

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
PPC-22-18, 3850 JOSLYN RD., SPECIAL LAND USE FOR A GAS STATION WITH A DRIVE-THRU
PUBLIC HEARING – WEDNESDAY, JULY 6, 2022**

The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, July 6, 2022, at 7:05 p.m. at the Orion Township Municipal Complex Board Room 2323 Joslyn Road, Lake Orion, MI 48360.

PLANNING COMMISSION MEMBERS PRESENT:

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

PLANNING COMMISSION MEMBERS ABSENT:

Scott Reynolds, Chairman

CONSULTANTS PRESENT:

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

OTHERS PRESENT:

Sandy Walker	Bruce Calhoun
Jonathan Forrest	Tina Hein
Kevin Breslin	Kathryn Kennedy
Lisa Garrett	Ed Morawski
Pam Daily	

PPC-22-18, 3850 Joslyn Rd., Special Land Use request for a gas station with a drive-thru and Site Plan, located at 3850 Joslyn Rd. parcel 09-28-376-031.

Acting Chairman Gross asked the applicant to make a presentation.

Mr. Bruce Calhoun with Creekwood Architecture, 1111 Creekwood Trail, Burton, MI. He also introduced Keith Ford, the owner of the gas station. He wanted to let Mr. Ford give a brief synopsis of what he is looking to do at the affiliate station then they would address all the concerns that were written up by the Planners.

Mr. Keith Ford, owner of 3850 Joslyn Rd. He was looking to redevelop the site to a brand-new site with a drive-thru. He felt it would be great for the community and the Township and felt it would be a big improvement.

Mr. Calhoun showed the Board the existing gas station with 3 pump islands. There is a screen wall located around the property on the north and west side and a greenbelt that runs along the west side of their side of that screen wall.

Mr. Calhoun said what they are proposing to do is add a larger convenience store and a lease space, and the lease space would have a drive-thru, for possibly a coffee shop or something along those lines. They are adding a pump island and extending the canopy. With that, they are paving into the greenbelt, but they are staying on their side of the screen wall for the drive-thru lane and the loading coming along the backside. They would be making major site improvements with the building, demolishing the existing one, and provide a whole new building. He showed the Board the elevations of what it is going to look like in a floor plan. They are also adding additional parking.

Mr. Calhoun stated that through the plan review they got a few comments from the Planners and Engineers, and he would address those one at a time. The first one from the OHM review, they would like to delay the detention calculations, they wanted them to have preliminary detention calculations. They provided a detention area at the lower south side of the site, and it pretty much encompasses that whole

asphalt area, and that would be underground detention. They wanted them to provide detention for the entire site, not just the new, which he has never had to do before usually, it is just the new. The reasoning behind it was all the water just went out onto the road. So, they would be detaining that water and reducing it to a restricted amount. It would then go into a Barracuda which is an oil separator that if there is an oil spill or something like that would take care of that, which the site doesn't have now. Then it would discharge into the drainage ditch and go across the road, and they believed from there it would go to the east across the road.

Mr. Calhoun said that the site because it is so low, and the ditches are so shallow there is a catch basin structure to the north, but it is also very shallow. They would have to drain these into a pumping system that would then pump them out and take them over across the road.

Mr. Calhoun noted that the second part is they requested that they have a traffic study. Because they are required to have so many variances on this, they wanted to hold off having the traffic study until they obtain the variances. It is approximately an 8-to-10-thousand-dollar item. They felt that the traffic study no matter what it came back resulting from it would result in the driveways and not anything internally on the site.

Mr. Calhoun said that for the sidewalks for ADA ramps they requested that they put ADA textile ramps at each one of the sidewalk locations. The sidewalks are all pretty much flush with the drives, so they just put the textile ramps on there and that is all noted on the site plan now.

Mr. Calhoun said that they have provided the Barracuda stormwater.

Mr. Calhoun stated that they asked about the grease trap they wanted a grease interceptor shown from the restaurant that would provide a GB-50 which is a grease interceptor. They are just doing a preliminary sizing on that because they really don't know what is going into the lease space. That would dictate the size that a grease trap would be.

Mr. Calhoun said that the pavement sections have been updated per their recommendations. Sidewalks were revised at the front of the store, they shortened the parking spaces to 20-ft. then made the sidewalks 8-ft., they were only requesting 7-ft. He would place some bumper blocks ahead of the ramp going into the sidewalk. They wanted a revised ADA ramp which they did, they took it two different ways.

Mr. Calhoun stated that the drive-thru lane they requested that they widen the drive-thru lane to 11-ft. typically they only make the 9-ft., they wanted 11-ft. which they did and just shortened the by-pass lane.

Mr. Calhoun said they located the water and sanitary sewers from the new building out to the property line. It is a preliminary design at this point.

Mr. Calhoun stated that he had the wrong location map on the cover sheet which they updated.

Mr. Calhoun said that the existing survey, they were utilizing an existing survey that was done a few years back. The company that did the survey is no longer in business so they can't have them update the survey with the benchmarks. They would be required to have a whole new survey once they get into all the engineering as far as, the detention, with benchmarks and everything else that they would require to build it. That again is about a 10-thousand-dollar item they just wanted to delay that because of the variances.

Mr. Calhoun stated that the water main was also verified as a 12-inch.

Mr. Calhoun said regarding the landscaping, the apple trees that he had on the west side of the site, he thought would be a maintenance issue for the neighbor, so they changed those to arborvitae and doubled the quality because arborvitae are smaller and located those on the west side of the existing fence.

Mr. Calhoun said the speaker box on the menu board would be located right on the menu board and depending on the tenant when that lease space gets developed, they will make sure that the decibels are not over 60.

Mr. Calhoun noted that a variance is required for the parking and the setback along the screening wall, which gives them 31 cars required, and 31 provided, including the spaces at the pump. He said that the building coverage on the lot is 13.2% which is well within the guidelines. The existing asphalt to property line there is no room for trees out in the right-of-way because it is all existing, they would have to cut away asphalt and they wouldn't have any circulation around the pump islands if they did that. They had provided some trees in the right-of-way at one point which would have required permission from the Road Commission, but they suggested that they just remove those, so they did. There is really no room for interior landscape and there is none provided now. They do have a strip of landscaping on the south side of the building between the drive-thru and the parking. That is the only landscape area that they have within that. There is another one on the north side from the parking to the screen wall. The light poles have cut-offs so that none of the light spread will go beyond the property line, and they also have the screen wall along that property line which also aids in cutting that off. There would be a timing panel put on the electrical site for the lighting once they get into the final design of the electrical. Trash enclosures were raised to a foot above the dumpster itself and the receptacles will have lids on them.

Mr. Calhoun thought that they were definitely improving the site not only aesthetically, but they are also improving the site as far as the engineering on the site because right now it all just drains out into the road, so they will be making a much better development in the long run. In order to do that they have to obtain the variances. Right now, they are looking for their approval on the conceptual site and then they move on for the variances.

Acting Chairman Gross asked if there was anyone from the public that wanted to speak on this request? He asked them to state their name and address for the record.

Ms. Sandy Walker 2565 Mueller Rd. lives right behind this project. She stated that her property has a creek running through it that comes off of Judah Lake. She was concerned about grease interceptors, grease traps, and pump stations. She asked where all of this stuff is going to go? It is not going to go into Judah Lake, right? She wanted to say that this is a statement, she is blinded by driving up Baldwin and Joslyn these days, the lights everywhere are so big and bright and giant. She was asking the Planning Commissioners to consider that; the lights are so bright everywhere you go now where she lives. She thought this would be nicer than what is there, they all go there as a neighborhood but wanted to make sure that none of this stuff is going to go into the lake and then coming down the creek into her property and hitting the wetlands on Baldwin and Maybee Rd.

Ms. Katheryn Kennedy from Rochester/Lake Orion. She was actually concerned about expansions of gas stations, at all, next to wildlife and wetlands. She was very disappointed when the Firestone was built on Lake Orion right across from the Kroger recently when the County has Brownfields money being used to fix the oil change system that was at the Kmart location. There are hundreds of thousands of dollars that were spent to clean that up and that is actually on the other side of the lake, this is actually closer to the lake than that. She knew that they had to grandfather and protect what was there, she didn't think that they should be expanding any oil change business or things that would have any type of issue where they require controlling things that could do permanent damage to their natural habitat and wildlife that they enjoy and treasure around here. She thought that it really needs to be west of Joslyn, it is very sensitive and she assumed it was on that side but was surprised that there was some building going on right at the very edge of Joslyn and didn't expect it right up against Judah Lake. That actually needs to be protected and she would really prefer that they would start establishing some land conservancies for those areas, so they don't become invaded by other regions taking over our area. They really need to protect it themselves and the only way she sees they are able to do so long-term for the future generations is to

make sure that those areas that are sensitive are already captured in a land conservancy to benefit the citizens of this community.

Mr. Calhoun said that both of those concerns, he thought that the Township Engineers are very sensitive to those situations because of the requirements that they are putting on them for detaining the water that is now just running off the site with no restriction whatsoever and no protection whatsoever. They are now going to have to detain that and hold it back and reduce it at a lesser rate. Also, have protection devise on there so if there is a spill that they can detain that and not just let it free flow into who knows where.

Mr. Calhoun stated with those improvements there are a lot of costs to do those improvements, and they need to offset that with the building and an extra pump island that will pay for that down the road.

Mr. Calhoun thought what they were doing is 100% improvement from what is there because there is no protection whatsoever there now. If it just kept going down the road like it is right now it would just continue to be what it is.

Trustee Urbanowski said she just had one comment about a grease trap or a grease interceptor, she owned a commercial kitchen, and it is to catch that stuff, so it doesn't get into our sewer systems, and it is handled in a completely different way.

Acting Chairman Gross closed the public hearing at 7:21 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

July 20, 2022

Planning Commission Approval Date