



Planning Commission
May 16, 2012 Minutes for Regular Meeting & Public Hearing
(public hearing minutes follow regular minutes below)

REGULAR MEETING MINUTES:

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, May 16, 2012 at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT: Doug Zande, Chairman; Carol Thurber, Vice-Chairwoman; Dick Christie, Secretary; John Steimel, Trustee, Rep. to PC; Don Walker, Commissioner, Rep. to ZBA; Justin Dunaskiss, Commissioner; Chris Barnett, Commissioner

CONSULTANTS PRESENT: R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc.; Beth McGuire, Township Zoning/Planning Administrator

OTHERS PRESENT: Tim Dougan, Gary Gruskowski, Mike Schwarzenberger, Phoebe Schutz

1. **OPEN MEETING:** Chairman Zande called the regular meeting to order at 7:00 p.m.
2. **ROLL CALL:** All members were present.
3. **MINUTES:** Moved by Secretary Christie, supported by Commissioner Dunaskiss to approve the 05-02-12, regular meeting minutes and the 05-02-12, PC-2012-03, Kruse and Muer On-the-Lake Special Land Use public hearing minutes as presented. **Motion carried unanimously.**
4. **AGENDA REVIEW AND APPROVAL:** Moved by Commissioner Barnett, supported by Secretary Christie to approve the agenda as amended to add agenda item 7,C, Cancellation of the June 6, 2012 regular meeting due to the lack of agenda items. **Motion carried unanimously.**
5. **BRIEF PUBLIC COMMENT - NON-AGENDA ITEMS ONLY:** None.
6. **CONSENT AGENDA:** None.
7. **NEW BUSINESS:**
 - C. **Cancellation of the June 6, 2012 Regular Meeting:** Moved by Vice-Chairwoman Thurber, supported by Secretary Christie to cancel the June 6, 2012 regular meeting due to the lack of agenda items. Roll call vote was as follows: Walker, yes; Barnett, yes; Dunaskiss, yes; Christie, yes; Steimel, yes; Thurber, yes; Zande, yes. **Motion carried 7-0.**

Chairman Zande recessed the regular meeting at 7:05 p.m. and opened the PC-2012-04, A Parts Warehouse Conditional Rezoning Public Hearing.

Chairman Zande closed the PC-2012-04 public hearing and reconvened the regular meeting at 7:13 p.m.

REGULAR MINUTES CONTINUED...

7. NEW BUSINESS:

A. PC-2012-04, A Parts Warehouse Conditional Rezoning and Administrative Site Plan Review, Request to Rezone 6.7 acres from Recreation-1 (REC-1) to Limited Industrial-1 (LI-1), Located at 1801 Waldon Road: Mr. R. Donald Wortman, of Carlisle/Wortman Associates, Inc., overviewed their Conditional Zoning Analysis correspondence dated April 27, 2012*.

Mr. Mike Schwarzenberger, of A Parts Warehouse, LLC, 1032 S. Long Lake Blvd., Lake Orion, was present.

Commissioner Steimel commented that this is just a matter of being able to repurpose a building in a manner that seems to be consistent with what has happened to some of the buildings in the area. Since the applicant has offered to not store anything outdoors, he doesn't see a problem with this request.

Commissioner Barnett agreed and noted that since this would be less of an impact on the surrounding area than what is currently there, he doesn't see a problem with it either.

Moved by Vice-Chairwoman Thurber, supported by Secretary Christie regarding case PC-2012-04, A Parts Warehouse Conditional Rezoning request and Administrative Site Plan Review to rezone 6.7 acres from Recreation-1 (REC-1) to Limited Industrial-1 (LI-1), located at 1801 Waldon Road, Sidwell #09-28-251-011, **to recommend approval to the Township Board of Trustees** based on the following findings of fact: 1)the land uses surrounding the site are primarily industrial in nature, including the existing utility sub-station to the southwest and the existing storage facility to the east and the south; 2)the proposed rezoning is not in conformance with the 2009 Future Land Use Plan, however, with the conditions that have been offered voluntarily, that does help to mitigate the impacts to the adjacent area and makes it close to conformance with the 2009 Future Land Use Plan; 3)the voluntarily imposed restrictions, which include no outdoor storage and also utilizing the site as it exists effectively loosen the impact of the LI-1 zoning, which makes it similar to the REC-1 zoning district; 4)the proposed LI-1 zoning and the warehouse office operation will have less traffic than the previous use; 5)the change is also not contrary to the existing land use patterns as they are keeping the site as it is; and, 6)there is no impact on the public services and utilities. Also, with the condition that the Township and the applicant enter into a conditional rezoning agreement that specifies the conditions of the project that the applicant has agreed or offered upon. Roll call vote was as follows: Barnett, yes; Dunaskiss, yes; Christie, yes; Steimel, yes; Thurber, yes; Walker, yes; Zande, yes. **Motion carried 7-0.**

B. Discussion on Possible Text Amendment for Minor Planned Unit Developments (PUD)

Mr. R. Donald Wortman, of Carlisle/Wortman Associates, Inc., overviewed their Minor PUD Text Amendment correspondence including a proposed flowchart for the process, dated May 7, 2012* and a handout for members dated May 15, 2012 with additional information on this subject*. Developers have frequently used the PUD process as a method for site plan and zoning approval that involves both a concept plan and final plan and takes approximately eight to twelve months. Therefore, we are proposing a minor PUD process that could provide for an alternative PUD review for selected projects. Eligibility criteria would need to be established for minor PUD's. He then asked for members' input.

REGULAR MINUTES CONTINUED...

Vice-Chairwoman Thurber inquired whether a minor PUD would still be considered a rezoning and if so, how would it be designated on the zoning map.

Planner Wortman noted that if it were done as a special use, then it wouldn't be a rezoning. The Building Department would have to maintain a record of them.

Vice-Chairwoman Thurber noted that another eligibility criteria may be that it's a single use. Also, if there are changes to it, would there be a mechanism that they would have to come back to the Planning Commission.

Planner Wortman replied that it would come back to members for review.

Commissioner Dunaskiss noted his support of having this procedure in place. He would be in favor of treating it as a special use that would be approved by the Planning Commission, but also getting comments from the Township Board of Trustees. He also questioned whether it should be limited as a single use.

Commissioner Steimel noted he is not in favor of treating it as a special use. He would want to use a minor PUD for obtaining relief from certain criteria of the zoning, such as, a setback, but with a PUD it is a give and take to include community benefit too, so a minor one could be some simple things like that. He does want it to still show up on the zoning map as a PUD. There should also still be an agreement, which should be with the Township Board. There does need to be specific criteria in place to determine whether they qualify for a minor PUD or if they need to apply for a regular PUD.

Planner Wortman noted that an idea could be to allow them to do concurrently a concept plan and final plan.

Members agreed.

Ms. Beth McGuire, Zoning/Planning Administrator, noted that if you're treating it as a rezoning, they still have to go through the rezoning process, which does include the two readings with the Township Board.

Planner Wortman agreed and noted that that is required within the State of Michigan Charter Township Act.

Vice-Chairwoman Thurber commented that if members don't want to have eligibility criteria, there should at least be guidelines.

Commissioner Steimel commented that maybe as a compromise to allow administrative review to determine if it's minor PUD eligible or not.

Members agreed.

Ms. McGuire noted that she could do that during the pre-application conference.

REGULAR MINUTES CONTINUED...

Members agreed to have eligibility be determined verbally during the pre-application conference.

Commissioner Walker commented that he believes it would be best to keep the amendment simple so as not to leave too much room for interpretation, which could slow down the process and would defeat the purpose for this amendment.

Vice-Chairwoman Thurber again commented that there should at least be guidelines to determine eligibility for a minor PUD.

Planner Wortman agreed.

Commissioner Barnett noted that he would not want it to be called eligibility criteria, but to call it guidelines.

Planner Wortman suggested guidelines, such as, traffic, impact to surrounding neighbors, natural resources, etc. They would be general, but would give the Township some guidelines.

Members agreed.

Planner Wortman stated, so getting back to the process then, we're going to call it minor, but essentially what you're doing is eliminating the concept plan and we're still keeping it a rezoning with a public hearing with the Planning Commission and a recommendation to the Township Board.

Members stated, yes, but no joint public hearing with the Township Board.

Planner Wortman will compose draft text and bring it back for members' review at a future meeting.

8. UNFINISHED BUSINESS: None.

9. PUBLIC COMMENTS: None.

10. COMMUNICATIONS: Ms. McGuire commented regarding correspondence received from Mr. Steven J. Cohen, Director of Community Development for the City of Auburn Hills, dated May 14, 2012 regarding their Auburn Road West Corridor Master Land Use Plan Amendment*. Members are requested to forward their comments to Ms. McGuire to be forwarded on to Auburn Hills.

11. COMMITTEE REPORTS: Vice-Chairwoman Thurber noted that the Site Walk Committee conducted a site walk for case PC-2012-04, A Parts Warehouse on Tuesday, April 24, 2012.

12. PUBLIC HEARINGS: None scheduled at this time.

13. CHAIRMAN'S COMMENTS: None further.

14. COMMISSIONERS' COMMENTS: Vice-Chairwoman Thurber commented that she will be participating in the Dragon Dash on Sunday, May 20, 2012.

REGULAR MINUTES CONTINUED...

15. ADJOURNMENT: Moved by Commissioner Barnett, supported by Vice-Chairwoman Thurber to adjourn at 8:12 p.m. **Motion carried unanimously.**

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PUBLIC HEARING MINUTES
PC-2012-04, A Parts Warehouse Conditional Rezoning

The Charter Township of Orion Planning Commission held a public hearing on Wednesday, May 16, 2012 at 7:05 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT: Doug Zande, Chairman; Carol Thurber, Vice-Chairwoman; Dick Christie, Secretary; John Steimel, Trustee, Rep. to PC; Don Walker, Commissioner, Rep. to ZBA; Justin Dunaskiss, Commissioner; Chris Barnett, Commissioner

CONSULTANTS PRESENT: R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc.; Beth McGuire, Township Zoning/Planning Administrator

OTHERS PRESENT: Tim Dougan, Gary Gruskowski, Mike Schwarzenberger, Phoebe Schutz

Chairman Zande opened the PC-2012-04, A Parts Warehouse Conditional Rezoning Public Hearing at 7:05 p.m. and noted that the request is to rezone 6.7 acres from Recreational-1 (REC-1) to Limited Industrial-1 (LI-1). The site is located at 1801 Waldon Road and is Sidwell #09-28-251-011. This public hearing is the first step of the conditional rezoning process and the purpose is to obtain public comments regarding the proposed rezoning.

Mr. Michael Schwarzenberger commented that he is the President and Owner of A Parts Warehouse, LLC, 1032 S. Long Lake Blvd., Lake Orion and began his PowerPoint presentation. He moved to Orion Township when he was nine years old and he is now raising his own family here as well. He'd like to make this investment into this community and be a lifetime resident. A Parts Warehouse is a business he saw an opportunity for in 2004. He sells school bus parts primarily to the school districts. He started his business in his home office and it has been steadily growing since then. He now needs more space to allow for further growth of his business. He would prefer to stay in Orion Township. The subject site would be an ideal location for their business and the building would meet their needs and would allow their business to grow. He then overviewed their e-commerce website, which has increased their business nationally and worldwide. They sell products such as mirrors, safety equipment, camera systems, radios, wipers, seating, repair, and everything for day to day for the school bus drivers and the children in the buses. The property would be utilized for administrative and sales office for its business, which is sales of school bus parts and for storage of the inventory related to those sales. The growth of our business demonstrates our commitment to diligence, sincerity, how we operate and do business, and how we interact with the community. Currently, the adjacent properties are essentially limited industrial or vacant properties, while their business is categorized as limited industrial due to the nature of the business. It will be very low intensity, particularly relative to the activities allowed in LI-1 zoning. The intended usage will not be detrimental to the surrounding properties. As their company grows, it will increase their need to hire more employees, which is also a benefit for our local community. It would

PUBLIC HEARING MINUTES CONTINUED...

also provide a tax base for the community. The building and property will be utilized as it is. The existing sign structure will also be utilized as it is with the only change being a new place card with our company name on it. He then commented that they will comply with all the LL-1 requirements.

Chairman Zande offered time for public comments.

No comments were given.

Chairman Zande closed the PC-2012-04 public hearing at 7:13 p.m.

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