

**CHARTER TOWNSHIP OF ORION PLANNING COMMISSION**  
**\*\*\*\*\* MINUTES \*\*\*\*\***  
**REGULAR MEETING, WEDNESDAY, NOVEMBER 20, 2019**

The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, November 20, 2019 at 7:00pm at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

**PLANNING COMMISSION MEMBERS PRESENT:**

Joe St. Henry, Secretary	Don Walker, PC Rep to ZBA
Don Gross, Vice Chairman	John Steimel, BOT Rep to PC
Scott Reynolds, Commissioner	Judy Ryan, Commissioner

**PLANNING COMMISSION MEMBERS ABSENT:**

Justin Dunaskiss, Chairman

**1. OPEN MEETING**

Vice Chairman Gross opened the meeting at 7:00pm.

**2. ROLL CALL**

As noted

**CONSULTANTS PRESENT:**

Rodney Arroyo, (Township Planner) of Giffels Webster  
Eric Fazzini, (Township Planner) of Giffels Webster  
Tammy Girling, Township Planning & Zoning Director

**OTHERS PRESENT:**

Gary Roberts  
Debra Walton

**3. MINUTES**

- A. 10-16-19, Planning Commission Regular Meeting Minutes
- B. 10-16-19, PC-2019-48 The Cottages at Gregory Meadows Public Hearing Minutes
- C. 11-6-19, Planning Commission Regular Meeting Minutes

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

**4. AGENDA REVIEW AND APPROVAL**

Moved by Commissioner Reynolds, seconded by Trustee Steimel, 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. 2020 Planning Commission Regular Meeting Dates Resolution**

Commissioner Reynolds noted that January 2, 2020 and July 1, 2020 always have conflicting dates between New Years and the Forth of July due to lack of attendance.

Moved by Commissioner Reynolds, seconded by Commissioner Walker, that the Planning Commission approve the 2019 PC Meeting Dates Resolution as amended and forward to the Township Clerk for Publication.

Discussion on the Motion:

Trustee Steimel suggested that they leave on the July 1, 2020 meeting date and when they get closer to the meeting, they can cancel it then.

Moved by Commissioner Reynolds, seconded by Commissioner Walker, that the Planning Commission amend the motion to remove January 2, 2020 and leave the July 1, 2020 meeting on the Regular Meeting Dates Resolution. **Motion Carried**

#### B. Discussion on Text Amendment – Multi Family

Planner Arroyo went through a presentation for Multi-Family Residential Densities.

Mr. Gary Roberts with Strategic Communications, presented.

Mr. Roberts stated that he spends a lot of time working economic development with both Planning & Zoning Director Girling and Supervisor Barnett. One of the issues that they come up with all the time is the issue of the (RM) density as it states in the ordinance. The Corridor Improvement Authority (CIA) District requires them to make their numbers, to payback the Brown and Baldwin Road improvements, to make about 338 million dollars' worth of new real estate over a 20-year period. They are approaching 50% of their goal number at the end of the 3<sup>rd</sup> year. He credited the Brown Road Innovation Zone itself together with the infrastructure improvements that have gone in for a fast start including, The Hyatt Hotel, Menards, Aldi, La-Z-Boy and the new carwash. All those projects feed into the goal very nicely. While that is going very well it is a very long time from the inception of a planning projects to when the Treasurer's Office receives a tax increment dollar, 2-3 years. They need to continue to push the opportunities of the (CIA) District as much as they can particularly now while the economy is still strong and the things that influence the economy. The one class that they get inquired a lot about is multi-family. Multi-family is the hot topic in the real estate industry right now. It is the darling of the investor community in terms of the cap rates they are getting the sales price per unit they are getting. In a way the Township is missing that wave particularly for opportunities along Brown and S. Baldwin Roads. Partly because of the Section 7.04 of the ordinance, specifically dwelling units per acre of 6-8 and unit size minimums. There is a trend now to build much smaller units than they talk about in the ordinance. That is principally driven by construction costs, the construction costs are so high and developers trying to create units that are affordable in a marketplace or for a certain section of the market. What happens is they end up building smaller and smaller units which pushes the density up. What the biggest concern he had was the 2 ½ story limit. He felt those requirements were dated and would like the Board to look at the text to align those conditions with the current market. Mr. Roberts added that (RM) is also one area where the goal of attracting higher value mixed use project to the (CIA) District is in some contrast to what the ordinance says.

Mr. Roberts had some pictures of some higher density mixed use property, that Mr. Roberts handed out to the Board. Some mixed floor commercial, with three or four floors of residential stacked flats above. While they talk about this, they don't have the supporting zoning to support a project like that. Someone could come in with a PUD and ask for one, but there is not any use-by-right. Mr. Roberts would like to see that this discussion moves forward and bring the ordinance more up to date if possible.

Mr. Roberts noted that he was not there to make a recommendation about numbers and the Planning Consultants can do that. Mr. Roberts gave the example of a many parcels at the SE corner of Judah and Baldwin, where two brokers have gotten 10 owners together and they are marketing 15 acres there. The walkability and the things they are trying to promote with the streetscape along Baldwin, that is a great site for multi-family, it has easy access to the freeway and the walkability. Mr. Roberts received an email from a developer that was interested in the site. The email stated "Gary, thank you for the information on the Baldwin Rd. parcel. They are interested in looking at this and it would be a great location for an apartment project. The challenge is the Township's restriction of 8 units per acre when they typically get 12-14 units per acre for a townhome's and 20-22 units per acre for 3-story apartments. It makes it difficult to get the numbers to work because the development costs per units are so high."

Mr. Roberts stated that this is the stuff that he is facing and is why he asked to address this Board to encourage the consideration of some text amendment which would allow them to have a higher density and then capture some more volume particularly in the Corridor Improvement Authority (CIA) District.

Planner Arroyo said what he was hoping to do was to get some input from the Planning Commission and to hear their thoughts. Planner Arroyo would like to start to craft some draft amendments for the Boards consideration that might address some of the issues, but before he did, he wanted to get input from the Board.

Trustee Steimel stated they are talking about changing the zoning ordinance when they really need to look at the Master Plan again. He felt that the Master Plan reflects what the community wants. The last time they did the Master Plan there was very vocal stuff about not wanting to much of this high-density development. Trustee Steimel felt the proper way to do it is look at the Master Plan and set the bigger term goals. Where does the Township want to be in 15-20 years from now? Even looking at the current plan is that what they still want. This is what keeps them from chasing what the hot commodity is right now. The hot commodity right now is that everybody wants to build apartments. Is the big plan changing, do they really want to change it? Maybe they do need to start changing this with the multiple family. The multiple family was set up the way it is because there was a very strong output that they already had enough multiple family zoned in the Township and limit it to what it was. Before they start changing the zoning ordinance and increasing the density units per acre on multiple family, this needs to go hand and hand with what the bigger plan is. They don't want to get these developments that are hot, that is what a lot of people said. They are getting that on some of these PUD's and the people say this is not what they want, they are deviating from the Master Plan. The brownstones or townhomes are in more of an urban district that they really don't have, even the Village doesn't. The more people they bring into an area they must remember they are not keeping up their infrastructure. It used to be mostly water and sewer but now that is getting built up with more compacity, but they are still at a limit of what they can get from the Great Lakes Water Authority. Other infrastructures are struggling and the biggest is the roads. The roads can't handle all these people and they are not in a city environment where they have a lot of people who move into something like this, and don't have vehicles, everything is available, they are comminuting by other means. He felt looking at the Master Plan is where you get the ideas of how many units go in an area and do, they even need to allow it.

Secretary St. Henry said that there are somethings they must consider. The world is changing very quickly from a demographic and psychographic perspective. The state, community, and Oakland County are aging out quicker than anyone imagined 20-years ago. At the same time the young people that are staying in the state, Oakland County, and Orion Township their values and ideas about success and homeownership are changing dramatically. The younger generation are the lifeblood not just of Lake Orion but of the county the region and the state.

Secretary St. Henry stated that they looked at several developments all over the country. In Carmel, IN 30 years ago was farm fields surrounding Indianapolis, IN. They had a blank slate to work with. It is a highly upscale very affluent community. There are no houses in Carmel, IN that is more than 20 years old. Orion Township does not have that luxury because it has been around for over a 100-years. Secretary St. Henry felt that there will be markets for middle density housing. He felt if they wanted to keep the older generation of Orion citizens here, they don't want the large homes. That is why he has always been a proponent of looking at some of the apartment and townhome developments very closely because that is what that group of citizens want. The same time if they want to attract young professionals and families, young professionals that don't start families right away, that is a trend of young people getting married later starting families later. These are the types of developments that they would be interested in. They don't want homes; they don't want the responsibility of home ownership.

Commissioner Reynolds said he felt with the multi-family product, the Master Plan is a very important piece and tool to lend towards the zoning ordinance and where they want to move forward from here. The density is only one piece of this discussion. As an architect, the multi-family tool doesn't really respond to project types that he felt would look nice in the Township like in the presentation of some of the smaller cottage developments that look onto a courtyard. They have setbacks and density requirements that are almost responsive to a 1980's apartment style complex. He didn't know if that was the multi-family that the market is bearing right now or what they want. He felt it was important to open the discussion to look at what would it take to modifying some of it. Even if density would remain similar or be reworked in a certain way to look at a different framework to present. He sees all these PUD's coming through here and they recognize (RM) as a toolset for those to be a baseline for but didn't think they were very current and are lagging in the sake of some of those regulations that are presented.

Commissioner Reynolds agreed with the sake of diversity and aging in place, that is a topic that is coming up on a very frequent basis. Coming from someone that is a Millennial and has grown up in Orion Township and is a homeowner. If he wasn't a homeowner there is not very many options for him in the Township. He felt that was an important case to argue from just his personal perspective if there was a project type that was Brown Rd. it might not be best suited along Lapeer Rd. There are a few of the districts that would work and would have a lot of attractive nature to people that he felt they would like to be apart of this community. He always has thought of looking at the dwelling unit per acre as low, but he also looks at that in the sake of the project type. He didn't think that they had too small of a unit size or they need to decrease those if they look at those numbers it is like 500 sq.-ft. for a one bedroom. Rental types right now are no greater than 1,800-sq. ft., most units are 1,200-1,400 sq. ft. in size and if you take that and look at a unit even a smaller building type the dwelling unit per acre seems very high. When you look at the developable area of per square foot of building area as compared to the lot area it is not that crazy. If you look at the math, they get lost in the dwelling unit per acre increment and that is one way to look at it, but felt there was another way to look at it if the developer is proposing 1,200-sq. ft. units and there is an open area benefit or there is a community piece to it why wouldn't they want that project type. He would like it to be a step out from not just density but just looking at on how they can bring this piece of our zoning ordinance into the current decade. With the Master Plan coming out do they want to look at other areas or with PUD's that are such a hot topic is this a rule set that they can use for some of the other developments to attract the project type that they want to see.

Acting Chairman Gross agreed that this was an important ingredient or part of the Master Plan. Regarding the density he did like some of the things they saw in the presentation regarding the quadplexes. He thought maybe there was a program or ordinance that goes along with the form-based developments that the density and form-based go hand and hand. There are some

credits for form-based planning on some of these units that kind of create the environment that he thought they were looking for as opposed to a standard two-three story apartment building.

Acting Chairman Gross added that they might be seeing more of a demand for apartment living if the tax laws stay the way they are. The deductions for homeownership and taxes there may be more of a desire for the rental type housing. They are going to be looking at the Master Plan and the Master Plan should come before the density issue. With that they could look at other parts of the ordinance to create the type and location of where it would fit in best with the community.

Commissioner Walker said he doesn't work so he gets on M-24, Joslyn and Baldwin a lot. The roads are much more important than the water and sewer. The traffic is horrendous, and they need to decide if they want more people and change the density and get more families. It will raise the tax base it will get more money to the Township. He did not know how they would get in and get out? Rush hour is about 3 hours a day each way on M-24 and he sees no end. He cautions them all to try to put a balance into this and not just change the density. He said some of the developers of the rentals on those apartments are charging \$1,800-\$2,500 a month. He didn't know if the Millennials or the Generation X, when they come out of school with \$100,000 in debt, maybe they won't be able to afford a car then they won't have to drive on the roads. To afford something like this might be something else to look at.

Commissioner Reynolds asked Planner Arroyo about the current housing trend; is the density typical, where is 6-8 dwelling units per acre compared to some of the other communities? Planner Arroyo replied that it is on the low side.

Planner Fazzini stated that they have been working in Rochester Hills and a lot of the single-family PUD's have been coming in because the available land to develop is less, so they are getting 5-8 dwelling units per acre on single family PUD's and multiple family is getting around 11 or more for larger complexes.

Planner Arroyo added that once you start getting up into the 3 stories than they are getting closer to the 18-20 or more dwelling units per acre. He said Orion Township is on the low side in terms of comparable communities. A lot of it has to do with the fact that, they haven't looked at it in a while and other communities are starting to adjust.

Commissioner Reynolds questioned how would they target certain projects types? He could see (RM) as a blanket isn't necessarily what the Township is looking for. There are some that lend to single-family home districts and there are some that could lend towards a commercial district or people that would be interested in the (BIZ) district.

Planner Arroyo said that in Brighton they just recently did a new district for them that is a form-based district to allow missing middle type housing, which is the fourplexes and the courtyard apartments. There are other communities that are doing that, that are less focused on density and more on form. What he is hearing from the discussion here is that to make a substantial departure in the more traditional (RM-1 & RM-2) areas probably is something that would likely follow a Master Plan evaluation. What he also sees is that the Master Plan already supports the (BIZ) area and the Gingellville area as having higher intensity development. He was wondering if the focus of amendments could be potentially looking primarily at those two areas that the Master Plan already supports, for example, they have no height limit in the (BIZ) zone, so they have already identified that as an area of intense development that is supported. He felt they had support already to look at additional density from a residential perspective there. The Master Plan doesn't speak to the cap in density there. The focus from potential amendments from a density perspective might be from those two areas that the Master Plan has already

identified and maybe in the other areas not so much really bumping up density but more adjusting the current standards so that more flexible types of residential could happen there. Then hold off on making wholesale changes that are substantially increasing what they have now until they go through a Master Plan discussion.

Trustee Steimel wanted to discuss the (BIZ) district. Even by the name you can tell the intent was not really to make that area a big residential area but tried to leave it as an option. This idea that this could turn in to a very tall residential area, that was never the intent. Even the raising of the height was more for industrial development. He thought that they must see where they think their community fits in with more of the regional development. There was a trend that a lot of the businesses were moving out into the suburbs so they could almost build their pods, and every community could almost put a pod where it had enough industry to support it and people wanted to live around there. Now that trend is changing, but there are enough people that don't want to be in Rochester Hills, and we are saying we want to be that alternative. Some people don't want to live in a high traffic, everyone is on top of one another. They don't have public transportation they have to drive to everything. That is why they were less dense; so, they must look at it, are they still that way is that still where they want to go? Because people don't come in and develop lots, that doesn't necessarily mean anything. They can't build every community with that concept with raising the density. He thought that they used the density units per acre to plot out more of the overall infrastructure then they must support that. There are PUD projects where they could build units that were that but for that entire area it wasn't that they could do that in the entire area you could cluster. From a planning standpoint they are only planning for this much, the road is only this big, the water and sewer can only handle so much. They are starting to get to where they do have capacity potential problems. They need to renegotiate with what they can do. That is part of what they should be doing and sometimes it is not always good but felt if they did a good job on the Master Plan that all must be taken into consideration. The other problem is that all these people want these smaller units they are less money they don't have the homestead; how do they provide the services that all those people are going to need. He is seeing a problem, the trend right now is bad, they have developed so many homes. Lately there has been this housing boom and pushing for these higher density units, the revenue from the taxes from those new places is not keeping up with the demand on services. That means they must trend to be more like a city, and they must bust out of being a Township so they can raise their millage rates to cover that. The emergency services they are doing the calls, when you add more people the calls go up astronomically and the amount of stuff, they are getting in with all this new development, is not keeping up with that, how do they provide that. They are already talking about turning around and taxing everybody more. That means they are trending to be more of a city instead of a Township. The nice thing about a Township was taxes are low and there is a limit. There is nothing wrong with it, they just want to be a quiet bedroom community for those who can afford it who want to get out of the rat race and come home to a nice quiet safe community. They seem to be more reactionary; they can't keep up right now as far as the infrastructure. A lot of the neighboring communities are not, they developed a lot but their infrastructure is not keeping and their services are struggling to keep up.

Commissioner Reynolds added that the right density in the right locations could take load off certain infrastructure pieces, like roadways. He bought his home close to the Village of Lake Orion because it was a half a mile from his office at the time. There are many times even though his office is now in Rochester, he comes home he parks his car in the garage, and he walks to where he is going to go, including the grocery store. He felt there is a way to think about it in the right way that it isn't just adding but it could be providing the right mix of typography or lifestyle living that people need to really open the opportunities. The Village Center and the (BIZ) district are two of those locations that he felt with the right project type in there. They already see it go in there they have projects that are already proposed. All of it isn't

perfectly walkable but it is also very close especially in the Village Center they are competing against something like the Village where walking up along M-24, Paint Creek Trail or anywhere around there, he does it all the time, and felt there are people that want that.

Acting Chairman Gross asked if Commissioner Reynolds would not be opposed to zeroing in on a couple of areas?

Commissioner Reynolds replied that he would agree that the density from a blanket statement of all their multi-family must be grounded in some sort of driver, like the Master Plan. (RM-1 & RM-2) are archaic. They are not attracting the project type that they really want to see even if they do not change the density. Right now, they are setting themselves up for a two- or three-story apartment complex not a cottage community that is of similar development area. There are a lot of people that would want to have that. He felt that is not a bad project type to have even if they are not increasing density. They need to at least bring it into the 2020-year frame and look at it from that perspective and look at some of these other areas that they already made the determination that there is going to be density there. They are going to have high density in the (BIZ) district and there needs to be some sort of transitional zoning whether if they are promoting it to be residential or not, he thought that there should be something there that looks favorable upon transitional zoning from that to their single-family medium density products. There is something to look at there, not just one piece of the puzzle to look at (RM). He would like to open up pandora box and look at it and maybe it is form-based code. There are districts that would lend well to that and maybe it is in the (BIZ) area and Village Center that they look at right now. Those other multi-family areas that are zoned that way right now he didn't know the way the setback and lot coverage and the way they speak to it right now is promoting the product that is in their mind the way they are picturing it. He is not just responding to what a developer wants them to do but purely from a project type as a resident and a business owner they would want to see. He felt there are areas they could have the right project type.

Acting Chairman Gross Questioned Planner Arroyo if he was getting any direction from the discussion? Planner Arroyo replied; yes.

Secretary St. Henry said that they need to look outward 5-10 years. If they want to keep the younger professional in the community, they must provide them with the type of housing options that they want. Commissioner Reynolds is a homeowner, if he didn't want to own a home his options are limited.

Commissioner Reynolds added if he graduated college right now and had a very good job and sustainable income there are not that many options for him to purchase as a young profession in Orion Township. The medium home value of \$380,000 doesn't lend to a first-time homebuyer or a young professional that might get married have two kids and want to spend their whole life here. That goes for the people that raised a family here and are trying to sell there home and it is too much for them anymore.

Secretary St. Henry asked Planner Arroyo where are the young professionals locating in southeastern Michigan today, where are they attracted to and why?

Planner Arroyo replied there are a variety of places but there is a trend that they would like to be in a walkable area. They tend to like to be close to where they don't have to be as car dependent, where there are options, where there are more bike paths and lanes and closer to areas of activity. That doesn't mean there are some that are attracted to living in rural and suburban areas. He would say there is more of a movement towards walkable communities. The same reason they are seeing a less of an interest in going to enclosed regional malls and to places that are less authentic. There is a demand to be in a place that is more authentic. Being

able to walk and being able to go into a storefront and go get a coffee all of those things has a certain authenticity verses what a lot of people were raised as which is driving everywhere and always having to go in a car. He felt that some of those people are looking for a different experience. It doesn't necessarily mean the entire community needs to be that way but they are planning for some areas to have more intensity and more walkability. They have it in the plan and they can use that to their advantage to potentially attract some folks that might not live here if that were not available.

Commissioner Ryan stated that they should maybe look at it as creating neighborhoods in different places. There are places where it would be appropriate without overloading everything else. Having a neighborhood where there would be living and Starbucks in a neighborhood setting. She also felt that focusing on younger generation is a good thing. Creating the kind of community or neighborhood is important for older people too. She is currently on an acre and half lot and a 2,500-sq. ft. house that she will be out of soon and she would love to stay here but wasn't sure there is a lot of places like that. With the older people there is an issue with community and having access to social activities, so it goes both ways.

Secretary St. Henry said if they want to be an inclusive community in the future then they are going to have to provide housing and other amenities and functionality. They must make it inclusive for a variety of different people.

Commissioner Ryan said that she has a business background and she tends to look at things in terms of product and business and it may be in the Master Plan already but identifying all the customer groups. There is the customer group of the people that currently live here, the developers, and future residents. Defining who the customers are of this plan needs to be important and they need to think of everyone in that customer group. If it is just developer coming in here and saying they want to develop, she didn't feel that they were their only customer but there are other customer groups to look at.

Acting Chairman Gross asked if Planning & Zoning Director Girling had any comments.

Planning & Zoning Director Girling said that she felt it was summarized by Gary Roberts. She had been hearing the encounters Gary had been having with developers. Developers can ask what they want verses what is truly trending. She also heard that they might be behind times on the existing density they have not even considering what the trend is. She just wanted to have a discussion and see what the thoughts were because she kept hearing that there was a problem with the density.

Acting Chairman Gross asked if the possibility of just focusing on the (BIZ) and the Village Center is kind of a test areas to see if there is any possibility for specialized consideration there?

Planning & Zoning Director Girling felt it was a fabulous idea. She spoke with Rod and if they read (BIZ) it says it can have multi-family but doesn't go into actual density. There is just a general line in (BIZ) that says, "for other categories go to the other districts that are similar". Was it an oversight that they didn't get into an actual density on the multi-family and (BIZ)? Was that sentence supposed to incorporate it or was it implied that by having the unlimited height they were allowing them to have a greater density? They created (BIZ) and it was kind of silent for awhile and then they started to see some development which have been more commercial except for the one residential. A lot of the text that have been generated truly haven't been tested to see if there were any gaps.

**8. UNFINISHED BUSINESS**

None

**9. PUBLIC COMMENTS**

None

**10. COMMUNICATIONS**

None

**11. PLANNERS REPORTS**

Communication from Township Planner Regarding Motions and Conditions.  
Planner Arroyo briefly went through 2-page flyer labeled Meeting & Procedures MOTIONS for the Planning Commissioner Training Series.

**12. COMMITTEE REPORTS**

None

**13. PUBLIC HEARINGS**

None

**14. CHAIRMAN'S COMMENTS**

None

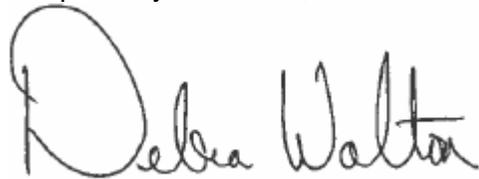
**15. COMMISSIONERS' COMMENTS**

None

**16. ADJOURNMENT**

Moved by Commissioner Reynolds, seconded by Trustee Steimel, to adjourn the meeting at 8:20pm. **Motion carried.**

Respectfully submitted,



Debra Walton  
PC/ZBA Recording Secretary  
Charter Township of Orion

December 4, 2019  
Planning Commission Approval Date