The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, November 3, 2021, at 7:00 pm at the Orion Township Community Center, 1335 Joslyn Rd., Lake Orion, Michigan 48360

PLANNING COMMISSION MEMBERS PRESENT
Don Gross, Vice-Chairman
Joe St. Henry, Secretary
Jessica Gingell, Commissioner
Kim Urbanowski, BOT Rep to PC
Derek Brackon, Commission
Don Walker, PC Rep to ZBA

PLANNING COMMISSION MEMBERS ABSENT:
Scott Reynolds, Chairman

1. OPEN MEETING
Acting-Chairman Gross opened the meeting at 7:00 pm.

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rodney Arroyo, (Township Planner) of Giffels Webster
Matt Wojciechowski, (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Annette Battaglia
Denise Burns
Jim Butler
Kyle Savie

3. MINUTES
A. 10-20-21, Planning Commission Workshop Meeting Minutes
B. 10-20-21, Planning Commission Regular Meeting Minutes
C. 10-20-21, Planning Commission Public Hearing Minutes, PC-2021-78, The Woodlands
D. 10-20-21, Planning Commission Public Hearing Minutes, PC-2021-73, Twp. Text Amendment IP – Industrial Park

Moved by Commissioner Walker, seconded by Trustee Urbanowski, to approve all four sets of minutes, as submitted. **Motion carried**

4. AGENDA REVIEW AND APPROVAL
Moved by Trustee Urbanowski, seconded by Commissioner Walker, to approve the agenda as presented. **Motion carried**

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

6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2021-81, C and A Office Site Plan, located at 512 East Silverbell Road (09-35-200-023).

Acting-Chairman Gross asked if the applicant was present?
Mr. Jim Butler with PEA Group 2430 Rochester Ct. Suite 100, Troy, MI 48083.

Mr. Butler said they were there asking for a site plan approval for a new office building to be located at the SW corner of Silverbell and Bald Mountain Rd. He stated that they had read all of the review letters from the planning consultant, the engineering consultant, and the Fire Department. There were a couple of items that they wanted to address with that. The one item in the OHM letter is about the pathway along Silverbell Rd. Along the west end, they stopped it short, the reason for that is the grade drops off very dramatically there. So, the option they have there is to either build a retaining wall temporarily until the walk is extended or find an alternative way of installing that. He knew that in the past in certain circumstances they have been able to pay into a fund to offset that cost for that. The problem is the grade issue and making it work, they would have to get a grating permit and grating easement from the adjacent property to do so, but they were open to any options there.

Mr. Butler said also related to the project in the review letter by Giffels Webster, they talk about the method of irrigation for the project. They are proposing an irrigation system it was not noted on the site plan but they can certainly add that to the plans.

Mr. Butler stated that he didn’t really have any other comments related to the review letters. He was willing to answer any questions related to those.

Planner Arroyo read through his review date stamped October 19, 2021.

Engineer Landis read through his review date stamped October 20, 2021.

Commissioner Brackon asked with regards to the safety path and the slope issue that he brought up, what are the options? Engineer Landis replied that they could make a recommendation he believed to the Safety Path Committee to evaluate that and if the Safety Path Committee was receptive to it, they could pay into the safety path fund in lieu of extending that.

Planner Arroyo said that the property to the west is owned by the Township according to the information they have in GIS. It might make it a little easier to grant an easement.

Commissioner Brackon asked Engineer Landis if they were to that stipulation, would he be ok with that? Engineer Landis said that he would be fine if they could work out a value to pay in lieu of for future construction, he just didn’t want to see that gap left and then the Township down the road have to pay for it without some funds.

Trustee Urbanowski wanted to clarify that they could say it is conditional upon approval from the Safety Path Committee? Planning & Zoning Director Tammy Girling replied that they make a recommendation, so they are making a recommendation to the Safety Path Committee, whatever your recommendation is, then it goes to the Safety Path Committee, they make a recommendation to the Township Board and ultimately the Township Board has the decision.

Planning & Zoning Director Girling asked Engineer Landis if she was correct that even if they are asking to do that, they still on the plans should show the piece on the plan because they always have to show the safety path, they would maybe just have it cross-hashed as wanting to do. Because even if they don’t put any in, they still have to show it on the plan, she believed? Engineer Landis said they could show it dashed and then with a note that would indicate the option to pay in lieu. Planning & Zoning Director Girling said because they have had some that
the entire sites where they have asked to pay in lieu of but the plan still had to show it, correct? Engineer Landis replied yes.

Mr. Butler said that in regards to the pathway question. He said if it is as simple as the granting of an easement for grading purposes, they would put that pathway in if that was available to them, he would certainly take that course of action. It would be cheaper for them to do it as part of their overall work, doing segmented work is going to be expensive. He said that goes across a significant portion of wetlands. He was assuming that is why it wasn’t installed when Blue Heron Pointe was developed. He questioned that maybe it was just because it was owned by the Township? He didn’t know what the future plans were but if it was just as easy as granting an easement, they would be interested in doing that. He thought that if an easement could be had it is the easiest path for them.

Acting-Chairman Gross said that they would need the easement from the Township. Mr. Butler said yes, and he didn’t know what course and how that procedurally works out. He asked if they have to make a request of the Township Board? Planning & Zoning Director Girling said that she can research it for him. She added that if the motion said two courses if they could get the easement, they want to construct it, if they can’t get the easement, what is the recommendation to the Safety Path Committee.

Acting-Chairman Gross had a question about the intersection at Silverbell and Bald Mountain Rd., extending the safety path to both streets, is it wise to extend it up to Silverbell since there is really no crossing at that location? Engineer Landis said Bald Mountain Rd. is stop signed controlled so that is pretty much a given. He added that even though there is not a traffic signal at the intersection it is still a recognized practice for pedestrians to cross at road intersections and thought it would be in their best interest to have those ramps installed now as opposed to having the Township pay for them later down the road when and if a signal is put in.

Acting-Chairman Gross asked if this was a spec building? Ms. Annette Battaglia yes. He asked if there were any tenants lined up? Ms. Battaglia replied correct.

Moved by Trustee Urbanowski, seconded by Commissioner Walker, that the Planning Commission grants site plan approval for PC-2021-81, C & A Office Site Plan, located at 512 E. Silverbell Road (parcel 09-35-200-023) for plans date stamped received 10/04/2021 based on the following findings of facts: overall the plan is consistent with the conditional rezoning and it is in substantial compliance with the ordinances as stated in both the OHM and the Giffles Webster reports; the conditions would be that they would receive an easement from the Township to continue that safety path west along Silverbell, and if they do not get the easement that they would gain approval from the Safety Path Committee to do a payment in lieu of creating that safety path; also that they add ADA ramps to the sections listed in the OHM review; that they provide a geotechnical report to support the proposed infiltration and increase the volume of detention basin to meet the V100d calculation.

Discussion on the motion:

Planning & Zoning Director Girling asked if they should include in the motion that the rest of the safety path, no matter what the outcome is? Trustee Urbanowski replied yes.

Trustee Urbanowski amended the motion, Commissioner Walker re-supported to indicate that there will be irrigation on the landscaping plans; and to show on the plans the entire safety path and however, they need to show it to say it is conditional.
Roll call vote was as follows: Urbanowski, yes; Brackon, yes; St. Henry, yes; Gingell, yes; Walker, yes; Gross, yes. Motion carried 6-0 (Reynolds absent)

8. UNFINISHED BUSINESS
PC-2021-07, 5-Year Master Plan Update

Planner Arroyo said that they are working towards their next study session in two weeks and obviously there was some time available on this agenda so they thought they would have some discussion, it is not going to be extensive. They had hoped to have a couple of maps ready to show them but they are still getting them ready for the next meeting.

Planner Arroyo said one of the things they wanted to talk about and there has been some discussion about corridors, so they want to get their input on a couple of things. Right now, in the ordinances, they have specific treatment along corridors within the Gingellville Village Center Overlay which is basically they have metal fencing detail with a brick column that is intended to provide for a certain character consistent with the Village Center plan that was developed. This is actually in the overlay in the specific ordinance for Gingellville and is intended that this be constructed as new development occurs.

Planner Arroyo stated that the BIZ district also has specific standards. This is a concept of the representative interior access road with a knee wall and landscaping and then they get an idea of what this looks like when it actually wraps around the corner as the details show them so they would actually have some of it along either Brown, Joslyn, or Jordan Rd. and some of it along an interior road. So, it becomes kind of an entry feature and they can see it is landscaped there is a berm and it provides a certain attractive entryway to side interior roads along the corridor and establishes a certain type of character along Brown Rd. in particular as they drive along the roadway.

Planner Arroyo stated that Lapeer Rd. is the one that they wanted them to talk to them about because there doesn’t seem to be much of a vision for that corridor in terms of streetscape or screening of landscaping and that is the most heavily traveled surface street in the Township. They were wondering if they had any interest in the Master Plan in identifying any type of corridor treatment for that corridor. Currently, the Lapeer Overlay which covers a portion of Lapeer Rd. provides for a landscape greenbelt of at least 20-ft. in width at the front and rear yards and 15-ft. in width at the side yards be provided within the Overlay District except for ingress and egress drives. That is pretty simple it is a greenbelt it has got some trees and they are providing for at least some type of buffer from the roadway. The question is as that corridor continues to grow, do they like what they see there now as they drive along Lapeer Rd. maintaining that status quo? Do they want to see something that might be more similar to what they require in the BIZ District or in the Gingellville District in terms of the ones he just showed them, or maybe something different? He said that sometimes a community might, particularly in a rural area, do something very basic and simple, country fence, that is certainly one option. Then sometimes they take it to another level and kind of merge it in a little bit with more of a suburban rural mix, he showed them an example along Michigan Ave. in Saline, where they take that country fence and then they add in the columns with the stone treatment, some trees, and some bushes and they find this at several locations. It is not all the way along the entire frontage of every development but it is intended as a piece of identifiable corridor element, landscape, streetscape that ties the different pieces together. Something like this would certainly be more in line with fitting, he thought, with the kind of rural suburban blend of the community. They could do something as simple as a hedgerow of bushes in addition to the trees which he liked as a minimum because it screens the bottom part of the vehicles. Essentially, it screens off the tires all the way up to about the headlights and it tends to soften
the look, they can still see the tops of the cars but it tends to soften the look because usually, this is about 2.5 to 3-ft. max in terms of how high it is, it depends on whether they require a berm under it or not. He showed them different options to see what they thought looked best. He showed them another version of more of a brick column rather than a stone column and then some fencing, that is in Saginaw Township along the Tittabawassee Rd. There is also vegetation so that provides screening keeps that screening, in fact, the Mattress Firm that is there has this exact type of screening. He also showed them where art was installed as a way of providing a vertical element along a roadway to create an edge to the private property but also provides something of interest.

Planner Arroyo said there are a lot of options here, they can do nothing, they can do something, that is modest or maybe do something that is more significant. He thought maybe that might be a place where they start a conversation and listening is what they would like to do next, and wanted to hear their comments.

Trustee Urbanowski asked regarding the Lapeer Road Overlay is from where to where? And how much space is left? How would that look if they start enforcing it on new developments is it going to look piecemeal because there are already buildings there without it? Planner Arroyo said yes it would have to occur over time. The only way it would not occur over time is if the Township initiated some type of program to actually install it at existing developments, which is probably unlikely. The Lapeer Overlay goes all the way from the southern border of the Township and extends on the east side up to Silverbell, and on the west side, it goes all the way up to Waldon. So, it doesn’t have the same northern border on both sides of the roadway.

Planner Arroyo stated that this type of treatment could apply to the entire roadway regardless of whether it is in the overlay too. It is their decision in terms of what they think makes sense from a planning perspective. Just like on Baldwin Rd. he almost wonders if even though they have the Village Center Standard that goes to the northern end of that he could see that potentially going north farther as well. Those are some things that they could think about whether or not they want to extend them beyond those boundaries of those identified districts. But it would happen incrementally.

Commissioner Brackon asked when they had that discussion weeks ago about Mattress Firm and the car wash what was that going to look like? Planner Arroyo said they already had a hedgerow in place and it was supposed to be a berm with a hedgerow. He didn’t know if the berm is necessarily going to be on that side. In the ordinance for BiZ, they actually have an option they can do that metal fence option or it allows them to do a berm or a hedgerow. It gives them flexibility.

Trustee Urbanowski asked if there were specific types of vegetation that are allowed in those or can they put in whatever they want? Planner Arroyo replied that they could specify. He stated that the most common is boxwood because it tends to be green all year round and it is pretty hardy. They could actually specify in their ordinance, that would not be in their Master Plan but ultimately when they write the ordinance, they could specify certain species or certain types that they are looking for to get a certain look.

Acting-Chairman Gross asked if there was a preference? Trustee Urbanowski replied that she likes a hybrid, she thought it looked nice. She would like some type of hybrid with some sort of fence material with vegetation around it. Planner Arroyo said something really a lot like what they already have in Gingellville, more than a berm, they could offer three options potentially.

Trustee Urbanowski said if they were able to specify what kind of plants that would be.
Commissioner Brackon asked are they always going to go with the hedgerow? Planner Arroyo said that would be the cheapest.

Planner Arroyo said for example at the entryway they could require that they have something a little more substantial there obviously it has to meet sight distance requirements so it has to be pulled back but they could require a little more advanced treatment there which would be nice because it would also help to identify those driveways as they are driving particularly at night it would give them something else that is visible to identify where to turn. Commissioner Brackon and Trustee Urbanowski both liked that idea. Acting-Chairman Gross said as long it doesn’t dictate the architecture of the development. Planner Arroyo replied no, they were just talking about streetscape here. How the Township looks from the road as they drive Lapeer Rd. Because they are going to see development, they have one coming their way soon and as they have been thinking about it their thought is that they really need to put something in the ordinance to maybe beef up how Lapeer Rd. is being treated. He thought that long term they will find there is a lot of benefit from that, they will be happy even 5-10 years from now they will see some of these in place and he thought it might change the way they feel about the corridor.

Planner Arroyo said this will not affect anybody in the next few months but anybody that comes in the summer of next year there could be an ordinance in place, or sooner, that would require it.

Commissioner Brackon asked Planner Arroyo that in his experience has he seen something higher-end with the fence and the brick, that type of ordinance dissuade businesses from coming in for that particular reason? Planner Arroyo replied no. He added that what he always hears from business owners they all want to be treated like every other business owner is treated, they don’t want to have to do something that’s above and beyond. If everyone has to do this, he felt they would accept it as long as it is not outrageous. Doing something like this a small segment of a fence with a couple of columns at an entryway and then doing a hedgerow is not an outlandish expense. Yes, it costs more than not doing it but, he wouldn’t call it an unreasonable expense for someone doing a development.

Acting-Chairman Gross said that the Pomeroy development at Scripps and Lapeer has a nice entrance at the intersection.

Planning & Zoning Director Girling said she had a hard time picturing it. Does not the width of the road right-of-way make it look like it is just something in the middle of nowhere? Knowing that they have the traveled road and then there is quite a bit more width than road right-of-way, wouldn’t with a fence or something make it look like it is a fence in the middle of nowhere? Planner Arroyo said he didn’t think so because it is going to be right near the edge of the parking lot in most cases. That is typically the pattern along Lapeer there is a parking lot in the front of a building. This is going to define the edge of the parking lot area. He thought it would look like it makes sense. If they were just sticking it out in the middle of nowhere it would seem odd but this would likely be at the entry. Visualize a driveway and a parking lot they are going to have this treatment right at the driveway and then they will have a hedgerow in front of the parking. So, it is all kind of connected with a development that is actually there. What they can do is a little sketch that they might include in the Master Plan that would be just a real general concept of what this would mean. Obviously, they are not writing the ordinance right now they are just identifying this as something that is desirable in the Master Plan and they would follow up later with details in a zoning ordinance. They could do a sketch concept and bring it back to them to look at.
Planner Arroyo said if there are any other corridors that they want them to look at. Lapeer Rd. jumped out at them if there are any others that they think need some special identification or treatment in the Master Plan let them know.

9. PUBLIC COMMENTS
None.

10. COMMUNICATIONS
None.

11. PLANNERS REPORTS/EDUCATION
None.

12. COMMITTEE REPORTS
None.

13. FUTURE PUBLIC HEARINGS
None.

14. CHAIRMAN’S COMMENTS
Acting-Chairman Gross (on behalf of Chairman Reynolds) said thank you for him being in Florida and he is having a good time and hopes to be back at the next meeting.

15. COMMISSIONERS’ COMMENTS
Commissioner Walker said that the library is having its silent auction as they speak. He understood that there are 40-50 baskets that have been donated by the folks in the area. The auction will run until the last day of November he thought. He encouraged them all to stop by and make a bid because you will find something you like, and it will help the library.

Secretary St. Henry said he won two baskets a couple of years ago.

Trustee Urbanowski said she is a marching band mom and her senior is in color guard and they are marching at Ford Field this weekend, they are currently in first place in flight one, so they are the last band to go at Ford Field but they are hoping to bring home the trophy for Lake Orion.

16. ADJOURNMENT
Moved by Trustee Urbanowski, seconded by Commissioner Gingell to adjourn the meeting at 7:41 p.m. **Motion carried.**

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

November 17, 2021
Planning Commission Approve Date