

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, MARCH 6, 2024

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, March 6, 2024, 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	Joe St. Henry, Secretary
Don Walker, PC Rep to ZBA	Don Gross, Vice Chairman
Kim Urbanowski, BOT Rep to PC	Jack Lovat, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:

James Cummins, Commissioner

1. OPEN MEETING

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

2. ROLL CALL

As noted.

CONSULTANTS PRESENT:

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

OTHERS PRESENT:

Paul Schyck	Joe Skore
John Slocombe	John Falvo
Sue Falvo	Loretta Cook
Bill Benedict	Joanne Benedict
Mary Mansfield	Sharon M. McQueen
William McNabb	Kim Hunter
Marcie Ramsey	Gordon Nickel
Amy Harris	Tracy Deuman
Dave Bann	David Stockton
Kellie McDonald	Matt Cibon
John Canine	Scott Harris

3. MINUTES

- A. 2-21-24, Planning Commission Regular Meeting Minutes
- B. 2-21-24, PC-24-02, Morgan Road Property Rezone, Public Hearing Meeting Minutes

Moved by Chairman Reynolds, seconded by Liaison Urbanowski, to approve both sets of minutes as presented. **Motion carried.**

4. AGENDA REVIEW AND APPROVAL

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

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None.

6. CONSENT AGENDA

None.

Chairman Reynolds adjourned the regular meeting at 7:04 p.m. and opened the joint public hearing at 7:05 p.m. for PC-24-03, The Villas at Forest Glen Planned Unit Development (PUD) Concept and Eligibility Plan, located on a vacant parcel #09-23-351-024, east of 310 Waldon Rd. & west of 270 Waldon Rd. The applicant, Pulte Homes of Michigan LLC, is proposing to rezone the property from Single Family Residential (R-2) and Suburban Estates (SE) to Planned Unit Development (PUD) to construct 45 homes on approximately 20.65 acres.

Chairman Reynolds closed the joint public hearing for PC-24-03 at 7:46 p.m.

7. NEW BUSINESS

A. PC-24-03, The Villas at Forest Glen Planned Unit Development (PUD) Concept and Eligibility Plan, located on a vacant parcel east of 310 Waldon Rd. & west of 270 Waldon Rd. (parcel #09-23-351-024).

Chairman Reynolds said they had a comprehensive overview earlier. He turned it over to their consultants for their reviews.

Engineer Landis read through his review and his wetland review, both date stamped received February 2, 2024.

Planner Enos read through his review date stamped received February 7, 2024.

Chairman Reynolds said there were reviews from the Fire Marshal, our Director of Public Services, along with WRC, and there was a site walk completed. He turned it over to the Planning Commission for their thoughts and questions for the applicant and the consultants.

Commissioner Walker stated that Planner Enos brought up a point that he was thinking about. He was probably one of the few that have been around long enough for when the Bald Mountain Subdivision went in. They mentioned the decks that would be going into the 20-ft. setback. He recalled a whole lot of people who bought those homes didn't understand they would have to come in and get a variance from the ZBA to have those decks installed. There was a great deal of concern.

Vice-Chairman Gross said that Pulte has been a very active developer in the community, and he thought they had done some very nice projects. He was on the Planning Commission when the Gregory Road project was reviewed and submitted, and it turned out to be a very nice development however he was disappointed because he was expecting more in terms of the retaining of the natural features and the wooded area on the site and what remained. It has taken some time to regenerate some of that, but they lost a lot that he thought could have been a little bit more diligent in terms of saving. He said he knew in the initial written presentation there was an indication of this being a senior or an active adult community. He asked if that was marketing or a commitment to restrict the development to seniors. Mr. Joe Skore with Pulte of Michigan replied that this is not an age-restricted community.

Vice-Chairman Gross stated that in the PUD there is a requirement for side entry garages. He knew there was an opportunity to modify that but there was also an opportunity on some of the units to provide for side entry garages recognizing the revision in the ordinance.

Chairman Reynolds said there was a parallel density plan submitted in their packet, but it wasn't reviewed, is that correct? It didn't get a chance to be reviewed. Engineer Landis replied that it was just submitted just this last week. Chairman Reynolds asked if that included agreeing with some of the delineations of the existing wetlands for density too. Engineer Landis replied, yes,

in their wetland review they did have some areas where they felt should have a second look, additional wetland fingers, extensions, and whatnot. So, that could certainly have an impact on the density plan. He did take a cursory look at it, and he noticed at least one lot that is basically completely in the wetlands. There would be lots removed for various reasons.

Planner Enos said that was a great point. If there is the need to remove a unit or two that gives the opportunity for some more usable open space if that area is not that much of a wetland.

Chairman Reynolds said he appreciated the effort by the applicant to be clear and upfront especially with the community adjacent it makes a big difference. Not only just being upfront and honest but also understanding the real issues or concerns of neighbors and being neighborly. They want to have that as a great transition if there is an opportunity for one.

Chairman Reynolds stated that he appreciates the opportunities that a PUD presents and the opportunity especially, with a parcel like this where they essentially have this sawtooth or zigzag parcel that is going to be difficult to traditionally zone and develop. He was happy to see that a density plan was submitted, but he would like to really see that reviewed in greater depth because when he saw 45 homes on 20 acres it kind of looked more of a straight-up – here is what we have for acreage, here is the density, here is what is possible versus a realistic parallel density plan. Then the understanding of what could go there and what is being proposed is taking the opportunity of those creative zoning tools that a PUD allows to essentially spread that density out a little bit more with the trickiness of the site. He personally would like to see that conversation go a little bit further because as they have seen in previous developments on the site, they have seen very limited development on this northern parcel due to the wetlands. So, he questioned how most of these units were on that parcel. He did appreciate the recognizable benefit of improving the adjacent drainage patterns, he thought that was a very nice provision. To the point that was brought up by Vice-Chairman Gross preservation of natural features is a big one for them. They understand there are these tricky sites in the Township but how are they going to maintain the aesthetic? The Master Plan spoke to corridors about all of what they felt was important and why PUD exists in the Township as a creative zoning tool to maintain those features. He thought that was another piece that he would like to see a little bit more. Between the two topics of density and then also some greater recognizable benefits could see a better balance here. He does like the product, he thought it starts to venture towards their missing middle that they spoke to a lot in their Master Plan but he was still questioning these items of the density, the open space, some of those things to really say it's a slam dunk PUD versus a PUD that his looking to utilize PUD as a way to increase density versus utilize the underline zonings to creatively implement it on a site or two.

Vice-Chairman Gross stated that the engineer said there was a grade differential of about 14 feet. That can make for a very attractive development if it is not mass-graded and all of a sudden becomes a flat piece of property. He was curious as they went through this process if they were actually going to see a meandering or an undulating type of development while taking advantage of that existing grade.

Chairman Reynolds said his initial feedback is he likes the idea and what he is seeing here but it seems that the density doesn't seem to be proven yet to him. He thought some of that was the review of the parallel plan and some of the agreement of the wetlands, in a bigger picture versus just a general overview of size versus representative of the Master Plan and the potential density there.

Liaison Urbanowski said she agreed; she didn't have anything else to add.

Chairman Reynolds asked for general thoughts, they can put motions on the table to further discuss. Obviously, they are a recommending body to the Township Board. Essentially, this is the PUD Concept and Eligibility plan.

Vice-Chairman Gross said he liked the project as well he thought there was an opportunity to put something within the community that is going to be beneficial to the community when it is properly done. There were a number of issues brought up this evening and he hoped the applicants would take the opportunity to provide them with some more information.

Moved by Vice-Chairman Gross, seconded by Chairman Reynolds, that the Planning Commission recommends that they **postpone** any action on PC-24-03, The Villas at Forest Glen Planned Unit Development (PUD) Concept and Eligibility Plan, located on a vacant parcel east of 310 Waldon Rd. & west of 270 Waldon Rd. (parcel #09-23-351-024), for plans date stamped received January 17, 2024, to give the applicant the opportunity to further evaluate with their consultants, the concerns raised this evening and the consultant's reviews.

Discussion on the motion:

Chairman Reynolds said he wasn't saying that the development is headed in the wrong direction but thought there were some factors here, with some significant grading and the buffers to the east. He thought there were some of those questions that need to be addressed. It almost seems like a removal of a handful of units would significantly help some of these discussion points not to mention just PUD eligibility, guaranteed open space and, things that he didn't know if they see that just yet. He is essentially proposing a density increase from the underlining zoning even if it aligns with the Township Master Plan there are still many other factors that are part of the PUD.

Vice-Chairman Gross amended the motion, Chairman Reynolds re-supported that the timeframe of the resubmission was not to exceed a year.

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

8. UNFINISHED BUSINESS

None.

9. PUBLIC COMMENTS

None.

10. COMMUNICATIONS

None.

11. PLANNERS REPORTS

None.

12. COMMITTEE REPORTS

None.

13. PUBLIC HEARINGS

A. 3-20-24 at 7:05 p.m. Public hearing for PC-23-32, The Villages of Orion, request for a proposed amendment to a Consent Judgment, located at 823 N. Lapeer Rd. (parcel #09-02-126-020). The amendment proposes a multi-family development for 108 apartments and 14 townhouses.

- B. 3-20-24, (immediately following PC-23-32 public hearing at 7:05 p.m.), Public hearing for PC-24-04, Township Initiated Text Amendment to Zoning Ordinance #78, 2024 Updates to Use Matrixes, Article VII Section 7.01, Article IX Section 9.01 and 9.02, Article XI Section 11.01, Article XIV Section 14.01, Article XVI Section 16.01 and 16.02, Article XVIII Section 18.01 and 18,02, Article XXIII Section 23.01, Article XXIV Section 24.01, XXVII Section 27.10.

14. CHAIRMAN'S COMMENTS

None heard.

15. COMMISSIONERS' COMMENTS

None heard.

16. ADJOURNMENT

Moved by Chairman Reynolds, seconded by Commissioner Walker, to adjourn the meeting at 8:12 p.m. **Motion carried.**

Respectfully submitted,

Debra Walton
PC/ZBA Clerk
Charter Township of Orion

March 20, 2024

Planning Commission Approval Date