

**CHARTER TOWNSHIP OF LYON
PLANNING COMMISSION
MEETING MINUTES
July 12, 2004**

Approved as submitted August 16, 2004.

DATE: July 12, 2004
TIME: 7:00 PM
PLACE: 58800 Grand River

Call to Order: Chairman Hemker called the meeting to order at 7:00 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: Philip Seymour, Township Attorney
Chris Doozan, Township Planner
Alexis Marcarello, Township Planner
Chris Olson, Township Superintendent

Guests: 23

1. APPROVAL OF AGENDA

Mr. Doozan noted that AP-03-35, Hornbrook Estates Planned Development is on the agenda for discussion purposes and not for final site plan review.

Mr. Soper made a motion to approve the agenda for Monday, July 12, 2004 with the changes noted. Mr. Barber supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved unanimously.

**2. APPROVAL OF CONSENT AGENDA
- June 14, 2004 Meeting Minutes**

Some typographical errors were noted for the Recording Secretary to fix.

Mr. Soper made a motion to approve the Consent Agenda consisting of the minutes from the June 14, 2004 meeting as corrected. Ms. Williams supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved unanimously.

3. PUBLIC COMMENTS ON NON-AGENDA ITEMS: NONE

4. PUBLIC HEARINGS:

AP-03-34, Lyon Ridge Planned Development, south side of 10 Mile Road, between Chubb and Johns Roads, consider Preliminary Planned Development.

Ms. Marcarello reviewed the comments indicated in the McKenna Associates, Inc. letter dated July 9, 2004 regarding this issue.

Patrick O'Leary, Hometowne Building, gave a presentation of the proposed development using a Power Point slide program. He briefly updated the Planning Commission on the discussions that they have had with Mr. Swiatlowski with regard to the access easement.

Ms. James questioned if a tree survey has been done on this property yet. Mr. O'Leary responded that they have not done one yet. He indicated that it is their intention to save as much as possible of the tree line shown along Chubb Road. Ms. James stated that this needs to be shown on the plans.

Mr. Soper questioned how many of those trees would have to be removed if Chubb Road is paved.

Mr. O'Leary responded that they would like to save the trees. He stated that they have gotten a pretty good idea from the community as to whether Chubb Road should be paved. He stated that their current proposal shows that Chubb Road is paved up to their entrance. He stated that if this happens, there is no way to save all the trees.

Ms. James questioned how much of the Chubb Road property is being proposed for paving. Mr. O'Leary responded that they own 1,750 linear feet on Chubb Road and they are proposing to pave 1,000 linear feet. He stated that not all of this is in front of their property. Ms. James stated that assuming that there are objections to paving Chubb Road, she questioned how the developer would feel putting the paving money into escrow for possible future paving. Mr. O'Leary stated that they are open to discussion on this.

Andy Millia, Franklin Property Corp., reviewed the description of the property and summarized the revisions they have made to the plan. He reviewed the costs of the improvements for this development. He stated that they have received mixed signals from the Commission and the Board as to whether or not to pave Chubb Road. He stated that personally, they feel that Chubb Road should not be paved. He stated that they feel that improvements should be made to Ten Mile Road and at the intersection. He stated that moving or losing all the trees in order for Chubb Road to be paved is not something that they recommend.

Mr. Soper stated that with regard to the last slide, he asked Mr. Doozan if the sidewalks are a requirement or a suggestion. Mr. Doozan responded that the sidewalks are a requirement of a planned development. Mr. Soper stated that he does not believe that the last two items (cost of sidewalk, reducing by 4 units) indicated on the slide are justifiable items.

Mr. Barber stated that on a 100' wide lot with a side entry garage, he questioned if there is still enough room to put a deck along the side and the back of the house. Mr. Doozan responded that there is enough room for this.

Mr. Bisio briefly discussed the safety issues with the FAA tower being so close to this development. He stated that he wants to make sure that they are not jeopardizing the health, safety and welfare of the residents of the Township.

Ms. James stated that in evaluating the proposed landscaping, she questioned if there is enough extra landscaping that it should factor into the density decision. Mr. Doozan responded that he is not sure that it should be considered. He stated that he does not believe that it involves additional expense. Mr. Millia briefly discussed the landscaping that they are proposing. He indicated that it is above and beyond the requirements.

Mr. Hemker opened the public hearing at 7:52 PM.

John Hicks, 29393 Tonester Circle, stated that this is a beautiful plan but does not believe that there is community wide benefits to warrant a 17% density increase. He stated that the developer would have to make a significant contribution to a road fund to allow for this type of density increase.

Leonard Kelly, 24161 Chubb Road, discussed the paved road requirements and his concerns about the speed limit on Chubb Road. He stated that he would prefer not to have Chubb Road paved.

Carol May, 22850 Chubb Road, discussed the utility extension and if the neighboring properties would be able to tie into them. It was noted that the Kirkway development will be tying into the utilities. She stated that she would not like to see Chubb Road widened or paved. She expressed concern with the children on their way to school and questioned if the school district is going to put in a cross over walkway. It was noted that the children would probably be bussed because they would have to cross over a major road.

Tom Swiatlowski, 52485 Ten Mile Road, stated that they do not have a written agreement yet, it is only verbal at this time. He discussed the possible paving of Chubb Road and noted that if this does happen, a lot of trees will die.

Mr. Hemker closed the public hearing at 8:07 PM.

5. **OLD BUSINESS:**

AP-03-34, Lyon Ridge Planned Development, South side of 10 Mile Road, between Chubb and Johns Roads, consider Preliminary Planned Development.

Mr. Soper stated that he likes the plan and the pocket parks but feels that there is still too much density. He stated that Chubb Road is a beautiful road and would not like to see it paved. He would prefer to see the money used for Ten Mile Road improvements. He stated that he cannot support a 17% density increase.

Mr. Hemker stated that it is a beautiful layout, but cannot support a 17% density increase. He stated that Chubb Road is too beautiful to take out trees for paving.

Mr. Barber stated that the density is too high and he could not support a 17% increase. He stated that he likes the Planner's suggestion to remove 8 homes to bring the density down. He stated that he would like to see the trees stay along Chubb Road by not paving it. He liked the idea of the money being banked for future road improvements. He felt that there is not enough benefit for the Township as a whole to warrant this type of density increase.

Mr. Bisio stated that he has two concerns, density and paving of Chubb Road. He stated that the density is too high and that he would not like to see Chubb Road paved. He stated that he would prefer to see the paving money allocated to Ten Mile Road improvements instead. He stated that

he would like to see wood chips for the bike path along Chubb Road instead of asphalt. He felt that wood chips would not disturb the trees as much as asphalt would.

Mr. Hamilton stated that he cannot support a 17% density increase. He stated that he would not like to see Chubb Road paved. He felt that Ten Mile Road is inadequate and that perhaps the money could be used there instead.

Ms. Williams stated that she concurs with all the comments that have been made by the other Commissioners. She stated that she could not support a 17% density increase and that she does not want to see Chubb Road paved.

Ms. James stated that she can only see three things that would benefit a density increase, view shed, money placed in road fund and open space. She felt that these items would only warrant a 7% to 10% maximum density bonus. She complimented the entranceway. She felt that the money for the paving of Chubb Road and the construction of the bike path should be put in escrow.

Mr. Millia stated that the Commission has given them good feedback tonight and they feel that they are understanding the sentiment with regard to the Chubb Road paving. He stated that there are still a number of other issues that they need to work through and he is confident that they will do so.

Mr. Millia stated that to do all the improvements necessary, it will require the density that has been presented here minus a couple lots. He noted that the proposed development costs several million dollars more than a conventional plan with 147 lots. He further discussed some of the items that they feel are benefits to the Township, i.e., significant landscaping, donation of \$280,000 for future road fund.

Mr. Millia asked the Commission if they think that they are there on all of the other issues and density seems to be the issue, he would like to propose having another meeting with members of the Commission to go over some of the issues. He asked the Commission to table this rather than send a motion to the Board. He stated that they are doing this in the spirit of cooperation and felt that the Township has been very cooperative. He stated that they feel that they have a better plan because of this.

Mr. Soper stated that if the Commission is willing to table this and set up a sub-committee, he would be willing to volunteer for the sub-committee.

After further brief discussion, the Commission decided that they would set up a sub-committee. Ted Soper, Laura James and Jim Hamilton volunteered to be on the sub-committee. Mr. Doozan asked the developer to contact him or Ms. Marcarello to discuss a date for a sub-committee meeting.

Ms. James made a motion to table AP-03-34, Lyon Ridge Planned Development for up to 60 days. Mr. Soper supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved unanimously.

AP-03-35, Hornbrook Estates Planned Development, 11 Mile and Martindale Roads, discussion of an amendment to the PD.

Mr. Doozan explained that at last month's meeting Nick Mancinelli handed out some information regarding his development and the Hornbrook home. The Commission decided to place this issue on tonight's agenda for discussion. He stated that the Commission needs to determine if the property that the Hornbrook home is on should be added to the development. If so, would they have to go back and begin the process again?

Mr. Mancinelli stated that this may not be an issue anymore because the price that he offered Mr. Hornbrook is quite a bit different than the price that Mr. Hornbrook would like to get. He stated that the land is most valuable to him and he would tear down the house, therefore, the price Mr. Hornbrook would like is not worth it.

Mr. Bisio questioned the size of this parcel. Mr. Mancinelli responded that it is approximately 1.6 acres. He stated that the Commission would have to raise the density bonus from 10.6% to 12%, if he were to purchase this.

Ms. James questioned if they are being asked to increase the density because the purchase price of the land is too high. Mr. Mancinelli stated that under the current approval the density is 10.6%. He stated that with the amount that Mr. Hornbrook wants, he would have to put three lots on the 1.6 acres, which would then increase the density to 12%. He stated that if the Commission is willing to discuss this he is willing to discuss this. He stated that they could forget about this and continue on as is approved, if the Commission wants.

After brief discussion the Planning Commission determined that they would prefer to leave the approved development as is. This issue was placed on the agenda for discussion, there is no formal action required.

6. NEW BUSINESS:

AP-04-24, RBS Companies (HCMA property), North side of Grand River, south of I-96, west of Martindale Road, Call for public hearing to consider request to rezone approximately 27.70 acres from R-1.0, Single Family Residential, to RM-1, Residential Multiple-Family.

There was discussion as to when the next available time for public hearings would be.

Ms. James made a motion to schedule a public hearing for AP-04-24, RBS Companies, for the first meeting in October, 2004. Mr. Barber supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved unanimously.

AP-04-21, Pratt & Miller Building Expansion, WK Smith Drive, Site Plan Review.

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated July 8, 2004.

Chad McCormick, Quadrants, stated that with regard to the reciprocal easement, he submitted one to McKenna Associates, Inc. and one to the Township Attorney. Mr. Seymour stated that Mr. Quinn has reviewed and approved the reciprocal easement.

Mr. McCormick stated that with regard to parking spaces, he cited Article 14 on page 11 with regard to land uses for industrial uses.

Mr. Hemker questioned what type of business is Pratt & Miller. Mr. McCormick responded that they engineer and fabricate prototype racing vehicles for GM, Chrysler and Ford. They do the testing and building of these vehicles. Mr. Hemker stated that this would be more manufacturing than warehouse. Mr. McCormick responded that this is correct.

Mr. Hemker questioned if the parking could be land banked for possible future expansion. Mr. McCormick responded that he did not believe that this would work since Pratt & Miller have a lot of visitors to their site as well. He submitted a letter written by one of the owners of Pratt & Miller requesting that they be allowed to have the additional parking spaces.

Mr. Soper made a motion to approve AP-04-21, Pratt & Miller Engineering & Fabricating, industrial site plan subject to the comments indicated in the McKenna Associates, Inc. letter dated July 8, 2004. Mr. Barber supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved unanimously.

Text Amendment to the Zoning Ordinance to require screening of roof mounted mechanical equipment, call for public hearing.

The Commission briefly discussed when the next available date would be.

Mr. Barber made a motion to schedule a public hearing for the text amendment to the Zoning Ordinance to require screening of roof mounted mechanical equipment for the first meeting in October, 2004. Mr. Soper supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved unanimously.

AP-04-25, Quadrants Industrial/Research Centre, 5th amendment to Master Deed, transfer landscaping requirements from Unit 7 to Unit 8.

Mr. Doozan reviewed the comments indicated in the McKenna Associates, Inc. letter dated July 9, 2004 regarding this issue.

Mr. Barber made a motion to recommend approval of AP-04-25, Quadrants Industrial/Research Centre, for the 5th amendment to the Master Deed, regarding the landscape requirement transfer from Unit 7 to Unit 8. Mr. Bisio supported the motion.

Voice Vote: Ayes: All
 Nays: None

Motion approved unanimously.

AP-03-41, Citizens Bank, Lyon Town Center, east of Milford Road, south of I-96, Site Plan Review.

Mr. Doozan reviewed the information contained in the McKenna Associates, Inc. letter dated July 9, 2004 regarding this issue.

Marcos Makohon, K4 Architecture, stated that they have read the recommendations and they

