

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION MINUTES
PC-2018-14, MJC STADIUM RIDGE LLC REZONE REQUEST
PUBLIC HEARING MEETING, WEDNESDAY, APRIL 4, 2018**

The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, April 4, 2018 at 7:05pm 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
Joe St. Henry, Secretary	Scott Reynolds, Commissioner
John Steimel, BOT Rep to PC	

PLANNING COMMISSION MEMBERS ABSENT:

None

CONSULTANTS PRESENT:

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

OTHERS PRESENT:

William Rathburg
Michael Flood, Jr.
Lynn Harrison

Mr. Michele Chirco, General Counsel for MJC Companies, presented. Also present was Shamik Trivedi from Land Development Consulting Services, the engineer for the project. Mr. Chirco explained they acquired the property about 4 or 5 months ago. Prior to that, there had been a proposed PUD for the property. Mr. Chirco said they looked at that PUD proposal and had discussion about the best way to develop it.

Mr. Chirco went on to give a brief history of the MJC Companies. They have been residential builders in the state for over 45 years and have been expanding their profile into retail developments. One of those retail developments was Buckhorn Plaza on Lapeer Road. He said this product mix best fits the development of this site.

He noted where the site is located and that it is currently zoned Multi-Family and is near some of the Lake Orion schools. They considered developing the property as multi-family but because of the proximity of the site to schools, churches and with current market demands; they wanted to focus on smaller lots, affordable, single family homes. Every market study or economic update he has seen emphasizes the current shortage of inventory of quality homes that are affordable. He reiterated that they believe that being close to schools and churches will be a positive amenity for this project and will attract families and residents of all ages that will participate in the community.

For the front portion of the site which borders Lapeer Road – it is very narrow and separated from the back by a significant wetland. In their opinion, it didn't make sense to have that portion as a contiguous piece of the single-family home development because: 1) because it is so narrow it would be difficult to fit very many homes on it, and 2) because of the location on a corner, they believed it wouldn't be as desirable of a location for single-family homes. They therefore were considering alternate uses for that parcel.

Mr. Chirco showed a slide depicting a parallel plan for how they would layout a multi-family product on this site. He noted that the northern portion of the site is primarily wetlands, if they were to do a rough calculation of the density based on the full site, they could get as many as

244 units based on a 6-unit per acre calculation; useable space, they could get 126 units. Their layout for single-family homes would result in 53 single-family homes on 70 sq. ft. lots – quite a significant decrease in the number of units and impact on the site.

He showed a slide depicting an overview of what they would be proposing for the commercial, front portion of the parcel on Lapeer Road. They are proposing two separate buildings although they have not marketed them yet or have any tenants secured but want to add as much flexibility as possible. They propose to add drive-thrus to each of the buildings and that the curb cut would be on Stadium Drive only.

Impact was addressed in their traffic study that was part of the Commissioner's packets. It was the applicant's opinion that the traffic study did a direct comparison for the full utilization of the property for multi-family versus their proposed split of single-family and commercial. Mr. Chirco noted however with the reduction of "rooftops", the feel would be substantially similar to the traffic impact of the site if it was primarily developed as multi-family.

Mr. Chirco pointed out that if re-zoned to R-3, the minimum lot size could be 70 ft. as compared to the previously proposed PUD in which lots were as small 53 ft. Mr. Chirco said they also cut down on the size of the lots to allow for a wider road to make the development more "parkable", more flowing, for actual living and flow through the development. They also wanted to be able to accommodate two and three car garages for the homes. He noted he had some sample floor plan renderings with him if any of the Commissioners would like to look at them after the presentation.

Some of the other considerations, anticipating the Planner's review were: the Master Plan agrees with the possible zoning change of the larger portion to single-family or a medium density residential use. Regarding the smaller commercial portion – there was some agreement that it would work as a non-residential use and there was direction in the Planner's review as to whether General Business (GB) would be an appropriate use for this site versus Office Professional (OP). This concern, Mr. Chirco believed, was due to some of the uses allowed in a GB district. Mr. Chirco said they were not planning on any of the more intensive uses allowed in GB - they wouldn't work on this parcel because of the geography being so narrow. The narrowness would also limit users that would be attracted to this site.

To address some of the differences between GB and OP - in prior and existing projects, their tenant mix consisted of some traditional retailers as well as doctor offices, dental offices and spas. They prefer the GB designation because it allows for more of a mix of uses. He also noted that some of the more intense uses allowed in GB would require special land use approvals; those uses would still be at the discretion of the Commissioners. As mentioned, having drive-thrus, they believe, would be a significant asset to the site - OP does not allow for drive-thrus. Mr. Chirco commented that a restaurant use there would be a general amenity for the senior living facility across Stadium Drive or people after church or leaving a football game looking for a snack or a bite to eat – they are looking to provide a platform for that type of casual, relaxed users. They are not looking for a McDonalds or a Burger King - single user, single building facilities. The commercial portion will most likely consist of multi-tenant buildings.

Mr. Chirco noted there was also a comment in the Planner's review about the GB use for the commercial parcel somewhat being removed from the cluster of GB uses to the north of the site. Directly to the north is a church and north of that is another residential parcel. There also was a residential piece that they looked at and considered acquiring it and incorporating it into their single-family development. Because there is a creek or river that "dissects" the parcel and the wetlands along the western boundary of the property, a connection could not be

accommodated. They see that residential parcel as somewhat of an “island” – and that down the road a potential user could ask for rezoning of that parcel.

Chairman Dunaskiss asked if there was anyone here from the public that would like to speak?

Bill Rathburg commented he was here representing his mother who lives at 1571 S. Lapeer Road. Mr. Rathburg said they approve of the portion of the property proposed to be rezoned to R-3, single family residential, and would be a good use of the land. Particularly because the wetlands and the hill on the west side will be preserved as they are. He asked the applicant if that was correct? Mr. Rathburg then said that their proposal greatly reduces the density that was proposed before. His biggest concern was the wetlands and the stream that runs through there which is a designated trout stream. He asked the applicants what provisions will they make for that; how far away will the development be from the stream? In addition, what sort of catch basin will they put in so that fertilizer and other chemicals won't flow to the stream? Regarding the commercial portion – will all access only be from Stadium Drive or will there be access from M-24 too? Also, what affect will this development have on Bald Mountain and the school land east of the property?

Dave Rathburg, also representing his mother, commented that the property does need to have some houses on it. It was his opinion, though, that R-3 may be a little tight; he would like to see it rezoned to Suburban Farms – to make it something the Township could be proud of and referenced a sub in Goodison behind the cider mill. He also said, that there are already 70 ft. lots all over the Township. Mr. Rathburg then spoke about protecting “cold water creek” areas such as the one on this property. He recommended that their holding pond be put underground and not above where the water can be warmed by the sun – trout need 50 to 55° water or they can't exist. He asked the Commissioners to keep this in mind, not only for this development but for any development with a cold water creek. Mr. Rathburg reiterated that it was his opinion that Suburban Farms would be a better fit.

Chairman Dunaskiss asked if there were any more comments from the public or the Commissioners? There were not.

Mr. Chirco returned and responded to some of the questions from the public.

He commented that one of the considerations for this site was to provide affordable homes. Larger the lots with typically larger homes are more expensive and out of the range of affordability for the families they would be targeting.

Also, as a way of recouping costs – they are proposing a “down zoning” from multi-family zoning to R-3 (a more intensive use is permitted on this site). They as the developer desire single-family homes for this site and the corresponding side of that is the commercial portion – a tradeoff for sacrificing some of the density. The benefit being less dense and less intense uses.

Regarding access – currently the only planned access to the development will be from Stadium Drive, they are not proposing any separate access from Lapeer Road.

Mr. Trivedi reminded everyone that they are still in the preliminary site plan stage. As any other development request in this day and age, water quality is a concern. For this particular development, they will have a sediment basin that will settle down pollutants and a detention basin to hold water that will release slowly to the creek in the back. Their plan does show that they will try and stay away and not directly tap into that stream. He reiterated they will try not to get close to the creek but obviously that is their outlet and there could be some probable water spillage there. When doing the design work, the detention basin will have to hold water for a

certain amount of time which should take care of the concern about fertilizers, etc. They still have to go through a long process with the DEQ which will most likely scrutinize the plans to make sure they are not doing anything they are not supposed to.

Mr. Trivedi then explained an access road for the commercial piece would be difficult to get from Lapeer Road. He believed MDOT wouldn't like it - having another curb cut onto Lapeer Road. Everything for the commercial and residential pieces will be off Stadium Drive. They would not be proposing anything from Lapeer Road.

Hearing no other comments, Chairman Dunaskiss closed the public hearing at 7:35pm.

Respectfully submitted,



Lynn Harrison
PC/ZBA Recording Secretary
Charter Township of Orion

May 2, 2018

Planning Commission Approval Date