

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION**  
**\*\*\*\*\* MINUTES \*\*\*\*\***  
**REGULAR MEETING, WEDNESDAY, NOVEMBER 15, 2023**

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, November 15, 2023, at 7:00 p.m. at the Orion Township Municipality Complex Board Room, 2323 Joslyn Road, Lake Orion, Michigan 48360.

**PLANNING COMMISSION MEMBERS PRESENT:**

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

**PLANNING COMMISSION MEMBERS ABSENT:**

James Cummins, Commissioner	Kim Urbanowski, BOT Rep to PC
-----------------------------	-------------------------------

**1. OPEN MEETING**

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

**2. ROLL CALL**

As noted above.

**CONSULTANTS PRESENT:**

Sally Elmiger (Township Planner) of Carlisle Wortman Associates, Inc.  
Joseph Lehman (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.  
Tiffany Sanders, Township Planning & Zoning Specialist

**OTHERS PRESENT:**

Ron Chiesa	Mario Chiesa
Dale Moeller	Erin McMachen
Dave Nelder	Alex Nelder

**3. MINUTES**

- A. 11-1-23, Planning Commission Regular Meeting Minutes
- B. 11-1-23, PC-23-42, Sheetz Conditional Rezone, Public Hearing Minutes
- C. 11-1-23, PC-23-43, Orion City Gate Rebuild (Consumers Energy), Public Hearing Minutes

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

**4. AGENDA REVIEW AND APPROVAL**

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, to **approve** the agenda as amended. **Motion carried.** (Removing 8.A. and 15.A)

**5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY**

None.

**6. CONSENT AGENDA**

None.

**7. NEW BUSINESS**

A. PC-2021-44, Pearl of Orion Site Plan, request for site plan extension, located at vacant parcel #09-33-301-007, 4738 Joslyn Rd. (parcel #09-33-326-016), and 721 Brown Rd. (parcel #09-33-351-034).

Chairman Reynolds asked the applicant to step up to the podium and give a background on the request.

Mr. Dale Moeller with Contour Companies presented. He was new to the company and would do his best to answer any questions that they may have. Back in 2021 a site plan was submitted for this property and approved. During that time there were some delays but there were some improvements to the site plan that they submitted in mid-2023. They are currently in the process of addressing some site plan review comments that were issued on November 9<sup>th</sup>, so they are responding to that. In the meantime, they are also in the final stages of creating their construction documents so they can submit those to the city for a building plan review. They are looking to get this project started in the spring which was their earliest. They are asking for a continuation of the approved site plan as they work through the changes on the 2023 plan.

Chairman Reynolds asked what was the length of extension they were looking for. Mr. Moeller replied they would like to have a 6-month period minimum.

Chairman Reynolds said he would open it up to the Planning Commission. He didn't have any issue with that. He knew that engineering and construction plans take a while, and it seemed like there had been some back and forth, and thought that 6-months was appropriate.

Moved by Vice-Chairman Gross, seconded by Chairman Reynolds, that the Planning Commission **approve** the site plan extension request for PC-2021-44, Pearl of Orion site plan for a 6-month period from the previous approval date. This approval is based on the fact that the applicant is moving forward with getting plans approved.

**Roll call vote was as follows:** St. Henry, yes; Walker, yes; Gross, yes; Gingell, yes; Reynolds, yes. **Motion carried 5-0 (Cummins & Urbanowski absent)**

## **8. UNFINISHED BUSINESS**

**A. PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1250 S. Lapeer Rd. (parcel #09-14-201-013).**

Chairman Reynolds asked the applicant to step up to the podium and walk them through their plans and then they will turn it over to their team for their review.

Mr. Ron Chiesa with R.A. Chiesa Architects presented.

Mr. Chiesa stated that they have been here before so he just really wanted to go through some clarifications based on the most recent review that was completed just so they can all be on the same page as where they are at.

Mr. Chiesa said they did make some alterations to their plans that picked up some of these points. As they remember, the biggest stickler that they had last time was about the stormwater issues. They met at the site with their civil engineer, the owners of the property, as well as Mark Landis from OHM. They walked the property and discussed what is the best avenue to take. They were all in agreement on how to handle that.

Mr. Chiesa stated that regarding the project itself, the building addition where it is located is in the back storage area. Their storage area is going to be decreasing. They are a non-conforming use as far as that currently. Their storage area is lessening. With that regard, it actually helps, and they are able to maintain the storage that they have currently shown. The outdoor storage has been cleared of any nonvehicular things. There were some storage

containers there, boats that were mentioned looking at aerial photographs so that is cleaned up where it is just back to vehicles like it should be.

Mr. Chiesa said that another clarification point, the existing fence that's around the site is eight feet high so that does meet the requirements regarding the fence height. That fence, as per their previous discussions, will be moved into the property line. His client has discussed purchasing land on the north side and there is a price agreement, they are an out-of-state equity firm so just getting all that paperwork and getting it put together will take some time. They are aware that they are going to make it a condition that the fence needs to be pulled into whatever property line they establish for this project.

Mr. Chiesa stated that one of the requests that they were asked to provide during the reviews that they were given was to show some general circulation in the back area. They have got some parking spaces, it is gravel so those will not be stripped, but they have 27-foot isles minimum to circulate around the site. There is plenty of room to bring vehicles in, drop vehicles off, and maneuver around the site, they did want to make that clarification.

Mr. Chiesa said their lot coverage, they had on the plan previously but wanted to reiterate that it is 14% and is less than the 30% that is allowed.

Mr. Chiesa stated he wanted to clarification the fence that is around the property was there prior to his client buying the property so it wasn't something that they did on their own, the fence already existed.

Mr. Chiesa said regarding their parking they need 55 spaces based on the criteria of the ordinance, and they have 46, so they are 9 spots shy. As his client mentioned the last time, they were there they really only have a need based on employees of 26 spaces, so they have an excess of 20 spaces and hoped to get some relief on that.

Mr. Chiesa stated regarding their barrier-free parking spaces, they have tweaked the design of that a little bit. They created a green area and got them off the property line. They were dimensioned on their AS2 sheet previously but just for clarity, they put additional dimensions on the actual plan so that it will be easier to understand.

Mr. Chiesa said they did provide bumper blocks based on their last meeting comments when they presented the project at the property lines. They did add an additional 6 on the east side of the Moto-Medic building along Lapeer. He did want to clarify that there was a comment about having parking blocks at spaces 11 and 12 but those spaces about an existing 6-foot-high wood privacy fence so bumper blocks are not needed there the cars will not be able to be extended into the landscape that they have provided in front of the Moto-Medic building.

Mr. Chiesa stated that loading they don't really have a need for loading. The Moto-Medic building, like all auto service places, gets regular daily deliveries from Vans. The building is only 2,400 square feet so it doesn't get to the 7,000 square feet where it needs an actual loading area. They do have one indicated on the plan, which is up behind the existing towing building, that is a 10x50 area if they actually had to dedicate an area just so they can see that they can be complacent with that part of the ordinance. There is no type of delivery that needs a semi. There might be some flatbed trucks coming in, obviously, the other towing is flatbeds and is the type of stuff that comes in and out of there. Again, if they had to dedicate an area, they just wanted to show that they do have that area available.

Mr. Chiesa said regarding the setbacks for parking, obviously, they are built out from property line to property line on the north and south. It is not feasible to have a 20-foot setback clear

area. That was not really an issue that they had to confront at their last meeting. He also wanted to point out that there are probably a dozen sites adjacent to this that have the exact same scenario as this, where they don't have the 20-foot separation between their adjoining neighbors. The 20-foot required at the front right-of-way; the Moto-Medic is not part of this development but as a good faith measure and talking with Planning & Zoning Director Girling they wanted to take the asphalt out from the right-of-way that is existing with parking spaces created some green area there. It is not physically possible to have a 20-foot area there. The development that is directly south of them has the exact same separation from the property of 6.5 feet that they have and that is what they have. They have provided planting screens which the neighbor to the south does not have. They are trying to make that area as nice as they can. The 30-foot landscape greenbelt which is in their ordinance for the rear of the property as it abuts residential on the far west end, they have a heavily wooded area with some wetlands back there. They have their bioswale across the whole west area there but no other development adjacent to them or across the street that abuts an R or RM that has a heavily wooded area that has this 30-foot landscape buffer, and obviously they would request relief on that. The bioswale extends along that west property line. It is designed to pick up the drainage patterns that are existing on the site currently.

Mr. Cheisa stated that their interior parking lot landscaping, they didn't have anything previously on the plan, and as a tradeoff again because it is so far in the back, they were going to develop the front area with some landscaping and fix up the existing appearance which everyone will see. The recent comments that he got back were mentioning about 5 tree requirements for the interior. They really don't have an area for that, the greenbelt on the south side of the existing towing building goes from 6 feet to 10 feet, really not wide enough for any trees to be put in that area and no one would see them. That is where they modified their handicapped parking spaces and put five arborvitae in, they have their fire hydrant located there so they are meeting everything they need to for fire, the fire hydrant location, and all ADA concerns are met. Plus, it is an area that gives them the opportunity to put some arborvitae in that would be 6 feet tall, and those will be visible. That will be a buffer between the property to the south and anyone in the site itself will be able to see that. They felt that was a much better application to get some additional planting. Trees anywhere else based on the site and the usage of the property wouldn't be advantageous. In closing on some of the planning comments the landscape materials they did swap out their three trees which they had specked as a Cleveland Pear Tree those have become diseased, so they switched that out to a Redbud which is an ornamental tree and is not subject to disease at this point and time.

Mr. Cheisa said they do not have an illuminated awning on the front of the proposed addition. They have an emergency light which is above the door which is required by code that will come on just like an emergency light when power goes out inside of a building. It is not an illuminated awning that is a code-required item, a small light it is battery-powered and is not for illumination purposes.

Mr. Cheisa stated regarding the engineering aspects the engineers have recommended approval based on what they have provided. The addition itself doesn't need any new water or sanitary, they are connecting to what is already being provided to the building that they are attaching to. Water is provided by a well, there is an active well on the site, which is in front of the addition and will be encased with a manhole cover. That is a functioning well they use it currently. They do not use it for drinking. They have bottled water service that comes in, but it is a functioning well which they have had for years that has served that back building. They will not be connected to city water. The addition will have an oil separator because of the type of use that is inside, so that will be in line prior to the sanitary going out.

Mr. Cheisa said that the existing storage area will have a bioswale. When they met out at the site it was originally just going to be in the southwest corner but through comments and whatnot, they are going to extend it all the way along the west property line. It is located in such a way as to capture all of the natural drainage patterns that are currently on site. To protect the bioswale they have bumper blocks that have pocket channels on them which means they are elevated so the water can still run underneath them versus diverting it but that will give a visual identity to where the bioswale is and stop vehicles from driving into that area. The other thing that they have noted is the front approach they had called out as 48 feet wide they had added a couple of dimensions, and it is 48 feet at the property line and 42 feet at the road at its nearest point. That is a two-way approach that was put in during the improvements for Lapeer Rd.

Mr. Cheisa stated that the addition is actually going over existing gravel just to clarify what is happening there. The area where they show the building is currently all gravel.

Mr. Cheisa said there are no existing trees on site other than the front.

Mr. Cheisa stated that any other engineering information will be provided during the engineering phase.

Mr. Cheisa said that they have doubled the amount of plant material in front of the building. There were some comments that they would like to see some additional planting. They doubled all the plant material that they had in front of the building, added another tree, they put screening in, the screening they have along the roadside has a mix of boxwoods and yews to vary that up they are both species that will be green all year round. They have some daylilies and fountain grass that is mixed in with that. They feel that they addressed some of those concerns. There is no landscaping up there now up against the building. This should make that look aesthetically pleasing.

Chairman Reynolds turned it over to their consultants to run through their reviews.

Planner Elmiger read through their review date stamped October 23, 2023.

Engineer Lehman read through their review date stamped October 17, 2023.

Chairman Reynolds asked if this was a different plan than what was submitted for review. Mr. Cheisa replied yeah, just some of the items that he went through talking about the landscape changes, spec'ing out a different tree, all really minor items.

Chairman Reynolds said just for record purposes so they can understand with their motions that the plans that they are seeing here this evening haven't been reviewed but are intended to address the comments that are brought forth within the reviews.

Chairman Reynolds stated that the revised plan was a significant improvement from where they were previously, with some solid attempts. There were a couple of comments mentioned because of similarities to adjacent properties, which is great with a lot of these, they have to focus on the fact that it is an existing non-conformity, and within reasonable changes being asked of the plan versus being similar to adjacent properties of where they are at. With that said he thought they were headed in the right direction but there are obviously a number of conditions that don't meet their ordinance in full and some of that is because of existing buildings, structures, or existing lot lines. He did appreciate their attempt to address all of the comments this evening. He thought it was an improvement not only for the facility but also for the site to clean things up and bring it back on the property. It was great to hear there was some discussion on the additional property being added that will hopefully make up for some of

that loss. It is nice to see everything being brought in. The only comment he had was about the trash enclosures and wanted to hear some thoughts from the Commission on that being kind of fenced but screened structure. The only other comment was he understood that the existing building starts to fall behind the parking of the buildings to the south and the parcels to the south but even with that limited area is there any landscaping that they want to see beyond what they are seeing here this evening.

Vice-Chairman Gross said that it appears that the concerns that they raised at their last meeting have been adequately addressed. Although there are a number of motions that they need to adopt in order to clarify some of those things. An effort has been made to incorporate the concerns that they had at their last meeting.

Commissioner Walker asked what kind of trash their client generates. Is it smelly? They had indicated that they could put up some sort of a fence with screening in the fence but are there odors that might come out of that if it is not an enclosed dumpster? Mr. Cheisa replied the reason for the fence is so if there is anything around there it is not blowing out and around. They did have the dumpster there on the last plans that they submitted but they put a fence around it. The reason that they only did the fence was because it is in the back 40 it is not visible to anyone.

Mr. Dave Nelder 1470 S. Coats Rd., presented.

Mr. Nelder said the type of trash that they generate is mostly boxes from auto parts and things like that. There will be some lunch trash. That is the type of trash they generate.

Chairman Reynolds asked Planner Elmiger, that the trash enclosure appears to be on the west side of the existing building, but it is still within the side yard setback. Was there a concern about that? Planner Elmiger replied that would actually be a rear yard because the rear yard extends all the way to each side property line. Chairman Reynolds asked if that was still in accordance even though it is in the side yard setback. He knew it was located in the rear yard, but it didn't look like it was within the 20-yard sideyard setback. Planner Elmiger replied she saw what he was saying. Chairman Reynolds said it does appear that it was within the existing setback of the existing structure it is no worse. Planner Elmiger said it does for the General Business (GB) district it does allow the Planning Commission, at their discretion to place the enclosure in the side yard based on factors whether the side yard is an interior side yard or an exterior side yard which is more viewable from the main road, natural screening sightlines, etc. so they have that discretion.

Chairman Reynolds asked if there were any more questions on the trash enclosures.

Vice-Chairman Gross said the dumpster enclosure is behind the building it is not adjacent to any of the other commercial properties, it is adjacent to it but there is no interference of any of the other adjoining properties. He didn't see a problem with that location.

Chairman Reynolds asked about the screening around the property, it is limited to the existing conformity but the existing green area to the south of the existing building, any thoughts there or thoughts on any of the other landscaping?

Planner Elmiger said the was one more item, it was a minor detail but was in the ordinance, the dumpster screens are required to have an opaque gate in addition to the three sides, and the illustration didn't show that. Mr. Chiesa replied that, if necessary, they are willing to do that. There are some others in the area that didn't have any. The neighbor to the north their

dumpster is actually in the same position and is visible to the street, and they were consistent with that.

Chairman Reynolds said that if there is no further discussion, they can entertain some motions. Many of them are generated based on some existing nonconformity.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission approves relative to the Off-street Parking Calculation Waiver section 14.03C for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1250 S. Lapeer Rd., (Sidwell #-09-14-201-013), for the recent plans that were reviewed this evening because he didn't think the October 4<sup>th</sup> plans were the latest, so the latest plans that were reviewed this evening, based upon the following: that the applicant did provide evidence that indicates that there are 55 parking spaces required they have provided 46; they have identified that the number of employees that they have in the facility is 20 so there was an excess of 26 spaces over what would be provided; since there is not a lot of drive-by or customer activity that would be using this facility the reduction of 9 parking spaces from the 55 required down to 46 provided would be appropriate.

**Roll call vote was as follows:** Gross, yes; Gingell, yes; Walker, yes; St. Henry, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission **approve** relative to the Setback Waiver Section 14.03 C3, a parking setback waiver for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1250 S. Lapeer Rd. (Sidwell #-09-14-201-013) for plans that were reviewed this evening based on the following findings of facts: that the limited width of the property does provide for some lack of flexibility in terms of providing additional landscape setbacks.

**Roll call vote was as follows:** St. Henry, yes; Gross, yes; Gingell, yes; Walker, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

Moved by Vice-Chairman Gross, seconded by Secretary St. Henry, that the Planning Commission **approve** the Landscape Waiver Section 14.03 D.5 for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1250 S. Lapeer Rd. (Sidwell #-09-14-201-013) for the plans that will be reviewed by the Planning consultant and the staff based upon the findings of facts: the limited parcel depth of the parcel makes the greenbelt landscaping somewhat difficult and there is existing vegetation to the west of the developed site.

Discussion on the motion:

Chairman Reynolds said he wanted to add that the existing structure is within that setback too and that is another hardship but perfectly fine.

**Roll call vote was as follows:** Gingell, yes; St. Henry, yes; Gross, yes; Walker, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, that the Planning Commission **approve** the Internal Parking Lot Landscaping Waiver Section 27.05 A.6 for PC-22-21, Buckhorn Service Towing & Recovery Site Plan located at 1250 S. Lapeer Rd., (Sidwell #-09-14-201-013) for plans that will be reviewed by our consultants prior to obtaining permits, based on the following: that the site is a nonconforming site and the limited size in terms of the depth and width of the property makes the internal landscaping not feasible.

**Roll call vote was as follows:** St. Henry, yes; Walker, yes; Gross, yes; Gingell, yes; Reynolds, yes **Motion carried 5-0 (Cummins & Urbanowski absent).**

Chairman Reynolds said a waiver of the trash enclosure and loading and unloading can be addressed. That leads them to the discussion on the landscaping if someone is willing to make a motion.

Moved by Vice-Chairman Gross, seconded by Chairman Reynolds, that the Planning Commission approves the Landscaping Design Standards Waiver Section 27.05 A.3 for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1250 S. Lapeer Rd. (Sidwell #09-14-201-013) recognizing that there is a replacement of the landscaping and materials have been identified by the applicant to be more consistent with the review of the plans by our planning consultant Carlisle Wortman in their report of October 21, 2023, which would improve the landscaping design along the frontage of Lapeer Rd.

**Roll call vote was as follows:** Gross, yes; St. Henry, yes; Walker, yes; Gingell, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

Moved by Vice-Chairman Gross, seconded by Commissioner Gingell, that the Planning Commission approve a Landscape Screening for Conflicting Land Uses Waiver under Section 27.05 A.5 for PC-22-21, Buckhorn Service Towing & Recovery Site Plan, located at 1250 S. Lapeer Rd. (Sidwell #09-14-201-013) due to the fact: that there is a large open space and wetland on the western portion of the site which does provide for screening of the properties to the west.

**Roll call vote was as follows:** Gross, yes; St. Henry, yes; Walker, yes; Gingell, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

Chairman Reynolds said that leads them to site plan which he knew they had a revised site plan in front of them this evening but as mentioned it hasn't been reviewed by consultants which he thought would be the makings of essentially addressing their comments and their review letters this evening. Same thing with the OHM review and some comments from the Fire Marsal. He thought it was worthwhile to include that, and some of the clarifications that were spoken to tonight he thought should be conditions of whatever motion is made also.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission **grant** site plan approval under Section 30.01 for a revised site plan that was submitted this evening but needs to be given a final review by the staff relative to PC-22-21 Buckhorn Service Towing & Recovery Site located at 1250 S. Lapeer Rd. (Sidwell #09-14-201-013), based on the following findings of facts: the applicant has made some revisions to the previous plans submitted on October 4, 2023, which are reflected to some extent within the Planner's review letter of October 21, 2023; the Township Engineer's report of October 17, 2023, and the Fire Marshal's report of October 16, 2023.

Discussion on the motion:

Chairman Reynolds said that some clarification on the motion that it is the intent to be revised and resubmitted to essentially be rereviewed by staff including our consultants, to address the comments and the review letters from their previous application of October 4, 2023. Vice-Chairman Gross replied correct.

**Roll call vote was as follows:** Walker, yes; St. Henry, yes; Gross, yes; Gingell, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**



Commissioner Walker said he has done this for a long time, and he was not sure that they have ever granted more waivers on one piece of property than they have to them. Having said that, those waivers were granted because of the position of the property where it is, how long it has been there, and what the conditions of the Township were like when this whole thing started. He wanted to commend them for working with their experts to come to a conclusion that they could all support. Many times, he has been towed by Buckhorn when his car broke down.

B. PC-23-20, Whitewater Car Wash Site Plan, located at 1112 and 1140 S. Lapeer Rd. parcel #09-14-201-005 & #09-14-201-006.

Chairman Reynolds asked the applicant to state their name and address for the record. He added that he knew they had seen this plan before, and if they could walk them through some of the changes that have been made, then they would turn it over to their consultants.

Ms. Erin McMachen with Stonefield Engineering & Design 607 Shelby Street, Suite 200, Detroit, MI, presented.

Ms. McMachen stated that she was representing the applicant EROP, LLC. She thanked the Board for giving them the opportunity to bring them another revised site plan at the last meeting. The main discussion was the concern of site circulation and the request for a full bypass lane around the site. That was provided within the last site plan submitted, a full 20-foot bypass lane provided around the site. The building was shifted in order to comply with that. They shifted all of the landscaping and lighting accordingly. Also, as a result of that, the vacuum spaces were reduced from 16 spaces down to 14 spaces. The plan before them tonight does have one change that was not on the submitted plans set, just the 20-foot fire lane that leads into the vacuum area. The Fire Marshal noted in his review, that while he was satisfied with the 20-foot lane around the site, what that did do was create a dead end in the vacuum area. To alleviate that they just provided again, that concrete fire lane from the stacking lane into the vacuum area so the firetruck could circulate the entire site. She did have correspondence from Jeff Williams stating that he was happy with the plan as presented.

Chairman Reynolds asked if she could walk them through where that is between the entrance lanes. Ms. McMachen showed the Board between the concrete fire lane, it was on the last plan at the last meeting, they figured the full bypass lane they could eliminate, but Fire Marshal Williams said it had to be there so that is the only thing that has been added back.

Ms. McMachen added that they got MDOT approval for the access and confirmed that the stormwater jurisdiction is actually not MDOT, it will be discharging to the rear of the site. She felt that would be an engineering item, but the stormwater design is complete.

Planner Elmiger read through their review date stamped October 23, 2023.

Engineer Leham read through their review date stamped October 20, 2023.

Chairman Reynolds said he would turn it over to the Planning Commission on their thoughts on the proposal.

Vice-Chairman Gross asked what the maximum number of employees at any given time was. Ms. McMachen replied the maximum ranges from 4-5 employees.

Vice-Chairman Gross asked what type of materials would be served if there were to be a loading berth. Ms. McMachen replied that the front of the building actually has two overhead

doors, the second overhead door is for deliveries and maintenance of the tunnel equipment. They just have small Amazon deliveries and small vans that come to that overhead door during off hours.

Secretary St. Henry stated that he was the Commissioner who recommended that they postpone and give them the opportunity to rework the site. It looks like they have, and wanted them to know that he appreciated that very much. He thought where that site is at now it is time for redevelopment, and glad that someone is stepping forward to do so.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission approve a loading berth waiver Section 27.04 B.3b for PC-23-20, WhiteWater Car Wash Site Plan, located at 1112 S. Lapeer Rd., and 1140 S. Lapeer Rd. (Sidwell #-09-14-201-005 and Sidwell #09-14-201-006), for plans date stamped received October 11, 2023, because the applicant did show that the proposed use will require infrequent deliveries, and deliveries will usually be made by either an automobile van or a small truck.

**Roll call vote was as follows:** St. Henry, yes; Gingell, yes; Walker, yes; Gross, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

Chairman Reynolds stated that there was a trash enclosure side yard placement waiver, further discussion on that. He knew they really didn't handle that topic obviously there are some push and pull based on the overall turning movement around the site. He asked if there were concerns with the trash enclosure being in the side yard.

Vice-Chairman Gross asked when the trash collection would be normally picked up. Ms. McMachen replied that if it is not off hours on the traditional route, they typically pay a service to come off hours just so it doesn't interfere with any of the customers.

Vice-Chairman Gross said they are planning on having it done when the doors are closed. Ms. McMachen said they are open from 8 a.m. to 8 p.m. before or after that time frame.

Moved by Vice-Chairman Gross, seconded by Secretary St. Henry, that the Planning Commission approves the Trash Enclosure Side Yard Placement Waiver Section 14.03 I for PC-23-20, WhiteWater Car Wash Site Plan, located at 1112 S. Lapeer Rd. and 1140 S. Lapeer Rd. (Sidwell #-09-14-201-005 and Sidwell #09-14-201-006), for plans date stamped and received October 11, 2023. This approval is granted based upon the fact: that the collection would be regulated during periods when the car wash is not open; and the location is such that the traffic could then circulate around the site once it picks up its load and then gets out onto Lapeer Rd.

Discussion on the motion:

Chairman Reynolds said he would like to add a couple of findings because it is in a side yard it is behind the building it is not visible from M24, and it is not adjacent to any residential zoned property and that is one of the reasons why they are providing. He knew they were talking about site circulation but also wanted to be clear about why they are allowing trash enclosure in a side yard. If they were willing to add those findings, he would appreciate that.

Vice-Chairman Gross amended his motion, Secretary St. Henry re-supported, also it is in a side yard, but it is behind the building, and it is not visible from M24, and it is not adjacent to any residential zoned property.

**Roll call vote was as follows:** Gingell, yes; St. Henry, yes; Walker, yes; Gross, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

Chairman Reynolds said that leads them to the site plan. He added to keep in mind there are some conditions that they need to include based on some parcel combinations along with additions of essentially the renderings. He would also like to make it clear that OHM hasn't fully reviewed the fire lane. He didn't foresee any major issues with that, but they are seeing a revised plan similar to the last applicant.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission **grants** site plan approval for PC-23-20, WhiteWater Car Wash Site Plan, located at 1112 S. Lapper Rd. and 1140 S. Lapeer Rd. (Sidwell #09-14-201-005 and Sidwell #09-14-201-006) for the plan date stamped received October 11, 2023, based upon the following conditions: that the parcel will consist of combining the two parcels into a single parcel; the color renderings be added as sheets within the site plan; that the Planner's review regarding landscaping of October 23, 2023, be incorporated; that the Engineer's review letter of October 20, 2023, also be included which includes the review of the fire lane bypass lane.

Discussion on the motion:

Chairman Reynolds said he thought that addressed everything. He thought the re-review would address Fire Marshal William's comments because he was good with the revised plan.

Vice-Chairman Gross amended his motion, Commissioner Walker re-supported that that the revisions will be reviewed by staff.

**Roll call vote was as follows:** Gross, yes; Gingell, yes; St. Henry, yes; Walker, yes; Reynolds, yes, **Motion carried 5-0 (Cummins & Urbanowski absent).**

### **9. PUBLIC COMMENTS**

None.

### **10. COMMUNICATIONS**

None.

### **11. PLANNERS REPORTS**

None.

### **12. COMMITTEE REPORTS**

None.

### **13. PUBLIC HEARINGS**

None.

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

Chairman Reynolds stated that they have a number of cases on their December meeting so please make sure you are here.

### **15. COMMISSIONERS' COMMENTS**

Commissioner Walker said that the Friends of the Library are having their annual Holiday Basket Silent Auction. They will be displayed, he thought, starting on Monday. They have 40-50 baskets donated by members of the community. They can bid on them they encourage

people to stop in. He was sure there was something that they would really love, and they would spend some of the hard-earned money to support the library.

Chairman Reynolds said he wanted to speak to all of the wonderful things that their library has to offer beyond just books. It is a great community resource, and they always have a number of great events and resources for children and adults.

Secretary St. Henry stated that the Lake Orion community lost a very valued member. Steve Hawley was a principal at Lake Orion for about ten years, and he passed away this week. He had a chance to work with Steve for a number of years and knew him as a parent when his two daughters also went to school there. Unfortunately, he is not with us anymore, but he will never be forgotten, he truly was one of the great leaders in this community's history.

Vice-Chairman Gross said he knew Planning & Zoning Director Girling was watching. He said to get well soon, and they can't wait to have her get back here.

**16. ADJOURNMENT**

Moved by Chairman Reynolds, seconded by Commissioner Gingell, to adjourn the meeting at 7:56 p.m. **Motion carried.**

Respectfully submitted,

Debra Walton

PC/ZBA Recording Secretary  
Charter Township of Orion

December 6, 2023

---

Planning Commission Approval Date