

# CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

\*\*\*\*\* MINUTES \*\*\*\*\*

## REGULAR MEETING, WEDNESDAY, JULY 20, 2022

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, July 20, 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

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

### PLANNING COMMISSION MEMBERS ABSENT:

Jessica Gingell, Commissioner

### 1. OPEN MEETING

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

### 2. ROLL CALL

As noted above.

### CONSULTANTS PRESENT:

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

### OTHERS PRESENT:

Jonathan Forrest	Laura Schueller
Matthew Koneda	Heather Smiley
Pat Ebner	Carol Ebner
Tina Hein	Sandy Walker
Ray Malikis	Delore Malikis
Marilyn Hester	Dan Hester
Tom William	Katheryn Kennedy
Joseph Salome	Sandra Vanderlaan

### 3. MINUTES

- A. 7-6-22, Planning Commission Regular Meeting Minutes
- B. 7-6-22, Planning Commission Public Hearing Minutes PPC-2022-18, 3850 Joslyn Rd. Special Land Use for a Gas Station with a Drive-Thru.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker to **approve** both sets of minutes as presented. **Motion carried**

### 4. AGENDA REVIEW AND APPROVAL

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, to **approve** the agenda as presented. **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 at 7:05 p.m. for case PC-2021-07, 5-Year Master Plan Update.

Chairman Reynolds closed the PPC-21-07 Public Hearing at 8:10 p.m. and reconvened the regular Planning Commission meeting at 8:10 p.m.

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## **7. NEW BUSINESS**

A. PC-22-26, Rigel Terrace Westland & Site Plan, located at 2410 S. Lapeer Rd. (parcel 09-23-301-005) & unaddressed parcels 09-23-301-012 & 09-23-301-013 (which are located between 2410 and 2600 S. Lapeer Rd.).

Chairman Reynolds said that the petitioner was there to give a presentation and overview of their site plan and wetland application. He asked them to step up to the podium and state their name and address for the record.

Trustee Urbanowski said that she is currently the Interim Director at the Chamber of Commerce and Moceris is a member. She asked them to make a determination if she should be recused? Chairman Reynolds replied that at this point and time he didn't believe that was a conflict of interest.

Mr. Dominic J. Moceris the Administrative Manager for Rigel Terrace LLC. He introduced his team Mr. Steve Pangori with AEW Engineers, their partners Manny Kianicky with SR Jacobson, Nico Schultz with Soave Organization or Trident Orion LLC, and Mr. David Stollman who helped arrange and put together these partners of experienced developers in the region and they go back four generations with David Stollman's family in the business. They also have Dominic Tringali who is their lead architect, and he will speak after Mr. Pangori and his brother Mario Moceris who makes sure he doesn't say too much.

Mr. Moceris thanked the Chairman, the Planning Commission, planning staff, the Township Engineer Landis, Township Planners Rod Arroyo, Matt Wojciechowski, and Joe for their diligent review.

Mr. Moceris stated that as Dr. Carl Sagan would say Rigel is the brightest star in the Orion constellation. That is where they got the term, Rigel Terrace, it is the brightest star in the constellation of Orion. Orion was a great hunter, so they chose the street Hunter Blvd. within this.

Mr. Moceris said they were pleased to present them with a modest plan that incorporates 25% less density than what is provided in the ordinance, and Mr. Pangori can elaborate on that later. They have 25% less than what is provided in the ordinance and at the same time, it provides a transition between the intense commercial of the Home Depot directly to the south and a transition to the multi-housing choices that the Pulte development directly north has with the duplexes, the fourplexes, and the single-family. He believed this provides a nice transition. The property is currently zoned, they are not seeking a PUD. They are seeking to get approval so that every segment of the ordinance is not exceeded. There are some writeups and recommendations from the Engineering Consultant with OHM, and with the Planning Consultant Giffels Webster, and they concur with the things that they oversaw and can address those in detail. The building length was exceeded because they were trying to make certain that the Fire Department, they are volunteering to fire suppress these buildings, and so the FDC meters were and the attachments were on the sides of those buildings now they are going to put them in the center, so now they are back into compliance. There are some decks that they had encroached

into the side yard setback, which oddly enough is the north and south side of the proposal, and they could insert those decks and recess those in to cure that oversight on their part and appreciate their patience. They do have a plan that they could submit through administrative review subject to the Planning Commission's consent that they can fulfill these, with the administrative consultants and the Planning Department to review those. They do have an alternate plan that Mr. Pangori can review with them this evening. There is only 17% of building coverage which is far below the max building coverage that is under their ordinance and the graphic he felt clearly identifies that. He thanked them again for their consideration and time. He will be available for questions but thought that the technical questions will be between Mr. Pangori and also Mr. Tringali.

Mr. Pangori said that as Mr. Mocerri has indicated they are looking for site plan approval and a wetland permit to develop this 16-acre parcel with 101 townhome units consisting of four-to-eight-unit buildings. The property is currently zoned RM-2, they comply with that zoning, that zoning district allows 8 units per acre, which would allow them 128 units on this 16-acre parcel, and they are proposing 101 units.

Mr. Pangori stated he wanted to spend a few minutes going through some of the comments from the Engineering and Planning Consultants and provide them with their responses to those comments. He started with the wetland review from OHM. There was one comment in there that the plans be revised to relocate the proposed detention basin outlet from wetland A and the associated 25-ft. buffer. He wanted to indicate that they are in the process of reevaluating that outlet from the detention basin and will comply with that requirement. Moving on to OHM's site plan review, he was reading from page four of their document under the conclusions, and he will address that item by item. The first item is a franchise utility easement that should be shown to ensure that there are no conflicts with public utilities. Otherwise, provide a note indicating that the franchise utility easement will not be located within or overlap water main and sanitary sewer easements. He stated that they concur with that. They will do both, they will add the utility easement to the plans to ensure that there is no conflict with the sanitary and water easements.

Mr. Pangori said that the second item is to eliminate conflicts with proposed light poles and utilities. They will add the light pole's locations to the site plan to indicate that there are no conflicts there.

Mr. Pangori stated that item three is to revise the plans to show the locations of proposed infiltration to meet the required Channel Protection Control Volume. They did have a geotechnical investigation done on the property by SME and the infiltration rates are less than .24 which means that the soil is not good for infiltration so they won't be able to infiltrate but they will comply with the other requirements of the detention ordinance. Number four was revising the plans to include pavement sections per the Township Engineering Standards for the roadway, internal sidewalk, and safety path. They will add those cross sections to the plans. The fifth item was revising the plans to include sidewalk crossings of Celeste Circle and indicate the location of ADA ramps. They will comply with that too. The sixth item was to relocate the marketing sign from the existing sanitary sewer easement, which they will do. The final item was that the engineering plan, designed in accordance with Zoning Ordinance #78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance #139 and the Township's Engineering Standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer, which they will comply with, assuming that they will be getting approval this evening.

Mr. Pangori said he wanted to go through the Planner's comments on the site plan, and there are nine of those. The first one was the applicant should consider a common visitor space lot(s). When someone has more than two vehicles visiting, they can't use another driveway without blocking access to another garage. They concur with that; they are providing a two-car garage in each of the units plus there are two parking spaces available in the driveway itself. They are also proposing that they permit on the exterior side of the circle road. Based on the number of spaces between the driveways of the buildings they believe that they can provide ten on-street parking spaces to comply with that and felt that there were enough visitor spaces for this development.

Mr. Pangori stated that the second item was the applicant shall confirm underground utilities and yes, they confirmed that all utilities will be installed underground. The third item was a performance guarantee is required, and they acknowledge that.

Mr. Pangori said the fourth item is regarding the four eight-unit buildings that exceeded the 200-ft. length. Mr. Mocerri explained this, on the ends of the eight-unit buildings there was a roughly 5x8-ft. utility or meter room where the Fire Department connection and the meter boxes would be held. It was an oversight on their part. That is what permitted the buildings or allow the buildings to be greater than the 200-ft. In those eight-unit buildings they will only be removing that utility closet and putting it inside of the garage, and the FDC boxes will be between the garages on the outside of the garage to resolve that issue.

Mr. Pangori stated that for the fifth item the applicant shall add site coverage to the site plan. Mr. Mocerri indicated that they do have a site coverage of 17.8% which 25% is permitted by the ordinance. They have a revised site plan where they have made these changes but that note was added to the plans.

Mr. Pangori said item number six buildings 3, 4, 9 & 10 appear to have porches or balconies projecting 6'6" into the side setback. That is the northerly and southerly boundaries of the property, the buildings that back up to that side of the parcel. Mr. Mocerri had indicated that there are a couple of things there that they did, the original site plans show offsetting garages as they go across the unit. Which was something that they voluntarily did to try to break up the front elevation of the garages. That is really what caused that projection into the side yard. On the revised plan on only those units that back up to those side yards they have eliminated that jog in the front garages and reduced the porch depth to 6-ft. beyond the furthest dimension of the rear of those buildings, and all the porches will comply with the ordinance on the side yards.

Mr. Pangori stated in comment number seven, that building 11 appears to have a porch/balcony project 6'6" into the front setback. Building 11 is the building that backs up to Lapeer Rd. which would be the first building on the left as they are pulling into the development. Their interpretation of the ordinance is that porches and balconies are permitted in the front yard to extend no further than 10-ft. from the building. They believe that that complies, so they kept the jog in the garages on that particular building. If they were misinterpreted that they can easily eliminate the jog and pull those porches back out of the 100-ft. front yard setback.

Mr. Pangori said the final two items dealt with the trees. Number eight was that the applicant shall provide the final open space tree requirement calculation based on the tree survey submitted. There was a response letter that they included from the landscape architect Jim Allen that indicates that 157 trees are required to meet the general landscaping requirements, and this requirement is met by preserving 425 trees. The ninth item was a tree removal was required per section 27.12. Applicant should provide replacement tree details based on the d.b.h. requirements. This information was on sheet L-9, there was a summary part of the table that indicated that 595 non-landmark replacement trees are required on a one-to-one basis.

The landmark d.b.h. removed is 703 inches which result in 234 three-inch deciduous trees or eight-ft. evergreen tree replacements.

Mr. Pangori stated that they were confident that their responses to all the current concerns presented and will address the items in the review letter.

Mr. Dominic Tringali stated he has worked on the project with Mr. Mocerri and several other ones as well. He said they did read the ordinance and architecturally they did look at it very closely to try to give some deviation and relief. They basically have four, five, six, & eightplexes that he has put together. Rather than typically having straight in the front on the elevation, they have some relief going back and forth. On the floor plans, they will see they have pulled some back and some forward. They actually added a few side entries as well too, so that way they don't have all the garages looking in front, they have some variety in there, some breakup in there, and then having it all tie together with the simplicity of what they created there is what they put together. The units are two-story units they are about 1,800-sq. ft. very popular something the market really needs, and they think they are going to fill a really good hole with this particular product that they put in there and the residents that they designed in there. Supposedly there is going to be about a two million housing shortage coming up and they can fill some of that gap and they thought it would be a good transition.

Mr. Tringali showed them the elevations. He stated that each unit is different, so they have some variety and not too much consistency. They have covered porches on some of the sides of the units too. Architecturally they are really pleased with what they are creating there. Also, some of the details of the canopies they are putting on the front and garage doors to cover those up. He showed them the fourplex and how some of the garage's projects in front, the other two were set back, they did that consistently throughout the project. He showed them the ones with the side entries, and how the decks in the rear are partially backed in as well too that they can meet the ordinance and the covered porches on the side.

Planner Wojciechowski said they hit a lot of the information, so he did a very brief summary. 101 townhouse units within 17 buildings ranging from four to eight units per building, and each unit would have three bedrooms. There are two parking spaces within the garage and two spaces in the driveway for four per unit which does meet the overall count, and they heard how the applicant intends to address the visitor parking. Really the item that he wanted to draw their attention to, was the one waiver that they are requesting with this site plan which is typically the RM-2 district requires covered receptacles, and dumpster enclosures, and they are proposing to have individual trash cans that are stored within the garages so that is requested in lieu of the dumpster area. That does require a Planning Commission waiver from sections 7.03 I. Otherwise, the applicant kind of addressed all of the nine comments that they had in their letter.

Chairman Reynolds said he was sure that one of the items that they will want to circle back to is item #7 in their review for front projects as it relates to those decks, but they can circle back when they open it up to the Planning Commission.

Engineer Landis said he will start out with their wetland review as the applicant indicated they are seeking a wetland permit for some minor impacts with the development.

Engineer Landis stated that his letter of July 13, 2022, was their first review of their application that was submitted jointly by AEW and Barr Engineering. The application included the EGLE and Army Core of Engineers joint permit application, as well as plans. Based on their site visit on July 12<sup>th</sup> they were able to confirm the delineation that is included in their report. There are two on-site wetlands, rather small in size, as well as one off-site wetland. The off-site wetland is wetland "A" and it basically eclipses or is barely adjacent to the southwest corner of the

development. As they know the Township has a 25-ft. wetland buffer that would be offset, so that offset, the buffer would actually encroach into their development even though the wetland does not. That wetland is just under one acre in size, and it is offsite in nature.

Engineer Landis stated that wetlands B & C are onsite in the northeast portion of the development. Wetland B is .33-acres in size and wetland C is .006-acres, so it is very small. They did some desktop review in addition to the onsite review and interestingly enough when they go through the historical imagery, it is available online, these wetlands do not appear to be present prior to 1963. So, it is quite possible that these were manmade depressions, part of surrounding developments or improvements to M24 it is hard to say, and they don't appear to be natural forming.

Engineer Landis said in their opinion wetland A is regulated by EGLE as well as the Township as it is contiguous with lower Trout Lake. Wetlands B & C in their opinion not regulated by EGLE but would be regulated by the Township because they provide some means of stormwater control.

Engineer Landis stated that as far as control impacts, as the applicant indicated, the only impact they had to wetland A, which was the offsite wetland where the buffer encroaches, they were proposing to extend storm sewer slightly offsite with an easement to outlet their detention pond. That would obviously impact the wetland and the buffer, and hearing from the applicant tonight it sounds like they are willing to pull that storm sewer back and avoid those impacts. He added that impacts to wetland B they are proposing to fill all .33 acres of wetland B as well as the .006 acres of wetlands C. Those are required to basically construct the ring road and buildings 1 & 17.

Engineer Landis said that while the proposed project does impact the onsite wetlands it appears that the wetlands are only providing stormwater management, they are not of high quality in regard to habitat or vegetation based on their review and that of their consultant. Since the applicant is proposing to construct a replacement stormwater management system consistent with the Township regulations it was their opinion that the function of those wetlands will be in effect mitigated. It was their opinion that the wetland submittal is in compliance with the Township's ordinances and standards. They would just ask that any approval would be contingent upon their commitment to revise the plans to avoid the impacts to wetlands A and the associated 25-ft. buffer.

Chairman Reynolds said they did have reviews completed by the Fire Marshal, Public Services, Water Resource Commissioner review, and MDOT. There was also a traffic impact study completed, and a site walk completed by their site walk committee.

Engineer Landis said he did have a separate engineering site review. He stated that the applicant did a nice job of hitting all of the concluding comments so he would just give them some additional information.

Engineer Landis said there was an existing 16-inch water main on the west side of M24. The applicant is proposing to loop the water main through two connections so they will loop the water main through the site. There is an existing 8-inch sanitary sewer also available on M24. Neither system has any capacity issues relative to serving this development. The applicant did provide preliminary detention calculations as well as a forebay and detention pond on the site. They did ask that they also include the channel protection volume control. He added that it sounds like they have done some infiltration testing and it is showing that those infiltration rates are below the level that is acceptable to promote infiltration. If that is the fact, they will still ask

them to provide some low-impact development features to the maximum extent practicable. That will be something they can pick up at engineering.

Engineer Landis said paving and grading everything appeared to be acceptable payment slopes appear to be between 1-6% and 1-4% for parking areas. They are going to provide the pavement sections as they discussed.

Engineer Landis stated that as far as traffic is concerned, they did look at whether or not this site would warrant a traffic impact study, based on the number of units., and the review of ITE this site was well below the threshold that is in the Township ordinance to warrant a traffic study. Nonetheless, the applicant did provide a limited traffic-impact assessment. They did look at it they had a couple of minor comments nothing that would warrant any revisions or changes.

Engineer Landis said that the applicant already went through their concluding comments, and it sounds like they are willing to make plan revisions.

Commissioner Brackon asked regarding the MDOT document he wasn't able to tell whether or not there was a definitive answer to whether there is going to be a full-depth right-hand turn lane off of M24 onto this? He had to believe, and he has heard it before, and it was also a concern of his that the traffic affecting Lapeer Rd. with additional 101 units is going to be somewhat impactful. He thought that the right-hand turn lane could help alleviate that. He couldn't tell whether or not that was in the plans or not. Mr. Trigali replied yes, what they were proposing was to utilize the wide shoulder that is there as the deceleration lane, that is what MDOT was requiring. Their comment was if in fact that it is not full depth asphalt, they would have to take that portion of the shoulder out and reconstruct its full depth. They are in the process of FOIAing that information from MDOT to determine whether that shoulder is full width or not. They believe that it is because the road was recently reconstructed but they haven't found that answer yet. If they find that it is not, then it would just have to be removed and replaced.

Commissioner Brackon asked Engineer Landis if a full-depth right-hand turn lane would be impactful or help the traffic flow? Engineer Landis said that there are certain warrants that MDOT will look at relative to their development and if those warrants are met then they will be required to by MDOT but that would be under their jurisdiction.

Commissioner Brackon read it as it was almost that MDOT was leaving it up to the petitioner as to whether they wanted to do the full depth right-hand turn lane or just use the shoulder. Mr. Trigali said that there might be some confusion as they are talking about the depth and the thickness of the asphalt in the shoulder. They approved the geometrics that they show on the plan all they were questioning was whether or not their shoulder full depth asphalt or not that was something they are going to research through a FOIA.

Commissioner Brackon stated that the issue wasn't then whether to put a right turn lane in. Mr. Trigali replied that is correct.

Mr. Mocerri said that MDOT when M24 was reconstructed they put in an entire continuous deceleration/acceleration lane, but they stripped it off where they can't drive on that. That is to be restriped so there is going to be a deceleration section on that shoulder for deceleration to move into Rigel into Hunter Blvd. Then when they exit, the extra wide shoulder that they have already created will be restriped to be that acceleration lane to be that right-hand movement that they are seeking.

Secretary St. Henry said it was similar to the Speedway at M24 that is kind of the setup they have there when they turn right it is the far-right shoulder, then they have turned into an acceleration lane.

Chairman Reynolds said it was nice to see a development come in with not just maxing out all of the units that are allowed with the density but rather doing something that is tastefully designed and laid out in the community. That is obviously a fight that they have on a regular basis, so, to be walking into that as a presentation was nice to see. He was glad to see that the same thing goes with the overall lot coverages under their requirements. He thought that there was a nice quality architecture that was proposed here. They have responded to the site and its zoning and then also tried to provide some relief in the façades so that it doesn't look like one big housing block type of development. He appreciated the applicant coming forth and willing to address the number of comments that did come up from the reviews from their consultants. It seems like the one concern he had regarding wetland A would be addressed with the applicant revising their plans per their discussion here this evening. Those other wetlands being smaller in nature and assumed to be somewhat manmade those to him seem to be remediated with the other improvements occurring to the site. In regard to the potential waiver that would be granted here this evening, he didn't see a need for a trash enclosure, he lived in a development very similar to this where every homeowner/occupant is going to handle their own trash versus it being like an apartment complex style where they are hauling their trash out to the common dumpster. In many ways this is a small single-family home size, so not see that being a major issue.

Chairman Reynolds said one minor comment that he had he would like to see them in the rereview take a look at some of the additional signage that is proposed for advertising for the development to make sure that either it adheres to their ordinance or is revised as temporary or something that fits that ordinance section. Planning & Zoning Director Girling said that signage is done entirely administratively by staff, so they do need it removed from the site plan. The Planning Commission is not assigned to review signage. Chairman Reynolds said that as clarification for that to be removed or reviewed at a later date.

Vice-Chairman Gross thought it fit in well between an existing condominium project to the north and the retail development with Home Depot to the south. He liked the way that the units back up to the units to the north so that it is a comparable type of development back-to-back. The same with Home Depot where the units are backyard to the Home Depot. He agreed that wetlands B & C are minor, wetland C is like 200-sq. ft. that is the size of a parking space, and wetland B is only 14,000-sq. ft. so again it is really insignificant in terms of the bigger picture. As the Engineer indicated that the purpose of those will be resolved with other infrastructure. He agreed that the trash enclosure is not necessary if there is going to be internal disposal of the trash. He agreed with Chairman Reynolds that it is nice to see a development that comes in not looking for excessive development higher-density in fact it is below the density of what the ordinance would permit. Overall, he is pleased with the plan.

Trustee Urbanowski said that is what she was going to say as well. It is refreshing not to be pushed to the edge of what is allowable. She liked the way the building is pushed forward, and it has a lot of depth and a nice look to it, with side garages. Overall, it is going to be a beautiful development. They have talked about traffic and things like that before but there is a light right there at Scripps that should be helpful for any kind of traffic coming in and out of there. She thought that it was clever, the use of the names, and thought it was nice because they were just talking about connecting to the history and making part of this Township. Cover trash enclosure was not a big deal to her either because everyone will have their own account with our GFL.



Vice-Chairman Gross said that the Planner indicated the setback along the units on Lapeer Rd. He thought they said they considered the front yard he would consider those the rear yard as opposed to the front yard therefore it would be compliant with the setback requirement for a rear yard.

Chairman Reynolds said he thought that was specific to item number seven in the Planner's review.

Planner Wojciechowski said he thought he heard the applicant indicate that those are going to be at grade porches. So, the ordinance does permit patios and porches that are not covered that are no higher than 3-ft. above grade to extend up to 10-ft. into that setback. As long as the floorplans for building 11 show that those are patios projecting into that then it is compliant with the ordinance. Chairman Reynolds asked the applicant to clarify that. Mr. Mocerri replied that they concur, and they want to be a variance-free proposition here and not a PUD. Again, they are not looking to get the last pound of flesh out of this he thought that their returns will come long term with their occupancy terms, and retention. This is a great Township, and they want to just hopefully accomplish their goals and objectives. They believe that Rigel Terrace does that.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission approves the wetland permit for PC-22-26, Rigel Terrace Wetland, located at 2410 S. Lapeer Rd. (parcel 09-23-301-005) & unaddressed parcels 09-23-301-012 & 09-23-301-013 for plans date stamped received June 29, 2022. This approval is based on the findings of fact: that per the Engineer's review and report of July 13, 2022, the action is not likely and will not pollute, impair, or destroy a Wetland; there are no feasible prudent alternatives to the proposed action, and this reflects an improvement for the vehicular circulation on the site; the approval is consistent with the public interest, in light of the stated purposes of the ordinances. The condition of the approval of the Wetland permit is there is compliance with the Wetland Day protection.

Discussion on the motion:

Chairman Reynolds asked if there was any concern with the condition on the motion just to adhere to the issue or the conflict with A? Engineer Landis replied no as long as their condition is to have the applicant adhere to their comment number one, he was fine with it. Chairman Reynolds asked if the motion maker would like to further clarify otherwise, they can leave the motion as is. Vice-Chairman Gross said to leave the motion as is.

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

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission grants the waiver for the requirement for a covered trash receptacle because the applicant demonstrates that the operation of the development will be for internal trash to be retained by the individual units.

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

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission grants approval for PC-22-26, Rigel Terrace Site Plan the site plan is to be revised in accordance with the comments made by the applicant this evening to reflect the reviews of the Planner and the Engineers letters of July 14, 2022, and July 13, 2022, respectively for the

subject property at 2410 S. Lapeer Rd. (parcel 09-23-301-005) & unaddressed parcel 09-23-301-012 & 09-23-301-013.

Discussion on the motion:

Planning & Zoning Director Girling asked if they could add in the condition of removing any signage?

Vice-Chairman Gross amended his motion, Trustee Urbanowski re-supported that the sign that is shown in the submission be deleted and to be reviewed by the Planners at a later date independent of the Planning Commission.

Discussion on the motion:

Ms. Katheryn Kennedy 690 Rochester said she was very concerned that they are doing waivers of wetlands. Also, Greenshield and Scripps she thought were natural beauty lands. That section of the property is pretty much the only thing left for the wildlife; the Bald Mountain area is pretty much wiped out around the park where development has encroached. She feels anytime they fill a wetland they create a flood zone. There are multiple problems that they create themselves, and she felt this was a real issue. She doesn't agree with adding so much transient housing to their community. These are big apartment projects, and townhome projects, nobody is talking about real houses that families want to live in. She actually has a real concern about Commissioner St. Henry making the statement that there is no conflict of interest he actually works for the individual that presented the World Economic Forum Resolution for Oakland County and he is a long-term employee of Oakland County Economic Development who's pushing the World Economic Forum into their communities. The County actually created an obtainable Housing Trust on February 24<sup>th</sup>, they also put Economic Development in charge of their airports. They have a no-fee no-lease to the US Border Patrol for their airport where they don't have to pay any rental. The taxpayers have to pay whatever the expenses are over some notable user fees and at the same time, they moved their records to facilities. In this entire process, they are digitizing everything, they have digitized their real estate, they digitized them. She actually got a QR code from Oakland County for an opinions survey and then she got a QR code from the State of Michigan for an opinion survey. A QR code is designed for tracking and data capture, it was designed by a foreign corporation Denso Wave in 1994 for manufacturing inventory control. Why is our government using these types of things on them and why are they using their tax funds to bring a lot of other people from other regions of the world to our community that they can support? That is not reasonable, and they are saying that they want 11,500 obtainable housing units, they are looking at only apartments, the cost-benefit analysis with apartment and property taxes the property tax owners are the ones paying the costs, they are bearing the cost of it. She is really concerned about their schools, infrastructure, traffic is horrid already, this is not a positive thing. There was a global Detroit Forum that was for landlords to teach them how to rent to the refugees which is HUD money.

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

Mr. Mocerri said he couldn't let things like that be un-responded to, this is not meant to be a debate but to say that his children who live in Townhomes are transient, and his granddaughter resides with his son in a Township. His nephew, his Godson, Dominic Tringali their Architect lives in a Townhome. These are attached single-family residents, they may be for lease, or they

may be for sale. He couldn't let those set idle. They are not transient born and raised right down the block in the community, part of the community, and he won't let those comments just float out there.

B. PC-22-27, Willow Creek Apartments Wetland & Site Plan, located at 3120 S. Lapeer Rd., (parcel 09-26-151-019).

Chairman Reynolds asked the applicant to state their name and address for the record.

Mr. Joseph Salome 251 Diversion St. Rochester, MI, and Jason Fleis with Umlor Group 49287 West Rd., Wixom, MI presented.

Mr. Salome stated that what they have proposed was 104 units on 18 acres at the current Willow Creek driving range area. With an adjacent open space, they are proposing to use a 12% land coverage as they are allowed to go up to 25%. What they have designed is all the units are two bedrooms and they all have their own private attached garage. They are trying to serve a different part of the market and use some of the challenges that this site has relative to the ITC corridor to the south and incorporate that into their open space. They are aware of the comments about the square footage for the proposed patios and if they could make that work within the ordinance, they would propose to meet that minimum requirement. The photometric plan was something that can be supplied. They would not propose to have any balconies or patios extend out beyond what is the current requirement of what he believed 3-ft.

Mr. Salome said that he thought that the landscaping in conjunction with the existing trees that are going to remain is going to provide an excellent screening to the west and to the north.

Mr. Jason Fleis thanked the Planning Commission for the opportunity to present today. He also thanked the Township staff for a very productive pre-application meeting and a thorough review. He said the Fire Department wanted them to put on record that the buildings will be suppressed so two entrances will not be required. Commissioner St. Henry had concerns with traffic and the capacity of existing utilities. The Director of Public Services provided a letter saying they have ample capacity for sanitary and water main along Lapeer Rd. The Oakland County Water Resources Commission they will comply with the permitting requirements required there. OHM Engineering review they will comply with their comments as well, as well as the OHM wetland review, they agreed with the findings there.

Mr. Fleis said regarding the site plan review for the photometric plan that was required they are just proposing a couple of streetlights at the entrance, the rest of the lighting will be on the buildings but will provide what is required to meet the requirements they are not asking for any variances. They will provide underground utilities throughout the site. The patios will meet the minimum square footage as required. The calculation for the open space, 500-sq. ft. per unit is required which is 52,000-sq. ft. and to the south of the units they have provided the 5-ft. walking path, they have over 3 acres just in that area, not including the wetlands. Additional information on the dimensions will be provided. The tree removal permit required, again, they have chosen a site that was already cleared of trees, they provided a tree study, but will provide the additional calculations as required but had minimum impact on the existing trees on the site.

Planner Wojciechowski read through his review date stamped July 15, 2022.

Engineer Landis read through his review date stamped July 14, 2022.

Chairman Reynolds said that there was a review by the Fire Marshal and did not recommend approval based on the following comments, that there was one access road if the units were to

be un-suppressed or if one access road was with suppressed buildings to comply with the 2015 International Fire Code (IFC), along with Fire Department Connections located on the street side of the building or facing approved by the fire apparatus access roads, fully visible and recognizable for the street. So those are either not provided to date or need to be revised to show all of the (FDC) connections. The turning radius in the emergency apparatus road needs to be provided per the Orion Township Fire Department turning performance analysis template.

Chairman Reynolds said that there were reviews for Public Services without additional comments, along with MDOT and there was a Site Walk report completed for the project.

Vice-Chairman Gross asked if the frontage along Lapeer Rd. was something that was part of their site? Are you purchasing that? Mr. Salome replied that it is part of the purchase agreement currently and pending the outcome of this meeting this evening they may enter into further negotiation with the seller to possibly keep the miniature golf portion of the site itself. It was something that was going to be subject to these proceedings. It is their intention to connect the walking path to the south in order to connect to the existing sidewalk.

Vice-Chairman Gross asked if there were any restrictions regarding the use of the easement property on the south that is encumbered with the overhead wires, and the underground utilities? Mr. Salome replied that they are not proposing to do anything outside of what the easement requirements are. The walking path and they are going to have a dog park area, yoga areas are all in compliance with the easement.

Vice-Chairman Gross asked if there were any restrictions placed on it by the utility companies? Mr. Salome replied not unless they want to go vertical. Vice-Chairman Gross said it seemed like it was an area where they could really take advantage of the open space. They started with the walking path, and he could see an area where there are exercise stations along the path to kind of be an attraction to their tenants possibly a dog run, a putting green. Mr. Salome said if they could move their turn the existing driving range straight down. The issue is hitting golf balls toward the buildings. They do have plans to put a dog park there as well as some recreational things like the yoga area, and that may evolve a bit into some other amenities that they are hoping to make attractive to the residents. Vice-Chairman Gross said that as the Planner indicated it is kind of off-site to be used by the residents but if it is organized such as it would be an attraction to actually use that area. Mr. Salome agreed and was excited to be able to use it. It was nice that it was open and had very little tree impact on the whole site. Vice-Chairman Gross said he would hate to see it just as a field. Mr. Salome said it wouldn't be good in terms of the optics of it for the development and didn't think it would be a good addition from a marketing perspective, they are going to make it nice. Vice-Chairman Gross said they are showing two trash enclosure areas, they are both at the west end of the site. Mr. Salome said he didn't want to complicate anyone's life right now, but it was interesting that the last applicant made the request to allow to go to individual trash bins, he would hate to say this, but they would probably make the same request. They are doing another development right now they are doing that the same way and that is the preferred way to go. He thinks that if they could avoid the dumpster, it is better. Again, he didn't want to complicate the process.

Vice Chairman Gross asked if these units had attached garages? Mr. Salome replied that they all have attached garages. Vice-Chairman Gross said that will make it easier for the tenants to maintain their own garbage.

Chairman Reynolds asked if they are seeking a trash enclosure waiver and wouldn't install the enclosures if the waiver was granted to provide individual trash? Would they still enclose a trash enclosure? Mr. Salome yes, he is requesting it. Chairman Reynolds said on the plan right now on the west end there are two trash enclosures. He asked if they would remove those from

the plan or keep those on the plan if the waiver was provided? Mr. Salome replied if the waiver was provided and at the pleasure of the Planning Commission, he would propose that they remove the two proposed enclosures and allow for individual trash containers that would be housed in each individual unit's garage.

Commissioner Brackon questioned the MDOT if that was addressed in the proposed access to parcel B? Mr. Salome replied that they will address the MDOT comments when and if the frontage is developed per their comments. If and when that is developed, they will address it, that is what they are requiring. Commissioner Brackon said they wrote, to avoid having further mitigate for future development traffic of parcel B they should consider preparing the TIS for the worst-case scenario and address it at one time, this time. He asked if he was saying that he is not going to do that. Mr. Fleis replied that they are going to comply with MDOT and their requirements. He was working with Julie Kroll who did the initial traffic impact assessment that was submitted. They are going to provide some additional information to MDOT, they will work with them to meet the requirements. They wanted the worst case. Where the truck turn around is coming off of Lapeer Rd., and they had the right turn lane, it is not as clean as other sites where they can see a clear right turn lane, but they have the exaggerated shoulder and then they have the larger turnaround, so where do they put a secondary entrance. So, what they are concerned with is having a secondary access right there going to that second site. What they are going to do is provide the additional information for the worst case, working for what the future development is of that area, what additional traffic is because they are probably going to come out on the boulevard entrance and then out to Lapeer Rd., so there is only one entrance for that future development.

Commissioner Brackon asked if they going to provide a site development plan that includes proposed access to parcel B or not? Mr. Fleis replied yes, what they need to do is work through the process with MDOT. When they get the traffic counts and distances. What they didn't do is get into the design of the future development. What they want to do is incorporate into their plan if there is a need to provide an entrance to that future development off of the boulevard, they will provide that. If they can't get a secondary entrance on Lapeer Rd. They will comply with MDOT and what they need. Mr. Salome said if MDOT is not going to allow another entrance they will incorporate the entrance to that site off of their boulevard entrance. If they will allow a separate entrance, then they will design for that.

Commissioner Brackon thought that their concern was if parcel B is sold are they still going to allow that second entrance off of their boulevard. Mr. Salome replied yes it will be a requirement.

Commissioner Walker asked Planner Wojciechowski what he was saying about the trees, what was the recommendation on the trees? Planner Wojciechowski replied that when they took a look at the site the western property line requires 90 trees to be provided. The applicant is adding 40 trees, so they are essentially deficient in terms of the ordinance by 50 but the ordinance does allow for the Planning Commission to accept existing vegetation in lieu of meeting the requirement for those 50 trees. If they feel that it effectively screens the property from the west.

Commissioner Walker asked if the question of whether or not they are going to leave the putt-putt course is that part of the vegetation issue or not? Mr. Salome replied no it is not. There is existing vegetation and mature trees along the north boundary line some on their property and along the west. They feel those are of higher quality than what they could replace but that would be at the pleasure of the Planning Commission if they are required to put the additional 50 trees they will. They are feeling that they are meeting the requirement and thought that there was a mechanism in the ordinance for them to do it that way.

Commissioner Walker asked Engineer Landis that he seems to indicate that although there are two wetland areas, they are insignificant? Engineer Landis replied it is insignificant in the way of the impacts. They are basically replacing an existing driveway culvert and just making it longer to accommodate the wider driveway that is going to come in. Commissioner Walker questioned that he was not suggesting any sort of remediation or anything like that. Engineer Landis replied that he didn't think it was warranted.

Commissioner Brackon asked Commissioner Walker if he would want them to put those additional trees in somewhere? Commissioner Walker replied that he wasn't sure, the fact that there would be 50 less trees after they are done. He asked if that was correct? Mr. Fleis replied that he didn't prepare the landscape plan but from his review and what he was familiar with on the plan it is more about preserving the existing trees there it is not eliminating trees and then not replacing them it is maintaining the trees along the west and north property line, and then along the creek as well to the east. It is keeping those trees in place.

Chairman Reynolds showed the Board the tree survey. There is a number of trees around the property. All the trees with red "X's" on them are those being removed. So, they can see the ones that will be remaining which are primarily to the west and the south not therefore on the north. He did agree that there are some abilities to provide a little wiggle room here based on the existing trees. He did think that 50 is a lot especially when they consider this northern property line is not landscaped with existing trees per kind of this motive. He thought to him in his perspective here especially just with how they have influenced the tree ordinance he thought there was a compromise that they would be looking to seek, at least in his perspective. He asked the applicant to clarify if he was wrong. Obviously, there is a lot of them likely to be removed because of the detention basin. They could see on the overview some of the trees that are being maintained, clusters to the south, and most of the clusters to the north are not. He thought that is where maybe there is some compromise or discussion here is to incorporate some additional thoughts.

Chairman Reynolds said overall the intent of the project he thought was there, he was in support of that. He appreciates the general density that is here. He was a little reluctant just in general some of the comments that came up to just conditional approve this tonight. He has a lot of trust in their consultants but that sometimes is an issue. He thought that all of these things are capable to be addressed. He would just want to make sure that if they put that kind of faith in their consultants that they have the time to review it and if there is a concern that there isn't a reluctancy to have it come back to the Planning Commission if his fellow Planning Commissioners were intending or seeking a potential approval tonight. One of the comments is always to kind of stick up for their fire and safety. There are some bigger comments with the Fire Marshal none that he didn't think were workable here, but they need to make sure that these things are buttoned up. Comments previous to the last project, and are kind of minor in nature, they don't have a photometric, they are missing a couple of components. He wasn't trying to steer anyone in any certain way but just to be aware that there are some bigger revisions here to work through that he thought could all be implemented but should be done in a proper motion.

Trustee Urbanowski asked regarding the Fire Department, if they are suppressed, they only need one? Chairman Reynolds said that is what his understanding is, it is effectively when they have a multi-unit development here if there is only one access the units would be suppressed.

Mr. Salome said that they are suppressing the buildings voluntarily. They will meet the Fire Marshal's requirement there. They will also of course meet the radius requirements, as well, through the engineering process. He had no problem with Fire Marshal's comments at all.

Mr. Salome stated that as far as the photometric goes there will only be lighting on the buildings and at the entrance there will not be any other lighting at all. The photometric is going to be very simple.

Chairman Reynolds said that is where some of his concerns arising both at the turning template and the photometric are all things that they typically see at this phase. It is not something they see in final engineering when they see it further developed. That is where his feeling on this project, he was in support of the intent here he felt there needed to be a little more information.

Vice-Chairman Gross said he would like to get some partial approvals on the wetlands, and the trash enclosures. He thought that they can resolve those issues this evening. Then give some direction relative to the site plan and hopefully it can come back to them relatively quickly because he didn't think they were that extensive but would provide them with some comfort zone in terms of the final project.

Trustee Urbanowski said they were talking about trees, and the little area to the south for recreation, maybe a nice little park area there with some landscaping in that area might be a nice addition. Engineer Landis didn't think that ITC would allow the planting of trees. Chairman Reynolds said although they have a large area, they are somewhat restricted in use. His opinion is seeing some of the trees being removed and seeing where there might be some areas, whether it is creating another feature or not, he would like to see some of those items addressed or the applicant come with a proposal to say here is our actual calculations that they have come up with and they are asking for a slight deviation per the ordinance.

Trustee Urbanowski said she was in support of the idea of this development as well. She does believe that they need housing like this.

Secretary St. Henry said he hoped that they could address the tree issue. He was very familiar with that site. If they are clearing out a fair number of trees off the northern boundary, he would like to see the trees replaced somewhere on the site, if possible, they are talking 50, it is not a huge number given the size of this development.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, relative to the wetland permit under Ordinance number 107, that the Planning Commission approves the wetland permit for PC-22-27, Willow Creek Apartments Wetland, located at 3120 S. Lapeer Rd. (parcel 09-26-151-091) for the plans date stamped received June 29, 2022. This approval is based on the following findings of facts: per the Engineer's report of July 14, 2022, the action is not likely and will not pollute, impair, or destroy a Wetland; there are no feasible or prudent alternatives to the proposed action since this is an expansion of the entrance drive into the site; the approval is consistent with the public interest in light of the stated purposed of the ordinances of the Township.

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

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission grants a waiver from the requirement enclosed trash receptacle because the applicant has demonstrated that they will provide internal trash provisions for the individual tenants to retain their trash and therefore the trash enclosures indicated on the site plan can be removed.

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

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission postpones site plan approval for PC-22-27, Willow Creek Apartments Site Plan, located at 3120 S. Lapeer Rd. (parcel 09-26-151-019) to allow the applicant to revise the plans to indicate some improved trees along the north portion of the site adjacent to the residential property to the north, and to include in the landscape plan some proposals for the development of the south park area.

Discussion on the motion:

Mr. Salome stated that he would like to formally request that he remove the request to eliminate the 50 trees. He thought that if that was something that is creating a little bit of tension here, he could say he agreed it wasn't that many trees. He thought looking at the site plan they could probably find places to put them in. He formally retracted that request and to meet the ordinance exactly with the additional 50 trees.

Mr. Salome said it seemed to him that the only thing that they are deficient in is the park area. As he has stated they plan to put in the dog park, the yoga area, and the sidewalk. At that moment in his mind, the thing that they are stuck on is the photometric plan and he would like to work that through with the consultants and come up with an acceptable photometric plan per the ordinance and what the standard practices would be.

Chairman Reynolds said he wanted to turn it over to the Planning Commissioners. There was a motion made to postpone the case to address the open items of their consultants and their Fire Marshal and to consider adding trees to the north property line and to further developing the south area. Since the motion is on the table the applicant has stated a request to retract the 50 trees variation from the tree ordinance.

Commissioner Brackon thought that postponement was the proper way to go at this point and time. He would like to see the new site plan with all of these issues addressed before approving or not approving.

Chairman Reynolds said even with the retraction of trees as presented by the applicant he would still support the postponement. He thought that yes, it is photometric but there are some other items here, additional grading, some of those items are things they have resolved at this point. He knew that they could be perceived as minor in nature but as they are sitting here as a Commission, he was slightly reluctant in that regard.

Commissioner Walker said more so than the photometric, he was concerned about the Fire Marshall's input. He thought that was a big deal.

Mr. Fleis said they will provide the FDC connections that he has requested. The buildings will be suppressed. He was more looking for the truck turning template, but the radius exceeds what the minimum requirements are, it is just showing the template on the site plan and that is something they can comply with. They have fuller width roadways as well providing further additional turning areas for the truck. He felt that the Fire Marshal's comments are easily addressed.

Mr. Salome stated that the Fire Marshal's comments are already addressed. The radius is absolutely addressed. The issue with the buildings being suppressed is addressed there are no Fire Marshal concerns here whatsoever. He did respectively request that that be taken into consideration. He wasn't clear where there were any grading



concerns here? If there is something more than photometric he wasn't clear on exactly what it is. This is not a PUD this is an approved use of the site pending the purchase, he has a lot riding on trying to get this through. If these are major issues, he would 100% support them tabling it but if they were minor issues, he would respectfully request that they consider allowing them to work those through administratively.

Planning & Zoning Director Girling said obviously it is at the Planning Commission's discretion but in order to get approval even if it is administratively approved it still has to meet the ordinance. If there is nothing subjective like not putting in 50 trees, then the consultants are going to look to make sure they meet the ordinance and if they don't, they will have to come back. If there was nothing subjective, she just wanted to add that in there.

Chairman Reynolds said if there was an opportunity as the applicant has requested and put forth for them tonight if they retract the 50 trees and is provided with administrative review and approval that is what is generally being discussed in a big picture if there is a comfort level otherwise the postponement is the current motion on the table.

Secretary St. Henry said the administrative review would be for the photometric plan? Chairman Reynolds replied all of the above. Planning & Zoning Director Girling replied that it would go to the Planner, Engineer, and the Fire Department.

Chairman Reynolds said that the open comments that exist here tonight would be subject to the review of their professional consultants and if they couldn't come to a conclusion then it would default to come back to them.

Commissioner Brackon said he was still in favor of the postponement if the preference is to move forward with a vote, he thinks there is a risk of denials or no votes on the approval versus a greater chance with the postponement of seeing it and being satisfied with the site plan being approved at that time in his opinion.

Chairman Reynolds said that without having an actual motion on the table here, he would foresee that motion to be approved if all of the conditions brought forth are met to the liking of our professional consultants, and if not, it would come back to the Planning Commission. It wouldn't be a straight-up yes or no but more or less a conditional approval. That is not uncommon it just comes down to where they get into these projects with a long list.

Engineer Landis stated that he was very comfortable with reviewing revisions related to the comments. It is relatively minor in nature, and it can be resolved for what it is worth.

Planner Wojciechowski said regarding the lighting and the photometric plan there are only two standards to review it is that the lighting is shielded downward, and it doesn't exceed .3 along the west property line. He would echo Engineer Landis's comments their review is very minor in nature.

Chairman Reynolds asked if the motion maker was comfortable with retracting their statement with the intent to recommend approval with conditioned upon addressing all of those comments are re-review.

Vice-Chairman Gross rescinds the motion to postpone at this point.

Moved by Chairman Reynolds, seconded by Commissioner Walker, that the Planning Commission grants site plan approval for PC-22-27 Willow Creek Apartments Site Plan, located at 3120 S. Lapeer Rd (parcel 09-26-151-019) for plans date received June 29, 2022, based on the following findings of facts: this approval is based on the following conditions, the successful rezone of the property to RM-1, that all of the comments in the Planners review letter is to be addressed, all the comments within the Township Engineer comments to be addressed, and all the comments within the Fire Marshal's review to be addressed. This motion also includes the applicant's retraction as presented here tonight to therefore plant the 50 trees that were previously proposed as deficient, and he would request that the applicant still consider additional plantings on that south side of the parcel as originally presented in the original postponement motion, part of the landscape plan that intent would still stand true. This motion includes the plans being resubmitted to our professional consultants, and our Fire Marshal, agreeable to their liking for site plan approval and meeting all of those ordinance requirements, if those requirements are not met it would come back to the Planning Commission.

**Roll call vote was as follows:** Walker, yes; Brackon, no; St. Henry, yes; Gross, yes; Urbanowski, yes; Reynolds, yes. **Motion carried 6-0 (Gingell absent).**

## **8. UNFINISHED BUSINESS**

### **A. PC-2021-07, 5-Year Master Plan Update**

Planner Arroyo said there was a memo in the packet that described the changes from the previous draft. As they know they were primarily just correcting factual information that is all outlined in that memo.

Planner Arroyo stated that Lapeer Rd. is not proposed to be an interstate highway it is a state-divided trunkline and there is no text that talks about it being an interstate highway.

Planner Arroyo said one other minor item that he wanted to point out that came to their attention. One minor correction that they would like them to consider if they make a motion tonight is that the northwest corner of Baldwin and Morgan is currently shown as this light purple that is institutional and really, they believe it should have this mixed-use, industrial commercial mixed-use which is consistent with the underlying BIZ zoning that is already there for the frontage piece of that. They would suggest that that be incorporated as a map amendment that they would include. He knew this wasn't a parcel-specific plan but thought it was a nice clarification, and at the same time the density plan doesn't show a density on the density plan because of that institutional overlay, so this would then bring in the density that is the mixed-use and village center density on that if it were to be developed as residential at some point, but it is a mixed-use development so it doesn't have to be residential. If they choose to make a motion tonight incorporating that minor correction, he thought that would be helpful.

Chairman Reynolds thanked everyone for their efforts in this. He thought that they had a very comprehensive review and very thorough review of this Master Plan. He was in support of a couple of changes here and would look forward to submitting the resolution to adopt.

Vice-Chairman Gross asked if they could do the changes by consensus like they did at the last meeting as opposed to by resolution just do it by consensus. Planner Arroyo thought what they could say if they are choosing to move forward and approve the resolution it would be conditioned upon that one change at the northwest corner of Morgan and Baldwin being incorporated into those two maps as presented tonight.

Planning & Zoning Director Girling said she wanted to pass one that was a question on location. Again, if this is irrelevant and it is not a concern, but it was kind of intertwined with all of the

citizen letters, it was an internal question that she received that page 113 seemed to be a strange location not really related to the adjacent pages and perhaps it should be moved to the amenity section. She didn't know if they had any thoughts or if they could look really quick at page 113. If they say that is where they intentionally put it, and that it should be there. She thought it was more directed at the Planner. She added that Leisure Recreation, they are talking about the concept of redevelopment, and it just seemed like it was in a very strange place, and Leisure Recreation seemed to be more appropriate in the amenity section. She said she would bring it up, she has brought it up, if they like where it is at, then they like where it is at.

Planner Wojciechowski said that was the section that initially had a little bit more language about the tourism aspect, so it was under the economic development umbrella, and throughout the process, they softened that language a little bit and it landed at the Leisure Recreation language to sort of still mention it but not necessarily promote it as the primary economic development driver. He would say it is still in the correct spot.

Moved by Vice-Chairman Gross, seconded by Chairman Reynolds, that they amend the Future Land Use Plan as presented to reflect a change to the NW corner of Baldwin and Morgan Road from institutional to mixed-use, on the Master Plan Map and on the Density Map that it reflects a mixed-use density.

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

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, whereas, the Orion Township Planning Commission may prepare and adopt a Master Plan for the physical development of the Township as empowered by the Michigan Planning Enabling Act of 2008 being PA33 of 2008, and whereas, the Orion Township has contracted with a professional planning consultant to assist the Planning Commission with the technical assessments necessary to make the Master Plan for the Township that includes a Future Land Use Plan, Complete Street Plan, Housing and Density Plan, Economic Development Plan, and Environmental Resources, and more, and whereas, the Master Plan is a guide to assist the community and evaluating future developments in the community, whereas, the Master Plan does not make decisions but is used as a resource based on historical trends and future projections based upon current available data and information and whereas, Orion Township provided multiple opportunities for public input as part of the process including, but not limited to, two in-person open house workshops, one online open house, online resident survey, and multiple Planning Commission study sessions open to the public. Whereas, the Planning Commission has held a public hearing on its proposed Master Plan on July 20, 2022. Therefore, be it resolved that the Orion Township Planning Commission hereby adopts the Master Plan for the Township, along with the text, maps, charts, graphs, and other descriptive material contained in the Plan dated with the latest revisions of July 7, 2022. Be it further resolved that this Master Plan be submitted to the Township Board as the adopted plan by the Planning Commission.

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

## **9. PUBLIC COMMENTS**

None.

## **10. COMMUNICATIONS**

None.

## **11. PLANNERS REPORTS**

### **A. Article on Agrihoods and Agritourism**

Planner Arroyo said he just wanted to make an announcement that this is going to be Matt Wojciechowski's last meeting. Matt has decided to take a job in West Palm Beach, FL working for a consulting firm. They are very fortunate to have Planner Eric Pietsch he has been involved in doing plan reviews and in the Master Plan, so he is very familiar. He is going to be stepping up and taking a bigger role. Chairman Reynolds said thank you very much for all of his efforts towards Orion Township and our projects.

Planner Pietsch said they do have a report on agrihoods and agri-development which he thought was appropriate given the concerns that they heard here tonight from some of the community members who want to preserve the rural nature of the community. With agrihoods is a mechanism that can be looked at as a sustainability practice within communities. He thought it was kind of an appropriate bridge to those types of concerns that they heard tonight.

## **12. COMMITTEE REPORTS**

None.

## **13. PUBLIC HEARINGS**

**A. 08-03-22 at 7:05 p.m., PC-22-28, GM Orion BET 2, Special Land Use Request Public Hearing to expand an automotive manufacturing facility located at 4555 Giddings Road (parcels 09-34-200-006 and 09-34-400-011)**

**B. 08-03-22 Joint Public Hearing with the Board of Trustees on PC-22-29 (immediately following the PC-22-28 public hearing at 7:05 p.m.). Baldwin Village Planned Unit Development (PUD) Concept and Eligibility Plan, located at 4410- & 4408 S. Baldwin Rd. (parcel 09-32-301-001), and unaddressed parcel 09-32-301-014 located at the NW corner of Morgan and S. Baldwin Roads, an unaddressed parcel 09-32-151-020 located north of 4408 S. Baldwin, and 4292 S. Baldwin (parcel 09-32-151-021).**

## **14. CHAIRMAN'S COMMENTS**

None.

## **15. COMMISSIONERS' COMMENTS**

Trustee Urbanowski welcomed Planner Pietsch back. She wished Matt Wojciechowski good luck and congratulations they will miss him. She thanked Planner Arroyo for steering this ship through some good waters and some rocky ones too.

Secretary St. Henry wished Planner Wojciechowski good luck. He did want to address a comment that was made regarding a conflict of interest, him being on this Planning Commission. He does work for Oakland County in Economic Development, he has been there for five years, but it has not been a long-term position. He is in charge of marketing communications supporting the workforce development division for the County. Prior to that, he worked for Lake Orion Community Schools and a number of private enterprises in the automotive finance tech businesses. Prior to that, he was the editor of their community newspaper reporting on many things going on in the Township.

Commissioner Walker said good luck to Planner Wojciechowski. He apologized for forgetting that Commissioner St. Henry was on the Planning Commission when they did the last Master Plan. He wanted to echo what was said about this Planning Commission, since he has been on

this Commission this is the best one. He appreciated all that the consultants and all you folks do.

Chairman Reynolds agreed and appreciated everyone's efforts. It was refreshing and rewarding and as much as it is dreadful to come here be here till 10:15 p.m. sometimes it is nice that there is some good thought here.

Secretary St. Henry said over the course of 7-8 years they have had very competent people on this Planning Commission but the Commission that has been established now over the last year or two has much more robust dialog.

**16. ADJOURNMENT**

Moved by Chairman Reynolds, seconded by Vice-Chairman Gross, to adjourn the meeting at 10:15 p.m. **Motion carried.**

Respectfully submitted,

Debra Walton  
PC/ZBA Recording Secretary  
Charter Township of Orion

August 3, 2022

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Planning Commission Approval Date