The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, June 2, 2021, at 7:00 pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, MI  48360.

**PLANNING COMMISSION MEMBERS PRESENT**
Scott Reynolds, Chairman  
Kim Urbanowski, BOT Rep to PC  
Jessica Gingell, Commissioner  
Joe St. Henry, Secretary  
Don Gross, Vice-Chairman  
Don Walker, PC Rep to ZBA  
Garrett Hoffman, Commissioner

**PLANNING COMMISSION MEMBERS ABSENT:**
None

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

2. **ROLL CALL**
As noted

**CONSULTANTS PRESENT:**
Eric Fazzini, (Township Planner) of Giffels Webster  
Tammy Girling, Township Planning & Zoning Director

**OTHERS PRESENT:**
Paul Deters  
Idan Kalab  
Tracy Rubin  
Bill Grannis

3. **MINUTES**
   A. 05-19-21, Planning Commission Regular Meeting Minutes  
   B. 05-19-21, PC-2021-45, Mountain Substation SLU Public Hearing Minutes.  
Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski to approve both sets of minutes as submitted. **Motion carried**

4. **AGENDA REVIEW AND APPROVAL**
   Moved by Vice-Chairman Gross, seconded by Commissioner Hoffman, to **approve** the agenda as amended. (Switch 7A to 7D) **Motion carried**

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

6. **CONSENT AGENDA**
None

Chairman Reynolds recessed the regular meeting and opened the public hearing for PC-2021-47, Orion Village Center, Special Land Use request for an outdoor cafe, located at 600 S. Lapeer Rd., 09-11-428-015 at 7:05 pm and closed the public hearing at 7:06 pm.
Chairman Reynolds asked to be recused due to seeing the preparation of drawings for the applicant for PC-2021-47, Orion Village Center.

Moved by Commissioner Walker, seconded by Trustee Urbanowski, that Chairman Reynolds be recused from PC-2021-47, Orion Village Center.

Roll call vote was as follows: Walker, yes; Hoffman, yes; St. Henry, yes; Gross, yes; Urbanowski, yes; Gingell, yes. Motion carried 6-0.

7. NEW BUSINESS
A. PC-2021-47, Orion Village Center, Special Land Use request for an outdoor café and amendment to Site Plan, located at 600 S. Lapeer Road, 09-11-428-015
Acting Chairman Gross asked if the applicant had anything more to add? They did not.

Planner Fazzini read through his review date stamped May 24, 2021.

Acting Chairman Gross asked if the applicant had anything to respond to regarding the Planners review?

Mr. Bill Grannis, Opa Foods & Spirits, 600 S. Lapeer Rd., stated that on the print there is a fencing barrier already drawn in. He said if there were any questions it could be updated so they could see it better. He added that they have for a lot of years had the garage doors open, so, as far as the noise they don’t get complaints. He knew that they have changed the rules with the liquor control too as far as carry out liquor and eased up on some of the rules that they had, because of COVID but they are going to keep it contained inside.

Trustee Urbanowski stated this was considered a café because of the alcohol service. She asked if they were moving into the space next door as well? Mr. Grannis replied they are. Trustee Urbanowski asked if they were expanding what was already there? Mr. Grannis replied correct. Trustee Urbanowski asked if there was going to be any live music? Mr. Grannis said that they have in the past but it was not an event place. Trustee Urbanowski asked if the sidewalk was on there? Planner Fazzini replied that it appeared to be met they just requested a dimension of 5-ft. just to show that it is 5-ft. Trustee Urbanowski asked assuming that they are going to just continue the same materials into that extra space? Mr. Grannis replied yes.

Trustee Urbanowski asked if they needed to address some of the things on page two about outdoor cafés? She wasn’t sure if they needed to because it was just an extension of what they are already doing. She stated that they did do a sketch plan of the tables.

Secretary St. Henry asked if the garage door will still be in place, and will they still open those for that side? Mr. Grannis replied yes.

Commissioner Walker said that he noticed somewhere there was a reference to the width, the wide driveway that is next to it. He asked how close is the end of that fence going to be from the driveway? Mr. Grannis said it will be the driveway, then their entrance, then the fencing. He added that it will be just as it is now it will just be pulled out a little bit. The outdoor seating already exists, they are making it bigger. Commissioner Walker questioned if the patrons won’t have access to that driveway because the fencing will keep them in? Mr. Grannis replied yes. He added that they have to go through the restaurant and come out the door.

Secretary St. Henry asked if the new outdoor seating goes to the full length of the restaurant including the new section? Mr. Grannis replied yes.
Moved by Trustee Urbanowski, seconded by Commissioner Hoffman, that the Planning Commission approve PC-2021-47, Orion Village Center Renovation, Special Land Use request for an outdoor café, located at 600 S. Lapeer Rd., parcel 09-11-428-015 for plans date stamped received May 4, 2021. This approval is based on the following findings of facts: it is compatible with adjacent uses, it is just an extension of what already exists; there are adequate public services, as was mentioned in the Fire Marshal’s review; no further impact on traffic; no detrimental effects; it is enhancing the surrounding environment, making the business more open to customers.

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

Moved by Trustee Urbanowski, seconded by Secretary St. Henry that the Planning Commission grants site plan **approval** PC-2021-47, Orion Village Center amended site plan, located at 600 S. Lapeer Rd., parcel 09-11-428-015 for plans date stamped received May 4, 2021, based on the following findings of facts: in terms of unresolved issues, they will put the 5-ft. dimension for the walkway on the plan; the plans will identify the lighting issues; that the parking dimensions will be put on the site plan; this is an extension of something that already exists.

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

**B. PC-2201-48. Kohls/Sephora Minor PUD Modification (sign addition), located at 4872 Baldwin Road, 09-32-351-020.**
Chairman Reynolds asked if the applicant was present?

Mr. Paul Deters with Metro Signs and Lighting, 11444 Cults Ave., Warren, MI presented.

Mr. Deters said they were before them this evening because Kohl’s is undergoing a change in its retail locations. They have signed an agreement with Sephora at over 200 of their locations where Sephora is basically opening up a store within the store almost. It is a unique arrangement that they have come together, it is probably going to become the most prominent brand or offering within the Kohl’s stores. He said that the Sephora brand was very prominent in JC Penney locations previously. Now they have struck a relationship with Kohl’s which is a much more financially strong company, in the effort that they are going to be able to continue that brand because it is such a big and important part of the brand and has such a nice following. They wanted to make sure that they could communicate that at all their stores so they have asked for some identification in addition to the existing Kohl signs for consumers to identify that.

Planner Fazzini read through his review date stamped May 27, 2021.

Trustee Urbanowski said because the Sephora brand is known for the black and white strips, and typically that goes as a frame around the store itself. She wondered if it is not considered part of the sign itself to have that framing around it if that needs to be considered in the calculation? Chairman Reynolds said that most of the time it is in reference to the text, font, or verbiage, the slogan that is being stated. Even though a brand or an item might be looked at as a whole it is typically going to be architectural features. There are some discretions sometimes but it’s part of the building. Planner Fazzini said that they define architectural features separately from a sign, typically a sign means a commercial message, which is like a fake coin feature. If it was closer to the sign maybe like coming off of the sides they might box it in that way, but they didn’t look at those improvements as a sign.
Trustee Urbanowski said that they have had requests for two signs before, Walgreens, and Chase Bank. It would help to identify Kohls as being one of the places that Sephora is part of Kohl’s now. She thought it would be an added benefit for people looking for that particular store.

Secretary St. Henry said that he was looking at the graphic illustration of the front of the building that was included in the proposal. They have the main Kohl’s sign and then the Sephora sign. He asked if the Sephora sign would be over each entrance or just the one entrance. Mr. Deters replied just the one entrance. Secretary St. Henry asked if there was a consideration why they wouldn’t put it over both of them or was it just a matter of trying to stay in compliance? Mr. Deters replied that part of it is just realizing what the code restrictions are within the Township, and then the other thing is it is going to be closer to where they intend to have the Sephora section of the store, it will help identify because a lot of people are going to go there just for that name.

Vice-Chairman Gross said in this day and age where retailers are having a tough time staying afloat, he thought anything they can do to help them manage their business and make the public aware of what they have to offer he thought would be a benefit to them and hopefully the community as well.

Commissioner Walker said in the request he wasn’t talking about the additional sign but the additional square footage and it was 12-ft. On the façade of the building that is a pretty small number, he thought. He thought that the petitioner has taken their ordinance into consideration with regards to the number of signs, and he appreciated that, not coming in and asking for everything and hoping to get half.

Moved by Commissioner Walker, seconded by Vice-Chairman Gross, that the Planning Commission approve PC-2021-48, Kohl’s/Sephora PUD Minor Amendment, requesting 1 additional wall sign, located at 4872 Baldwin Rd. (Sidwell #09-29-351-020), for plans date stamped received May 12, 2021. This is based on the following findings of facts: the revision will be a benefit to future users of the project; this will help the citizens of Orion know that Sephora is in there, and because the placement of the sign will help them locate where inside Kohl’s the Sephora section is located; it will probably help increase in the use of public services facilities, and utilities; it will not place an unreasonable burden upon the existing PUD; it will not result in unreasonable negative economic impact; this revision will allow the PUD to continue to promote the preservation of any of the natural resources and features that were in the original PUD.

Roll call vote was as follows: Walker yes; St. Henry, yes; Gross, yes; Gingell, yes; Hoffman, yes; Urbanowski, yes; Reynolds, yes. Motion carried 7-0.

C. PC-2021-50, Township Initiated Text Amendment to Zoning Ordinance #78. Assemblies Chairman Reynolds said that was not a formal review from their Planner. He stated that this was brought forth to them tonight just based on some verbiage needing to be updated and some languages, essentially changing some of their language in our zoning ordinance throughout. When referred to typically as a church they are having an amendment to essentially speak to places of worship. From his understanding this text amendment change is best practices moving forward there are some reviews in their packet that speak to it.

Planning & Zoning Director Girling stated that she will advertise for the public hearing she just wanted them to have it ahead of time. They had some room on their agenda this evening, and when they have room on the agenda there is usually a text amendment. They can see what is being deleted and what is being added. It will be as any text amendment it will be given to the
attorney between now and the public hearing to make sure that what they have proposed is acceptable and they will have their public hearing a month from now after it is advertised.

Vice-Chairman Gross thought it made a lot of sense. It is just a clarification of the ordinance.

Moved by Chairman Reynolds, seconded by Commissioner Hoffman, to receive and file the text amendment and move forward with the next steps with staff.

**Roll call vote as follows:** St. Henry, yes; Gingell, yes; Hoffman, yes; Urbanowski; Walker, yes; Gross, yes; Reynolds, yes. **Motion carried 7-0**

**D. PC-2018-31, Brown Road Hyatt House Site Plan Extension, located at unaddressed parcel 09-32-378-075 just south of 4930 Huston Dr. (moved from 7.A)**

Chairman Reynolds asked the petitioner to state their name and address for the record and give a brief overview of why they are asking for an extension.

Mr. Iden Kalbat with Kalbat Engineering 31333 Southfield Rd. Suite 250, Beverly Hills, MI presented.

Mr. Kalbat said that this project is a hotel development that was originally approved a year ago. They had a one-year extension due to the COVID19 pandemic. They are at this point requested an additional six-month extension, that six-month extension coincides with a six-month extension that they just recently received from the franchise, Hyatt, for this project as well, for branding and developing that. Over the past year, finance engines have been nonexistent for new construction hotels, those are starting to come back in a strong force. Not quite strong now but there is promise on those finance engines getting moving again right now. Whereas before the pandemic they were looking at an 80% loan to value with the financing options that were available for new hotels, that obviously went away over the last 3-4 months, a lot more private financial institutions have been entertaining 60% loan to cost ratio finance engines on them. They are starting to see that trend kind of pick up. The financial institutions are seeing a light at the end of the tunnel in the hotel industry and so they are looking at the next 6 months here to see if this project is something that is viable, is feasible, can be funded, and actually has a need and use for success. They still believe that the location and the project itself would bring value to the area, be a great success in this area. They think the location is excellent for this property and this product. They don't want to continue to take too much of the Township’s time in just letting that property sit around, so 6-months would kind of coincide with the franchise extension. If it is not in the cards at that point then they would entertain and start looking at other development options for this property.

Chairman Reynolds said that there were obviously some ongoing issues with the pandemic and a couple of other extensions that they had granted previously.

Vice-Chairman Gross stated that he doesn’t want to see them again, he would rather give them a one-year extension.

Trustee Urbanowski said reading back through the notes it was actually April 8th, so if they have to extend it from April 8th then they are already a couple of months into that 6-month extension.

Planning & Zoning Director Girling stated that there was the State of Emergency from the Supervisors office a 3-months of wiggle related to COVID on basically any of them. It still comes to play on the calculation of how much they are going to give them, but they are not late on coming back because of that.
Chairman Reynolds said that they are a couple of months in if they grant a six-month extension, it is truly four at this point and time from today’s date or close to it. They have extended this project out before, he knew that COVID really has thrown quite the curveball in the mix. He thought if the project is still moving forward and there is due diligence being done, he was in favor of a one-year extension.

Commissioner Hoffman said he would be in favor of 1 year as well. He noted that this is not the only one that came before them asking for an extension because of financing. They are definitely aware of the financing issues out there.

Moved by Secretary St. Henry, seconded by Commissioner Hoffman, that the Planning Commission approves the site plan extension request for PC-2018-31, Brown Road Hyatt House Hotel Site Plan for one year from today’s date. This approval is based on the following findings of facts: that COVID pandemic and the fall out from it has resulted in financial challenges for the applicant, with the market improving and continue due diligence in place they thought that this was a fair extension on the project.

Discussion on the motion:

Mr. Kalabat thanked the board for the one-year extension. He said he didn’t want to overreach their request so he really appreciated their understanding and working with them on it.

Roll call vote was as follows: Urbanowski, yes; Hoffman, yes; St. Henry, yes; Gingell, yes; Walker, yes; Gross, yes; Reynolds, yes. Motion carried 7-0

8. UNFINISHED BUSINESS
A. PC-2021-07, Master Plan Update
Planner Fazzini said that they will have the survey summary that was requested for the market assessment, leadership advance survey, and then the posters to them early next week for any comments before the 16th Open House.

Chairman Reynolds stated that this is alluding to their next meeting which is on June 16th from 4:00-6:30 pm. They welcome everyone’s public input no matter what their skill set level is. He knew that there was a press release that went out from the Township, it went out in the Orion Review. They welcome everyone’s discussion points; this is the initial information-gathering phase from that. They are going to take that information along with the leadership survey results, the online survey results, and start compiling that data into what they would call their Master Plan. This is a big process, this is the time to put their input in and hoped that everyone comes out with great force, all ages, all occupations, any interest that they have please come forth. If you can’t make it feel free to reach out to them, they are available. The Master Plan updates landing page is on the main page of the Township website. There are many opportunities for them to provide input and review. He believed that there was going to be some items as a follow up to their workshop that will stay open for a period to allow some continued interaction, so if they weren’t physically able to come, whether it be COVID restrictions or guidelines, or just a general conflict in their schedule there is still an opportunity and there will be additional opportunities moving forward. Please make sure that they participate in any way shape or form that they will be able to.
Secretary St. Henry thought that there was a new story in the Oakland Press, and a couple of other publications over the last few days too, so people probably have seen that and it includes more detail.

Trustee Urbanowski said that they are two weeks away from it, what should they be doing to prepare for it because they are going to have a roll. She asked if they were going to be assigned a station? Do they get to pick a station they are interested in? She wondered what they need to be doing to get ready for it. Planner Fazzini said just to encourage people to come. He added that there is nothing expected of them to do at the Open House so they can view it as a resident and participate in the engagement dot poster samples there. He said he would just treat it as a resident of the Township and encourage people to come. It will not be the last point of public input it is part of the package of everything that they are going to consider. If there are certain things that they would like to see in the Master Plan or certain things emphasized or focused on maybe look at those posters if it is housing or PUD’s, safety paths. Some of the information will be general, wetlands, woodlands, preservation things that apply to every community, then some information will be more focused on the issues they have been experiencing like the PUD’s. He said he would just come with an open mind approach. Trustee Urbanowski said she was confused because she thought they were all going to take a station. Planner Fazzini said they can. Secretary St. Henry said what he would recommend that amongst them they each decide who is going to be stationed at each one and kind of be the host of each table. He added that if they wanted to, they could maybe halfway through switch it up if they want just for mixing it up. What he would strongly recommend is that they come prepared with the ability to take some notes, depending on how many people come, so they have clear detailed notes from what people are telling them. He thought that beforehand they could divvy it up, and if they like the idea, which he thought would be good, just switch it up halfway through if they get a chance. Planner Fazzini said sometimes they will find that some people make really interesting comments, but they have to get them to write it down, so the next day they remember, so that will be part of hosting each poster is to try to document really important things or feedback points.

Chairman Reynolds stated that they are attending as Planning Commissioners but also the citizens that they are and help facilitate some conversations and get most importantly public input. Let’s get some friends and family and people here because that is what is really going to make the input and discussion points to be rich in comments and give them a lot of discussion points in moving forward with developing their Master Plan.

9. PUBLIC COMMENTS
None.

10. COMMUNICATIONS
None.

11. PLANNERS REPORTS/EDUCATION
A. Community Planning Update Spring 2021 Issue

Planner Fazzini said that the PDF in Boardbook they provided didn’t have the clickable links so he sent Planning & Zoning Director Girling the direct link to that newsletter so that they can read the entire thing. It is an article on tiny houses, some of the implications for zoning, building codes, things like that should any community desire to permit them, what would be some of the roadblocks to allowing them. Chairman Reynolds said always changing scenery on different housing types, at least what is allowable by zoning.
12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
Chairman Reynolds said it would be great if everyone could shoot a text or a phone call out to 5-6 people and encourage those people to bring a few. He thought a lot of people were fearful of participation because they don’t feel like they are qualified. That is what they and their professionals are here to do is help to facilitate and discuss and pull out that information that is going to be important to people for Master Plans moving forward. Post on Facebook, send a couple of emails out, but let’s bring a few people along and see if they can make it the most populated Open House they have had.

15. COMMISSIONERS’ COMMENTS
Trustee Urbanowski congratulated Commissioner Hoffman on his new baby boy.

Secretary St. Henry said he knew that there were a lot of golfers out there and a lot of people that have been impacted one way or the other by breast cancer. He wanted to give them a heads up that the 6th annual Mothers Wish Golf Outing is taking place on August 28th at Indianwood Golf & Country Club. Last year it was suspended because of COVID and he knew that there was a lot of pent-up demand for getting out and hitting the links. Last time they held the event there were over 100 golfers. For those who are not familiar with the Mothers Wish, it is a charity that was started about 12 years ago by a number of women here in the Orion community in memory of a beloved teacher Kathy Luby who succumbed to the disease. The ladies of this group, it is truly a grassroots effort, each month they provide $1,000 grants to families who are impacted by breast cancer, and those grants can be used for anything that family needs while they are going through treatment. They have treated over 350 women since the launch of this charity several years ago across Oakland County. The golf outing is on August 28th, and they hope to make it just as big as the last time the event was held. For more information visit amotherswishmichigan.com.

Commissioner Walker stated that this Friday at 8 pm the library because of the huge demand is having their first outdoor movie showing. They don’t know what the movie is yet but it is a G or a PG, it is for kids, it will be outside, the seating will be socially distant, it is free. There will be concessions, he was in charge of that. He hoped that they could all come and bring their kids or grandkids. So, it is at 8 pm weather permitting, it was delayed a month, he hoped it will not be delayed again.

16. ADJOURNMENT
Moved by Commissioner Hoffman, seconded by Vice-Chairman Gross, to adjourn the meeting at 7:49 p.m. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion