# CHARTER TOWNSHIP OF LYON
# PLANNING COMMISSION
# SPECIAL MEETING MINUTES
# May 14, 2003

Approved as corrected June 9, 2003.

DATE: May 14, 2003
TIME: 7:00 PM
PLACE: 58000 Grand River

Call to Order: Chairman Hemker called the meeting to order at 7:03 pm.

Roll Call: Present: Brent Hemker, Chairman
Mike Barber, Vice Chair
Ray Bisio, Trustee
Richard Crook
Laura James
Ted Soper
Laura Williams

Also Present: Dave Gillam, Township Attorney
Chris Doozan, Township Planner
Megan Masson-Minock, Township Planner
Tracey Balint, Township Engineer
Chris Olson, Township Superintendent

Guests: 15 - 20

**1. APPROVAL OF AGENDA:**

Mr. Hemker stated that the following issue should be added to the end of the agenda:
- Establish a Sub-committee on revisions to the Planned Development Regulations

Mr. Crook made a motion to approve the agenda as modified. Mr. Soper supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved unanimously.

**2. APPROVAL OF CONSENT AGENDA: NONE**

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

**4. PUBLIC HEARINGS: NONE**

**5. OLD BUSINESS:**

**<u>Call for Public Hearing on AP-03-14, Community Business Rezoning proposal, Hartford Equities,</u>** southwest corner of Napier and Ten Mile.

Mr. Hemker stated that if is his understanding that the date they scheduled for the public hearing at the last meeting was too soon for the publication requirements.

Mr. Soper made a motion to schedule a public hearing for AP-03-14, Hartford Equities, for July 14, 2003. Mr. Crook supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved unanimously.

**Call for Public Hearing on Revisions to the Zoning Ordinance Regarding Performance Guarantees**

Mr. Hemker stated that this is the same situation as the issue above.

Mr. Barber made a motion to schedule a public hearing for the revisions to the Zoning Ordinance regarding Performance Guarantees for July 14, 2003. Ms. Williams supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved unanimously.

**6. NEW BUSINESS:**

**AP-03-19, Performance Springs,** site plan review, industrial building, 57575 Travis Road, Travis and Milford Roads

Ms. Masson-Minock stated that this is a site plan for the expansion of an existing industrial facility located on Travis Road. She stated that the site is 5.45 acres. There is an existing 11,760 square foot manufacturing facility and would like to add a 4,700 square foot addition to be used as a warehouse. She reviewed the comments indicated in the May 12, 2003 McKenna Associates, Inc.

The applicant displayed a plan showing the proposed addition. He noted that they have made the revisions noted in the review letter.

Mr. Barber questioned how big the heat treat unit that is being installed. The applicant responded that it is fairly small, it is about 5' in diameter and 5' tall. There was discussion with regard to the running of the heat treat unit.

Mr. Bisio asked the applicant to state their names for the record. They are Steve Bown, Owner, Larry Luchi, Owner.

Mr. Hemker questioned the comments indicated about the wall pack units. Mr. Bown responded that these will be replaced periodically when they go bad. He stated that they did not feel that they should have to replace all of the them right now. He stated that as the transformers go bad they will be replaced.

Mr. Luchi stated that the building is only four years old. He noted that there are only trees around them, they are not polluting anything with the lights.

Mr. Hemker questioned the location of the nitrogen tank. Mr. Bown responded that it will be located on the outside of the building. It will be used for the new furnace. Mr. Doozan stated that this would be considered outside storage, which is not permitted in the I-1 district. Mr. Bown stated that they will place this tank inside.

Mr. Bisio questioned the material that will be used on the expansion. Mr. Bown responded that it will be the same material that is on the existing building.

Mr. Soper made a motion to approve AP-03-19, Performance Springs, with the recommendations outlined in the McKenna Associates, Inc. letter dated May 12, 2003 being met and with the addition that the nitrogen tank will be located on the inside of the building in lieu of outside the building. Ms. James supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved.

**AP-03-09, Elkow PD,** 11 Mile and Milford Road, Planning Commission Conceptual Review

Mr. Doozan summarized the April 2, 2003 McKenna Associates, Inc. letter with regard to this issue. He also reviewed the comments indicated in the updated McKenna Associates, Inc. letter dated April 30, 2003.

Steve Deak, Robert Leighton Associates, stated that they do have more detailed information from where they left off. He stated that they did provide details as to the natural features of the site. He noted that they are dealing with several distinct types of areas. There is a variety of woodlands, some being wet and some being upland. He stated that they went through the process of several different options, which he briefly reviewed.

Mr. Deak reviewed the proposed conceptual plan. On a displayed plan, he indicated the size of the lots, the open space and the landscaping in the different sections of the development. Mr. Deak listed the number of units in each of the five neighborhoods proposed in the plan.

Kevin Christensen, Ivanhoe-Huntley Corporation, briefly re-capped the process that they have been through for this development. He noted that they have made a lot of changes to these plans since the first meeting in August. He stated that this will be a very long term project, it will not be developed overnight. He introduced everyone involved in this development.

The applicant finished their presentation and asked for questions and comments from the Planning Commissioners.

Mr. Soper questioned where they stand with the school being located on this property. Dr. Pearson responded that they are definitely pursuing building a school in 2008 or 2012. Mr. Soper questioned if it will be an elementary school. Dr. Pearson responded that it will. He stated that it will have the ball diamonds, soccer field and playground equipment so that it can be used as a park area also. He stated that he believes that this is an excellent site for the School District.

Mr. Soper stated that on option plan 3, 4 and 5 it was stated that there are two areas laid out for estate size lots. He questioned the density and how it will be laid out. He stated that from the information they received, the density is lower that this, it is about a 25% difference. A discrepancy between the number of units per neighborhood cited by Mr. Deak and the number of units shown on the concept plans submitted was discussed. Mr. Deak stated that he had misquoted the number of units in each neighborhood. He stated that the proposal is for 727 units overall.

Mr. Soper stated that he does see a need for condominiums, but is not sure that this is the right location.

There was discussion with regard to the property where the school is proposed and whether or not it will remain as open space, if the school district decides not be build there. Mr. Elkow stated that he has all the faith in Dr. Pearson's word when he says that this project is going to go forward and be done. Dr. Pearson stated that the initial dollars have already been passed for two elementary schools, which this is one of them.

Mr. Bisio questioned architecture and price points for the homes. Kevin Christensen discussed the types of homes that they propose to build. He stated that there are five phases to this development, in which the Ivanhoe-Huntley Company is involved in the first phase of the residential development. He noted that there will be three phases within the first phase. Phase 1A is intended to be developed in five distinct phases. The infrastructure will be developed in phases also. This is a multi-year project.

Mr. Elkow stated that the Ivanhoe-Huntley Group will be doing Phase 1, which includes 1A, 1B and 1C. He stated that they will be doing the infrastructure in for Phase II, which is the Shuman-Cogger parcel.

Mr. Christensen stated that in Phase 1A there are three distinct product types that are being proposed. This phase involves the duplexes, the 70' lots and the 90' lots. He stated that they are in conceptual stage with the plan and the architecture. He stated that the Ivanhoe-Huntley Group has a number of different product types. He stated that they are in the process of putting things together for this development.

Mr. Christensen stated that the duplexes will be single family units that will be owner occupied units that will be in a two unit per building configuration. The duplexes that are being proposed will be anywhere from 1,400 to 2,100 square feet, two car attached garage and will range in price point from about $180,000 to $220,000. He stated that with regard to the architectural design, the brick and siding will still have to be decided on.

Mr. Christensen stated that for the 57 single family lots proposed south of the drain will have a square footage of around 2,400 to 2,800 square feet with a two car front entry attached garage. The price point for these units will be around $260,000 to $290,000. The 90' lots which is on the southern portion will have a product type that will range in square footage from about 3,000 to 3,400 and the price point will probably be around $320,000 to $360,000. He stated that these will also have side entry attached garages.

Mr. Soper stated that in Mr. Doozan's letter it mentioned an entrance into the duplex area. He stated that his concern is safety and that there is only one entrance. It was noted that there is an entrance off Milford Road that it loops around. There was further discussion with regard to the road system.

Mr. Crook stated that he is concerned about the density, he feels that it is too much. He stated that he appreciates the amount of land that is proposed for dedicating. He stated that he would also like to see a secondary means of access. He stated that with regard to the 70' lots, he can understand one section of this project having these. He noted that with lots of this size they will be pretty much limited to having front entry garages. He stated that they are trying to get away from bombarding the Township with front entry garages. He stated that he would feel better if there were bigger lots with less density.

Mr. Crook stated that he feels that they could use some condominiums in the Township. He stated that the plan doesn't really bother him, but the price point does. When he thinks of condominiums he thinks of $150,000.

There was discussion with regard to the transition are near the multiple family. It was indicated that the small lots and the condominiums located in this area make a good transition use.

Mr. Barber stated that he is not too excited about parks, it puts a burden on the Township to maintain them and they have a tight budget. He felt that if there were bigger lots there would be more open space. He discussed the density. He stated that he does not see what the Township is getting for a 38% density increase. He felt that there should be some lower income housing in this development, but not as much as is being proposed.

Ms. James stated that when she first opened the packet with the Elkow name on it she thought "Oh boy here we go". She note that she was happy to see that there was no commercial and therefore, they don't even have to have conversation regarding it. She stated that the developer made up for this by putting in 100 condominiums.

Ms. James stated that in terms of the school, having a school there would be nice for those residents, but the Township doesn't want to subsidize it in terms of a lot of credit. She reminded the developer that when they first met last fall, the Planning Commission and Township Board ranked a school dead last on the list of priorities, beneath the dog cemetery. She noted that even Mr. Crook, who is the most reasonable person on the Commission doesn't care about the school idea.

Ms. James stated that there are floodplains on the property and they weren't mentioned or designated on the proposal. This is a potential major problem.

Ms. James stated that the 70' and 80' lots won't go over well with the Township Board, which likes 100' plus lots. She noted that the Board also does not like front entry garages.

Ms. James stated that the park puts us in a bit of a dilemma. She noted that this is the second developer this week to offer the Township 70 acres of land that it could use as a park in exchange for a 38% density bonus. The land at Eleven Mile and Milford Roads is mostly farmland and woods. The land at Nine Mile and Milford Roads, or a future Milford Road, is mostly wetland. The only difference is that their land has already been designated by the County as preservation worthy. She stated that our dilemma is, do we want neither, one, or both of these parks? She stated that per Mr. Doozan's letter dated April 2, 2003, the national standard is one acre parkland per 1,000 residents. The Township's population will peak out at under 50,000.

Ms. James stated that they already have the following:

- a ball park and soccer field at the proposed school
- 110 acres of Township parkland behind the Township Hall, on the closed landfill
- Kensington Metropark, partly located in the Township, the biggest metropark in Southeastern Michigan
- Island Lake State Recreation Area is partly in the Township, one of the biggest State Parks in the region
- Maybury State Park is close by
- Eight Mile and Napier has a major park

Ms. James questioned if the Commission were to say that they don't need, and/or can't afford this park or that they would rather go with the park at Nine Mile and Milford Roads, what else would the developer come up with? What would the plan be without a park?

Ms. James questioned if the tree line along the road would be preserved, the plans don't say. She also questioned what happened to the two acre horse estates that were talked about.

Mr. Olson stated that in terms of parks, it currently costs the Township $765.00 per acre to maintain. He stated that when you start adding this kind of acreage for parks, it tends to get expensive.

Mr. Hemker stated that this is property is very close to the middle of the Township and besides the little bit that is multiple family the rest of the surrounding properties are R-1.0. He stated that he felt that there is too much density. He stated that he did not believe that 70' lots fit in here at all. With regard to the condominiums, he stated that he is not a big condominium fan in this part of the Township. He stated that if there were any 70' lots, he would expect them to be on the northern part where the duplexes are proposed to be used as the transition to the larger lots. The lot sizes are just too small. He briefly discussed the traffic issue. He stated that he always felt that this should be more of a premier, large lot development that fitting more with the Master Plan and the underlying zoning.

Mr. Soper questioned if the property designated as a park would be cleaned up and the storage tanks and oil well removed. Mr. Elkow noted that there is a clean up fund allocated to this property.

Mr. Soper stated the following:

- he is in favor of the school being on this site
- he does not feel that the school is worth a density bonus
- likes the idea of a park
- if a park is not developed, would like to see this area left as open space
- liked the idea of condominiums, felt the Township needs some but isn't sure this is the right area
- would not like to see anything less than 90' lots

Ms. Williams stated that she liked the idea of the park, but wondered how much of this land is not buildable. She stated that she is concerned with the flood plain. She stated that she has a problem with the 70' lots and the amount of density in this development. She felt that it is great that the school is locating in this development, but did not feel that it is worth a density bonus.

She felt that the lake and pet cemetery were not highly valued amenities.

Mr. Elkow stated that he believes that there is a misconception with regard to the density bonus and the school. He stated that the school will not use 18 acres of density that it has and that is why when they looked at the responses that were important and were not, they are not saying give them the money for the schools, give them the density for the schools and then give them 40% on top of this. He stated that what they are saying is that in order for them to allow the school to be there and do this, give them the density that is due this property and they will shift the lots someplace else and allow the school to buy the property at a low market rate.

Mr. Bisio stated that he won't go into details but he disagrees with this. He stated that Mr. Olson brought up a good point with regard to the park area. He stated that the Township has a problem now maintaining the park currently owned by the Township, because they don't have the funds available.

Mr. Deak stated that another alternative could be that the park become a conservation easement with the Elkow's still owning the property. It can be indicated that this property cannot be developed except for recreational purposes. It can be a recorded document that goes with the land for a certain number of years. Any time in the future during that time, if the Township requests or requires it, the land would be dedicated and given to the Township. It will then remain as open space and the Township will have not liability other than at such time in the future they decide that they want the property.

Mr. Crook stated that he would like to see less condos, 2-acre estate lots and a lot width minimum of 85 feet. Ms. Williams asked who would maintain the bicycle path. Mr. Deak said that the neighborhood association would.

Ms. James stated that the Township would be setting a precedent by giving 38% density bonus. If they were to do this they would have a line up at the door. She noted that with regard to the park that it is mostly floodplain and not buildable.

Mr. Doozan discussed the comments regarding the density bonus for the school. He noted that having a neighborhood school would be valuable to the people who live in the neighborhood. He stated that in terms of planning, it makes sense to have a school in a neighborhood like this. He asked the Planning Commission to give the park land issue some more thought and discussion. He stated that the current Township Park, adjacent to Township Hall, has some limitations and not all of the 130 acres is usable. He did not want the Township to have to pay a premium on park land in the future. The Township could land bank potential park land and let it be natural.

**Establish a Sub-committee for PD Amendments**

Mr. Hemker stated that there is still much that needs to be done with regard to the PD regulations. The best route to handle this would be to establish a sub-committee. Mr. Hemker asked for volunteers to sit on this sub-committee. Mr. Hemker, Ms. Williams and Ms. James volunteered. Mr. Doozan indicated that it would probably be one meeting and that he would contact each of the volunteers to schedule a meeting date.

This was a conceptual review, therefor, no formal action was taken on this issue.

**7. DISCUSSION AND COMMUNICATIONS: NONE**

**8. ADJOURNMENT:**

Mr. Hemker adjourned the meeting at 9:15 PM.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary