

**CHARTER TOWNSHIP OF LYON
PLANNING COMMISSION
MEETING MINUTES
February 23, 2004**

Approved as submitted April 26, 2004.

DATE: February 23, 2004
TIME: 6:00 PM
PLACE: 58000 Grand River

Call to Order: Chairman Hemker called the meeting to order at 6:09 pm.

Roll Call: Present: Brent Hemker, Chairman
Michael Barber, Vice Chair
Laura James, Secretary (arrived @ 6:15 pm)
Ray Bisio, Trustee
Jim Hamilton
Ted Soper
Laura Williams

Also Present: Matthew Quinn, Township Attorney
Chris Doozan, Township Planner
Megan Masson-Minock, Township Planner

Guests: 7

1. APPROVAL OF AGENDA

Ms. Williams made a motion to approve the agenda as written. Mr. Soper supported the motion.

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

Motion approved unanimously.

**2. APPROVAL OF CONSENT AGENDA:
- Meeting minutes of January 26, 2004**

Mr. Hamilton made a motion to approve the Consent Agenda consisting of the meeting minutes from the January 26, 2004 meeting as written. Mr. Barber supported the motion.

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

Motion approved unanimously.

3. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

Robert Carson, Attorney, 300 E. Maple Road, Birmingham, stated that he would like to request

that Copperwood Planned Development be placed on the March 8, 2004 agenda. Mr. Hemker stated that they will be discussing the agenda for the March 8, 2004 meeting later tonight.

Rick Genrich, 1330 Goldsmith, Plymouth, stated that they are also indicated on the list of the possible cases for the March 8, 2004 agenda. He requested that the Planning Commission schedule the public hearing tonight for the Freidlaender Planned Development. Mr. Hemker stated that chances are that this issue will be on the March 8th agenda to call for a public hearing. He stated that they will discuss when they will schedule the public hearing at the March 8th meeting.

- 4. **PUBLIC HEARINGS: NONE**
- 5. **OLD BUSINESS: NONE**
- 6. **NEW BUSINESS:**

Master Plan Discussions

Master Plan Schedule:

Ms. Masson-Minock displayed a copy of the following revised schedule for the Master Plan discussions on the overhead, which she reviewed. There was brief discussion with regard to the proposed schedule and some changes were made.

Lyon Township Planning Commission
2003 Master Plan Update Proposed Schedule
Last Revised: February 3, 2004

Items which have been decided/presented: 10 Mile Corridor Commercial Development
Build-Out Analysis and Census Data
Density Bonus Criteria
Road System

Meeting Date	Subjects to be Discussed
February 26, 2004	<ul style="list-style-type: none"> - Approve New Schedule - Approve 10 Mile Design Plan - Decide on Action Plan for Park Land Need (Acquisition a priority or no?) - Review changes to Future Land Use Map - Discuss update of New Hudson Plan
March 22, 2004	<ul style="list-style-type: none"> - Review update of Retail Analysis Chapter - Review update of Industrial Analysis Chapter - Review update of Community Services Chapter - Review of Adjacent Communities Master Plans - Joint Planning Commission Analysis
April 26, 2004	<ul style="list-style-type: none"> - New Hudson Plan Workshop <li style="padding-left: 20px;">- New Hudson Design Plan <li style="padding-left: 20px;">- Pontiac Trail Design Plan <li style="padding-left: 20px;">- Land Use
May 24, 2004	<ul style="list-style-type: none"> - Finalize New Hudson Plan - Design Plan for Township Entrance at Kent Lake Road
June 28, 2004	<ul style="list-style-type: none"> - Wrap-up outstanding items - Review Drafts of Amendments to Plans
July, 2004	- Township Board Review for release to adjacent communities
July, 2004 – October, 2004	- Adjacent Communities and Oakland County review
October, 2004	- Public Hearing and Adoption

Ms. James stated that she has been reading the paper about the joint Planning Commission being approved by the legislature. She questioned if they could get an analysis from McKenna Associates, Inc. and discussion next month as to whether or not they want to do this and what the parameters of this might be. Ms. Masson-Minock stated that they could look at this.

Ms. Masson-Minock polled the Commissioners to see if they agree with the revised schedule and whether or not they wanted anything added or deleted. The Commissioners all agreed with the revised schedule.

Ten Mile Design Plan:

Ms. Masson-Minock noted that a copy of the Ten Mile Design Plan was distributed to the Commissioners at the December, 2003 meeting. The Commissioners were to review the plan and offer comments at tonight's meeting. Ms. Masson-Minock asked the Commissioners if they were comfortable with the Ten Mile Design Plan. The Commissioners indicated that they were.

Ms. James commented on the 10' bike path that is included in the Ten Mile Design Plan. She stated that she feels that 10' is too wide. She expressed concern with the amount of people that drive their ATV's up and down the bike paths. She stated that she likes the Ten Mile Design Plan.

Ms. Williams felt that the Ten Mile Design Plan should reference the Bicycle Path and Sidewalk Ordinance.

There was further discussion with regard to the bike paths. It was determined that this issue will be placed on a future agenda for further discussion. Mr. Hemker felt that they should form a sub-committee to review the Bicycle Path and Sidewalk Ordinance and then bring their comments back to the full Commission. Laura James, Laura Williams and Jim Hamilton volunteered to serve on the sub-committee. Ms. Masson-Minock stated that she will get with these people at the end of the meeting to discuss a time when they could meet.

Recreation Chapter:

Ms. Masson-Minock discussed the following two possible goals for the Parks and Recreation section that deal with parkland acquisition:

- A. Parkland Acquisition. Acquire parkland in appropriate areas in the Township through purchase, planned developments and/or partnerships with other agencies such as the Lyon Township Downtown Development Authority, South Lyon Community Schools or the City of South Lyon.
- B. Plan for Parkland Acquisition. Engage in a planning process to identify appropriate areas in the Township for future parks and realistic, dependable financing mechanisms ranging from purchase to planned developments to partnerships with other agencies such as the Lyon Township Downtown Development Authority, South Lyon Community Schools or the City of South Lyon.

The Commission briefly discussed both proposed goals. Mr. Bisio felt that "the City of South Lyon" should be replaced with "adjacent communities". The Commissioners concurred with Mr. Bisio's suggestion. The consensus of the Commission is that they preferred item B.

Future Land Use Map:

Mr. Doozan explained that in the Commissioner's packet there was a revised Future Land Use Map

for their review. He noted that this map incorporates most of the revisions that have been discussed previously. He stated that there is a small error in Section 3.

Mr. Bisio was concerned with Section 11, which is zoned R-1.0 but is shown as light industrial on the Future Land Use Map. He questioned the reason why there is so much land shown as light industrial.

Mr. Doozan responded by explaining the history behind this area. Mr. Hemker stated that this became a special transition zone because of public input. Mr. Doozan stated that the reason that it is not zoned industrial is because they felt that the area to the north should be developed first.

Mr. Bisio questioned why they just don't rezone this area and take it off the Future Land Use Map, if that is what the intent is. Mr. Hemker stated that there is special text that goes with the transition that talks about when and how they want it.

Mr. Bisio asked for legal opinion of "if the Future Land Use Map is designated as commercial and on the zoning map it is designated as R-1.0, what is right?" Mr. Quinn responded that with the zoning ordinance there is criteria to rezone property. One of the criteria is the existing Master Plan. He stated that there are nine other criteria that the Planning Commission has to look at for a rezoning. He stated that they have to look at since the Master Plan designation was given, what has changed in the vicinity. He noted that Master Plans used to be done every ten or fifteen years. The legislature now requires that the Master Plan be reviewed every five years so that a lot of the problems will be gotten rid of. He stated that he felt that the answer is that the Master Plan can be different from the zoning, as it is many times.

Mr. Bisio stated that he is concerned that a developer can sue the Township because the Future Land Use Map designates that it is commercial. Mr. Quinn stated that the Future Land Use Map is only a small part of the Master Plan. The text in the Master Plan supports the map and the text is more important than the map. The map is a quick reference guide.

Mr. Doozan stated that he would like to get the input from the Commissioners with regard to the Brainer property in Section 12. He stated that they have had some communication from Brainer's that they would like to have some consideration for commercial at the corner of Napier and Grand River. He stated that the greenhouse is in a I-1 district and has become commercialized over the years. He stated that it probably started out as an agricultural use and has added onto itself without getting approvals from the Township. There is a lot split application to split off the easterly portion of the site. He felt that they would probably be looking for rezoning to some sort of a commercial application.

Ms. James stated that she did not feel that they should have that discussion in the context of the Future Land Use Map. She felt that this discussion should be in the context of a rezoning request because the Future Land Use Map does not give notice to the adjacent property owners but a rezoning will.

Mr. Doozan stated that the question would be whether or not they should make that section commercial or leave it as industrial.

Mr. Soper felt that they should wait until the applicant brings the issue to the Commission before they discuss it.

There was brief discussion with regard to what types of zoning is around this area.

Ms. James stated that in Section 5 is where a huge trailer park is located in the Township. She stated that the Planning Commission had a discussion about the chunk of land that Kensington

sold

off. She stated that as she understands this it is directly north of the trailer park and south of the freeway. She questioned what other land in Lyon Township could they build a mobile home park on without decreasing adjacent property values other than this spot. She felt that it would be best to put a mobile home park against the freeway.

Ms. James stated that the Township is going to be faced with the situation pretty soon where they will not have 20% mobile home parks anymore because of all the development that is taking place in the Township. She felt that the percentage is going to drop rapidly in the near future. She felt that they could inoculate the Township from having mobile home parks in locations that they don't want them by finding places for them that won't hurt anybody.

Mr. Doozan stated that the triangle of land is one of the most visible sites in the Township.

Mr. Hemker stated that the proposal that came into the Planning Commission would cut down every tree on that site. There was further discussion with regard to trailer parks.

New Hudson Plan:

Mr. Doozan stated that the New Hudson plan needs to be updated. He discussed doing an overall design plan for the New Hudson area and show how the ring road will fit in. He stated that they want to look at all the land use in the area and compile a design plan that they would bring back to the Planning Commission for comment and approval.

Rules of Procedure

Mr. Doozan reviewed the changes made to the Rules of Procedure for the Commissioners. He stated that if the Commission agrees with the changes, he will take out the strike-through lines. He noted that a lot of the changes are of a clerical nature.

There was lengthy discussion with regard to 4.3, Improper Influence, which indicates that Planning Commissioners may discuss a pending matter with the media, etc. Several Commissioners expressed concern about discussing issues with the media. It was determined that they can inform the media of an upcoming issue but they should not discuss the details of the issues with the media. Mr. Doozan stated, after hearing the comments from the Commissioners, that he would come up with some language for this issue.

Mr. Doozan finished reviewing the changes that were made.

Impervious Surface Limits

Mr. Doozan briefly summarized the information in the February 16, 2004 McKenna Associates, Inc. letter regarding impervious surface and lot coverage.

Relationship Between Master Plan and Zoning

This issue was dealt with earlier in the evening in previous discussions.

Agenda for March 8, 2004

Ms. Masson-Minock reviewed the possible cases for the March 8, 2004 meeting. She stated that there are fourteen cases ready. She displayed a chart on the overhead which showed the possible cases and when they received the submittals.

The Commission briefly discussed the cases and determined that the following cases would be on the March 8, 2004 agenda:

