.505.6372 |
| Fax: | 248.814.9916 |
| Email: | tboutrous@boutrouscos.com |

*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: | Fishbeck, Jason Vander Kodde, PE |
| Address: | 39500 Mackenzie Drive, Suite 100 |
| City: | Novi |
| State: | MI |
| Zip: | 48377 |
| Phone: | 616.464.3938 |
| Cell: | 616.648.9165 |
| Fax: |  |
| Email: | jtvanderkodde@fishbeck.com |

| Name: | Meijer, Ashley Mack |
| Address: | 2350 Three Mile Road NW |
| City: | Grand Rapids |
| State: | MI |
| Zip: | 48362 |
| Phone: | 616.249.6427 |
| Cell: | 616.240.5982 |
| Fax: | 616.791.3016 |
| Email: | Ashley.Mack@meijer.com |
Sidewell Number(s): 09-14-226-008 and 09-14-226-001

Location or Address of Property: 1025 S Lapeer Road, Lake Orion, MI 48360

Side of Street: East Nearest Intersection: S Lapper Road (M-24) and Clarkston Road

Acreage: 7.55 ac Current Use of Property: General Business - Vacant KMart

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

Subject Property Zoning: General Business Adjacent Zoning: N. S. E. W.

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

See Attached Document

Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed: Major grocery store with drive-up pharmacy - 90,000 sqft grocery store

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

AT&T
54 Mill St.
Pontiac, MI 48342

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

Consumers Power Company
530 W. Willow St.
Lansing, MI 48906

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

DTE Energy
37849 Interchange Dr.
Farmington Hills, MI 48335

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

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

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: ___________________________ Date: 3/31/21

Print Name: ___________________________

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

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

Print Name: ___________________________

Version 12/7/20
Hello, Chris!

My wife Cheryl and I are very excited to hear about the prospects of a new Meijer’s store coming to the Lake Orion Plaza at the corner of M-24 and Clarkston Road. We have missed having a grocery store in our immediate area since we lost our Hollywood store several years ago, and we are so excited to hear that a new one may be coming into this location! It looks like the new building will help beautify that area and we know it will be well-run. We wanted to voice our opinion in favor of this development to you and the planning commission. We are hopeful that it will be open soon!

Sincerely,

Fred and Cheryl Reichert
850 E. Clarkston Rd.
TO: The Charter Township of Orion Planning Commission

FROM: Tammy Girling, Zoning/Planning Director

DATE: January 13, 2021

RE: PC-2021-39, Lake Orion Community Schools, 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-2021-39, Lake Orion Community Schools Rezone Request. Requesting to rezone a portion (approx...648 acres) of parcel 09-16-200-002, located at 1013, 1135, 1155, fand 1255 Joslyn Road from Suburban Farms (SF) to Limited Industrial for the application date stamped received 3/15/21. This recommendation to approve/deny is based on the following findings of facts:

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

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

a. Approval of a boundary adjustment adding the proposed rezone piece to adjacent parcel 09-16-226-001 (1761 Joslyn Rd.).
b. (insert any additional conditions).
APPLYING FOR REZONING

Case Number PC-2021-39

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

NOTICE TO APPLICANT

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

Date: February 26, 2021 Project Name: LOCS and Orion Investment Group Rezoning

Applicants Name: Lake Orion Community Schools

Applicants Address: 315 N. Lapeer Street

City: Lake Orion State: Michigan Zip Code: 48362

Phone#: 248-693-5415 Fax #: 248-693-5464 E-Mail: John.Fitzgerald@lok12.org

Property Owner Name: Lake Orion Community Schools

Property Owner Address: 315 N. Lapeer Street, Lake Orion, MI 48362

Phone#: 248-693-5415 Fax #: 248-693-5464 E-Mail: John.Fitzgerald@lok12.org

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

Name of Firm/Individual who Prepared the plan: Contact person is: Ken Zmijewski

Address: 1761 Clarkston Rd, Lake Orion, MI 48362

Phone#: 248-364-3900 Cell#: 248-425-3448 E-Mail:____________________

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

Property Description:
Location or Address of the Property: Portion of 1255 Joslyn Road, Lake Orion, MI 48360

Side of Street___________Nearest Cross Streets: Joslyn and Clarkston Roads
Sidwell Number(s): 09-16-200-002  Total Acreage: Est. existing 43.944 acres. Selling about 2/3s of one acre.

Subdivision Name (if applicable)

Frontage (in feet):  Depth (in feet)
*Please Attach to the Application a Complete Legal Description of the Subject Property

Current Zoning Classification:
Subject Property: Suburban Farms

Adjacent Properties:
North: Clarkston Road  South: Suburban Farms
East: Limited Industrial  West: Suburban Farms

Requested Zoning Classification:
Subject Property: Limited Industrial

Existing Use of Property: Public school campus

Proposed Use of Property: Portion to be sold is proposed to be Industrial (self-storage).

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

***10 Sets Of The Plot Plan And The Rezoning Application Prepared In Accordance With The Orion Township Zoning Ordinance #78, Section 30.04 And One 8x11 Map Showing The Subject Area, Acreage, Current And Proposed Zoning Designations Are Required When Submitting For A Rezoning Request. All Applicable Fees Must Also Be Included As Part Of The Rezoning Request. Please See Ordinance #41 For The Planning Commission Review Fees***

I hereby submit this application for Rezoning, pursuant to the provisions of the Orion Township Zoning Ordinance, Ordinance #78, Section 30.04 and any other applicable Township Ordinance requirements. In support of the permit application, I hereby certify that the information provided herein is accurate and the application that has been provided is complete. As the property owner (or having been granted permission to represent the owner as to this application) and on behalf of all owners of this property, I hereby grant the Planning Commission members and Township Building Department staff permission to perform a site walk on the property, without prior notification, as is deemed necessary.

John D. Frasier
Signature of Applicant

3/12/2021
Date

Signature of Applicant  Date
March 31, 2021

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

Rezoning Review
Request: from SF to LI (part)

Case No: PC-2021-39
Site: Orion Oaks Elementary School (part)
Applicant: John D. Fitzgerald, LO Community Schools
Plan Date: 03/15/2021
Zoning: SF Suburban Farms
Parcel ID: 09-16-200-002

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 a 40-foot wide by 700-foot deep area in the northeast corner of a large existing parcel that contains Orion Oaks Elementary School. The site has 40 feet of frontage along the south side of Clarkston Road and is included within the development area of PC-2019-04, Orion Storage, a site plan review for a mini-storage and warehousing development. This case was postponed by the Planning Commission in February due to the lack of proper zoning along the west boundary of the development. This rezoning application has been submitted to provide proper LI zoning for the west boundary of the Orion Storage development as the 40-foot by 700-foot rezoning area corresponds with the 40-foot by 694.90-foot area indicated on the Orion Storage site plan.
2. **Application.** Zoning Ordinance Section 30.04 B.2. states that a plot plan shall accompany a rezoning application and shall include the following. If any of the items listed are not applicable to a particular plot plan, the applicant shall specify on the plot plan which items do not apply, and furthermore, why the items are not applicable.

   a. Applicant’s name, address, and telephone number.
   b. Scale of plot plan, north point, and dates of submission and revisions.
   c. Zoning classification of petitioner’s parcel and all abutting parcels.
   d. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on the site and within one hundred (100) feet of the site. Aerial imagery or photographs with parcel data/or property lines should be submitted.
   e. Existing use of the property.
   f. Right-of-way widths of all abutting streets and alleys.
   g. Tax parcel identification number and/or legal description with acreage calculation.
   h. Listing of all existing street addresses within the property.

   The applicant has submitted a scaled Oakland County GIS parcel map as their plot plan. This GIS map includes some of the information listed in a. through h. above but does not include detailed information that would normally be indicated on a rezoning plot plan or site plan. The Planning Commission should determine if any additional information listed above should be submitted at this time. At a minimum, the submitted GIS map should be amended to specify which items in a. through h. do not apply and why as this is a requirement of the Zoning Ordinance.

   The area requested for rezoning should exactly match the area needed for the Orion Storage development. The Orion Storage site plan indicates an area that is 694.90 feet deep, while the rezoning application indicates an area that is 700 feet. The rezoning applicant should work with the Orion Storage applicant to ensure there are no discrepancies between these two areas if approved.

3. **Adjacent zoning & land uses (from rezoning strip area).**

   ![Map with zoning and land use information]

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>LI</td>
<td>Industrial (multiple)</td>
</tr>
<tr>
<td>East</td>
<td>LI</td>
<td>Industrial (Orion Storage)</td>
</tr>
<tr>
<td>South</td>
<td>SF</td>
<td>Elementary School</td>
</tr>
<tr>
<td>West</td>
<td>SF</td>
<td>Elementary School</td>
</tr>
</tbody>
</table>

www.giffelswebster.com
4. **FLU Map.** The Future Land Use Map classifies the site as Institutional. This classification surrounds the site to the east (Orion Storage), south, and west. Across Clarkston Road to the north is classified Single Family Medium Density. The Future Land Use Classification for Institutional is as follows:

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

**Future Land Use Map Boundaries**

In general, and for most communities, future land use map boundaries are not typically intended to be precise related to the boundaries of individual parcels as master plans have a long-range focus. Related to this, the Orion Township Master Plan states that:

“It should be remembered that the Master Plan is just the best estimate of what would be the desirable land use configuration of the community in the future, from a point in time at the present. As time moves on, this concept of a desirable community may change, so the Plan must be flexible in order to accommodate that change.”
Planner Comments: The existing 2015 FLU Map does not account for existing industrial uses and LI zoning within the area surrounding the intersection of Clarkston Road and the Polly Ann Trail, likely due to the historic presence of the rail line now occupied by the trail. It is unclear if this lack of an industrial classification for this area was intentional to phase out industrial uses within this area over time, or if this was an oversight in accounting for established industrial uses and zoning.

As part of the Master Plan Update, we will likely encourage the Planning Commission to consider an industrial classification for the Orion Storage site and surrounding industrial sites to ensure that the new FLU Map does not conflict with existing industrial uses and zoning. If the Orion Storage site is ultimately classified as industrial, this rezoning request could then be viewed as a minor expansion of an established industrial use and zone. We have no objection to this rezoning request proceeding at this time, prior to the Master Plan Update being completed, due to the apparent conflict between the established industrial use and zoning in this area, and the FLU classification.

5. 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, including highlighted goals and objectives/policies that may relate to the proposed development of the adjacent and related Orion Storage site including the strip area subject to this rezoning request.

I. Economic Development

Goal B: To provide economically sustainable developments.
Objective I: To provide developments that can serve multiple purposes and reuse the existing buildings within the township.

Policy 2: Monitor a business development, retention, and expansion plan.

Goal C: To streamline the development review process.
Objective I: To assist with economic development, continue the development review procedure to encourage development providing it complies with the characteristics and needs of the community.

Policy 1: Adjust zoning districts in a manner which is consistent with established development patterns.

II. Community Facilities

Goal B: To provide for adequate sanitary sewer, public water, and stormwater management service in a manner consistent with the developed policies of the township.
Objective II: To ensure that new development will occur where adequate services are provided and proposed.

Goal C: To provide for the maintenance of storm drainage systems along roadways and within developments.
Objective I: To protect the quality of the existing storm drainage system which flows into abutting lakes, streams and wetlands.

III. Recreation Facilities

Goal C: Continue to develop and maintain the township-side non-motorized transportation system.
Objective/Policy 2: Continue to coordinate with the Polly Ann Trail, Paint Creek Trail, Road Commission for Oakland County, railroad companies, adjacent communities and other stakeholders

IV. Environmental Resources
Goal A: To preserve the natural resources of Orion Township.

Objective II: To utilize the Township Stormwater Management and Erosion Control Ordinance to ensure that development will not adversely impact natural resources and surrounding property.

VI. Transportation and Thoroughfares
Goal A: To provide a traffic circulation system that safely and efficiently services residents and businesses located within the township.

Objective I: To obtain needed right-of-way dedications and traffic safety improvements.
Objective IV: To encourage improved roadway aesthetics.
Policy 1: Roadways should be visually pleasing to motorists, pedestrians, and persons who view the roads from adjoining land.

Objective V: To discourage development within future road rights-of-way as depicted on the Right-of-Way Plan.

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 III: To support development and maintenance of the proposed Polly Ann Trail and Paint Creek Trailway.

XI. Industrial Areas
Goal A: To provide for industrial development in a manner that increases the community’s tax base, results in proper land use relationships, and does not negatively impact the environment.

Objective II: To minimize the negative impacts of industrial areas on non-industrial areas and on the environment.
Policy 1: Concentrate industrial uses in suitable locations to protect residential uses.
Policy 2: Other land uses should be physically and visually protected from the intrusion of industrial land use.

Objective III: to provide a balanced industrial development strategy to achieve environmental compatibility and maintain the semi-rural character of the township
Policy 6: Future industrial development should be permitted only in accordance with the ability to provide required utilities and public services, including public water and sanitary sewer services, adequate road construction and maintenance, police and fire protection and a tax base to allow for adequate general municipal administrative and regulatory services.

Goal B: To strive for high standards of design for industrial development in the township.

Objective 1: To create industrial areas which are well served by infrastructure, are efficiently served by transportation facilities and are as attractive as can be attained in an industrial district.
CONCLUSION

1. **Application.**
   a. The Planning Commission should determine if any additional information listed in Section 30.04 B.2. a. through h. should be submitted at this time.
   b. At a minimum, the submitted GIS map should be amended to specify which items in a. through h. do not apply and why as this is a requirement of the Zoning Ordinance.
   c. The rezoning applicant should work with the Orion Storage applicant to ensure there are no discrepancies between these two site plan and rezoning map areas if approved.

2. **FLU Map.** As part of the Master Plan Update, we will likely encourage the Planning Commission to consider an industrial classification for the Orion Storage site and surrounding industrial sites to ensure that the new FLU Map does not conflict with existing industrial uses and zoning.

3. **Master Plan Text.** Review item #5 contains several sections that broadly relate to this rezoning request, including highlighted goals and objectives/policies that may relate to the proposed development of the adjacent and related Orion Storage site including the strip area subject to this rezoning request.

Respectfully,

Giffels Webster

Eric Fazzini, AICP & CNU-A
Senior Planner

www.giffelswebster.com
April 14, 2021

PC-2021-39, Lake Orion Community Schools

The Planners review questioned the detail of the area proposed to be rezoned. PC case PC-2019-04, Orion Storage Facility site plan showed this area. For your reference I have provided a portion of that page.
SITE PLANTING REQUIREMENTS

OPEN SPACE SQUARE FOOTAGE: 48,718 SF
TREES REQUIRED (ARTICLE 18.106.5.13.01): 1
TREES PROPOSED: 1
SHRUBS REQUIRED: 15 - 15 TREES
SHRUBS PROPOSED: 15 - 15 TREES

GREENBELT REQUIREMENTS
CLARKE STREET FRONTAGE: 145 LF
TREES REQUIRED (ARTICLE 18.106.5.13.01): 8
TREES PROPOSED: 8
SHRUB HEDGE IS PROVIDED

TREE REPLACEMENT REQUIREMENTS

REPLACEMENT TREES PROPOSED: 5

RECEIVED
APR 20 2021

Orion Township
Planning & Zoning

Orion Storage
1751 Chardon Road
Lake Orion, Michigan 48362

Michael J. Dull Architects, Inc.
212 Daimler Street
Birmingham, Michigan 48009
P 248-644-2410
F 248-644-0910
Dull.com

Landscape Plan

NOTE: SITE WILL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM
April 20, 2021

Ms. Tammy Girling
Planning & Zoning Director
Orion Township
tgirling@oriontownship.org
(248) 391-0304, ext. 5000

RE: PC-2021-39
Lake Orion Community School, Rezone Request
Responses to Rezoning Review, dated March 31, 2021

Our clients: Ken Zmijewski

Dear Ms. Girling-

We are respectfully requesting the Department accept this correspondence and attachments as additional information, in response to the questions raised in the Rezoning Review dated March 31, 2021.

Attachments:

Please find attached a site plan sealed by Sujak Engineering as our Plot Plan in conformance with the application requirements, along with a landscape plan and photometric map.

Also find attached the most current available aerial photo, current zoning map, future land use map and a photo survey of the adjacent properties.

Plot Plan Information:

The reviewer noted missing information on the submitted plot plan.

a. Applicant’s name, address & phone – shown on plan, along with applicant’s authorized representative.

b. Scale, north point, dates of submission & revisions – shown on plan, latest revision is entitled “Layout Updates” and dated 1/20/2021.
c. Zoning classification of petitioner's parcel and all abutting parcels -- shown on plans or in other attachments.

d. Existing lot lines, building lines, structures, parking areas, driveways etc. -- The applicant's property is not being improved. The plan depicts the planned improvements to the property at 1761 Clarkston Road, which will be acquiring the subject strip of land being re-zoned. Therefore, the plan does not show the entire property owned by the School District.

The most Current Aerial image is attached, which shows the surrounding parcels, and notes the areas on the District's property to remain natural.

e. The existing use of the property is shown in the photo survey attached.

f. Right of way widths of all abutting street and alleys -- shown on plan (33 ft from centerline of Clarkston Road).

g. Tax Parcel Identification Number and/or legal description with acreage calculation -- 1761 Clarkston Tax ID #, legal description and acreage calculation shown on plan.

The School District's parcel ID # is 09-16-200-02. The strip being re-zoned is measured at 694.90 feet x 40 feet which is 27,796 sq ft, or .64 acres.

h. Listing of all existing street addresses within the property -- Not applicable.

Finding of Facts for Recommendation to Township Board:

a. Objectives of the Master Plan -- The area to be rezoned would be a minor adjustment to the future land use map, simply enlarging an existing, permitted use by .64 of an acre.

The future land use map maintains a Limited Industrial Zone at the 1761 Clarkston Road property. As noted by the reviewer, the FLU Map does not reflect the current limited industrial uses of the properties to the north and east, but designates these as "Single Family Medium Density." However, there are practical restraints on residential developments in either direction. The high-voltage wires that cross over the properties and run along the Poly Ann trail reduce the attractiveness for development of homes. It is more likely the Limited Industrial uses now present will continue into the future.

If there are medium density developments in the area in the future, these developments are naturally the types of developments that drive demand for public storage facilities. Either way, maintaining 1761 Clarkston for this planned Limited Industrial use is in conformance with the goals of the Master Plan.
b. Existing uses of Property within the general area — See above and attachments. The requested re-zoning will be similar and compatible to adjacent uses.

c. Zoning Classification of property within the general area - See above and attachments. The requested re-zoning matches the existing adjacent zones, and will not create a "spot-zone."

d. The suitability of the property to the uses permitted, under the existing zoning classification - The property at 1761 is currently used as a storage facility in conformance with low-impact uses permitted in a Limited Industrial Zone. The re-zoning would allow an upgrade to enclosed self-storage units, and would remain low-impact.

e. The trend of development in the general area of the property — The trend in the immediate vicinity has been stable, maintaining current uses. The Township’s Master Plan and FLU Map indicate the desire to respond to demand for medium-density housing. As noted above, medium and high-density housing drives demand for public storage.

f. Any additional findings of fact — The improvements contemplated to 1761 Clarkston will be an improvement to the area and serve a market need. The facility will benefit the neighboring property owners. The new Orion Storage facility will be built with quality materials and color selection will be subtle, not bright orange or other color that will attract inappropriate attention. The grounds will be well-landscaped, maintained with an irrigation system and lighting will be studied and directed only on site (See photometric map attached).

The School District property to the west that abuts the planned new facility will be left natural, so the planned improvements will have no detrimental impact whatsoever.

The Poly Ann Trail to the east will view shrubs and landscaping which will be an improvement over the current standard wood privacy fence.

We hope the foregoing is fully responsive to the Planning Commission, Department and Reviewer’s questions. We will be prepared to answer any additional questions at the hearing on April 21, 2021 at 7:00 PM. We thank you for your consideration.

Sincerely,

Gary D. Quesada
cc: Client
MOST CURRENT AERIAL IMAGE:

Areas to be left natural

New School Building (Being completed)
1761 Clarkston Road – Current use is Outdoor Storage; Zoned LIMITED INDUSTRIAL:

East property line abuts the Poly Ann Trail and is partially beneath high voltage electric wires:
Property to the east is also Zoned LIMITED INDUSTRIAL and engaged in Outdoor Storage:
Property to the north across Clarkston Road is also Zoned and currently used LIMITED INDUSTRIAL (Company designs, manufactures and installs automated paint circulation systems):

High voltage wires continue north over the Complete Company property and along Poly Ann Trail:
Property to the west is Zoned Suburban Farms and is a public school. The District is currently completing a new school building:

The area to the east of the new asphalt road will be left NATURAL: