

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION
******* MINUTES *******
REGULAR MEETING - WEDNESDAY, DECEMBER 18, 2013

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, December 18, 2013 at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Carol Thurber, Chairwoman	Dick Christie, Secretary
John Steimel, BOT Rep. to PC	Don Walker, PC Rep. to ZBA
Karyn Pennington, Commissioner	

PLANNING COMMISSION MEMBER ABSENT:

Justin Dunaskiss, Vice-Chairman	Joe St. Henry, Commissioner
---------------------------------	-----------------------------

CONSULTANTS PRESENT:

Brian Oppmann (Township Planner) of Carlisle/Wortman Associates, Inc.
James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Zoning/Planning Administrator

OTHERS PRESENT:

Chris Barnett	Larry Mullins	Phoebe Schutz
---------------	---------------	---------------

1. OPEN MEETING

Chairwoman Thurber called the regular meeting to order at 7:00 p.m.

2. ROLL CALL

Vice-Chairman Dunaskiss and Commissioners Steimel and St. Henry were absent. (Steimel joined the meeting at 7:07 p.m.)

3. MINUTES

Moved by Secretary Christie, supported by Commissioner Pennington to accept the December 4, 2013, regular meeting minutes and the December 4, 2013, PC-2013-26, Text Amendment to Zoning Ord. No. 78, Temporary Use Permit Public Hearing Minutes as presented. **Motion carried 4-0** (Steimel, St. Henry, and Dunaskiss were absent).

4. AGENDA REVIEW AND APPROVAL

Moved by Secretary Christie, supported by Commissioner Pennington to accept the agenda as presented. **Motion carried 4-0** (Steimel, St. Henry, and Dunaskiss were absent).

5. BRIEF PUBLIC COMMENT - NON-AGENDA ITEMS ONLY

No comments.

6. CONSENT AGENDA

No items.

7. NEW BUSINESS

A. PC-2013-28, Fire Station, Determination of Compatibility in the LI-1 Zoning District

Chairwoman Thurber noted that this case is regarding Sidwell #09-27-400-009.

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
REGULAR MEETING - WEDNESDAY, DECEMBER 18, 2013

Mr. Chris Barnett, Township Supervisor, noted that the Township Board of Trustees needs to know whether or not the proposed fire station would be compatible in this zoning district in hopes to avoid a rezoning.

Mr. Brian Oppmann (Township Planner) of Carlisle/Wortman Associates, Inc., commented that there a couple of different definitions in the zoning ordinance. Essential services language doesn't specifically mention fire stations or fire halls. There is a definition for a public service facility, which does mention fire halls. One way to handle this would be to consider this an essential service and that would still have to go through site plan review process. The last two fire stations that were built were both located in residential districts and both special land use and site plan approval were required. This site is different since it is located in an LI-1 zoning district with no residential around it. This is a need for the community so you could determine that it's compatible in the LI-1 zoning district and they could come through with site plan approval or you could actually ask for both special land use and site plan approval.

Commissioner Steimel joined the meeting at 7:07 p.m.

Supervisor Barnett commented that they have hired an architect and have started meetings with the architect and with the Township Engineer. It is their intention to be back in front of the Planning Commission with a site plan hopefully the first meeting in February. It's very similar to the footprint of Fire Station #3 on Gregory Road with the exception that we're going with a flat roof, which would match Powers Distributing, Environmental Wood Solutions, Lake Orion Community Schools Bus Garage, Transportation Office, and the power generation plant for Waste Management.

Secretary Christie commented that since the proposed site is not anywhere near a residential district, he doesn't see it being a big factor to be located within this zoning district.

Chairwoman Thurber noted that she finds it to be a more compatible use in the LI-1 zoning district than in a residential district.

Moved by Secretary Christie, supported by Commissioner Steimel regarding case PC-2013-28, Fire Station, Determination of Compatibility in the LI-1 Zoning District, **to approve** the findings that a fire station is compatible with the uses within the Limited Industrial-1 (LI-1) Zoning District. This recommendation to approve is based on the following findings of fact: 1)the fire station lends itself much better in an LI-1 zoning district than in a residential district; 2)that the daily traffic generation will not be affected; and, 3)that the building characteristics will lend itself to the surrounding area.

Commissioner Steimel noted that he also believes that the fire station would be more appropriate in an LI-1 zoning district than in a residential zoning district.

Chairwoman Thurber noted that she believes that would be a good use for that property.

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
REGULAR MEETING - WEDNESDAY, DECEMBER 18, 2013

Roll call vote was as follows: Walker, yes; Christie, yes; Steimel, yes; Pennington, yes; Thurber, yes. **Motion carried 5-0** (Dunaskiss and St. Henry were absent).

Moved by Secretary Christie, supported by Commissioner Steimel regarding case PC-2013-28, Fire Station, Determination of Compatibility in the LI-1 Zoning District, that the Planning Commission has determined that a fire station within the LI-1 zoning district would be a use permitted by right. Roll call vote was as follows: Christie, yes; Steimel, yes; Pennington, yes; Walker, yes; Thurber, yes. **Motion carried 5-0** (Dunaskiss and St. Henry were absent).

B. Consider Cancelling the January 2, 2014 Planning Commission Regular Meeting

Moved by Secretary Christie, supported by Commissioner Pennington to cancel the January 2, 2014 regular meeting due to the lack of agenda items. **Motion carried 5-0** (Dunaskiss and St. Henry were absent).

8. UNFINISHED BUSINESS

A. PC-2013-22, Mullins BBQ Restaurant Site Plan, 3415, 3437, and 3439 S. Baldwin Road

Mr. Larry Mullins, of LRM Associates, LLC, 3500 Giddings Road, Lake Orion, Michigan 48359, noted that he is the petitioner and that they have addressed the items as requested by members at the last meeting, except for the color rendering. They are fine-tuning some of the characteristics of the building. They are going to have an architect draw the plans and then will submit them to the Township.

Mr. Brian Oppmann (Township Planner) of Carlisle/Wortman Associates, Inc., overviewed their Site Plan Review correspondence, dated December 12, 2013*. The site plan is in substantial compliance with the Township's ordinance regulations. The following items will need to be addressed and provided by the applicant: 1)provide light fixture details; 2)provide signage details for Building Department review; 3)in regard to the landscape plan: a)the Planning Commission will need to consider a waiver of the south screening requirements; and, b)clarification by the applicant of the cross-section detail; and, 4)provide color renderings to the Planning Commission.

Mr. James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc., overviewed their Site Plan Review correspondence, dated December 12, 2013*. In our opinion, the site plan as submitted is in substantial compliance with the Township's ordinances and engineering standards. We ask that site plan approval acknowledge the following: 1)it appears that several grades shown in the northeast section of the parking lot were not revised to match the change in finish elevations for this submittal. Please check grades in the northeast area of the parking lot and revise; 2)a railing, minimum 42" in height, shall be shown on the retaining wall details. In addition, a swale should be provided near the north retaining wall as to not direct drainage to the north; and, 3)the engineering plan, designed in accordance with Zoning Ordinance No. 78, Storm Water Management and Soil Erosion & Sedimentation Control Ordinance No. 139, and the Township's engineering standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
REGULAR MEETING - WEDNESDAY, DECEMBER 18, 2013

Mr. Mullins noted that he received a letter from Mr. Earl Walters (the property owner to the north) and they are pretty happy with it without the railing since the shadow-box fence would be there. However, Mr. Walters has requested that the petitioner paint the concrete wall gray and the concrete wall is already gray. The concern about painting that wall is that when they plant the ivy that is to grow and cover the wall, it won't adhere to painted concrete nearly as well. The painted wall would also become a maintenance item. There are going to be very extensive plantings along that wall for the neighbors and it wouldn't make sense to paint the wall and grow all that ivy, because it will not stick and grow to the wall nearly as well.

Commissioner Steimel noted that it is up to the petitioner and the neighbor to work out whether or not to paint the wall. He also does not believe that a railing on the berm is needed since the shadow-box fence will be in place there.

Mr. Mullins noted that if when they build it and it looks to need some type of retaining wall on it, they'll drill it, put some poles up, and put some type of fence there.

Commissioner Steimel noted that he feels the southern landscaping is fine since a buffer isn't really needed when you are bordering another business.

Moved by Secretary Christie, supported by Commissioner Steimel regarding case PC-2013-22, Mullins BBQ Restaurant, Site Plan, Located at 3415, 3437, and 3439 S. Baldwin Road (Sidwells #09-29-126-015, #09-29-126-016, and #09-29-126-017), referencing plans date stamped received by the Township on December 4, 2013, **to grant site plan approval with one condition that the Building Department administratively sign off on the architectural design of the building in the color rendering to be in accordance with the Gingellville Village Center Overlay District guidelines.** Roll call vote was as follows: Pennington, yes; Walker, yes; Christie, yes; Steimel, yes; Thurber, yes. **Motion carried 5-0** (Dunaskiss and St. Henry were absent).

Moved by Commissioner Steimel, supported by Commissioner Pennington regarding case PC-2013-22, Mullins BBQ Restaurant, Site Plan, Located at 3415, 3437, and 3439 S. Baldwin Road (Sidwells #09-29-126-015, #09-29-126-016, and #09-29-126-017), referencing plans date stamped received by the Township on December 4, 2013, **to grant a waiver for the south landscape buffer requirement.** Roll call vote was as follows: Walker, yes; Christie, yes; Steimel, yes; Pennington, yes; Thurber, yes. **Motion carried 5-0** (Dunaskiss and St. Henry were absent).

B. PC-2011-03, Text Amendment to Zoning Ordinance No. 78, Lapeer Road Overlay District

Mr. Brian Oppmann (Township Planner) of Carlisle/Wortman Associates, Inc., overviewed their correspondence dated November 27, 2013*, the proposed zoning map for this area*, and the proposed text*.

Brief discussion was held regarding the revisions to the proposed language as requested by members at the last meeting this was discussed.

Moved by Secretary Christie, supported by Commissioner Steimel regarding case PC-2011-03, Text Amendment to Zoning Ordinance No. 78, Lapeer Road Overlay District, **to forward a recommendation to the Township Board of Trustees to**

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
REGULAR MEETING - WEDNESDAY, DECEMBER 18, 2013**

initiate a rezoning as a map amendment and text amendment with discussion from the Board of Trustees along with the Fire Chief regarding the height and the setback requirement calculations. Roll call vote was as follows: Christie, yes; Steimel, yes; Pennington, yes; Walker, yes; Thurber, yes. **Motion carried 5-0** (Dunaskiss and St. Henry were absent).

9. PUBLIC COMMENTS

None.

10. COMMUNICATIONS

None.

11. COMMITTEE REPORTS

None due at this time.

12. UPCOMING PUBLIC HEARING

None scheduled at this time.

13. CHAIRWOMAN'S COMMENTS

Chairwoman Thurber wished everyone a Merry Christmas and Happy New Year.

14. COMMISSIONERS' COMMENTS

Commissioners Pennington, Steimel, Christie, and Walker also wished everyone a Merry Christmas and Happy New Year.

15. ADJOURNMENT

Moved by Secretary Christie, supported by Commissioner Steimel to adjourn at 7:54 p.m. **Motion carried 5-0** (Dunaskiss and St. Henry were absent).

* Attachment