

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION**  
**\*\*\*\*\* MINUTES \*\*\*\*\***  
**REGULAR MEETING, WEDNESDAY, NOVEMBER 7, 2018**

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, November 7, 2018 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	Scott Reynolds, Commissioner
Joe St. Henry, Secretary	Todd Garris, Commissioner

**PLANNING COMMISSION MEMBERS ABSENT:**

Don Walker

**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.  
Mark Landis, (Township Engineer) of OHM Advisors  
Tammy Girling, Township Planning & Zoning Director

**OTHERS PRESENT:**

Lee Rausch	Gary Mardlin
Bob Abramovich	Lynn Harrison
Sarah Budreau	

**3. MINUTES**

A. 10-17-18, Planning Commission Regular Meeting Minutes

Moved by Vice Chairman Gross, seconded by Chairman Dunaskiss, to **approve** the above minutes as presented. **Motion carried**

**4. AGENDA REVIEW AND APPROVAL**

Trustee Steimel asked to remove New Business item 7. C.

Moved by Vice Chairman Gross, seconded by Commissioner Reynolds, to **approve** the agenda as amended. **Motion carried**

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

None

**6. CONSENT AGENDA**

None

**7. NEW BUSINESS**

A. PC-2018-46, LaZBoy Furniture Gallery Site Plan, located at 4815 & 4829 S. Baldwin Rd., 4800, 4834, and 4830 Georgia Drive (parcels 09-32-377-054, 09-32-377-004, 09-32-377-023, 09-32-377-024, and 09-32-377-063).

Mr. Robert Abramovich, LRC Realty, 1585 Frederick Blvd., Akron, OH, began the presentation. He noted that he is the Vice President of Development for LRC Realty; a preferred developer for

LaZBoy. He then introduced Lee Rausch with Poggemeyer Design Group, 101 Clinton Street, Defiance, OH; the preferred architect and civil engineer for LaZBoy.

Mr. Abramovich explained that there are 5 parcels in question. LazBoy will eventually encompass roughly 1.2 acres. It will be bordered to the west by Baldwin Road; to the north, via an easement, Road Commission property; and to the east by a couple of residential homes that front Georgia Drive.

Access to the property will be via a "limited access" curb cut from Baldwin Road. He explained that it is limited because of the median the Road Commission is putting in which will only allow a right turn in and a right turn out. To the north, access will be via a full curb cut onto Jordan Drive and there will be no access from the east, Georgia Drive. To the south, they have secured with Taco Bell Corporate an easement to make a connection to their stub. He commented they received an email from Taco Bell and have given that to the Township indicating they agree to that connection. Mr. Abramovich said he is working on a draft of that agreement.

Regarding parking on the property – Mr. Abramovich said they started by providing roughly 35 stalls and believed that due to a comment from the Fire Marshal, have eliminated one of them for a fire department connection. He also noted they have provided a trash enclosure located in the northeast corner of the site.

Mr. Abramovich described the building as being a single story, slab on grade, measuring roughly 15,600 sq. ft.; a current LaZBoy prototype. He explained that LaZBoy Furniture Galleries, retail buildings such as this one, are showrooms and sales floors only - they do not ship anything out of these facilities. Other than the initial floor set/delivery at opening, there won't be semis entering and exiting the property. The facility will primarily be serviced, when they do a floor set changeover, via a box truck.

Mr. Abramovich explained the property will be served by public water and sewer that will come off of S. Baldwin Road. Presently there are poles and overhead wires that bisect and run along the back of each of the properties. LaZBoy is working with DTE and AT&T to relocate two of those poles so they will be behind the building. Electric service will be fed from one of the new poles underground to a pad mount transformer located in the northeast corner of the site; at the back of the property.

Mr. Abramovich said in total, they are proposing to replat roughly 2 acres with the LaZBoy lot being approximately 1.2 acres. He explained there are 3 lots each with one home along Georgia Drive. It is their goal to demolish one of the homes, the one farthest north, and replat the lots in the back so that 2 of the homes will remain. Those would sit on .3 acres each. As the plans indicate today, they plan on installing new septic for those 2 homes.

Mr. Abramovich commented that one of Engineer Landis's comments asked them to consider connecting the 2 homes to public sewer and public water via the lines they are bringing to the back of the LaZBoy site and they will consider that. He also noted that the 2 homes that would remain would "sit up" about 15 feet above the finished floor level of the building. Mr. Abramovich commented that at this time, they do not know what they will do with those homes.

Mr. Lee Rausch then went over the review letter from OHM dated October 31, 2018. He noted they did respond back to Engineer Landis and copied the Township regarding how they can address the concerns from this review. Mr. Rausch went over each of the concerns on page 8 of the review as follows:

1. Regarding the fire department connection – they moved the connection 43 ft. from the back of the building and will stripe out one parking space so there is access to it.
2. They do not have a problem increasing the water main lead to 8 inches.
3. & 4. Detention storage calculations – Mr. Rausch said this has been an ongoing conversation with Engineer Landis, the Road Commission, and WRC; and they are working on meeting Township and County requirements. They are proposing an underground detention system with a water quality device to treat the water and quantity as well. He noted this is an engineering thing and knows what they are proposing will work on the site.
5. Regarding the drainage swale - they plan on continuing that down the side of the building, between Taco Bell and LaZBoy, to make sure there is no runoff from their site onto Taco Bell's site.
6. A permanent easement across the Road Commission property - that is shown on their latest drawings and is 60 ft. wide.
7. Parking lot and drive grades – Mr. Rausch noted they are a little bit off on these. He commented they feel they can show there is enough grade there to make the site work and drain properly. They will continue to revise and work with those grades as they move forward with the engineering design.
8. Regarding van accessible spaces – he noted there was some confusion but the spaces now meet ADA requirements.
9. Because Baldwin Road is still under construction, they are not able to show the constructed boulevard and curb configuration. On their final submittal they will overlay plans from Engineer Landis and trace those in where they are actually going to be.
10. Existing hydrant – they have coordinated that and it is on their drawings.
11. Mr. Rausch explained, because there will not be a lot of deliveries or traffic, they will make the whole site regular duty asphalt pavement cross-section 4 over 8 to meet Township requirements; they feel this is sufficient for their needs.
12. They will make sure the concrete curb and gutter symbol is showed properly on the drawings and there is no “straight curb” on the site.
13. Mr. Rausch said they did supply a written description of the proposed land use on the revised plans' cover sheet and a drawing of the loading zone. He commented that because this body can't revise the requirement for loading, they now show loading as being angled and they don't need it to go all the way to the back door; the furniture can be carried in and placed on the showroom floor. He is comfortable they have a solution that will work well.
14. Regarding zoning - they will show it for the site and abutting parcels.
15. Mr. Abramovich addressed the request to consider upsizing the sanitary sewer and providing water and sewer service leads to the two remaining houses – Mr. Rauch commented this will be an ongoing discussion.
16. Regarding providing a means for a pedestrian walk from the front of the building to Baldwin Road – ideally, they would like to put that in the center however that would eliminate

another parking spot. The applicant, though, believes they would still be over parked for what LaZBoy showrooms generate traffic wise.

Mr. Rausch then addressed the concerns from Carlisle/Wortman's review dated November 2, 2018:

1. Regarding landmark trees and how the Ordinance reads – there are 3 of them that relate to the project however they are located on the existing residential properties. They therefore will not be removing any landmark trees.
2. Pertaining to clarifying the plans for the driveway that extends from the site to Jordan Drive - Mr. Rausch asked for more clarification.
3. Mr. Rausch explained their request for a parking lot waiver for parking lot setbacks adjacent to landscaping and screening. He said that along Baldwin Road they meet the setback from the original highway right-of-way however RCOC added a highway easement versus a "property take". The Township requires 20-ft. from there which they don't meet and why they are asking for this waiver. He explained they located the building and the drive so that the drive would tie in with Taco Bell's drive. Because of that they had to move the building back and put 2 rows of parking in the front. The Township allows two bays of parking along the front but their location on this site forces them within the setback. They are seeking a waiver for the northern border and eastern side of the driveway that extends to Jordan Drive.
4. Mr. Rausch commented the cross-access agreement has been discussed.
5. Regarding Fire Marshal comments, he noted they now have fire department approval.
6. Mr. Rausch said they already talked about the loading zone.
7. Mr. Rausch explained that although they don't meet the required number of parking spaces, they do meet the required amount of barrier free spaces for the amount of spaces they are providing if that waiver is approved.
8. Regarding dimensions and access isles for barrier free spaces – Mr. Rausch said he feels comfortable they addressed this concern during his response to Engineer review comments.
10. Mr. Rausch explained that the overhead powerlines will be relocated. Currently they exist above ground on power poles across the back of the other businesses. He noted that DTE is not in favor of burying their power lines. They are working with DTE on keeping them overhead.
11. Mr. Rausch said they are working with Engineer Landis on stormwater management.
12. Regarding building elevations and meeting BIZ Design Standards – Mr. Rausch noted they do meet those standards on the front and on the south side, facing Taco Bell. About midpoint back, there will be about 10-ft. of earth against the building - as you look at the building, the slope will go up. Across the back there will be the same thing with some landscaping and a privacy fence. Mr. Rausch believes the back of the building will not be visible from the neighbors. He also explained those neighbors will be about 15-ft. above the finished floor of the building – when those residents are in their backyard, they would pretty much be looking at the top of the building.

Regarding landscaping requirements – Mr. Rausch believed the shrub count was miscalculated. The requirement is 1 shrub per 10-ft. adjacent to Baldwin Road. They have 200 ft. of frontage which would mean 20 shrubs – they are providing 33.

13. A parking lot waiver reducing the amount of required parking was already discussed.
14. Regarding either a knee wall or a berm to screen parking fronting a public roadway – Mr. Rausch was concerned with with the highway easement there. If they put in a knee wall, it could potentially encroach on that easement. If they add a berm, it could possibly be 2 or 3 ft. over some utilities. Instead of either, they are willing to look at some heavy landscaping along the front between the Road Commission's new sidewalk and the edge of their pavement. They would add some taller bushes to try and provide the screening the Township desires.
15. Regarding lighting and clarifying fixture type – Mr. Rausch said they did submit a photometric plan with lighting types; he felt what they were providing met other fixtures in the area. He wasn't sure what else was needed.
16. In response to signage - Mr. Rausch commented that he is not sure if they will have a monument sign, there will be the LaZBoy name on the building and he is aware that is a separate application.

Chairman Dunaskiss thanked Mr. Rauch for his responses to the two consultant reviews. He then asked Planner Lewan if he had anything to add from his findings?

Planner Lewan commented that the applicant did a nice job going over and addressing their comments.

- Regarding the question on the fixture type clarification, Planner Lewan said that the fixture codes on their lighting plan appear to have different numbers – he couldn't match the code on the cut sheet with the fixtures. This has to be nailed down.
- One of the biggest issues Planner Lewan had was the location of the parking in that it is closer to the property lines than allowed and is in front of the building. The applicant is asking for a waiver from these requirements.
- Regarding BIZ District Standards – the Ordinance does allow the Planning Commission to consider two rows of parking in a front yard and can approve a waiver for that.

Planner Lewan reiterated It was his opinion the applicant did a good job verbally addressing the comments from his review letter.

Chairman Dunaskiss then asked Engineer Landis if he had any additional comments?

Engineer Landis concurred that the applicant did a good job addressing their concerns and didn't feel he needed to go over his review in detail. To recap:

- Their letter was based on the initial site plan the Commissioners had in their packets. Their review had 16 issues/comments in all. The applicant did revise the plans in response to these initial comments in an effort to show they are able to address a

majority of them. He commented, however, that any kind of an approval should be contingent upon the site plan addressing all of them.

- Engineer Landis specifically noted Items 3, 4, 7, 15 and 16 from his conclusion were items that had not been addressed with their resubmittal.
- Item #3 – regarding the amount of underground storage. The site is located in the Brown Drainage District which requires a more restrictive outlet. In his estimation, the applicant would probably need twice as much underground storage than what they have shown. He noted the site can accommodate it if they widen what they have or run some east/west along the north property line. If the Planning Commission desires, that can be worked out at engineering.
- Same thing with item #4 – the applicant needs to add a pretreatment device in advance of that detention since they are not using a conventional sediment pond. Everything is underground so there has to be an approved pretreatment device.
- Regarding item #7 – there were some deviations from the acceptable slopes on the site which he believed, with some minor changes on a resubmittal, can comply.
- Regarding item #15 – since the applicant was keeping two houses, the ones to the east, and were extending water & sewer service to the back of their building, they make those lines public and provide connections to those houses. Instead of providing those houses with well and septic as they are proposing.
- Item #16 – if it is the Planning Commission’s desire to have a pedestrian connection, that needs to be considered.

Chairman Dunaskiss asked the Commissioners for their thoughts on the two larger concerns – the orientation/location of the building and allowing two rows of parking in front of the building. It was his opinion that moving the building back on the site, and after looking at how some of the other buildings along that corridor lay out, he preferred this positioning. It makes sense how it fits in with the site to the south and the other access points to the northern. He was ok with the way the building is oriented and in favor of allowing parking in the front.

Commissioner Reynolds concurred and was ok with the building straying from the standards along the Baldwin corridor.

Chairman Dunaskiss commented, that per Engineer Landis, there may be twice as much underground needed and asked the applicant to address the homes that would remain. Their plan would create rather small parcels.

Mr. Rauch responded that per discussions, because those homes will be on separate parcels, their drainage can possibly bypass their proposed underground system. Initially they were including that in their detention. Now they are looking at a swale along Taco Bell to pick up that drainage. This would essentially cut back the volume of their detention. Mr. Rauch said they will look at the numbers.

Chairman Dunaskiss inquired about an easement to the property immediately to the northwest, will there be much left there after a driveway is put in? Mr. Abramovich replied that it is his understanding that the Road Commission took that parcel as part of their widening project and they are using it for staging. Mr. Abramovich said they are working with the Township and the

Road Commission to secure an easement through that parcel and was his understanding the long-range plan was for a pocket park.

Trustee Steimel wanted to clarify what was staying and going. It appears they are going to move the lot line to the east to accommodate the LaZBoy building. Mr. Rausch explained there are four 50-ft. lots that they want to make into two 100-ft. lots. Basically, they will be reconfigured and one of the 3 homes would be going away; two will stay. Mr. Rausch explained how they plan on reconfiguring the parcels in his presentation.

It was noted the demolition plan calls for the removal of the existing septic fields and they are proposing to put in new ones. Mr. Abramovich said he has worked with Planning & Zoning Director Girling and the Health Department on lot size configurations and both were satisfied pending an acceptable perk test.

Commissioner Reynolds commented that regarding item #15 on OHM's review – he was not huge on pushing that. Seeing as how that area is, hopefully, going to be redeveloped, would hate for those houses to be connected to public water and sewer and then not needed in the future. Same for the septic fields. He would rather see the applicant provide sanitary easement for future development. Chairman Dunaskiss concurred.

Engineer Landis said he would be ok with that. He concurred with Commissioner Reynolds that at a minimum, an easement would need to be provided for future extension if ever needed.

Chairman Dunaskiss then asked about the pedestrian connection – is their issue with that because parking is tight? Mr. Rausch responded they have asked for a parking waiver on the requirement, if the Planning Commission is willing to grant that waiver based on the need for a LazBoy showroom, they could remove one more spot to accommodate a walkway. They can be flexible with that.

Regarding the parking - Planner Lewan explained the requirement in the BIZ District is one space per 200 sq. ft. of building; 78 required spaces. The applicant is quite a bit under that requirement. The applicant indicated that they do not get a lot of traffic, Planner Lewan's only concern is what happens if LaZBoy goes away? Mr. Abramovich responded that LaZBoy is headquartered in Monroe - this area is important to them.

Commissioner Reynolds commented he is always in favor of a pedestrian connections and Planner Lewan brought up a good point about the significant variation from what is required. Because this is a retail building and considering the facts they provided, he is ok with adding a pedestrian walk and bring the number of parking spaces down to 33.

Vice Chairman Gross said that looking at the proposed use, basically a furniture showroom, and is hoping LaZBoy will be there for a long time, was also ok with the reduced parking. If they should leave, then the Planning Commission can deal with it at that time. Chairman Dunaskiss concurred and noted that with the recent shift in retail, the trend is leaning now towards less parking.

Commissioner Reynolds commented that during the site walk the Committee noticed a significant grade change, is the building going to act as a retaining wall? He wasn't sure if that was indicated properly on the site plans and was concerned about the access doors, like the one on the east side of the building, was he missing something? He believed this should be brought up and addressed in the drawings. Mr. Rauch responded they have talked to their architect and if they need to move that door from the back to the north side, they would be flexible to that. If they need to make the grading work, they don't want to have site retaining

walls. They are looking to get the grading down before it gets to the doors. Mr. Rausch believed they can make everything work. The northeast corner won't be a retaining wall but maybe something like boulders – like on the site on the north side of Jordan Road. Vice Chairman Gross if that would meet building code for emergency egress? Mr. Rausch said, it would.

Chairman Dunaskiss asked about the building itself? Mr. Rausch commented that he talked to the architect and structural engineers – normally they would have an 8" wall, they would make it a 12" wall.

Vice Chairman Gross said he did not have a problem with parking in the front because this is basically a retail building. If they were to put the parking elsewhere, the front would almost look like an industrial building. By having the parking in the front, between the front door and Baldwin Road, it provides for a much more useable retail facility.

Secretary St. Henry commented he remembers when they approved the locations of the retail buildings to the south, they didn't envision those to look the way they do; he like to avoid that here.

Commissioner Reynolds asked for a clarification on the multiple waivers – are we measuring all these setbacks from the property line or the eventual Baldwin Road right-of-way? Planner Lewan said they are measuring from the new road easement line, not the property line. Mr. Rausch added that the easement varies along the front.

Chairman Dunaskiss noted the other reviews and asked Commissioner Reynolds if there was anything else he would like to add about the site walk? Commissioner Reynolds commented that they had some concern about what was going to happen with the corner parcel which has not been addressed.

Chairman Dunaskiss then said a review was received from the Fire Marshall along with a subsequent email noting that his concerns had been addressed in the revised plans.

A letter was received from the Director of Public Services, Jeff Stout, which indicated there is adequate water and sewer at the site.

A review from the Oakland County Road Commission was received regarding the easement and a review was also received from WRC.

Chairman Dunaskiss noted a number of waivers have been requested – he believed that after tonight's discussion, they were appropriate as presented. He said, however, motions will need those modifications codified in them.

Commissioner Reynolds commented that since there is a lot of items and that it looks like both the consultants and the applicant have been working together, a site plan approval motion should ensure it allows for an additional review to make sure all comments have been addressed and become drawings for the record.

Moved by Vice Chairman Gross, seconded by Commissioner Reynolds, to **grant** a 10-foot waiver from the 30-foot driveway to property line setback for the drive coming in from Jordan Drive on the north, a 6-foot driveway to property line setback along the north property line, and a waiver varying from 20-feet to 14-feet from the required 20-foot along Baldwin Road for PC-2018-46 for plans with the cover sheet date stamped received 10/17/18 for the following reason:

- The modification is appropriate based on meeting the following conditions:
  - the topographic features of the site create conditions such that strict application of the landscaping regulation would result in a less effective screen than an alternative landscape design;
  - further, that parking, vehicular circulation, and land use are such that required landscaping would not enhance the site or result in the desired screening effect;
  - and the public benefit intended by the landscape regulation could be better achieved with a plan that varies from the strict applications of Section 34.03,D,3;

this plan is reflective of the severe grade differential of the property and addresses that appropriately.

Discussion on the motion:

Chairman Dunaskiss asked if it is still the applicant's intent, regarding landscaping along Baldwin Road, to go forth with the absence of knee wall and to go with heavy landscaping? The applicant said, yes.

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

Moved by Vice Chairman Gross, seconded by Commissioner Reynolds, to **grant** a 20-foot waiver from the 20-foot required greenbelt adjacent to Baldwin Road for plans with the cover sheet date stamped received 10/17/18 for the following reasons:

- The applicant did demonstrate the overall design and impact of a specific landscape plan and the amount of existing plant material to be retained on the site, their indication this evening is to improve that landscaping as well;
- The modification is appropriate based on meeting the following conditions:
  - the topographic features of the site create conditions such that strict application of landscaping regulations would result in a less effective screen than an alternative landscape design plan;
  - and the public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of Section 34.03,T,1,a.

Discussion on the motion:

Commissioner Reynolds commented that because they are looking at granting this waiver, wanted to make sure that additional greenery is provided – is the Planning Commission ok with that? Planner Lewan said that comes from the requirement that a knee wall or berm be installed where parking spaces face a public road. The applicant indicated rather than a wall or a berm, they would add additional shrubs and things like that.

Trustee Steimel added that the intent is to hide the front of the cars so something 2 foot to 3-foot-high would be better than tall trees. Mr. Rausch concurred, and said it won't just be ground cover.

Planning & Zoning Director Girling commented, per one of the reviews, she believed she read that some of the landscaping was in an easement, the front landscape within

Baldwin Road. She questioned that if they are putting more in, whether the road commission would allow it.

Planner Lewan said there are 7 trees in what is showing as a highway easement which is probably under the jurisdiction of the Road Commission. Engineer Landis concurred. It was noted that there was a review from the Road Commission however they didn't note that encroachment. Mr. Abramovich said they will work with the Road Commission regarding plantings in that easement – easement language is silent on that. There is also a sewer easement that runs through the 20-ft. and that easement is very specific there be no structures or anything with a foundation built within it. He reiterated they will work with the Road Commission to secure approval of a landscaping plan for the area between the sidewalk and the face of the LaZBoy's curb.

Chairman Dunaskiss asked if there was any public comment on the motion, there was not.

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

Moved by Secretary St. Henry, supported by Vice Chairman Gross, that the Planning Commission **grants** a parking calculation waiver for PC-2018-46, for plans date stamped received 10/17/18, based on the following findings of fact: this establishment is not a typical retail outlet, it is more of a showroom, given the historical traffic for LaZBoy showrooms across the region, basically indicates there are plenty of parking spaces to handle the average amount of traffic over the course of the year, that the 38 spaces are more than the amount needed.

Discussion on the motion:

It was noted that with the removal of the parking space to accommodate the Fire Marshal's comments and one to allow for a pedestrian path, the number of space would be less than 38. It was determined the number of spaces would be 33; 35 where shown on the plans minus one to accommodate the Fire Marshal's request and one to allow for a pedestrian path.

Secretary St. Henry amended the motion, Vice Chairman Gross re-supported, to waive the number of required parking spaces to a minimum of thirty-three (33) [per the calculation noted during the above discussion of the motion].

Chairman Dunaskiss asked if there was any public comment on the motion, there was not.

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

Moved by Vice Chairman Gross, seconded by Commissioner Reynolds, that the Planning Commission **grants** a waiver from the off-street parking location requirement and allow parking to be located in the front yard for PC-2018-46, for plans date stamped received 10/17/18, based on the applicant meeting the following conditions: relative to traffic safety, visibility, convenience, landscaping and the grade differential necessitating parking to be primarily along the front of the building.

Chairman Dunaskiss asked if there was any public comment on the motion, there was not.

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

Commissioner Reynolds clarified what has been addressed and agreed to tonight still has to be added to their plans (date stamped received 10/17/18); they need another plan revision. The response was, yes.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that the Planning Commission **grants site plan approval** for PC-2018-46, LaZBoy Furniture Gallery site plan, located at 4815 and 4829 S. Baldwin Rd., 4800, 4834, and 4830 Georgia Drive (parcels 09-32-377-054, 09-32-377-004, 09-32-377-023, 09-32-377-024, and 09-32-377-063), for the plans with cover sheet date stamped received 10/17/18; this approval is based on the following conditions:

that the applicant indicated their approval of meeting all of the conditions in the Township Planer's review dated November 5, 2018 and the Township Engineer's review dated October 31, 2018, as discussed in detail this evening;

and, with the subject approved previous waivers, the plan meets all the other conditions and requirements of the zoning ordinance.

Discussion on the motion:

Trustee Steimel asked that the motion be amended to include: also, upon approval of the appropriate land division and combinations.

Engineer Landis suggested that the motion include that the applicant provide water and sewer easements across their parcel in lieu of providing leads to the two homes that are to remain.

Planner Lewan said there were a couple of things in his review that were no longer needed and do not need to be complied with – to consider all sides of the building façade to be done with BIZ architecture standards, and the other was to submit a berm or knee wall design location details which he believed was not being required - just “beefed up” landscaping in the front.

Commissioner Reynolds also asked that the motion include that the applicant adds all the conditions agreed to tonight onto the plans and that the revised plans need to go back to the Township consultants to review that all those conditions/comments were addressed.

Vice Chairman Gross amended the motion, Trustee Steimel re-supported, to add that appropriate easements be provided for the properties to the east for water and sewer in lieu of actual construction of the utilities; to eliminate meeting the conditions of item #12 of the Planner's review to consider all side of the building façade with BIZ district design guidelines (because of tonight's discussion); to eliminate meeting item #14 of the Planner's review requiring the applicant to submit berm or knee wall design and location details (the applicant agreed to provide “beefed up” landscaping instead), further, that the motion include that the applicant include all the conditions agreed to tonight and that the revised plans need to go back to the Township consultants to review that the comments were addressed.

Chairman Dunaskiss asked if there was any public comment on the motion, there was not.

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

**B. 2019 Planning Commission Regular Meeting Dates Resolution**

Trustee Steimel noted that January 2, 2019 and July 3, 2019 are days before a recognized holiday, but felt they could be handled at that time if needed.

Moved by Vice Chairman Gross, seconded by Trustee Steimel, that the Planning Commission approve the 2019 PC Meeting Dates Resolution as presented and forward to the Township Clerk for publication. **Motion carried 6-0** (Walker, absent)

**C. Clarification of Motion – PC-2017-05, Silver Spruce PUD - Removed**

**8. UNFINISHED BUSINESS**

None

**9. PUBLIC COMMENTS**

None

**10. COMMUNICATIONS**

ZBA Minutes regarding the Hyatt House application

Michigan Planner September/October 2018 Edition

**11. COMMITTEE REPORTS**

Site Walk Committee Report for PC-2018-46

**12. PUBLIC HEARINGS**

None

**13. CHAIRMAN'S COMMENTS**

None

**15. COMMISSIONERS' COMMENTS**

Trustee Steimel confirmed that the corner parcel discussed during the LaZBoy application will be a Township pocket park.

Commissioner Reynolds commented that he sits on the Parking Advisory Committee for downtown Lake Orion and will be presenting some proposed improvements at the next Village Council meeting regarding enforcement, changing time frame for some parking lots, and looking at some other minor improvements - picking up spaces here and there and overall signage is going up.

Planning & Zoning Director Girling commented that the next meeting would be Thanksgiving eve, November 21<sup>st</sup>, and wanted to know if any of the Commissioners would have a problem with that. Chairman Dunaskiss and Trustee Steimel said they would be out of town. She noted that there would be one case, the Silver Spruce PUD Amendment removed tonight's meeting. That project needs to come back to the Planning Commission because of a change to their driveways. How the motion read, it required the item to come back to the Planning Commission if MDOT did not approve their plans for two driveways onto Lapeer Road. Planning & Zoning Director Girling said she will also check with Commissioner Walker to see if he will be available for that meeting.

**16. ADJOURNMENT**

Moved by Commissioner Reynolds, seconded by Chairman Dunaskiss, to adjourn the meeting at 8:26pm. **Motion carried.**

Respectfully submitted,



Lynn Harrison  
PC/ZBA Recording Secretary  
Charter Township of Orion

December 5, 2018  

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Planning Commission Approval Date