

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, JUNE 7, 2017

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

PLANNING COMMISSION MEMBERS PRESENT:

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

PLANNING COMMISSION MEMBERS ABSENT:

Rob Zielinski, Commissioner

BOARD OF TRUSTEES PRESENT:

Penny Shults, Township Clerk	Mike Flood, Trustee
Donnie Steele, Township Treasurer	Ron Sliwinski, Trustee
John Steimel, Township Trustee	Brian Birney, Trustee

BOARD OF TRUSTEES ABSENT:

Chris Barnett, Township Supervisor

CONSULTANTS PRESENT:

Dan Kelly (Township Attorney) of Giarmarco, Mullins & Horton, P.C.
Doug Lewan (Township Planner) of Carlisle/Wortman Associates, Inc.
Mark Landis (Township Engineer) of OHM
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:

Edward Duke	Sue Whall	Bob Muns
Mary Duke	Joe Whall	Mary Heffner
Jonathon Crane	Danny Plantus	Tim Ferasin
John Wolbert	Gloria Spitler	Donni Steele
Ed Weglarz	Ron Spitler	Jane Wiener
Ghassan Abdelnour	Ron Folbigg	Tom Wiener
Wendy Pemberton	Ed Van Slaribraek	Mark Crane
William McDevitt	Joe Boots	Lynn Harrison
Nancy Carty McDevitt	Christi Evangelista	

1. OPEN MEETING

Chairman Dunaskiss opened the meeting at 6:05pm.

2. ROLL CALL

As noted

Moved by Vice Chairman Gross seconded by Commissioner Walker, that the Planning Commission go into a Closed Session for the purpose of discussing an Attorney Legal Opinion at 6:35pm; to include Attorney Kelly, Planner Lewan and Planning & Zoning Director Girling.

Roll Call: Steimel, yes; Walker, yes; Gross, yes; St. Henry, yes; Steimel, yes; Dunaskiss, yes.

Motion Carried 6-0

Regular meeting reconvened at 7:05pm

Chairman Dunaskiss recessed the regular meeting and opened the Joint Public Hearing with the Board of Trustees for PC-2017-11, Orion Village Crossing Commercial, Major PUD Amendment at 7:05pm.

Chairman Dunaskiss closed the Joint Public Hearing for PC-2017-11 at 7:11pm.

Township Board adjourned their Special Meeting at 7:20pm.

Chairman Dunaskiss opened the Public Hearing for PC-2017-10, VZW 756 Indianwood Rd. Special Land Use request at 7:20pm.

Chairman Dunaskiss closed the Public Hearing for PC-2017-10 at 8:24pm.

3. MINUTES

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

B. 5-17-17, PC-2016-17, Text Amendment to Zoning Ordinance #78, Article 34, BIZ Design Standards Public Hearing Minutes

C. 5-17-17, Joint Meeting of the Board of Trustees, Planning Commission, and Zoning Board of Appeals Minutes

Moved by Trustee Steimel, seconded by Vice Chairman Gross, to approve the 5-17-17, Planning Commission Regular Meeting Minutes; the 5-17-17, PC-2016-17, Text Amendment to Zoning Ordinance #78, Article 34, BIZ Design Standards Public Hearing Minutes and the 5-17-17, Joint Meeting of the Board of Trustees, Planning Commission, and Zoning Board of Appeals Minutes, as presented. **Motion Carried unanimously**

A member of the public asked if the monopole agenda item would be acted on tonight? Planning & Zoning Director Girling addressed the question as the public hearing had been closed.

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

None

7. NEW BUSINESS

A. PC-2015-17, MPD Welding, Site Plan Extension Request

Mr. Danny Plantus from Kemp Building and Development was present and represented MPD Welding.

Mr. Plantus said he is the project manager for the project and has been working on it for a couple of years now. As of last year there was a change in the design team. MPD was managing the design process on their own and there were issues with the drawings and the design from a constructability standpoint. MPD went ahead and met with the Orion Township Building Department and at that time it was decided to abandon that team and start anew.

The site plan was approved as is and there weren't any changes made but the team that handled the architecture, engineering, mechanical, electrical and the plumbing were replaced. It has taken this long to redevelop plans and drawings and they are now within 30 days of having plans to submit for a building permit; unfortunately they did not make the window to submit before the site plan would expire. He is here on behalf of his client to ask for an extension with the full anticipation that they will be able to submit within 30 days for a building permit.

Chairman Dunaskiss asked if this situation was because of the complexity of the project as well as the replacement of the team? Mr. Plantus responded, yes. The most complex part of this project is the annealing furnace which was something that was simply placed on the plans without a lot of thought by the previous designers; there was a lot of conjecture about what requirements were needed for it. Since that time he has met with the actual furnace vendor and had gotten a lot more information. It was a little more complex from a mechanical, electrical and plumbing standpoint. There were some details that were put on the "back shelf" that the original designer was going to solve as they came along. Unfortunately those should have been brought out a lot sooner.

Chairman Dunaskiss asked how much of an extension was he looking for?

Mr. Plantus said they are looking for a blanket one year extension if possible.

Vice Chairman Gross felt that a 6 month extension would be appropriate. Chairman Dunaskiss said he was also leaning towards 6 months.

Mr. Plantus said that was reasonable.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that the Planning Commission **approve** the site plan extension request for PC-2015-17, MPD Welding, for a period of six (6) months from the date of the last extension.

Roll Call: Porter, yes; Gross, yes; Walker, yes; St. Henry, yes; Steimel, yes; Dunaskiss, yes.

Motion Carried 6-0

B. PC-2014-32, Village Manor Retirement Site Plan Extension Request

Mr. Joshua Stein was present. He represented the applicant and noted he was here a year ago asking for a site plan extension and the Planning Commission granted it. He noted that at that time he was confident that it would be built and everything was fine and good. However, here he is again.

Mr. Stein explained that the key issue they have run into, unfortunately, was some internal politics. Two of the investors have been bought out and they are trying to finalize doing that with a third one. They are not trying to make any changes to the plan and he is convinced that it is a wonderful project for the community. The building as designed is beautiful and will be beautiful when built. Unfortunately they ran into issues beyond their control and there was no way to move forward.

Mr. Stein said he was uncomfortable to have to ask for another year but would like to make that request.

Chairman Dunaskiss asked in his opinion, given where they are at with the negotiations with the other partners, what is his anticipation for having financing in place? Mr. Stein said once they resolve the issue, they are ready to go from a building design perspective. It is a matter of making sure the ownership level is settled to the point where they can have a lender step in and be able to move forward.

Mr. Stein noted they do have a quote from a contractor but can't sign it just yet. The architect anticipates they could probably break ground within 30 to 60 days from the time things are finalized.

Chairman Dunaskiss said he appreciated Mr. Stein's candidness and coming forward to the Commission. He feels they have always been honest in approaching the Township and are willing to work with them. However he was concerned about the project hanging out there another year. Given the complexity of it, he can see it but would be hesitant to give any extension above and beyond that.

Vice Chairman Gross asked if this was their second extension? It was noted it is the second extension. He then asked Mr. Stein when he thought the ownership situation would be resolved? Mr. Stein replied, he hoped over the next few months and that they can't afford to hold the land and do nothing with it.

Moved by Vice Chairman Gross, seconded by Commissioner Walker, that the Planning Commission **approve** the site plan extension request for PC-2014-32, Village Manor, for an additional one (1) year period from the date of the last extension.

Roll Call: St. Henry, yes; Steimel, yes; Walker, yes; Gross, yes; Porter, yes; Dunaskiss, yes.
Motion Carried 6-0

C. PC-2017-10, VZW 756 Indianwood Rd. Special Land Use and Site Plan for a 140' monopole located at 1801 Indianwood Rd. (parcel 09-04-401-013)

Chairman Dunaskiss asked the applicant if he had anything else to add?

Mr. Jonathon Crane replied that he believed the Commission had a very good understanding of the project, would like to defer to the consultants, and will answer at the end.

Planner Lewan went over Carlisle Wortman's review dated May 5, 2017.

Planner Lewan explained this process as a "tiered" approach as to wireless communications regulations and their approval. Approval can range from an administrative review or a site plan review component and once it goes through either of those, it goes into the Special Land Use process. This approach is designed to allow the Township to help guide locations for these facilities. The thinking is that if there are some existing towers within the community, some existing tall structures, those would be the first place to consider. If there are no towers or there are no tall structures, the review process becomes a little more complicated and puts more burden upon the applicant to show the Township why they need a tower at a different or new location. In this case the applicant has indicated that there are no easy locations and so they are proposing a tower to locate equipment for a "hole" in their service. Showing that information is upon the applicant and they have provided some maps that demonstrate a "hole" in the service and that this facility will try and fill that "hole". The review process can be very simple or

it can be complicated and due to the location, the fact that this property is zoned residential and that this is a new tower – the review is on the more complicated side.

Planner Lewan noted there are a number of criteria contained in the Township's wireless communication ordinance. That criteria is contained in his review on pages 2 through 4. He went on to summarize that review.

Regarding the Planning Commission's review for permitting a new wireless communication facility in a residential zoning district - there are two things specifically: one is to try and make sure the monopole is compatible with the surrounding area and perhaps providing some other designs that might make it fit in better. The second is to ensure that the applicant has investigated other potentially suitable sites for attached facilities and co-location. He noted this was raised a number of times during the public hearing and should be discussed in more detail.

Regarding the Special Land Use Standards. These are the standards that are looked at for virtually any Special Land Use review. Many of these have to do with compatibility of the project and many are also addressed in the current wireless communication ordinance. However, because this is a Special Land Use, the Planning Commission does have to go through those standards - many of them have to do with how the facility may affect the surrounding area. There are some additional regulations for wireless communication facilities such as height. If it will be over the maximum height, the applicant has to provide some special criteria – this tower will not be over that height. These special standards also deal with setbacks - there are some fall zone setbacks and as mentioned by the public, the applicant does not meet all of those setback requirements. Along the north they will require a 30 ft. variance and along the east, they will require a 98 ft. setback variance.

Other standards that Planner Lewan noted as a concern:

- There is a landscape requirement that requires screening around equipment cabinets. However those cabinets are not the issue here, they will not be visible. What will be visible is the tower and the opaque landscape screening around the equipment cabinets will unfortunately do nothing to address some of the comments raised by the public.
- There is a requirement for co-location. The applicant has to show that they have looked at other co-location opportunities. In their documentation they say that they have and that there are no other co-location opportunities.
- Also, there was a question about additional towers – if we allow this one on that site, what would stop other ones from being located there too? One of the requirements for a new tower in Orion Township is that they allow for co-location of equipment and additional antenna. Therefore, if this tower is permitted in this location, that will negate the need for other towers; they are setting aside areas on this tower for two additional providers.
- Planner Lewan noted there is only one light being proposed and that is actually in the facility on the ground, not on the tower.
- Primarily, due to the variance request, the proposed communication facility is not in substantial compliance with Township zoning ordinance. Dimensional variances would be required if the setback variances were not granted by the ZBA.

Further, additional documentation and other details may also be needed to provide the Planning Commission assurance that compliance with the specific use standards for wireless communication facilities are satisfied. The following items shall be addressed:

- That the Planning Commission discusses the idea of the visual compatibility with this site to adjacent properties.
- That other potentially suitable sites for the attached facilities and the co-location be investigated.
- That the Planning Commission review and look at the general Special Land Use standards contained within the zoning ordinance.

Chairman Dunaskiss commented that the Planning Commission has also received correspondence from the Township Attorney which outlined some limitations and how the Planning Commission is to review and consider the Special Land Use - findings will be based on a combination of all of those.

Mr. Jonathon Crane was invited back up. He asked if the Planning Commissioners had any questions?

Commissioner Walker said there has been a lot of concern from the community and information from the Township consultants, would he and Mr. Aldridge be willing to move the location to someplace else on either of the two golf courses? Mr. Crane responded that they worked very carefully on that location and that is the location that everyone, including Verizon Wireless, agreed to and want to move forward with. The reason they picked that location was its proximity to other towers and its location next to the maintenance yard which is the closes thing to an industrial use in a residential neighborhood. Verizon Wireless needs accessibility to be able to get in there and work on it. If it was a matter of moving it 10 ft. one way or the other to change the dimensional variance, they would consider it - they wanted to be to the north end along Indian Trail. Regarding the comment about the lattice tower on Indian Trail, that is also a Verizon tower. Mr. Crane said they have very specific criteria for locating towers to meet service demands, they would like to proceed with the location as proposed.

Chairman Dunaskiss went over some of the questions from the public hearing.

Regarding the design – why was it decided to do the monopole and did they look at any camouflaging or masking? Mr. Crane said he spoke to the Supervisor of the Homeowners Association and they did not take a position but they did ask if it was going to be lit and would they consider screening it or changing it? Mr. Crane said he looked at the camouflage tree look and has done one before but it was his opinion that it was a poor excuse for a monopole. He believes that the cleanest design is a straight monopole design. There is some colors or some shrouding that can be done and has looked at the opportunity to explore those. The towers that are adjacent are all galvanized steel with high tension lines running through them, it was his opinion the monopole looks better compared to those.

Trustee Steimel asked to look again at the Propagation Map slides. He was concerned about how the streets were depicted and if some of the tower sites were the actual locations – the site for this proposed location doesn't appear to be depicted properly? Mr. Crane said that he will provide the Planning Commission with overlays with actual road names, sometimes their plots aren't as accurate as they could be.

Vice Chairman Gross asked, after looking at these maps and the red areas, if there is more to come? Mr. Crane responded that the red areas along the perimeter are covered by other cell sites but are not servicing this area. Those sites are not shown on the propagation maps. The maps focus in on Verizon sites and the immediate surrounding sites they will be relieving. However, there will be more to come down the road.

Mr. Crane responded to a question from the public about small cells that are being put in the City of Rochester. He said they supplement the macro cells which are the big towers. There is one currently behind the Rochester post office, one by the Leader Dogs For The Blind, and one just by the river and bridge. They only serve a very small area, approximately a 300 ft. radius, 600 ft. diameter. These are for very high demand areas.

Chairman Dunaskiss asked about needing a large site, is that because of the fall distance? Mr. Crane said they look at sites that are not in the middle of residential neighborhoods, this one is across the street and away from one. They look for a site that is a use that is compatible and this site is a storage maintenance yard. It has heavy equipment in it and is immediately adjacent to high tension lines. They also look at commercial sites, etc.. As far as fall zones, the actual fall zone issue that is in the ordinance is outdated. Modern tower design is quite a bit different now, they buckle. He noted that they have put them on areas as small as 40 x 40 with pads successfully and safely. This site was picked because of the adjacent uses and its location relative to the existing corridor and the lack of availability of other locations within their search area.

Vice Chairman Gross asked about the servicing of the tower and the building, is it twice a month? Mr. Crane said that is the plan for routine maintenance and will be serviced by van-like vehicles. Vice Chairman Gross commented that if they could work something out with the golf course to move it further out onto the course as opposed to right off of Indianwood, there really wouldn't be a whole lot of traffic to the tower on a monthly basis.

Vice Chairman Gross said he would like to see a different location explored further. Mr. Crane said he would make note of that.

Attorney Kelly commented that it looks like the applicant has agreed that he will provide some better maps that depict the road and tower locations better - the Planning Commission will need that updated information. It doesn't appear the Planning Commission will be able to consider a final approval here tonight. Attorney Kelly noted that he has talked to the applicant's attorney, Mr. Crane, with regard to the "shot clock" and believes they are willing to waive that to a specific date. He informed the Commissioners that the next Planning Commission meeting is June 21st and after that is July 5th; the shot clock expires on July 10th. The other issue he made the Planning Commission aware of and might want to discuss is because the applicant will need to seek variances, that they possibly obtain the variances from the ZBA first and then come back to the Planning Commission for the Special Land Use.

Mr. Crane responded that he would prefer to proceed with the Special Land Use first. As far as the meeting date, they could be ready for the July meeting. He will get the propagation maps to the Planning Commission before that meeting with the roads clearly placed and with the address of each of the towers.

Chairman Dunaskiss asked if he would be willing to delay the shot clock? Attorney Kelly suggested at least 30 days, if they need more time than that, it can be adjusted. Mr. Crane agreed.

Commissioner Porter said he would like to see more specific answers on why some of the other locations can't be used. A residential use in our ordinance is at the bottom of the list, if everything else has been explored and it can't be put anywhere else. The last place to put one is in a residential area which is what they are proposing to do. He would like to see all the other possibilities the applicant has looked at and documentation why those locations can't be used. He has gone through the packet information completely and has not seen anything like that. Mr. Crane said he will provide that information.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that the Planning Commission **postpone** site plan approval and Special Land Use approval for PC-2017-10, VZW 756 Indianwood, located at 1801 Indianwood Rd. (parcel 09-04-401-013), to the Planning Commission's regular meeting on July 5, 2017 for the following reasons: 1) that the applicant provide propagation maps showing the surrounding roads and where this site will be, 2) that they investigate other locations on the golf course as well as other neighboring zoning districts for possible locations with appropriate resolutions regarding them, and 3) to extend the "shot clock" for an additional 30 days.

Roll call vote was as follows: Walker, yes; St. Henry, yes; Steimel, yes; Gross, yes; Porter, yes; Dunaskiss, yes. **Motion carried 6-0.**

Commissioner St. Henry excused himself from the rest of the meeting.

D. PC-2017-11, Orion Village Crossing Commercial, Major Planned Unit Development (PUD) Amendment request, located on a vacant parcel south of Grand Circle Park on the east side of Baldwin Rd. (parcel 09-29-326-044)

Chairman Dunaskiss asked if the applicant had anything further to add.

Ms. Evangelista reiterated that they are staying the same as the originally approved PUD with the exception of the actual footprint of the building. The building will be going from 24,000 sq. ft. to approximately 19,000 sq. ft. After owning and managing the center next door, both shopping centers will be below the required number of parking spaces and size. She found the original design to be a little bit long and narrow. She commented that the design of this building appeals to her more because a tenant can have a wider space, not one that is so long and narrow. It will also give her 20 to 25 more parking spaces which she believes the tenants in both centers would appreciate. Especially now since Orion Fitness has moved in and said their membership has been doubling from month to month. The design of this shopping center, becoming a little smaller and adding more parking, will be a great benefit to its tenants, the community, and to her as a landlord.

Planner Lewan went over Carlisle Wortman's review dated May 25, 2017.

Planner Lewan explained that this is a PUD amendment, a major amendment, and the reason for the earlier public hearing. The reason it is a major amendment has to do with the change in the size of the building which is more than 5%. They are also changing some design, parking and other minor points of the approved site plan. Because of that, it brings it back in front of the Planning Commission and then ultimately the Township Board.

Planner Lewan summarized his findings as follows:

- Regarding Project Design Standards – there are several. He reiterated this is part of a larger PUD. It was retail before and is retail now therefore many of these standards have been addressed and reviewed already by the Township, and there are no real significant natural resources on the site. The applicant has to meet all other applicable standards that have to do with things like building codes, etc.. They would also have to meet the Master Plan. The applicant has addressed the design standards and something the Planning Commission would have to be specific about if this project is to go forward.
- Regarding Non-residential Design Standards – one of the items that needs attention is that there are some sidewalk ramps that seem to be missing. He is asking the applicant

to provide sidewalk ramps within the parking lot landscape island on the north side of the building - to take additional measures to ensure that barrier free pedestrian circulation is found throughout the site. This can be easily addressed.

- Regarding Area Height, Width and Setbacks – per his analysis, this project was first reviewed under the old RB zoning district and those standards were used for front, side, and rear setbacks; building height and building lot coverage. Not only did they meet the RB standards, they met or exceeded the original PUD as far as setbacks. However because its greater in height than what was allowed in the old RB district, the Planning Commission should reaffirm the building height. It is a new building and a new look and something the Planning Commission should consider - that they allow that as part of the PUD.
- Regarding Parking – he did have one issue with parking which he provided for in a couple scenarios on page 7 of the review. If the entire building is retail, it would only require 95 parking spaces, they are proposing 144. If there is a mix of retail and restaurant, it would require 124 spaces, still an excess. The problem scenario is if a rather large restaurant was to locate into a good part of this building, then the parking would be off a bit. He noted he is not raising parking as a significant concern because it is not known what the mix is actually going to be. Perhaps the applicant could address what they envision as far as uses.
- Regarding Site Access and Circulation – the applicant is generally retaining the access points of the original PUD as well as some of the existing cross connections. Planner Lewan noted however that the overall PUD depicts the southern cross access drive in the wrong location, the drive should be moved to the west to reflect the actual location.
- Regarding Safety Paths and Sidewalks – Planner Lewan wants to ensure that crosswalks and barrier free connections between the new retail building, the existing building to the north, and the residential to the east are provided. When looking at the site plan, it wasn't exactly clear how those connections would be made. Because this is part of the Village Center area of the Master Plan, he wanted to ensure that all of the PUD would be compatible and connected for pedestrians. This is an important part of the Township and it is trying to be promoted.
- Regarding the Landscape Plan – Planner Lewan had no additional comments. He did take a close look at the landscaping that would be east of the site because there is a residential land use there. He explained that when there is a commercial use abutting a residential use, the Township tries to promote and provide sufficient landscaping to screen in between those two uses. Also, what he found was that in the original PUD, that screening was actually placed on the residential part of the property so there is some screening there but it is on the residential property.
- There was some minor issues regarding Lighting. Some of the lighting levels along the eastern property line should be reduced. That eastern property line is where the residential property is so the Township wants to make sure it will not be negatively affected. Lighting can be controlled through cutoff fixtures and shielding. Planner Lewan asked the applicant to make sure that light levels are brought down to ordinance standards.
- Regarding Signage - information on ground signs has not been provided at this point.

- Regarding Floor Plans and Elevations – Planner Lewan noted that this elevation is a little more modern looking than the existing building. It is more of what you would see in some of the newer retail centers. In his opinion, it is an attractive look. He wanted to make sure that the Commissioners were aware that this is a little different.

In summary, he believes the plan generally complies with the intent - the purpose of a major amendment to a PUD. There are some clarifications and some minor changes but nothing brought up, in his opinion, is a game changer.

Engineer Landis went over OHM's review dated May 25, 2017.

- There is existing water and sanitary sewer on site available to service the property, and there is no concern with capacity.
- The stormwater management system – there is an existing detention system to the southeast that was previously sized to handle this development. Since the new piece is slightly smaller than was originally designed, they have no concerns with capacity.
- Paving and Grading – Engineer Landis said it was already pretty much prepped as far as grading. He did note, though, that the existing pavement surrounding the pad is 10+ years old and in poor shape. The applicant should add to the plan some more pavement rehab measures than they currently show.

In the Engineer's summary:

1. In the original PUD plan, on sheet SP-100, it indicated a pathway connection on the north parcel. In their current submittal, it shows an island there. Also there was a pedestrian connection in the southeast corner that was not shown on this submittal. Their biggest concern with that is by going back and incorporating those pedestrian connections, there may be some loss of parking and some possible reorientation of the drive aisles may be needed.
2. He asked that the paving plan include some dimensions. It was a little hard to see that requirements were being met, and there was some conflicting information with the striping detail that was shown versus what was actually proposed.
3. The applicant needs to include information on fire leads to the building. Also, per the Township DPW, each individual unit is going to need to have its own separate water and sanitary sewer leads. Any units that are intended for restaurants, need to have grease traps on their sanitary.
4. Finally, he asked that the applicant correct the statement on the plan in regards to detention, to properly reference the system that is off site.

Ms. Evangelista responded to some of the consultant comments.

Regarding the layout of the pedestrian connections and possibly losing some of the parking or reconfiguration of the drive aisles – Ms. Evangelista responded that a few of the concerns are what she has already at the existing center. They will have the handicap walkways, the islands are already in place, and the actual sidewalks will be the same. She agreed that it doesn't look as clear on the plans but those issues have been addressed.

She agreed with the lighting concern and has been in close contact and is working together with the Robertson project behind her. The residents have actually been asking for more lighting for security reasons. She noted there is a greenbelt there on the residential side, a big buffer and there is a lot of space between them. Because her property sits a little lower and with the landscaping, she does not think the residents will be affected by the lighting.

Regarding the walkways. There is an existing island, driveways, and a common easement they both share and are already in place. She explained that she did put some temporary asphalt down back in 2010 and plans on redoing the entire parking lot. She will also provide a better layout of the striping but the parking spaces will actually be the same even taken into consideration the handicap ramps and accessibility. There will be a lot more parking than what is actually required and will be doing a whole new parking lot, new asphalt, upgrading the look with a new façade and fascia. She is actually putting more money into this new contemporary look. Some of the buildings on Baldwin, in her opinion, looked a little bit dated so they wanted to make it look a little bit nicer but still be cohesive with what's going on along the street. The look and accessibility is important to her for walkability purposes. She believed the Planning Commission will like the final product. She then showed PowerPoint slides of how the façade will look - it is a lot different than what was originally proposed because to her, it looked a little dated.

Mr. Ghassan Abdelnour, the architect, commented the reason they put a curb between the two buildings was because there are two streets and he wanted to make it easier for people to maneuver; between the old building and the new building. They could make it a sidewalk and create it as a walkable area - to connect to the residential, the existing center, and to the new building. He did not believe they would lose any parking. He has already starting working on this and has given the drawings and review notes to their civil engineer.

Mr. Abdelnour noted he believed parking would also not be an issue because most times, retail uses and restaurant uses have different times of operation. Retail more during the day and restaurants more in the evening. Mr. Abdelnour said they will be happy to adhere to all Township requirements.

Ms. Evangelista added that she doesn't believe there will be any big restaurant type users but maybe some small neighborhood type restaurants. She envisions the tenancy being more neighborhood shops. Most larger restaurants don't want to be in a center like hers, they like to be on their own - have more parking and be free standing.

Chairman Dunaskiss asked what the current occupancy was at the adjacent two centers? Ms. Evangelista responded, they have one vacancy in the second shopping center and the one adjacent to this proposed development is fully occupied.

Chairman Dunaskiss asked what their timing was if this is approved? Ms. Evangelista said, ASAP. If this is approved, she would like to start applying for building permits; they have an engineer already in place.

Chairman Dunaskiss asked if Ms. Evangelista had any tenants yet that she could disclose? Ms. Evangelista commented she has a pizzeria type tenant she is working on a lease with. Even though they do not have other tenants yet, they plan on finishing exterior of the building and the parking lot.

Chairman Dunaskiss clarified that they have no problem meeting the requirements Planner Lewan laid out or those of the Engineer? She responded, no problem at all.

In Chairman Dunaskiss' opinion, this is an enhancement on the overall PUD.

Trustee Steimel commented that for him, for the parking, he doesn't need to see anything more; it was approved as it is and it is going to get better. Also regarding a lot of the Engineer's comments, those can be handled during engineering. From a Planning Commission standpoint, he believed they did not need to see it back again.

Commissioner Porter commented that when this PUD was originally approved, one of the big aspects the Township was going to get out of this was the Gingellville look and everything would match. Now they are going with a whole new design concept; that was not what the thinking was. It was his opinion that this is not the way we should go.

Chairman Dunaskiss said he still likes the new proposed plan and that there is still a tie-in with the other building.

Trustee Steimel added that the underlying intent is still really the flavor and it does tie into the residential in the back. The look from Baldwin Road is good, it is very walkable and very pleasant when you drive through. Mr. Abdelnour added that 90% of the building will be brick and limestone.

Vice Chairman Gross asked if the widening of Baldwin Road will have an impact on the access or frontage on this part of the project? It was noted, not this phase of the widening.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, to forward a recommendation to the Township Board to **approve** PC-2017-11, Orion Village Crossing Commercial Major Planned Unit Development Amendment located on the vacant parcel south of Grand Circle Park on the east side of Baldwin Rd. for the plans date stamped and received May 9, 2017; recommendation to approve is based on the following findings of fact:

- that the revision will be a benefit to the future users of the project, the community, and the original PUD,
- the revision will result in a material increase in the use of public services, facilities, and utilities as compared to the existing PUD,
- the revision keeps the existing PUD within the intent and spirit of the Master Plan,
- the revision will not result in an unreasonable negative impact upon the surrounding properties,
- and, the revision maintains the existing approved open space requirement for the PUD;

The recommendation to approve is based on the following conditions:

- 1) that the applicant will provide the pedestrian walkways and connections on the plan as recommended by the Planner,
- 2) and that the Engineer's review comments will be adhered to.

Roll call vote was as follows: Gross, yes; Porter, no; Walker, yes; Steimel, yes; Dunaskiss, yes.
Motion carried 4-1.

8. UNFINISHED BUSINESS

None

9. PUBLIC COMMENTS

None

10. COMMUNICATIONS

None

11. COMMITTEE REPORTS

None

12. PUBLIC HEARINGS

6/21/17 at 7:05 p.m.-Joint Public Hearing with the Township Board of Trustees: PC-2017-14, Orion Commons Commercial, Major Planned Unit Development (PUD) Amendment request, located on a vacant parcel south Scripps Rd., North of Gunnison St. on the west side of Lapeer Rd. (parcel 09-23-100-004).

13. CHAIRMAN'S COMMENTS

None

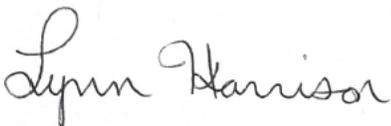
14. COMMISSIONERS' COMMENTS

None

15. ADJOURNMENT

Moved by Commissioner Walker, seconded by Commissioner Porter, to adjourn the meeting at 9:46pm. **Motion carried unanimously.**

Respectfully submitted,



Lynn Harrison
PC/ZBA Recording Secretary
Charter Township of Orion

June 21, 2017

Planning Commission Approval Date