

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION**  
**\*\*\*\*\* MINUTES \*\*\*\*\***  
**REGULAR MEETING, WEDNESDAY, JANUARY 5, 2022**

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, January 5, 2022, at 7:00 p.m. at the Orion Township Municipality Complex Board Room, 2323 Joslyn Road, Lake Orion, Michigan 48360.

**PLANNING COMMISSION MEMBERS PRESENT:**

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

**PLANNING COMMISSION MEMBERS ABSENT:**

Derek Brackon, Commissioner

**1. OPEN MEETING**

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

**2. ROLL CALL**

As noted

**BOARD OF TRUSTEE MEMBERS PRESENT:**

Chris Barnett, Township Supervisor	Mike Flood, Trustee
Donni Steele, Treasurer	Julia Dalrymple, Trustee
Kim Urbanowski, Trustee	Penny Shults, Township Clerk

**BOARD OF TRUSTEE MEMBERS ABSENT:**

Brian Birney, Trustee

**CONSULTANTS PRESENT:**

Rodney Arroyo, (Township Planner) of Giffels Webster  
Matt Wojciechowski (Township Planner) of Giffels Webster  
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.  
Tammy Girling, Township Planning & Zoning Director

**OTHERS PRESENT:**

Thomas Allen Martelle	John Hofer
Cheryl Hofer	Ben Puraj
Mike Thomas	Tom Williams
Marilyn Hester	Mike Howard
Josh Sawicki	Ken Gutelius

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Chairman Reynolds recessed the regular meeting and opened the Joint Public Hearing with the Board of Trustees at 7:05 p.m. for case PC-2021-90, Ridgewood Planned Unit Development (PUD) Concept, located at 625 W. Clarkston Rd. (Sidwell #09-15-226-007), the vacant parcel west of 625 W. Clarkston Rd. (Sidwell #09-15-226-006), and the vacant parcel east of 625 W. Clarkston Rd. (Sidwell #09-15-226-008). The applicant, In-Site LLC, is proposing to rezone the properties from single Family Residential-1 (R-1) to Planned Unit Development (PUD) to construct 50 townhomes on approximately 11.37 acres.

Chairman Reynolds closed the PC-2021-90 Joint Public Hearing at 8:03 p.m. and reconvened the regular Planning Commission meeting.

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### **3. ELECTION OF OFFICERS**

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the current officers maintain their current positions. All agreed. (Chairman Reynolds, Vice-Chairman Gross, & Secretary St. Henry)

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

Moved by Vice-Chairman Gross, seconded by Chairman Reynolds, that the current representative maintains his position (Chairman Reynolds, Vice-Chairman Gross, & Secretary St. Henry).

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

Moved by Vice-Chairman Gross, seconded by Secretary St. Henry, that the current members of the Site Walk committee be continued in their current capacity, being Secretary St. Henry, Chairman Reynolds, and Vice-Chairman Gross. All agreed.

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

### **4. MINUTES**

- A. 12-15-21, Planning Commission Regular Meeting Minutes
- B. 12-15-21, Master Plan Workshop Minutes

Moved by Secretary St. Henry, seconded by Commissioner Walker to **approve** both sets minutes as presented. **Motion carried**

### **5. AGENDA REVIEW AND APPROVAL**

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, to **approve** the agenda as presented.

### **6. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY**

None.

### **7. CONSENT AGENDA**

None.

### **8. NEW BUSINESS**

A. PC-2021-90, Ridgewood PUD Concept & Eligibility Plan, located at 625 W. Clarkston Rd. (Sidwell #09-15-226-007), the vacant parcel west of 625 W. Clarkston Rd. (Sidwell #09-15-226-006), and the vacant parcel east of 625 W. Clarkston Rd. (Sidwell #09-15-226-008).

Chairman Reynolds stated that since they have had a brief overview of the project earlier, he asked the applicant if they had anything else that they would like to add? Mr. Johnson replied that he would be happy to answer any questions that they have as they go forward with the consultant review letters.

Planner Arroyo read through his review date stamped December 22, 2021.

Secretary St. Henry asked if Planner Arroyo could repeat the density numbers that he gave out in terms of what it would be like if it was (R-1) neighborhood versus what is proposed. Planner Arroyo replied under the (R-1) it came out to 1.32 dwelling units/acre. What their plan is proposing is 4.4 dwelling units/acre.

Vice-Chairman Gross asked in terms of the number of units how many were there? Planner Arroyo replied it was 14. Vice-Chairman Gross said 14 units versus the 50 units be proposed? Secretary St. Henry said there were 14 units but 50 dwellings. Planner Arroyo said there are buildings versus units, they are talking about units, not buildings. These are individual dwelling units, 50 dwelling units is what is proposed under this plan. Vice-Chairman Gross said versus 15 which would be allowed under the current zoning as lots.

Chairman Reynolds said they did have a review from OHM Advisors and that it was in their packet tonight. They reviewed the content and their opinion of the Concept PUD was it was in substantial completion with the Township Ordinances and Engineering Standards.

Chairman Reynolds stated that there were preliminary reviews from Fire Marshal, and the Building Official their initial concept reviews. There was a review from RCOC in which a few of those items were mentioned tonight, and along with the Water Resources Commissioner (WRC), there was a review of the project from them also. As previously mentioned, there was a wetland supplement that was provided, and a preliminary re-evaluation of those environmental items. They did complete a Site Walk it was written by himself, obviously, they go out as a Planning Commission to observe properties prior to them appearing on the agenda, so they are familiar both physically and then also with what was submitted in front of them tonight.

Chairman Reynolds said that there were citizen letters that were read into the record during the Public Hearing portion.

Secretary St. Henry said for folks that have followed the Planning Commission over the last several months, they have seen a few multi-family developments proposed around the township. If they have listened to him, they know that he is a big proponent of housing options for this community for different demographics, not just to attract young professionals that are working within 20-miles of Orion Township, but also empty-nesters, of which he is one, and seniors like his parents. Like his parents they had to move out of Orion because they could not find a place to live so now, they live in Clarkston. As a Planning Commission, and a Board of Trustees they have to balance the need for an attractive community and housing options with the character of their community, and he has stated this many times. The historical character of their community and what their residents want. They have to respect the concerns of their residents that have been here for many years. He has lived here 40 years there are plenty of other folks in the Township that have lived here even longer. He is 100% in favor of increasing the type of housing options that they have for residents but they have to be in the right place within the Township. He has driven millions of times up and down Clarkston Rd. over the years, growing up here and as an adult, and he can tell them it is a busy road. He has had good friends that have lived off Hemmingway, way before it was developed to where it is at today. Given the neighborhoods that are there now, the neighborhoods that are proposed, single-family home neighborhoods, he is not convinced that this is the right location for a significant townhome development at this time. He tends to recognize that there are other options for that property. At one point it will be developed but he wasn't sure that a townhome development was the right place, similar to some of the other projects that they have looked at over the last 6-months, or a year or two. He doesn't think much of formal traffic studies versus reality. This area, Clarkston and Lapeer Rd., Clarkston and Joslyn Rd., during rush hour traffic is a significant issue. For people that have lived there a long time, they have had to deal with it for the last 25-30 years as this Township has grown.

Trustee Urbanowski said she agreed with Secretary St. Henry. She thought that looking at what would be allowable as it was zoned 14 or 15 units, going up to 50 units is too much, it doesn't fit in the character and what was surrounding it. She lived off of Heights Rd. between Hemmingway and Fairledge, and she was sorry to say that she used those roads once or twice to get to Clarkston Rd., it was convenient. She understood what they were saying and she has seen it firsthand. The density is an issue, and then she also has concerns about the wetlands. She understands that the recognizable benefit, always comes back to them at this point that it is wetland conservation when she thought in reality, they really can't do anything with it. Is it a choice that they are making to conserve that wetland as part of the benefit or is it just a convenient thing to say? If they look at the property there are a lot of trees that are being removed, and a lot of them are heritage trees. They have all talked and they have even put it into the new Master Plan that is coming up, and they are a Tree City USA, and she thinks they need to remember that and respect that. She would like to see fewer trees coming down, and she knew that they don't have an option all the time but if it wasn't as dense, they wouldn't have to take as many trees down. She also had concerns and she was looking at reviews from their Public Services department that says there are no issues with this but they have new developments coming in and they all need lift stations. Then as a Township take care of those lift stations so that is actually not a benefit to the Township it is something that they are going to have to handle moving forward each time they put one in. Which is fine, they want people to move here, obviously. She recently had family move here and they didn't have many options for places to go. As part of the Master Plan, our economic development and stability rely upon new housing for people of all different styles. She was concerned that they keep seeing developments that are sort of not really cohesive with what is going around them. There are plenty of places that she has been looking at, the BIZ, and Baldwin, and all of these other places. She thought that there were better areas for development not on Clarkston Rd.

Vice-Chairman Gross said this is a concept plan submitted under the Planned Unit Development regulations. There are certain things that they have to abide by when they review the concept plan. The first one that comes up is the density and for the life of him he can't figure out how 50-units were arrived at. It doesn't correlate to anything relative to the current zoning, any density credits, and it is more aligned to a multi-family density. If they use the multiple-family regulations then they get into what the multiple-family setbacks would be and they don't fit this plan either because there is a 75-ft. setback when multiple-family abuts single-family, and they are dealing with a 35-50-ft. setback on the west. Then there is a request for a variance or waiver on the Clarkston Rd. frontage. For the last year, they have been talking about creating vistas along our major thoroughfares, and the first project out of the shoot is reducing the density or the area along Clarkston Rd. for putting buildings closer to it as opposed to creating some form of setback. The regulation for 50% side yard entries on a (PUD) can be adjusted with a 5-ft. rule on how the garage is offset. He thought that there was an attempt at that, he thought it failed but it was an attempt. He was at a loss to find reasons that this complies with the ordinance requirements under a (PUD) designation.

Chairman Reynolds said he tends to agree with most of everything that has been so far. (PUDs) are obviously a beneficial tool but also a difficult tool, there are a lot of items that were up here deliberating about and discussing and reviewing. Not to mention it is a multifaceted process and involves a lot of both the Planning Commission and also the Board of Trustees. From his professional background of architecture and understanding planning, he was struggling. A couple of big items for him was the capability with adjacent zoning right now. It seems like it is a pretty steep leap from what is there presently. They have the Master Plan that currently lays out he believed medium-low density in that area, and medium-high is to the north. Again, that kind of further gaps the proposed density versus what is there presently. He thought that there needs to be another look at the recognizable benefit to the community, it seems like

there are a lot of things that are more than likely required by the ordinance that is being considered a community benefit. Where he thought that the (PUD) process is really encouraging a lot more of a thoughtful contribution in that manner. Just a feasibility range with other projects that he has done in the Township that they have had many discussions about safety paths on Clarkston Rd. and recognize that it may or may not work right now but the goal is that if everyone contributes and installs it that's how we end up with a connected path, not to mention trees and things like that. Yes, they have the opportunity to contribute to the tree fund but that is not something that they are really looking for, as a Township to do. They want developments to resolve that within themselves to maintain the character and the nature of our community. He was struggling with a few main pieces. There has been a lot of professional development and services that have been put forth to this project. He appreciated the nice plans and renderings and things that have been brought forth to them. There is clearly a lot of thought here. He did think that with some modifications and recognizing some of the comments this could really be a great project for our community. Whether it is the best fit here on this parcel or not he was still trying to recognize that if that is the location for it. Those were some of the initial kneejerk reactions just about (PUD) eligibility which is what they are discussing here tonight, but there seems to be a gap there for him. Although the presentation and the prints that were brought forth to them were very thoughtful it is difficult because they are going from an (R-1) zoning in a Master Plan of medium-low density and then they are jumping to 50-units. He was not necessarily following, and there are some tools like the parallel density plans to say that is not feasible there are items that limit us on this property. He did see at this point and time the firm information to say that the property couldn't be developed as it sits right now with its current zoning. Even if it is a less popular development density that is being brought forth currently.

Mr. Johnson said that he appreciated their thoughts and input. Clearly part of the genesis of what they put together related to their Master Plan. Some of the goals and objectives were contained within that. That was the kick-off for where they went and with what they tried to do with it. With respect to the density issue, he knew that was the tough one, and they expected that it would be but it is not unreasonable to say that in their Future Land Use Map right across the street they have a medium-high density proposed in their land-use plan. They are on the south side of the street that is not too much of a stretch in terms of looking at the 3-5-unit/acre range, in their opinion with respect to the (PUD) process. They did discuss several of the density bonus provisions that could apply to their project, and clearly, they go from the 15 on the (R-1) to 50, they could look at the density bonus provisions and does it get them all the way, he didn't know but that was part of the rational in combination with what future land plan illustrated for right across the street. Because they are on the north side of the street you are one thing and on the south side you are something else and it is a little bit arbitrary from a definition perspective now. Obviously, they are sensitive to the neighbor's comments and the comments received and respectful of those, and he thought that perhaps if they could give them some guidance in terms of density then they might be able to respond in a different fashion for them to look at now. If that is not possible and this is the wrong location then that is certainly their prerogative. They think that they could potentially approach it with some refinements but in the absence of some sort of guidance, it is hard to do.

Secretary St. Henry asked the applicant if they had looked at any other locations within Orion Township for this development? What is most attractive to them for this particular location? Mr. Johnson replied that the site has a lot of beautiful natural features. Being able to integrate nice housing into that environment he thought would be a positive thing. There are trends within the country that (R-1) is a negative word in many locations, not necessarily here, but in other locations, single-family residential sprawl is not thought of highly. As they look for density, they look for ways to drive down the prices to enter the housing markets usually, multi-family or single-family attached platforms in order to do that. Once they start going the other direction and the price goes up significantly because they are extending utilities much farther and all the

things that go along with that. He thought from a new home affordability standpoint using a multi-family platform is the best way to get to affordability in his opinion, and he thought in the opinion of many others.

Chairman Reynolds said they have had a lot of discussions as a commission and as you may or may not know they are working on their revised Master Plan and updating that. They have had a lot of discussions on what a (PUD) and why it exists. There has been a lot of discussion on it is not a tool to leapfrog density or to get major density bonuses but to recognize challenging parcels, projects, or to propose developments that recognize weaknesses in our community such as the missing middle, and he had touched on that tonight. For him, their ordinance kind of speaks to, and Vice-Chairman Gross, laid out some of those comments of if they are going to parallel an (RM) density then they should probably be looking at some of those underlying criteria. They talk a lot about does it fit the neighborhood and does it fit adjacent uses? Even though it is a housing type it doesn't necessarily mean that it fits with where it is currently. It might change in another 30-years but they are looking at the snapshot of right here right now. He hears the discussion of the difference of Master Planning one side of the road to the other. Those are also very different parcel sizes. By having residents that have multiacre lots to the south closer to M-24 those are quarter-acre to half-acre lots. Going further west as they venture towards this property and others there are at least acre properties or at least over  $\frac{3}{4}$  of an acre. Again, those are just outlined from where development occurred back 30-50-years ago. They do have a number of (PUD) developments in the community, they are supportive of development in many ways, and they understand that they need development to kind of connect this cycle and fulfill these needs of the community. He did think that Townhomes and multi-family complexes do have a role in that. The bigger struggle for him is how it fits. He thought that the transitional zoning is a huge piece for him to jump from one to the other without saying that they are bearing the property within it. To go after a variance and then the high-density that is where he was struggling, it is kind of tipped to one side right now in his perspective.

Chairman Reynolds said it was a multi-step process, they are purely a recommendation here tonight, the Planning Commission. There is also the opportunity to postpone and come back in future steps. Just proposing that as an opportunity and discussion point for them based on the discussion that they have had. They are also willing to make motions as they see fit.

Mr. Johnson said he appreciated the input. As far as, postponing it, that would imply that they would come back with something else. Conceptually if there is an issue with that then it begs the question of why bother. If there is some type of guidance potentially in terms of the community recognizes that a variety of housing options are important. What form that takes if there is flexibility there, if the density is the issue, is there a comfort level. If they look at the baseline currently (R-1) and they look at the (PUD) provisions for density bonuses, and what that could imply from a density standpoint is it 30, 40, is it something less than 50? Are there some guidelines that they could offer in terms of a range of flexibility there?

Chairman Reynolds said obviously they are there to review and discuss projects as they are presented to them. All of them have their own perspective, and they could go down the line but that is not what they are there to do.

Chairman Reynolds stated that he thought that they had heard some comments about their initial concerns about compatibility with adjacent uses and understanding about utilizing the (PUD) tool to get to a density that obviously is beneficial for the development but also the community itself. He didn't think there was a magic number in their head. He thought that there needed to be some thoughtful review on what that number could be. They have heard comments on what is proposed right now, and he also thought that there were some other criteria there that as they have spoken to with a community benefit and a few of those other

things that might influence the transition, setbacks, all of those criteria. If they are going to look at it as an (RM) density what are some of those tools that they are implementing there that are making sure that that is recognizable. There are a number of good comments that were brought forth by the public tonight that probably echo a lot of their concerns. Whether they feel they are warranted or not, it is a conversation as a community. He thought that there was some opportunity to have some thought there to come back to them.

Mr. Johnson said in light of that then perhaps a postponement request would be the thing to do.

Chairman Reynolds asked if there was a timeframe? Mr. Johnson asked if it was possible for him to get back to the Township offices to give them a reply on that? Chairman Reynolds said what they normally do within the motion is they at least state a reasonable timeframe so it is not an open case floating out there. They would provide them a reasonable time to have time to revise, discuss, and review. He was open to a larger timeframe if that is needed within reason if there is something that he was looking for. Mr. Johnson replied he would like to have 1-3-months. Chairman Reynolds said he would be in favor of 3-months.

Moved by Chairman Reynolds, seconded by Trustee Urbanowski, that the Planning Commission **postpones** action on PC-2021-90, Ridgewood Planned Unit Development Concept and Eligibility plan, located at 625 W. Clarkston Rd. (Sidwell #09-15-226-007), the vacant parcel west of 625 W. Clarkston Rd. (Sidwell #09-15-226-006), and the vacant parcel east of 625 W. Clarkston Rd. (Sidwell #09-15-226-008) for plans date stamped received December 14, 2021: to allow time for the applicant to revise plans and bring forth a revised plan back to the Planning Commission within 3-months of today date January 5, 2022.

Discussion on the motion:

Secretary St. Henry said they are asking for a postponement from them for up to 3-months, do you truly believe that they can come back with a new plan that would initiate them making a rezoning change that is going to address all of these issues that they have brought up today and their concerns? His point is he didn't want to waste his time, and their time to just drag this out. If he can tell them tonight that he was going to make a good faith effort then fine. They have had other developers come before them over the course of a year, year, and a half with last-minute changes to plans and thinking that would be enough. They are asking for significant changes and his mindset for this piece of property. He didn't want them to come back and expect that minor changes are going to sway any of their feels.

Mr. Johnson appreciated the frankness and the transparency. He said that he will go back to his team and see what ideas they could generate that would address the comments that they have heard from the Trustees and the public at large. If there is something that they think would do that, in a way that still makes the project feasible. The challenges for this particular parcel are significant given the topography. One of the primary objectives was to create new housing that was affordable, and they have to do that within a platform that is not single-family. If they are firm on single-family is the only thing, they are going to except then that may be a different answer. It could go to a duplex approach, or a different configuration on attached that would be more sensitive to the other broader issues that were raised than he thought that was possible. If it is single-family or the highway then that is another answer.

Secretary St. Henry said he didn't have an answer on that. This community is different from other communities in Metro Detroit. (R-1) is not a bad word in this town, (R-1) has to be put in the right place. Multi-family housing units are not a bad word in this town, he

thought they were realists on what is happening but they have to be put in the right place. He appreciated any developer coming in right now. With (PUDs) he is not a huge fan of (PUDs) but he understands how the tool is used. 25 years ago, there were open spaces all over Orion that were easy to develop and it made total sense. Every piece of property that they have looked at the last couple of years seems to have plenty of challenges. Any developer that takes a shot at it he appreciates, and he thinks they all appreciate it. There are challenges for a reason and they have to balance all of those. Mr. Johnson said that balancing is a good word, he agreed, it is balancing many elements.

Planning & Zoning Director Girling said on the motion for the 3-month timeframe just with stacked agendas, they saw they had to cancel one meeting for a tragedy it makes it much easier on calculating if it is, submit within the 3-months and then by the natural flow if it ends up on an agenda when it can fit.

Chairman Reynolds amended the motion, Trustee Urbanowski re-supported to re-submit within the 3-months understanding that there are other processes in place that might make that a little bit longer.

Chairman Reynolds said that residents can always reach out to the Planning & Zoning office. There isn't going to be necessarily a public notice for the project but the Planning & Zoning office is always willing to keep them up to date or notify them when it is going to appear on an agenda. Their goal here isn't to move it along so they can't be part of the conversation but rather make sure they and the applicant have the appropriate time and therefore they have an opportunity to reappear if desired.

**Roll call vote was as follows:** St. Henry, yes; Walker, no; Urbanowski, yes; Gross, yes; Gingell, yes; Reynolds, yes. **Motion carried 6-0 (Brackon absent)**

B. PC-2021-96, Natrabis DBA Society C Site Plan, located on the south side of Delta Court, on the west side of Giddings, (Sidwell #09-34-100-012).

Mr. Michael Thompson one of the co-founders of Natrabis, they do business as Society C.

Mr. Thompson said this is kind of a déjà vu other than a new building. Their general contractor, who he hasn't seen since before Christmas because he had COVID, and he just informed him a few hours ago. If they would like them to put anything on the screen, he did email Planning & Zoning Director Girling the elevations and site plan.

Mr. Thompson said they had submitted in early December. It was suggested that they go through and do revisions so that the plans are more acceptable. This is going to be for a retail provisioning center located right behind the cultivation facility that they just finished about 6-months ago. The site they are building at the development there sat vacant for over 20-years. 2.5-years ago when they were before the Planning Commission and they were approved for that site plan, they started construction last June, the entire development was sold out. Fed-Ex built out their parking lot there are some other cannabis-related businesses there and they purchased one of the last remaining vacant lots for a provisioning center.

Mr. Thompson said they looked at Orion Township really as a flagship for their company, and they have really wanted to be a part of the community. They spent a lot of additional time and money to try and put additional details and beautification of their cultivation facility. They thought when they wanted to break down the preconceived notion when they hear of a cannabis cultivation facility and they think that it is going to be some giant metal warehouse. He didn't

know if any of them had driven by, they are right off of Giddings Rd. just west of GM. They spent a lot of money to make the place look really nice, and it was kind of a proof of concept for them. They invested over 25 million dollars in their cultivation facility, they now have over 90 employees there. Their proof of concept has turned out to work for them. They have had Senators, State Attorney Generals, they have had multiple Representatives of the House there and they all said wow, this is what always envisioned they couldn't even envision this, this is really the pinnacle. With their dispensary location, this will be their first retail dispensary in the state of Michigan. They have designed and built this to be our flagship location so this will be much larger than they would typically see, it is also a 3.5-acre lot. The city guidelines required is 53 parking spaces, they have included 78 parking spaces there. They may have seen driving by other provisioning centers throughout the state the lack of parking is a major issue. There are lines trying to get in so they almost doubled the required parking spaces. They do have room for expansion in the back or just an additional storage area. They figured they would try to utilize the site as best as possible.

Chairman Reynolds pulled up the plans that were submitted in their packet.

Mr. Thompson said that there is a front elevation. Because this is right behind their cultivation facility, they tried to somewhat mirror the look. It will be a fairly grand entry he believed that the height is 24-ft. at the doors. He showed the Planning Commissioners a rendering.

Mr. Thompson said they hope to employ another 30-35 people there. Between both facilities, they will have approximately 120-130 employees there. Some of them are very well-paying positions. Again, this will be a flagship, so they had people fly in from all over the country and it really has served them not only as a benchmark and to show what they can do but also to introduce people to the industry that would not typically be interested in touring a facility. They plan to do the exact same thing with the provisioning center. They believe this will be one of the nicest in the country.

Planner Arroyo read through his review date stamped December 22, 2021.

Chairman Reynolds stated that OHM was unable to attend this evening. He read through their concluding comments and that the plan was in substantial compliance with Township's ordinances other than that they recommend the following conditions as part of their approval: that they provide a copy of the preliminary approval from DTE for the proposed improvements located within their easement; and that the engineering plan, needs to be designed in accordance to Ord. #78, and #138, and the Engineering Standards will be reviewed and by the Township prior to any construction. He added that is a typical common note that acknowledges our engineering review phases as a project if it were to proceed.

Chairman Reynolds said that there was a review from our Fire Marshal, he had no additional comments. The same things go for Public Services and the Building Official. WRC had a review just acknowledging that any sewers of 8-inches or larger need to be permitted through them the rest would be submitted through the Township. Those are typically acknowledged through those engineering reviews that OHM was mentioning in theirs. There is also was a site walk completed by the Site Walk Committee. Vice-Chairman Gross completed the report, just an outline of the general areas which the petitioner gave a brief overview in their presentation.

Vice-Chairman Gross stated that light pole height 25-ft. versus 20-ft. He asked if there was any reason? Mr. Thompson replied no reason. He thought they were fine with 20-ft. They do have a lot of parking there so they do have a large parking lot that may have something to do with it. He was not included in that discussion, so it was not a deal-breaker for him.

Chairman Reynolds said that odds are it was just an oversight. He has done it himself. His guess was that a 20-ft. pole will more than meet their needs.

Vice-Chairman Gross said since this site is 20-ft. lower than the traveling road, he thought Giddings Rd., he asked if there was rooftop equipment? Mr. Thompson replied that there is no rooftop equipment.

Secretary St. Henry said his understanding was that this will be the first dispensary in Orion Township, not the Village the Township. For the record, he wanted an overview of the security setup for this facility. Mr. Thompson said that they were 1 of 4 licensees. He didn't know what process they were in as far as site plan approval, or construction. Their cultivation facility is directly behind this site. They run a 24-hour shift they have armed security there all the time. This would be the same exact thing where they have armed security. They have secured doors, areas, and everything in that site, except the bathroom, is monitored both remotely and onsite.

Secretary St. Henry asked if customers had to register? Mr. Thompson replied yes, they do, state regulations. Whether it be for medical and then they would have to register their medical card. If they go down the road to other cities, for adult use, they are taking their photo identification.

Chairman Reynolds said in Giffels Webster's review said that the dumpster screen wall appears to be a poured concrete brick texture if that is acceptable. It does appear to be a 6-ft. dumpster screen wall with a wooden gate. He wanted to point that out, that was one of the items in the review to discuss. He didn't have any major issues with it.

Commissioner Walker said he normally says, if it is not done, they are not going to give conditional approval or anything. In this case, he thought that the difference between what has happened and what is going to happen according to our experts is minor league. Also, the building that they built looks like it should be in the middle of a Netflix series or something. Mr. Thompson said that the first income that they received was 2.5 months ago, two gentlemen stopped by their door, and asked if they could do a photoshoot here? He asked them if they know what they did there? They didn't care they were doing a photo shoot for their new electric van line. It was Ford Motor Company, their new electric van line, all the photoshoot was done at their facility outside.

Commissioner Walker said that he has no problem with conditional approval.

Planning & Zoning Director Girling said that the Planner pointed out the question on the safety path. This has been discussed before within Liberty Tech, research had been done, there were old deed restrictions. They reached out to the developer because there are parks that did not have the safety path that the developer has agreed to go back and put in. She did believe that the safety path within there was determined to be necessary, per the ordinance.

Vice-Chairman Gross said they are suggesting that this should be a condition?

Chairman Reynolds said that it does appear that there was an asphalt path proposed on the plan on Delta Ct.

Planning & Zoning Director Girling said that they have Giddings and then there is a green area that belongs to the GM Plant. Technically along Giddings, it is not their responsibility but within the park themselves along that road frontage it is.

Vice-Chairman Gross asked if that was shown on the plan? Chairman Reynolds replied that it was shown on the plan.

Vice-Chairman Gross stated with the provision that the light pole height is revised to 20-ft. instead of 25-ft.

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission grant site plan approval for PC-2021-96, Natrabis DBS Society C Site Plan, located at unaddressed parcel 09-34-100-012 for plans date stamped received December 13, 2021, based on the following findings of facts: that the plan meets all ordinance requirements. This approval is based on the following conditions: that it complies with the letter of December 15, 2021, of OHM.

Discussion on the motion:

Chairman Reynolds said the motion was to approve the plans as submitted with the amendment of the light poles and address the two items on the OHM review.

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

#### **8. UNFINISHED BUSINESS**

None.

#### **9. PUBLIC COMMENTS**

None.

#### **10. COMMUNICATIONS**

None.

#### **11. PLANNERS REPORTS**

None.

#### **12. COMMITTEE REPORTS**

None.

#### **13. PUBLIC HEARINGS**

None.

#### **14. CHAIRMAN'S COMMENTS**

Chairman Reynolds thanked everyone for the discussion on PUDs. He asked that they do some reading on the Master Plan since they are considering a recommendation to go into the formal review period which kind of locks and loads at least as a firm draft format of their Master Plan. He knew that there were comments that they kind of plan to bring forth himself of how things are presented. They had a couple of general comments as they thumb through the major topics. Just verbiage, how things are said. Are the goals and criteria that are presented in there does that hit everything that they want to hit and make sure they are outlining all of that.

Planner Arroyo asked them to please review it and come to the next work session with their final draft comments so that they can get this into the next stage. They will be incorporating the changes that they talked about at the last meeting.

Planning & Zoning Director Girling said that she will be providing hard copies with the next version which would be the 6 p.m. at the next meeting, however, if someone has the time now that they want a copy of what is out there already get ahold of her and she will get them a hard copy.

#### **15. COMMISSIONERS' COMMENTS**

Trustee Urbanowski said she had some free time after graduating from college to read a Master Plan update. She thought what sparked it was when they had the conversation about tourism and she wanted to read a little bit more into that. She did have some notes, and asked if she could send them to the Planner? She said it was 100's of pages but going back when they are personally writing something they are going to miss a ton of things/typos. The more eyeballs that they have on it.

Vice-Chairman Gross said if they haven't had a chance to read it, the mathematics of sign design in the latest Michigan Planner by our Planner Arroyo is very interesting reading.

Planning & Zoning Director Girling said that she gave them another reminder about a webinar on woodland preservation. They talk about the woodland section of the ordinance on a regular basis and they really have talked about the fact that it needs to be altered. She encouraged any of them to entertain that. She asked them to let her know. She will send out an email to confirm but right now she had Walker, Reynolds, Urbanowski, & Gingell.

#### **16. ADJOURNMENT**

Moved by Commissioner Reynolds, seconded by Trustee Urbanowski, to adjourn the meeting at 9:16 p.m. **Motion carried.**

Respectfully submitted,

Debra Walton  
PC/ZBA Recording Secretary  
Charter Township of Orion

January 19, 2022

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Planning Commission Approval Date