

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION**  
**\*\*\*\*\* MINUTES \*\*\*\*\***  
**REGULAR MEETING, WEDNESDAY, OCTOBER 17, 2018**

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, October 17, 2018 at 7:00pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

**PLANNING COMMISSION MEMBERS PRESENT:**

Justin Dunaskiss, Chairman	Don Walker, PC Rep to ZBA
Don Gross, Vice Chairman	Scott Reynolds, Commissioner
John Steimel, BOT Rep to PC	Todd Garris, Commissioner

**PLANNING COMMISSION MEMBERS ABSENT:**

Joe St. Henry

**1. OPEN MEETING**

Chairman Dunaskiss opened the meeting at 7:00pm.

**2. ROLL CALL**

As noted

**CONSULTANTS PRESENT:**

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

**OTHERS PRESENT:**

Dale Charter  
David Walters  
Lynn Harrison

**3. MINUTES**

A. 10-03-18, Planning Commission Regular Meeting Minutes

Moved by Trustee Steimel, seconded by Commissioner Walker, to **approve** the above minutes as presented. **Motion carried**

**4. AGENDA REVIEW AND APPROVAL**

Moved by Trustee Steimel, seconded by Vice Chairman Gross, to **approve** the agenda as presented. **Motion carried**

**5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY**

None

**6. CONSENT AGENDA**

None

**7. NEW BUSINESS**

A. PC-2016-30, KPMF-USA Expansion Site Plan Extension, located at 67 Kay Industrial Dr. (parcel 09-35-200-025).

Dale Charter, 67 Kay Industrial Drive, Operations Manager for KPMF USA, presented. He explained they are requesting an extension of this project. They are still looking for additional work. They did have a potential large business a year ago that would justify the expansion, however, securing that has been a little more difficult than thought. They are looking at their

current processes to try and make adjustments and “sell” that to the customer – the reason for the extension request.

Chairman Dunaskiss asked how long of an extension were they asking for? The applicant replied, 1-year.

Chairman Dunaskiss asked if there was anything else pertaining to the project or development on the site? The applicant responded, nothing at “67” but at “57” where there is a lot of expansion going on currently.

It was confirmed that this is their second extension request.

Commissioner Walker commented that he understands how business is but was hesitant about granting a second 1-year extension.

Vice Chairman Gross said that because they have been moving ahead with their development, he made the following motion:

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that the Planning Commission approves the site plan extension request for PC-2016- 30, KPMF Expansion Site Plan.

Discussion on the motion:

Chairman Dunaskiss concurred with the motion to approve. He understands there is quite a bit of development on their other site as well; it was his opinion it would be appropriate to grant the extension.

Trustee Steimel also noted that there hasn't been any changes to the ordinance that would affect the original approval and that there were some special circumstances granted originally which would have to be revisited if the site plan expires. He, too, for the moment, was ok granting the extension.

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

B. PC-2017-14, Orion Commons PUD - Commercial Site Plan Extension, located at vacant parcel on the south side of Scripps Rd. north of Gunnison St. (parcel 09-23-100-004).

David Walters, 998 Seneca, Lake Orion, presented on behalf of Orion Commons. He explained the reason they are asking for an extension is they have not yet developed a leasing momentum that would justify building the building. When he was here last year requesting approval, it was noted by the public that there were already vacant store fronts in Orion and his response to that was: they will not build spec buildings and still stands by that statement. They do not want to build something unless they have at least 3 out of 4 tenants.

The applicant said they continue to have discussions, have extensive signage, and do get calls all the time but haven't been able to get the right tenants with the right financials that would justify them making an investment of this type. He is therefore requesting a 1-year extension.

Chairman Dunaskiss asked, that looking at the corridor and the market and given there is still quite a bit of retail vacancy, is this project still viable? Mr. Walters said they are getting interest but just not at that critical tipping point. Mr. Walters was asked if he does believe the proposed plan is still solid for the overall development? Mr. Walters replied, that he thinks so because of the fact of other developments near that intersection like Beacon Square and with the Pulte development filling up, the area will look less "rural" which will help. He did note, however, that the centers on the west side of Lapeer Road, particularly the one south of Clarkson Road, can offer tenants rents that are 50% less than what they can build new product for. He also explained that building costs continue to go up and site work is extremely expensive for a small site like this. He said they need to get rents in the mid-20s to make this work. However, that is not to say there aren't tenants that would rather be closer to the road and in a small center like this one – there are and they will continue to work diligently on getting them.

Chairman Dunaskiss said, given the applicant, their track record and this community, he appreciated the fact they didn't go forward with spec buildings. He would be comfortable granting a 1-year extension. Mr. Walters said this community is continuing to grow. Baldwin Commons is 100% leased and there is certainly demand for new, smaller product. Mr. Walters commented they were actually involved in the center on the east side of Baldwin Road, north of Brown Road. That center was pre-leased and built in a very short period of time. He added there is plenty of traffic on Lapeer Road, it is just a matter of convincing retailers and getting them here - seeing what the community is all about.

Vice Chairman Gross said he appreciates the fact they holding out for the right tenants and not just any tenants that would not be characteristics of the neighborhood. Mr. Walters said they are looking for neighborhood community type tenants and not national retailers. Finding the right mix is something they will continue to work on and will hopefully be able to start something in the spring.

Vice Chairman Gross noted there has not been any changes to the ordinance, as noted by Trustee Steimel during the previous discussion, that would impact this development.

Moved by Trustee Steimel, seconded by Vice Chairman Gross, that the Planning Commission approve the site plan extension request for PC-2017-14, Orion Commercial PUD Amendment Site Plan for one (1) year; this approval is based on the fact that nothing has really changed in the ordinances, they are waiting for the right kind of tenant before actually starting construction which is the preferred method.

Chairman Dunaskiss asked if there was any discussion on the motion from the Commissioners or questions from the public, there was not.

**Roll call vote was as follows:** Reynolds, yes; Gross, yes; Garris, yes; Walker, yes; Steimel, yea; Dunaskiss, yes. **Motion carried 6-0** (Absent: St. Henry)

C. PC-2018-44, Miracle League of North Oakland All Inclusive Baseball Field Site Plan, located in Friendship Park at the corner of Clarkston and Baldwin Roads, (parcel 09-07-426-002).

Chairman Dunaskiss disclosed that his firm represents Easter Seals in a lobbying capacity however is not working on this project and will not receive any financial gain from it.

Commissioner Reynolds also disclosed a potential conflict of interest. He and his firm will likely be working on some of the outbuildings and facilities for this project. They are working with Orion Township and therefore Easter Seals on some of the concession buildings.

Trustee Steimel commented he didn't have an issue with Chairman Dunaskiss hearing and acting on the case however felt that Commissioner Reynolds should be recused.

Moved by Trustee Steimel, seconded by Vice Chairman Gross, to recuse Commissioner Reynolds from acting on this case. **Motion Carried**

Planning & Zoning Director Girling presented on behalf of the Township. She began by showing a video taken by a drone of the Miracle ballfield in Southfield.

Planning & Zoning Director Girling explained that the plan is for an all-inclusive baseball field with concessions and restrooms. The Township is also looking at dugouts, a press box, and possibly lighting. She noted that this is a work in progress and in front of the Commissioners tonight were the proposed plans. Planning & Zoning Director Girling commented some of the details are not there such as what the buildings will physically look like. That is still under discussion and will be decided as the project progresses. What they are asking for tonight is a conditional approval conditioned upon that when actual elevations are known, those would be going to the Building Official and Administrative staff to make sure the buildings match the character of the surrounding area versus the project having to come back to the Planning Commission.

Chairman Dunaskiss asked if there was any timing update with regards to when they will have the elevations, are they looking for next year to break ground? Engineer Stevens responded that Easter Seals along with the Township are having a lunch on October 26<sup>th</sup> to try and get support from local suppliers and contractors to donate their services. The hope was to break ground this fall but most likely now, it will be spring of next year.

Chairman Dunaskiss commented, given the location of the baseball field, in a Township park, a nice job was done locating it within that site. He added that this is a state-of-the-art facility and a nice location – he believes that when the outbuildings come forth, they will be appealing and fit in.

Planner Lewan went over Carlisle Wortman's review dated October 16<sup>th</sup>.

Planner Lewan explained that the reason this is before the Planning Commission tonight is because of the accessory structures. There is regulation in the Zoning Ordinance that indicates in a park or property zoned Rec-2, there can be a maximum of 1,500 sq. ft. of accessory structures. There is already a pavilion at Friendship park so these restrooms and/or concessions facility as well as the dugouts, will put the square footage over 1,500 sq. ft. The Planning Commission has the ability to allow a larger amount of accessory structures within a park based on the population of the people who will be using the facility and the park itself. As indicated in their report, based on the population that will be using the facility as well as the size of Friendship Park and what is already there, they do not have any issue adding this extension.

Planner Lewan noted that Planning & Zoning Director Girling talked about the building elevation and that it will be addressed by the Building Department when the elevations are completed.

The other issue the Planning Commission has to look at is parking. Parking standards in Rec-2 address a number of uses but there is not one specific to ballfields. There is, however, a “catch all” that provides 1 parking space for each “prospective patron”. He then noted that Planning & Zoning Director Girling gave him an email from Parks & Recreation Director Whatley that indicated at the very most, including players and those working with them, there could be 60 to 90 people. The other question he had was the number of parking spaces. Parks & Recreation Director Whatley said currently there are 370 parking spaces with a 200-space overflow. That information leads him to believe that the parking lot has ample capacity. He explained that there needs to be some language in the motion that the Planning Commission has considered the parking, and based on the information received, it will be acceptable.

Planner Lewan noted that similar to elevations and floor plans, information on lighting needs to be received. Typically, with a site plan, a lighting plan is provided. There was no lighting plan provided for this project. At the time lighting is finalized, it will also be brought to the Township for review.

Engineer Stevens went over OHM’s review dated October 11, 2018. He noted there is a water main that extends into the park and also sewer that runs through it. The proposed facilities are minor in nature so those systems will be adequate. The impact to storm water management will be minor and the exiting basin is actually oversized. Because it is an all-inclusive field, there will be the addition of handicap spaces, two drop off areas, a patio area, and along with the field itself – all have a relatively flat slope of under 2%. The grading and the drainage patterns will remain unchanged from the current conditions. The field is consistent of a pavement cross-section with a rubberized surface on top.

It was Vice Chairman Gross’s opinion that this is a very welcome addition to Friendship Park and fits in well with the other facilities there - it will provide a need in the community. Although adding a concession stand and restroom facilities will exceed the 1,500 sq. ft. allowable, the site is large enough to accommodate additional facilities.

Chairman Dunaskiss concurred. He noted that he was not too concerned about the height of the restrooms and concessions being that these elevations were not known. He asked that when those are ready for review, will it come back to the Planning Commission? Planning & Zoning Director Girling responded there is still a height restriction in the ordinance that they cannot exceed and the intention is that the elevation plan will go to the Building Department and Administrative staff for review; it will not be going back to the Planning Commission.

Chairman Dunaskiss then said regarding the parking, given how much parking there is over, he had no issues with that either. Pertaining to lighting information, he was not concerned however asked if lighting will just be for the parking lot or for the concessions area as well? Is the parking lot already covered by a photometric plan? Engineer Stevens responded, as far as he knows, there has been existing lighting there for a while. Planning & Zoning Director Girling said that if there ever id ballfield lighting, then a photometric plan would be required that demonstrates the lighting meets required levels.

Trustee Steimel asked if there was any plan for the existing picnic structure? Engineer Stevens said it was his understanding that the Parks Director plans on moving it and demoing the concrete pad. Trustee Steimel then asked if the ballfield will be totally enclosed with fencing – he was concerned about people having access to it at night. Engineer Stevens said, essentially

there is fencing that would encompass, on the plans, the dark shaded area – the perimeter of that is all fenced.

Commissioner Walker commented that given the nature of the ballfield, there will be some extra handicap parking and that the restrooms will be accessible for everyone? Engineer Stevens explained that essentially there are two drop off spaces that will be handicap accessible – parents will drop the kids off and then there are 4 handicap spaces that will be added to the paved area. However, according to parents and Easter Seals and how things operate, there isn't a significant amount of handicap spaces used. Parents usually drop the kids off and then park in regular spaces. It was noted that the parking lot is not paved now but will be as part of the project.

Trustee Steimel asked if there are "ramped" areas, so that patrons can go from one section of the park to another? Engineer Stevens responded there will be as part of the improvements. The parking lot will be paved with a traditional raised sidewalk adjacent to it. The handicap accessible areas will have a dip down in the sidewalk for ramps which will meet accessibility requirements. Trustee Steimel asked about the "intersection" and if it is not currently ramped, this would be a good time to add a ramp - to the west of where the parking lot improvements will be. Engineer Stevens said he will look at that.

Trustee Steimel asked if a waiver is need for the parking? Planning & Zoning Director Girling commented that a waiver isn't needed for the parking but if the Planning Commission is ok with what is there, that it be stated so in a motion as a finding of fact.

Moved by Vice Chairman Gross, seconded by Commissioner Garris, that the Planning Commission **grants** site plan approval for PC-2018-44, Miracle League of North Oakland All Inclusive Baseball Field site plan, located at Friendship Park at the corner of Baldwin and Clarkston Roads, parcel 09-07-426-002, for plans date stamped received 10/01/18; this approval is based on the following conditions: that parking is sufficient under the ordinance and that adding a concessions stand will exceed the maximum 1,500 sq. ft. of accessory structures but is reasonable based on the overall size of Friendship Park; approval is based on the following conditions: that the Building Official and the Administrative staff review and approve the design of the dugouts, the press box, the concessions stand, and any lighting that maybe proposed in the future; the addition of the Miracle Field is a welcome addition to Friendship Park and will be a benefit to the community.

**Roll call vote was as follows:** Gross, yes; Garris, yes; Walker, yes; Steimel, yes; Dunaskiss, yes. **Motion carried 5-0** (Absent: St. Henry; Recused: Reynolds)

#### **8. UNFINISHED BUSINESS**

None

#### **9. PUBLIC COMMENTS**

None

#### **10. COMMUNICATIONS**

Planning & Zoning News

#### **11. COMMITTEE REPORTS**

Site Walk Committee Site Walk Report for PC-2018-44

#### **12. PUBLIC HEARINGS**

None

**13. CHAIRMAN'S COMMENTS**

Chairman Dunaskiss reiterated that on Friday, October 26<sup>th</sup>, from 11:30 to 1:00 at Friendship Park there will be a lunch for contractors to try and get donations to help build the field.

**15. COMMISSIONERS' COMMENTS**

Trustee Steimel commented on the new playground at Camp Agawam and thanked everyone that came out.

Commissioner Walker welcomed Commissioner Garris.

Commissioner Garris commented that it was good to be here.

**16. ADJOURNMENT**

Moved by Commissioner Reynolds, seconded by Vice Chairman Gross, to adjourn the meeting at 7:40pm. **Motion carried.**

Respectfully submitted,



Lynn Harrison  
PC/ZBA Recording Secretary  
Charter Township of Orion

November 7, 2018

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Planning Commission Approval Date