

COORDINATING ZONING COMMITTEE

Township: Orion
County Code: 06-22
Section: 35

Consistent with the modifications to the review of township zoning proposals adopted April 22, 1982, by the Planning and Building Committee of the Oakland County Board of Commissioners, the zoning review summary sheets have been modified accordingly.

DESCRIPTION OF REZONING PROPOSAL

- 1. The CZC is reviewing this case because:** The proposal borders the City of Auburn Hills to the south.
- 2. A map change from:** LI-1, Limited Industrial 1 District, to RB-2, Restricted Business 2, GB-2, General Business 2, and PUD, Planned Unit Development.
- 3. Size:** 9.89 acres, part of Sidwell No. 09-35-400-013.
- 4. Sites and surrounding land use:** The site is located on the east side of Lapeer Road, north of the new Dutton Road extension. The site is vacant and had previously been used as a landfill. Because of the landfill operation, there are no natural features on the site. The existing land use around the site is predominantly industrial. An asphalt plant is located east of the site, and industrial uses extend to the north and west along Lapeer and Brown Roads. A large mobile home park is located farther west on the north side of Brown Road. South of Brown Road and west of Lapeer Road in Auburn Hills, there is the Oakland Heights landfill, which is in active operation. The former landfill that the proposed rezoning site occupies extends south into Auburn Hills, covering a large area. Farther to the south is more industrial use.
- 5. Permitted uses under existing zoning:** LI-1, Limited Industrial District: 1) Contractor storage buildings and/or yards for materials, equipment, and vehicles. 2) Storage buildings and/or yards for vehicles and equipment used to provide services such as landscaping, lawn treatment, trash removal, and other services of a similar nature. 3) Storage buildings and/or yards for recreational vehicles and items such as boats, travel trailers, motor homes, snowmobiles, and other items of a similar nature. 4) Mini-warehousing. 5) Planned Unit Development, subject to the standards and approval requirements set forth in the zoning ordinance.
- 6. Minimum lot size of existing zoning:** 2 acres.
- 7. Permitted uses under proposed zoning:** RB-2, Restricted Business 2 District: 1) All uses permitted in RB-1 District. 2) Personal service establishments which perform services on the premises for persons residing in adjacent residential areas such as: shoe repair, tailor shops, dry cleaning, beauty and barber shops, and travel or ticket agencies. 3) Professional offices for, but not limited to, physicians, dentists, chiropractors, osteopaths, lawyers, and

similar professionals. 4) Restaurants or other places serving food and beverages for consumption within the building or carry out but not having the character of a drive-in or drive-through facility. 5) Retail establishments that deal directly with the customer and generally serve the day-to-day shopping needs of nearby residents, such as a drug store or pharmacy, hardware store, small appliance store, gift shop, flower shop, boutique, or book store. 6) Service establishments of an electrician, decorator, upholsterer, home appliance repair shop, photographic reproduction studio, or similar establishments. 7) Schools for music, dance, business, or trade. 8) Auto parts stores, provided that no service or repair is performed on the premises. 9) Planned Unit Development, subject to the standards and approval requirements set forth in the zoning ordinance. 10) Veterinary hospitals or clinics subject to certain restrictions. 11) Pet grooming facilities for small household pets subject to certain restrictions. 12) Health clubs and exercise establishments. 13) Banks, credit unions, savings and loan associations, and similar financial institutions, provided that all proposed drive-through facilities are handled as a Special Land Use subject to provisions in the zoning ordinance. 14) Similar retail businesses or service establishments.

GB-2, General Business 2 District: 1) Automobile dealerships, repair garages, service centers, used car sales facilities and other automotive retail operations, provided that fuel service facilities are not involved as a primary component. 2) Business or private schools operated for a profit. 3) Furniture or appliance stores. 4) Home improvement retail establishments such as: paint stores, draperies, blinds, hardware, carpeting, flooring, wall paper, lighting, kitchen and bath glass, and related home furnishings of less than fifty-five thousand (55,000) square feet. 5) Lumber yard or similar facilities engaged in retail selling of building materials. 6) Florists, nurseries, or similar facilities engaged in retail selling of plants and related items. 7) Theaters or arenas for performing arts, athletic events or shows, provided that all such performances are confined to a one-story, free standing completely enclosed building. 8) Bus station or similar public transportation depot. 9) Catering establishments and food storage lockers. 10) Printing and publishing establishments, not greater than ten thousand (10,000) square feet in size. 11) Planned Unit Development, subject to the standards and approval requirements set forth in the zoning ordinance. Motels or hotels with or without restaurant facilities are allowed as a Special Land Use.

PUD, Planned Unit Development District: A Planned Unit Development (PUD) may be applied for in any zoning district. The applicant must demonstrate that the required criteria will be met.

8. **Minimum lot size of proposed zoning:** RB-2, Restricted Business 2 District: 20,000 sq. ft. GB-2, General Business 2 District: 12,000 sq. ft. PUD, Planned Unit Development District: None given.
9. **Zoning in Adjacent Community:** PUD, Planned Unit Development Overlay District.
10. **Local Planning Commission recommendation:** The Orion Township Planning Commission by a 7 to 0 vote recommends approval of this rezoning.

ANALYSIS AND RECOMMENDATION OF PLANNING AND ECONOMIC DEVELOPMENT SERVICES

Oakland County Planning and Economic Development Services has reviewed the request to rezone a 9.89 acre site in Section 35 of Orion Township from LI-1, Limited Industrial 1 District, to RB-2, Restricted Business 2 District, GB-2, General Business 2 District, and PUD, Planned Unit Development District. The following review looks at 1) Master Plan compliance and 2) boundary coordination. Natural resource conditions are presented for information purposes.

Master Plan Review: The Charter Township of Orion Master Plan was adopted in May 2003. The Future Land Use Plan Map shows the rezoning site planned for Light Industry.

Boundary Community Review: The following chart show a comparison between the existing and proposed zoning and Master Plan designations for Orion Township and the existing zoning and Master Plan designations for the City of Auburn Hills.

Boundary Orion Township/City of Auburn Hills				
Orion Existing Zoning	Orion Proposed Zoning	Orion Master Plan	Auburn Hills Existing Zoning	Auburn Hills Master Plan
LI-1, Limited Industrial 1 District (2 acre minimum lot size)	RB-2, Restricted Business 2 District (20,000 sq. ft. minimum lot size), GB-2, General Business 2 District (12,000 sq. ft. minimum lot size), and PUD, Planned Unit Development District (no density given)	Light Industry	PUD, Planned Unit Development Overlay District (no density given)	Non-Residential (no density given)

Natural Resource Information: In 2004, Michigan Natural Features Inventory (MNFI) staff conducted an inventory of high-quality, sensitive natural areas in Oakland County. The sites identified represent the least disturbed natural areas remaining within Oakland County. While there are no MNFI sites on the rezoning parcel, there are three Priority Three sensitive natural areas within one mile of the proposed rezoning site. Conservation of these areas and their native plant and animal populations are vital to maintaining the County’s diverse natural heritage.

Analysis: This parcel proposed for rezoning is part of a larger (142 acre) site with 35.63 acres located in Orion Township and the remaining 106.37 acres in the City of Auburn Hills. This land had previously been used as a landfill in the 1970s and has remained vacant since its closure in 1979. It is a Brownfield site and is in the process of being remediated with measures for the collection and recovery of methane gas and the control and discharge of groundwater leachate generated by the landfill debris. Oakland County, through the US EPA Brownfield Clean-up Revolving Loan Fund,

has provided a \$700,000 low-interest loan for the methane collection process.

The proposal is to rezone the Lapeer Road (M-24) frontage of the Orion Township property to RB-2, Restricted Business 2, and GB-2, General Business 2, to allow for commercial uses that would be developed under the Planned Unit Development provisions. The concept plan for the 9.89 acre rezoning shows a four-story limited service hotel, a full service bank with drive through service, two family style restaurants, and a public park/open space with amenities. There would be one access point to the development from Dutton Road. The remainder of the parcel would remain zoned LI-1 with the intent of future development of a Light Industrial/Research campus.

Orion Township has been working on this rezoning with the developer since 2004, and the Planning Commission now feels the plan meets their PUD provisions for Concept Plan approval. The Planning Commission also has been looking at the coordination of the Township portion and the Auburn Hills portion of this development. The Auburn Hills portion of the property has a Planned Unit Development Overlay. According to the Auburn Hills' planner, the frontage portion in Auburn Hills, approximately 28 acres, will allow for commercial and general retail uses that are similar in nature to those proposed in Orion Township. The back portion (78 acres) will allow for industrial and high technology uses. It appears that from a boundary coordination point of view, compatibility exists.

While the proposed rezoning is not consistent with what is shown on the current Orion Township Master Plan, what is proposed could support an increasing need for hotel and restaurant services generated by the surrounding industrial uses. The proposed rezoning would also be consistent with the proposed development in Auburn Hills.

Recommendation: Based on boundary coordination, Oakland County Planning and Economic Development Services staff recommends **Approval** of County Code No. 06-22, a rezoning request in Orion Township from LI-1, Limited Industrial 1 District, to RB-2, Restricted Business 2 District, GB-2, General Business 2 District, and PUD, Planned Unit Development District, in section 35, a portion of Sidwell No. 09-35-400-013.