

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, JUNE 1, 2022

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, June 1, 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 Gross, Vice Chairman
Derek Brackon, Commissioner

Don Walker, PC Rep to ZBA
Jessica Gingell, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:

Kim Urbanowski, BOT Rep to PC
Joe St. Henry, Secretary

1. OPEN MEETING

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

2. ROLL CALL

As noted

CONSULTANTS PRESENT:

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:

Ernest Timms	Charles Hickson
Robert Wick	Kati DeMattia
Jenny Smith	Pat Hamilton
Kathryn Kennedy	Tony Dorta
David Fulkerson	Heather Smiley
James Garrison	

3. MINUTES

A. 5-18-22, Planning Commission Regular Meeting Minutes

Moved by Vice-Chairman Gross, seconded by Commission Walker to **approve** the minutes as presented. **Motion carried**

4. AGENDA REVIEW AND APPROVAL

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

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None.

6. CONSENT AGENDA

None.

7. NEW BUSINESS

A. PC-2018-31, Brown Road Hyatt House Site Plan Extension, located at an unaddressed parcel at the NW corner of Brown Rd. and Huston Dr. (09-32-378-075).

Chairman Reynolds asked if the applicant was present? They were not.

Chairman Reynolds stated that there is an extension request letter in their packets. This project has been extended a couple of times in the past as it is a 2018 project. Their attorney is working on their closing documents, and it got pushed back to June 15, 2022. This will mean that they are not able to pull permits or close prior to the deadline of June 2, 2022. They have asked for a short extension request of 3-6 months for their site plan approval. This was granted in September 2018, extended again in October 2019, once again in April 2020, and in June 2021. He opened it up amongst the commissioners about the extension request.

Vice-Chairman Gross thought that there had been a good faith effort to move forward with their plan, they have submitted their engineering plans and they are getting ready for their submission of their preconstruction meeting, and their fees. Based on that he felt that an extension for 6-months would be appropriate.

Chairman Reynolds stated his personal opinion was with a project that has been out there for a while he would be entertaining more on the 3-month was his opinion to keep pressure on the project. It has been extended several times.

Commissioner Walker stated in the true sense of arbitration he thought 150 days.

Chairman Reynolds said in the faith of giving an extension, but they typically don't give their fourth and fifth extensions. If they feel 6-months, or somewhere shorter than that he was good with it.

Moved by Vice-Chairman Reynolds, seconded by Commissioner Gingell, that the Planning Commission approve the site plan extension for PC-2018-31, Brown Road Hyatt House Hotel Site Plan for a period of 6-months. This approval is based upon the fact that the applicant is proceeding with the necessary submissions and hopefully, the 6-months would not necessitate another extension.

Discussion on the motion:

Ms. Kathryn Kennedy from Lake Orion questioned why they are having three hotels built on Brown Rd. when they have so many hotels in the region. She didn't think they even asked them what their capacity is, and their vacancy rates are. Did they? Why would they do that? She was very upset that they destroyed the entire woods in that section of the property. They are going into a recession they should not be doing new construction of anything anywhere. If anything, they need to be rehabilitating and selling the ones that have been for sale for years. They have commercial properties that have been open for a long time, in Lake Orion. Yet, they are creating blight by authorizing new construction where they don't want it and don't need it. She objects to any new construction and any zoning changes at this point in time in their history. They have globalists taking over our region. She didn't know if they noticed but there is an awful lot of activity going on that should not be going on. The world economic forum is a very risky group of elitists who just finished up their fancy little retreat in Davos Switzerland to decide how they should control the rest of the world and digitize them all. Oakland County recently approved three million dollars to take up that invitation to the Automation Alley that the World Economic Forum claims to have created in 1999. She can tell them what she did in 1999, she stopped her investment business because she was going to be forced to go to electronic trading, and instead, she got hired by a global corporation because she was so good at Spanish, that she didn't realize it at the time she was part of the big reset. All of the American manufacturing plants that used to be 100% America were moved to Mexico before she left 18 years ago.

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

B. PC-22-17, Conscious Senior Living Properties II dba Grace Senior Living Landscape Review, 985 N. Lapeer Rd. (09-02-126-007).

Chairman Reynolds asked if the applicant was present.

Mr. David Fulkerson 398 Wynstone Circle S., Oakland, MI.

Mr. Fulkerson said in 1926 his grandfather moved to Michigan from Appleton, WI. He and three other high school graduates all came to Michigan to work in the auto industry, and they borrowed money from a local dentist in Appleton to come. To help illustrate the type of man his grandfather was, he was the only one to pay the dentist back. Over the years all he heard from his mother was what an incredible father she had and how blessed and lucky she was. In 1984 he had a stroke that took away his ability to speak so he moved in with his mother and himself in Oxford, MI. She took care of him for five years and he was in charge of exercise and backrubs, but she did the bulk of the work. It got to the point she couldn't handle him anymore it was too much work, so she moved him into a local place that wasn't so great. His grandfather just stopped eating. He will never forget the last time he saw him was sitting at the end of his bed begging him to eat. He couldn't speak so he couldn't express how he felt verbally but he did it with his eyes, it was one of the most difficult times of his life. Because he was a great man and a great grandfather, his whole life he always wanted to build a better place. He told this Planning Commission 3 ½ years ago when they brought the development in that they were going to build a jewel in the community. They won best senior living in their first full year of operation, and he thinks they are doing it. He hoped that they all have heard of someone that has been in Grace and they do their best every day. Their mission statement is for everyone to feel loved and respected. Everything they do is to fulfill that mission and they are proud of what they are doing, it is hard work.

Mr. Fulkerson stated that when they were developing Grace their front sign was going to go on the north side of Manitou Lane which is actually in Oxford Twp., and everything south is in Orion Township. They soon found out that they would be blocking their neighbors, the apartments, and the church, with their sign. They wanted to be good neighbors because they were great to them during the development process and have had a wonderful working relationship together. They agreed to move their sign to their front wall which is parallel with Lapeer Rd. which is not ideal. When you are driving 55-60 miles an hour you have to really look over late to see something parallel with the road sitting back 100-ft. When they were trying to figure out visibility, and 9 out of 10 residents come from drive-bys so it is extremely important. The trees that were proposed in the landscape plan were going to make this very difficult. It was also going to block the signs of their neighbors, and they didn't want to do that either, they didn't want to disrupt them. They didn't put them in which brings them here we are today. The trees that were not put in on the landscape plan, are 15 trees in the front, and they have some people from the church and apartments that would like to speak sometime today to give their support of not putting the trees in.

Mr. Fulkerson said with COVID, inflation, and supply chain issues, it has been very challenging to be in the senior living industry and it has been hammered because of it. Occupancy is extremely important in these times. In terms of the jewel in the community, they are also voted Best Front Curb Appeal in both the Orion Review and Oxford Leader. They feel they have brought a beautiful community to their community, on the outside and on the inside which they can't see. They don't think that the removal of the trees is going to be negative because the

residents voted them the favorite commercial community in both townships. They think they have done a wonderful job; they won the Best Curb Appeal last year in the Orion Review, and the Best Senior Living in their first full year of operation. So, that is the first item.

Mr. Fulkerson stated that the second item is there are 43 trees and 35 bushes that were not planted on the original landscape plan. They added 20 trees, 587 bushes, shrubs, plants, and grasses, and 13 different areas around the community. They realized this layout of the whole community, with Oxford Twp. on the north side, and Orion Twp. on the south side. When the tree calculation was made for the replacement of the landmark trees almost all of them were in the cluster up top, which was a wooded lot in Oxford Twp. exclusively. If they remember the old church, it was in Orion Twp. it was one huge legacy tree that was noted on the Orion Township side. Other than that, the trees on the Oxford side should not have been counted because Oxford has no tree ordinance. It was a mistake by the landscape designer that didn't realize they were in two different townships. They just placed trees wherever they could put them because there wasn't a lot of space. In front of their community are two retention ponds they also have another huge retention pond in the upper northwest corner, and they are tight around the south side of the building. They put trees wherever they could put them on without damaging the site.

Mr. Fulkerson read Jim Butler's at PEA's email that said attached please find a copy of the topographic survey with the trees in question denoted in blue. The specific tree tags are as follows, and he listed them. Then he said since these trees are not located in Orion Twp., they should not be required to be replaced per the requirement of Orion Twp. He had a couple of letters and would rather they speak instead of talking to their letters.

Mr. Fulkerson showed the board the back view of the building.

Mr. Fulkerson said that 10 trees were supposed to be planted along the grassy area on the south side. It is a very steep slope and would be very challenging to put trees there, and it is very challenging to mow. His son and he mow the grass and the tractor slip's so they have to mow it by hand and putting all those trees in would make it more challenging and difficult to mow. He showed the Board a drone shot during construction, and they could see on the south side which was the left side of the picture more trees aren't required there. There is a huge buffer zone there already and it is a forest and thought that was a reasonable request. He showed them a picture from the west side of the Lapeer Rd., and noted it is not easy to see that sign on that wall, it is small. He showed a view from in front of the church showing the nice grassy areas. He showed them the landscaping that was added that was not on the plan for their residents and they love their landscaping. They spared no expense to make it home-like. They put beautiful grasses, trees, shrubs, sod, a rose garden, a raised flower beds in because a lot of their residents love to garden. They added shrubs and bushes near the back of their community for a resident that didn't want to look at the generator and transformer.

Mr. Fulkerson said they have done everything to make their community beautiful. They hope that they are open and understanding of their predicament were adding these additional trees would be cumbersome to their community.

Planner Wojciechowski said his review of the plans that were submitted on May 11th, they had a few discussions with their landscape architect and engineers back and forth. Their rereview of this landscape was only focused on the southern portion that was in Orion Township. He read through his review date stamped June 1, 2022.

Chairman Reynolds said he would turn it over to the Planning Commissioners for additional thoughts and if they had any questions for the applicant or their professional consultant.

Commissioner Brackon said he hoped they understand, and he thought that a couple of them were going to have the opinion that the purpose of the trees is not always about aesthetics or business. Having watched *The Lorax* many times with his children it kind of makes you feel like you want to protect the trees when you watch things like that. He appreciated the 16 additional trees that were planted in Oxford by mistake, and he could also appreciate the problem that planting the trees along Lapeer Rd. may cause for viewing the signs. He would be open to considering if they proposed planting the number of trees just put them somewhere else. Mr. Fulkerson asked how many? He asked if he was referring to the five in the front, and then the four that weren't planted in Orion? Chairman Reynolds said he thought that they should first have a discussion and then they can circle back. Commissioner Brackon didn't think of an exact number but the number that they are asking for a waiver for would probably be in the ballpark. Mr. Fulkerson replied 9 and added that they have watched *The Lorax* with his three children as well, and it was heartbreaking. They did plant 16 trees to their point of adding trees to the site wherever they could to make it look nice, so he thinks that they have met his objective by overplanting. They only needed eight they planted double so *The Lorax* would love them.

Commissioner Gingell asked if they will be hearing from the other two business owners that wrote letters?

Mr. Robert Wick lives at 980 Manitou Lane directly behind Grace Living Center.

Mr. Wick said that they have lived their about 50 years. He is a member of the Orion/Oxford Assemblies of God Church and has been for nearly 50 years. He has served in various leadership capacities, he is currently a local lay elder, and was there to speak on behalf of their church board, leadership, and church members. They have some real concerns about the planting of the trees on the north side of Manitou. They have safety concerns, concerns over the blockage of their sign, and they have concerns over the additional maintenance cost that would bring upon them. He added that that is a busy intersection there where Manitou hits M24. There are many cars entering Manitou and leaving Manitou coming from the center, the church, the apartments, and from the settlement at Manitou, and from the neighborhoods directly behind the church where they happen to live. Anything that would block that open view that is presently there they feel would be a real hazard. Particularly in the morning and the afternoon during the school year when there are usually a number of cars parked right down by 24 or dropping off or picking up their children. Anything that would be an additional obstruction to vehicles either coming in or leaving Manitou would just intensify that risk factor, they feel. Another concern is the blockage of their sign. He won't go into detail on that but a number of years ago their church invested a sizable amount of money to buy that lot in front of the church. They did that so that they could maintain good visibility from the road. The trees if they go in, particularly for northbound traffic would be a real problem they feel. The third item that he wanted to mention was the additional maintenance cost. Originally, he was thinking there were 19 trees that they were talking about on that side of Manitou and their lawn care provider has told them that that would increase their cost rather significantly because mowing around and the trimming of that many additional trees. They are a small congregation, any cost increase at any level is a real challenge for them, and that would be an additional challenge.

Mr. Wick stated that last week his understanding was that the Oxford Twp. granted the waiver, and they would respectfully urge them to do the same. It would be extremely helpful to their church.

Planner Wojciechowski said that none of the trees would be proposed north of Manitou Lane on any adjacent property it would all be on the applicant's property. They have also asked them to

denote the clear vision triangle, so they would be able to see into the driveway and all the signage and wanted to clarify that.

Mr. Fulkerson said that the Oxford Planning Commission last week approved the removal of those trees on the north side.

Mr. Chuck Hickson is a parishioner at the Lake Orion Oxford Seventh-day Adventist Church. He is a deacon and one of his roles is to manage the electronic sign. He has been doing it since they have gotten the sign. They are fighting all the time right now with the traffic traveling at 50-60 sometimes more MPH. To put any blockage on the north side means people are not going to even see the sign until they are even with it. If they do, it just wipes out the advantage of the sign when they do that. The sign has become one of their better methods of communicating to their parishioners and to the public, about the different programs that they have going. That would be a shame if they let it get blocked.

Mr. Tony Dorta 1191 Ridgeview Circle living in Lake Orion for 22 years.

Mr. Dorta stated that he has been attending the church since 2005. He has held various positions in the church including, deacon, treasurer, etc. The first thing he wanted to mention was he wanted to echo what Chuck Hickson and also Robert Wick mentioned. They have established and fostered a great relationship with Grace Living from the onset when they were bringing the center to fruition. His concern is also the same which is he thinks they are addressing the south side of those trees, not the north side. He has tried to drive purposely and looked going northbound and as they are driving there these trees have the potential from blocking the church sign. They had to build that church sign according to dimensions and everything that was approved by the city. One of the things Mr. Fulkerson was talking about was getting more residents and building up that center for a good cause. They are also in the business of trying to build their church through evangelistic series. A whole bunch of different efforts that to them is very meaningful. Their marketing is word of mouth, knocking on doors, and different aspects of how they evangelize in the community. The sign is one aspect of it and he felt that just like Mr. Wick and Mr. Hickson that blocking that sign as they are traveling northbound would be a real detriment to their church.

Chairman Reynolds said that seeing that they are looking at the Orion Township side of this project, not the Oxford Township portion his personal feelings was that there is an ability to plant some of those trees elsewhere on the site. To him it seems from the proposed planning knowing that back when this was approved that there was going to be that large vertical wall there and seeing its current conditions without any plantings there, he felt there was a way to compromise between clear vision even providing some access to the sign going north and southbound while still having additional plantings on the site. One of his thoughts was as compromising the trees on the east side of the detention pond and still having them in front of the wall, he understood there were other plantings on the site, but this is landscaping requirements as it relates to other people in the community visualizing this site. That is where he was looking at this request.

Commissioner Walker said unless he was missing something here, he didn't see how the petitioner's request is going to affect either the ingress or egress on Manitou Lane, or either of the other concerns that the parishioners are having. Couldn't they resolve this with the petitioner and not affect these folks? Planner Wojciechowski replied that it does appear that the eight trees are required along Lapeer Rd. and the parking lot. There are three they are proposing, and they really need five more of those. Anywhere between Lapeer and the parking lot it does appear there may be room to add that in there without affecting the ability to see the sign along the road, especially considering the direction of traffic and that northbound would be

on the further side. Commissioner Walker stated even the church side as far as that goes. Planner Wojciechowski replied correct. Commissioner Walker said they can do this to make everybody happy, he thought. Planner Wojciechowski said typically the trees that would be required there would be a little bit higher up too so they would be able to see underneath them when they are mature.

Vice-Chairman Gross said that he has been on the site and he has looked at the site and he thought they have done a very good job with the development and the landscaping of the site. He thought that the landscaping that has been added has been for the benefit of the occupants of the development, and the residents of the complex. He felt there was some consideration that needs to be taken into account recognizing that there has been an upgrade of the landscape relative to the internal workings of the development. In total, they are talking about seven trees combined with what they are asking for a waiver for. He didn't think it was going to make it or break it one way or another. To satisfy the requirements of the ordinance there are probably a couple of ways that they could put five or six trees on either side of the wall fence. He thought they did a nice job, and it reflects on what is on the site.

Chairman Reynolds agreed, he thought that the landscaping on the site and the building are beautiful, he said the key here that is the struggle for him is he acknowledges the need for a clear area between signage and clear visionary when they are turning out of Lapeer Rd. The four trees that they are short and the five along M24 were if it was planted adjacent to the wall away from the sign, they have plenty of space. He was looking at the street view images that are quite stark in his opinion. He felt it could utilize the landscape requirement to provide that buffer between where they are on M24 and the proposed development. That is why he would be in favor of still requiring the trees, he was fine with a modification to pull those away as previously proposed where it was all around the detention pond but thought there was an ability to pull those closer to either side of that sign and still have the sign be visible and not affect the clear visionary of it.

Commissioner Walker asked if it was true that Oxford does not have a tree ordinance? Mr. Fulkerson replied correct. Commissioner Walker replied shame on them.

Commissioner Brackon said he would like to hear if the applicant had any response to what was said so far. Chairman Reynolds said consideration of a compromise of what they were proposing and what was previously proposed.

Mr. Fulkerson said that the 16 trees on the Oxford corner have met the requirement for the four trees, over met it. The residents of both communities voted them the best-looking place in both communities. It is not like they are taking away from anything by not putting the trees in front, so they have a clear view. Their building is what sells them, people come in because they all like to live in a nice house, and it doesn't change just because they have to go into a senior living. He didn't want anything blocking that beautiful mountain resort look that his wife spent countless hours trying to develop. The only place they could put them would be between the two retention ponds and the wall. That is also a pretty steep slope and difficult to mow, it is hard to tell from the picture. They would have to put them in there, that is the only place. He didn't think it will add to it.

Moved by Vice-Chairman Gross, that the Planning Commission grants a landscaping plan approval for PPC-22-17, Conscious Center Living Landscape Review, located at 985 N. Lapeer Rd., parcel number 09-02-126-007 for plans date stamped received 5/16/22 based on the following findings of fact: that the request is to reduce the number of trees from the previously approved plan by a total of seven trees out of hundreds that have been planted on the site; the landscaping that has been added to the site adds additional landscaping on the interior of the

site which is provided for the benefit of the residents of the development; the topography of the site both on the east and the south sides of the development provide slopes that are difficult to maintain and the additional trees in there would make it even more difficult.

Motion failed due to lack of support.

Moved by Chairman Reynolds, seconded by Commissioner Gingell, that the Planning Commission denies the landscape plan approval for PPC-22-17, Conscious Senior Living Landscape Review, located at 985 N. Lapeer Rd. parcel number 09-02-126-007 for plans date stamped received 6/1/22. This denial is based on the following findings of fact: there are still areas where the required landscaping can still be provided on-site while maintaining a clear vision area for Manitou Lane and the adjacent signage for the church, with the thought that additional landscaping could go between the detention basins and the landscape wall.

Discussion on the motion:

Commissioner Walker said that part of him feels bad about denying this, but his heart is to deny it. The petitioner sees where they are here and felt that some small concession by his thoughts of these trees putting them someplace even out of the way somewhere would solve this whole thing. He would hate to have this motion be to deny and let them leave here with nothing. It would seem to him when they sent it back to him, he came back saying that what he asked for in his request is what he wants, he didn't know how it was going to go but it might be no, and then they would leave here just like they got here and what a waste of time that would be. For a couple of trees, and he is a tree hugger, for a couple of trees to have this thing not go forward he thought was a shame.

Mr. Fulkerson said that they have three trees on the south side by the retaining wall they could put three trees on the north side of the retaining wall between the retaining wall and Manitou Lane. That would balance that, and it is not a steep slope there. They could put three trees there hopefully they don't have to be very tall because he didn't want to block the view of the building as southbound traffic comes. If they look at the back of their community, it is a unique site, there are slopes all over the place. He showed them a spot where they had more room, it is a extremely severe slope down into the wetland, there is a retaining wall where the weeds are, as well, it is about 10-ft. high. They could try to plant the four trees that Commissioner Brackon wanted on that slope, and three trees in the front would be seven trees. He asked if that would be reasonable to Commissioner Walker? Commissioner Walker replied that it is not important that it is reasonable to him it is important that it is reasonable to the five of them. To him, it makes sense. Commissioner Walker asked if that would make him happy? Mr. Fulkerson replied that it would make him happy.

Commissioner Brackon said he just wanted to be clear about where they are proposing because the petitioner lost him on the south side and north side of the retaining wall. He asked the petitioner to go over that again. Mr. Fulkerson showed them the overhead view of the property. He stated that there are three birch trees right outside of the red circle. That is the south side of the retaining wall, they could put three trees there that match the existing three trees, and then they could find some space to put four trees. It is unfortunate it is not on the Orion side, there is a line right between the buildings. They might be able to get them in Orion, but does it really matter if it is 10-ft. one way or another if they put them in? If it does, then they will figure it out.

Chairman Reynolds said as a follow-up to Commissioner Walker's concern, he echoes he is not looking to just deny a project he understood that this project spans between the two townships. What he would like to clarify would be is he understands that there has

been a significant number of trees proposed on the Oxford portion, in his opinion, the four trees short is not really where he is getting hung up on. His area where he is getting hung up on is the requirement of the right-a-way trees. He thought that divide is where he was looking to have that screening between parking, even though it is elevated, and M24. One thing he wanted to clarify with this discussion is that as proposed versus what they were provided here tonight those three trees are kind of shifted around that corner not up at the front of that. He would be willing to essentially compromise here but he would like to see those trees with the original intent of them dividing between M24 and the parking that is provided, not tucked around the corner whether be on the Oxford or Orion side it doesn't matter. He was leaning towards this being on the Orion side on the parallel face of that wall adjoining Lapeer Rd. Mr. Fulkerson asked on the east side of the lot? Between M24 and the retaining wall? Chairman Reynolds replied correct, versus the three trees. Five more trees on this plan have a little bit of compromise between their signage, and the parking, which is similar to what they had originally proposed. They have those five or six trees as they originally proposed on the west side of the detention, east side of the parking adjacent to that wall, he thought those rows of trees. He was asking for that whole requirement to be addressed those five trees that provide that buffer between them not getting tucked behind. The intent of that ordinance piece is the division of right-of-way and parking. Mr. Fulkerson said the trees would be in the direct line of sight for their parking on southbound traffic. What if they put those three trees in there and then one on one side of their sign and one on the other side of the sign to meet the five that would block the least amount of their building as possible? Chairman Reynolds said he doesn't want them venturing into the site he wants them to be adhering to their ordinance requirement of the right-of-way adjacent to public right-a-way which would be venturing closer to that sign not tucked around the corners.

Commissioner Brackon asked what's the objection putting them to where Chairman Reynolds is asking? Mr. Fulkerson replied that it is a difficult slope to mow. If they go to the site, it is sloped down into the retention pond. It is going to be tuff, he mows it, his son mows it, and it is not easy. They will probably have to hand mow it, but it is what it is because you can't drive a tractor around that and up it doesn't work, they have to go sideways, and they have to lean and if they are not going in a straight line, it is tricky.

Chairman Reynolds said that is what he would be seeking personally is to adhere to the right-of-way frontage. Their general slopes, they typically review those not to exceed a dimension and he thought they are fighting a personal desire of not hiding the building versus to adhering their landscape requirements.

Chairman Reynolds said there is a motion on the table to deny, at this point, there has been some discussion if the applicant would be willing to address this discussion if fellow Planning Commissioner has a different thought process, he was all ears but that was his perspective is to look for those trees between those detention ponds and the wall as they are originally proposed. Mr. Fulkerson said if they could put five all across the wall, keep them away from their sign as much as they can and they will check visibility. When you are driving 55-60 MPH, they don't have that much time to look over to a parallel sign. Chairman Reynolds said but they are talking landscaping here. When they are talking about what they are seeking it is not around the corner it is parallel to that wall not on the curve on the parallel that is parallel to M24 that would screen the bulk of those spaces between the building and M24.

Mr. Fulkerson said that the four would be right in front per their request. The wall just jogs sideways at a 35- or 40-degree angle it is still in front, and it would totally block the parking lot from southbound cars and thought it would meet his objective.

Planner Wojciechowski said that in the existing plan, it already looks like there is a tree in that area, a parking lot tree. He didn't know if there was room to plant it between the drive and the wall but looked like there was already a parking lot tree in that area. Mr. Fulkerson said there is room for them to put another one in there to block. If they put five in the front one is going to have to go right in front of their sign to make it look balanced which is the last thing that they would like to do. If they did four in the front and one close to the front as they can, like right on the corner, so it is meeting their needs. If they have five across the middle, one has to go right in the middle, or it won't look good.

Chairman Reynolds said he would like to withdraw his motion.

Moved by Chairman Reynolds, seconded by Commissioner Walker, that the Planning Commission approved with conditions and would expect a revised plan to be submitted to the Township with a review of their professional consultant Giffels Webster. He wanted to clarify the landscaping requirements he was not concerned with the first parameter which was outlined tonight but about the four additional trees that we were short on. What he is referencing is the right-of-way frontage trees adjacent to a public road which are five trees short along M24. In reference to the originally approved plans or currently approved plans received on May 16, 2022. He would like to see those trees as currently proposed to be provided to meet that requirement and be parallel to M24 between the west side of the detention basin and the east side of the retaining wall.

Discussion on the motion:

Commissioner Brackon asked that his motion is just for the five trees. Chairman Reynold replied correct. To clarify his motion, he is waiving the requirement for the four adjacent trees or not requiring that as his condition but the trees that are shown to be provided to meet that requirement that is currently being missed. Where it is parallel to M24, and it is in front of that wall between the parking and the detention basin. Essentially meeting the requirement as it was currently proposed which eliminates the trees along M24 but still meets the requirement for between the detention basin and the retaining wall.

Commissioner Brackon asked if the reason it is five is that they have already planted those three? Chairman Reynolds said his motion would be if they are going to move some trees around, they are going to call those three as currently proposed. In general, that would be five plus three. However, all of these trees that are proposed now would be in that frontage.

Commissioner Brackon asked if those three trees were planted now? Mr. Fulkerson replied yes, those three trees on the southeast corner of the retaining wall are in already. They could put those five in on that plot that would be fine because their sign is in the middle, and they could do that.

The Planning & Zoning Director Girling stated that she understood the motion to reference the ones that he was requesting. He was requesting them based on a plan dated May 16, 2022, but keep in mind they had a June 1, 2022, to add the charts that were necessary. She wasn't sure he got into that. Chairman Reynolds stated that his intent is in reference to the currently proposed plan that was resubmitted in reference here tonight, not the modified plan. These trees move between the two plans. He was trying to reference when they go to the proposed plan, as currently approved there is one location, when they go to, as proposed, these trees move around the corner. He

would like to see these along M24 and that is why he is trying to reference that other plan.

The Planning & Zoning Director Girling said for her records they are going to need a plan which contains the charts that the Planner needed which are on the ones that are in front of them that are date-stamped June 1, 2022. What they want to see on the landscaped plan is the landscape as reflected on that May 16th but only those that he had described.

Chairman Reynolds amended the motion, Commissioner Walker re-supported that the motion is in reference to what is currently approved, and the modified plans as discussed here this evening needs to include the charts as required by their Planning consultant.

Discussion on the amended motion:

The Planning & Zoning Director Girling asked if the planting type is the same as proposed? She knew that he had mentioned something maybe not as tall.

Chairman Reynolds said in his perspective as long as it meets their tree ordinance and right now it is shown as a deciduous tree, he was fine with that. Mr. Fulkerson replied that is fine.

The Planning & Zoning Director questioned whether to resubmit and be re-reviewed by the planner? Chairman Reynolds replied correct because he is making that conditional to where he is not expecting to see it but that they validate that that revision has been made.

Mr. Randy Timms from Manitou Lanes Apartments and have been there for about 28 years now and would hate to see any trees go out front to block any of the signs. The sign that they have out in front of theirs is really nice and he would hate for them to have to block that at all. That would change that whole building front.

Roll call vote was as follows Walker, yes; Brackon, yes; Gross, no; Gingell, yes; Reynolds, yes. **Motion carried 4-1 (Urbanowski & St. Henry absent)**

C. PC-22-19, Oakland Business Park, Buildings A & C Site Plan Amendment, 163 & 187 Premier Dr. parcels 09-35-476-001 & 09-35-476-004

Chairman Reynolds disclosed the fact that he and his company have completed plans on this project previously, and he had nothing to do with this proposed amendment. They didn't have anything to do with the overall site plan approval except for general renderings. He didn't think there was a conflict of interest, but he would happily step back if someone felt that there was. Vice-Chairman Gross said he didn't see that was necessary.

Chairman Reynolds turned it over to the applicant for their presentation.

Mr. James Garrison with Shremshock Architects located at 7775 Walton Parkway, Suite 250, New Albany, OH the applicant presented.

Mr. Garrison stated to summarize what is happening with this presentation and why they are here proposing a modification to the site plan was their firm was contracted to essentially build out the existing buildings that are in Oakland Business Park. It consists of three building A at 163 Premier Dr. and building B at 180 and building C at 187. Building B is in existence it is open for business it is built out and building A & C are in development. The shell building was

existing when they bought into this project and their involvement is essentially building out the inside and then adding mechanical, electrical, and plumbing systems to those buildings for that. The submission that they sent in was to show how they were integrating mechanical electrical systems into the building. Building A was by far the most restrictive. What they found is when they went into this project on the east side of the building there is a retention pond on the north side there is a retention pond but the entire length of the building from the building face, out 45-ft. is a gas line easement for Consumers Energy. On the south side is a very tight drive aisle and restrictive to topography. If they happen to be familiar with building B there is a mechanical yard on the west side of the building, it takes up quite a bit of space. Because of the restrictions on-site and the limited ability to develop anything, the proposal was to put in the water cooling towers on the west side with a boiler room building that service those. It distributes the hydraulic piping through the building. In addition, the electrical distribution there was a pad on the east side that is frankly a little undersized for what was necessary. In order to prevent building out into the detention pond and to facilitate distribution throughout the building, they were hoping to put transformers on the west side. Essentially, concentrating everything on the west side would make everything work. Since his conversation with Consumers Energy to try to figure out how they would have green spaces facilitating their needs as well as a slight encroachment into the gas line easement, which was allowed by their easement language, they were ok with it. Essentially what they end up having on building A is some visibility of these things on the west side of the building. They have talked to several entities, the Planning Department here as well as Fire Marshal Williams, relocating a fire hydrant. Essentially, they have a screening wall the front face of these cooling towers is open so that air can pass through them. So, rather than trying to put a wall up tight to there and change the drive aisle they kind of kept the drive aisle where it was, but the cooling towers where they are now, and use that drive aisle as the free area, and then move that screening out on the other side of the drive aisle. He showed them the views going from Lapeer Rd. as well as several locations on Premier Dr. They have a screen shown at 8-ft. and then they are incorporating some natural elements, they would expect that to be evergreens, but essentially there is no real net change in the landscaping plan that was previously approved. What they are really trying to do is focus strategically that natural screening in a position that would provide less visibility from going down Premier Dr. and the Lapeer Rd. He added they also moved the boiler room specifically onto the corner of the building to provide additional screening so that adjacent buildings as well as the boiler room building would offer additional screening. To address some of the requirements of breaking up the façade in the Lapeer Overlay Design guidelines they were proposing to add pilaster elements on the outside of the building. These are things that were added to building B, and previously approved by the Planning Commission. He was unsure if that was through a waiver or if that was determined to be acceptable, but they were going with the same idea there. As far as the boiler room building it was CMU in order to facilitate construction, but they were looking for it to be compatible with the building in both shape, angle of the roof, and materials. So, it would be two tones of block one to match the higher lighter color metal on the side and darker at the base. Based on the breakup of the building in the back with every 100-ft. of green space for the Consumers gas, and a little bit of neoclassicism, he knew it wasn't a classical building but having to pilaster four of them to break up the façade into five different sections seemed reasonable. Then on the side, two pilasters break it up into three sections.

Mr. Garrison stated switching over to building C, it took a lot of what they have learned and tried to do what they did with building A and carry it over to building C. Building C doesn't have the gas line easement in the rear of the building so ideally, that is where they would have wanted to put everything anyway. They did not want to ignore Bald Mountain Rd. but there is a greenbelt area between the road, the building, and the proposed paving. The landscaping covers some of the infills of that and shows kind of a natural screen along the whole length of the building. They felt that that was fairly sufficient but treated the exterior the same way. They broke up the

façade into five sections essentially. They have four pilasters on the front, and two on the side. Now it is a little bit of a bigger building but in terms of looking at one versus looking at the other, that was what they were trying to capture. In the back of building C, obviously in the winter in Michigan the leaves all go away, so he thought there may be some approved landscaping plans and some evergreen elements. There was a significant density of trees and shrubs in the back of the building currently. Across the pavement over the berm is where Bald Mountain Rd. is.

Mr. Garrison said when the reviews came back in there were a couple of things that they updated slightly. During the review, Fire Marshal Williams had some questions on the distances of fire hydrants which he thought may have been in some of the material that was circulated in the reviews. They shared with him some specific plans showing distances of fire hydrants between each other and making sure that all worked out. Included in the original submittal as well as the packet in front of them which was slightly modified to address some things. The life safety plan was to kind of show where circulation is in the building where doors might be and how that integrates with parking. Originally, there was an observation that the accessibility parking was different than what was in the approved site plan. What they are trying to do is make that work a little better with the function of the interior of the building now that identification of what is going in there. One of the comments that were made was updating the elevations to show some of the equipment. He showed them the west side of building A and what it would look like. Obviously, they were very large things and that was why they are proposing natural screening as well as an 8-ft. wall. That showed them the relationship of the equipment relative to the size of the building, the building is rather short, and the equipment is rather large. Again, it is to try to focus everything into one tight spot and have to deal with some of the restrictions on the site. In the back of building C, he will elaborate a little bit more than the drive aisle that was back there which was closer to the building was pushed out to facilitate some of the requirements for the mechanical electrical systems. They have worked with Fire Marshal Williams to make sure that he was satisfied with the travel of a firetruck through the site. At one point he was told that the dumpster that was located in a previously approved site plan on the northeast corner was needing to move, and frankly, he thought the bigger issue was that all of the refuse could be contained within one location rather than putting something in a dumpster and then taking the dumpster to a compactor he thought that everything needed to be facilitated into the compactor. He thought that was brought up in one of the reviews and that was kind of where that landed.

In building C, there was a comment about kind of how the screening in the back of the building, they didn't want to even though he keeps saying the back of the building it's the front of the building relative to Bald Mountain Rd. They are not necessarily ignoring that but what they did in terms of the design of everything, they added the pilasters on the building front and back treated them the same with exception of where the boiler room building is, but the back of the building still has façade elements that break it up. He took a look at the way that the section could cut through the back of the building. He did not go out and measure these trees, but the trees are shown to be about 30-ft. tall, and some of the existing trees are taller. It seemed as though it was adequately screened based on what they have seen. The Civil Engineers' site plans and the landscaping plans capture a lot of the work absent from their drawings but only because they are not trying to make conflict coordination wise. They are to look at what was previously approved on the west side of building A. They can see evergreens and deciduous trees. They are not necessarily proposing anything different quantity-wise but perhaps shifting some things strategically to get them into a better location for screening. A tree right on the corner would not be able to be done anymore and would likely be moved across the drive aisle. In building C, where there are noted absences of natural screening there are trees and shrubs added to that area. Most of everything that is there and what they are proposing in terms of amending the site plan that was previously approved was mostly born out of the fact of the

necessity of the building out the building and trying to incorporate systems and not necessarily change from anything that would have otherwise been there.

Mr. Brian Biskner from Powell Engineering 4700 Cornerstone Dr. White Lake, MI. His role was trying to impress upon the fact, especially on building C, to stay within the footprint of what was previously approved as far as the paving of the bank parking, they did, they stayed within the footprint, and they didn't affect the previously approved landscape plan on the east side of building C in any way. He thought that it could be installed just the way it was shown and as he had mentioned with building A, they might have to move a tree but mainly they kept the site plan as previously approved pretty much intact.

Planner Wojciechowski read through his review date stamped May 27, 2022.

Engineer Landis read through his review date stamped May 26, 2022.

Chairman Reynolds said that also there was a review from their Public Services Director without any concerns if there was ample service to be provided.

Chairman Reynolds stated that there was a review from their Fire Marshal, he did have comments that were addressed via email but had asked for those to be addressed in future submittals to go on record. There is a WRC review, there was a site walk completed, among a handful of other reviews.

Chairman Reynolds said he personally felt that the proposal meets the Lapeer Overlay Design Standards as currently submitted. He didn't have an immediate concern from the additional landscaping in regard to the right-of-way along Bald Mountain Rd. at this point and time as long as previously proposed as still being met that any of those blank areas are still being provided. Overall, it seems like there are modifications to provide additional mechanical space based on the use in these buildings. He thought they looked good to him. He said to keep in mind that some of these changes that are being proposed are because the original approval was just a spec building, and this is looking to be a singular tenant so a lot of those are driven by going under one kind of ownership or operation, so he thought that was a cleaner approach.

Vice-Chairman Gross stated that these are plans that they have seen previously, these reflect some modifications to those previously approved plans. Minor modifications to the building façade and location of some of the parking because of the utility requirements for the buildings. A lot of these have already taken place relative to the relocation of the parking on the two buildings are different than what was on the approved plans. Again, they were necessitated by the requirement of utilities to service the buildings. He concurred that the architecture, design, and elevations are similar in nature to what they have previously approved, he didn't see any major changes that would require them to alter that approval.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission **grant** a waiver for the Lapeer Overlay Design Standards in Ord. 78, Section 35.04 B, 1 for the façade and exterior walls for the east wall of building C facing Bald Mountain Rd. for PPC-22-19, Oakland Business Park Buildings A & C Site Plan Amendment, located at 163 Premier Dr., parcel number 09-35-476-001 and 187 Premier Dr. parcel number 09-35-476-004 for plans date stamped received 5/11/2022 based on the following facts: that the existing site design including architecture, parking, driveways, etc. are placed in a manner which makes the application of the standards impractical; this represents minor modifications to the previously approved Lapeer Overlay Design Standards; and it would be one condition that a color rendering and landscape plan of the Planners review of May 25, 2022, be a condition of the waiver.

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

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, that the Planning Commission grants site plan approval for PPC-22-19, Oakland Business Park Buildings A & C Site Plan Amendment, located at 163 Premier Dr., parcel number 09-35-476-001 and 187 Premier Dr., parcel number 09-35-476-004 for plans date stamped received 5/11/2022 based on the following conditions: that the revisions necessary to accommodate the relocation of utilities and the approval are based upon the following conditions: that the applicant resolves any of the issues related to the Planner's review of May 25, 2022, and also resolves the issues related to the Township Engineer's letter for compliance of their report of May 26, 2022.

Discussion on the motion:

Chairman Reynolds requested that they include the Fire Marshal's comment in the revised plan. There were emails exchanged that addressed his comments that he asked to be provided in future submittals so they would go on record. It stated that during the review it was noted that the hydrant locations were missing from the submittal. After further discussion documentation that was provided via email, both missing items have been addressed and confirmed but they recommend that the applicant provide revised drawings showing this missing item as discussed in their email correspondence.

Vice-Chairman Gross amended his motion, and Commissioner Gingell re-supported, that the additional condition would be to incorporate the Fire Marshal's review relative to the revised plans indicating fire access.

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

8. UNFINISHED BUSINESS

A. PC-21-90, Ridgewood 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).

Chairman Reynolds stated that this project has been in front of them previously and they did have a public hearing on this project, so the public comment will be able to be made once a motion is on the table.

Mr. Daniel Johnson with IN-SITE presented.

Mr. Johnson stated that they met with them at the first meeting of the year in January. The project Ridgewood and what they attempt to do. Further, in April they received their approval for an extension to allow them to get engineering details in order for resubmission.

Mr. Johnson said that Ridgewood is located on W. Clarkston Rd. Coming out of their meetings in January primarily, their objectives were to respond to the prior Planning Commission and The Board of Trustees' input and review comments. What they talked about at the meeting was achieving the right balance between the site design, land use considerations, and the need for housing. In addition, one of their objectives was to respond to the community goals articulated in the Orion Township Master Plan. At the same time consider the pending future Master Plan implications even though it is currently going through the review process.

Mr. Johnson said in that light what they have done was really a couple of major things, one is they have changed the type of unit that is proposed for the project. It is going to a duplex unit instead of a townhouse-type unit. In that context, the duplexes were all one-story range or one-story structures as opposed to the two-story structures, which the townhouse units were reconfigured around. That would allow for reducing the building height and visual impact of the overall units and the project in general. Secondly, and probably more importantly they have reduced the density by 40% going from 50 units from the prior submittal to 30 units in the current submittal which results in an addition to a denser reduction, a reduction in traffic by 40%, and takes the unit count down to less than 3 units per acre. In terms of general things, what they want to do with the resubmittal was to maintain a clustered housing site design approach. They have also shifted the east entrance to the west to increase the side yard in that location.

Mr. Johnson said they talked a lot about the need for housing at their last meeting and sort of broader market trends. There was a recent article from April, and he thought that a lot of the spirit of this is captured in some of their Master Plan updates that they are going through, but it is the trend towards accessory dwelling units, duplexes, or triplexes, it is an attempt to achieve some sort of modest densification within the context of the current planning thought. The survey is just a reminder it is composed of three parcels, approximately 11-acres. As they discussed last time the large part of the property, the western portion is primarily open.

Mr. Johnson stated that the revised concept plan really has 15 buildings on it, they are duplexes so times two is 30 units, so 15 buildings are located around the property. The east entrance was slid slightly to the west to increase that area in terms of the natural features that occur there. They still maintain the alignment with the west entrance to the street across the way to the north which they talked about last time. The road configuration by in large remains as it was it is simply the units become one story and the number of units changes to 30. The detention area got slightly smaller given what transpired with the design revisions, but not too significantly.

Mr. Johnson said with respect to the floorplan again it is a duplex unit so what they see on the right and the left side are really a mirror image of the floor plan which is about 1,800-sq. ft., two bedrooms, a flex unit or an office, and two-car garages that are recessed 5-ft. from the front of the structure and then in addition to that is a porch element that would extend beyond that which is consistent with what their ordinance required.

Mr. Johnson showed them the elevations of what the appearance would look like.

Mr. Johnson said repeating what they talked about last time the open space, design amenities, there is a meandering walking path a third of a mile or so, and a gazebo element. So, introducing pedestrian amenities for the residents whether it is walking their dog, taking a walk, or jogging, take advantage of the open space that is on the property.

Mr. Johnson stated that in terms of the updated site plan metrics, the usable open space is 4.55-acres which is almost 44% of the property. Other open space which includes the wetlands and detention area in total would almost have 7-acres of open space over 67% of the site. This results in units per acre of about 2.64 using the gross acreage. The building envelope is about 1.31 per acre, and the walking path is about 1/3 of a mile.

Mr. Johnson said the traffic standpoint in addition, as he had mentioned earlier, the traffic from the prior proposal would be reduced by 40%. The traffic statement excerpt said that it will not contribute significantly and will not pose a negative impact. Also, if they were to go forward the Oakland County Road Commission (RCOC) wanted a lefthand turn analysis done in the future which they are willing to do, for the west entrance.

Mr. Johnson said just to summarize the Environmental Sustainability Initiatives that they are proposing using the Best Management Practices (BMPs) for stormwater design. The new Oakland County Standards which were adopted late last year provide for infiltration and rain gardens kind of technology. As indicated on the landscape plans, they are planting approximately 300 trees, and also a tree fund contribution of 120 trees. They propose a LEED certification for the duplexes, which includes water saver plumbing fixtures, high-efficiency HVAC systems, Energy Starr appliances, and providing for EV connection in each duplex unit for those who may want to purchase an electronic vehicle in the future.

Mr. Johnson stated some excerpts from their current Master Plan in terms of how that speaks to housing objectives within the community. Providing for a variety of high-quality housing types and a range of densities and lot sizes. They think that the duplex units provide for an element of range and would also fall into the category of alternative housing styles and attached single-family dwellings.

Mr. Johnson said regarding the Future Land Use draft, they recognize this isn't fully adopted it is going through a public notice period. The subject property would fall within a single-family high-density area according to their Future Land Use draft. The site is also located about a quarter-mile east of some general commercial areas, and is very easily walkable, potentially.

Mr. Johnson stated also within their future Master Plan, residential density plan, the subject area would be an area that would indicate a 3-5-acre unit per acre density range.

Mr. Johnson said that within their draft, as well as within a lot of planning publications in the last ten years the discussion about the missing middle housing. If they read through the literature a lot of that addresses a range of sizes and types and duplexes are often indicated in that discussion just for a general reference.

Mr. Johnson stated that they did a building envelope site comparison summary. Looking at the current zoning which is R-1 the potential building envelope would be 15 in terms of the number of homes. Under the proposed PUD that they were talking about conceptually, there would also be 15 building envelopes, 30 divided by 2. In the future land use condition, which he thought was included in their submittal, if they did a lot of layout they would end up with 22 units. If they look at it on a building envelope basis which he thought spoke to impact on the nature of the site and the property, they are talking about 15 structures, all be it there are in combination in the case of the duplex.

Mr. Johnson said an excerpt from their PUD Ordinance, encouraging alternative to traditional subdivisions, encouraging innovation and greater flexibility in land use, and less sprawl in terms of sprawling frontal development. These are all excerpts from their ordinance.

Mr. Johnson added that with respect to density within their ordinance there are optional provisions. It speaks to density credits, so they felt they could check the box in terms of it being a cluster development - where they exceed the 20% of open space. They have addressed the enhanced surface water quality and groundwater quality using the new Oakland County Stormwater Design guidelines, utilizing infiltration and rain garden technology for each of the units within the project. Preserving natural features, certainly a large part of the project does that in terms of preserving the wetlands and the number of landmark trees that are located along the south and east portions of the property. In addition to that planting 300 new trees and providing for a contribution to the Township Tree Fund of 120 trees. Contributing land or amenities that represent community benefit, they had proposed in earlier discussions to create a conservation easement for that wetland natural area on the SE corner. And then contribute right-of-way which of course to Clarkston Rd. as part of the project.

Mr. Johnson said regarding the consultant letters that were received this week. He thought OHM mentioned the lefthand turn warrant analysis which they have not issued an undertaking at the appropriate time. They did have a question on the Giffels Webster review letter about a 10-ft. greenbelt around off-street parking which they can clarify when they get to their comments.

Mr. Johnson said to summarize the community benefits they feel they are responsive to the Master Plan objectives, provide housing options for the Township, the project is 67% open space and land conservation, they are doing Storm Water Management System (BMPs), contributing to the Township Tree Fund to the tune of 120 trees, they would propose a proportional monetary contribution to the pathway system, dedicate for Clarkston Rd. with the right-of-way, projects like this create jobs both for the construction and suppliers standpoint, expands the community tax base, and he thought responded to the general need for housing which he thought was an issue right now in our world.

Planner Wojciechowski read through his review date stamped received May 20, 2022.

Engineer Landis read through his review date stamped received May 23, 2022.

Chairman Reynolds said that there were additional reviews from their Public Service Director agreeing with OHM's comments specifically one of which is looping the water main. Since this is a concept for their recommendation here at the Planning Commission the Fire Marshal had no additional comments at this point and time for the concept as presented.

Vice-Chairman Gross stated that he believed this represents a major improvement over the initial submission from 50 two-story units to 30 one-story units, it was a major reduction in terms of density. He was curious how they were able to reduce the number of units by so much in such a short period of time. This is a concept and eligibility plan it does not represent any final approvals. He thought that there were a number of issues that need to be addressed if this goes beyond the concept and eligibility stage. One of the concerns he had was what they have been talking about on the Master Plan in terms of creating vistas along their major highways and Clarkston Rd. always came up as one of those areas where it would be nice to establish a vista along the highway that recognizes the current landscaping or wooded areas along the street. He didn't think that this plan necessarily reflects that but there may be ways to improve upon that. The PUD ordinance also requires that the majority of the units have side entrance garages as opposed to front entrance garages so that the development does not appear to be one of a parking structure but a residential complex. As the engineer indicated there is also a concern about the room between the garage and the street in terms of there being a sufficient area for a car to park in the driveway and not interfere with either the sidewalks or the driveways within the complex. They were shown one form of architecture and he was curious as to whether or not each building is going to look the same or if there is going to be a variety in terms of the architecture for the complex. That was one of the considerations relative to the PUD consideration. The issue of unified control is if the applicant could identify whether or not this is going to be a rental project or a condominium for sale project which will allow them a way to address the maintenance of the open space. It is going to be under a management control system or an HOA as to how the maintenance of the open space is going to be controlled. He didn't have a major concern with the reduction in the number of units 15-30 and a density of 2.6 units on an overall site. As the planner indicated that kind of falls right in between the range of the residential zoning requirements of 3.5 to 4.2 dwellings per acre. In terms of the density impact, he thought it was consistent with the current zoning and with the proposed Master Plan.

Chairman Reynolds said that he did appreciate the transition from 50 to 30 units. Significant decrease in density he still has a concern just with the density as proposed even their Master Plan they thoroughly went through a lot of these districts, and they are still calling out as medium-low density and considering that as a recommended density of 1.5 dwelling units per acres and 2.64 as being proposed so there is a significant amount over and above even as their currently to be adopted Master Plan is considering.

Chairman Reynolds said he goes back to the PUDs in general in a sense of why they exist, and he knew they didn't exist for the sense of gaining density but rather as a creative zoning tool to address limitations on a site. He appreciated the parallel plan of 22 lots, he would also just like to acknowledge that that is with one access point which means those homes would be suppressed if it had two access points there would be fewer lots being proposed in that parallel density plan. Although he thought the PUD as submitted here tonight does make some valid efforts, he still thought that there is an opportunity to greater acknowledge the surrounding areas as it is currently zoned and acknowledge that large-lot single-family homes exist especially as it relates to the Master Plan even though density amounts have increased with the current Master Plan it isn't a significant increase.

Chairman Reynolds stated that his other concerns are related to setbacks. He understood a PUD as proposed allows for 35, he would see why not 40-ft. along Clarkston Rd. to maintain those corridors that they are looking to propose. He thought that there was compaction to the site that would be further rectified if there were fewer units being proposed there.

Commissioner Brackon said they talk about the general need for housing in this area almost at every meeting. He thought that they needed to look at this as to what are the potential options available for this particular site. What he saw is probably the best option that they are going to see that takes into consideration economic reality. From what he understood the most desirable option would be single-family units anywhere from 15- to 22, a small subdivision with a single access point, which economically is probably not viable for a builder to come in and do that. Now that they are single-story and he compared this to the little community Stratford Village off of Lapeer Rd. next to Chicago Brothers, it is very similar to what is being proposed here. For over 20-25 years they have kept that up beautifully in those duplexes there. He thought that this falls within what they are looking for and is the best option for the preservation of the natural features minimizes the density issues, minimizes the number of buildings that they were going for but still allows and responds to the general need for housing. He added at this stage he loves this proposal there are some tweaks that probably need to be made to it but thought and didn't want to say in a demeaning way say it is the best if they are going to get it because he thought it was very good and thought that should consider that.

Commissioner Gingell agreed she appreciated all the changes they made since their last presentation; this is much better. She would still like to see what it is going to look like from Clarkston Rd. what the buffer is going to look like, and what the landscape plan is, she can't visualize it with the path and everything from Clarkston Rd. so she would like to see that on a future plan if possible. Overall, much better than it was.

Chairman Reynolds said he fully supports multi-family he thought that was a modern tool that is going to be utilized that they are going to see more of. His comments are strictly rooted in the density that is being proposed. If they say that the 22 lots were kind of the viable effort, then why not 22 units versus 30 was all his original thinking process was. He agreed that there were some nice benefits to it he just still challenged when they look at PUDs and the Master Plan transitional zoning and does it fit within other zoning areas, he didn't think the approach of, hey this is good, and they can't ask for better.

Chairman Reynolds asked if it was rental or for sale? Are they all going to have a similar façade or there going to be a variety of colors or materials? Mr. Johnson replied that these are for-sale products, and they would be all under a unified control with the homeowner's association, so there will be commonality of maintenance throughout the project. They felt that the architecture they felt they could deal with in a more expanded way in terms of the final PUD, but the thought process was they would have some variation throughout the project.

Mr. Johnson said that his understanding of the ordinance with respect to the side entry garages or the 5-ft. setback was either or and they could apply that to 50% of the project, so it was one or the other applied to 50% of the project they proposed to apply it to 100% of the project. That was their understanding of the ordinance.

Chairman Reynolds asked if it was their intent that there would be some garages that are going to be forward present versus being recessed as currently shown? The one plan that they do see here is that going to modify from unit to unit. Mr. Johnson said that there would be no side entries. Chairman Reynolds asked if this was the plan that would be utilized for every building that is being proposed? Mr. Johnson replied yes, that is the intent.

Commissioner Brackon said he also knew there was an issue about parking and parking in the driveway and dealing with homeowner associations from a legal standpoint in the past. He would assume that there is going to be some ordinance within the homeowner's association that doesn't allow them to park in their driveway and that it requires that they either be in the garage or in the designated spots. That is based on his experience but wasn't 100% with this one.

Chairman Reynolds asked that the applicant clarify if there was a concern about the Engineer's speaking to the space between the garage and the sidewalk, is there going to be any regulation against that? Can that area be increased to provide a full parking space? Mr. Johnson said that they can look at making some adjustments with that. He did know that it was kind of tight in terms of the layout consideration but could certainly look at that from a tweaking standpoint.

Vice-Chairman Gross said he tends to echo the idea of reducing the number of units would provide more flexibility on the site in terms of opening up some of the things that they talked about in terms of access and green spaces along the roads. He would not discourage the reduction in the number of units a little bit more to make it more compatible.

Chairman Reynolds said his comments are rooted in the fact that they have all single-family homes around that area. Acknowledging that future developments may not be all single-family doesn't mean that they can't meet the density. He was cautious in proposing a density that isn't double but is in some ways of how they currently Master Plan it is double. They are proposing an RM use that doesn't exist along that portion of Clarkston Rd. and as Master Planned south of Clarkston Rd. north of Waldon Rd. east of Baldwin are all medium low-density Master Plan zoning. Even though that density credit has increased they don't have a whole lot of that venturing into that area as they are looked at as a Township. He thought that yes if it is a duplex product, he was in full support of that that meets some of their efforts as a Master Plan to say where our missing middle housing is. It doesn't mean that they have to come in and still be double. Is it better than 50 absolutely but if they said a reasonable zoning on this site is 22 with suppression give or take but why not closer to 20? That to him then acknowledges the transition between the homes to the east, and north, which are all single-family that exists and have existed.

Chairman Reynolds said that this is a PUD that is being proposed here tonight, so the Planning Commission is making a recommendation to the Board of Trustees for the concept that is

presented here this evening. The BOT is involved in the process, there are multi-steps it would come back to the Planning Commission if the BOT agreed.

Chairman Reynold said there was one other comment that he wasn't too keen on he would rather have trees be addressed on the site versus a contribution of 120 trees to their tree fund. He thought that was one more thing towards the density concept that there needs to be some more push or pull on the site.

Commissioner Brackon asked what is that making up for? Why the 120-tree contribution? Mr. Johnson replied that it was their landscape architect's opinion that there really wasn't a lot more space to add trees to their site.

Chairman Reynolds stated that their ordinance does allow a replacement, in the ordinance, there is an area that says they can consider the contribution to the tree fund.

Commissioner Brackon asked if the amount that they were deficient 120 trees? Mr. Johnson didn't think they were deficient they just couldn't find the space on the site to locate the 120-trees understanding the growth and maturity of the trees.

Chairman Reynolds asked if there were any tree calculations provided on the concept plans? Planner Wojciechowski replied he did not believe so.

Chairman Reynolds stated that typically they are based on legacy tree replacement. There could be the factor that an applicant such as this chooses to contribute greater than the required replacement but in general, his feeling is for those things to be resolved within the site especially something like this.

Planning & Zoning Director Girling said to keep in mind that there have been many people that have read this section of the ordinance in many ways. She was curious how the applicant read the ordinance whether this was every tree being removed or landmark versus protected and are they protected within the building envelope and infrastructure to the point that there truly are 120 trees that meet that criterion of being a landmark tree. Commissioner Brackon said or being generous in overcontributing. Planning & Zoning Director Girling said or were they in a community benefit from the monetary value of 120-trees into their tree fund.

Chairman Reynolds asked if there was a clarification on what they are required to replace on the site? Mr. Johnson said on sheet L.1 there was a landscape summary that went through a whole series of calculations he believed that addressed their questions.

Planner Wojciechowski said he believed that there was information that they had indicated in their previous letter that they may wish to show how many trees are being removed or saved versus in R-1 or R-3 development. He thought that was their comment but didn't get into the actual deep dive of the landscaping review, they kept it more conceptual.

Chairman Reynolds said it appears under their calculations they are saying the total replacement required would be 164 trees at 2-inch caliber or 6-ft. evergreen and 161 trees at a 3-inch caliber or 8-ft. evergreen. There are 44-trees at 2-inches provided and 161 trees at 3-inches provided. It does appear that the trees paid into the tree fund, from his understanding of this, would be as making up for the gap of the 120 trees that are not necessarily provided under their replacement for 2-inch deciduous or 6-ft. evergreen. Those are directly from the plan as submitted by the applicant on page L.1.

Planning & Zoning Director Girling stated at this point it is concept and with the multiple ways that this ordinance is read the applicant might have to go back and look at whether those are landmark trees or protected.

Planner Wojciechowski added that on page four of their review under the recognizable benefit 1.a Preservation of natural features, they did note- that the eastern half of the site contains six significant natural features including woodlands and wetlands, are proposed to be preserved. A tree survey for the entire site indicates that the site contains 69 landmark trees, with 12 proposed to be removed with replacement. It is unclear how this removal rate compares to a permitted development.

Moved by Vice-Chairman Gross, seconded by Commissioner Brackon, since this is a PUD and it represents a development concept and eligibility he would move that the Planning Commission forward a recommendation to the Township Board to **approve** PC-2021-90, Ridgewood Planned Unit Development Concept and Eligibility plan, located 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 May 9, 2022. This recommendation represents a concept plan consisting of a missing element in their housing market, the caveat that density remains an issue on this parcel, and the further reduction of the number of units would improve the flexibility and meet certain ordinance requirements. Specifically, reviewing the density requirements of the residential zoning; the underlying single-family zoning district; setback requirements of the current zoning residential; a landscape border on Clarkston Rd. providing a vista of landscaping for the character of Clarkston Rd.; the review of the design of the units reflecting all front and no side entrance garages, and that the architecture of the units be provided to provide a mixture of design of materials and colors so they are not all of the same mixture; identification of the project be it under unified control and is the project to be rental or ownership of the maintenance development company for the open space; and other factors that were raised in the Planner's latest report.

Discussion on the motion:

Chairman Reynolds stated he was a little reluctant in the sense of recommending approval with these items. He wondered if it is counter-framed like a conditional motion to deny or approve if the type of things, based on these factors, and then that gives them some findings of fact for the applicant to address and the Board of Trustees to realize what they are going after. He just wanted to be careful that if they make a motion to approve that those are just considerations versus things that are a direct finding.

Commissioner Walker said maybe a postponement rather than trying to cobble together it at either an approval or denial of it because there are a lot of moving parts still here, he thought. Can they commit the Township or the applicant to these things by what they say here?

Chairman Reynolds said they have a right to make a motion to postpone. He thought that based on they are a recommending body he would look to kind of have that discussion with the Board of Trustees similar to what they had with other PUDs. He thought they have seen some good movement here with what is proposed so he would like to keep it moving along. If anything, he would want to include the other party within which this conversation exists within. He thought he was ok with making a recommendation and liked the idea of having some items to consider. He thought there were very good facts here, and thought if those were addressed, he could see this being a valuable PUD in the Township. The big piece for him was the density as it relates to those chain-reaction effects so if they were to

proceed with all the units as they are proposed now, he felt that might be a slippery slope in perspective.

Vice-Chairman Gross wanted to clarify his motion, if he said approve, he meant favorable recommendation as opposed to approving. Chairman Reynolds didn't think they wanted to get into that because they have attorney thoughts, he thought it was to approve or deny.

Planning & Zoning Director Girling said they have three options, recommend approval, recommend denial, or postpone.

Commissioner Brackon said they are not approving the final PUD plan by any means.

Chairman Reynolds said to keep in mind that concept addresses density, general layout, and approach. He thought that when they are saying recommending approval, they are assuming that there are going to be future details that come forth to them. He wasn't worried about some of those items he thought they could work through them. They are looking strictly here at the idea of setbacks, density, and the style of PUD that is being brought forth to them. He thought that was something to keep in mind at this stage.

Commissioner Brackon asked isn't it possible to recommend approval to the BOT with those concerns in mind knowing that those issues may still have to be addressed as opposed to denying it which could blow up the whole project.

Planning & Zoning Director Girling to clarify the recommendation to approve can have conditions on it. I know they were talking about considerations maybe there is a way to formulate it that there are conditions. Their recommendation is to approve with these conditions so it is moving forward and then the BOT would entertain their conditions that are contained within their recommendation.

Chairman Reynolds said that is one way to propose it. If they are formally written into the record as a condition, he would support that list.

Commissioner Brackon questioned what the BOT sees? If they approve this with conditions, they will see the conditions? Planning & Zoning Director Girling said they will get the formal motion.

Chairman Reynolds thought that it should be reworded as conditions rather than considerations.

Vice-Chairman Gross amended his motion, Commissioner Brackon re-supported that the to reword as conditions rather than considerations.

Chairman Reynolds said they have a motion to recommend the concept as presented on May 9, 2022, plans, recommend approval with condition that density is still an issue and by reducing it would fix the underlying zoning issues and better address the residential zoning including the landscape buffer, boarder, vista, along Clarkston Rd., and that there was a condition about the review of design as it relates to side garages are proposed rather than all front, that architecture ends of having a mix of design, color, and style so they are not all the same, and that unified control be addressed rather than be under rental or ownership for both the units themselves and the open space, and addressing the Planner's comments in their report is the current motion on the table.

Chairman Reynolds asked if there was any public comment on the motion?

Ms. Heather Smiley 959 Hemmingway has been a resident for the last 22 years. The main concern she has, the company, INSITE, LLC, has only been in good business standings for three of the last 12 years per LARA. She lives where she can see this property, and she is familiar with this property, she did believe that there are some swap/wetlands that are actually not accounted for, maybe it is in the gray area where there is no building, which is fine she was new to plan drawings. She was concerned about the EV ports and the garages; their electricity went out three times last week. They are on an older service on their side, she didn't think that the transformers can handle what they are proposing. They are also on septic and sewer on their side of the street. What chemicals are they going to use for the plantings, for the grass, for the machinery, things like that goes right into their water table? Since the widening of Lapeer Rd. their water table has actually dropped, how that all happen she wasn't really sure if it is linked to that, she was kind of looking into that. She knows now that Lapeer Rd. now floods because they took away from wetlands. She feels they have a large drainage ditch that goes right on Clarkston Rd. that if they really mess with mother nature too much it is just going to take its land back. She has been in conservancy her whole life, her uncle actually founded a conservancy, so this is something that she knows about. As far as a duplex that is here or there, their community in that area they don't have any. They do have a minimum of probably an acre, she is on a smaller parcel, and she is an acre, a lot of her neighbors have 2.5-acre plus. She thought that the amount of thirty is not going to be conducive for their traffic. Again, she lives right there so she sees traffic from Clarkston backed up all the way to Hemmingway Rd., which is a good half-mile of backup before and after school, traffic accidents, anything like that it is a one-lane road on each side. Building and widening the road to accommodate that isn't even necessarily possible. Again, with the drainage ditch that they have on the side, the houses on the one side might be fine, if they were to have to expand. These are all things that they have to take into consideration directly in their neighborhood, the congestion, traffic, construction, the wildlife. Her dogs have gotten out quite a few times, she runs that property, they have sandhill cranes, deer, they have a whole bunch of stuff, and why she did totally appreciate the downsizing of what she thought originally was 52 townhomes to what they have now she still agreed that she didn't think it was conducive for the space. There are some other properties down on Lapeer Rd. there was one that was for a convalescent center it has been posted up for years and years that might be more conducive to their planning because it is right off of Lapeer Rd. It has access, it has the setting for electric, gas, and things like that so they wouldn't have to bring in as much and tear up as much of the land. In regard to the trees that stand, as the way the parcel is downsizing the amount of houses or duplexes that they have would actually accommodate the size that already has cleared land to where they wouldn't have to take down 12 of the trees. Personal opinion, they have pileated woodpeckers and things like that. She was not against adding more homes but thought that they had to keep into consideration what they can handle in that area.

Ms. Katheryn Kennedy, lives in Rochester off of Clarkston as well but not as close to the parcel but was very familiar with it. She actually would be interested to know who Daniel Johnson is? He did a nice interview, but the owner of the property is INSITE, LLC. Why are they not having somebody from INSITE, LLC responsible? The fact that they were behind on their annual reports for so many years she didn't even know they were allowed to do 6 years at a time to do a catch-up to reinstate their company. In fact, she had a client long ago that missed filing two years and wasn't allowed by Lansing to reinstate it being good standing with their company. She wasn't sure how that even works but did know that there would be a huge amount of infrastructure required, they would need sewer that doesn't exist and there is nowhere to put it. If they have driven in the section of Clarkston Rd. between Hemmingway and Pine Tree, and Pine Tree and Joslyn, there is no place to

put a road, it is not viable, they have multiple lakes on each side with the wetland surrounding the lakes there is no place to properly put any type of infrastructure to increase the road capacity, to increase sewers which would cause a lot of other problems like Ms. Smiley mentioned. There are so many issues that have not been considered she actually believes the only thing that would be an appropriate use for it unless they can condense down to where it is the part that is already cleared because a good portion of the property is literally rolling woods, acres of rolling property. The topography is not flat they would be wiping out every animal in that area, and the entire community benefits from the wildlife. To obliterate all of that would be so counterproductive to Orion Township where living is a vacation not- was. She actually did try to send an email before she wasn't sure she got through but will try to get one to them in the morning. She did also have concerns that they are using the theoretical Master Plan that the residents object to. They do not want urbanization in Lake Orion. Nobody asked them how many citizens actually participated in the Master Plan that he apparently relied upon for information that they absolutely oppose. There is an awful lot going on that is outside influences and they are not taking into consideration the people that actually pay the taxes that have lived here for decades. They moved here because they want rural, they are not an urban community and they do not want urban expenses.

Ms. Patricia Hamilton at 719 Fairledge and has lived there for 50-years because this is the area that she wanted, she wanted, houses. She didn't want to live with condos or apartments or anything else, they wanted to live there and raise their children there, and grandchildren to play there. Traffic is a problem on Clarkston Rd., and Fairledge is the road that everybody is going to come out on that is where the driveway comes out. They already have people that race through there now. That is the cut-through for all the semis, they even had people on their Board last time that said that they use it for a cut-through. Everybody does, Fairledge is the first road that goes through. It is not safe for the kids. She had a kid that got hit and ran right into a car because it was going down the road. They went there because it was residential and when they wanted to build, they had a lot of issues, so why aren't the rules the same for somebody else as it is for the residents that already live there? After 50-years there she likes the area, it is quiet, and she is not against homes there, but she is not for duplexes. It is better than what was proposed the first time, but she was still not impressed, and she didn't plan on leaving the area anytime soon. She plans on being around for a while. She agreed if they had the 22 lots then do homes on 22, it is not her concern whether they can make an extra buck that is not what Orion is about they are not here to make someone else an extra buck, they are here for their residents for their people so they can live like it's a vacation, but it is not getting to be that way.

Chairman Reynolds said there was a motion to recommend approval to the Board of Trustees for the concept as presented here for the May 9th plans as submitted, with a number of conditions as previously spoken.

Roll call vote was as follows: Gross, yes; Walker, yes; Gingell, yes; Brackon, yes, Reynolds, yes.

Motion carried 5-0 (Urbanowski & St. Henry absent)

B. PPC-2022-22, Township Initiated Text Amendment to Zoning Ordinance #78, Articles 19 (Industrial Complex-IC) and 27 (General Provisions)

Chairman Reynolds said he didn't believe that was printed out for them, but they did have a number of discussion items last meeting in regard to this section.

Planning & Zoning Director Girling stated that they did have this scheduled for the public hearing at the next meeting so she wanted to get this information in front of them at this meeting so they could look it over. They had advertised that the text amendment would affect both article 19 which is (IC) and 27 which is (General Provisions). They did end up with no changes to 27 but because they had advertised it that way, they listed it, but the proposed changes are only in the Industrial Complex (IC) section of the ordinance. This is all related to the expansion of General Motors. They only have one parcel within the Township that is zoned (IC) and that is General Motors. This was written many years ago when General Motors first came to the Township. With the expansion they are proposing in preparation for that they have had multiple conversations and looked at an ordinance that was many years old and out of date. These changes reflect conversations with them and an ordinance section that was out of date.

Chairman Reynolds said if there are any comments obviously at this point and time this is the overview that is being provided, the amendment will be advertised and will be discussed at their future public meeting on June 15th.

Supervisor Barnett stated that he was here for this item tonight. He thought this might be the first time that he had ever addressed the Planning Commission like this but thought it was important to give a brief update on what has been happening with the General Motors investment in their community. They have been working on this for over a year and the official announcement started leaking in December and was made really official in January. He wanted to give them an update that if they look at this ordinance it is pretty clear that this zoning district was written for GM when it was originally instituted for this purpose. If they look even deeper into the history of the Township, they will know that this was a site that was potentially going to be a prison at one time, and an airport a long time ago. It is GM and GM planting their flag very soundly in their community and he wanted to tell them that they are meeting daily on this project. There are bringing the Fire Marshal along, the Building Official, Planning & Zoning Director Girling, and all of their consultants. Some of the things that would normally cause concern like heights, which is one of the proposed changes. GM has a very specific use the CEO is on record stating that this is going to be one of the most sophisticated auto manufacturing facilities on planet earth. A lot of the concerns about the heights of buildings from fire and things like that have been addressed in their meetings. They are really confident that they are not looking to cut any corners they are going to be building a showpiece. As far as life safety, circulation, and parts coming and going they are talking about restarting the rail which has been dormant for many years a few sections of rail has been paved over but are looking to moving goods and materials in and out of the facility using the rail. He wanted to be there to share this with them this is a little bit of a different text amendment and different zoning case probably that they might look at. He is certainly not trying to tell them what to do but the horse is way out of the barn on this one. They are looking to break ground in the next couple of months. They are planning on having 80 construction trailers with 2,200 tradesmen and women on two ten-hour shifts for a solid year of construction, so it is going to be a small city onto itself during construction. If there are ever any questions, he just wanted to give them an update that since the announcement on January 27th it was quiet for about 45 days and the last 30 days have been insane. There is literally not a day that goes by, including today, they had a large-scale meeting with a bunch of stakeholders on the paint shop. It is going to come to them and Planning & Zoning Director Girling might mention this but this will come to them differently than other PC cases because they are looking to add about 4 million square feet and they are really scrambling, they have a deadline because they have a model year vehicle that they have already taken reservations on. They might not see an entire site plan come in at once because there is a team of 100 people designing and working on the plan for the paint shop. There is a team of another 100 people working on these towers that are the tall part that is going to stack parts. The best way he could describe them is like the Carvana thing where they load all these parts, and the robots go up and down and pull them, pick them, and put them on the line. He

just wanted to give them an overview that maybe gives this a little bit of a different look as they are going through. The one thing that he can tell them that he has seen so far, and he will let Planning & Zoning Director Girling, and the other consultants speak on this if they want to, but they are not looking to cut corners, they just need to move quickly, and they are looking for their assistance. The message that they have given Mary Barra the CEO all the way down to the people that have been meeting with them, is they will not let them down, they are going to partner with them, and they are going to be bringing on lots of third-party consultants because they don't have the capability. He told them that they are going to be bringing 80 trailers out there for their trailer city for all their tradespeople, they are actually going to move a construction office out there, they are going to have a satellite office so that the people that are working on the site don't have to drive back and forth here multiple times a day, they are going to be there right with them. This entire project is going to look a lot different than anything that they have done in a long time. He wanted to be there to give them that little update, he thanked them for their consideration on this item. The good news is because it is the only parcel in the Township that is zoned this way some of the things that they looked at in this pre-discussion were they setting themselves up for someone to come in and say I want to be rezoned to (IC), conditionally rezoned. One of the first requirements is they have to be at least 2 million square feet. There is no facility even remotely close, or site left in the Township that would accommodate a 2 million square foot building. They won't be putting themselves in a corner to have three people at the next meeting saying they want to fit this zoning because it is really one user and one user probably in all of southeast Michigan.

Chairman Reynolds stated that the bigger picture, just to point out since it is alluding to the bigger discussion prior to their future public hearing. He asked PC to look at the amended text, he thought a lot of the amendment is acknowledging where manufacturing is specifically (IC) as it exists in the Township right now with the Orion Plant. Some of these modified amendments are providing some flexibility not provisions to go around to but just maybe some forward-thinking tools, that aren't actually present in some of their other zoning districts, some other landscaping tools and things like that. All good things and it is not just a magical overhaul that doesn't adhere to their requirements for projects either.

Chairman Reynolds said that on June 15th there will be a public hearing for the Township initiated text amendment to Zoning Ordinance #78, for (IC) and the (General Provisions).

C. PC-21-07, 5-Year Master Plan Update

Chairman Reynolds said there was some elongated discussion last meeting in regard to their action strategies that would go into the Master Plan. He asked them to take a look at it, they were picked up as discussed. If there are any discrepancies or issues with those discussions as they are published in this section, let them know.

9. PUBLIC COMMENTS

Ms. Katheryn Kennedy stated that she would like to address the Master Plan. She is actually very concerned with the way it was put together. There was not enough citizen participation and she understood it was started back in 2020 but she saw it for the very first time on May 18th at the Open House for Lake Orion to review the Master Plan, and that was not that long ago. It was a little disconcerting because there wasn't anything really available before. They said yeah it has been online all this time, well she was with a whole room of people that had no idea there was anything available anywhere to look at before. In looking through it she thought they had a lot of concepts that are not what the community wants that are actually being driven by the World Economic Forum, and the Oakland County Board of Commission what they say they want for the community which the community objects to frankly. She didn't even think they totally understand what the implications are to turn everyone into digitization. This is a big

concern for her because it affects their entire world in reality. They have seen right in front of their eyes things that should not be going on. As citizens, they need to at least be kept aware and allowed to have a say in these matters. She understood the Waterford group when they did their Master Plan it was a 10-year plan, it wasn't 5-years, they invited 70 citizens to participate to provide input prior to creating the plan. They didn't farm it out to consultants and that is actually what appears to her, that all these important things are being farmed out to professional consultants that don't have to do it and aren't elected by the people of the community anyway. What is going on here? Why are they changing their plans so quickly, she thought it was only 5-years ago, it wasn't that long ago. Why are they not involving the communities and the residents that have been living here for decades? They appreciate the green spaces, and wildlife and the proposals that are being brought here are basically low-income housing initiatives that it is rather frustrating to see twice now she has seen people that didn't even apply under their actual legal entity name. Why is that ok? She thought they needed to actually apply under the actual entity that owns the property and that is actually going to be responsible for infrastructure development and have to rely on to actually do what they are saying they are going to do. She had a real concern about all of those things. She would hope that they take a serious second look. Why didn't they ask the citizens because the citizens don't know what is going on, they are ticked? Every time they find out these things they are quite upset. She thought it was very important to ask the citizens first.

10. COMMUNICATIONS

None.

11. PLANNERS REPORTS

None.

12. COMMITTEE REPORTS

None.

13. PUBLIC HEARINGS

05-15-22 at 7:05 pm. PPC-2022-22, Township Initiated Text Amendment to Zoning Ordinance #78, Articles 19 (Industrial Complex-IC) and 27 (General Provisions).

14. CHAIRMAN'S COMMENTS

Chairman Reynolds always appreciate people coming out to their meeting. He wanted to clarify a couple of things; they are all appointed officials up here. They have been working on the Master Plan for over a year. They on multiple cases have invited the public in many ways to participate and have had many people partake in the Master Plan process, they have online, in person, and by email. Themselves as Planning Commissioner have gone out into the public to invite, their meetings have always been publicized, they are online, they are on public television. They have always welcome public input; they want that to be very clear. They are currently in the review period in which surrounding communities and our citizens, themselves are all welcoming additional public comment and that is why they have this process not only for themselves but also to legally abide by the Master Plan process. The fact of why they are updating 5-years, 10-years, that is their effort to continue to stay on top of their Master Plan and not let it go stale and have frequent discussions as it relates to that. So, he welcomes people to get involved and to apply for this Board. This was not his first choice to be here at 10 o'clock on a Wednesday night. To be honest with them they have many meetings with zero people that show up to both PUDs, the Master Plan updates, to all of those things. Please come out and partake in our meetings but do not have feelings that they haven't welcomed that input from the very beginning when they have and they have been present, and they welcome that.

15. COMMISSIONERS' COMMENTS

None.

16. ADJOURNMENT

Moved by Chairman Reynolds, seconded by Commissioner Gingell, to adjourn the meeting at 10:07 p.m. **Motion carried.**

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date