

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, February 1, 2017

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, February 1, 2017 at 7:00pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

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| Justin Dunaskiss, Chairman | Don Walker, PC Rep. to ZBA |
| Don Gross, Vice Chairman | Neal Porter, Commissioner |
| Joe St. Henry, Secretary | |

PLANNING COMMISSION MEMBERS ABSENT:

John Steimel, BOT Rep. to PC; with notice
Rob Zielinski, Commissioner

CONSULTANTS PRESENT:

Doug Lewan (Township Planner) of Carlisle/Wortman Associates, Inc.
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:

Gary Roberts
Mario Evangelista, Jr.
John Fenn
Chris Barnett
Lynn Harrison

1. OPEN MEETING

Chairman Dunaskiss opened the meeting at 7:03pm.

2. ROLL CALL

3. MINUTES

A. 1-18-17, Planning Commission Regular Meeting Minutes

B. 1-18-17, PC-2017-03, Preserve at Baldwin PUD, Joint Public Hearing Minutes

Moved by Commissioner Walker, seconded by Vice Chairman Gross to approve the 1-18-17 Planning Commission Regular Meeting Minutes and the 1-18-17, PC-2017-03, Preserve at Baldwin PUD, Joint Public Hearing Minutes, as presented. **Motion carried unanimously.**

4. AGENDA REVIEW AND APPROVAL

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

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None heard.

6. CONSENT AGENDA

A. 2016 Annual Planning Commission Report

Chairman Dunaskiss commented that the report provided a good layout of the different matters the Planning Commission heard in 2016.

Secretary St. Henry asked how 2016 activity compared to 2015's activity - sometimes the ebb and flow of the Planning & Zoning Department coincides with what happens with the economy.

Moved by Commissioner Porter, seconded by Commissioner Walker to receive and file the 2016 Annual Planning Commission Report and to forward a copy to the Board of Trustees.

Motion carried unanimously.

7. NEW BUSINESS

A. PC-2013-09, Greenfield Medical, request for site plan extension

Mr. John Fenn, Casino Building & Development, 42732 Van Dyke Ave., Sterling Heights, presented. Mr. Fenn displayed a picture of the current development and pointed out the pad at the rear of the existing building. Mr. Fenn explained they are requesting the Planning Commission to consider and approve an extension of their approved site plan. He noted the site is located at 1320 S. Lapeer Road and that the developer, Dr. Greenfield, has already constructed a state-of-the-art dental building for his practice. Mr. Fenn added that the site was once the vacant Arby's Restaurant.

Mr. Fenn reminded the Commissioners that they saw merit 18 months ago to grant them an extension which was due at the time to harsh weather conditions, difficulty securing a suitable tenant and poor economic conditions. This past year Dr. Greenfield experienced the reconstruction of Lapeer Road and that inconvenience did not allow him the opportunity to properly try and get a tenant for that building and the economy has been in a slow recovery mode.

Mr. Fenn directed the Commissioners' attention to the photo of the site and pointed out that the site is fully developed; it has a parking lot, approach, dumpster, retention basin which is behind the building site pad, sanitary sewer, water main, fire hydrants, and curb and gutter.

Mr. Fenn commented they feel now with the economy getting better and Lapeer Road being finished, Dr. Green has a much better chance of pursuing a tenant for this building. He asked the Commissioners to consider their request to be logical and fair and that it will in no way be detrimental to the community - they have fulfilled all the obligations of the approved site plan with the exception of this building. They are seeking an extension so they can remarket the building this year.

Commissioner Porter asked Planner Lewan if there has been any changes in the Ordinance or zoning in the area they should be looking at since this project was last extended? Planner Lewan responded he wasn't aware of any changes that would affect this site. Commissioner Porter asked if the Electric Car Charging Station amendment would apply to this project? Mr. Fenn replied there is an electric car charging station there now – that one was on their original site plan.

Chairman Dunaskiss asked, in regards to marketing the building, are they looking for a single tenant or multi-tenants? Mr. Fenn replied he believed that Dr. Greenfield is looking for a professional tenant and probably wouldn't object to a couple of tenants as long as they enhance the area and construct a building similar to the one already there. Chairman Dunaskiss then asked if there has been any Letters of Intent or offers? Mr. Fenn responded that because the Lapeer Road improvements have just been finished, Dr. Greenfield is now looking at getting a realtor involved and getting it moving again.

Mr. Mario Evangelista, Casino Building & Development, added that Dr. Greenfield wanted to get the extension approved first and then would be seeking Mason Capitani as the listing agent.

Mr. Evangelista also believed that the primary use would be for another doctor - a single user or possibly two 2,500 sq. ft. professional users.

Chairman Dunaskiss asked if the Lapeer Road improvement detrimentally affected the sight of the second building? Mr. Fenn said no, the problem was trying to get clients in there to look at it and having to fight the construction.

Vice Chairman Gross clarified the Ordinance only allows for 1 year extensions. It was noted that this project has had two extensions, one for 18 months.

Chairman Dunaskiss said he appreciated the fact that they have completed all the other site improvements first versus waiting for a tenant for the back building pad. He also noted that the building in the front is of nice construction and it would be nice to mirror that building behind it but was concerned about the other two extensions and possibly setting a precedence.

Chairman Dunaskiss asked how long of an extension were they looking for? Mr. Fenn replied he would again like 18 months.

Commissioner Porter asked if the property is being maintained? Mr. Fenn responded there may only be some weeds behind the retention pond and Dr. Greenfield has plans on cleaning that up. He again pointed out the pad for the intended building – that the pad consists of laid sod that is kept mowed and watered. Chairman Dunaskiss commented that because the site is being maintained, that could be a reason or consideration for another extension.

Commissioner Walker commented that during his time on the Planning Commission, does not remember ever granting a third or even a second extension - what the detriment might be to the Township if they do that now and what precedent it might set. Mr. Fenn clarified that road construction was the reason for not getting the property marketed in 2016 and the months prior to that was because of weather conditions and poor economy. Mr. Fenn added the only thing they need is a building permit, otherwise the site has been fully developed.

Chris Barnett, 260 Lakeview, commented that this is probably the nicest vacant, unfinished site in the whole Township. That Dr. Greenfield is actively trying to find a user but also agreed with Commissioner Walker that it doesn't make sense and doesn't want to set a precedence. However to make them come back and go through the site plan approval process again also doesn't make a lot of sense, they could find a user shortly after the plan expires. Mr. Barnett said the Planning Commissioners could make the argument that because of the existing conditions, they could consider it.

Planner Lewan commented, regardless what was done in the past, the Ordinance says the Planning Commission may allow for up to a one year extension, and then goes on to say that additional one year extensions may also be granted.

Chairman Dunaskiss said, given the site is well maintained and fully developed – it looks like there has been an honest effort to try and do the second phase. With the applicants attention to detail and how the site has been developed so far, he would be open to granting the extension.

Vice Chairman Gross commented that if the property wasn't developed as it was in terms of its quality and character, he would be reluctant to grant a third extension. However he was quite pleased with the way the property was developed and their intent to go forward.

Moved by Vice Chairman Gross, seconded by Commissioner Porter, that the Planning Commission **approve** the site plan extension request for PC-2013-09, Greenfield Medical for a

one year period to February 2018, this **approval** is based on the findings of fact that over the last year there has been considerable reconstruction on Lapeer Road which has impacted the potential for proper redevelopment of the subject property.

Chairman Dunaskiss clarified that the extension would be from when the current extension expires.

Roll call vote was as follows: Gross, yes; Walker, yes; Porter, yes; St. Henry, yes; Dunaskiss, yes. **Motion carried 5-0.**

8. UNFINISHED BUSINESS

A. PC-2016-17, Text Amendment to Zoning Ordinance #78, Article XXXIV, BIZ Design Standards.

Planner Lewan gave a brief history of how this amendment developed. He noted what was included in the meeting packet was a copy of the most current proposed language. That language derived from things like increasing some of the uses such as for outdoor cafes and patios, and a section was added pertaining to access management and the location of parking. Also, some architectural discussions were had and language added from some of the Gingellville design standards, there was language included about public gathering spaces, lighting on Brown Road in the road right-of-way as being the same as what is being proposed along Baldwin Road - a the tear drop style fixture.

Secretary St. Henry said what he is envisioning public spaces would be similar to what is at Partridge Creek in Shelby Township. Planner Lewan responded, that would be the idea; if there is going to be public space, it should be something that makes sense.

Chairman Dunaskiss said he believed what the Township is trying to do is maximize what it will be receiving from the CIA to develop uniformity on Baldwin Road and then have new developers on Brown Road incorporate some specific design criteria along their road frontage at their expense to promote uniformity there as well. To take advantage of that opportunity as developers come in.

Supervisor Barnett gave an update on what is happening with the CIA (Corridor Improvement Authority) and why the Planning Commission is being asked to look at this amendment again. Brown Road will be widened from 3 to 5 lanes from Georgia Drive to just east of Meijer's entrance. He noted that Menard's, before they will close on the property, wants assurance from the Township that road construction would be done before they open the store; that the road wouldn't be tore after they open. He said with confidence that Brown Road will be widened this summer. He believes that once Menard's puts a shovel in the ground and puts a sign out front, the Township will start getting more activity in that area – Supervisor Barnett said he gets calls every day and that Brown Road is actively being marketed.

Supervisor Barnett explained the reason for this discussion is that we have a good opportunity to accomplish some things along Brown Road by asking future developers to put in some generalized design standards that would make that corridor look nice. He noted that Brown Road and Baldwin Road are going to be completely different - Brown will have a more commercial feel and Baldwin, a residential village type feel.

Supervisor Barnett commented that he asked Tom O'Neal, the Menard's representative, if requiring design standards along the road frontage would have "scarred them away". Mr. O'Neal informed him, just the opposite, they would prefer to know what municipalities want.

It was Supervisor Barnett's opinion that the focus should be on the area between the curb of the road to the curb of the businesses' parking lot – about a 20 to 40 ft. buffer. He commented that we know for sure that a safety path has to go in there but would like the Planning Commission and the Township consultants to provide additional guidance to developers to come up with a nice finished product. He suggested there be less focus on interior design features with hopes that larger scale developments would do that on their own. He said he would like the buffer along Brown Road to look like it was actually planned out.

Gary Roberts, Strategic Communication Solutions, added that what we should be trying to do is draw balance between what we require and what we don't. From a public perception when traveling along Brown Road - what kind of uniformity do we want to see there, not necessarily what people would see when they drive up to the business; to focus our efforts on the corridor frontage. If Brown Road has that uniformity or consistent feel, it will make marketing efforts easier.

Supervisor Barnett pulled up an example on Google Earth of Ford Road in Canton near I-275. He pointed some of the things incorporated there that he would like the Planning Commission to consider tonight. Things like a sidewalk that goes all the way down the road and landscaping that is all similar. He noted some of the businesses had walls and/or small berms along the road and that the same lamp theme was carried down the corridor. Supervisor Barnett pointed to some of the interior lights and even though they were not exactly the same, they did have some similarities like the shape of the base and pole. He commented that developers have to put these things in anyway, lets provide them with a guide. Right now the Brown Road corridor is a blank canvas.

Mr. Roberts then gave his thoughts on the proposed amendment language and as discussed earlier, we should be focusing at a minimum on the 21 ft. from the leading edge of a car to the inside edge of the safety path.

He suggested front yards that are at least 30 or 40 ft. along Brown Road frontage and in that space, require irrigation. He also said what adds a lot with almost no cost is a gentle 30" berm that softly rolls back to the safety path with some bushes – this would visually break up the "sea of asphalt". Or it could also consist of a mix of short brick walls and berms. Mr. Roberts said he liked seeing safety paths that curve rather than are straight, it makes it more interesting. As to street lights – he suggested we use the same round-about lights that will be on Baldwin Road. He offered to create a base sheet with a curved a safety path on it and then drop the lights on at the spacing that is decided on. Then when an applicant comes in we can show them what we are trying achieve.

Mr. Roberts commented on the language pertained to one island with two tiers of parking in front of a building – he believed that is a very practical marketing problem for a lot of users. If Menard's wasn't proposing any outlots and were only allowed two tiers of parking, technically by Ordinance their plan wouldn't have been approved; it was his opinion that language needs to be adjusted. Regarding outdoor gathering space, Mr. Roberts believed that should be left to the developer - it would be a good thing for the right application. It was also his opinion that the architectural language was good, creating some articulation in the building elevation however we might want to consider a couple of materials to preclude such as plain non-decorative concrete block visible from the thoroughfare or corrugated industrial type siding (pre-engineered metal type).

Donni Steele, Township Treasurer and Secretary of the CIA, commented on the plans OHM did for the design work along Baldwin Road, regarding what kind of trees and grasses we should use to create a general continuity that would really set us apart from Auburn Hills; to makes our

community look a lot better. She concurred with what had already been said by Supervisor Barnett and Mr. Roberts.

Vice Chairman Gross clarified that what he is hearing is that they need to be more concerned about the streetscape as opposed to what's happening internally on the site. To create an avenue that has some safety considerations, some aesthetics considerations and some continuity. To come up with a plan that would be available to persons wanting to develop within that corridor.

Vice Chairman Gross then asked if any of the monies captured could be used for the installation of underground electrical work that could be done advance? Then when a developer comes in they would only need to actually install the fixture(s). Supervisor Barnett responded that right now the power lines are actually above ground on the Auburn Hills side and are already underground on the Brown Road side, however that is not the same on Baldwin.

Supervisor Barnett said he would just like to tweak and/or add a few things to the ordinance that we could require a business to provide, things they would probably have to do anyway. Vice Chairman Gross asked that once a developer adds streetscape lighting, is there a mechanism in place for who will pay the monthly electrical bill? Supervisor Barnett responded there is \$0 dollars budgeted for Brown Road for street lamps. He commented that we know Brown Road will not all be developed at the same time, there might sections or gaps at times, but that is ok.

Supervisor Barnett mentioned that he has already talked to some business owners already there along Brown Road and they indicated they would also participate with a planned concept to that their business wouldn't stick out.

Vice Chairman Gross commented that after hearing this discussion, what is being suggested makes sense.

Chairman Dunaskiss asked how do we make it uniform across the entire corridor, some properties may not have the same frontage as others. Planner Lewan said he could come up with a standard that the Planning Commission agrees with, base streetlight distances off how the first developer does theirs and then adjust those distances as necessary.

There was discussion regarding walls versus berms. It was the consensus to use both – it would break the look up.

Supervisor Barnett commented that he wouldn't be opposed to gathering spaces but doesn't think it should be a requirement. Planner Lewan said we could specify that type of amenity for a certain kinds of development such as a mixed use. After listening to Supervisor Barnett and Mr. Roberts, Planner Lewan believed there is a way to modify the language yet still leave a lot of it.

Regarding interior light poles, it was suggested we specify a base and pole style, the light(s) at the top could be at the discretion of the developer.

Commissioner Porter questioned the zoning and what is allowed in this district – potentially we could have we a residential development next to a “stamping plant”. That area has a lot of deep bowling alley parcels and there is nothing stopping someone from putting residential on one and a stamping plant next to it – he believed allowing both scenarios next to each other would scare both away. It would be ideal if this area consisted of two or three large parcels. He understands we can't force that but can encourage it. It was suggested certain stipulations be set for different size parcels. Supervisor Barnett commented if the Planning Commission want to look at this as

well, to do it quickly. He gets calls regarding this area every day - Menards is the tip of the iceberg.

Secretary St. Henry commented he is very familiar with the Ford Road area and it is stunning. If that is the "model" we like, do we know how that was zoned and the ordinance verbiage they used to create it? Why reinvent the wheel. Planner Lewan said Carlisle/Wortman does some work in Canton and will see what those standards were. It was noted however that uniformity work was done with a tax capture and after the fact.

Chairman Dunaskiss read the email from Clerk Shults into the record dated January 17, 2017. The email consisted of her suggestions for design standards such as uniform sign height, and design colors and schemes for buildings.

Supervisor Barnett commented he was leery about telling people what colors their buildings can be. If the Township develops some of the standards discussed tonight, it would most likely soften the impact all ready. He reiterated that one thing for sure that should be in the ordinance is irrigation – it is a really big piece.

Regarding sign uniformity – Planning & Zoning Director Girling explained that BIZ standards for signs was lacking and is being worked on and would be open to suggestions.

Regarding excluding particular types of building materials. Planner Lewan said he doesn't disagree but believes the architectural standards put forth in the ordinance are pretty good however will add a few exclusions.

Chairman Dunaskiss asked the Commissioners if they want to discuss what Commissioner Porter had suggested about giving more leniency to larger assemblages or developments - incentives to try and encourage them.

Vice Chairman Gross said personally he doesn't see any residential development in this district and it shouldn't be suggested as a potential use. Chairman Dunaskiss commented with how deep the parcels are, he could see residential on northern portion which would then be a nice transition into the single family uses. Planner Lewan suggested that residential be limited to mixed use projects.

Planning & Zoning Director Girling commented she believed that when the BIZ District was created, residential was in there so as not to create any non-conformities with existing homes. She add that residential is more that single family, it includes child care centers, TV/radio colleges, etc.

Commissioner Porter commented that if we leave residential uses in there, then stamping plants have got to go. Planner Lewan recommend that this would be a good topic for further discussion at another time. He would take a "stab" at it but looking at the BIZ map and where the use groups are permitted would be a whole discussion on itself. Planning & Zoning Director Girling recalled that when originally looking at this, it was thought that because some of the parcels are so long, perhaps someone might come in and assemble a number of parcels together. They could put manufacturing facilities to the rear and smaller outlots to the front.

Chairman Dunaskiss asked Planner Lewan if he had enough information to go on? Planner Lewan indicated that he had.

Chairman Dunaskiss than asked if at the same time do we want to take on some of the use groups and/or standards for residential and other uses?

Planning & Zoning Director Girling Tammy noted criteria was changed for 10 acre bowling alley lots. There are primary uses and ancillary uses – the ancillary uses would be for when a developer comes in on 10 acres or more – the purpose is to try and encourage property owners to work together and come in with something larger. Chairman Dunaskiss said maybe something just needs to be tweaked within that.

9. PUBLIC COMMENTS

None.

10. COMMUNICATIONS

A. Communication from the Planning & Zoning Director Regarding Administrative Review PC-2017-03, equipment upgrade on tower located at 467 E. Scripps Rd., Administrative Review

11. COMMITTEE REPORTS

None.

12. PUBLIC HEARING

None.

13. CHAIRMAN'S COMMENTS

None.

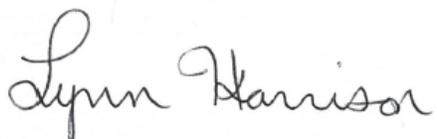
15. COMMISSIONERS' COMMENTS

None.

16. ADJOURNMENT

Moved by Commissioner Walker, seconded by Commissioner Porter to adjourn the meeting at 8:28pm. **Motion carried unanimously.**

Respectfully submitted,



Lynn Harrison
PC/ZBA Recording Secretary
Charter Township of Orion

February 15, 2017

Planning Commission Approval Date