

**CHARTER TOWNSHIP OF LYON
PLANNING COMMISSION
MEETING MINUTES
March 13, 2003**

Approved as corrected May 12, 2003.

DATE: March 13, 2003
TIME: 7:00 PM
PLACE: 58000 Grand River

Call to Order: Chairman Hemker called the meeting to order at 7:01 pm.

Roll Call: Present: Brent Hemker, Chairman
Laura James, Secretary
Ray Bisio, Trustee
Richard Crook
Ted Soper
Laura Williams

Absent: Mike Barber, Vice Chair

Also Present: Dave Gillam, Township Attorney
Chris Doozan, Township Planner

Guests: 13

1. APPROVAL OF AGENDA:

Ms. James made a motion to approve the agenda as submitted. Mr. Crook supported the motion.

Voice Vote: Ayes: All
Nays: None
Absent: Barber

Motion approved.

2. APPROVAL OF CONSENT AGENDA: NONE

3. COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS: NONE

4. PUBLIC HEARINGS:

AP-03-05, Liberty Chevrolet, PD amendment and site plan review, commercial building Lyon Towne Center.

Mr. Hemker stated that there are two issues, the PD Amendment and the Commercial Site Plan Review for this applicant.

Mr. Doozan stated that he would begin with the PD Amendment. The proposed amendment to the PD Agreement for Lyon Towne Center involves the development of a 43,343 square foot automobile dealership to be located on Unit 8. He reviewed the comments indicated in the March 5, 2003 McKenna Associates, Inc. review letter.

Mr. Doozan briefly reviewed the March 12, 2003 McKenna Associates, Inc. review letter with regard to the commercial site plan review for Liberty Chevrolet.

Representing Liberty Chevrolet this evening:

- Tony Antone, Kojaian
- Jay Feldman, Owner
- Mark Drane, Rogvov Architects
- Dave McCarthy, The Lighting Group

Tony Antone, Kojaian, stated that their whole team is present and that they could begin talking about the PD Amendment, if that is how the Planning Commission wishes to proceed. He stated that when they began the process a couple years ago with the sub-committee meetings, they really didn't know what uses they would have. He stated that as tenants came to them they were brought before the Planning Commission.

Mr. Antone stated that he believes this is in a part of the site that that makes sense given the industrial uses and "whatnot" that come in this area once the ring road is extended. He stated that they are here tonight to talk about this as well as any of the architectural items.

Mr. Antone stated that as soon as Mr. Feldman approached him about this project, he told him that they would have lighting problems. He stated that he is happy to report that this use is at 10% of what the other dealership is in terms of lighting. He noted that they do have a lighting expert present to discuss this, if necessary.

Mr. Hemker stated that they should probably discuss the amendment first. He asked Mr. Antone to tell the Commission why they need the amendment. Mr. Antone stated that he believes that this is a significant opportunity for the Township, it is a large user and he would be remiss if he did not bring it to the Planning Commission to show what Jay Feldman and his team is all about. He stated that they believe that Mr. Feldman and his dealership is an appropriate fit for Lyon Township. He noted that General Motors does not hand out dealerships to just anybody. He indicated that they had him checked out thoroughly.

Mr. Bisio questioned how many employees would be needed at this dealership. Mr. Antone responded that he would defer this question to Mr. Feldman.

Jay Feldman, President and Owner of Jay Chevrolet located in Highland Township, stated that he has been a Chevrolet dealer since 1995. He gave a brief summary of his background.

Mr. Feldman stated that he employs 95 people at his dealership. He indicated that customer satisfaction is important. He stated that they are currently number 1 in service out of 42 Chevrolet stores in the metro Detroit market. They are number 3 in sales out of 42 stores. He gave a brief background about General Motors. He stated that with regard to Mr. Bisio's question regarding employment, they would need 60 employees immediately. He noted that possibly within six months the number of employees needed would around 90.

Mr. Antone stated that this use is still a retail use, it is not a huge stretch from a B-2. He stated that he believed that this is an appropriate use.

Mr. Feldman stated that when you are in a community and are successful, you have to give back to the community. He briefly explained some of the things that they are involved in, in Highland Township. He stated that with regard to their facility, they are very meticulous. He explained what they do to keep the facility in this shape.

Mr. Doozan questioned how this location was chosen. Mr. Feldman responded that General Motors sent out a certified letter to all their dealerships in Oakland County indicating that they were doing a market study. He stated that Lyon Township was picked as a major growth area in analysis that General Motors did. Mr. Doozan questioned what the appeal of the Lyon Towne Center was. Mr. Feldman responded that he felt that it is a great opportunity because of the traffic that would be generated there. He stated that he felt that Kojaian Company has done a great job in laying out the site. He cited some examples of other dealerships in this type of development and noted that these dealerships have done very well.

Ms. Williams questioned what type of traffic impact this would have on the other types of

businesses that would go in this development. Mr. Antone responded that he did not believe that there would be very much of an impact.

Mr. Bisio questioned if the dealership would be open on Saturdays. Mr. Feldman responded that they would. He noted that both of their other locations have been open on Saturdays for about eight years.

Ms. James questioned if both the other locations are in a shopping center. Mr. Feldman responded that they are not. He stated that this would be a new concept for them.

Mr. Soper questioned if there are any plans for collision or body repair. Mr. Feldman responded that this type of use is already in the site plan.

Mr. Doozan questioned if they are required to have a certain amount of cars in inventory. Mr. Feldman responded that there is actually not a requirement. He stated that they order their merchandise based on their success rate of what they sell.

Mr. Doozan questioned if they have given any consideration to having the building up near the street. Mr. Feldman responded that they prefer to have their inventory parked in front rather than in back for customers to view.

There was brief discussion with regard to the billboards on the site and their ownership. Mr. Antone noted that there are long term leases on these and they do not have control over them.

Ms. James asked Mr. Antone what type of action he is looking for from the Commission tonight. She noted that there are several open issues. Mr. Antone responded that if the use is acceptable, they could go through the architectural details of the building. He stated that once they do this he did not feel that there would be many issues left open. Ms. James questioned if it would be enough if they gave a recommendation on the PD tonight for them to go forward with their plans. Mr. Antone responded that from their standpoint they still need site plan approval from the Planning Commission. He noted that they have to take both before the Board for approval of the PD amendment. Mr. Doozan stated that the site plan stays with Planning Commission.

Mr. Crook stated that he concurs with Ms. James. He stated that he is not against amending the PD. He stated that they felt that they have a good plan and a lot of things going for them based on the plan. He stated that one of the things that he is concerned about is the storage of damaged cars and cars that are waiting to be repaired. He noted that there is an area indicated on the plan for car storage and felt that the location of this is good because of the screening from the location of the building.

Mark Drane, Rogvov Architects, addressed some of the issues that are cited in the review letter. He stated that the condominium lots are located along the ring road. He stated that all the items will be addressed at the closing and that they will be revising the Master Deed. He felt that this is something that could be done easily. With regard to parking, they feel that there is adequate parking. He noted that the employees will be parking in back and customer parking will be located in the front.

Mr. Drane stated that all car deliveries take place at night. The cars will be unloaded and the keys will be dropped into a drop box. He noted that most of the cars that are brought into service will have an appointment. Mr. Doozan questioned if any of them will be stored outside. Mr. Drane responded that all the damaged vehicles are brought into the shop by appointment.

Ms. James discussed the connection to the Huron Valley Trail. She questioned if they have received approval for the connection. Mr. Doozan stated that it is the Western Oakland County Trailway Management, which he serves on, that would give approval. He stated that he would take the plans to them for their approval. Ms. James indicated that she did not like the idea of the connection. Mr. Antone stated that when they met with Mr. Doozan, he indicated that this is something that might be of benefit and Mr. Feldman said that they would add it.

Ms. James questioned if there was a tree survey that was done during the PD process. She stated

that she would be especially interested as to what is along the freeway and nature trail and if these areas are going to be touched. Mr. Antone responded that they are not going to touch these areas. It is MDOT right-of-way. He noted that with regard to the fence, they do not own it. It is owned by MDOT, therefore, he cannot take out a fence that they do not own or control.

Mr. Drane explained that they have a continuous row of shrubbery along the trail border in order to provide a natural buffer between the parking lot and the trail. He stated that if the Planning Commission votes No on the connection to the trail, they would certainly abide by this.

Mr. Bisio questioned if they have any problems with security. Mr. Feldman responded that they will have somebody on duty after hours patrolling the lot, just like they do at their other two locations.

Ms. James stated that her inclination would be to hold off on site plan approval until some of these issues are done. She stated that she does not like the idea of the connection. She stated that she doesn't want to look at the dealership when she rides her bike on the trail.

Mr. Drane explained that the dumpster enclosure will be of the same material that is on the front of the building. With regard to the size of the signs, they will be reducing the size of one of the signs on the side of the building in order to comply with the regulations.

There was discussion with regard to the oil changes that will take place at this location and how the old oil will be disposed of.

Mr. Doozan questioned if they had any problem with the landscaping issues. Mr. Drane responded that they don't have any issues with adding a few more trees. He stated that they will contact McKenna's office to discuss this.

There was discussion with regard to the collision repair and painting that will be done on this site. Mr. Feldman explained the type of equipment that they will be using. Everything will be state-of-the-art equipment. Maintenance of the equipment is contracted out by someone who comes out every six months to check the system. He noted that they keep less than 50 gallons of new paint on hand. All the paints are in quarts.

Mr. Drane discussed the architecture of the building. He noted that everyone should have received a color rendering of the building. He displayed the material that will be used on the building.

Mr. Drane noted that there will not be any outdoor speakers. Every employee has a pager to notify them if they have a call or a customer. Mr. Feldman stated that they do not have any overhead paging, they have elevator music.

Dave McCarthy, The Lighting Group, briefly discussed the lighting that will be used at this site.

Mr. Bisio questioned the hours of operation for Saturdays. Mr. Feldman responded that the hours that they currently have at the other store is 10:00 AM to 4:00 PM for Saturdays. He stated that they would probably like to have the same hours as the retail areas in this development. He stated that they would probably do Monday through Friday 9:00 AM to 9:00 PM for sales or have the hours of 8:00 AM to 8:00 and on Fridays they would close at 6:00 PM.

Mr. Doozan stated that one of the concerns that was expressed to him is that auto dealers tend to cluster. He stated that if this was allowed, what is the possibility of another auto dealer ending up in the space next to Wal-Mart. Mr. Antone responded that the possibility is slim to none. He stated that they did not go out to Mr. Feldman, he came to them. He stated that he doesn't see another dealership as being a good fit.

Ms. Williams questioned if the dealership would have an impact on any of the other retail sites. Mr. Antone responded that he has three brokers with him tonight who can attest that since the Wal-Mart building started going up, they have had a lot of interest in the site.

Mr. Bisio questioned the motel/hotel that is planned for the center. Mr. Antone responded that

he took the motel/hotel idea out of the plan. After 9/11 the hotel industry has dropped by 50%. He stated that they would put it back in the equation if one comes to them.

Mr. Hemker discussed the number of bay doors. Mr. Drane explained the location of the doors and why they need them. He stated that they could match the color of the doors to the brick so that they would not stand out so much.

Mr. Hemker questioned the overhead doors on the east side of the building. He stated that it looks like one of the doors goes right into a paint booth. Mr. Feldman stated that this is correct, it is used when the car cools down and is ready to be driven out. He noted that the paint booth is located right inside these doors and is fully enclosed.

There was discussion with regard to water run off. Mr. Antone stated that the retention pond is not part of this site, it is part of the overall park.

After further discussion, Mr. Hemker opened the public hearing at 8:41 PM. There were no public comments. He then closed the public hearing at 8:42 PM.

Ms. James made a motion to recommend to the Township Board that the amendment to the Lyon Towne Center Planned Development be granted to allow AP-03-05, Liberty Chevrolet. Mr. Crook supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Barber

Motion approved unanimously.

Mr. Crook made a motion to approve the site plan for AP-03-05, Liberty Chevrolet, subject to the following conditions:

1. Approval of the amendment to the Planned Development Agreement by the Township Board to permit the dealership use within the Lyon Towne Center.
2. Revision to the condominium boundaries to match the boundaries of the dealership parcel.
3. A 27 square foot reduction of the size of the sign on the north side.
4. Approval of the plans by the Township Engineer and Road Commission for Oakland County.
5. Submittal of proof of ownership.
6. The overhead door color on west side of the building be changed to match the building.
7. Approval by the Trail Board.

Mr. Soper supported the motion.

Voice Vote: Ayes: All
 Nays: None
 Absent: Barber

Motion approved unanimously.

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| 5. | OLD BUSINESS: | NONE | |
| 6. | NEW BUSINESS: | NONE | |
| 7. | DISCUSSION AND COMMUNICATIONS: | | NONE |
| 8. | ADJOURNMENT: | | |

Mr. Hemker adjourned the meeting at 8:48 PM.

Respectfully Submitted,

Deby Cothery

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Recording Secretary