

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, JANUARY 18, 2017

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, January 18, 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 | Rob Zielinski, Commissioner |
| Joe St. Henry, Secretary | Neal Porter, Commissioner |
| John Steimel, BOT Rep. to PC | |

PLANNING COMMISSION MEMBERS ABSENT:

None

BOARD OF TRUSTEE MEMBERS PRESENT:

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|------------------------------------|------------------------|
| Chris Barnett, Township Supervisor | Mike Flood, Trustee |
| Penny Shults, Township Clerk | Brian Birney, Trustee |
| Donni Steele, Township Treasurer | Ron Sliwinski, Trustee |
| John Steimel, Trustee | |

BOARD OF TRUSTEE MEMBERS ABSENT:

None

CONSULTANTS PRESENT:

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

OTHERS PRESENT:

| | |
|------------------|-----------------|
| Cory Mabery | Patricia Ruther |
| Jim Rutkowski | James Ruther |
| William Anderson | Lynn Harrison |

1. OPEN MEETING

Chairman Dunaskiss opened the meeting at 7:00pm.

2. ROLL CALL

Lynn Harrison, Recording Secretary, took roll call for the Planning Commission; all were present.

Chris Barnett, Township Supervisor, called their Special Meeting to order at 7:05pm and Penny Shults, Township Clerk, took roll call for the Board of Trustees; all were present

3. MINUTES

A. 1-4-17, Planning Commission Regular Meeting Minutes

B. 1-4-17, PC-2017-01, Gregory Meadows PUD, Joint Public Hearing Minutes

Moved by Trustee Steimel, seconded by Commissioner Walker to approve the 1-4-17 Planning Commission Regular Meeting Minutes and the 1-4-17, PC-2017-01, Gregory Meadows PUD, Joint Public Hearing Minutes, as presented. **Motion carried unanimously.**

4. AGENDA REVIEW AND APPROVAL

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

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None heard.

6. CONSENT AGENDA

None.

Chairman Dunaskiss recessed the regular meeting and opened the joint public hearing with the Board of Trustees for case PC-2017-02, Preserve at Baldwin Planned Unit Development (PUD) Eligibility and Concept Plan at 7:05pm.

Chairman Dunaskiss closed the PC-2017-02 public hearing at 7:46pm

Motion carried by the Board of Trustees to close their Special Meeting at 7:46pm.

7. NEW BUSINESS

A. PC-2017-02, Preserve at Baldwin, Concept and Eligibility PUD Plan

Planner Lewan explained this is a concept PUD and this is the concept stage. There is a concept review by the Planning Commission which could result in a recommendation of approval, recommendation of denial, or a postponement. Approval or denial will go to the Township Board for their review and if they approve the concept plan, the applicant would come back with final plans that have more details.

He noted the primary thing the Planning Commission has to do is determine if the project meets PUD criteria which is: Eligibility, Density Impact, be consistent with the intent and spirit of the Master Plan, Economic Impact, Guaranteed Open Space, and be under single ownership and control. Planner Lewan commented that the applicants/developer did a good job describing how their project meets this criteria in their public hearing presentation.

Planner Lewan went over the other sections of his review dated January 12, 2017 which pertained to Residential Density/Zoning, the Master Plan, Natural Resources, Lot Size and Setbacks, Site Access and Circulation, Safety Paths and Sidewalks, Essential Facilities and Services, Landscaping, and Floor Plans and Elevations.

In his summary he noted the Planning Commission needs to discuss whether the applicants sufficiently meet eligibility criteria. He then specifically mentioned that several areas denoted as dedicated upland open space are located to the rear of units 10, 11, 19 and 20 which may not be accessible to other residents of the project.

Planner Lewan noted that the proposed density is slightly higher than that permitted under the existing split SE/SR zoning but is generally consistent with what would be permitted in SR. The review summary noted that sheet #3 of the plans should be renamed, "Density Plan: SR Zoning" and the lot count inconsistency corrected; the proposed density is generally consistent with the Hills at Indianwood development; the density exceeds what was envisioned by the Future Land Use plan for the site but is consistent with the future land use designation of properties to the west and south; the plans will need Planning Commission approval for wetlands permits; the side setbacks proposed are inconsistent with the SE/SR zoning, the Planning Commission will have to decide whether or not to deviate from that and possibly lot

sizes; the Planning Commission needs to decide if a Traffic Impact Study waiver is warranted, and if they concur with the applicant's noted recognizable benefits; MDEQ permits may be needed for directing stormwater drainage into the proposed detention areas; internal landscaping and entrance features will need to be provided prior to the final PUD review; and it was noted that the applicant is proposing side-entry garages and has provided a draft list of architectural and building requirements.

Engineer Stevens went of his review dated January 9, 2017.

He commented that the applicant needs to clearly denote the proposed right-of-way line for Baldwin Road and that it be dedicated on the plans.

Regarding the water supply, there is an existing 16" D.I. water main along Baldwin Road and the applicant is proposing to extend public water into the site. The Township system has adequate capacity to serve the proposed development.

Sanitary sewer – the applicant noted a gravity system is proposed on-site with a single lift station that would discharge to the sanitary sewer system on Baldwin Road and eventually to the gravity system at the fire station in lieu of a low pressure system.

The applicant is proposing, from a conceptual level, adequate storm water management for the 100-year storm however they will have to eventually show pretreatment which is required per ordinance and per County standards.

The on-site paving is adequate; asphalt paving is proposed with concrete curb and gutter. Internal concrete sidewalks are proposed throughout the development, and he noted the existing pathway on Baldwin Road.

Engineer Stevens reiterated that the applicant has requested a traffic study waiver. Per Township ordinance the amount of traffic that would initiate a study on a new development, this is well under that minimum amount. However, as a PUD, the Planning Commission can require one if they feel one is needed.

There are a lot of wetlands on the site. The applicant is proposing to impact wetlands at certain key areas in order to facilitate the development. Further details in terms of a wetland review can be completed at the final PUD stage. It does appear that the applicant is proposing to try and minimize wetland impact as much as possible.

In his conclusion the concept PUD, from an engineering standpoint, is in substantial compliance. Engineer Stevens added regarding improvements on Baldwin Road, it appears there will be some additional upgrades that will be required as part of RCOC's review and/or Township's review especially at Klais Road. He believed the taper south of Klais may need to be lengthened to allow for adequate merging for southbound passing vehicles.

Chairman Dunaskiss opened questions or comments to the Commissioners.

Trustee Steimel clarified that a PUD does require a traffic study and the Planning Commission has the authority to waive it. Engineer Stevens concurred.

Trustee Steimel asked about the internal gravity system for sanitary sewer. Mr. Maybery responded that initially they had proposed a low pressure collection system but correspondence from OHM indicated they would prefer a gravity system.

Trustee Steimel asked about the home elevations that were provided in the meeting packet however during the public hearing Mr. Rutkowski indicated they do not have a builder yet. Mr. Rutkowski explained that before they approach builders they will do what is called pre-reservations first and then will approach builders. Very specific building material and requirements will be provided in the association documents to ensure the homes look and are constructed with high quality. He also noted that there will be an architectural review which he oversees; he is envisioning heavy brick and stone, cement or wood siding (no vinyl), he will dictate trim and fascia board sizes, roof pitches, etc. Mr. Maybery added that if this concept plan is approved, the final PUD will list the building restrictions which the Planning Commissioner will get a chance to review and agree or disagree with.

Also per a question by Trustee Steimel, Mr. Maybery replied that he believed there was discussion between the Township and the consultants that the roads be private.

Vice Chairman Gross commented that he would be in favor of eliminating the northern most entrance onto Baldwin Road, staying with a single drive and spreading the additional space over the adjoining four lots; one less conflict point on Baldwin would be advantageous. Regarding lot sizes, Vice Chairman Gross felt that at least six of the lots could be artificially increased in size by extending their lot line over the wetlands, that would provide for lot sizes in excess of $\frac{3}{4}$ of an acre to over an acre. Pertaining to side yard setbacks – it was his opinion that the lots are large enough and wide enough that they should be able to meet 20 ft. setbacks and doesn't see that to be a point of contention. Regarding the Master Plan, the Master Plan calls for this area to be single family low density, the entire 48 acres as a whole, this property would generate lots on average in excess of 2 acres and they are proposing 20 lots, he therefore does not see that as being in conflict with the spirit and intent of the Master Plan.

Commissioner Porter commented that the ordinance calls for a Woodland Survey and suggests that survey only be for the impacted areas of the project, he didn't see any point in requiring the developer to provide a survey for the eastern portion of the property they are not going to touch.

Commissioner Walker inquired about the Planner's comment at the top of page 5 of his review that noted the dedicated upland open space located to the rear of units 10, 11, 19 and 20 may not be accessible to other residents of the development. Mr. Maybery explained that area is wooded upland space and would be accessible but not by a path, people could walk back there and can access it from a pathway; rather than run a trail system across the wetland to get to that area. Commissioner Walker said he liked the renderings of the homes that were provided in the packet but now understands those won't be the specific homes built there. Mr. Rutkowski said there is intent to build those particular homes however they do that through a very tough code that will be provided in the association documents for architectural standards. Mr. Rutkowski said at this concept stage, he does not have a builder lined up, he wanted to go through preapproval process first.

Trustee Steimel commented on the two proposed entrances. He said that Indianwood only has one entrance but does have an emergency access road for emergency vehicles so it actually does have two. That was also discussed for this development but the preference was to have an actual road.

Chairman Dunaskiss asked the Commissioners for a consensus regarding waiving the traffic study.

Moved by Trustee Steimel, seconded by Vice Chairman Gross, in regards to PC-2017-02, currently known as Preserves at Baldwin, that the Planning Commission waive the requirement

for a traffic study for the following reason: the total number of trips per day falls well below the standard requirement that requires a traffic study.

Roll call vote was as follows: Porter, yes; St. Henry, yes; Walker, yes; Steimel, yes; Zielinski, yes; Gross, yes; Dunaskiss, yes. **Motion carried 7-0.**

It was also the consensus of the Commissioner to reduce the scope of the Woodland Study. Trustee Steimel said the way that is done is the areas that will not be impacted by the project or it's construction are denoted and then the study takes that border and goes in about 10 ft.. Trustee Steimel said that is something that should be noted on the final plans - that there would be no grading behind a certain point.

Moved by Commissioner Porter, seconded by Commissioner Walker, that the Woodland Survey should be only for the impacted area.

Roll call vote was as follows: St. Henry, yes; Zielinski, yes; Steimel, yes; Walker, yes; Gross, yes; Porter, yes; Dunaskiss, yes. **Motion carried 7-0.**

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that the Planning Commission forwards a recommendation to the Township Board to **approve** PC-2017-02, Preserve at Baldwin Planned Unit Development Concept and Eligibility plan for unaddressed parcels 09-07-226-002, 09-07-226-009, and 09-08-100-002 for plans date stamped received January 5, 2017. This recommendation to **approve** is based on the following findings of fact:

1. The project provides a recognizable benefit by preserving the natural features, woodlands, and open waterways of the site.
2. The project creates pedestrian pathways and trails for the residents of the project.
3. The natural habitat is being protected with a habitat and conservation easement.
4. The developer has submitted high quality architectural designs as part of the concept plan and details relative to design materials to be submitted with the final plan.
5. The proposed density is limited to 20 units and consequently will not have a negative impact on public services or facilities.
6. The proposed development is consistent with the Master Plan which reflects single family low density being .1 to .5 dwelling units per acre and the proposal of 20 dwelling units on 48.6 acres is 2 acres per dwelling unit.
7. The proposed net density excluding the wetlands of .87 dwelling units per acre is compatible with the density of the larger Hills at Indianwood subdivision which is a 109 dwelling units on 137 acres or 0.8 dwelling units per acre.
8. Based upon the proposed lot sizes, unit sizes and architectural standards – there should not be no negative economic impact on surrounding properties.
9. Over 23 acres, or 47%, of the site is provided as open space as wetlands, woodlands and common areas.
10. The PUD is proposed as a condominium and all roadways and utilities will be the responsibility of the condominium association.
11. Final plans should reflect any MDEQ permits required as part of the detailed landscape plans.

Roll call vote was as follows: Steimel, yes; Gross, yes; St. Henry, yes; Zielinski, yes; Porter, yes; Walker, yes; Dunaskiss, yes. **Motion carried 7-0.**

Chairman Dunaskiss commended the applicants for the amount of time they put into this project - it showed. Mr. Rutkowski and Mr. Maybery said they appreciated working with everyone at the Township; they enjoyed being able to sit down and work things out for the benefit of both parties.

8. UNFINISHED BUSINESS

None

9. PUBLIC COMMENTS

None.

10. COMMUNICATIONS

Memo from Clerk Shults regarding PC-2016-35, Laurels of Lake Orion Assisted Living PUD; the Board of Trustees concurred with the Planning Commission's recommendation to approve the concept plan.

Memo from Clerk Shults regarding the second reading for PC-2016-22, Electric Car Charging Stations, Text Amendment.

11. COMMITTEE REPORTS

The Site Walk Report from the Site Walk Committee regarding Preserve at Baldwin.

12. PUBLIC HEARING

None.

13. CHAIRMAN'S COMMENTS

None

15. COMMISSIONERS' COMMENTS

Trustee Steimel commented that the applicants gave a nice presentation, it helped the Planning Commissioners and the public too; appreciated the extra effort.

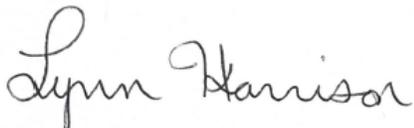
Secretary St. Henry commented this development will be very nice and is looking forward to seeing it come together.

Commissioner Porter said he was also impressed with the presentation and wished they were all this easy.

16. ADJOURNMENT

Moved by Trustee Steimel, seconded by Chairman Dunaskiss to adjourn the meeting at 8:40pm. **Motion carried unanimously.**

Respectfully submitted,



Lynn Harrison
PC/ZBA Recording Secretary
Charter Township of Orion

February 1, 2017

Planning Commission Approval Date