

**CHARTER TOWNSHIP OF LYON
PLANNING COMMISSION
MEETING MINUTES
January 26, 2004**

Approved as submitted February 23, 2004.

DATE: January 26, 2004
TIME: 7:00 PM
PLACE: 58000 Grand River

Call to Order: Chairman Hemker called the meeting to order at 7:04 pm.

Roll Call: Present: Brent Hemker, Chairman
Michael Barber, Vice Chair
Laura James, Secretary
Ray Bisio, Trustee
Jim Hamilton
Ted Soper
Laura Williams

Also Present: Matthew Quinn, Township Attorney
Chris Doozan, Township Planner
Megan Masson-Minock, Township Planner
Chris Olson, Township Superintendent
Loren Crandell, Township Engineer

Guests: 16

1. APPROVAL OF AGENDA

Ms. James questioned if they could get an update on where they are with the Master Plan. Ms. Masson-Minock responded that they are in the process of developing a revised schedule. She stated that they will have this ready and in the next meeting packet.

Ms. James made a motion to approve the agenda as written. Mr. Barber supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved unanimously.

- 2. APPROVAL OF CONSENT AGENDA: NONE**
- 3. PUBLIC COMMENTS ON NON-AGENDA ITEMS: NONE**
- 4. PUBLIC HEARINGS: NONE**
- 5. OLD BUSINESS:**

AP-03-09, Elkow Planned Development, 11 Mile and Milford Roads, Applicants: Hitech Building, L.L.C. and Ivanhoe-Huntley Holding, L.L.C. (Tabled after public hearing until January, 2004)

January 14, 2004 regarding this issue.

Brett Levan, Boss Engineering, stated that they are here this evening to request preliminary site plan approval so that they may move ahead with their construction documents and condominium documents. He stated that they propose to construct 97 duplex units on a 24-acre parcel. One building has three units instead of two. He stated that they have provided a continuous path for circulation of pedestrians that consists of two sidewalks along the entrance and contiguous sidewalks around the perimeter of the site. They have also provided pathways through the open space areas.

Mr. Levan discussed the architecture of the buildings. He displayed a drawing of what they are proposing. He displayed samples of the brick, siding and shingles that they will be using. The intent of the development is that all of the buildings will be constructed of the same materials.

Mr. Levan stated that the demographics of the development will be mostly seniors, empty nesters and the occasional younger single person. There will be hardly any children in this development.

Mr. Levan stated that they are requesting relief of sidewalks on one side for this development. He indicated that someone coming out of their residence, if the sidewalk is not on their side, they can cross over and use the sidewalk on the other side. He stated that they have also provided walkways behind the units so someone could walk out the rear of their unit and access them.

Mr. Levan stated that they have provided and will construct a stub street to the south. The intent would create a continuous roadway to the south. He stated that they are requesting relief from the requirement of two entrances into the development.

Mr. Levan discussed the tree replacement requirement. He noted that this site is an active tree farm. He stated that they are providing perimeter landscaping as well as trees throughout the site. According to the ordinance requirements, they are required to replace over 100 trees. He stated that since this is an active tree farm, they are requesting that the ordinance requirement be waived because they have over 400 trees on the site as well as a number of shrubs. He stated that they have selected a number of trees from the tree farm that they will transplant throughout the site.

Mr. Levan stated that with regard to the number of bedrooms in the units, this is certainly something that they can put in the master deed document. He noted that this is something that the builder and the Building Official can monitor and keep track of. He stated that they don't know at this particular time the demand for the loft units and where they will be located throughout the site. He stated that they are requesting that these be noted in the master deed and appropriately noted as the building process begins.

Mr. Soper questioned what the property immediately south of this site is zoned. Mr. Levan responded that it is zoned RM-1. Mr. Soper questioned why the developer chose the location of the stub street. Mr. Levan responded that topography was a consideration. He stated that they wanted to preserve the southwest corner of the site and they did not want to place it too close to Martindale Road. Mr. Appel stated that the ten acres beyond that to the south is RM-1 as well.

Mr. Levan discussed the street lighting. He stated that they will be installing coach lights that will be on the buildings and will be operated on photocells so that all the lights within the development will be on at the same time. He stated that they have found this to be very attractive and essentially eliminating light pollution. He stated that they don't have a lot of light poles throughout the site.

Mr. Barber questioned if the lights would have a 60-watt bulb in them. Mr. Levan responded that

he did not know. Mr. Barber stated that if the wattage is higher than 60 then the lights need to be shielded. Ms. James stated that it looks like they are using unshielded lights on the light poles. She stated that if this is true, then it is a problem. Mr. Levan stated that they will certainly use shielded lights on the poles and the buildings will have shielded decorative light fixtures.

Mr. Levan stated that with respect to the engineering aspects of the project, this developer has been working with the Township Engineer on the sanitary sewer special assessment and the water and paving special assessments. He stated that this has been an ongoing process and that they will continue this process.

Mr. Hemker questioned if Mr. Levan was talking about Martindale Road. Mr. Levan responded that this is correct. He stated that the special assessment for the paving will be in conjunction with the sewer and water special assessments. Mr. Olson stated that this is the only property that will be involved in the special assessment.

Ms. Williams stated that in the Planner's review letter of September, 2002 it recommended that a connection be made to Asbury Park Condominiums. She questioned what happened to this recommendation. Mr. Levan responded that they looked at that option but there is just a small portion of Asbury Park that butts up to this development. He noted that topographically there is a very large difference between the sites.

Ms. James asked that the detention area not be triangular, but a more natural shape.

Mr. Bisio questioned if RM-1 is 4 units per acre. Ms. Masson-Minock responded that this is correct. Mr. Levan stated that it is 4 to 6 units depending upon the number of rooms.

There was discussion regarding the loft units. Ms. Masson-Minock stated that it is up to the Planning Commission to decide what mechanism of enforcement should be utilized during the time of construction. Mr. Hemker questioned if the Building Official could monitor this. Ms. Masson-Minock responded that the Building Official can monitor it, but this would put him in a position that he would have to monitor one more detail. She stated that it would be their preference to have the loft units designated on the site plan and the master deed. This way someone coming in for a loft unit would understand that there are only ten available at these certain locations. By doing this they won't end up with more rooms at a greater density than what is required by the ordinance.

Mr. Bisio questioned the cost per unit. Mr. Appel responded that they are looking at a price range of \$220,000 to \$240,000. Mr. Bisio questioned the square footage of the units. Mr. Appel responded that they will be 1,550 to 1,700 square feet. Mr. Bisio questioned the percentage of brick on the units. Mr. Appel responded that there will be approximately 40 to 45 percent of brick on the units. Mr. Bisio stated that he would like to see at least 50% brick on the units.

Mr. Appel stated that in order to do luxury condominiums he would have to have more space. Mr. Bisio stated that \$220,000 to \$240,000 is a pretty good price range. Mr. Appel stated "not any more, this is affordable housing these days". He stated that when he started building in the Township fifteen years ago it was \$99,900. Ms. James questioned if \$240,000 is affordable housing. Mr. Appel responded that it is these days, if you can find it.

Mr. Bisio stated that Section 7.1 of the ordinance requires two entrances. He questioned how they get around this. Ms. Masson-Minock responded that what the applicant has done is put in a boulevard entrance and feel that they have provided two points of access to a public road. She discussed several options. Mr. Levan stated that they have a total of 500' on Martindale Road. There was further discussion with regard to having two entrances.

There was discussion regarding the trees on the site. Mr. Levan stated that the tree farm takes up the majority of the property. He stated that there is one tree row that runs north and south. Using

a displayed site plan, he indicated the other areas that are heavily wooded on the site. He noted that there really is not any additional areas for them to plant more trees. Ms. James questioned if the trees could be planted along the perimeter of the site to give it a more desired affect. Mr. Levan stated that there are already pine trees along the perimeter.

Mr. Appel stated that he would be happy to donate trees to the Township, if they wanted to haul them away and plant them. Mr. Olson stated that the Township would only accept the donation if installation was included. He noted that there are other developers that may be interested in the trees and they may even go along the route of the sewer project to provide for some additional screening.

There was discussion with regard to donating to a tree fund. Mr. Quinn explained that the City of Novi's ordinance gives three options for tree replacement, replace on site, replace on any other site owned by the developer or contribute to a tree fund. He stated that he believed the price paid per tree to the fund is \$280 or \$300. He stated that the Township can set their ordinance up this way.

Ms. Masson-Minock noted that the developer is required to plant 131 trees but only have 4 shown on the plan.

Mr. Hemker questioned the material that will used on the internal paths. Mr. Levan responded that they intend on using wood chips so that it will blend in better with the natural features. He noted that they will be putting money in escrow for the bicycle paths along the frontage of Martindale Road.

Ms. James questioned what type of signage will be at the entrance of this development. Mr. Levan responded that there will be a sign in the boulevard. Ms. James questioned if the sign would be illuminate. Mr. Levan responded that it would. Ms. James suggested that they use down lighting for the sign. He noted that when they come back for final site plan approval all the details of the signage will be included.

Darcy Hollon, 24300 Martindale Road, stated that this is a tree company that plants trees. She stated that historically over the past ten years the number one choice of trees have been ash. She stated that the majority of their tree stock could be ash trees. Mr. Appel stated that there are no ash trees on this site.

Mr. Olson stated that he concurs with Ms. Masson-Minock with regard to designating the loft units. Mr. Levan stated that he just spoke with Mr. Appel who indicated to him that they will designate the loft units and specify them in the master deed. They will also be reflected on the Exhibit B drawings.

Mr. Bisio stated that he is not too concerned with the two entrances. He stated that he is more concerned with the number of times that they make exceptions to the ordinances that are in place. Ms. Masson-Minock stated that the Planning Commission could require the applicant to seek a variance from the Zoning Board of Appeals for the boulevard entrance. By doing this it would protect the ordinance.

Mr. Hemker stated that the applicant needs to revise their plans to indicate the ten loft units. He stated that they can send the boulevard issue to the ZBA. The sidewalk issue and the tree issue can be worked out. He stated that the Planning Commissions job tonight was to do a site plan review. He stated that he would not feel comfortable approving anything with this many conditions.

Mr. Barber made a motion to table AP-02-16, Twin Pines Condominium, to give the developer time to address the following:

1. Designate on the site plan and the master deed and by-laws the locations of the loft units.
2. The boulevard entrance – petition for a variance for the boulevard entrance from the Zoning Board of Appeals.
3. Revise the plan to show no relief from the tree replacement requirements, which would justify the degree of relief from the sidewalk ordinance requirements proposed. The developer will be allowed to plant replacement trees on-site or off-site.
4. The developer will submit a plan with fully shielded light fixtures and a detailed sign plan with down lighting at the boulevard entry.

Mr. Soper supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved unanimously.

AP-03-05, Liberty Chevrolet, Lyon Towne Center, east of Milford Road, south of I-96, Major Amendment to Site Plan.

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated January 18, 2004 regarding this issue.

Jay Feldman discussed the lighting on the site. He stated according to the photometric plan of the lights for the other dealer in Lyon Township, their maximum lighting level is 175 and the average is 35 and the minimum is 0.19. He stated that the plan that they have submitted for Liberty Chevrolet has a maximum of just over 20 with an average of 5.6. He stated that if you could take a dimmer switch to the other auto dealer's lot and bring it down 85% that would be the level of lighting at Liberty Chevrolet.

Mr. Feldman stated that with regard to the overhead doors, the color that they picked for doors is the same color as the accent brick at the bottom the building. He stated that if the doors are painted the exact same color as the building then there really isn't any contrast.

Mr. Feldman noted that all the lighting that they will be using have a flat lens rather than a sag lens.

Mr. Hemker questioned how long the applicant planned on banking the land that they are proposing to bank. Mr. Feldman responded that with regard to the land bank area, he would like to say that they need it right away, but he can't. He stated that hopefully as the Township grows, they are going to grow also, and then they would need the banked area for parking.

Mr. Hemker stated that with regard to the doors, their thinking was that if they were the same color they would blend in more and not stand out and look like doors. Mr. Feldman stated that if they paint the doors to match the brick color, then they have a maintenance issue. He stated that if they use the color from the factory then they usually last a lifetime.

Howard Nudell, Architect, stated that you can order any color you like from the factory for the doors, but the color they selected is a standard color. The standard color comes with a much better guarantee.

Mr. Nudell stated that they have designed over 100 dealerships and this one has the lowest level of lighting by far.

Mr. Barber made a motion to approve the site plan for AP-03-05, Liberty Chevrolet, subject to the cut sheets for the fixtures being provided, and the condominium documents and the master

deed must be revised to match the boundaries of the larger dealership. The lighting will be as specified on the submitted photometric plan. The door color as indicated on the color rendering displayed tonight are acceptable. Mr. Soper supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved unanimously.

AP-03-27, Pinehurst Planned Development, 10 Mile and Martindale Roads, Conceptual Review

The applicant requested this issue be tabled, therefore, there was no action taken on this issue tonight.

7. DISCUSSION AND COMMUNICATIONS:

Mr. Olson stated that he had a request from Multi-Building Corporation, which is the Friedlander parcel that has been conceptually reviewed by the Planning Commission and the Township Board. He stated that they would like to have a sub-committee of the Planning Commission and possibly the Board to talk about how they are going to take their plan from conceptual to preliminary with the comments they have received. Mr. Hemker, Ms. James and Mr. Soper volunteered to be on the sub-committee.

8. ADJOURNMENT:

Mr. Hemker adjourned the meeting at 9:02 PM.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary