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**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION PUBLIC HEARING MINUTES
PC-23-34, SKALNEK FORD RELOCATION, REQUEST FOR A CONDITIONAL REZONE
WEDNESDAY, SEPTEMBER 20, 2023**

The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, September 20, 2023, at 7:05 p.m. at the Orion Township Municipal Complex Board Room 2323 Joslyn Road, Lake Orion, MI 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Scott Reynolds, Chairman	James Cummins, Commissioner
Don Walker, PC Rep to ZBA	Don Gross, Vice Chairman
Kim Urbanowski, BOT Rep to PC	Jessica Gingell, Commissioner
Joe St. Henry, Secretary	

PLANNING COMMISSION MEMBERS ABSENT:

None

CONSULTANTS PRESENT:

John Enos, (Township Planner) of Carlisle Wortman Associates, Inc.
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:

Duane Decker	Justin Dunaskiss	Ryan Skalnek
Ron Meyer	Gerry Marchioni	Darlene Marchioni
Sharon Lewandowski	Arthur Lewandowski	Alana Hart
Laura Hart	Joseph Burkel	Julie Martin
Jeff Martin	Michael Curry	Catherine Wizek
Darryn McCoy	Heather Curry	Elaine Zywica
Tracy Moloughney	Bryan Smith	Rick Skalnek
William Benedict	Jane Peters	Bret Dick
Andrew Cloutier	Richard Brewer	Denna Brewer
Denis Wizek	Aaron Seidl	Ken Ancrum
Erin McMachen	Ted Taylor	Linda Taylor
Regan Slocum	Jordan Velazquez	Jessica Janes
Megan Walter	Stacey Sipes	Don Pokorny
Naved Aziz		

PC-23-34 Skalnek Ford Relocation, request for a Conditional Rezone, located at the northwest corner of Lapeer Rd. and W. Scripps Rd. (parcel #09-14-300-027 through #09-14-300-031, parcel #09-14-300-035, parcel #09-14-300-036).

Vice-Chairman Gross said he wanted to state for the record that he does not have an interest in the subject property of PC-23-34 and does not know the applicant. However, his wife and he were notified of the subject public hearing this evening. Since they are within the 300-ft. notification zone for the rezoning requirements. He does not feel he was required to recuse himself from the deliberations but if the Commission feels that it is necessary to recuse him, he will step down from the podium. Chairman Reynolds stated that he didn't have any concern with the conflict, there was no direct financial gain and there is no rule against someone being in the notification area that they would have to recuse themselves from the public hearing. No other Planning Commissioners had any concern with Vice-Chairman Gross not recusing himself.

Chairman Reynolds asked the petitioner to step up to the podium and give a brief overview of the application and then they will proceed with the public hearing process.

Mr. Justin Dunaskiss with Dunaskiss Consulting Development, 900 S. Lapeer, Oxford, MI presented.

Mr. Dunaskiss wanted to thank the Board, the Township administration, and the public for having them. He knew that they had a lot of busy agendas, and really appreciated it.

Mr. Dunaskiss said tonight is really a culmination of over a year's work, working a lot with those same stakeholders, area residents, the Township administration, the Board, Ford Corporate, and customers, all being here tonight for this conditionally rezoning request.

Mr. Dunaskiss was going to turn it over to Ryan Skalne from Skalne Ford here in Orion Township. He will give them a quick overview of the history of how they got here, what is in the request, and really what they think is a win-win and the optimal use for this particular site and parcels. It really provides the optimal transitional type use for these parcels that are on heavily trafficked Lapper Rd. and Scripps.

Mr. Dunaskiss wanted to introduce the other members of the Skalne Ford planning relocation team as they may come up and speak. Mr. Ryan Skalne and Orion resident, Richard Skalne, are principals of Skalne Ford here in Orion Township. They also have Josh Bloom and Alan Bloom from Bloom Construction. They have vast experience in construction space contracting and have done dozens of dealerships. That is great incite and to the impacts and how these are developed and function. They also have Gaetan Reache from Warner Norcross and Judd Law firm and Pam from Cityscape Architects.

Mr. Ryan Skalne stated that he wanted to start off on why they were there and the background of their existing site.

Mr. Skalne said they have been at their current location since 1964. He has been working for years with Ford on a much-needed facility upgrade. Their current location will not meet Ford's facility standards. They have land, parking, and facilities square foot requirements that would require them to further expand into residential zoning at their current site. Back in 2016, they were previously rejected for rezoning for two adjacent properties. The key issues that they have at the site, they have had partial road taking from the 2016 M24 road project that took away much of their setbacks, now they are much closer to the road, and it is a safety concern. The circulation on the property with how tight it is for parking, employee parking, customer parking, and parts delivery vehicles, is very tight. Just getting in and out of their business is difficult for the general public. With the development at Clarkston Rd. with Meijer and the Orion Ponds development near Clarkston Rd., it is not getting any easier. It has been many years in the making working with both Ford and the Township, and they have used previous Township feedback from the 2016 rezoning application. Back then it was emphasized that relocation would be beneficial for something like this. That being said they still had to consider several factors, one maintaining a prominent retail location along the M24 corridor, they are a retail business. Identifying a location that will satisfy Ford's requirements and all of that being done within a location that is within two miles of their existing site. That is because the Michigan Motor Vehicles Franchise Act protects their relocation when it is within two miles. On this journey, they found that there was a lack of general business zoning that satisfies these requirements and is not an easy thing in Orion Township. They were able to put together this project with three different property owners and all of those parcels that the Chairman mentioned, and this new location does satisfy these requirements. They did look at the existing zoning for the feasibility of this relocation. General Business (GB) is obviously along the M24 corridor, so consistent with the surrounding area. They are just over one mile from their current location, and their current location is similar zoning as what they are requesting with this conditional rezoning. They are General Business (GB) adjacent to residential. Another nearby (GB) with similar zoning, is Stadium Dr. across the road at the NE corner of Stadium Dr. and M24. Golling Buick GMC and Home Depot all have similar zoning less than three-quarter miles from the site. Looking at these properties and all of those parcels both individually and collectively they believe that their project is going to be updated, improved, and more suitable use with their proposed development.

Mr. Skalne added that looking at the first site at the corner of Scripps and Lapper Rd., 62 and 84 W. Scripps, it is currently single-family residential zoning with Lake Orion Concrete Products operating out of it. Moving up further north there is 1940 S. Lapeer Rd., a single-family residence pretty close to M24 with a vacant parcel next to it. Then 1900 S. Lapeer Rd., previously had a single-family residence right on M24 and it has recently been torn down and there are three vacant parcels there. Again, single-family residents along M24 are probably an optimal use, they feel when they look at each site individually and this piece of property that they were able to put together collectively their project is a more suitable use than these current uses. The project itself, something he was extremely excited about, is going to be an upgraded state-of-the-art dealership versus their current situation. It will allow them to operate more safely and efficiently in the community. It is not easy doing business at their current location. Ford has invested a lot of money in the dealer body as well in EV charger infrastructure which they are going to have publicly assessable fast chargers at their facility. That is important because there are chargers here in the Township, and they take a long time to charge. Fast charging is really the infrastructure that is lacking in their area. The closest one, he thought was at Meijer, and in Auburn Hills at the Tesla Supercharger, and felt that was an added benefit to the public as well. They serve a lot of customers, so it is going to be a better experience for them, and for their employees, and overall, it will be a very beautiful project that they are excited about.

Mr. Skalne stated that brings them to the conditional rezoning. These conditions that they were offering were very carefully thought out. They took a lot of time looking back at their current experience operating a dealership in the community, previous feedback from the Township years ago when they were going through their rezoning process, from the residents back then, and also feedback from the current members of the surrounding residential areas. They are going to have it as an authorized use as only an automobile dealership. Demolitions of the structures are going to be done in accordance with the Township's codes, and they are going to put a car dealership there. Some of the more specific offer conditions, the car hauling, their vehicle deliveries, and parts deliveries, will be restricted to the north and east portions of the property which will minimize the impact on the residential areas. Installation of enhanced landscaping such as berms and arborvitaes along the property lines that are adjacent to the residential areas, and that may be modified by site plan approval on the property. Light poles have been brought up as a concern in the past, their poles are going to be automatically dimming which will reduce the amount of light necessary for the operations of their business, they will be directed away to prevent off-site glare, it is not going to be a runway with big giant poles, they are much less impactful than what people might typically think a car dealership is going to be. There will be no outdoor speakers or other amplification, including no amplified music, will be authorized on the property. As previously mentioned, two public electric vehicle chargers will be installed, and a \$20,000 donation will be made to MDOT for the beautification of that northwest corner on Scripps and Lapeer Rd.

Mr. Skalne added that just looking at the site itself, it is a preliminary concept of the layout of the dealership. It already has a lot of advantages to the property for a car dealership. The wetlands on the northwest portion of the property are very large and create a very good natural barrier for the property and the homeowners on the side of those wetlands. It is also very well shielded by existing trees that will be further shielded by the installation of their enhanced greenbelt. The property is deep enough to allow their building to be set away further from the residential homes towards M24. They have also worked with their team on the layout of the dealership to minimize the impact on the residential area. Like he said before their car hauler path will be restricted where it will not be seen, they don't make a lot of noise anyway. It is very well thought out on where they want their business and how it is going to function not just for them but also for their neighbors who would be somewhat affected. They have minimized overhead doors on the building for service doors for their service and collision area, which will minimize noise emanating from the building.

Mr. Skalne showed the Board conceptual drawing that they had their architect draw up, renderings to show what their structure and parking area closest to the residential areas would look like. He showed them a view looking west, it was just a parking lot of cars. He showed them actual photos from approximately that same location showing it is already naturally protected and when they fulfill their

project, they will have minimal effects on the neighborhoods. He showed them the view looking south towards Scripps Rd., and it showed on the right side where they would propose to potentially enhance the greenspace where there aren't trees. He also showed them pictures of the existing site. There were some wetlands, trees, and some of the homes they couldn't even see. He thought the site already had a lot of advantages in and of itself without them even enhancing it.

Mr. Skalneki stated that looking at the project they also looked at what a project would look like on a different type of development. If it is a multi-family residence which it is currently Master Planned for, they are going to have buildings and a parking lot. He thought it had a similar impact to the neighbors, where it is not going to be 30-foot buildings potentially close to the property lines, parking lots, and along M24. They believe that their development has several advantages compared to development with the current zoning. Their building will be closer to M24, the complex buildings they would want to be set back closer to the neighboring residential. Like he mentioned the buildings versus just a parking lot for where their conceptual site plan is proposed. They are not there all the time, they have limited working hours, they are open until 8 p.m. Monday through Thursday, 6 p.m. the rest of the week, Saturdays, and Sundays they are not open, and they are closed on holidays. Their additional offer of condition is above and beyond what would be required for a multi-family development. He lives in the Township, he is not adding any additional rooftops to the community, traffic, or increase in housing developments, he knew was a voice of concern for local residents in recent years. In addition, to the benefit of a car dealership versus a multi-family development, car dealerships are some of the most impactful businesses in regard to economic and philanthropic contributions within a community. They are fortunate to have four, Oxford, and Auburn Hills, don't have as many as Lake Orion. In addition, the impact is even greater when they are locally owned. More of that economic impact stays in the community. The Edgar's, Melosh's, Golling's, and Skalneki's all live in Lake Orion. Richard, his father, has been here since 1964. He lives in Lake Orion with his wife and three kids. They live here, work here, eat here, they volunteer their time in the community. It is very important for them to stay in this community. They also hire locals from their vendors, and local skill trades, they bank at Oxford Bank. They are very much a part of this institution in Lake Orion. They employ over 60 people, some of these people have been working at the dealership longer than they have been alive, and they are very proud of that fact. He thanked them for their time and consideration for the project.

Mr. Dunaskiss said he hoped they can now see some of the thought and history that went into this request, and see what they see, that it is really the optimal use and not only meets but exceeds the criteria for conditional and straight rezoning.

Mr. Alan Bloom with Bloom General Contracting 25601 W. Eight Mile in Redford, MI presented. Also present was his son Josh Bloom who works with him. He thought that Ryan Skalneki had covered just about everything that he would have loved to have said. They have been involved in planning and building auto dealerships for about 40 years. He didn't think he had met any client who was as committed to a community and giving back to the community as the Skalneki family. He was happy to be involved with this project and hoped it went forward. He really thought that Ryan had covered every aspect of it, as well as the report from Carlisle Wortman, it was a very good report.

Mr. Josh Bloom with Bloom General Contracting said that they rarely have clients as articulate as Ryan to hit all of those points. They are looking forward to working further with the Planning Commission on anything and everything that is required for a future site plan approval. The Skalneki's have assembled a team here and Cityscape Architects, Nowak and Fraus Civil Engineering, and Bloom General Contracting have built literally hundreds of automotive facilities around Metro Detroit. They understand the process thoroughly, and some of the issues that neighbors may have. They are excited to get to work on the project.

Mr. Dunaskiss said he wanted to bring up Gaetan since this is a conditional rezoning request just to further put context around what the request is. They will go more into how they meet and further exceed the criteria during the action item but wanted Gaetan to give a brief overview given that is what the request is.

Mr. Gaetan Reache from Warner Norcross and Judd Law firm stated that his firm has been helping Skalne Ford with property acquisitions and ensuring zoning compliance. The conditional rezoning process is kind of a rare beast, at least in his experience. It is not like special land uses, and PUDs are more like their white-tailed deer, and turkeys, and this might be like a wolverine at least in his experience. He wanted to talk about one unique feature of this. While there are factors in the conditional rezoning provisions that they are to consider when they are making a decision on a recommendation this is night and day different from the standards that they find in special land use, and PUD because all they are in this case are considerations. The PUD and the special land use context are standards that the criteria have to be met. In this case, all the ordinance says is that they consider these factors and make some findings. For instance, in the special land use, it says, the standards for granting special land use approval: compatibility with adjacent uses, it shall be designed, constructed, operated, and maintained so as to be compatible with uses of adjacent land, they don't have any language like that in the conditional rezoning process because again, these are not standards, they are factors to consider. The same with the PUD, one example is the Master Plan and actually on the special land use too, in the special land use provisions it must be compatible or consistent with the Master Plan to grant a special land use request. In a PUD it shall be consistent with the Master Plan though for PUDs they can find some reasons why they don't have to follow the Master Plan but there are specific reasons they have to find. In conditionally rezoning they have to consider the Master Plan, there is a finding they have to make, but they are not required to deny a recommendation of approval if they find it is not consistent with the Master Plan, it is just one of the factors that they are to consider. Of course, they could look at these reasons and the PUD standards. Some of them are probably applicable here, community benefit, changes in the surrounding land use, or zoning. Some of those factors would apply here. They have to find one of those existing under PUD, to grant a conditional rezoning you don't have to find one of those reasons. If they think one of the factors that they are considering weighs in favor of this that could be their only reason even if other factors don't. He just wanted to make that point because this is quite different from some of the animals that they are maybe more used to seeing.

Chairman Reynolds asked if the plan that they saw here this evening was the conditional rezoning plan that was one of the conditions of the rezoning request. Mr. Dunaskiss replied correct and then spelled out the Conditional Rezoning Agreement, that it dovetails those exact points, but yes kind of coincides and obviously subjects to the overall site plan approval.

Chairman Reynolds said it was mentioned in the presentation this evening that it is only to be rezoned for the use of automotive dealerships, but that is also a condition that is set forth. Mr. Dunaskiss stated that is the only use within the (GB) that would be allowed on the site.

Chairman Reynolds said before he asks citizens to make their way up to the podium, as he mentioned before the code of public hearing conduct is on the back of their agenda this evening. He knew there was some talk about how this works but wanted to talk about it in the bigger picture. This is the public hearing component which gives everyone the opportunity to speak to questions, comments, and concerns. This is not a back-and-forth dialog but rather an opportunity to gather information. This will be deliberated further on in their agenda this evening. The role of the Planning Commission as rezone states is they are a recommending body, no matter what happens here it goes to the Board of Trustees. A conditional rezone those conditions are set forth by the applicant not set forth by the Planning Commissioners. They are asking for a rezone and then also for additional criteria to effectively narrow down the possibilities of what other uses could possibly go there, or what is required of what would end up there.

Chairman Reynolds said to keep things moving along if the public would like to line up behind the person speaking prior, he is going to offer everyone three minutes to speak. Please state your name and address for the record.

Ms. Alana Hart 210 Stratford Lane said she came before them this evening regarding the rezoning of seven parcels PC-23-24. The rezoning from residential to General Business (GB). Rezoning in this area

would disturb and change this landscape. Her estimation is there are probably 30 acres of land that is currently quiet, including three schools, a community building, two senior living complexes, numerous neighborhoods, and state land just to the west, Bald Mountain. Allowing this rezoning would not only disrupt them as residents but also the wildlife that is all around them. This change would bring noise pollution to an area that is currently quiet. Unloading vehicles, work that is performed on cars and service areas, paging systems, dumpsters being unloaded, and noise pollution lower home values. Light pollution in this area that is currently dark, lights would be on from dawn until dusk. More traffic, they all know that Lapper Rd. is congested and is a jam at times. With the rezoning to General Business (GB), this brings more traffic not only to Lapeer Rd. but to Scripps. This area is where many of the residents run, bike, walk, and enjoy the nature that is all around them. It also brings an unpleasant view, currently, their view is nature, and it is quiet. This brings concrete and cars so she asked if that was what they would want to look out their windows. This is not the first time that Skalne Ford has asked for this change and the disruption of them as residents. It is not just coming south into their area. She asked in all of their considerations that they keep this area quiet, zoned as residential, and they protect the nature that is there.

Mrs. Detrick Curry and Mike Curry 3427 S. Lapeer in Metamora. They have owned since 2009 two of the parcels that are next to the statue business. They have lived there for several years and now they have also had renters in that facility in the house. They are regularly in Lake Orion and appreciate the community and their son goes to Lake Orion Baptist School, so really close by. As mentioned, she knew there were a few things that they would like to highlight that resonate with them in their opinion. At one point prior to their purchase, the location was zoned for condominiums. When they think about what could happen at that property there could be a lot more traffic and could look a lot differently with the number of people that could be coming out of that area or living in that residence versus what is being proposed which is this beautiful dealership and some of the conditions that they have provided to address concerns. They do feel that with what is being proposed it will look a lot more uniform on that corner. Right now, they have a house that has been a rental house, they have a vacant property and grandfathered in monument place as well. As mentioned before this is a business that is proposing to move so it is not a new business to the community. There is a dealership in the location just up the road, and Skalne has been in the community for a long time. Finally, on a personal note, her neighbors on both sides have been members of the community for a long time or have invested in it for decades and thought it would be really nice to be able to see a change on that corner.

Mr. Jordan Velazquez currently lives and owns 98 W. Scripps Rd. His house is the house that is right next to the stone business. His only concern would be that he was kind of all for having the Ford dealer next to his house, his only problem with that is there is going to be an exit and an entrance right next to his house. Out of everybody here he thought that he would be the most affected by that. Yes, it is going to create more traffic, but there are going to be a lot of hiccups. He is also a Project Manager for a construction company based out of Sterling Heights, and Orlando, FL. He understands that they want to move that dealer over there, and the dealer would probably be much better than having a multi-family in that corner because a multi-family in his experience is going to create more traffic than having a Ford dealer there that is only going to be operating 9 a.m. till 4 p.m. That is pretty much his take on it, basically because he is the one who actually lives next door. He used to live in Detroit, he was born and raised in Detroit, and he just recently moved over here around five years ago, so he loves it over here. He understands everyone's concern about nature. He is not looking too forward to it, he leaves his house to do construction, and it is going to suck a little on his part because he is going to come back home to see construction outside of his house.

Mr. Ted Taylor 2013 Tremble stated the concern is on the Scripps side that they are only looking at a grass lawn. He hasn't seen the landscape plan, but he would think they would have a better screening along there and thought the 20-foot should be a little wider. Something like pine trees the way that they had screened off M24 from those condo areas, they had the pine trees back and forth, which covered that up. He thought that the drive off of Scripps Rd., he didn't think that would be the right area to come in and out of. The way that people come off of Scripps Rd., all of the children in their cars line up right there and

it is going to be pretty difficult for trucks to get back in there. He thought that they would have to look at that via landscaping also. When he first looked at it and saw the zoning was going to be changed to General Business (GB), he had been in construction for 60 years designing and building buildings. He didn't know if they had an (M-1) but most communities that he has seen go into (M-1) mostly because of the bump shop and the service repair shops, selling the cars is something different.

Mr. Rick Brewer 455 Bellview is a 30-year employee at Skalne Ford. He wanted to let everybody know that there is a lot of excitement for the new project, employee-wise, as well as all of their customers.

Dr. Don Pokorny 316 Hampton Woods Lane said he is also the President of the Canterbury Woods Homeowner Association which is the subdivision that is closest to the proposed site. He wanted to mention that they had talked about this he knew the zoning was coming up for approval and did a survey within their Homeowner Association and it seemed like most people were against the proposal to make it a dealership and wanted to make that known. He was also echoing all the other concerns that everyone else had.

Ms. Tracy Moloughney 1929 Avon Glen Lane stated that her property will be one of the properties that is directly behind the proposed development. Her neighbors to the left of her are lucky enough to have the wetlands that are going to protect them, she only gets a slice of the 30 feet of greenspace. The pictures that were provided were really pretty, but they show a deciduous forest which is what is right behind her house, and it is beautiful, it is hickory, maple, and oak, they don't have any evergreens. When the leaves fall in November/December she sees Lapeer Road from her bedroom window. She is going to see a dealership now with a parking lot right out her bedroom window. She is not going to have any privacy with the increase in noise and light pollution. This will directly affect the value of her home. She bought her home in 2005 and went through a recession in the house and just had her property value come back up to what it was. She felt it would definitely affect the value of her home. She would like to suggest if anything that they would make more of a greenspace, more like 60 or 90 feet of greenspace behind her house, 30 feet is the width of one oak tree. It is not a lot of space; it sounds like a lot, but it is not. When she looked up the USDA recommendations when they do a greenspace, they usually recommend 100 feet of greenspace with anywhere from 2-3 rows of evergreens staggered to prevent noise and light pollution. It is going to be difficult to sit on her deck and look out her window.

Mr. Ron Meyer 1995 Avon Glen Lane, also a member of Canterbury Woods HOA. He has lived in the subdivision through the previous development on the southwest corner. He was involved with that PUD and the meetings and was extremely happy with the way it has turned out so far. He realized that the Township was on their side on that whole deal, Lowes, Home Depot, or whoever wanted to be there, Kohls, it has turned out well, there is a subdivision there now. Previous to that of course, there was a lot of big bucks, coyotes roaming, deer all the time, those are now gone, a lot of them are now found in the middle of Lapeer Rd. These past couple of months they have scooped up a few that have been out there. That does happen, displacing wildlife, so to take another 30 acres away from that wildlife, and he has seen them recently and that is where they are trying to stay, will have an impact on that wildlife in the area. He realizes that that southwest corner was part of Bald Mountain State Rec area, when he moved in it was 12-13 years ago. He then found out after he bought it there was a land swap deal and then he was going to have houses. It was kind of round two for him. Of course, to echo the light and noise it is going to be in his backyard. The greenspace 30-foot, he has talked to the other homeowners including Tracy, and yes, she has a beautiful forest in her backyard. He has asked people previously that he has spoken to that all the mature trees need to stay and then there needs to be more greenspace on the other side, there definitely needs to be more greenspace 30 feet is not going to do it. Like Tracy said when those trees drop those trees they are staring at the dealership. The other concern he has is that all of these things sound great. What they are saying about rezoning is that the car hauler will be on one side it won't be here, there won't be this, the lights, but who is going to police that? Is he the person that is going to be constantly complaining? Who is going to hold them accountable for that, that is his biggest concern because when these things get approved someone has to take care of them. People start to slide around the backside and do it at different times and those things happen. The lights are his big concern. He sits

out on his deck on Friday afternoon when he gets home from work and he is going to listen to a dealership operating, he is going to see the lights, those are his concerns as well.

Ms. Megan Walter 1809 Covington Woods Lane in the same neighborhood that is adjacent to this property. Also Ms. Stacey Sipes 463 Hampton Woods Lane in Canterbury Woods as well. Ms. Walter said in addition to many of the comments that have been brought up here today including the concern over light pollution, noise pollution, and increased traffic, especially at that turnaround, she has three young children 9, 7, and 1.5. By the time the buses arrive, there is already major congestion at that intersection, there is often a backup through the intersection. Today for instance, due to an accident on Lapeer Rd. their bus was supposed to come at 4:05 p.m. and it came at 4:55 p.m. today. That is just one example of some of the issues of infrastructure and some of the increased traffic that is going to cause continued concerns. She also wanted to bring up the fact that there was a study done that shows that in the first 6 months of owning a new car, drivers are twice as likely to get into an accident. Imagine if they had done a study on people who were driving the first day, they got a car and what that would look like. Her neighborhood does not have any sidewalks, her children presently take their bikes out, they go see their neighborhoods, they don't have a concern, they have a lovely neighborhood. However, this would be something that would be very concerning as people are test-driving those new cars.

Ms. Stacey Sipes said she covered all the points; she stands by the points that have been made about considerations for this not happening in the location that is currently proposed. Again, due to test drives that are a huge concern, they know that when everybody goes to a dealership there is always that opportunity to take it, and they can see that increasing within their neighborhoods that are surrounding. Traffic again is huge. She has a child in middle school, and it is a nightmare in the morning, and in the afternoon, but especially in the morning between Scripps and Lake Orion High School starting at the same time. Also, all the other points are noise pollution, the impact on wildlife, and green space. They really hope they take all of these considerations into account.

Ms. Megan Walter stated if there is going to be a rezoning it would be nice to keep it as nature.

Mr. Joseph Burkel 1951 Avon Glen Lane said he is Tracey's neighbor, and he was even worse off than her as far as they didn't have wetlands or anything behind them. His major concern is the wetlands. They have talked a fair amount about things that they have seen in other places, yes, the wetlands are not taken care of properly. Their houses are lower, they are not walkout, but they are daylight so when that runoff is not handled properly, and it ends up in their basement he imagines it would be on them to take care of it. They are a Ford family, he bought his truck from Ford, and he thought their pitch was very passionate about wanting to move and all of that. The threat of the apartments was insulting. The idea that it is coming in and would be nicer than apartments is only that apartments would need to be there as the alternative, which as of now they are not. He shared the concerns of almost everybody else as well.

Mr. Denis 1035 Arbroak Way said on October 1, 1992, he bought his first new car, he was a Sophomore in High School, from Rick Brewer who was up here early. In his opinion, it is inevitable that something commercial is going to go into that spot. In his opinion, a family-owned operation/business that has already proven itself within the community, in his opinion, has done a great job of demonstrating what they are trying to do. Nobody is ever going to be happy with everything but thought they were taking steps and measures to be able to possibly do everything they could within their resources to do so. In his opinion he thought a family-owned business within the community because the alternative is for them to leave the area, he didn't think solved anything either.

Mr. Adam Kettlewell wanted to echo that gentleman's comments about the property going to be commercial at some point. Whether it is an apartment complex or another development it is going to happen. Here they have an opportunity to help out folks who have been a big part of this community for a long time. They all know how much the car dealers, whether it be the Skalne's, Milosch's, or the Edgar's, do what they do for the community and sponsorship of baseball teams and charity events, and all of that.

He thought it was a great opportunity to allow them to flourish in their community, not have to relocate, and keep those jobs and the money within Lake Orion.

Mr. Wayne Decker North Shore Dr. said he felt a little bit like Vice-Chairman Gross regarding whether he should say a word or not say a word. He owns property along M24 that is about to be developed. He shared his words with a lot of thought and hope of their expertise because he remembers where this Township came from 80 some years ago what the process was with their Planning Commission, and how it has been updated. Through those personal thoughts, what a great job, not only you folks he doesn't know any of them, but 80 years ago he knew everybody because this Township was really small. He just wanted to counteract some of the thoughts that he put through his mind about just taking traffic by itself and comparing it with what could be. What could be is what is already approved and should be no questions asked that could be developed as condos and houses. They say that Skalne Ford would bring more traffic, more traffic than what. Would that dealership bring more traffic than the condominiums or the property that is zoned as is would be developed as is, he thought not. He thought the traffic would be a plus if they put a Skalne Ford or some such thing there when they compared it with what could be. In his mind not as a property owner or developer, he compares Skalne Ford or any other such thing that might go in there with the in and out traffic alone of a McDonald's. A McDonald's restaurant could go in there in less than 100 feet and would create more traffic in and out and on and off M24 100 times more than a Skalne Ford dealership, more traffic, more congestion. Can you imagine the school buses if they develop it as residential going in and out of there, the roads, every day going in and out of there? The children may be hindered by that kind of traffic going in and out of there. He thinks this will probably save a lot of traffic problems if it is zoned as is. It is a nice piece of property on the front. It would compare to the dealership humongous. He has watched Skalne Ford grow and do a nice job with what they had. He only looks for an improvement, a big plus no question about it, should be rezoned to a dealership.

Ms. Regan Slocum 1788 Covington Wood Lane said she worries about noise and light. Her husband and she bought their house in 2016 and they looked all over places like Brandon, Holly, and Oxford. They looked all over Lake Orion where living is a vacation, they found a piece of peace and quiet, nature, and they really fell in love with the neighborhood, it was kind of tucked away. Now her heart breaks for her neighbors who are going to have all the light, traffic, the view, it is just not what they bought. She was sure if it was happening it was happening but just so they knew their kids do ride bikes in the streets. Her neighbor has little ones that she loves to see them playing with their friends but if they have more traffic, she did have a ligament concern there are no streetlights and no sidewalks in her neighborhood. She has been a frequent runner, and cyclist in the area, crossing M24 is kind of like taking your life into your own hands, so she does worry about people who are not familiar with the area who don't know to look for pedestrians, they may or may not know that there is that kind of foot traffic and bicycle traffic. There are some legitimate concerns that they need to discuss. It is not about whether or not someone is contributing to the community, because they all know the reputation of their car dealers. Their reputation is not up for comment here, it is just a matter of what is best for those surrounding neighborhoods, and how they make that work.

Ms. Jessica Jones 116 W. Scripps Rd. rents a house next to Jordan Velazquez. Her only concern would be if they have a parking lot and then an exit onto Scripps Rd. The amount of people that do 50 MPH down Scripps already from the light to the dirt would be her only concern. People test driving cars. Her kids walk on those sidewalks.

Ms. Laura Hart 210 Stratford Lane. She does not believe this area should be changed from residential to small business. All the homes in that area it is a known fact that home values will go down if they are next to a small business. She does not live next door to this, but she does walk within this area. This whole meeting is about changing the zoning, she is against changing the zoning from residential to small business.

Chairman Reynolds said he would like to tally the citizen's letters that they received into the public hearing record.

Secretary St. Henry said they received 32 letters in regard to this development, 26 of them were in favor of the development, and 6 were against it. In terms of those who were supportive of the dealership, some of the main reasons that they brought forth was the fact that this is a long-standing Orion Township business that has contributed much to the community over the years, that they have an obvious need for expansion, and that this location is ideal for the business. In terms of those who were opposed to the development the biggest concerns were the location of it in the middle of several residential areas/communities, many concerns about the traffic, and the impact it would have on the natural environment around that part of the Township.

Chairman Reynolds asked the Planning Commission if they had any comments during the public hearing. There were none.

Chairman Reynolds said as part of their process the petitioner has the opportunity to come up to address any additional comments or questions.

Mr. Dunaskiss said he appreciated everyone's comments and coming out tonight. He wanted to highlight regarding the lighting there will be a full photometric plan and the new dealerships, he has come to learn people don't shop off the lot anymore, so it is not like they are going back there at night looking for cars it is really just the bare minimum that the Township will require for lighting and then they will all be on automatic dimmers, LED and as minimal lights as possible, and that will all have a photometric plan. On the noise and pollution, there are almost zero emissions nowadays from paint booths, bump shops, and the way these dealerships are set up. Really, it is not like the shops of old where the doors are open, or with the squawk box, and the load speakers. One of their conditions is that there will be absolutely no loudspeakers, no amplified music, and nothing amplified going on in the parking lot. You kind of got to look at these dealerships and what they really are, and also what their conditions are.

Mr. Dunaskiss added that they are also looking to preserve as much of the natural landscape as possible but also putting in berms and arborvitaes so that in the fall when the other trees lose their leaves, they wouldn't be looking at the dealership or M24 there would be a berm. They have looked at the grading over there and then put those arborvitaes, so they have that year-round screening. Then they still have to go through the full site plan approval.

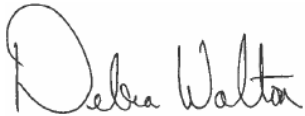
Mr. Dunaskiss said when they looked at traffic in their application, they did see a trip generation report that they had from their engineers. The good thing about this is they are not really guessing, Skalne Ford has been in this community for 60 years, they know what traffic is going to come there, and they know what the dealership does. It is not like someone is driving down the street, and pulls in and buys a car, it is kind of planned. There is no offense with trying to bring up the parallel plan of the residential it is very common for the Board to see a parallel plan, and that is what could be developed as is. It is one of the factors and reasons they look at what could be proposed there, trip generation, what the impact would be on the surrounding surface streets during school hours, and the peak hours and how that multi-family would be utilized as zoned versus what they are proposing and limiting it just to the dealership.

Mr. Skalne said they hear the concerns of the residents; he gets it he would rather see a field. He also thought it was reasonable to not assume that property along M24 would never get developed. The benefits there are a lot. They are an existing business; they are not adding any more traffic to the community along M24. These test drives already go along M24. It will improve Fire Department access. They received very positive feedback on their relocation, which is preferred because of the difficulties at their current site, where they would be able to relocate and allow their business to function more safely for their Fire Department. It allows proper setbacks for vehicle parking versus the current situation where there are sidewalks and people going through the road as well. They also think that their development is going to be an improved visual appeal for the community in general. The older facility at the corner of Lake Orion Concrete, the two houses along there he thought it was an improved development on the road. This is property along M24 Lapper Rd., one of the busiest roads in Oakland County.

Mr. Skalne added that another benefit, maybe not directly on this site, but it will allow their current site to be repurposed into a more suitable development in the future. They do believe that it is less impactful than an additional multi-family development. There has been an increase in housing developments within the Township. He was sure they heard it in their meetings, throughout the year. They believe that this additional (GB) zoning is justified to balance and support the increase in residential zoning. Ultimately, this is a better place for a car dealership, it is a better location, and pulling in and out is going to be safer for the community. He was very confident in that statement. They are there to be good neighbors.

Chairman Reynolds closed the public hearing at 8:06 p.m.

Respectfully submitted,



Debra Walton
PC/ZBA Clerk
Charter Township of Orion

October 4, 2023

Planning Commission Approval Date