

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION
******* MINUTES *******
REGULAR MEETING, WEDNESDAY, AUGUST 3, 2022

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, August 3, 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 Walker, PC Rep to ZBA
Don Gross, Vice Chairman	Joe St. Henry, Secretary
Kim Urbanowski, BOT Rep to PC	Jessica Gingell, Commissioner
Derek Brackon, Commissioner	

PLANNING COMMISSION MEMBERS ABSENT:

None

1. OPEN MEETING

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

2. ROLL CALL

As noted.

BOARD OF TRUSTEE MEMBERS PRESENT:

Chris Barnett, Township Supervisor	Mike Flood, Trustee
Donni Steele, Treasurer	Julia Dalrymple, Trustee
Kim Urbanowski, Trustee	

BOARD OF TRUSTEE MEMBERS ABSENT:

Brian Birney, Trustee
Penny Shults, Township Clerk

CONSULTANTS PRESENT:

Rodney Arroyo, (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:

Christopher Carnell	Kirsten Barber
Erich Smith	John Docherty
Doug Black	Felix Lopez
Gary Roberts	Fred & Sue Hackstock
Dominic Mocerri	Mark Perkoski
Christina Belanger	Chris & Jerry Demott
Braden Giacobazzi	Craig & Darcee Scavone
Brooke Smith	Jim Eppink
Gary Jensen	Thomas Martelle
Ron Yancho	Don Hickmott
Allycia Natavio	Marilyn Hester
Erin Wolff	Julie & Mark Branton
Angela Debrincat	Johanna Barker
Kristen Wirz	Peggy Nelson

3. MINUTES

A. 7-20-22, Planning Commission Regular Meeting Minutes

B. 7-20-22, Planning Commission Public Hearing Minute for PC-21-07, 5-Year Master Plan

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

4. AGENDA REVIEW AND APPROVAL

Moved by Chairman Reynolds, seconded by Vice-Chairman Gross, to **approve** the agenda as amended. **Motion carried.**

Chairman Reynolds recessed the regular meeting and opened the public hearing for PC-22-28, GM Orion Bet 2, Special Land Use Request to expand an automotive manufacturing facility located at 4555 Giddings Road (parcels 09-34-200-006 and 09-34-400-011) at 7:05 pm and closed the public hearing at 7:05 p.m.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None.

6. CONSENT AGENDA

None.

7. NEW BUSINESS

A. PC-22-28, GM Orion BET 2, Special Land Use, Wetland & Site Plan located at 4555 Giddings Road (parcels 09-34-200-006 and 09-34-400-011).

Planner Arroyo read through his review date stamped July 25, 2022.

Engineer Landis read through his wetland review date stamped July 27, 2022 and his site plan review date stamped July 28, 2022.

Chairman Reynolds said there were additional reviews from a number of internal and external entities received as all projects do. The review from the fire marshal had a recommendation to approve with a number of conditions to still be worked out, or requirements per the fire code, to still be implemented as plans go through final engineering.

Chairman Reynolds stated that there was a review from Public Services along with the Water Resource Commissioner. He stated we knew for a while that the project was coming. Obviously, the 3.8 million square foot building is quite large, and they are proposing a 2.8 million square foot addition. There is a lot of moving parts, and our staff has been actively engaged in this project from the beginning and meeting on a weekly basis to ensure the success of the project to make sure it meets our ordinance and follows through on all those items.

Commissioner Brackon had a concern about the proposed mitigation with regards to the wetland impact and whether it is enough? He was also wondering if doubling what is being offered here is an option? Why it would not be, in other words, the 1.5 to 1 wetland credit? Why it could not be 3 to 1, why it could not be 4 to 1 for the forested wetlands

and/or 17 and then the purchase of the 17.2 or the wetland credits?

Chairman Reynolds asked for additional questions from the Planning Commission. There were none.

Mr. Smith said in terms of the wetland impacts, he did not have his environmental consultant here tonight. It was his understanding that they are meeting the requirements of EGLE for that wetland.

Chairman Reynolds posed a question to Engineer Landis. What is typically the contribution or is this a state regulated item? He asked him to elaborate.

Engineer Landis stated that he was in agreement with what the applicant had responded. The proposed ratios for mitigation of 1.5 to 1 for emergence and 2 to 1 forested is typical for EGLE. They are working to meet EGLE's requirements for those wetlands that are mitigated by the State.

Chairman Reynolds had a couple comments. He stated that he did not have any major issues with the wetland permit. The fact that it is a special land use; this is the one and only location within the Township in which it is zoned. He did not have any issue with compatibility or general thoughts. It is with the spirit and intent of the ordinance there. It is a one-off use that is not self-regulated, but obviously has some of its own moving parts. For example, the off-street parking, the ordinance have developed as Rod had mentioned. In a bigger picture, the ordinance says there would be 6,000 parking spaces required which is based on the general square footage. That is not always applicable as we see in smaller cases too. The same thing goes with internal parking lot landscaping; that is a standard item that we apply to projects to make sure that there are trees. This is where you have stacking cars, so he did not see any major issue with that. The same thing goes with loading. There would be a crazy amount of loading bays required per our ordinance. This is not the stereotypical project. He was in general support of the plan as submitted. There are some items to work on with some of our professional consultants and would be in support of them working through those items specifically like site plan items with our planner's and consultants to be re-reviewed as they have been doing already.

Vice-Chairman Gross commented that GM has been a long-standing employer in the Township. They have been very active and responsive to providing a quality site in the community. He stated he is very happy to see that their commitment is to not only stay in the State of Michigan or also stay in Orion Township. It is a big plus for us to see them as a major employer in our community.

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski that the Planning Commission **approve** PC-22-28, GM Orion BET 2 Special Land Use Request to expand an automotive manufacturing facility located at 4555 Giddings Road (parcel 09-34-200-006 and 09-34-400-011) for plans date stamped received July 6, 2022. This approval is based on the following finding of facts: it is compatible with the adjacent uses, since it is a single operation and an expansion of an existing auto manufacturing facility on the entire site. It is consistent with the Master Plan and the surrounding uses. There are adequate Public Services within the project with existing improvements being made which are necessary for the expansion. There will be no additional impact on traffic, the existing

road network is sufficient to accommodate the expansion and it provides easy access to I-75. There will not be any detrimental effects. This is not a smokestack type of facility. It is all internal operating facility and will provide an enhancement of surrounding environmental uses with the expansion of the manufacturing as identified in the Master Plan.

Discussion on the motion:

Dominic Mocerri, of 3215 Silverbell Road, said he is very excited that the sustainably with our economic impact will have a positive impact on the region that General Motors has committed to itself even further. He was concerned that for over 10 years, there was a white bicycle that we saw at the south gate. It meant that a pedestrian was killed at that location. The idea that there are no safety paths around the perimeter of the plant, he found it an odd exception. On the south of Auburn Hills, there are safety paths and there are other safety paths. Nothing that in the 62,000 families that we served over the years, our family we never negated or asked for a safety path wavier on anything. We have Mr. Orley represented here together with the Jacobson family. We have built thousands of miles of safety paths throughout Southeastern Michigan. To think that General Motors is a responsible citizen should not just negate the necessity of a safety path around where there is going to be thousands of workers. There is going to be picketers. It is inevitable. He has picketers at his sites; it is nothing against General Motors at all. At the same time, it is something that should be looked into. He did not think that this is something that should hold the project up, but it is something maybe a consideration at a later date. He thanked them for their commitment to the region.

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

Moved by Vice-Chairman Gross, seconded by Secretary St. Henry that the Planning Commission **approves** the wetland permit for PC-22-28, GM Orion BET 2 located at 4555 Giddings Road (parcel 09-34-200-006 and 09-34-400-011) for plans date stamped received July 6, 2022. This approval is based on the following findings of facts: The action will not impact the wetlands as submitted by the Engineer. That the proposed impacts to the wetlands are offset by the applicant's efforts to mitigate the impacts. Majority of the high-quality wetlands are being preserved and the EGLE regulated wetlands are being banked a rate of over 1.5 to 1 overall. The proposed land use is consistent with the zoning of the property and the proposed impacts are consistent with the typical developments to provide the require road access, utility networks and stormwater management. The requirements of the wetland protection ordinance are being met. The applicant is providing the required stormwater management facilities impacting the least amount of wetland area possible given the location of the improvements.

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

Moved by Vice-Chairman Gross, seconded by Commissioner Walker that the Planning Commission **approve** an off-street parking calculation waiver for PC-22-28, GM Orion BET 2 located at 4555 Giddings Road (parcel 09-34-200-006 and 09-34-400-011) for

plans date stamped received July 6, 2022, based on the following: the applicant did provide evidence that indicates that the standard for reasonable use of the property, is sufficient because of the level of current and future employment and they have demonstrated that the parking facility provided will accommodate the number of employees and visitors that are expected on the site.

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

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission **approve** an internal parking lot landscaping waiver for PC-22-28, GM Orion BET 2 located at 4555 Giddings Road (parcel 09- 34-200-006 and 09-34-400-011) for plans date stamped received July 6, 2022, based on the following: The applicant did provide evidence that such landscaping would not provide significant stormwater detention benefits for the site and there are sufficient on-site internal landscaping provided in the site plan.

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

Moved by Vice-Chairman Gross, seconded by Commissioner Walker that the Planning Commission **approve** a waiver from the loading/unloading requirement of Section 27.04 for PC-22-28, GM Orion BET 2 located at 4555 Giddings Road (parcel 09-34-200-006 and 09-34-400-011) for plans date stamped received July 6, 2022 because there are sufficient loading docks that are being provided on the site and the applicant did demonstrate that the existing loading zones are in relationship to the building locations where they are required.

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

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski that the Planning Commission **approve** wetland setback waivers for PC-22-28, GM Orion BET 2 located at 4555 Giddings Road (parcel 09-34-200-006 and 09-34-400-011) for plans date stamped received July 6, 2022, based on the applicant demonstrated the appropriateness of a lower setback and compliance with the habitat reservation, the water quality preservation and the stormwater quality retention.

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

Vice-Chairman Gross questioned if there are proposed road improvements on the public roads that would involve the construction of the safety path?

Supervisor Barnett stated yes, there are proposed road improvements. He has been to at least two dozen meetings in Lansing over the last couple months as part of this project and our commitment to GM. As part of the project, the Township is working on funding. We have been meeting with the Governor, Governor staff, with MEDC, MDOT and about a dozen or more senators and representatives including the Speaker of the House, Senate

Major Leader, people from both sides of the aisle. It is a total project which includes safety paths, 24-million-dollar project maybe a little bit less. The good news is we already secured 12.7 million dollars. As most of you might know, we do not get any funding for roads as a Township. The most recent funding came from Congresswoman Slotkin, a 7-million-dollar federal committee project funding allocation. The state passed the budget. We have strong commitments that when they come back to work in September, the House and Senate, we will be finding the rest of these funds. We are working about 10 different angles, including some in DC. The roads will be rebuilt in conjunction with this project, all the roads around the plant and we will include a safety path. That is the reason why General Motors is not including them on their project. This is because it is a part of the project we are working on with the Road Commission for Oakland County. There is also a federal bill grant application. The roads will be reconstructed, rebuilt not just resurfaced including safety paths as part of the Township and Road Commission project that we are working on.

Moved by Vice Chairman Gross, seconded by Commissioner Walker that the Planning Commission **approve** a waiver from the requirement to construct safety paths for PC-22-28, GM Orion BET 2 located at 4555 Giddings Road (parcel 09-34-200-006 and 09-34-400-011) for plans date stamped received July 6, 2022 because the Township has been working diligently with the various funding agencies to provide for road improvements surrounding the site which will include the construction of safety paths as a part of that construction.

Discussion on the motion:

Secretary St. Henry raised a question to Supervisor Barnett about what the general timing was for the rebuild of the roads?

Supervisor Barnett said that they have been working with the Road Commission and it is going to be a symphony of effort. We are anticipating upwards to two to four thousands tradesmen and women throughout the course of the project working on site. The plant is still operational; they are still building Bolts and Bolt EVs. They are going to continue those products throughout the construction. We have to make sure that when we do start the project that we can continue to let the plant operate, but there is lots of other businesses that use those roads. We are hopeful that we can do some of the project next year and the rest of the project in 2024. It will probably go over two years because we really want to coordinate and make sure we are not stifling the productivity of the construction as well as the plant. We meet with this group every single Tuesday and we have been for the last couple months. We will for the next two years. They are extremely organized and on top of things. We have been meeting with the Road Commission regularly as well to start the plan of that. We have never seen a project like this in Southeast Michigan, let alone Oakland County, let alone Orion Township. We are hopeful to start some of the project next year on the road re-construction and it will probably go into 2024 because we cannot totally close all those roads.

Treasurer Steele said she appreciated Mr. Moceri's comments about the paths because she is on the path committee. In the event you are not able to find funding; would it be something that GM would consider revisiting down the line?

Supervisor Barnett pointed out that we have a great relationship with General Motors and their team. We will continue to work with them; he is confident that we will be able to get it done.

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

Moved by Commissioner Walker, seconded by Commissioner Gingell that the Planning Commission grants site plan **approval** for PC-22-28, GM Orion BET 2 Site Plan located at 4555 Giddings Road (parcel 09-34-200-006 and 09-34-400-011) for plans date stamped received July 6, 2022 based on the following findings of facts. As mentioned earlier, this is a project unknown to Orion Township, or anywhere, and the board will move forward as quickly as possible, and the applicant has indicated that they would cooperate with the consultants on their reviews or anything that has not been addressed completely. This approval is based on the following conditions: The applicant will amend the plans to address any unresolved issues from the Township's engineer, planner, and fire department reviews and resubmit for rereview by the consultants to their satisfaction with no required return to the Planning Commission unless the applicant is unable to meet one of the consultants issues.

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

Chairman Reynolds recessed and opened the joint public hearing for PC-22-29, Baldwin Village Planned Unit Development (PUD) Concept and Eligibility Plan, located at 4410 & 4408 S. Baldwin Rd. (parcel 09-32-301-001), an 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). The applicant RED Equities, LLC, is proposing to rezone the properties from Single Family Residential-1 (R-1), Suburban Farms (SF), and Brown Road Innovation Zone (BIZ) to Planned Unit Development (PUD) to construct a mixed-use development containing both residential and commercial components on approximately 6 acres.

Chairman Reynolds closed the PC-22-29 Joint Public Hearing at 9:29 p.m. and reconvened the regular Planning Commission meeting at 9:30 p.m.

B. PC-22-29, Baldwin Village Planned Unit Development (PUD) Concept and Eligibility Plan, located at 4410 & 4408 S. Baldwin Rd. (parcel 09-32-301-001), an 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).

Chairman Reynolds asked the consultants to go through their reviews.

Planner Arroyo read through his review date stamped August 1, 2022.

Engineer Landis read through his review date stamped July 27, 2022.

Chairman Reynolds stated that they did have reviews from their Fire Marshal, there are some

items that can and need to be addressed during final engineering if the project is to proceed. The Water Resource Commissioner did have a review along with Public Services, which is an internal department. There was a site walk report completed by their Site Walk Committee.

Chairman Reynolds thanked the citizens for their respectful conversation and points of concern. They are listening, and they are citizens and residents just like them.

Chairman Reynolds stated that overall, this is a very large parcel and many people including himself are reluctant to see development in lieu of keeping land, but private development and property owners have rights to develop. He did think, although large, it is a thoughtful development that has improved over time. He thought that the density proposed could be significantly higher in many proposals, as they have seen in the past, and he felt that a lot of the amenities have been rearranged to essentially keep open space and keep the pedestrian amenities provided. And to see not only baseline requirement that they frequently fight up here as a Planning Commission to be provided in a plan to just be brought forth as being proposed is appreciated.

Chairman Reynolds said he knew there was concern about some of the uses. He didn't question necessarily himself some of the uses, but he does question their implications as they relate to traffic. He knew the Baldwin corridor has plenty of capacity as currently designed but it is something to consider as to what uses are going in there.

Chairman Reynolds stated the one piece about having this being a large parcel under unified control and development is that things like detention, they are seeing a lot of very nice planning ideas implemented here that would otherwise if singularly controlled or developed that they wouldn't normally see. He is an architect by nature, so there are a lot of these things on the buildings up by the Baldwin corridor with nice landscaping. A lot of times they are trying to squeeze every little bit of their engineering standards on a parcel versus understanding that they can be combined and pushed towards one location. He did think there were a lot of positives.

Chairman Reynolds said that he was in support of the residential varying uses. They have worked many, many, months, and many hours on their Master Plan this past year and a half and it does start to check some of those boxes of some other housing types that the Township does need. Now does he believe that the plan as proposed right here is perfect, no, he did not believe that. Although he did think that the project is eligible for a PUD and the density and uses proposed are reasonable. He thought that there needed to be further discussion and review based on the traffic, specifically some of those cross-access and ingress and egress of the site adjacent to some of these uses especially ones that they know will likely create some havoc if not done properly. He did have some concerns with some of the buffers. He understood that some of these retail developments are searching for certain parking requirements or circulation, but buffers are important to them. All of the comments here this evening speak to not just having the minimum buffer but an increased buffer. He knew there were measures being already proposed but he thought there were a number of potential waivers as the plan is presented here this evening that would affect some buffers and ordinances that they typically like to see.

Chairman Reynolds said with the minor wetland mitigation measures that are being proposed some understanding and forethought from the developer, the concern around the adjacent neighborhoods, they have a largely graded site with a lot of grading that is existing, to kind of prove, especially with their new stormwater management standards to show that that drainage is being withheld on the site and that it isn't going to negatively impact any of the neighbors because they don't want devaluation of properties or creating havoc on people adjacent.

Chairman Reynolds stated that he did think that the residential proposals have a nice aesthetic. It looks like they were well thought out, he did think that the commercial side needs a little help. Maybe that is intentional with maybe some of the tenants that are not able to be announced or know yet are being shown. For example, some of the flat roofs being proposed that is something that they stray away from in this district. Some of the blank facades, although he appreciates the buildings having all of these pedestrian amenities, he thought that there needs to be a little bit of further development towards the pedestrian scale. Although he was in support of kind of this neighborhood-scale grocer, and he understood it was an orientation on the site, he thought that there needed to be some deeper dive into what it looked like from the main entrance point and the Baldwin corridor.

Commissioner Walker said Mr. Mocerri is a fine developer. His team, he was sure as they have heard from everybody around here today, is a great team. When he reviewed this initially, he thought, I don't like it, and he didn't know why. He analyzed it from the ordinance side of things, the PUD, what qualifies as a PUD. When you go through the application you can check off those boxes pretty easily, you can't. Normally when an applicant comes in it is his experts against our experts. Today, his experts and our experts are kind of right in lockstep. He is still not convinced, and he didn't know why he was not convinced. Part of it, he thought, doesn't fit, in his personal view, of his view of Orion Township. During the presentation they indicated that some of the buildings. They didn't want to look like a Royal Oak, and they wanted to be Scandinavian. To him it looks like, he doesn't know where it belongs, someplace he didn't want to say nicer than Orion Township, he has lived here 34 years he loves it here. It just doesn't fit in his concept of what he would like to see that area look like.

Vice-Chairman Gross said since he has been on the Planning Commission, he thought this was the first real Planning Unit Development project that they had come before them. It is a mixed-use development consisting of residential, retail, office, commercial, and open space on a single 60-acre parcel as opposed to 10 or 6 10-acre parcels individually unrelated to one another. He was excited about that. In addition, he thought the overlay district they have with Gingellville, he thought provides them with some additional opportunities to create something that is different from what would normally be expected on the site. They talk about this as part of the Master Plan embracing the 15-minute neighborhood. He thought that they needed to look at this as more than just a neighborhood of the apartments on the existing development that extends beyond the borders of this site and take that into account. He thought they had to take a look at what is happening or could happen across the street on Baldwin and how they get folks from the east side of Baldwin to the west side of Baldwin safely. That has to be done with some sort of traffic considerations and monitoring and the like. He was on the Site Walk Committee that visited the site and his first observation when he saw it was this is a heavily wooded site. With innovation and proper planning, there is an opportunity to take advantage of that landscaping, and the existing woods, especially around the borders of the property adjacent to the existing residential sites. He saw what they did with The Cottages to the north, and they took out all of the trees and put in some buildings. He thought there was an opportunity to save what is there and add to it so that there is a recognition of the existing amenities that are on the site.

Commissioner Gross said one other consideration that he thought needed to be taken into account is the nonmotorized activity that a 15-minute neighborhood is going to take into account, and whether it is minibikes, bikes, or pedestrians, and how is that accommodated relative to bike stands, and charging stations, and all of the things that make it friendly for the neighbors to actually utilize the site and not worry about concentrating it just for the folks that are going to be living there.

Trustee Urbanowski said when they think about the community benefit it doesn't necessarily just mean that community. She thought that was a wonderful idea with the charging stations and all of that. She said someone questioned why the kayak addition would be something that they would talk about, that is an additional community benefit and that is allowable. They are allowed to say whether or not they would accept something like that as a community benefit. It is not required, most of the time when they see PUDs it is that the benefit is that they are going to give them a nature preserve. That is arguable sometimes, but this is a solid thing that they want to do.

Trustee Urbanowski said going back to the schools, and she has mentioned this at another before, that she is very much concerned about public safety, their Fire Department, and infrastructure and all of that. She stays in contact with those departments, and she asks questions. She did reach out, as Supervisor Barnett did to Ben Kerby, and she asked him what the pain point is, when are they going to freak out on them, and say stop building places. She got the assurance from him that they are well aware of everything that is going on, everything that is coming, and that they are planning for that. She wanted to make sure that everyone knew that they also think about those things and asked in advance. She does have kids here as well; she has a middle schooler at Waldon. She lives off of Baldwin, so she totally understands it.

Trustee Urbanowski said they are considering all of those people that are surrounding. This truly is the first real kind of PUD that they have seen that is really true to what they were thinking of when they are thinking of these kinds of things. She believed that Baldwin was built for something like this. The use, the density, and the design concept fit right in with the PUD idea. She appreciates the two most western bits the closer to Peppermill and The Cottages intend to feel more like the adjacent properties, and the same towards Baldwin. They are putting the multi-family towards Baldwin, they are bringing it away from the single-family homes, and The Cottages. She thought that was well thought out and she appreciated the idea of that. That goes to in her eyes, the transition, it is not like they didn't throw all multi-family apartments in the back and felt that was really well thought out. She was concerned about the commercial part of it, especially because of the Chick-fil-A, that entrance there. She did think that that will be an issue. She also didn't like the idea of another car wash, there are too many. If people are going to be walking more, they don't need to wash their cars as much.

Trustee Urbanowski wanted to talk about transitional features, will the PUD place an unreasonable burden upon the subject and surrounding land or property owners and occupants potentially with the traffic from Chick-fil-A? With the Township Master Plan, they were talking about 15-minute neighborhoods, she wants to see kids and families still continue to use those safety paths, safely. She lives off of Baldwin and she would really like to continue to let her kids go down to Menchie's, so that is important. She likes the fact that there is more open space than they need to have. The density is right along the line of what it would be normally. Unified control, she understood that Mocerri properties are well maintained and had an excellent reputation so she had no concerns with the idea that they would fall into disrepair.

Trustee Urbanowski they have been talking over and over about middle housing. When she thinks about middle housing she doesn't think in terms of price. What she is thinking about is that somebody in her neighborhood of Keatington, like maybe her because most of her children are grown and gone, she doesn't need a four-bedroom house anymore, but she might want to stay in Orion. This might be something that she can go to and now she has opened up her 2,300-sq. ft. home to someone else that wants to buy it. People are moving from large homes that they have raised their families in, but they want to say in Orion young professionals and empty nesters. She was happy to see this plan and did think there was a

lot of work, but she thought it was right where it needs to be.

Secretary St. Henry said during the applicant's presentation he talked about our Master Plan and some of the goals in the Master Plan. He helped write those goals and a big focus of their attention has always been balancing development with maintaining the historic character of their community and the rural nature of their community. All of them recognize that this piece of property has been primed for development for 20 years. For those that have lived here, it should be no surprise. There is no question in his mind that if this was built, whether here or wherever Mocerri product is well thought out development, it would be topnotch and very appealing. It does address some of what he thought their housing options concerns are in their Township. He has a vision of middle-market housing as being also affordable housing for young families. He wasn't sure if this would meet that criterion or not of truly being affordable. They have looked at a number of townhouse apartment developments over the past year especially. They just looked at one not too far off of Lapeer Rd. within the last few months, another very nice development very appealing would probably fill up. They looked closely at the density, the infrastructure issues, and drainage concerns, most importantly they looked at the traffic issues. That being said when he looked at this plan and he saw the massive size of this plan and where it is being proposed and having lived here and watched Baldwin Rd. evolve over the last 40 years, he was very concerned about the traffic. Not just people going up and down Baldwin Rd. but also those that live in the neighborhoods, and trying to be respectful to the existing residents, some that have been there 2 years, 20 years, and 50 years. Traffic in that area is an issue. Development of this size with the possibility of up to 1,000 cars adding to the traffic is concerning. They have talked about this before; they are proponents of the right kind of development, and it has to be in the right locations in the Township. He was not convinced that this is in the right location in the Township. It is a very nice development but to Commissioner Walker's point, he felt exactly the same that he did. He is not sure this belongs in Orion Township. To him he envisions this being in a location like a Troy, or a Rochester, or perhaps a Northville or a Novi. It just doesn't seem to fit their character. He is not saying that changes couldn't be made but it just feels out of place. His biggest issue with this development is the footprint. They talked about 15-minute neighborhoods, and Planner Arroyo brought that concept to their attention when they were putting together the Master Plan, he enlightened 15-minute neighborhoods to hamlets. To him, 465-unit development is not a hamlet. He thought that the footprint is detrimental to that area from a traffic perspective but more so because he is concerned about the impact on the people that live there now, these different neighborhoods around there, and what kind of impact it will have on them. This proposal Mr. Mocerri is presenting has merit. He would like to give them the opportunity to listen to what they have had to say, what the community has to say, and come back with some significant changes, if possible, to perhaps make that footprint not as drastic to this area. When he looks at this, this is almost like a new community within Orion Township. He always envisioned when a builder comes in, he wants to compliment what is around him and he thought that location is not compatible at this point. Perhaps it could be if it was configured differently, maybe a little smaller he would feel differently but right now the footprint is very problematic to him.

Commissioner Brackon said this in his opinion is a place he would want to live within Orion Township. He did see within Orion Township although there is nothing like it in Orion Township, he thought that it would bring the level of Orion Township up significantly. The concern that he does have is the traffic, a massive problem. Somehow the engineers have to figure that out and have to get dealt with in a way that it doesn't seem it has yet. His second concerns are the buffers and the setback to the existing housing that is there. Not as much so to the west and the Pulte subs that are new there but to the south to the north. Also, on the southwest corner there, there is a whole subdivision there that they can't see on that, that he was assuming was intentionally left off of that map where there are 50-ft. setbacks from those seven duplexes in that corner and its 50-ft. that doesn't include a patio or a pool. The

people living to the south there in their R-1 homes on three-quarters of an acre have enjoyed woods and now they are going to have a pool within 25-50-ft. of their house. He thought that the buffers and the setback have to be analyzed if this is going to move forward to reduce the impact on the existing property owners or there is going to be a huge problem.

Commissioner Gingell said she was concerned about a road coming from The Cottages into this development because she can picture people coming out of Gregory Meadows into The Cottages through there and creating a whole lot of traffic coming into those commercial buildings just to avoid Baldwin Rd. entirely. She thought the grocery store didn't have the feel of a neighborhood grocery store at 44,000-sq. ft., a Trader Joe's is 13,000-16,000-sq. ft. a Whole Foods is 40,000-sq. ft. that is a huge grocery store, not a local neighborhood grocer. Chick-fil-A is going to cause a huge amount of trouble. She has teenagers and she told them this was on here today and they are super excited because they are kids and they want to go there and they are all going to have to take them there, it is going to be busy. The one-way exits there and just the way the boulevards are she saw huge safety concerns there as well. She wished it had more of a village feel on the Baldwin Rd. side just to keep the character of the town down there. The only thing she sees as a village is a name, it is commercial with some residential behind in her opinion. When they get past the commercial, they see huge apartment buildings. She wished those were pushed back if they have to be there. Some more greenspace she opened it and saw a bunch of concrete right off of Baldwin Rd., so if they could push it back, build up the buffers, she thought it would make it a little better.

Chairman Reynolds said regarding OHM's letter one of their four concerns was the stub road from The Cottages of Gregory Meadows. His personal opinion is, that he has always likes vehicular connections, he is a big proponent of that. Obviously, the way this lays out and seeing it is under unified control the concern was more if that was always going to be a single development piece, so he at least appreciated the pedestrian access component. He thought where he sees some of this discussion going is he would like to get some thoughts on that specific comment because it is something specific in their engineer review. It sounds like if someone is willing to make a motion then there could be some constructive conditions being put forth on the recommendation that they make. Some of these concerns of buffers, drainage, aesthetics, and trees he thought were all good things to put within that motion to give some constructive feedback on why they feel the way they do that they may be in support, but they want to still see these things improved. He wanted to circle back to the road pedestrian access versus vehicular.

Commissioner Brackon said his understanding is that Peppermill Lane and The Cottages that there is a gate there now only assessable for emergency vehicles. There would not be an opportunity in the new development to go to The Cottages and then assess Morgan Rd. that way. Chairman Reynolds said as it is planned currently, no. What they see where all of the trees are in the current development, but that is where the stub road was originally proposed in The Cottages at Gregory Meadows. In what would be in the top right corner of this proposed plan there was the stub road with The Cottages at Gregory Meadows proposed that would potentially connect to future development. As of right now, it is only proposed as a pedestrian accessway between the two parcels versus vehicular access.

Vice-Chairman Gross stated that the carwash that was proposed doesn't seem to fit in this type of development.

Commissioner Brackon said if the carwash project was scrapped a mattress store also doesn't fit.

Secretary St. Henry said what he would like to see here in the commercial portion of this would be professional services like doctors, dentist offices, and medical facilities, if this is truly

a self-contained village. Something like that makes more sense to him than a carwash. He thought that the development of the mattress store he thought was purposely building designed that way so it can be a lot of different things. He would like to see professional buildings of some sort in this development.

Moved by Vice-Chairman Gross, seconded by Trustee Urbanowski, that the Planning Commission forwards a recommendation to the Township Board to approve PC-22-29 Baldwin Village PUD Concept and Eligibility Plan, located at 4410 & 4408 S. Baldwin Rd. (parcel 09-32-301-001), an 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) for the preliminary plans date stamped received July 7, 2022. This recommendation to approve is based upon the fact: that this is for concept only; further plans would be detailed at a later date under final plan review. That the applicant has met the following eligibility criteria of Section 30.03(B) of the Township Zoning Ordinance and has met the intent of a PUD as stated in 30.03A of the Township Zoning Ordinance: a recognizable benefit; a PUD will result in a substantial benefit to the ultimate users of the project and the community, and embraces the Gingellville Overlay District and the 15-minute neighborhood plan with is addressed in their latest Master Plan; it provides for a single unified development on 60-acres of property versus several unrelated developments. The density impact will result in a material increase in the use of public service facilities and utilities in relation to what would be permitted if the property were developed without using the PUD; it is consistent and complies with the Gingellville Overlay District. The request is consistent with the Master Plan in the area as well as the Overlay District and the 15-minute neighborhood concept. The economic impact of the PUD will not result in an unreasonable negative economic impact upon surrounding properties in relation to the economic impact that would occur from more traditional development. The guaranteed open space contains open space which is required in the ordinance and will provide a nature preserve and park available for the community located within the project. This is a proposed unified PUD under single ownership, there is a single person or entity having responsibility for completing the project with this ordinance. This recommendation for approval is based upon the conditions: that the traffic is analyzed and detailed relative to the project both from a vehicular as well as pedestrian traffic circulation system; that there be a tree survey provided that will identify the border existing foliage that can be retained as a screen, setback, and border for the adjoining residential properties; that there be a phasing identified for the project which would identify which projects would be provided in the various phases; that the project looked at nonmotorized accommodation on the development for such things as bike paths, bike racks, charging stations, and the like.

Discussion on the motion:

Chairman Reynolds said they would want to make sure that they are meeting the criteria of 2-4 of OHM's review, which referred to reviewing the traffic study, three was the infiltration measures, and four was the ingress of traffic for review. He was not adding in 1 because it was in reference to the vehicular access to The Cottages at Gregory Meadow.

Vice-Chairman Gross amended the motion, Trustee Urbanowski re-supported to include the July 22, 2022, report from OHM.

Chairman Reynolds stated the discussion of avoiding future buffer waivers was one comment. He knew that they were discussing trees, but he thought was a point of clarification that there was some point of concern about the amount of buffers, especially to the north and south. The other comment was some of the commercial aesthetics make being aware of the Gingellville standards and their frontage along

Baldwin Rd. And then the concern of draining and flooding on the site. He thought that was somewhat addressed in item #3, but it is a point of condition he thought just from the Planning Commission. To be clear, in addition to the previous amendment it would be looking at the buffers adjacent to commercial properties specifically to the north and south sides. Addressing the commercial aesthetic and the flat roofs as it relates to the Gingellville Overlay Standards and their presents along the Baldwin corridor, and then the drainage and flooding concerns as the proposed property may or may not create.

Commissioner Brackon said even during the construction process the drainage and flooding because he thought that were a huge concern. Ultimately this may be perfect as far as drainage and flooding in the end but during the construction and the moving of the earth, there is going to be a problem potentially. The one person brought up the escrow, to put something in there to protect the people where if their whole basement gets flooding there is an escrow account or an insurance policy where they don't have to go through litigation to get their basement fixed.

Chairman Reynolds ask Engineer Landis if he could elaborate on that. Do the new Oakland County Standards speak to groundwater or anything like that? How it might change with the proposed development and their concern is how it might influence outside this property borders. Engineer Landis replied that they recently adopted a county standard basically to promote some more infiltration trying to keep some of the stormwater runoff onsite as opposed to collecting it and then sending it downstream. There is a requirement for the developer to provide some infiltration tests to look at the soils to see if they are pervious. There are certain rates that they have to meet. If those are met, then they can do the infiltration if they aren't then there is a requirement to try to implement some other best management practices onsite. He can assure them that they will make sure that the development adheres to the new stormwater standards. With respect to construction just to make sure they understand, obviously the developer is responsible for the design of the project. The Township and its consultants would review it to make sure it is in compliance with those standards. It is up to the developer to manage his construction. They are not out there all of the time when they are grading the site. They have their own construction crews; they have their own stormwater operator responsible to control runoff from the site and maintain their soil erosion measures. The incident that happened at Peppermill was a result of the developer's failure to maintain their measures and it resulted in offsite impacts. As he understood it there was a settlement reached between the two parties. It is unfortunate but it has been resolved. As far as the escrow is concerned, that typically is not set aside for such damages. There are several guarantees that a developer has to post, one is a performance guarantee which is usually 50% of the engineer's estimate of site improvements for the development. That is in place for the Township use in the event that the economy crashes, developer walks, or other unforeseen issues. Where they have possibly residents in a half-developed site where the Township might have to hire contractors to come in button up underground utilities assess etc. The other escrow is set aside to cover site inspections some inspections are full time mostly for utilities that the Township is going to take over and maintain such as water and sewer. Other inspections are more part-time check-ins. They are not typically set aside for potential damages to offsite residences.

Commissioner Brackon was hoping that perhaps the applicants think about that as part of their next proposal and maybe include it as part of it in contemplation of that issue.

Chairman Reynolds said there was a suggested amendment regarding the buffers, the general discussion against drainage and flooding in essentially that would be met by

meeting their engineer standards as recently adopted, and then also the commercial aesthetic along Baldwin Rd. He asked if the motion maker was willing to make this amendment.

Vice-Chairman Gross amended his motion, Trustee Urbanowski re-supported, that there be compliance with the Gingellville architectural and design standards of the ordinance.

Chairman Reynolds thought that the buffers needed to be looked at. Trustee Urbanowski thought that he was being more specific. Chairman Reynolds said the buffers are included along with the commercial aesthetic.

Planning & Zoning Director Girling said the motion is to recommend approval and all these conditions are their conditions that will be in the plan when they come for final. Chairman Reynold replied correct. Planning & Zoning Girling said she just wanted to make sure that was the intent of the motion, that it did not need to be at concept. Chairman Reynolds replied correct.

Mr. Dominic Mocerì 3215 Silverbell thanked them for their comments and concerns. He is going first address the perimeter there are concerns with the buffer. Their setback is their setback and their decks the way the buildings jog in and out are mostly recessed in along the west property line where the duets are those will all be at grade, there are no elevated decks there at all. There are no pool structures, invisible fences, jungle gyms, nothing like that. The buffers between the existing neighborhoods and what they are proposing with the North and South Village there is no additional structure. There is no clearing because of the slab on grade function the clearing limits would typically be no more than 12-ft. beyond the building envelope, they are not excavating basements. It is not to the same extreme as it would be a single-family with full basements.

Mr. Mocerì said that Commissioner Walker brought something up about the look and feel. They are looking at a flat aerial plan so they took great consideration to reduce the bulk and the heaviness of the car pollution and parking pollution and so they split the building in half. These are garages and there is parking behind the garages. These buildings all have garages that are at the ends of them. If they pull their renderings up, they are seeing an aerial of a bird's eye view, because they are not a giraffe, and they are looking at something from a giraffe's perspective. They have to look at it from a human scale from where they are in their vehicle, which they are below the grade of the height of the road coming up. They are not seeing three floors of these apartment buildings. He was calling them apartment buildings because they are trying to provide housing types and options for different affordability levels and middle market. They can lighten some colors up in the next iteration and give options to this. The dark contrast is something new to them, his taste level is he likes French Nouvel architecture but that is Gingellville either. His children think his taste is an architecture stogie, they think this is fantastic and it is Icelandic and all these different terms. They are not looking at it from a human scale and that is the problem they need to do a better job. If they get to the human scale, they are only going to see one floor because they have the berm and landscaping, then they have a trellis that is going to block all of this parking. Right now, from a flat plan, it is hard to see that at first glance. With the fountains and the trees, they may only see one story of that building. The clubhouse what they tried to do is set the amenity reflecting upon the pond. They were very cognizant and to the delicate nature of reducing the bulk. They put all half buildings along the boulevard and along Baldwin Rd., it was very intentionally done. They need to better demonstrate this in the next iteration, and they do appreciate their comments.

He did understand that it is different and tried to balance that with the round-about and traffic flow and create the different village concepts. To create that hamlet, they all think of hamlets as something of smaller size, and a hamlet is usually 50-100 housing units max. They created these hamlets or neighborhoods within the greater neighborhood. They just need to do a better job demonstrating this because it seems harsh on a flat plan but when they get the human scale, and they have trees that are getting planted at 12-ft. tall and they mature to 18-ft. tall it softens everything. He cannot speak to the center itself his associates will speak to that aesthetics and those uses. The one thing they were very diligent on was connecting the entire frontage along Baldwin with this common trellis work and landscape so there is connectivity, then the unified control as far as the landscape architecture and architectural control. They think these buffers are rather significant. They appreciated that they concur that the vehicular traffic and the Fire Department does concur, and they have reviewed the plan and the public safety and health they are satisfied with the dynamics and the connectivity that they have. By Peppermill Ct. is the last location where they have a duet. Often times they try to bring an architectural flavor and difference and not be so monotonous, but they are open to colors, it might be that stark contrast and that dark roof, and they could lighten those types of things up in the next iteration and provide some choices.

Chairman Reynolds said one item to clarify is a lot of the buffers are the concerns of the property adjacent to existing uses. He thought some of the main comments are buffers are the potential for future waivers is some of the distances as they relate to commercial uses.

Ms. Erin Wolf 4453 Peppermill Lane wanted clarification when they were saying about the amendment of the buffers if it could be for all of them not just for the north and the south because there are just the 50-ft. for the other adjacent. She also said she is really glad that it is Mocerri helping with this. After Mr. Mocerri reassured her that some of those homes were going to be the colors of their natural habitat for the buffers as an addition to the buffers. She just wanted to make sure that amendment was a buffer all the way around.

Roll call vote was as follows: Urbanowski, yes; Gross, yes; St. Henry, no; Walker, yes; Brackon, yes; Gingell, yes; Reynolds, yes. **Motion carried 6-1**

8. UNFINISHED BUSINESS

None.

9. PUBLIC COMMENTS

None.

10. COMMUNICATIONS

A. Additional Correspondences Regarding Master Plan

Chairman Reynolds stated that they have received a couple additional letters regarding the Master Plan. One of those was similar comments of opposition that we have received in the past. Another one was in support of our work, thanking us for our thoughtfulness and 15 minutes neighborhoods.

11. PLANNERS REPORTS

None.

12. COMMITTEE REPORTS

None.

13. PUBLIC HEARINGS

A. 08-17-22 at 7:05 p.m., PC-22-31, 1112-1128 Lapeer Road Rezone, the request is to rezone 1112, 1116, 1120, 1124, 1128, & 1132 S. Lapeer Road (parcel #09-14-201-005) from Restricted Business (RB) to General Business (GB).

14. CHAIRMAN'S COMMENTS

Chairman Reynolds thanked everyone from the public for coming out tonight. He does respect everyone's thoughts and opinions and does appreciate them for coming out especially in a respectful manner even though it is a late evening. It is nice for people to come out. Chairman Reynolds encouraged the Planning Commissioners make some motions and ask some questions.

15. COMMISSIONERS' COMMENTS

None.

16. ADJOURNMENT

Moved by Chairman Reynolds, seconded by Trustee Urbanowski, to adjourn the meeting at 10:51 p.m. **Motion carried.**

Respectfully submitted,

Courtney Keisman
PC/ZBA Clerk
Charter Township of Orion

August 17, 2022

Planning Commission Approval Date