The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, May 3, 2023, 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  
James Cummins, Commissioner  
Joe St. Henry, Secretary  
Kim Urbanowski, BOT Rep to PC

**PLANNING COMMISSION MEMBERS ABSENT**
Jessica Gingell, 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:**
Scott Harris  
Amy Harris

3. **MINUTES**
A. 4-5-23, Planning Commission Regular Meeting Minutes  
B. 4-5-23, PC-23-13, Platinum Toy Vault, Luxury Boat & RV Storage Special Land Use Public Hearing Minutes  
C. 3-22-23, Township Board of Trustees, Planning Commission, Zoning Board of Appeals & Corridor Improvement Authority Joint Meeting, Special Meeting Minutes.

Moved by Liaison Urbanowski, seconded by Commissioner Cummins, to approve all three sets of minutes as presented. **Motion carried.**

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

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

6. **CONSENT AGENDA**

B. PC-2021-37, Meijer Site Plans, Plans Date Stamped 3-24-21, 5-4-21, 6-17-21, and 7-8-21 Approval of Destruction of Documents.

C. PPC-22-26, Rigel Terrace, Plans Date Stamped 6-29-22, 11-8-22, and 10-22-22 Approval of Destruction of Documents.


Moved by Liaison Urbanowski, seconded by Secretary St. Henry, to approve the consent agenda as presented. **Motion carried.**

7. **NEW BUSINESS**
   A. PC-22-39, Hudson Square Final PUD Plan, located at 3030 S. Lapeer Rd. (Sidwell #09-26-101-021).

Chairman Reynolds asked if the petitioner was present. He asked the applicant to give an overview of their project.

Mr. Michael Wayne stated that they received their review letters from Carlisle Wortman and OHM. In the conclusion of those letters, they each asked them to address certain items.

Mr. Wayne said beginning with the Planner’s review the first comment asked them to address or provide a summary of the tree removal and replacement to better calculate conformance with the Tree Ordinance. Sheet C2 of their submission package detailed the tree removal and then sheet C4-C6 lists recommendations as to which are proposed to be removed versus to be preserved. They conducted a little bit of an additional analysis that is different from the conventional way, but they thought it might be interesting for the Planning Commission to consider. In total, there are about 751 trees on this site. Of those 751 trees roughly 180 of them are considered to be dead, damaged, or in poor condition. When they net those out, they get a total of 571 trees that are considered of good or great quality. Of the 571 trees roughly 167 of those are proposed to be saved and about 404 are proposed to be removed. Through their landscape plan, they are demonstrating the addition of 157 new trees. When they consider those with the trees that are to be saved, they get to roughly 324 quality trees on site. So, they go from 571 quality trees to 324 quality trees, roughly 57% of the initial quality trees prior to the development. They feel like given the wooden nature of this site to be able to have a net result of 324 quality trees or 57% is really putting their best effort forward to ensure the natural landscape of this site is maintained through development.

Mr. Wayne said the second item asked them to provide some specific details about the areas of usable space and how that calculation on the site plan is verified. They ran that calculation and they have roughly 1.3 acres of usable open space, which represents about 24% of the net land area. On their application, they noted that there were roughly 2 acres of open space which represented 28% of that parcel area. The difference there is the 2 acres and 28% was what they were trying to demonstrate the natural space that will be left in its natural condition and that is predominately in the wetland area. They are preserving that whole wetland area and they estimated that at roughly 2 acres. He wanted to clarify that is what the 2 acres represent when they usable open space calculation per the ordinance, they get to 1.3 acres and 24% which is above the ordinance minimum of 15%.

Planner Enos said he wanted to confirm with the Planning Commission that the rendering he was showing wasn’t the actual layout, it was the layout of the buildings and the multi-family, but the landscaping is different based on their submittal. Their landscaping shows a lot more landscaping than what was shown in the rendering he presented.
Mr. Wayne stated that the proposed plan is on sheet C7, and the landscape plan is included there as well. There was an additional sheet AS1.0 that was included and was purely included to demonstrate where the site sections were represented not included to demonstrate the site plan, they were different. They had a note on the sheet, but they should have made that clearer in a couple of different places. So, C7 was the proposed site plan, not AS1.0. The rendering is a representation of the overall site, the building dimensions, and the building scale, but the landscaping on the renderings is not identical to the landscaping plan.

Mr. Wayne stated that for item number 3 they asked to clarify visitor parking requirements and location for the residential portion of the project. This is very similar to item number 6 so he will address these collectively. The residential specifically requires 8 total spaces for visitor parking, they are proposing 9 total spaces, that are contained on the private roadway on the south side specifically in the residential area.

Mr. Wayne said as it relates to overflowing guest parking for the residential that will be provided through a reciprocal easement agreement between the three parcel owners, so as to allow all three parcel users, guests, or customers to share the parking that exists between the restaurant, car club, and the Biggby. In the rare event that there is any of the residential dwellings having a gathering any overflow guest parking can be accommodated through that reciprocal easement agreement in that large parking area.

Mr. Wayne stated that item number 4 asks that they verify no on-street parking as proposed for the commercial space so dissimilar from the residential there is no on-street parking proposed in the commercial section. Basically, the road widens when it gets to the residential portion and the on-street parking is included for the residential component. Number 4 also asks that they verify that there are no parking signs included for that area for the fire lane. They did not demonstrate that on the plan but that is a very easy fix, and they will be adding those to the plan in accordance with the Township ordinance.

Mr. Wayne said that number 5 asked that they allow 10 spaces for the drive-through restaurant or ask the Planning Commission to consider if they would allow 10 parking spaces for the drive-through restaurant. The drive-through specifically requires 17 spaces whereas there are 10 provided solely on drive-through restaurant parcel. Now through that reciprocal easement agreement parking will be shared between those users so in total for all of the commercial spaces are required 72 spaces and they are proposing 74 spaces. Through that reciprocal easement agreement is how those spaces will be shared.

Mr. Wayne stated that item number 6 asked that they discuss potential parking in the cases for residential units that may have larger gatherings, and he addressed that in item 3.

Mr. Wayne added that item number 7 asked that they address the Township Engineer and ask for his view of the access points. The Township Engineer stated no objection to the access point. As it relates to MDOT of course they have had a number of conversations with MDOT and in a preliminary review they stated no objections to their curb-cut location. Their understanding is that their formal approval will come at the time that they are seeking their permit from MDOT, and that will happen after their final PUD approval.

Mr. Wayne said that item number 8 asked that the Fire Department review it to verify emergency access. The Fire Department has provided a review and it was approved with comments. He will address those in a moment.

Mr. Wayne stated that item number 9 asked that they consider adding additional landscaping north of the drive-through. It is important to understand about this area is that there are 25 plus
trees along that property line. These are very large trees, he showed the Planning Commissioners renderings of existing tree coverage, and those trees are among the 25 that will be preserved, they sit right on the property line, and those are not going to be touched. The picture was taken in early April, so perhaps even more limited coverage than what they might see in the summertime, albeit they are evergreen trees, year-round they should provide some great coverage. No ability or very limited ability to see through just the existing tree coverage that is there today. In the next rendering, he showed them the distance that the existing church sits away. He felt the building was far away, so when they add in almost 150 feet that sits between the border of the church and the Biggby plus the existing trees, plus the proposed trees that they have on that between the existing and the Biggby there is going to be dramatic coverage in that area. They have 16 new trees proposed in that space. These are not proposed as evergreen trees, but they can be, and they are willing to amend that if that is the desire.

Planner Enos asked if the Planning Commission was comfortable with existing trees. He asked if the majority of trees that they are preserving on that north side are those on their property or on the church’s property. Mr. Wayne said they vary there are about 25 of them that surveyed anything that was within 5 feet of the property line, so it zigzags a bit across the property line. All of the ones that are on their property are among those that are being preserved and of course, they are not touching any of the neighbors.

Mr. Wayne stated that in item 10 they asked that they provide a clear summary of tree removal in order to consider necessary replacement options. He felt that they addressed this in item number one. He was happy to circle back to that if there were any additional questions.

Mr. Wayne said item number 11 asked that they consider additional trees along the Lapper Road frontage. In this area, they proposed evergreens that line Lapper Rd. That will shield the view from any of the parked cars in the parking lot. There are additional trees in addition to the evergreens that are proposed, a few of them two or three. This meets the minimum ordinance to their understanding. The reason that they had proposed it in this manner is that it is extremely important to the commercial businesses to have that visibility from Lapeer Rd., after all, it is one of the busiest roads in the county so that is critical to these businesses. They would hate to disrupt that visibility with additional landscaping in that area. They feel that they have addressed the main concern which is to block the parking space through the evergreens, but that still provided a vantage point above those evergreens to give the business visibility.

Mr. Wayne stated that for item number 12 they are proposing roughly 7 trees on their internal road versus the required 12. They had planted or proposed trees where feasible. They have some underground infrastructure that limits their ability to add additional, so they basically maximized the internal road trees in that location but have limitations with the underground infrastructure.

Mr. Wayne said item number 13 asked that they clarify the need for the smaller landscape beds throughout predominately the northern end of the larger parking lot. This reduction is strictly for the landscape islands adjacent to the parallel parking. The proposed islands are about 50% of the length of the standard parking islands. If they were to meet the ordinance, they would need to be about 22 feet wide, and this would create a deficiency of parking. They favored meeting the parking requirement and asking for deficiency on the landscape beds versus the inverse of that.

Mr. Wayne stated that item number 14 asked that they clarify the proposed building height. This was done on page 22 of their submission. The building height is 28.4 feet in height, which is measured to the midrise. So, within the ordinance requirement of 30 feet in height.
Mr. Wayne said that item number 15 asked them to address setbacks and building separation deficiencies as noted or requested PUD deviations. The separation distances here are proposed this way because it allows them to preserve that full wetland. If they spread those buildings out further, it would be challenging for them to maintain the full wetland buffer as well as the wetland itself. They are asking for a deviation in favor of allowing them to preserve those wetland areas.

Mr. Wayne stated that item number 16 asked that they verify dark sky-compliant lights. The proposed lights are fully cutoff style and will adhere to dark sky requirements.

Mr. Wayne said item number 17 asked them to consider safety path lighting within the wooded and wetland path through Walden Road. They didn’t feel it was feasible or practical to light this section. Runny electrical out of this area would be challenging given the drain crossing and the distance from the building, so that is why they did not propose to light that path.

Mr. Wayne stated that item number 18 asked for the location setbacks of the signage areas in order to determine that those are compliant with the ordinance standards. The location of the monument signs is provided on sheet C7. Those are located about 40 feet from the edge of Lapeer Rd. The monument sign area will meet the township ordinance it will be no taller than 8 feet and no larger than 50 square feet in total. As for the restaurant and car club, they will collectively have two total signs one for each establishment and those will not exceed 200 square feet collectively. Biggby will also have its own building sign and that will be roughly 100 square feet. They are not asking for any deviations related to building signage, all signage will comply with ordinance standards.

Mr. Wayne said that item number 19 asked that the Planning Commission consider proposed elevations, color pallets, and exterior materials. The Planner noted that they appreciated the care they took in the selection of those exterior materials and the relatively consistent colors between them.

Mr. Wayne said that item number 20 asked that the Commission should note that the color renderings in sheet AS1 do not match, those were for demonstration’s sake of the plan is where the proposed landscape colors and details are located.

Mr. Wayne stated that item number 21 asked that the Township Attorney review the development documents, and of course, they had not commented on that.

Mr. Wayne said that satisfies responses on the Planners review letter.

Mr. Wayne stated that for the Engineer’s review letter, item number 1 was to address channel protection volume that was not provided and provide infiltration test results to show that the site is not capable of infiltrating. If infiltrating is feasible, they ask that they provide channel protection details. They do have a preliminary geotechnical investigation of the site. It has roughly 4 borings, which are located to the east of the existing wetland. Those demonstrate that they have a relatively high-water table at about 3-5 feet below grade. This indicates that there is really little if any infiltration possible. However, they understand that as a part of the Township ordinance infiltration is to be sought or pursued until it is proven that it cannot be. They designed the system to be flexible whereas if they confirm through a further geotechnical investigation that infiltration is possible in other areas of the site, they can accommodate that in the current stormwater design. If they determine that it is not feasible through additional Geotech then they can accommodate a lack of infiltration as well. So, this will be addressed of course during final engineering.
Mr. Wayne said item number 2 asks that they extend the water main and sanitary sewer to the western property line for future expansion. They are more than happy to do that to help out future neighbors and so they can note that in an updated plan.

Mr. Wayne stated that item number 3 asked for a separate meter room with Knox box access for the residential buildings. Their intent on the residential is to have exterior metering in the rear center. He said the intent would be to have electrical and gas metering in the back area, and then on the landscape plan they demonstrate a couple of landscape features back there to block that area. If it is determined during the final building or engineering that the meter room is necessary, they have a couple of ways to accommodate, it would be in that similar location. They have a way to modify the interior floor plans to add a small meter room to the back area so it would be out of sight lines from anywhere from the road and then blocked by landscaping from the inverse site line.

Mr. Wayne said that item number 4 asked that curb and gutter must be revised to ensure the firetruck can easily make the necessary turning motions around the northeast and northwest corners of the drive-through restaurant. They have tested this to show they can accommodate this request. In addition, the firetrucks need to just be within 100 feet of the building in order to fight the fire and that can be accommodated on the private road access, as well, but they can also accommodate it within by modifying the curb cuts within the site line.

Mr. Wayne stated that number 5, the safety path, shall be extended to connect to the existing pathway on the north side of the church driveway. They were more than happy to do so they will include that in an updated plan set.

Mr. Wayne said that item number 6 asked for a preliminary basis of design calculation for both the water main and sanitary sewer. They are happy to provide a basis for design calculation for the water main and sanitary sewer. Between the receipt of this letter and this meeting, the engineers didn’t have the capacity to put that together, but as noted in the engineering review letter the preliminary models for both sanitary and water demonstrate ample capacity. Considering the relatively unintense nature of this development the risk of overexerting any of the water or sewer utility is extremely limited. They really think that the base of the design will just tell them exactly which size water main that they need to use but they don’t see any risk of not having ample capacity and obviously that was confirmed in those review letters.

Mr. Wayne stated that item number 7 a shared use ingress and egress easements shall be provided for the site. This easement was noted on sheet C8, and it will be formalized, or the use of this area will be formalized through the reciprocal easement agreement amongst the three parcel owners.

Mr. Wayne said that item number 8 please note if any buildings will have fire suppression and if so where the FDC will be shown on the plans. He said that their intent is to not fire suppress the residential buildings. Should this become an issue during their permitting with the Building Department they can of course accommodate fire suppression in these buildings but given that there are only 4 units they hope to develop a way to provide a necessary fire separation using other methods. If it is determined that it is required, then they can certainly add it. As it relates to the commercial space both the restaurant, Biggby, and Car Club are under 100 occupancy loads, so under the 8-2 building code for the commercial, fire suppression is not required if you are under 100 occupants. No fire suppression plan for commercial.
Mr. Wayne stated that item number 9 asked that they provide a payment section for the public pathway. That path will meet the Township requirement of 3 inches of asphalt and 4 inches of aggregate. They can very easily add that to the plan.

Mr. Wayne said the 6-inch concrete pad on the trash enclosure detail must be revised to be 8 inches thick. He stated that the dumpster pad will be 8 inches thick.

Mr. Wayne said the last item on engineering asks that they add a note to the plans about franchise utility design and how those franchise utility easements will not overlap with the water or sewer easements, and a minimum 18” clear. This request note will be added and will be dealt with during the final engineering.

Mr. Wayne stated that he mentioned the Fire Marshal approval letter and there were a couple of comments noted on that, that he would like to address. The first was the access drive differs on AS1 compared to C7. He mentioned that C7 is the proposed access drive width. The second comment there was similar to one of the Planner’s notes asking for details on the no parking fire lane signage and road stripping. So, he addressed this previously they will be more than willing to add those notes to the plan to accommodate that.

Chairman Reynolds thanked him for the overview and for working through the Planner and Engineering comments. Chairman turned it over to the consultants, starting with the Planner.

Planner Enos thanked the applicant for the clarification of a lot of the questions he had in his review. He thought that they worked hard to get to this conceptual plan review and then they have segway into the final site plan which will have to go to the Board of Trustees. The Board of Trustees probably will not want to see 21 items in his review, but he thought that they could clarify those when they are ready to go to the Board of Trustees. Most of their comments and questions on this of what he thought was kind of a cool designed project with a mix of uses. It is a smaller compact mix, the Biggby will be busy, but it has a nice mix, and it flows well. His biggest concern and he knew he made a comment about it, but they are taking a lot of trees out of the site and there is still a remainder of 100 plus trees, and he thought they could do a better job of landscaping. He thought the frontage had 3 deciduous trees, and he certainly appreciated the advertising and the need to see Biggby and the restaurant, but he thought that they could do a better job on Lapeer Road frontage. There are a couple of other locations he thought they could insert some landscaping because they just want to be able to support the fact that they are taking out so many trees and he felt that they should add some more and thought there were spaces that they could add more. Overall based on what their comments were with these he thought this was ready for conditional approval but just be contingent on the fact that if they are going to provide, and this is ready to go to the Board of Trustees. The Board of Trustees are going to have those same kinds of questions, and they may want to wait until they have the ability to coordinate the excellent graphic renderings versus what the site plan is because as they know it becomes the record. When they are all gone, they don’t want someone going into the files and looking at AS1.00 and saying that is not what is out there. They just want the final package to be complete and compatible with each other.

Engineer Landis said he appreciated the applicant going through all of their comments item by item. Based on what he hears on the feedback, at least on the preliminary level, it sounds like they are able to accommodate all of their concerns. They felt that the plan was in substantial compliance and all of these items could probably be handled administratively so that they really wouldn’t affect the spatial layout of the plan. There are 11 items that need to be cleaned up and addressed.
Chairman Reynolds said as previously mentioned by the applicant there was a review from Public Services and their Fire Marshal. That was contributing to some of the conversation that was had previously. He opened up to the Planning Commission for thoughts, questions, or comments for either the applicant or their professional consultants.

Liaison Urbanowski said one of the things that were mentioned in the Planners review on page 2. Need further clarification on the unified control issue. It says it is supposed to be split into three parcels and how does that constitute universal control? Planner Enos asked the applicant if they understood the importance of that as part of the PUD and if they could explain that to the Commission. Mr. Wayne replied that they understood that unified control is critical both during the development and thereafter, during the operations of the development. The rationale or the need for the splitting of the parcels to help understand why they are proposing that. As they have seen Scott and Amy Harris have been up before you before and they are going to be owning and operating the Biggby location. They intend to own that land, provide the construction financing to build the Biggby, and own and operate the business. In order to do that, one of the critical aspects is to be able to utilize that land value within the financing of that development. It is critical that they can separate that ownership for that purpose. The same is true for the restaurant and for the apartments. All of the financiers of these projects, when they are financing independently, want to be able to add that land as a part of the overall financing. That is the reason that this was done this way. Now in terms of ensuring unified control, they spent a lot of time really digging through that and determining the best way to propose this. First and foremost, the development agreement, that will basically outline the relationship between the three parties, who is ultimately responsible for that development. Detroit Riverside Capital (DRC) is going to be taking the reigns on managing that process from a scheduling, budget, and execution standpoint, with a financial contribution and overall insight from the other two parties. The development agreement will address how the construction aspect is handled. Then thereafter, he mentioned a couple of legal agreements, they will have their easement agreement for shared use of parking areas, which will also address some of the maintenance items, stormwater detention, landscaping, and snow removal, those items will be addressed through those agreements as well. In addition to the reciprocal easement, they will have a private road easement agreement which will address how the private road is shared amongst those parties. Both during construction and thereafter those agreements will tie the 3 parcels together to ensure that not only are they completed but that they are maintained throughout their lifetime.

Liaison Urbanowski said she wanted to make sure she was understanding it. Even if it is 3 parcels it is still one PUD. So, if Biggby was to be sold or changed they would still have to come back for a PUD modification. Planner Enos said if Biggby were to change to Duncan Donuts they may not have to come back because it is just a change in name but if they were going to change the drive-through or the layout or anything else like that they have to come back before the Planning Commission. He reviewed the development agreement for the most part which addresses a lot of those questions. He would rely on the attorney to finalize that, but it ties it all together.

Chairman Reynolds said he was going to mention that. Part of the final review includes the attorney review. The concern has been brought up previously and making sure whatever verbiage is put forth keeps the original intent. When the legal documents get published it will be discussed and made sure it was there.

Vice-Chairman Gross asked about the 24 dwelling units, what is the breakdown between one- and two-bedroom units and their respective sizes, and whether they condominiums or rentals. Mr. Wayne replied that the four-unit buildings are broken out into two, two-bedroom units and two three-bedroom units. They felt that given the demographic that is targeted with this product
type that was the most suitable. The two bedrooms in total are 1,500-sq. ft., which includes a two-car garage and a 200-sq. ft. outdoor patio. The net livable area of the two bedrooms is about 1,100 sq. ft. On the three-bedroom size. Vice-Chairman Gross asked three-bedroom or one-bedroom. Mr. Wayne said in each building there are two, two bedrooms and two three bedrooms, four units per building, with six buildings. Mr. Wayne showed the Planning Commission a rendering of the two-bedroom units. The three-bedroom units sit above the two bedrooms, so on the second floor, they access the three-bedroom units through that central shared staircase. The cool feature of the second-floor units is they have an outdoor patio that sits above the first-floor garage space which is a unique feature. Initially, they had it sized for the entire square footage of the garage beneath it, they thought that was a little bit too big, so they pulled them in a bit and now they are roughly about 200 sq. ft. for the outdoor patio space. They will be for rent for lease.

Chairman Reynolds said he tends to agree, he appreciated going in-depth of all of their reviews which was very helpful to go by line item. To kind of speak to what their proposed changes are he tends to agree with their Planner with the sake of they don’t like to be forwarding recommendations nor moving forward with the plans with a laundry list of items but thought a lot of these items are minor in nature and can be easily revised. He felt what should be done is some revisions to plans and then submitted them to the Board with the rereview to make sure things are cleaned up and that they don’t have this laundry list. They are a little bit more in-depth reviewing versus the Board of Trustees adopting. He appreciated the effort to revise these items. He thought trees to him are important to at least clarify, and yes, there has been a survey, yes there is a landscape plan. He thought the plans document what the replacement criteria is. He knew the Tree Ordinance can be tricky but at the same time, it is there to speak to trees being replaced or their replacement calculations. He wanted to make sure that they and our Planner are on the same page with that so they can agree. He looked at the plan and thanked them for walking through it. It does clarify a number of items because he had that comment earlier about the two site plans and renderings to help the conversation and it was deluding it versus helping. He thought there were some areas, for example, that he knew they had existing trees on the property line or technically on a neighboring property that is going to contribute to a significant buffer but similar to what they discussed at concept he would still like to see those trees. To him, seeing those tree replacements calculated and figured out would start to maybe motivate some additional filler plantings or at least some sort of compromise there. He gets it, it is a heavily wooded site, but at least for the sake of landscaping make sure they have those buffers provided.

Chairman Reynolds said another comment was just making sure they have some clarification on hours of use. They have a nice mix of properties, specifically, like the car club and that function and make sure they are on the same page. He knew at concept they had some lengthy discussion, but this is final, so they want to have that. In their comments that would be something he would love to circle back to, to just make sure that that intended use is defined. Even though it’s accessible 24-7 he believed this is what they spoke to at concept, that is intended for someone who is a member there and there is supposed to be a public event at 4 a.m. in the morning, that is kind of the concern here. He knew it sounded dramatic, but it was a question they wanted to raise here.

Chairman Reynolds stated that another comment was he understands the restriction that the site is putting on between access and the need for some cross agreements with parking. It was a question for their consulting staff whether there should be some internal crosswalks. It seems like yes; they could deviate from some parking with Biggby if the staff was parking over in the connected area but that seemed to him like the staff is going to be crossing over that main path, so it just seemed like a safety issue there. It seems very minor just stripping or something that just talks about that. He thought that was just realistic to what was going to happen. They will
probably ask staff to park in those further or the mid-site spaces that are less likely to be filled up with the restaurant and thought that was a safety item that gets addressed.

Chairman Reynolds said the last item which they didn’t really dig into, Mr. Wayne had mentioned about signage area, and he wanted to clarify that. It seemed like they are getting a lot of signs for these different uses, especially for the car club, restaurant, and Biggby and he understood that request but also wanted to make sure because just because this is a PUD doesn’t mean they want to deviate so far from their signage ordinance. He asked if Planner Enos could speak to that about their proposed areas or if this was a straight-zoned product is this a reasonable kind of request?

Planner Enos agreed that some crosswalks or pedestrian access between the Biggby and the car club would work. If they are at the car club and they want to go and get a cup of coffee, those things are going to happen. They have two monument signs on Lapeer. Mr. Wayne showed the Planning Commissioners a rendering of the signs. Chairman Reynolds asked him to clarify the second sign that would be to the south which is a joint sign between both of the uses in the second building to the south. Mr. Wayne replied that was correct. The first monument sign is for the Biggby, and then the second sign would be for the uses to the south, as well as potentially the apartments. Planner Enos asked if there was a reason, they couldn’t do one monument sign because it is a PUD, they could have a little larger or higher but have one instead of two signs. Mr. Wayne said they have considered having a single sign. Part of the issue with that is a business like Biggby really thrives off of its sign and having an independent dedicated sign for Biggby to make it abundantly clear that they can stop and grab your cup of coffee on the way to work is very important to Mr. and Mrs. Harris. They have accommodated that with that sign to the north and then on the south is where they would accommodate the other uses in the development.

Planner Enos said as the Chairman indicated that he would have to check the ordinance but typically if this were going to be one commercial use, they would have one monument sign advertising the three different commercial uses on the site. They also have apartments as well.

Chairman Reynolds said to him it was the number and then also the area too. He would be open to considering a second one if there was some reasonable push and pull on those calculations that they are not going crazy huge or one a little smaller. A PUD allows them this tool to push and pull but he wants to make sure they are turning into billboard city; he knew they weren’t billboards but something that still fits the aesthetic of what they have on the corridor.

Planner Enos said they are going to have wall signs on Biggby and also the restaurant, which he expected. Mr. Wayne said that is correct, yes and those will comply with the Sign Ordinance. He read that each building can have a total of 200 square feet and each entity is allowed one sign. The intent would be that each of those two entities of the south restaurant/car club building would each have a 100-square-foot sign on the building. Planner Enos said they are going to have wall signage, and folks are going to know where Biggby is, signage is important, and he understood that. If they are like him you are going to know where your coffee shop is and you’re not going to worry so much about the sign, maybe the first time you see it. He asked if those monument signs are at the maximum size of the ground signs in the ordinance. Mr. Wayne showed them a rendering saying it is roughly 8 feet in width on the sign portion and then about 8 feet and 3 inches on the vertical portion measured from the bottom of the brick to the top of the sign area. His understanding of the ordinance was 8 feet max height. The maximum square footage of the sign for a sign that was 8 feet tall, he believed, was 50 square feet. He asked if it was measured on just the signage area or the entire monument itself. Planning and Zoning Director Girling replied the entire monument itself. Chairman Reynolds said he was looking for a comparison here, are they double or triple, it seemed large
to him. Planner Enos thought it was about double the size permitted. If the Planning Commission is reasonable and wants to accept two monument signs, he thought that they needed to bring them down a little bit and make them smaller.

Mr. Wayne said when they say double, he just wanted to make sure he was doing the math right because he thought he read if it was 8 feet tall, they could have 50 square feet in total, so 8x8 in this case, would be 64 square feet. Planning & Zoning Director Girling said it varies by zoning so if they are looking at (GB), which the uses are similar to (GB), if is over 6 up to 8 feet tall they get 40 square feet. They also have an option if it is slightly larger if their sign is not taller than 6 feet. They might have looked at the 50 which is for a sign that is up to 6 feet tall but over 6 up to 8 it is 40 square feet. She thought that they thought their setback was from the edge of the road, it should be from the road right of way. She thought there was an issue there and then the wall signs were not automatically the 200 square feet it is 10% of the façade area on which the sign is to be placed or 200 square feet, whichever is less. If they had, for instance, a building that had two separate entries normally what they do like a strip mall they say what is your lease area, what is the front façade of the area that they are leasing take 10% of that is that smaller than 200 square feet then you get that smaller number. It is based on the wall on which the sign is placed.

Chairman Reynolds said just those numbers being rattled off is still a considerable area when they do some of the calculations but wanted to make sure that it fits closer to their ordinances as a baseline. He would be open to some reasonable deviation but not double or triple the size. Planner Enos said that they have two signs as well so he would suggest perhaps if they do move this along, that the applicant sit down with him and the Planning & Zoning Director Girling to revise this. He thought they had heard what the Planning Commissioners have said in regard to bringing it down and squeezing it in a little bit. Mr. Wayne said he would be more than happy to do that.

Chairman Reynolds asked if there were any other thoughts or concerns on the two versus the one or the signage area. Commissioner Cummins said normally he would say that one sign on a monument usually works but, in this case, they do have two totally separate entities on that site that are spread a fair distance apart. He was open either way it doesn’t give him heartburn either way. Chairman Reynolds said he knew there were larger sites that they have had multiple uses on that end up getting pushed into one, but he hears both sides of the argument.

Planning & Zoning Director Girling said to keep in mind also that they are proposing a division. So, if these were already separate parcels, the Biggby came in on one site, and the car club came in as another as two separate parcels they would be entitled to two ground signs.

Chairman Reynolds said sign needs to be reduced and be a little more conscience of their ordinance, meet or be less than, then he would be ok with two signs.

Mr. Wayne said on the site plan they also indicated a residential sign. He didn’t think it would fall into the category of a monument sign which is why it is just listed as a proposed residence sign, but they envisioned this to be smaller but still acknowledging that they are entering the residential component of the site. The previous conversation he was presuming was just about monuments on Lapeer. Chairman Reynolds said he was fine with it, he thought bigger picture again it goes back to the comment that it is a separate development, a separate lot that is going to be created so he will support it. Planning & Zoning Director Girling said to keep in mind that the detail of it is necessary though because it is considered a sign it will require a building permit for a sign. So, the detail of that sign, if the Planning Commission is saying it is fine and will let them have the extra one, the detail of it the height, the area it is still a sign.
Chairman Reynolds said that kind of goes back to his comment of revised for the Board. He was not speaking on behalf of the whole Planning Commission but there needs to be that conclusion brought forth so it is committed, and they can instill that into their Planner if the Board so chooses.

Commissioner Cummins said he thought that the site flows pretty well. He likes the trees on the other side and thought they needed to be confirmed on the north side just what is there so there is no guessing later. He heard the Planner say that the engineering is in substantial compliance so that it is a good move. Overall, he thought it would be a good project.

Chairman Reynolds said he did have one comment for Engineer Landis. He said they spoke a little bit about fire suppression, in the past that has been tied to the number of access points to the site, is this below that threshold? Engineer Landis wasn’t sure. Chairman Reynolds stated he wanted to clarify for the applicant he understood the definition by code, he was familiar with that but the fire code which is adopted in the Township is that threshold sometime not so much the building code. Engineer Landis said he was not as familiar with the fire code as the Fire Marshal. Chairman Reynolds said there is something about residential units that when there is one point of access and there are so many square feet of units then that bumps the threshold of either two access points for safety or suppression because there is only one access to the site. He knew that the Fire Marshal had to re-review the plans.

Mr. Wayne asked if that was a Township-related ordinance. Chairman Reynolds said that is the International Fire Code as adopted by the Township Board and enforced by the Fire Marshal. That is something different than the building code.

Liaison Urbanowski said she was surprised that they wouldn’t want to suppress a building full of really nice cars that people have invested a lot of money in. Chairman Reynolds said there are other ways to accomplish it if it’s smaller areas.

Chairman Reynolds asked for additional comments or concerns. His thoughts are although a long list they are a recommending body and what he would suggest they do are the discussions they have had here tonight on top of the comments have the applicant revise and resubmit to their staff prior to the Board of Trustees for final adoption. Making sure there is that check before that adoption. They are a recommending body since a PUD process, the applicant was willing to address those comments, and their professional reviewers have addressed that they are in substantial compliance with some items that need to be identified.

Planning & Zoning Director Girling asked for clarification on what your comments were. He said before adoption keeping in mind when it goes to the Board of Trustees there are two readings, is this before he even goes to the first reading? Commissioner Reynolds said he would follow the recommendation of our staff and professional reviewer. If they feel confident that it occurs between first and second or if it needs to occur before first. He didn’t want to proceed to the Board of Trustees with this open list as submitted with comments, he would like the comments to be in the plans that are being read forth. Planning & Zoning Director Girling thought it would be confusing to have a different plan at first and second. If the motion was that it had to be resubmitted and rereviewed she would request that it be before the legal for the first reading unless they are comfortable with this version going with comments knowing that the rereview would occur after.

Planner Enos said he would like to have a written response to the comments he had. They don’t need to get into paragraphs but just as a clarification so that the Board of Trustees if they do get this review, they also are going to say that the Planning Commission considered all of these, and they addressed them.
Liaison Urbanowski wanted to clarify the two things that Planning & Zoning Director Girling was saying. They have two options, either they take exactly what they have sent us and send it with all of the reviews and comments to the Board of Trustees as it is and then somewhere after that meeting then there will be a new set of plans. The other is to have all of this fixed before it goes, she would like to have everything addressed before does. Chairman Reynolds said that is what his feeling is as a commissioner they are the reviewing body they are getting into these details they are then recommending approval and it is being set forth for those final readings with options.

Commissioner Walker said he was hesitant to recommend this today because of the number of moving parts. He thought some of the parts were serious parts too. He didn’t know if they were doing their job if they didn’t resolve them here. It is not the Board of Trustees job to resolve these issues, he thought it was the Planning Commissions job. He was not on the Board of Trustees but that was his concern, there is a lot here considering there are a lot of things he doesn’t understand about the plan. There are a lot of numbers, the fact that he can’t see the sign, he doesn’t know what the sign says, that would help to know what the sign says. He wouldn’t say he would slam this down, but he would sure like some more information, some more meeting of the minds on the subject before they move forward.

Liaison Urbanowski stated that if anything they can send to the Board of Trustees as complete as possible the better because they did on Monday have two PUD’s second reading and there were a lot of people in the audience. She thought it was in the best interest of everyone to have a complete packet that goes to the Board of Trustees as much as possible so there are no questions or ambiguity about what they said here.

Planner Enos said he would not want the Board of Trustees to get this and say, Planning Commission we have several sheets here that show something different, the renderings, as opposed to the site plan. That was, for example, one comment. He thought that the Board of Trustees relies on them to get them a finished product that they are comfortable with and 99 times out of 100 they are going to approve it. He thought that they would want to have a comfort level with this. He believes they can get that done before they go to the Board of Trustees if the Planning Commission wants to approve this conditionally. He believed that Engineer Landis, Planning & Zoning Director Girling, and himself can work through these issues to get a plan to them and a revised review that basically says that the Planning Commission did a thorough review they talked about all of these issues. The Board of Trustees, if they have other issues they can talk at that level. At least from their standpoint, they are all comfortable with what they provided.

Chairman Reynolds said that they have spoken to revisions, and he agrees he doesn’t want the Board of Trustees making those decisions. He feels like they have discussed or looked at those today or based on discussions know what is going to be changed, so he would like those changes to be made and then verified via staff before that first reading. If there were to be a significant deviation or concern it would come back to them before going to the Board of Trustees. The two things that are the most open-ended would-be signage and landscaping. He felt that both of those based on the comments and discussion he has full faith in their consultants to understand where they are at with those two topics because he thought there were referring back to their ordinance on those versus deviating heavily from them in any way shape or form.

Vice-Chairman Gross asked when this will be going to the Board of Trustees. He wondered if there was going to be an opportunity for the revisions to come to them on an informal basis so that they could review it and say they were ok with these changes. Chairman Reynolds said so
proceeding with conditional approval but with the request to see signage and trees. Vice-Chairman Gross replied yes. Chairman Reynolds asked if their meetings worked out in any favor to make that happen. Planning & Zoning Director Girling said they got however long it takes for them to modify, their consultants have a two-week review. The soonest anything could be at the Board of Trustees would be their next meeting, which would be the 15th and which she would have to know by Monday. After that, it would be the June 5th meeting, which she would have to have everything by Friday, May 26th. It depends on how fast they can amend it.

Chairman Reynolds said that there is nothing to say that his suggestion dictates the conversation. It can come here and then go to the Board of Trustees. They can see the revised drawings, there is nothing wrong with that. He doesn’t want to push something that they as a commission are not comfortable with.

Mr. Wayne stated that Vice-Chairman Gross indicated that there might be a way they could see them on an informal basis. Could that be through emailing them and having comments returned to the Planner? Chairman Reynolds said unfortunately with Open Meeting Act and public notice that doesn’t work. He would love to say they could, but they are a Commission and a public entity. Mr. Wayne said obviously they have indicated all of their concerns, and they talked about how they can address those concerns. He thought most importantly Engineer Landis and Planner Enos have heard those concerns and so he has full confidence that they would be able to revise this plan to address those concerns and button it up so that list has no items.

Mr. Wayne said he thought it would be pretty clear to the Board of Trustees because they would be able to see the original review letter, the updated review letter has no items, and they would understand that those have been addressed. They would ask that they proceed in that direction just in the effort of everyone’s time and efficiency of this project.

Planner Enos said if they were to get this to Engineer Landis, Planning & Zoning Director Girling, and himself for the June 5th Board of Trustees meeting for the 1st reading and then if they had an informal meeting on the 21st because the next meeting is the 19th. Planning & Zoning Director Girling said they need a month in between but the Board of Trustees is not going to want to see a different plan from the 1st reading than at the 2nd reading. If they are going to the June 5th meeting, you are going to want to have your review before June 5th. There is that time there just isn’t that time to come back to PC.

Chairman Reynolds asked the Planning Commission if they want to see the final packet, do they want to entrust in the consultants or do they want to see that package prior to going to the Board of Trustees.

Secretary St. Henry asked if it was mainly to see the signs and the landscaping. Chairman Reynolds replied correct.

Mr. Wayne said as it relates to signs, they are willing to be right in line with that ordinance or perhaps just a bit above. He thought the one that they showed tonight should have been revised before it even came to them, and he apologized for that. They really are not seeking much in the way of a variance on the sign or deviation. They are comfortable working those signs into complying with the ordinance and maybe 6 inches or a foot bigger. In terms of landscaping, he thought they heard some of the suggestions. He thought there were a few areas where they could add some trees. Not a tremendous amount of additional space but certainly if the Lapeer Rd. frontage they wanted to see a couple more trees of course they can do that. He was confident that they could do so in a way that gets them a little closer to the ordinance on landscaping. He felt that those two big items they were willing and able to address. Of course, the cursory or ancillary stuff is easy to add to the plan.
Secretary St. Henry said their two choices are to bring it back here to make sure they are good with it before it goes to the first reading or trust the consultants to cover that. He asked the consultants if they were comfortable handling that including the landscape and sign issue. Planner Enos replied absolutely, of course with Planning & Zoning Director Girling’s able-body support. The layout and the design are really not going to change. What they are proposing and what the applicant has agreed to is going to make it better, safer, and better looking, in regard to the landscaping. He knew he could do that, and he knew that Engineer Landis can make sure that all of these issues are addressed, and the Board of Trustees wouldn’t get this until they are satisfied with that.

Liaison Urbanowski stated that they should also verify with the Fire Department about the suppression, that would be the only other one for her. There is nothing that is going to affect the spatial layout, they could handle it administratively. She was ok with them doing it as long as it is fixed and buttoned up and completely made right before it goes to the Board of Trustees.

Planner Enos said he would suggest to the applicant when they are moving through that process with the Board of Trustees and there are no items as indicated, that at least from a correspondence that their Commission, because sometimes at least Liaison Urbanowski will be there as a Board of Trustees member but he thought that it was important, maybe, that the Planning Commission gets some correspondence from the applicant that this is how they addressed those main issues. At least they have it in their back pocket to know that they did do what they said.

Planning & Zoning Director Girling said to summarize if the motion is going that direction, although, signs and landscape are the big items, they are still trying to get everything that is on those reviews on this resubmittal covered.

Moved by Chairman Reynolds, seconded by Commissioner Walker, that the Planning Commission forward a recommendation to the Township Board to approve PC-22-39, Hudson Square Final Planned Unit Development (PUD) request to rezone the property from Single Family Residential-2 (R-2), and Conditional General Business (GB) to Planned Unit Development (PUD) located at 3030 S. Lapeer Road (Sidwell #09-26-101-021), for plans date stamped received April 12, 2023. This recommendation to approve is based on the following findings of facts: that the plan as submitted is in compliance with the PUD concept that was previously approved discussed and submitted; it is compatible with the adjacent uses along Lapeer Rd.; and its mix of uses does provide uses and housing types as outlined in the Master Plan that was recently completed. This recommendation is subject to the following conditions: that all of the Planner, Engineer, and Fire Department review letter comments are addressed, and revised and resubmitted plans are submitted to their Engineers and their departments for their review prior to the first hearing at the Township Board. This is also subject to the review and approval of the Planned Unit Development Agreement by the Township Board Attorney; it is subject to the approval of the land division creating the parcels as represented on the plan; and it is conditional upon the withdrawal of the previously approved Classic Car Club site plan; in addition to those comments they would ask that a crosswalk be added between the existing parking spaces and the Biggby Coffee Shop; that the landscaping comments be addressed in the review letters to adhere to the Township Tree Ordinance and increase buffers along the north and western borders, and that the monument signage be revised to adhere to the Township Ordinance in size and height for each of the three separate individual uses on the parcel; this is also subject to clarify intent with the legal review is that the unified control element is addressed and reviewed to the liking of their Township Attorney; and including the review and approval their Fire Marshal for the sake of the question of fire suppression in the proposed buildings.
Discussion on the motion:

Vice-Chairman Gross said he would like to make an amendment to the motion: that the applicant provides a cross participation of $25,000 for traffic improvements on Lapeer Rd.

Chairman Reynolds amended the motion, Commissioner Walker re-supported that the applicant provides a cross participation of $25,000 for traffic improvements on Lapeer Rd.

Discussion on the motion:

Chairman Reynolds said to him it is very clear that they can adhere to the Township ordinance for signage. He wasn’t clear on some of the tree components. He knew that they had other PUDs and that there has been deviation that they have asked for contributions. He asked if there was any thought on that. This is a very heavily wooded site.

Vice Chairman Gross said he would like to make another amendment to the motion: that the elevations be consistent with those as submitted by the applicant, the materials, elevations, renderings as dated April 11, 2023, by Design House.

Chairman Reynolds amended the motion, Commissioner Walker re-supported that the intended façade materials for the buildings are as indicated in the renderings for April 11, 2023, from Design House as submitted in their packet. So, clarification of what materials are where.

Chairman Reynolds asked if there were any concerns with a public discussion on the motion. Mr. Wayne said he shared his piece and appreciated this direction he thought it would help them move forward. He looked forward to bringing a great project to Orion Township, assuming approval tonight.

Chairman Reynolds asked if there were any public comments. There were none.

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

8. UNFINISHED BUSINESS
None.

9. PUBLIC COMMENTS
None.

10. COMMUNICATIONS
None.

11. PLANNERS REPORTS
None.

Planner Enos said that Planning & Zoning Director Girling met this afternoon, and they are going to take a stab at the PUD Ordinance. He knew that they had some issues and concerns with that so they both have some ideas for simplifying it and hearing some of the Commissioners over the last few months in regard to the give and take is reasonable. Look for something in the next couple of months. In the meantime, if they are bored and you want to
read through that PUD section and give Planning & Zoning Director Girling a comment or two, she would be happy to accept it.

Chairman Reynolds said he knew there were some sections that they are eager to take a look at.

12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
5-17-23 at 7:05 p.m., PC-23-15, Lapeer Road Burger King, Special Land Use Request for a Drive Through, located at 1155 South Lapeer Road (Sidwell #09-14-226-011).

14. CHAIRMAN’S COMMENTS
Chairman Reynolds stated that he was able to partake in the MTA conference a couple of weeks back, good discussions. The nice thing about that one is that it is a little mix of planning, governmental issues, and cross-pollination of topics. He encouraged everyone if they have the opportunity to lend, sometimes there are some good conferences and training opportunities available by the Township and there is always the fun here available as a Commission to utilize that. Not only to get them there but if it needs overnight stay or travel it is all up for consideration and discussion. If there is something they feel that they could bring back to them that is what that is there for.

15. COMMISSIONERS’ COMMENTS
Commissioner Walker said the library sale is coming up later this month.
Vice-Chairman Gross said that Commissioner St. Henry asked a question about the Willow Creek Apartments. Secretary St. Henry said the only reason he brought that up was because there were some community discussions around that development, they have reopened as a driving range and miniature golf facility. He was curious if they had any insights or any information, they could share of what the developer’s plans are. Planning & Zoning Director Girling said they are currently going through an engineering review, that is all she knows. They have an approved plan that they approved, and they are going through an engineering review. Engineer Landis said as far as engineering is concerned, they are satisfied with the plans they are just waiting for them to obtain approval from MDOT for the driveway. They are also waiting on the design plans and calculations for some retaining walls that are proposed on the site. Once those two items are in, they are ready to approve the plans. They are already out for water and sewer permits from various agencies. They are very close. They also granted grading approval, so all they have to do is post their fees and they can have a pre-con and they can start creating the site.

Planner Enos stated the Michigan Association of Planning has an annual conference. One of the things they do have is a speed-up citizen planner course. If they were to go to that planning conference, they could come out of there with a citizen planner certification. It is a great course from Michigan State. Again, over the course of three days, they are hit hard with a lot of different planning things, but they do come out with that certification. He has been through it he thought Planning & Zoning Director Girling had been through it and is an excellent training session for them.

Planning & Zoning Director Girling said she has taken that course and if someone were to find an issue with getting away to take that they also do offer the citizen planner at their leisure virtually. If they were not able to get away for three days, there is still the ability to get that. She is filing at the next Board of Trustees meeting sending the text amendment, but she has removed fences. They have to go back after the joint meeting, that was probably the item that
they talked about the most. She had some side comments from some other individuals that really didn’t like what they had come up with. She is sending the rest of the stuff that they did but it is going to come back.

Chairman Reynolds said that was something that Planning & Zoning Director Girling had discussed based on the joint meeting that they had. He thought it was worthwhile if they proceed with that to have that discussion here that would include Code Enforcement as one of the comments. He also thought that the Zoning Board of Appeals had some comments about that too. They formed a Fence Committee with their last joint meeting and there wasn’t ever a great conclusion, and there was a lot of discussion here and because of that they lead to the concluding thoughts and there still seems to be some concern over that. He thought it was worthwhile discussing to make sure they are headed in the right direction before it is just adopted and amended and maybe creates other issues. That is something that they do really need to dig into. He knew it was a hot topic it is something that they frequently hear about from the Zoning Board of Appeals but is there a solution or is there something that they want to tweak on that, he thought that they needed to have that discussion with some of those people that brought up those concerns. He knew when they brought that forth those people were going to be invited and strongly encouraged to be present.

Liaison Urbanowski said that Tammy’s family is growing by one tomorrow. Planning & Zoning Director Girling said this year she was approved for an increase in headcount and went through the whole interview process and she has a new employee named Tiffany starting tomorrow. She is at Lynn Harrison’s level. When she was in Lynn’s position and even with Lynn in this position that position is responsible for specialist Planning & Zoning which gets into the Zoning Board of Appeals, and packets, and PC packets. Lynn has always concentrated mostly on ZBA trying to help her on PC and she was so much in the weeds that she couldn’t get to higher-level things. Tiffany will be covering the PC side so they will probably be interacting with her more and is really excited to get some help.

Secretary St. Henry said regarding the fence issue he has been on this Planning Commission for 7 or 8 years now and this has been an issue for a long time. There has been a lot of discourse back and forth. He thought that they needed to come to an agreement or at least recognize that at the end of the day, they were not going to make everybody happy including the folks that are part of these committees and groups at their level. If it is important that they make a final decision on some of this, they need to recognize that not all of them are going to walk away pleased. Someone has to make tough decisions and they go forward with it. Planning & Zoning Director Girling said the biggest issue was she had never stopped to think of the ramifications on Ordinance Enforcement. When they sit here and come up with a text amendment it was never run past Ordinance Enforcement to see how feasible the enforcement of what they created was. Because fences were such that nobody could agree, they came up with what they liked, and it was brought to their attention that maybe what they had come up with was a nightmare to enforce. Now the process is anytime they come up with something before they do a public hearing, she will be running it past the Building Official. Because fences were so controversial and they had not included them, they are going to include them and go back for a second swipe. She 100% agreed they are not going to make everyone happy.

Chairman Reynolds said they thought they reached something that was an agreement but when it got brought forth at that meeting unfortunately there were some feelings that finally came out that didn’t get brought out previously. Unfortunately, they were a little blindsided because they worked hard on that, but they were like a valid point, how do they proceed with this? He thought that was one of them where they need to make sure they are talking and getting input on all of those topics.
16. ADJOURNMENT
Moved by Chairman Reynolds, seconded by Liaison Urbanowski, to adjourn the meeting at 8:30 p.m. **Motion carried.**

Respectfully submitted,

[Signature]

Debra Walton  
PC/ZBA Recording Secretary  
Charter Township of Orion  

May 17, 2023  
Planning Commission Approval Date