

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, JULY 19, 2017

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, July 19, 2017 at 7:00pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:

Justin Dunaskiss, Chairman
Don Gross, Vice Chairman
Joe St. Henry, Secretary

John Steimel, BOT Rep. to PC
Don Walker, PC Rep. to ZBA
Neal Porter, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:

1 Vacancy

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:

Dwight Watros
Bob Watros
Teri Watros
Karen Bartreau

Mark Vizena
Philip Christi
Heather Dixon
Will Wilsher

Jon Pfiffner
Steve Auger
Lynn Harrison

1. OPEN MEETING

Chairman Dunaskiss opened the meeting at 7:00pm.

2. ROLL CALL

As noted

3. MINUTES

A. 7-05-17, Planning Commission Regular Meeting Minutes

Moved by Vice Chairman Gross, seconded by Commissioner Walker, to **approve** the 7-05-17 Planning Commission Regular Meeting Minutes as presented. **Motion carried unanimously**

4. AGENDA REVIEW AND APPROVAL

Moved by Trustee Steimel, seconded by Secretary St. Henry, to **approve** the agenda as presented. **Motion carried unanimously**

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None

6. CONSENT AGENDA

None

7. NEW BUSINESS

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

Mr. Jon Pfiffner, represented the applicant. Mr. Pfiffner explained there are two provisions they are asking to deviate from. One was related to rooftop equipment screening. He noted that in the packet was a plan showing the site lines from surrounding properties to the location of the rooftop units – from ground level of neighboring properties. Even if screened, the rooftop units

and the screens would not be visible. Mr. Pfiffner said they do understand the intent of the ordinance but given the elevation of the existing building, which is the same elevation as their other buildings that do not have screening around the rooftop equipment, they are requesting the same deviation here.

Mr. Pfiffner commented regarding the photometric plan for the Kay Graphics facility expansion, the existing parking lot and pole lighting have been in place since around 2001. Because they are planning to repurpose and reuse those poles where the parking lot will be located, is requesting a waiver from the ordinance. As he understands it, those poles are higher than what the ordinance allows without Planning Commission approval.

Planning & Zoning Director Girling further noted that there are two cases before the Planning Commission tonight, the one being addressed now is Kay Automotive which has two issues. She explained that when they came for site plan approval, the plan was approved contingent upon a few things that could be administratively reviewed and approved when the plans were resubmitted. The other issue was they were lacking a photometric plan. When the photometric plan came in, the light levels had to be verified and needed to be accurate at the property lines, however it was noticed the light poles were over 20-feet high. The ordinance does provide that the Planning Commission can allow light poles taller than 20 feet and less than 30 feet. Therefore it had to come back before them for deviation approval. The other issue was that during discussions at the Planning Commission meeting, it was stated that there definitely would be rooftop equipment and that it would be screened. Since they had to come back for a deviation on the height of the light poles and with the information they had regarding the visibility of the rooftop equipment, they are also asking Planning Commission to waive the rooftop equipment screening requirement.

Chairman Dunaskiss asked the Planning Commissioners if they had any questions for the applicant?

It was asked how tall are the existing poles and how long have they been in place? Mr. Pfiffner responded, 30-ft. tall and have been there since around 2001.

Moved by Trustee Steimel, seconded by Vice Chairman Gross, that the Planning Commission **grants** the request to deviate from the 20-foot maximum height of a free standing light pole for a maximum height of 30 feet, 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); this approval is based on the following conditions: a) that the light poles that are existing are 30 feet, a continuation of a previously granted waiver; and b) there is no residential within 200 feet of where the light poles are and therefore meets the criteria guidelines for granting a waiver and the subject property is pretty-much located in an industrial park.

Roll call vote was as follows: Steimel, yes; Walker, yes; Porter, yes; Gross, yes; St. Henry, yes; Dunaskiss, yes. **Motion carried 6-0** (1 vacancy).

Regarding the screening waiver. Mr. Pfiffner further explained that the architects and engineers tried to design the system, because of the nature of this facility and its height, they moved the units interior to the space - to keep them out of view from the perimeter. In this case, the units are set in-board and it was the perspective of the architect, if standing on the neighboring property, on either side, the line of sight would be above the rooftop units – the rooftop units would not be seen. Mr. Pfiffner said they are not opposed to adding screening, but they would be incurring an added expense that would not change the view; because of the way they will be setback, they will not

be seen. He further added that none of the units on the facility, with all of its expansions, have been screened. Nor has the equipment on the KPMF facility that's located at 67 Kay Industrial Drive, because again, those units are setback and can't be seen.

Secretary St. Henry clarified that with or without the screening, they can't be seen? Mr. Pfiffner said, that is correct.

Moved by Commissioner Walker, seconded by Trustee Steimel, that the Planning Commission, with regard to PC-2017-09, Kay Automotive Graphic Expansion Minor Site Plan Revision located at 57 & 67 Kay Industrial Drive (sidwell #09-35-400-046 and 09-35-200-025), **grant** the request for a waiver from the requirement of a parapet to screen rooftop equipment based upon the following facts: the applicant has indicated that the architects have reviewed the matter and in that sight line, it is invisible whether or not the parapets are screened or not.

Roll call vote was as follows: Porter, yes; Gross, yes; Walker, yes; St. Henry, yes; Steimel, yes; Dunaskiss, yes. **Motion carried 6-0** (1 vacancy).

B. PC-2016-30, KPMF-USA Expansion, Minor Site Plan Revision, located at 67 Kay Industrial Drive (parcel #09-35-200-025)

Mr. Pfiffner represented the applicant.

Planning & Zoning Director Girling explained this request is the same as above with the exception of not needing a waiver for rooftop screening. The applicant had come in for site plan approval and was approved contingent upon them providing a photometric plan. Upon review, the proposed light poles were taller than 20 feet and needed approval from the Planning Commission and could not be administratively approved.

Secretary St. Henry asked how long have these light poles been there, same as the ones above? Mr. Pfiffner responded that these are for a potential future addition.

Moved by Commissioner Porter, seconded by Vice Chairman Gross, that in regards to PC-2016-30, KPMF USA Minor Site Plan Modification, located at 67 Kay Industrial Drive (parcel #09-35-200-025), that the Planning Commission **grants** the requested deviation from the 20 foot maximum height of a free-standing light pole to a maximum height of 30 feet based on the following conditions: the adjacent property has light poles at 30 ft. that had been approved, and there is no residential properties within 200 feet.

Roll call vote was as follows: St. Henry, yes; Steimel, yes; Gross, yes; Porter, yes; Walker, yes; Dunaskiss, yes. **Motion carried 6-0** (1 vacancy).

C. PC-2017-18, Skalne Ford Annex Building Site Plan, located at 95 E. Clarkston Rd. (Parcel #09-11-479-009)

Mr. Steve Auger with AKA Architect represented the applicant, Skalne Ford. He explained that the Skalne organization wishes to move their internet sales force and to put a new paint booth into the former Christi's restaurant – to use that facility for prepping cars, detailing cars, and for some existing staff members from their existing building. Also, to use the parking lot for the display of new vehicles.

Chairman Dunaskiss asked Planner Lewan to go over the Planner's review dated July 13, 2017.

Planner Lewan explained the applicant is requesting a change of use from a former restaurant building to what amounts to an auto sales facility. The property is zoned General Business or GB and General Business allows auto dealerships, used car facilities, and automobile repair garages as a use-by-right. Essentially the applicant is not proposing to change the building footprint or the pavement on the site - they are proposing to go from one permitted use within the GB district to another permitted use within the GB district. He noted this because there had been discussion as to whether this project had to go through site plan approval. He explained however the ordinance does indicate that when there is change of use on a site, it has to go through the site plan approval process.

Regarding the review: Planner Lewan commented there are no significant natural features on the site and that it has been a commercial use for a long time with access to Parkview Blvd. and Clarkston Road. The property goes back to the early 1970s and Planning & Zoning Director Girling actually had a site plan from when the site came in for initial approval or an amendment in 1972. This site, regarding the current parking, had approval from the Township - the site's parking lot, not the use, has a pre-existing non-conforming status to it.

Regarding the plan's findings and summary, the following issues need to be addressed to the satisfaction of the Planning Commission prior to approval:

- On the plans there was a wooden shed and it was not clear if that will be removed or what it might be used for.
- The applicant is adding a small outdoor fenced area that they are calling a "secure yard". Some more information is needed on what the use of that is going to be, about its screening, and if there is going to be any hazardous substances stored there.
- Regarding the parking, particularly along Clarkston Road and Parkview Blvd., the parking lots do not meet setbacks or contain the required buffering normally seen along the edge of a street. However, Planner Lewan reiterated that the Township does have an approved site plan dating back to the 70s that closely reflects this plan. It is therefore their position that as shown, the parking would be considered pre-existing non-conforming.
- There is some issue regarding site access and circulation. Planner Lewan noted that the Township attorney has provided a letter regarding this issue as it pertains to access to the site along Clarkston Road via an easement and also access to Parkview Blvd. in an area that appears not to be covered by an easement.
- Also regarding parking, there is some discrepancy about the number of spaces provided on the plans. However the total number of spaces looks acceptable for the site - they only require 34 spaces and they are showing between 122 and 123 spaces. Many of the spaces will be used for new car storage and prepping.
- There are parts of the southern edge of the parking lot and little bit of the northern edge that actually extend across into the Clarkston Road right-of-way and the Parkview Blvd. right-of-way. He explained that when they have a non-conforming situation, they recognize the non-conformity and when it goes through site plan approval, they try to bring the plan as close as possible to meet current standards. Therefore, to address the overhang of the parking into the rights-of-way and the lack of what would normally be seen as typical greenbelt landscaping, they would like the applicant to consider removing a portion of the pavement that abuts Clarkston Road and a portion that abuts Parkview Blvd. and add some buffer landscaping.

- The plan does indicate landscaping however the applicant needs to provide some specific details on what types of trees or the difference between existing and proposed. The greenbelt being proposed on the east side of the site is good and does butt up against some residentially zoned property so that does meet the depth of required landscaping but there needs to be a little more information on the exact numbers, species, counts existing versus proposed within that area prior to them making a recommendation if it meets buffering requirements.
- The applicant is also required to add a couple of interior parking lot trees.
- The applicant did provide a cut sheet for lighting however Planner Lewan would like to see the lighting photometric plan tied a little more closely to the site plan. He had a hard time following exactly where some of the lighting levels were as they relate to the building and property lines. Particularly to the east where it is zoned residential. As well, the applicant needs to provide cut sheets of any proposed fixtures so they can make sure they are downward directed.
- Essentially the applicant appears to be preserving and using the existing restaurant building but will be adding some overhead doors.
- Signage will be provided at a later date.

In summary, Planner Lewan believed there are enough issues here that he is not comfortable with the site plan in its current state and it is not quite in substantial compliance with the Township Zoning Ordinance.

Engineer Stevens went over the engineering review dated July 12, 2017.

- He noted that a lot of their comments overlapped with the planner's in regards to easements and access.
- He did point out on the site plan some of the existing conditions. Per Township Ordinance No. 78, there are typically a lot of data requirements for site plans such as topo information, existing utilities, etc. But because the site is essentially existing, he believed the Planning Commission has the ability to waive some of those requirements – they may find them not applicable because this is an existing site.
- The site is a little unique in that the water is provided by a Village main along Parkview Blvd., but is provided with Township sewer. The applicant may need to consider, based on the building, whether or not they need to connect to the Township main because that main is a little larger.
- Because it is an existing site and they are not changing any impervious surface, he doesn't anticipate requiring any additional stormwater management.
- Regarding traffic, if the two sites are going to work in harmony (the Skalne Ford on Lapeer Road and this annex), it seems there should be a defined cross connection for pedestrians from one site to the next.

Based upon comments regarding the easement and access, they also found that the site plan is not in substantial compliance.

Secretary St. Henry noted that during the site walk with Vice Chairman Gross, they had some of the same questions that were posed by the Planner and Engineer. He informed the other Commissioners what they learned.

Regarding a connection for pedestrians across Parkview Blvd. - it was their understanding that the new facility was just a prep area for dealership personnel and for vehicle storage. Customers visiting the dealership would not be going to the annex, and if they did, they would be accompanied by a Skalneck employee. Regarding the request for a couple of interior parking lot trees – Secretary St. Henry believed that the applicant would probably like that waived because trees would attract birds which would then leave droppings on the new cars.

Vice Chairman Gross added there was an indication that the eastern drive on Parkview Blvd., the drive closest to the residential subdivision, would be closed off and the new drive which would be on the adjoining property but on the western property line, would be the new access drive to the property off of Parkview so there would be a cross connection between the two properties. In lieu of putting or requiring additional interior landscaping, that landscaping be provided along both Parkview Blvd. and along Clarkston Road. Which, according to this plan would have to be in the rights-of-way. Also, that they would provide some additional improvements to the entrance to the subdivision on Parkview and also to recognize the new condominiums being proposed, the Ponds of Orion, across Clarkston Road. If properly done, that would be a major improvement to the property's security and from cars being removed illegally. With new overhead doors being installed, there would be some major renovations to the exterior of the building, and the building could use a new coat of paint. Vice Chairman Gross said there was indication that the applicant would like to have the facility match the same color scheme as the Skalneck Ford facility to the north and he would like to see that reflected on the plans.

Secretary St. Henry said in regards to the storage yard on the eastern side of the building, they were told that would be for junked cars, parts, etc. and that it is a very small area.

Commissioner Porter asked about the Title for the property. He noted that back in the 70s he believed it was in the name of Kathleen Christi, at what point did it get transferred to other ownership? Mr. Auger responded, that he didn't know. Commissioner Porter commented that he believed at one time Lots 157 and 156 were under common ownership and why the site plan had been approved. Then possibly sometime in 2006 when the easement was recorded, the properties were separated and why part of the parking lot is not on the same lot.

Chairman Dunaskiss asked if there is an access point already on Parkview Blvd. for the back end of either one of the Skalneck sites? Mr. Auger said, yes, in the northeast corner there is access.

Secretary St. Henry said that right now, that western entrance is blocked off.

Chairman Dunaskiss asked if there has been any discussion, in light of what was found within the easement agreement, about looking at possible other access points so as not to go against what the easement allows?

Mr. Auger said, as far as the owner and the owner's attorney are concerned, the easement runs with the property and is recorded as such; they do not feel there is an issue.

Commissioner Porter noted that if this site plan were approved the way it is and the owner of Lot 157 were to come in with a site plan to open a business on that property and wanted to use his access off of Clarkston Road, there would be no way for him to use that access. What would the Township's answer be to the owner of Lot 157? How would that be handled?

Mr. Auger commented that it has been his experience that when dealing with properties with similar situations, that have a shared easement, if one of the party's wishes to use the

easement for ingress or egress, then the other party has to allow it; it has to be granted, it can't be denied – it would cost Mr. Skalnek a couple of parking spots.

Commissioner Porter responded that the owner of Lot 157 is entitled an easement to get to the property; regardless if it is developed or not. He added that the Road Commission is responsible for giving curb cuts and could say to the owner of Lot 157 that they are not going to give him another curb cut; by approving this, the Township would virtually be land locking Lot 157 from Clarkston Road. It was his opinion this is a serious situation.

Commissioner Walker asked Mr. Auger if there was discussion with the other owner about the purchase of his property? Mr. Auger responded that he had no knowledge of that, that was before he became involved with the project.

Chairman Dunaskiss agreed there is some existing non-conformities and should they make someone go through and bring everything up to current Ordinance? On the other hand, he did not see a whole lot of enhancements on the applicant's part to bring the site closer in line with the existing Ordinance - only further diverging from it. Looking at the different discrepancies and what needs to be cleaned up, he believed there was a little more work that needed to be done on this site. Specifically, he would like some clarity on the easement and the parking with regards to something from the other property owner. He noted the Planning Commission did receive pretty clear direction from the Township attorney and the other consultants that they were not comfortable approving this.

Mr. Auger asked if there was anything in writing they could review? Chairman Dunaskiss said the information from the Township attorney is confidential. Also, as he looks at the different things that the Planner brought up, in his opinion, there is a lot more work to do on this.

Chairman Dunaskiss then asked Mr. Auger to go through and address the concerns of the consultants.

- Regarding the security yard – it was Mr. Auger's understanding it will be for damaged or partial cars - to hide them from the public.
- Regarding Parkview Blvd. and the applicant proposing to move one of the access points to the annex to be adjacent with the Parkview access point to the Skalnek building on Lapeer Road - has there been any agreement with regards to the other site, that if they officially close the other access point and this goes forward, then there would only be the one access point to both sites off Parkview Blvd.? Mr. Auger said, correct.
- Regarding the discrepancy with the number of proposed parking spaces - Mr. Auger responded there is a line missing and they are actually proposing 123 spaces.
- Regarding Clarkston Road and the current road right-of-way, has there been any communication with the County regarding the parking lot being in that right-of-way? Mr. Auger responded that is an existing condition and that is how it is indicated on the plan – as it sits today.
- With regards to the water and sewer system and storage drain - Mr. Auger commented they are not changing any of the drainage.

Regarding the landscaping that is currently on the site, the greenbelt and the different plantings, has there been any thoughts on further screening any of the other sides? Secretary St. Henry

noted that on the eastern side of the property that abuts the residential area, there are some large legacy trees and then it thins out where the proposed storage area would be. During the site walk it was noted that the applicant would be adding a significant amount of additional landscaping to that area. Secretary St. Henry said they did ask that more detail be provided on the landscaping to include the types of trees, bushes, etc. He noted however that was on Monday and they may not have had the time to get the information ready for this meeting. Mr. Auger added that there is a contiguous fence along that entire property line.

Planner Lewan asked if they would be willing to create some buffering along the north and the south sides of the site, possibly removing 5 or 10 ft. of and losing a couple of the parking spaces? Mr. Auger responded that would be asking Mr. Skalneck to give up about 25 parking spaces. Planner Lewan then said, if that is not possible, is there something else they might be able to do, some kind of transition? Especially to the south where there will be a new residential development. It might not be so important to the north because the dealership is there.

Mr. Auger asked Engineer Stevens about a pedestrian crosswalk between the two properties, what would he like to see there? Engineer Stevens said from what he has heard from some of the Planning Commissioners, it probably won't be necessary. It sounds like customers will not be going to the annex and if they did, they would be accompanied by an employee.

Chairman Dunaskiss asked Mr. Auger where the employees will enter the building? Mr. Auger responded that the employees for this annex will park along the "easement" on the west side of the property and will enter the building around the back or to the north. Secretary St. Henry added that what was described to them during the site walk was that at the actual front of the building there will be a Skalneck sign which is actually the back of the restaurant today. There is a back door there where restaurant employees would go in. That would be enhanced and would technically become the front of the building.

Chairman Dunaskiss said regarding the Engineer's review, their main issue is with the easement. Does Mr. Auger believe they wouldn't have any issues addressing the other items in the review such as ADA accessibility, clarification on the drive, etc.? Mr. Auger said they were fine with all of that.

Engineer Stevens said one of their concerns that hasn't been addressed yet regarding the easement is the southerly or southwest section of the access off Parkview Blvd., that does not appear to be within the easement. He was questioning whether or not that access can be used by this business because it was outside of the Reciprocal Easement Agreement, was there any discussion on moving that? Mr. Auger responded, not to his knowledge.

Commissioner Porter said he didn't see any additional fencing and was concerned about security of the new vehicles that will be stored there; however he doesn't believe one is required by Ordinance. Mr. Auger noted that vehicles coming in for service would be kept secure at the other dealership.

Chairman Dunaskiss reiterated that the reviews from the consultants and from the Township attorney all express they were not comfortable with what is in the easement agreement. In his opinion, they cannot move forward with a recommendation. He believes there should be more clarity from the applicant with regard to where they stand with the other property owner, if there will be any sign-off. He does not want to get caught up in legal matters or hold someone up on a permitted right, but needs a little more clarity before this is approved.

Mr. Auger asked again how they could get a copy of the Township attorney's opinion on this, it was his understanding that the Township attorney had been spoken too this afternoon and they

were assured there was no issue. He was surprised they “were dead in the water on this”. Chairman Dunaskiss responded, that everything he was presented on this case states there are issues. Mr. Auger said the only issue he was aware of was an overhanging parking spot on the southwest corner of the site – per their attorney talking to the Township’s attorney.

Trustee Steimel said he believed there were two issues here, one is the south entrance and what most people have been focusing on however agrees with Engineer Stevens and whether or not that entire entrance is included in the easement and whether that needs to be moved further so that access will be on and off through their own property. He didn’t believe the applicant has the right to go across that triangle piece that is not part of the easement. He said it does make sense that the access points off Parkview line up between the two businesses. He can’t approve this knowing he would be allowing the applicant to have access onto property they don’t own or have an easement on.

Mr. Auger then said it is Trustee Steimel’s position they are currently in violation with the existing condition as it sits and with parking on that easement? Trustee Steimel said, yes, but it has been allowed. He reiterated that if the owner of Lot 157 ever goes to develop that land and they want to use that access point, they would have the right to ask that those parking spaces be removed so they have access - that is what it was intended for.

Chairman Dunaskiss said again it is his preview that there needs to be more clarity before they can approve a site plan that could possibly have some ramifications.

Chairman Dunaskiss referenced the Fire Marshal’s review dated July 10, 2017 where he too had concerns about the ingress/egress with the drive off Clarkston Road. He also recommended there be “Fire Lane No Parking” signs located on the south side of the building where it could hinder fire department access if blocked by parked cars. Mr. Auger said he did receive the review and no questions.

Secretary St. Henry commented he believes there needs to be a legal agreement in place of some kind between the two parties, that everyone agrees that if this site plan moves forward, it is ok between the two parties in terms of easement issues.

Commissioner Porter said his concerns go beyond just the two parties, he was concerned about the Township being “a party” to a lawsuit; if this is approved this way and there was a court battle between the two owners, the Township could be a party of that lawsuit.

Moved by Vice Chairman Gross, seconded by Commissioner Porter, that the Planning Commission **postpone** PC-2017-18, Skalne Ford Annex Building Site Plan, located at 95 E. Clarkston Rd. for the plans date stamped received June 28, 2017 for the following reasons: that the site plan needs to be revised to incorporate the comments made both this evening as well as in the Planner’s review, that the north driveway be clarified as to its location onto Parkview Blvd. relative to which property it has access over, and the easement issue between the parties of Lots 156 and 157 be clarified relative to the access management for both parcels so that Lot 157 has sufficient access in accordance with previously agreed to easements.

Vice Chairman Gross amended the motion, Commissioner Porter re-supported, to add that the plans also need to incorporate the comments made in the Engineer’s review.

Discussion on the motion:

Trustee Steimel commented the applicant has enough parking on their own property that the Planning Commission could ask them, from a site plan standpoint, that those parking

spots that are not on their property be removed. They would then be mostly in compliance.

Engineer Stevens commented that the way he reads the easement agreement, is that it allows parking for Lot 156 within the easement but does not allow parking for Lot 157. His issue with the easement was that it allows access to Lot 157, but if parking is allowed all up and down the easement in Lot 156, Lot 157 won't have access through to Clarkston Road.

Philip Christi, 2650 Buckner Road, noted that he is the owner of Lot 157 and they have owned the property there now almost 40 years. He commented that he is not against Skalne Ford moving in there however he does have some issue with the easement. He would like to eventually develop Lot 157. He noted he has talked to Mr. Skalne and what he asked for was an ingress and an egress, one coming in and one going out. As far as the "southwest" entrance, that is on private property and is not part of the easement. He noted that he also owns residential property behind the subject property and saw that there will be a 30 foot buffer there and believed it was pretty good. He reiterated he would like to eventually develop Lot 157 and would like to at least have ingress/egress established before any site plans are approved.

John Hessler, Lot 158, said he has lived there since 1965 and before the property was rezoned. He said at one time he was promised 30 feet, then 20 foot, and now it is down to 8 feet, meaning the greenbelt between the lot lines. He commented that at one time he was asked "what side does he want the fence on?" It was decided to put it on his side and he felt that he was taken advantage of. He noted that he has tried to have his property surveyed but the surveyor has not been able to get proper access.

Mike Young, 88 Parkview Blvd., said he was concerned and asked if that easement had always been open to Christi's? When he moved in, it had been closed up for years. What concerns him is all the traffic that will be going in and out by the employees at the annex, they will want to cut through the neighborhood. His other concern was about a proposed paint booth, it will only be 30 feet away from him. He is ok with Skalne wanting to make his business better but reiterated his concern with increased traffic on Parkview. He added that Skalne claims they are an 8-hour a day business, it is actually 24/7 - there are trucks in and out every day.

Heather Dixon, 682 Pleasant Ridge, commented she drives down Parkview on a regular basis and currently there are pedestrians that walk back and forth between the two buildings. It is especially dangerous in the mornings during the spring and fall when it is dark in the morning and it is harder to see people. She would like if some kind of signage could be put there. She also commented that she regularly sees people cutting from Parkview over to Clarkston Road through Christi's parking lot. That there used to be a guardrail blocking that entrance and when Skalne took ownership, the guardrail came down and is sitting in the ditch next to it. She sees pizza delivery trucks there all the time and people cutting through there that want to go to the Kmart plaza to avoid having to go out to the intersection.

Will Wilsher, 915 Buckhorn on Buckhorn Lake, was curious where the signage will be. Right now he has a great view from the lake and his backyard of the old Christi's. He would like some consideration given to help keep light pollution down or at least not to add any more; maybe something landscape wise.

Chairman Dunaskiss called the question.

Roll call vote was as follows: Walker, yes; St. Henry, yes; Steimel, yes; Gross, yes; Porter, yes; Dunaskiss, yes. **Motion carried 6-0** (1 vacancy).

8. UNFINISHED BUSINESS

None

9. PUBLIC COMMENTS

Phil Christi, 2650 Buckner, handed out a document to each of the Planning Commission members and a copy was obtained for the file.

10. COMMUNICATIONS

- Michigan Planner May/June 2017 Edition
- Memo from Clerk Shults regarding the second reading and adoption of BIZ Design Standards Text Amendment
- Memo from Clerk Shults regarding the second reading and adoption of Sign Ordinance #153.
- Memo from Clerk Shults regarding the second reading and conditional approval/adoption of Orion Village Crossing Commercial Major PUD Amendment
- Memo from Clerk Shults regarding the official lifting of the moratorium regarding billboard applications with the passage of Sign Ordinance #153

11. COMMITTEE REPORTS

Site Walk Report for PC-2017-18, Skalnek Ford Annex Building

12. PUBLIC HEARINGS

None

13. CHAIRMAN'S COMMENTS

None

14. COMMISSIONERS' COMMENTS

None

15. ADJOURNMENT

Moved by Commissioner Porter, seconded by Trustee Steimel, to adjourn the meeting at 8:24pm. **Motion carried unanimously.**

Respectfully submitted,



Lynn Harrison
PC/ZBA Recording Secretary
Charter Township of Orion

August 2, 2017

Planning Commission Approval Date