

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

******* MINUTES *******

REGULAR MEETING, WEDNESDAY, MAY 3, 2017

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, May 3, 2017 at 7:00pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Justin Dunaskiss, Chairman	Don Walker, PC Rep. to ZBA
Don Gross, Vice Chairman	Neal Porter, Commissioner
John Steimel, BOT Rep. to PC (arrived 7:04pm)	Rob Zielinski, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:

None

CONSULTANTS PRESENT:

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

OTHERS PRESENT:

Jon Piffner	Parker Johnson
Jim Butler	Mike Pizzola
Francesca Aragona	Rusty Trostle
Nora Dedvukaj	Lynn Harrison

1. OPEN MEETING

Chairman Dunaskiss opened the meeting at 7:00pm.

2. ROLL CALL

3. MINUTES

A. 4-5-17, Planning Commission Regular Meeting Minutes

Moved by Vice Chairman Gross, seconded by Commissioner Walker to approve the 4-5-17, Planning Commission Regular Meeting Minutes as presented. **Motion carried unanimously.**

4. AGENDA REVIEW AND APPROVAL

Moved by Vice Chairman Gross, seconded by Secretary St. Henry, to approve the agenda as presented. **Motion carried unanimously.**

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None heard.

6. CONSENT AGENDA

None

7. NEW BUSINESS

A. PC-2017-09, Kay Automotive Graphics Expansion, Site Plan, located at 57 & 67 Kay Industrial Drive (parcels #09-35-400-046 & 09-35-200-025)

Jim Butler, PEA, 2430 Rochester Court, Suite 100, Troy; presented. He commented that a representative from Kay Automotive and the construction manager for the project were also present.

Mr. Butler explained their request is for an expansion to the existing Kay Automotive building that is located at 57 Kay Industrial Drive. They are proposing to add a 43,000 sq. ft. addition to

the existing building along the east side. Also included was a request for an accessory building of about 5,200 sq. ft. The accessory building would primarily be used for pallet storage.

Chairman Dunaskiss asked Planner Lewan to go over their review dated April 12, 2017.

Planner Lewan noted this request is a standard site plan for the addition and accessory building. He commented he does have some issues with the plan, some of which will need to be addressed by the Zoning Board of Appeals.

Planner Lewan said the applicant is proposing an addition that generally follows the existing building. Because the addition follows the building to the east along Kay Industrial Drive, there are some setback issues. Kay Industrial Drive is technically a road, Ordinance requires 50 ft. of frontage on a road but because they want to keep the addition in line with the existing building, they only have 2.5 ft.. Also, the proposed storage building will only be 39 ft. from the edge of the cul de sac which will also require a variance.

Planner Lewan noted that the rear setback along the eastern property line is also 50 ft., the proposed addition will be ok but the accessory building will need a variance from that property line as well. Planner Lewan then clarified with Mr. Butler that accessory building is actually 16 ft. away from the rear property line instead of 20 ft. as depicted on the site plan. Mr. Butler concurred.

Regarding Natural Features. Planner Lewan said the applicant is planning on removing a tree that is actually on an adjacent parcel - not on their site. They will therefore need permission from that property owner to do that .

Planner Lewan said he did not have any problem with the number of parking spaces being proposed. He reminded the Commissioners that recently the property to the north went through a site plan approval. Once the parking spaces have been finished on that site, in addition to the ones being added to this site, he calculates there will be over 400 parking spaces available – Ordinance requires 208. He noted, too, that some parking space dimensioning will have to be changed. The minimum length of a parking space is 19 ft. and some of the spaces on the plan are only 18½ ft. Also, a drive aisle width will have to be adjusted to 22 ft..

Planner Lewan explained that this site is in the Lapeer Road Overlay District and all parking lots are supposed to be 20 ft. from adjacent property lines. On the very eastern part of the parking lot, one of the new parking spaces will only be about 9 ft. from that property line. This deviation can be waived by the Planning Commission if they feel it is warranted.

Also regarding parking, Planner Lewan said that although the two sites are currently under joint ownership and use, they do maintain separate property lines. He therefore would like to see a cross-access agreement – that if one of the properties is sold, the circulation pattern can continue.

Planner Lewan deferred comments about Essential Facilities and Services to Engineer Stevens.

Planner Lewan commented that the applicant did a nice job with regards to landscaping meeting most of the requirements. He did ask, however, for some clarification on the landscape list pertaining to which trees they are proposing to satisfy the landmark replacement requirement. He added that although the correct number of buffer trees are being proposed, the width of the buffer is not what is required by Ordinance. The Lapeer Road Overlay District requires a 24 ft. wide greenbelt in the front and rear yards and a 15 ft. wide greenbelt in the side yard. Due to the configuration of the site, the existing building and then the extension of that building, the

front yard greenbelt will be difficult to attain particularly along Kay Industrial Drive – it is about 12 ½ ft.. The other is the rear setback greenbelt that would be required behind the proposed accessory storage building – their proposal would not be able to meet that width requirement. In both cases, the requirement can be waived by the Planning Commission.

Regarding Lighting, Planner Lewan asked that the applicant submit lighting/photometric plans.

Pertaining to Floor Plans and Elevations, because the site is in the overlay district, there are standards for facades and how buildings need to look - they are supposed to have certain recesses and building materials. The proposed addition doesn't meet those requirements however due to the building's location at the rear of the site, it will not really be visible from Lapeer Road and why he believes they are not meeting all those architectural standards as well as the applicant's desire to match the existing building. This is something the Planning Commission can look at and also consider waiving.

Planner Lewan went over his summary of the above which was noted on page 8 of their review. In doing so he added that the applicant will also need to address if there will be any rooftop equipment proposed.

Chairman Dunaskiss asked for Engineer Stevens to go over the OHM review dated April 27, 2017.

Engineer Stevens noted the applicant is not proposing any additional sanitary sewer work.

The existing water main will need to be relocated as it is in the way of the proposed addition. They are proposing to reroute it around the building addition, connect it to the existing water main along Kay Industrial Drive and loop it back through the site.

Regarding stormwater management. The existing system was sized for the additional pervious surface however there is some detailed calculations the applicant will need to submit that OHM needs to verify and review. Also, during the engineering review, the runoff that is not detained from the parking expansion east of the KMPF building may require modifications to meet the required release rates for drainage.

Proposed paving and grading - the slopes appear consistent with Township ordinances.

Engineer Stevens also had the same comment as Planner Lewan regarding providing a cross-access agreement for parking, circulation, and it may need to include utilities and drainage.

Mr. Butler responded to Planner Lewan's concerns as follows:

- 1) They will comply with modifying the site data table.
- 2) They were aware and will apply for the necessary variances from the ZBA:
 - a) 37.7 foot front yard variance for the building addition
 - b) 11-foot front yard variance for the accessory storage building
 - c) 34-foot rear yard variance for the accessory storage building (the setback is actually 16 ft. instead of the depicted 20 ft.)
 - d) 17% lot coverage increase for maximum lot coverage on Parcel A

- 3) They are requesting the Planning Commission waive the required 20 ft. parking lot setback requirement. Mr. Butler responded that it will really only affect that portion of the parking lot that is irregularly shaped.
- 4) Mr. Butler commented that they did look at the tree of concern being on an adjacent site and they have found a way to save it.
- 5) They will comply by increasing parking space depths to 19 ft..
- 6) They will also increase the one drive aisle that is 21 ft. to 22 ft..
- 7) Mr. Butler commented they will certainly be able to provide a cross-access agreement.
- 8) Regarding an updated landscape list, Mr. Butler said they will modify that to reflect the removal of the landmark tree.
- 9) They are requesting a waiver for reduced front and rear greenbelt widths.
- 10) Mr. Butler said they will submit a photometric plan.
- 11) There will be rooftop equipment and they will raise the parapet to screen it.
- 12) And, they are requesting a waiver from the Lapeer Road Overlay design requirements.

Mr. Butler also commented that they have no issues with Engineer Steven's requests. They will provide the stormwater management calculations and work with his (OHM'S) office to make sure everything complies.

Per a question by Chairman Dunaskiss, Mr. Butler responded they will have no problem providing easement documents for utilities and parking. Mr. Butler explained for the Commissioners that might not know, that the parcel Kay Automotive Graphics currently sits on is a platted sub as is all those buildings running through there. The parcel to the north is not so the two cannot be combined.

Commissioner Porter was concerned that when they increase the parking spaces to 19 ft. and increase the drive aisle, it would push the parking lot setback on the east side even closer. He noted that because this project will need waivers from the Planning Commission and variances from the ZBA, is the applicant trying to get too much on this parcel? It was his opinion that the easiest way to correct this would be to cut back on the number of parking spaces. Mr. Butler responded that when making the adjustments to the parking spaces and drive aisle, they would shift everything to the west. Regarding cutting back on some of the parking, Mr. Butler said that parking is an issue currently for Kay Automotive. With the expansion of the building, they will run into parking issues and traffic function during shift changes. Commissioner Porter commented another thing they could consider is banked parking.

Trustee Steimel believed they need the parking they are proposing and likes the fact it will be in the back on the east side of the building. Trustee Steimel noted it is an industrial park and some of the ordinance requirements were intended for when different uses butt up against each other.

Per a comment by Vice Chairman Gross, Mr. Butler explained the accessory building would be fully enclosed with a garage door to keep the pallets dry.

Chairman Dunaskiss commented that the Planning Commission doesn't like to grant site plans that require so many variances and waivers, but given the uniqueness of this property, the common ownership of the two parcels and given the platted sub it sits on, he believed they did a very good job - the flow works well.

Per a question by Chairman Dunaskiss, Mr. Butler said that although Mr. Kay also owns the property to the north, they are two separate entities.

Commissioner Walker asked about their proposed tree removal. Mr. Butler indicated they will be removing a total 161 trees. They will be meeting ordinance requirements however the only thing their plan does not show is how they are planning mitigation for the 48" landmark tree.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that relative to the Parking Lot Setback Waiver from Ordinance 78, Section 35.04,A,4; that the Planning Commission **grant** the request for an 11.39 foot waiver from the required 20-foot parking lot setback from the east property line of parcel 09-35-200-025 for plans date stamped received April 12, 2017, based on the following findings of fact: that the deficiency is for an area of approximately 100 feet and due to the angle on the property line, the waiver request is satisfactory and should be granted.

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

Regarding the waiver requests, Commissioner Porter asked if the applicant would be willing to provide any concessions over and above what the Ordinance requires as far as landscaping and building facades, etc.? Mr. Butler said they would be open to some additional landscaping however they are trying to remain consistent with the building architecture to what is already there.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that relative to the Greenbelt Waiver from Ordinance 78, Section 27.05 and Section 35.04.A.7; that the Planning Commission **grant** the request for a 7.5 foot waiver from the required 20 foot front greenbelt on the south property line adjacent to Kay Industrial Drive and an 11.5 foot waiver from the required 20 foot rear greenbelt on the east property line, both of parcel 09-35-400-046, for the plans date stamped received April 12, 2017, based on the following findings of facts: that the building addition will maintain the existing building's setback to which it is to be attached, and where appropriate and possible, to add trees and landscaping to soften the appearance where the waiver is being granted.

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

Vice Chairman Gross asked if the accessory building will be constructed with the same materials as the existing building façade? Mr. Butler said, yes, the intent is to mimic the exact materials.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that relative to the Lapeer Road Overlay Design Requirements Waiver from Ordinance No. 78, Section 35.04.B; that the Planning Commission **grant** the request for a waiver from the Lapeer Road Overlay design requirements related to façade and materials/colors for plans date stamped received April 12, 2017 based on the following findings of facts: that the new addition will match the existing building materials to which it will be attached and the accessory building will also maintain the same building materials.

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

Moved by Vice Chairman Gross, seconded by Secretary St. Henry, that the Planning Commission **grants site plan approval** for PC-2017-09, Kay Automotive Graphics Expansion

located at 57 & 67 Kay Industrial Dr. (Sidwell #09-35-400-046 and 09-35-200-025) for the plans date stamped received April 12, 2017; approval is based upon the following conditions:

1. That the applicant will request variances from the Zoning Board of Appeals for:
 - a) a 37.7 foot front yard variance along Kay Industrial Drive for the building addition,
 - b) an 11 foot front yard variance for the accessory building on Kay Industrial Drive,
 - c) a 34 foot rear yard variance for the accessory building from the east property line,
 - d) and a 17% increase in the maximum lot coverage;
2. That the plan be amended to reflect the current parking lot requirements;
3. That a cross-access agreement will be provided and verified;
4. And there be a clarification on the landscape plan for the landmark tree replacement location.

Vice Chairman Gross **amended the motion**, Secretary St. Henry re-supported, to include that the applicant will provide a photometric plan and that the approval be changed to **conditionally approved** upon the applicant providing the requested documents/revisions and appearing before the Zoning Board of Appeals for the needed variances.

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

B. PC-2016-04(2017), Ponds of Orion Site Plan, located at unaddressed parcels 09-14-226-014, 09-14-227-001, 09-14-227-002, and 09-14-227-003

Francesca Aragona with Designhaus Architecture presented. She noted that the Planning Commission has seen this project before, that it had been conditionally approved in February of 2016 and then in February or 2017 the site plan approval was extended for 6 months. They are back tonight because in the conditional approval, parcel 09-14-227-003 was to be divided. It was discovered however after the conditional approval, that because of the subdivision's by-laws, the parcel is not allowed to be divided. They therefore need to include the entire parcel boundary in the plans. Ms. Aragona pointed out that on the new plans they provided, they did address the concerns from the conditional approval – the addition of trees and the two detention ponds were combined. Also, the 12-unit building was reduced to 8-units. Everything else pretty much stayed the same.

Planner Lewan went over his review dated April 27, 2017.

Planner Lewan concurred that the applicant cannot meet one of the conditions that was made by the Planning Commission in their motion for conditional approval. So now instead of splitting the subject property, they are incorporating the entire property into the condominium project. In doing that, there were a couple of other changes. The 12-unit building was reduced to 8, there are some additional trees proposed along Clarkston Road and along the detention pond, and then a slightly different detention pond configuration is being proposed. To include the entire boundary of parcel 09-14-227-003, a new Master Deed and By-Laws were provided and he deferred the review of them to the Township Attorney. Based on what the applicant is proposing which amounts to a boundary change, they don't have any issue with what is being requested.

Engineer Stevens went over their review dated April 26, 2017.

Engineer Stevens noted there was a slight change with regards to the sanitary sewer which they do not have an issue with – there was some re-alignment of it. The only other thing were some inconsistencies that need to be cleaned up - between the landscape plan and the site plan

regarding the sewer layout, and with some tree removal and protection on the landscape plan versus what was shown on the grading plan.

There were then his comments from the previous approval – paperwork that needed to be submitted with regards to a maintenance agreement for the shared pond and some language cleaned up or clarified in the Master Deed and By-Laws with regards to pond maintenance and evasive species items.

Trustee Steimel also asked for clarification. He believed their final site plan was approved in February last year, so then this submittal is a new site plan? Planning & Zoning Director Girling commented that she did not give it a new project number because the Planning Commission is not being asked to re-look at the whole thing, there were only some select items changed - it was more like an amendment to the site plan. She noted that she would eventually like to have an Amendment to Site Plan application developed.

Trustee Steimel than asked how will this affect the site plan extension that was just granted? Planning & Zoning Director Girling explained that she did some research and what has been done in the past with an original site plan – if it is an approved site plan and they come in with a slight modification, the same project number is given and if an extension was given, the clock doesn't start over. This project will still be on the same “extension clock” it was granted in February 2017. At that time they were given 6 months, this does not change that.

Chairman Dunaskiss asked Ms. Aragona if she was aware that extension would not change if she was granted approval tonight? Ms. Aragona asked if that extension could be bumped out to 8 months or a year, what option do they have? Planning & Zoning Director Girling commented that usually when a developer comes in and asks for an extension, they ask for a year. In this case they only asked for 6 months.

Vice Chairman Gross clarified that this now eliminates the one house that was proposed on Bald Mountain Road and increases the landscape along that area? Ms. Aragona responded, yes.

Moved by Commissioner Porter, seconded by Commissioner Walker, that the Planning Commission **grants site plan approval** for PC-2016-04 (2017), Ponds of Orion, located at unaddressed parcels (09-14-226-014, 09-14-227-001, 09-14-227-002 and 09-14-227-003) located on the east side of Lapeer Road, south of Clarkston Road for plans date stamped received April 12, 2017; this approval is based upon the following conditions: a shared use agreement for the detention pond be agreed to and becomes part of the site plan, the condominium documents be approved by the Township Attorney, and withdrawal of the previous approval.

Chairman Dunaskiss asked if the Commissioners wanted to entertain any additional time? It was agreed, not at this time.

Chairman Dunaskiss asked if there was anyone here to speak to this matter?

Mr. Parker Johnson, 1065 Bald Mountain Road, did not understand how, that if these parcels are part of the Wendy Hill Subdivision, they can be developed as proposed? He commented he was ok with it as long as the developer puts the landscaping in. It was also his opinion that the developer has been back 3 times trying to add more buildings. Mr. Johnson then questioned the fact that the detention pond will be in his neighborhood which he believed to be illegal. Chairman Dunaskiss said it is not uncommon and can be done as long as there is an easement agreement. Mr. Johnson again said he was ok with the proposal but asked if there could be an

agreement made that the developer cannot come back and try to build more buildings in the project. His other concern was that whenever something goes on within the development, the heavy equipment goes down his road. He asked that when they start construction, to require that they enter the property off of Clarkston Road, on their own property. He asked about “the loop” through the 3 lots where they are proposing to put more landscaping, there are already trees there, what is the actual plan? Mr. Johnson commented, too, that they have already cut down more trees than they were supposed to.

Chairman Dunaskiss asked what the rules and regulations were for developers accessing their site for construction? Engineer Stevens said he didn’t believe it would be an issue to stipulate that in a motion, where their construction access should be.

Commissioner Porter **amended the motion**, Commissioner Walker re-supported, to add that the construction entrance shall be off of Clarkston Road

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

Planner Lewan responded to Mr. Johnson’s request for an agreement that nothing else will happen there. Because this will be an approved site plan, the condo documents are the agreement. When the Township approves the site plan with this amendment, that is all that can happen there.

Mr. Johnson still had concerns about the detention pond being on a different property, that the developer could come back and build there because their detention pond is there. Chairman Dunaskiss concurred with Planner Lewan that once the site plan with this amendment is approved, the developer could not do that unless they come before the Planning Commission with a site plan for additional development. Mr. Johnson said he is just trying to protect his neighborhood and where he lives.

Trustee Steimel further explained that the Township cannot stop someone from coming in and asking for something however based on what is happening here, it will be hard for them to do something on the property with the detention pond. Mr. Johnson said he doesn’t want to see them cut down all the trees there, he would like it to stay the way it is.

8. UNFINISHED BUSINESS

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

Planning & Zoning Director Girling gave a brief history of the subject and reminded the Planning Commissioners of when Supervisor Barnett and Consultant Gary Roberts came in and spoke to them shortly after the proposed text amendment had gone to the Board. Supervisor Barnett and Mr. Roberts said they envisioned that area being a coordinated effort from the edge of the road to the property while there was still a majority of Brown Road properties for sale – to take advantage of trying to make it look like landscaping and berming had been coordinated versus a mismatch of things. She explained that at this time she is recommending the Commissioners redirect their efforts to just looking at some aesthetic changes verses some of the changes discussed pertaining to uses, etc.. She noted those issues will take a little longer and will take place during the upcoming joint meeting. She reiterated that due to some potential movement in that area, this would be a good opportunity for the Township to establish a coordinated, nice uniform look along Brown Road. Planning & Zoning Coordinator Girling suggested they get this part of it, a text amendment related to lighting, landscaping, berming and possible knee walls, to a point where it can be forwarded to the Township Board and Township Attorney for comments.

Chairman Dunaskiss asked Planner Lewan to go over his memo dated April 25, 2017 and the Brown Road Innovation Zone text amendment draft dated 4-26-17.

Planner Lewan explained that changes to the Article in red were proposed by the Commissioners in December of 2016 and those in blue were the most recent changes reflecting comments from Consultant Roberts and Township staff. Planner Lewan noted however that the Word application he used did not work 100% correctly when he updated the Article so he would therefore go over each of the changes or tweaks.

Planner Lewan then commented on his memo dated May 3, 2017 which he handed out at the meeting. The memo pertained to efforts to ensure that BIZ Design standards would aesthetically coordinate with what will be underway on Baldwin Road. Planner Lewan's memo also noted the Sections in the April 26, 2017 draft amendment that were modified. He highlighted the December 2016 changes and the more recent April changes or additions:

- On page 34-2 – Outdoor Patios and Outdoor Cafés were added to the A, B & C Use Groups.
- On page 34-5 – in Section B, the last line pertaining to *new principal and ancillary uses shall be no more than 105 feet from the adjacent road right-of-way* was stricken.
- On page 34-6 – Planner Lewan provided in Section E (4) that the Planning Commission would have the discretion to waive off-street parking restrictions and also added a reference to greenbelt requirements.
- On page 34-7 – language was added to Section E (7) as to how buildings should look. It was suggested by Consultant Roberts that along Brown Road, the Township incorporate some architectural standards that would limit big sections of concrete such as masonry units (CMU); especially for those buildings that would face Brown Road. It was suggested that standard also limit the construction of steel buildings that would front Brown Road. He commented he didn't have that language in the draft yet but would be adding it.
- Also on page 34-7, Planner Lewan noted #10 which was new language. This language introduces the idea of an internal access road. There was desire expressed by the Township that internal access roads should be provided to give access to developments further back on a parcel. Planner Lewan commented this is a first step towards recognizing that if an interior access road is installed, there are specific design requirements for landscaping, "knee walls", sight lines, etc..
- Planner Lewan commented that some language was removed that pertained to internal seating areas. He explained that although the Planning Commission originally approved the idea, there was discussion about how useful it would be and he was asked to remove it.
- On Page 34-8, Planner Lewan noted the new graphics which go along with internal access roads. The photograph at the top of the page showed what the landscape and knee wall would look like along an internal access road in Use Groups A, B and C. He explained he also provided a similar graphic on page 34-9 which was landscape standards for uses within Use Group D. He commented the only real difference between the two was the size of the greenbelt. It was decided only one photograph and graphic was needed for all the Use Groups with a notation of the 20 ft. greenbelt and the 30 foot greenbelt for the different Use Groups.
- On page 34-9 were regulations for lighting. Planner Lewan said they are working with OHM on this so that lighting would be compatible with what will be installed on Baldwin

Road. The proposed language in Section G (4) said that lighting will be within 200 ft. of the Brown Road right-of-way. That requirement however would put the lighting directly within the development so it would most likely be reduced to 30 ft. He explained this refers to the ornamental lighting and not necessarily to the lights within the parking lots. It was decided the ornamental lights will be the DTE “North Yorkshire” poles and placed following the spacing requirements that will be initiated for Baldwin Road.

- There was also new language proposed as Section G (5) on page 34-9 which specified lighting, once outside of the Brown Road influence zone, should be standard shoebox style LED. Planner Lewan clarified the Township would like them to be a certain kind - the idea would be to try and establish some continuity.
- On page 34-11 – the language in red under Section S (1)(a & b) was new in this draft (which the Word app should have put in blue) and pertained to greenbelt landscaping requirements for Use Groups that abut a public road. Graphics of this requirement were provided on pages 34-12 and 34-13. He noted however that the graphics at the top of each of those pages was supposed to show the requirement if there was no parking along the public road - those graphics will be corrected.
- He noted that here, too, were graphics for Use Groups A, B and C and a separate one for Use Group D because of the different greenbelt size. He will eliminate and revise as mentioned above.
- In Section T (1)(c) – language was used to indicate that irrigation was encouraged but not required. Per discussion with staff, it was decided that irrigation should be required within the front yard. The previous language was stricken and new language added. Planner Lewan also said he would clean up that provision so that it more closely indicates that irrigation would be required in the front yard regardless, not just within the 20 ft..

Planner Lewan summarized that the draft amendment addresses concerns about requiring certain design elements on Brown Road such as berming, additional landscaping and knee walls, as well providing a lighting standards. At this point, the proposal does not change Uses or anything else about Brown Road.

Vice Chairman Gross commented that he believes this proposed amendment is on the “right track”. Chairman Dunaskiss concurred, most of the tweaks and changes seem reasonable.

Commissioner Zielinski clarified that the pedestrian seating areas that were once discussed and added were removed. Planner Lewan said, that was correct. Commissioner Zielinski then said, everything else was fine with him.

Trustee Steimel said he had a problem understanding Section E (10), Interior Access Roads. The language reads that “new roads providing interior access to two (2) or more lots shall provide a right-of-way of at least sixty-six (66) feet”; and then it reads, “Interior access roads having connections with either Joslyn Road, Brown Road, or Jordan Road shall be provided with entry area improvements including enhanced landscaping and masonry knee walls...”. Planner Lewan explained the thought process was that if someone were proposing a large scale development and an interior access road, certain landscape requirements would have to be met. Trustee Steimel then said developments further in on a parcel with an interior access road, the only standard they would have to meet is that the road is 66 feet wide. Developments with entrances off of Joslyn Road, Brown Road and Jordan Road need to provide entry area improvements including enhanced landscaping. Vice Chairman Gross agreed this language could use some help. It doesn’t have requirements for interior access roads that connect to

adjoining properties. Planner Lewan said he could touch on that. He added that the idea of a developer having to provide additional landscaping at an intersection is not uncommon in some ordinances. Trustee Steimel was concerned that a developer could claim that an interior access road from an entranceway (such as off of Joslyn, Brown or Jordan Roads) was just their major driveway and therefore wouldn't have to provide the additional landscaping.

In regards to this concern, Planning & Zoning Director Girling commented that because the Township would like to expedite these design standards, if there is a piece that is not settling right, it can be addressed when the other suggestions to the BIZ District that were backed off on are discussed.

Planner Lewan noted that If this draft language is ok except for the concern that Trustee Steimel expressed, he can make the discussed changes relatively quickly. It was added that even at the public hearing stage, language can be pulled off just not added. Just because there is a public hearing, it doesn't mean the Township is accepting the language. Planner Lewan said he can try and rewrite Section E (10) and make it a little clearer – to try and distinguish public road, private road, major entrances, etc.

Vice Chairman Gross said the word “shall” in the above mentioned Section bothered him.

Trustee Steimel questioned if we should be using the word “right-of-way”? Planning & Zoning Director Girling commented that wording could be added to that section that says, “at the discretion of the Planning Commission”, this may help.

Engineer Stevens noted that a reason the Township might want to leave the size of the internal access road at 66 ft. is if there is an internal intersection and there is a stacking of cars to make a left turn, the road could be widened out for that.

Commissioner Porter said he believed it would be important to have the internal road wide enough for utilities to get in there. Then there wouldn't be the need for easements. Engineer Stevens said, though, that because this is a blank slate, developments coming in would be presenting a plan with utilities on it and there would be some flexibility where they go.

Trustee Steimel commented that to try and keep this moving along, take what is shown here and forward that to the Township Board and attorney for their opinion. It could be done concurrently while Planner Lewan is cleaning up some of the details discussed tonight.

Planning & Zoning Director Girling agreed. Planner Lewan said he could do what he needs to do rather quickly. Planning & Zoning Director said because she was directed to put this on the “fast track”, she scheduled the proposed text amendment for a public hearing at the next Planning commission meeting which will also be the joint meeting with the Township Board and ZBA.

Moved by Vice Chairman Gross, seconded by Commissioner Walker, that regarding case PC-2016-17, Township Initiated Text Amendment to Zoning Ordinance #78, BIZ Design Standards, Article XXXIV, that the Planning Commission forwards the proposed text to the Board of Trustees and the Township Attorney for their comments.

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**

Planning & Zoning Director Girling informed the Commissioners that a public hearing for this text amendment had been noticed in the paper and is scheduled for the Planning Commission

meeting on May 17th. Per her memo dated May 3, 2017, that is also the date of the joint meeting which will start at 6:00pm. She explained that meeting will recess, the public hearing will be held and then discussed by the Planning Commission. At this time, that is the only thing on the Planning Commission agenda except for possibly something under the Consent Agenda. When that meeting adjourns, the joint meeting will reconvene.

9. PUBLIC COMMENTS

None

10. COMMUNICATIONS

Memo from Planning & Zoning Director Girling regarding Annual PC, ZBA and Board of Trustees Joint Meeting.

11. COMMITTEE REPORTS

Site Walk Committee Report for PC-2017-09, Kay Automotive Graphic Expansion

12. PUBLIC HEARING

5/17/17 - PC-2016-17, Text Amendment to Zoning Ord. #78, Article XXXIV, BIZ Design Standards.

13. CHAIRMAN'S COMMENTS

None

15. COMMISSIONERS' COMMENTS

Trustee Steimel commented that he has seen that a lot of retention/detention ponds are not working properly, there is a lot of standing water. His concern was that may be the result of Phragmites.

Commissioner Walker congratulated Commissioner Zielinski on his election as the new President of the Friends of the Orion Public Library; he commented it was the first time he attended the Invitation to Spring event and had a wonderful time. Chairman Dunaskiss said he heard it was record breaking.

Planning & Zoning Director Girling reminded the Commissioners that if they had anything they wanted discussed at the joint meeting, to let her or Supervisor Barnett know by this Friday.

16. ADJOURNMENT

Moved by Commissioner Porter, seconded by Chairman Dunaskiss, to adjourn the meeting at 9:04 pm. **Motion carried unanimously.**

Respectfully submitted,



Lynn Harrison
PC/ZBA Recording Secretary
Charter Township of Orion

May 17, 2017

Planning Commission Approval Date