

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION PUBLIC HEARING MINUTES
PC-24-08, KROGER D649 RETAIL FUEL CENTER, REQUEST FOR A CONDITIONAL REZONE OF ONE
PARCEL, LOCATED AT 3111 SOUTH BALDWIN RD. (09-29-126-039), FROM OFFICE AND
PROFESSIONAL (OP) TO GENERAL BUSINESS (GB) WITH CONDITIONS, IN ACCORDANCE WITH THE
CONCEPT PLAN DEPICTING A FUELING STATION WITH 8 DISPENSING COLUMNS THAT ALLOW FOR
16 PUMPS, A 540 SQUARE FOOT TRANSACTION KIOSK, AND OFFER OF ADDITIONAL CONDITIONS.
WEDNESDAY, APRIL 4, 2024**

The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, April 3, 2024, 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	Don Gross, Vice Chairman
Joe St. Henry, Secretary	Don Walker, PC Rep to ZBA
Jack Lovat, Commissioner	

PLANNING COMMISSION MEMBERS ABSENT:

James Cummins, Commissioner
Kim Urbanowski, BOT Rep to PC

CONSULTANTS PRESENT:

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

OTHERS PRESENT:

Scott Gabriel	Matthew Pisko
Scott Jones	Patrick Mahoney
Terri Consiglio	Kathy Wrighton
Shirley Mitchell	Judith Hempton
Debbie Wylin	Debbie Thompson
Dane Thompson	Katie Consiglio
Dawn Wallin	Barb Schalk
Joe Fleming	Michelle Fleming
Ronald Lunney	Dieter Fuenfer
Sue Hackstock	Dottie Kowalski
Bill Wagner	

PC-24-08, Kroger D649 Retail Fueling Station Conditional Rezone, 3111 S. Baldwin Rd. (parcel #-09-29-126-039).

Chairman Reynolds asked the petitioner to step up to the podium and to state their name and address for the record.

Mr. Matthew Pisko 37225 St. Martins, Livonia, MI presented.

Mr. Pisko said he represented the Kroger Company of Michigan and the proposed fuel conditional rezoning agreement at 3111 S. Baldwin Rd.

Mr. Pisko showed the existing site in the southwest quadrant was a closed bank. Kroger is looking to raise the bank and keep the improvements and the streetscape in place and rehabilitate the parcel to include a Kroger Fuel Station with 8 dispensers of a 540-foot transaction kiosk. Customers can enter, and there is a 250-square-foot transaction area within the kiosk. The Township had the benefit of another Kroger Fuel Station at 605 S. Lapeer which they rebuilt after the acquisition of the BP Station.

Mr. Pisko stated that Kroger Fuel Station is a nationwide bonified petroleum marketer with fuel stations from Florida to Washington. They are a publicly traded risk-averse company that has extraordinary component engineers and designs of underground storage tank systems. He added it was a pleasure to work with a company that is so forward-thinking as far as how their underground storage tank systems work.

Mr. Pisko said that Kroger has expanded through acquisitions of Great Scott, Farmer Jack, and Hilliers. There are different varieties of stores versus newly built ones. The goal of Kroger is to try and match a fuel station with every grocery store for the benefit of their customers. It is another category within the grocery store like the deli meat department, where you can accumulate points by grocery shopping and then redeem those for discounts on fuel. It is not a price club or a membership like Costco.

Mr. Pisko stated that 60% of the transactions at the fuel stations originate in the parking lot. That is important to them to have that fuel station proximate to the grocery store. He added that 70% of their locations have fuel stations, and they would like to make that 100%. He understood that some are so small and prohibitive, but this circumstance presents itself, they have been here a couple of times before and they were not successful because of the placement and harvesting of the parking. This is a stand-alone parcel that is contiguous with Kroger, and they don't have to have access improvements on the roadway, and it is more than adequate in size for their purpose.

Mr. Pisko said that they have offered a conditional rezoning agreement that is in their packet.

Chairman Reynolds asked him to outline some of the high-level items. There are a number of conditions that they have offered up that he thought were worthy of speaking to.

Mr. Pisko said that in the event that the Kroger Fuel Station closes, they would raise and extract the tanks and put the property back to its original condition and its original zoning. This is a purpose-built agreement to get a fuel station adjacent to their store. They are not interested in other uses or anything else, which is why they have limited it to the Kroger fuel station. For the purposes of the conditional rezoning, it can only be used as a Kroger Retail Fuel Center with 8 dispensers, that is actually where you get the gas from, that would be 16 sides, two underground storage tanks, a 7,000 square foot fuel canopy, a 540-foot kiosk. There would be indoor sales within the kiosk, cigarettes, gum, coffee, FCB, soda pop, and prepackaged foods. Upon site plan approval if they can jump that far ahead, they would pursue signage at that point and time, along with outdoor sales items, and propane.

Mr. Pisko stated that the Kroger Retail Fuel Center and they will notice this across the arsenal that they will match the grocery store. They looked at the grocery store and they matched the columns on the store behind them. It is kind of a transparent architecture, with earth tones that blend in with the shopping center, but they matched the brick from the grocery store, the columns, and the Kiosk. He added that Gingellville, although they are not in that district, did carry the streetscape elements across the frontage with the aluminum fence and there is a bench and a bike rack on the front.

Mr. Pisko said that the Kroger Retail Fuel Center will mirror the hours of the grocery store. It can't run independently from the grocery store, that is an important distinction. That kiosk register is essentially a pay point within the grocery store, they communicate with one another.

Mr. Pisko stated that prior to the stormwater leaving the Kroger Retail site it will be treated through a water quality unit. They will exceed the landscape tree quantity by 50% and planting size larger than required to provide natural screening between South Baldwin and the proposed Kroger store.

Mr. Pisko showed them the existing parcel and the proposed parcel. He added that all of those streetscape elements that exist in front will remain and will build the landscaping. He showed them the wall elements, the bench, the connectivity to the path, and then grouping of trees to break up visibility as people traverse in front of the fuel station.

Mr. Pisko said that they are fully mature trees within the island. They are installing another island and matching those trees. They have landscaping to separate the two parcels. They have a nice open circulation pattern utilizing the existing approaches.

Mr. Pisko stated that he would be glad to answer any questions and to sit back and take notes during the public hearing.

Chairman Reynolds asked Mr. Pisko to step away from the podium so they could proceed with the public component of this and ask citizens for their opportunity to speak.

Mr. Scott Gabriel 941 Joslyn Rd. said that he had a few concerns regarding the signage, according to the picture it looks small. He would like to see that and to continue in that very small method because they don't want a big sign it would be the brightest thing along the whole avenue there. He knew they had some dark-sky requirements for the lighting, hopefully, they would keep that in the same, keeping it away from being the big bright spot, on Baldwin. They have a new recreational storage yard going up on Indianwood, and they have a lot of landscapers, and people coming through with boats. The way that floor plan is there is very conducive to people with trailers, which is a good use for it that way. The other small gas stations that are along Joslyn and Baldwin are too small, you really can't get in and out of there with a big boat, camper, and even the landscape guys, so that is a positive. Being that they are using the same entrances, they are not cutting into Baldwin there is not another turnoff of Baldwin and thought that was a positive also.

Mr. Joe Donohue 2911 Armstrong Dr. in Keatington. They are not too far from the existing Kroger. One thing they do not need is more gas stations in their area. Within the square mile radius, they have at least five. They also have out on M24 multiple gas stations including the Kroger self-serve that is out on M24. He did not hear anything about the increase in traffic which is, as they are all painfully aware, a big problem in that area. He wasn't hearing anything as to what the benefit is to the local benefit. What he is hearing is they are going to draw more traffic into this area. He asked where these tankers will drive and, are they coming across Waldon Rd. because they are not able to negotiate the roundabouts on Baldwin. He would like to see Kroger invest money in its store and improve its store which is really in dire shape. Despite the attempts on the part of the local management team there. It is clear that corporate is taking quite a strong stance with the local store not investing in that store. Why would they spend money on this proposal other than to make more money? He thought as they all know Kroger is in the process of purchasing Albertsons, which is going to be an even huger organization than it is now. He believed that was temporarily delayed, maybe not at this point. He didn't see the benefit to the local citizens. They are nearby lakes, big lakes in this community and they are running some risks there. With all due respect to engineers and other people who might build this gas station, the fact is there is no guarantee that they can safely secure their waters in the area, and it may employ a few more people in a store that has had trouble holding on to people including managers. He is at that Kroger at least five times a week. He knows what he is talking about with respect to the condition of the store, the traffic in the area, the employees, and the lack of attention by Kroger Corporate to this store. This is not a good idea; they have plenty of gas stations in this area. He asked that some consideration be made in terms of who is being represented here, is it the corporate interest that is at heart or is it the local citizens? It should be the local citizens who should be number one here. This is not a good idea in any form or fashion except for Kroger Corporate.

Mr. Ron Lunney at 2875 Walmsley Circle Dr. said he has been here since 1977 and he bought the lot in 1965. He said this proposal was the same one as it was proposed a few years ago and it was turned down by the Board at that time. He asked what had changed. There are six gas stations within four miles of the current Kroger store, so why do they need another? The list of stations is a Meijer on Brown Rd. with 6 islands and 12 pumps; Costco on Brown Road with 4 islands and 16 pumps; BP Baldwin and I75 with 6 islands and 12 pumps; Marathon on Baldwin and Sunoco on Joslyn; and one other small station on Joslyn and Judah a total of 40 plus 3 small stations. Look at the amount of land that is used; does the former bank area have that much land? There is a wetland next to the former bank, the groundwater level is high, and the parking lot runoff is going to pollute the wetlands. Eventually that polluted water is going to run into Lake Voorheis. Vehicles are going to use Keatington as a cut-through. They are going to get to the gas station there are signs up during the Baldwin Rd. construction that these did not do any good as far as stopping traffic that went fast on the subdivision Walmsley Rd. Keep in mind there are children playing, and people walking, which will be hindered by the amount of traffic. Traffic is going to be more congested at Waldon and Baldwin. There are currently three roads coming from Baldwin into the shopping center parking lot. These roads are too narrow and the road on the south side of the bank was a one-way for many years. Now it changed a few years ago to two lanes. How are the tankers going to successfully navigate the entering and exiting? There is a very tight curve, he didn't understand how they were going to be able to do this. Kroger has a store on the M24 and Indianwood, why isn't there a gas station at that location? Have you received approval from the DNR to get approval for the polluted wetlands? He was completely against this gas station at Baldwin and Waldon. People will say Costco has a wetland there, but that is not a wetland it is a tank put in to get runoffs for all the sewer systems, and the blacktop of the parking lot, it goes into that storage facility, it is not considered legally a wetland. He wished they would rethink this whole thing as they have enough gas stations in the area.

Ms. Dawn Wallin 2596 Browning Dr. in Keatington stated that she would say that she is opposed to the Kroger Gas Station. Her primary concern is the environment. If they look at the map of the location, just past the driveway just south of the location is a creek with a culvert that runs right underneath Baldwin that is part of the Clinton River Watershed which controls all the waterways around here including the lake that she lives on which is Lake Voorheis.

She was very concerned that an accident or runoff from the gas station could impact these lakes. There was one yesterday in Monroe County, thousands of gallons of diesel fuel were dumped into these creeks. It will be a long time before they clean that mess up. If they want to believe in the direction of vehicles in the future, they are looking towards going to EVs and don't know why they need more gas stations. She would prefer Kroger to invest in the store, she shops there all the time. She would like it to look more like the Silverbell location and less like the one that they have and thought they could do more with that than spending money on a gas station. She said they have a Master plan, and it seems they throw this out the window every time someone comes in with a proposal and they rezone it to high-density housing, and gas stations, instead of offices. She would like to see them continue with the Master Plan.

Ms. Aimee Laing 3419 Baldwin Wood Dr. said she was totally against this; the traffic is horrific enough. There is that little entrance that you are supposed to go in because when you come down to the north, and for them to come out of their unit they have to come in to turn around. They have to come the other way already and they have had accidents. They have congestion and she doesn't feel safe in the roundabouts because there is so much congestion there. She can't imagine having the gas station and more congestion and big tankers coming down on the roads that they just built and finished and having more trucks on it. And then the environment, they are supposed to go green and everything else, they are just going to cause more problems. They have wetlands, things they want to do, bike routes, and everything else they don't want this. She sees enough poles fall down being picked up she walks and the whole pole is down already from the turnaround. Can you imagine trucks and all this other stuff going on? She moved here so she could have a nice place to live, and this is not going to make it nice, it is going to make her upset. She understood that they want to have a gas station, they have enough gas stations, and they don't need another gas station every few hundred feet. This is not right, and there is a reason why it never went through before, and it still shouldn't. She agreed with everybody that came up here and everything that they said, she did not want this, she would rather move.

Mr. Dieter Fuenfer 2827 Wareing Place in the Keatington Subdivision stated that he had to follow suit with all of the people, he is opposing this rezoning plan. For obvious reasons, they have a pond and a creek next door, so any gas station will have spills regardless of what prevention they might take. They have seen gas flow into the storm drains, so they want to protect their environment. Their slogan is "Where living is a vacation", their slogan is not living at a gas station. He would ask them to consider that. He agreed 100% with the traffic. The Baldwin Rd. became almost like a side arm of I75. If you walk up there you see truck after truck coming down at 45 MPH flying through the roundabouts. Adding this gas station will basically restrict the flow again because of people going in and out of this gas station. The way he saw the rendering, that is kind of parallel to the road too so that is tight to come in and come out, this is not a big area for a gas station. The question for Kroger would be why they are not building some gas station over at Silverbell in that Township, or up in Lake Orion. Why do they find the smallest spot you can imagine between nature ponds and retention creeks, and whatever they have next door, why would they do that it makes no sense. The argument about having a store with a gas station everywhere is not true either. The one on Lapeer Rd. has no Kroger store it is in the middle of Lapeer Rd. He would challenge the Township and the Planning Board saying let's rethink this again; do they really need that in this area? A lot of the speakers that spoke before, they really seven gas stations in the 2.5-mile radius.

Ms. Barb Schalk 2590 Browning Dr., in Keatington about a block and a half across from the Kroger. Her biggest concern is the environmental impact on the lake. The sewers in Keatington and wasn't sure about the sewers on Baldwin and Waldon but their sewers flow directly into the lake, there is nothing that is separated, and whatever goes into the sewer goes into the lake. If there is any kind of a gas spill and she sees gas spills at Costco, and everywhere. She worked at General Motors, and you won't believe how many people drive off with the hose still in the car and it rips off and they spill gas; they are not going to prevent that. She asked what the existing Kroger that is there, is that they want to match all the Kroger's, it is the smallest Kroger it is not the size of the Kroger at Indianwood that has gas pumps down further on Lapeer. It is not the size of the Kroger at Sashibaw that has gas, so why do they take a small Kroger and put in gas pumps, it doesn't make sense. She asked if Kroger owned the land that they have the store on or are they had a lease. If this is only a leasehold improvement to buy the bank and make that also a leased facility, she would highly discourage the Township from doing that. As people have said before they have 4 stations already on Baldwin between Indianwood and I75, they have two stations on Joslyn between Waldon and Brown Rd., and they have the three big ones Meijers, Costco, and Sam's Club right at Brown Rd. and Joslyn, and they have the two commercial ones at the corner of Baldwin and I75. They have an awful number of gas stations, and they are supposed to go to electric, a lot of them think it is stupid but even if you go how much gas do you need? People should be willing to drive a couple of miles away, and they also have a school down that street. She asked them to disagree with it.

Ms. Debbie Wyland 2398 Eaton Gate in the Keatington Subdivision right next to Kroger and opposes this completely for all the reasons they said.

Ms. Terri Consiglio 2694 Shadow Lake Dr., said she is in the Preserves which is diagonally across Baldwin/Waldon subdivision, so on the northwest corner. Her area is a residential community, it is a bedroom community, and you want to turn it into an industrial area. She never even thought about them selling rec fuel when she started looking into this which adds a whole norther level, boats, trailers, let alone how they get the gas into the station. She was looking at two underground storage tanks with probably 24,000 gallons per underground or UST. What does the rec fuel add to that and what kind of traffic does that add if, in fact, they are doing rec fuel, which she didn't know if they were. Right now, at any given time of the day if you travel east and west on Baldwin you can't get into and past the roundabouts on Baldwin. Add the additional traffic that is going to increase just by having that there. They can't get in and out of Keatington Sub off of Baldwin, you can't do it, there is no light there anymore. The traffic is nonstop. If you come out of Keatington and you turn left onto Baldwin, you can't do it. She noticed in their presentation it only showed the monument sign, are they not planning on having a pole with a sign that says \$3.29 for unleaded, she didn't think she would appreciate that in her neighborhood. He also failed to mention that in fact, the other things that they will be selling in this convenience area they keep calling a kiosk, she didn't know if that was a size restriction or not, but it is a full convenience store. It carries gum, candy, lotto, cigarettes, coffee, cappuccino, and a hot dog roller grill is specifically mentioned in the presentation that they presented. There are also frozen carbonated beverages, prepackaged foods, and prepackaged beverages, it is a convenience store. You can call it a kiosk, but it is a convenience store other than it has an alcohol license, let's hope they don't go there. The other thing was they were talking about an ice merchandiser she assumed was where you can go and buy bags of ice, which would be outside of the store but underneath their canopy. What would not be under there would be the propane gas exchange tank. Ace right on the corner already has one there. They are going to put another one in this gas station, it will not be under that canopy, it will be away from it for safety reasons which she can understand but they are still talking about more clutter. If anyone and she didn't have the time today to go over to the Kroger gas station at Sashabaw Rd. take a peek at how bad it is over there, and how much trash is lying around, and how bad it is. Please don't put this development there.

Ms. Shirley Mitchell 3317 Baldwin Wood Dr. said she is in the condos directly across from the existing PNC building. Her concern was the traffic. She did look at the plans a couple of weeks ago to make sure that another exit out of this gas station wasn't going to coincide with them coming across from their condos. They are going to use the existing in and out. The only thing she would ask is some consideration maybe of one way in and out of there to control some of that traffic.

Chairman Reynolds said they did receive some citizen letters in their packets this evening.

Secretary St. Henry said they received two letters one from Evelyn Gustavson who is against the development. Her biggest concerns were the impact on the environment as well as traffic issues. Then they also received a letter from Chuck Rivetto was in favor of the development. Basically, his argument is that another gas station is needed, and the competition is good for pricing.

Chairman Reynolds asked the Planning Commissioners for their comments and questions during the public hearing portion. There were none.

Chairman Reynolds asked the petitioner to step back up to address any of the questions or comments raised during the public hearing portion.

Mr. Pisko stated that regarding the environment there are fuel stations in marinas immediately adjacent to water. This is on land and is specifically designed to be seamless from the underground storage tank to the sumps, from the sumps through the riser into the dispensary, and from the dispenser to the nozzle. If he could explain in five minutes or less an underground storage tank system of this caliber. When the tanker comes, which is a once-a-day event perhaps it may be less than that it is a 30-minute event. They can circulate that site with ease. They are parking as far away from the road as they can, they have the canopy between them and the road. When a tanker comes in, they drop a large hose into the V1 Vapor recovery which as the product is poured into the underground storage tank the vapor that is displaced is extracted into the truck. That is eventless, with no scent, and no contamination in the air. As far as the operation in Michigan they will keenly be aware of this when they authorize a dispenser to get gas into the car and there are that annoying five seconds when it is three degrees outside where nothing happens, that is the system charging itself under pressure and making sure that all of the sensors along the way don't detect a leak. Once they discern there is no leak, they will allow that dispenser to dispense fuel. Under every dispenser, there is a sump that has a discriminating sensor that if there is a slow leak, will shut that dispenser down. The same thing with

the tank sump if there is any leak whatsoever the vapor will set off a discriminating sensor and it will shut the submersible pumps down which will shut that product down in its entirety. There are really a lot of fail-safes in this system. The Licensing and Regulatory Affairs (LARA), the governing body, is keenly aware of what their design is, and they have approved them next to very sensitive areas. In Hamburg, they are immediately adjacent to a reservoir as well. They will be a curbed site, they will have stormwater treatment prior to leaving the site. They do not discharge to that they are higher than that. They can control what happens on their site and with a positive valve, they can stop anything from leaving their site if there is a spill. Large spills are infrequent, but they prepare for them.

Mr. Pisko said as far as the need for a grocery store, he will say Costco has a benefit of one, Meijer has the benefit of one, and this is a publicly traded very conscientious company. It is good to have large companies that can handle the ebb and flow of the cost of filling gas. If EVs take off, how many small proprietors are going to switch to EVs or not have such a low volume of gas that they stay in operation, it is a consistency to the market. More importantly, he has been doing Kroger Fuel for 15 years. He has seen with his own eyes and experienced redevelopment of sites because of the benefit to the store from the fuel, and the cross merchandising. People appreciate the discounts, especially in an economy like they have now where gasoline is very expensive compared to a couple of years ago. You shop, you get points, and you can redeem them for a discount. It does not increase traffic from the grocery store, it is not a big trip generator. There are already trips on the road. He is not laying on the couch thinking I need to go to Kroger to get gas, he goes to get gas after he grocery shops and accumulates points.

Mr. Pisko said as far as the kiosk, normally Kroger likes to have outdoor sales. They have vending machines around the kiosk. Some people hate it, some people appreciate the convenience. It is not allowed in the Township. Accordingly, they did an expanded kiosk so all that could move inside. This will be the first 540-square-foot kiosk in Kroger's 82 stations within the state.

Mr. Pisko stated that the Kroger Fuel Stations, Monroe Township, Livonia times two, the advent of a fuel station helps with the economics of the store leading to remodels, store expansion, stained business initiatives, and just a strong partnership between their customers and the shopping center. They are a local company; they are the most charitable company; they don't want to hurt their customers.

Mr. Pisko said that dark sky compliant, their canopies are dark sky compliant. Their stations go dark when they close, they don't leave the lights on so that people think the station is open. They don't have a high-rise sign; they are only proposing a monument sign but that is for a much later time in the review process if they get there.

Mr. Pisko stated that regarding traffic, and the IT manual for their trips, they have empirical evidence between their dispensers, sales, and the grocery store that 60% is a very consistent number with the cross-merchandising that originates from their store to the fuel station. Those are people who went grocery shopping and got fuel, which leaves 40% that are on the road or already in bypass trips. They are not going to generate traffic, they are not a destination, they are a convenience store customer, and that is the biggest intent is that they want to be convenient for their customers.

Mr. Pisko said he would not assuage anyone's concerns that spoke but wanted to get on the record some of the answers to their concerns.

Mr. David Adams 56287 Park View Dr. Shelby Township said his family has been involved in this shopping center since it was built. They have been there 30 years as a good community citizen. He wanted to make his side of this known as well. About 10 years ago they were in front of everybody here and the gist of it was it was in fact turned down about 9-10 years ago, and the walk away from that meeting was that there was only one place that this gas station should be placed, and it is in exactly the spot that they acquired the land to put it today. It meets every requirement that everybody sited 10 years ago. Moreover, they have a wider road out there and it is more commercial than it has ever been. The notion that this is a bedroom community is a half-truth. Baldwin Rd. is very well lit up and there are all sorts of traffic already there. As Mr. Pisko pointed out, 60% of the gas sales who are going to come to that site come from people that are already traveling there. It is not like a gas station just placed in the middle of nowhere, it is not generating all the new traffic. They have worked with Kroger for months on this land trying to get a setup that was very friendly to the community. They have added all sorts of landscaping and landscape buffers, trees, downlighting, and an architectural façade that is very much working toward getting into the community feel here. They have adopted the Gingellville District guidelines, and they have met or exceeded them, they want to put park benches out there. It is very much designed to blend with the boulevard that is there now, the lighting that is there now, and it fits. They are hands-on owners they have been there for 30 years they do the best they can in the community they are not California landlords, and they are not a portfolio. His wife and he are at that center every day not because they shop there, they don't go there to shop, they are there every day to take care of

the center for their tenants and for the community. Very few people in their business pay as close attention to their commercial properties as they do. What they tried to do tonight is to present something that was amenable for years and they have been working with the community to get it this far. They manage the center and the site that this is going to go on. It isn't a question of nobody having anybody to talk to, it is this large corporation out there, Kroger. Although, he will say, they couldn't ask for a better corporate partner. They have the means, they have the funds to do it, the very best way that can be done, and they are a state-of-the-art company. They are there too, and they go there all the time, they take care of the property. Post-completion they will still be there as a co-developer and landlord. Their tenants are here in spirit too. They have a responsibility to their tenants to keep this shopping center viable. One of the ways of doing that is keeping Kroger at this site. It is no secret that Kroger Corporation will go seek out and close a store and find another site where they can build a bigger store with gas. It is their business model, and they can't be faulted for that. He would suggest that they as a community don't need an empty Kroger store. It is within the realm of possibility that they will go somewhere else. He was almost reticent not to bring it up because it doesn't come off quite right, but there is a very real possibility not to get this done endangers the tenancy of the shopping center at large, and it will leave an empty building possibly. He wanted everyone to consider that in the big picture and was there to answer any questions as well.

Chairman Reynolds closed the public hearing at 7:54 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Clerk
Charter Township of Orion

April 17, 2024

Planning Commission Approval Date