

CHARTER TOWNSHIP OF ORION PLANNING COMMISSION

***** MINUTES *****

REGULAR MEETING, WEDNESDAY, JANUARY 3, 2018

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, January 3, 2018 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
Scott Reynolds, Commissioner
Neal Porter, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:

None

CONSULTANTS PRESENT:

Tammy Girling, Township Planning & Zoning Director

1. OPEN MEETING

Chairman Dunaskiss opened the meeting at 7:00pm.

2. ROLL CALL

As noted

OTHERS PRESENT:

Daniel Plantus Jason Shockey
Jere Shockey Lynn Harrison

3. ELECTION OF OFFICERS, REPRESENTATIVE TO THE ZBA, AND SITE WALK COMMITTEE ANNUAL APPOINTMENTS

Vice Chairman Dunaskiss opened the nominations.

Commissioner Walker nominated Justin Dunaskiss for Chairman of the Planning Commission for 2018. Chairman Dunaskiss nominated Don Gross for Vice Chairman of the Planning Commission for 2018. Being there were no other nominations:

Moved by Commissioner Walker, seconded by Vice Chairman Gross to close the nominations and cast a unanimous ballot for Justin Dunaskiss as Chairman of the Planning Commission for 2018.

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

Moved by Chairman Dunaskiss, seconded by Commissioner Walker to close the nominations and cast a unanimous ballot for Don Gross as Vice Chairman of the Planning Commission for 2018.

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

Commissioner Walker nominated Joe St. Henry for Secretary of the Planning Commission for 2018. Being there were no other nominations:

Moved by Commissioner Walker, seconded by Commissioner Porter to close the nominations and cast a unanimous ballot for Joe St. Henry as Secretary of the Planning Commission for 2018.

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

Vice Chairman Gross nominated Commissioner Walker as Planning Commission Representative to the ZBA for 2018. Being there were no other nominations:

Moved by Vice Chairman Gross, seconded by Commissioner Porter to close the nominations and cast a unanimous ballot for Commissioner Walker as Planning Commission Representative to the ZBA for 2018.

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

Commissioner Reynolds nominated Vice Chairman Gross, Secretary St. Henry and himself as members of the Site Walk Committee. Being there were no other nominations:

Moved by Commissioner Walker, seconded by Commissioner Porter to close the nominations and cast a unanimous ballot for Commissioner Reynolds, Vice Chairman Gross and Secretary St. Henry for the Planning Commission Site Walk Committee for 2018.

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

4. MINUTES

A. 12-20-17, Planning Commission Regular Meeting Minutes

B. 12-20-17, Ordinance 154 Applications Public Hearing Minutes

Moved by Vice Chairman Gross, seconded by Commissioner Walker, to **approve** the 12-20-17, Planning Commission Regular Meeting Minutes and the 12-20-17, Ordinance 154 Applications Public Hearing Minutes, as presented. **Motion carried**

5. AGENDA REVIEW AND APPROVAL

Moved by Commissioner Porter, seconded by Commissioner Reynolds to approve the agenda, as presented. **Motion carried**

6. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None

7. CONSENT AGENDA

None

8. NEW BUSINESS

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

Mr. Daniel Plantus, the design builder for the applicant, presented. Mr. Plantus noted that the last time he was before the Commission, the applicant was granted a 6 month extension. They had every intension of submitting plans and completing the project however it has ended up that they still need a little more time. He attributes this need to the owner's financing and trying to purchase costly equipment which necessitates the need for the build-out. In the interim, Mr.

Plantus said he produced drawings which he had with him; they are stamped and ready to be submitted. Mr. Plantus also noted a third complication – the patriarch of MPD has taken ill and associated family members have been distracted by this.

Chairman Dunaskiss asked Mr. Plantus how long of an extension was he looking for?

Mr. Plantus responded about 3 to 6 months.

Chairman Dunaskiss reminded the Commissioners that at their last extension request, there was quite a bit of discussion about the scope of the project and the complexity of it. Given some of the hardships that were disclosed tonight and that they are still planning to move steadfast on the project, he would be willing to give them a little more time. He asked the other Commissioners for their thoughts.

Commissioner Porter asked if any part of the ordinances had changed since the original approval?

Planning & Zoning Director Girling responded that under a separate project number, MPD had received site plan approval which was prior to the zoning consolidation. MPD then came in with a new plan after the consolidation; since that approval, there had not been any change in the ordinance pertaining to setbacks, etc.

It was Commissioner Reynolds' opinion that given there is financing and other outside reasons influencing the start of the project, he would be open to granting another 6 month extension.

Moved by Commissioner Reynolds, seconded by Commissioner Porter, to grant PC-2015-17 MPD Welding Site Plan Extension Request a six (6) month extension.

Discussion on the motion:

Chairman Dunaskiss commented that he was also thinking a 6 month extension given the hardships disclosed and the fact that Mr. Plantus brought with him stamped plans which he believes shows they are committed to move forward.

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

B. PC-2018-01, SP Enterprises Group, LLC, Parcels 09-34-300-016 & 09-34-300-018, Ordinance 154 Application

C. PC-2018-02, SP Enterprises Group, LLC, Parcels 09-34-300-016 & 09-34-300-018, Ordinance 154 Application

Moved by Commissioner Reynolds, seconded by Commissioner Porter to recuse Chairman Dunaskiss from hearing and acting on PC-2018-01 and PC-2018-02 as an associate of the firm he works for represents the applicant.

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

Vice Chairman Gross recessed the regular meeting and opened the public hearing for PC-2018-01 and PC-2018-02, Ordinance 154 Applications, at 7:15pm.

Vice Chairman Gross closed the public hearing at 7:16pm and reconvened the regular meeting.

Vice Chairman Gross asked for questions or comments from the Commissioners.

Secretary St. Henry asked if the same criteria in Lt. Toth's letter had been required of the other Ordinance 154 applicants?

It was noted that Lt. Toth did request the same security requirements from the other applicants, that the request will also be covered during the site plan review, and is part of state statute.

Moved by Commissioner Porter, seconded by Commissioner Reynolds, to **grant approval** of PC-2018-01, for a processing facility as required per Ordinance 154 conditioned upon the Planning Commission's approval at a later time of Zoning Ordinance No. 78 for the Site Plan Review and that all other regulatory requirements of Ordinance 154 will be followed; based on the following findings of fact: the facility is located in an IP zoning district, the proposed facility meets all the distance requirements shown in Ordinance 154, the ingress and egress road is of less than 6,000 vehicles per day and does not service a road that also serves residential zoning.

Discussion on the motion:

Planning & Zoning Director Girling noted that although the applicant met all the criteria of Ordinance 154 for both applications, they have also applied to the ZBA. They want to request a location variance to residential property that will be within the 15% allowed in case they want to expand in future. The applicant is scheduled to appear before the ZBA on January 8, 2018. Commissioner Porter commented he wanted to leave the motion as is.

Trustee Steimel asked if the Township has met the maximum license requirements yet for the different facilities? Planning & Zoning Director said she didn't believe so and that the Clerk's office is keeping close track of that.

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

Regarding PC-2018-02:

Planning & Zoning Director Girling commented that the applicant pointed out today that the application states their name as SP Enterprises, the proper name is SP Enterprise and should be noted as such in a motion. Both their applications have been amended.

Moved by Commissioner Porter, seconded by Trustee Steimel, to **grant approval** of PC-2018-02, for a Class "C" Grower Facility as required per Ordinance 154 conditioned upon the Planning Commission's approval at a later time of Zoning Ordinance No. 78 for the Site Plan Review and that all other regulatory requirements of Ordinance 154 will be followed; based on the following findings of fact: the facility is located in an IP zoning district, the proposed facility meets all the distance requirements shown in Ordinance 154, the ingress and egress road is of less than 6,000 vehicles per day and does not service a road that also serves residential zoning.

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

9. UNFINISHED BUSINESS

Chairman Dunaskiss rejoined the meeting.

A. PC-2016-34, Township Initiated Text Amendment to Zoning Ordinance #78, Schedule of Regulations

Planning & Zoning Director Girling explained that the Commissioners should have the same documents before them tonight that were presented at the prior two meetings. The remaining topic that needs to be discussed is outdoor storage. Planning & Zoning Director Girling commented that in the packet was a chart that compared outdoor storage for the non-residential districts before zoning consolidation and after zoning consolidation. She noted that this topic was originally brought forth because outdoor storage was allowed as a principle use in GB-1 (prior to the consolidation).

Commissioner Reynolds commented that there were some other inconsistencies that also need to be discussed pertaining to outdoor storage in the various districts.

After discussion, it was decided to remove outdoor storage as a principle use in GB. That outdoor storage could be allowed as an accessory use and/or special land use as long as there is a principle structure. It would still be allowed as a principle use in the LI district.

That outdoor storage as a whole will be referenced in Section 27.19 and that the current language would stay the same.

If a district has criteria specific to that district, then that criteria would be referenced in the district article.

Regarding the inconsistencies that Commissioner Reynolds noted, Planning & Zoning Director Girling said she would look for the inconsistencies and compare them to what was in Section 27.19. If there was justification for something being different, then that would be noted as a footnote in the corresponding district.

Planning & Zoning Director Girling clarified that there was no change to the language in the Lapeer Road Overlay District Article and that reference to the Lapeer Road Overlay District would be removed from the GB Article.

The Planning Commissioners agreed with the above and the consensus was to bring the Articles back with the changes for a final review before sending to the Township Board and attorney.

10. PUBLIC COMMENTS

None

11. COMMUNICATIONS

MAP Flyer for Planning & Zoning Training Workshops

12. COMMITTEE REPORTS

None

13. PUBLIC HEARINGS

None

14. CHAIRMAN'S COMMENTS

Chairman Dunaskiss wished everyone a Happy New Year and is looking forward to a fun and productive 2018.

15. COMMISSIONERS' COMMENTS

Commissioner Reynolds commented that the Site Walk Committee will have a couple site walks next week.

Trustee Steimel commented that he is baffled that he sometimes finds out more about things going on in the community related to Planning & Zoning from the Lake Orion Chatroom than he does as a Planning Commissioner and referenced the "Chat" about Hollywood Market closing and a cinema going in there.

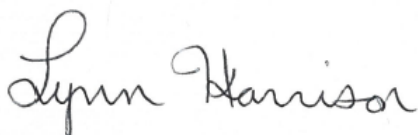
Secretary St. Henry noted however that if a use goes into a district that fits, it does not have to come before them; people need to realize that the Planning Commission is sometimes limited to what they can do.

Commissioner Porter wished everyone a Happy New Year.

16. ADJOURNMENT

Moved by Commissioner Reynolds, seconded by Commissioner Steimel, to adjourn the meeting at 8:04pm. **Motion carried.**

Respectfully submitted,



Lynn Harrison
PC/ZBA Recording Secretary
Charter Township of Orion

January 17, 2018

Planning Commission Approval Date