

**CHARTER TOWNSHIP OF LYON
PLANNING COMMISSION
MEETING MINUTES
September 13, 2004**

Approved as corrected October 11, 2004.

DATE: September 13, 2004
TIME: 7:00 PM
PLACE: 58800 Grand River

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

Roll Call: Present: Brent Hemker, Chairman
Laura James, Secretary
Ray Bisio, Trustee
Jim Hamilton
Laura Williams

Absent: Michael Barber, Vice Chair

Also Present: Philip Seymour, Township Attorney
Alexis Marcarello, Township Planner
Michelle Aniol, Township Planner
Chris Olson, Township Superintendent
Loren Crandell, Township Engineer

Guests: 26

Mr. Hemker noted that Mr. Barber called and said that he would not be able to attend tonight.

1. APPROVAL OF AGENDA

Mr. Hemker noted that on the desk this evening were the meeting minutes from the August 30th and the August 16th meetings. He noted that they received the minutes from the August 16th meeting at the last meeting and wasn't sure if everybody had time to review them yet. He questioned if they could be put in the Consent Agenda for approval tonight. It was determined that not everybody has reviewed the minutes, therefore, they will be added to the Consent Agenda for the next meeting.

Mr. Soper requested that the following items be combined:

- Public Hearing No. 1 and Old Business No. 2
- Public Hearing No. 2 and Old Business No. 3

Mr. Bisio made a motion to approve the agenda for Monday, September 13, 2004 with the changes noted. Ms. James supported the motion.

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

Motion approved unanimously.

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

Casterline Funeral Home, Public Hearing to consider text amendment to the Zoning Ordinance to allow funeral homes on less than 10 acres of land.

Ms. Aniol stated that the Commissioners received the recommended amendments to the Zoning Ordinance for Funeral Homes on the desk this evening. She stated that there was a request to amend this ordinance in order to allow for a smaller parcel size for this use. She stated that the recommended revisions are to Section 22.02.B, Item 22.a.

Mr. Hemker questioned if this is only referenced under R-2.5. Ms. Aniol responded that after talking with Mr. Doozan, it is her understanding that this was the only area that this is in.

Ms. Aniol noted that research has shown that 4 acres is an appropriate size for this type of use. Mr. Hemker stated that he is comfortable with this if this is what research has shown and if this is what is done in other communities.

Mr. Hemker opened the public hearing at 7:14 PM. There were no public comments. He then closed the public hearing at 7:15 PM.

Ms. James made a motion to recommend to the Township Board that they amend the parcel size required for Funeral Homes from ten acres to four acres. Mr. Soper supported the motion.

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

Motion approved unanimously.

Zoning Ordinance Amendment, Public Hearing to consider text amendment to the Zoning Ordinance to set impervious surface limits in commercial, office and industrial districts.

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

Mr. Soper questioned if they are only looking at the commercial and industrial percentages today. Ms. Aniol responded that the proposal is for maximum percentages to the commercial, industrial and office districts.

The Commissioners discussed the percentages for impervious surface for these areas. It was determined that the amendment to the Zoning Ordinance would be for the following:

- 60% impervious surface coverage for office and commercial
- 75% impervious surface coverage for industrial

Mr. Hemker opened the public hearing at 7:53 PM. There were no public comments. He then closed the public hearing at 7:54 PM.

Ms. James made a motion to recommend to the Township Board that they enact an ordinance

limiting impervious surfaces of office and commercial to 60% and industrial to 75% of the property. Mr. Soper supported the motion.

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

Motion approved unanimously.

5. **OLD BUSINESS:**

AP-04-28, Family Video, East side of Pontiac Trail, north side of Marjorie Ann Street, Site Plan review.

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

Randy Scott, Family Video, stated that they have nothing further to add. He stated that he is basically here to answer any questions the Commission may have.

Ms. James questioned if they have to have Red Maple trees. She noted that Pinehurst is planting hundreds of Maples. Mr. Scott responded that they are pretty flexible with the landscaping. He stated that they want to make the site look good.

Mr. Soper made a motion to approve AP-04-28, Family Video, subject to the recommendations noted in the McKenna Associates, Inc. letter dated September 9, 2004. Mr. Hamilton supported the motion.

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

Motion approved unanimously.

Casterline Funeral Home, consider text amendment to the Zoning Ordinance to allow funeral homes on less than 10 acres of land.

Action was taken on this issue above during the public hearing.

Zoning Ordinance Text Amendment, consider text amendment to the Zoning Ordinance to set impervious surface limits in commercial, office and industrial districts.

Action was taken on this issue above during the public hearing.

AP-03-27, Pinehurst Planned Development, 10 Mile and Martindale Roads, Final Planned Development.

Mr. Hemker stated that the Pinehurst Preliminary PD approval is recorded in the meeting minutes of August 16, 2004, which are not approved yet. He questioned if the Commission can approve the final planned development, if there are not approved minutes for the preliminary planned development. He stated that there is no official record of their approval of the preliminary. Mr. Seymour stated that there is no official record. There was brief discussion with regard to this issue. Mr. Seymour stated that the time frame begins with the approval of the final planned development. He noted that while the Commission was discussing this issue he would look at the

Township's Ordinance.

Ms. Marcarello reviewed the comments indicated in the September 9, 2004 letter and the September 13, 2004 memorandum from McKenna Associates, Inc. regarding this issue.

Ms. Marcarello mentioned that they were recommending using a farm-style architecture instead of more traditional brick facades. There was discussion regarding if this was acceptable to the Commission and the developer, it was.

Bob Leighton, Leighton and Associates, reviewed the changes to the plan since the last time the Commission saw it. Using a displayed plan, he indicated where they eliminated a road connection.

He stated that they have eliminated the lots in the woodlands and are now totally out of the woodlands.

Mr. Hemker questioned if there are any safety concerns because of the eliminated road segment, which kind of locks part of the development. Bruce Michaels, Phoenix Land Development, responded that the parcel does connect to the third phase of Carriage Club.

Mr. Hamilton questioned if Phoenix is going to be the developer and the builder. Mr. Rentrop responded that at this point in time, that is what they are planning, but cannot commit to it. He stated that any builder is going to be bound by the planned development agreement.

Ms. James stated that this is the first plan that they have seen in a long time that has a lot of front entry garages. She discussed a "Trick-or-Treat" test that some other communities use. She stated that if a child cannot find the front door, then the house does not pass. She stated that the other communities require that the garage cannot be set so far out so that the front door cannot be found.

Ms. James noted that the lots are not very wide, but they are deep. She questioned if the developer would consider putting in rear entry garages that are accessed from an alley. Mr. Rentrop responded that they would not be interested in this.

Mr. Michaels noted that they do have some 90' wide lots that they would look into putting side entry garages on. He stated that they are willing to put side entry garages on any of the lots that will accommodate it.

Ms. Marcarello questioned if a courtyard garage could be used. Mr. Michaels responded that these are generally not well accepted in the market. He noted that they take up most of the front yard.

Ms. James discussed the far southeast corner and the plantings that will be there. Mr. Leighton stated that it is their intention to leave this area natural. He stated that they are following the Ten Mile Road corridor plan.

Ms. James questioned if the entrance sign is going to be illuminated. Mr. Michaels responded that it will not be back lit. Ms. James stated that they would prefer down lighting. She discussed the ornamental light poles and questioned if the developer could find a model that is fully shielded or partially shielded. Mr. Michaels stated that the tops are shielded. He stated that they don't have lights throughout the development, they are only at the main entry and the significant intersections.

There was further discussion with regard to the proposed lights. It was noted that this issue will be back before the Commission for final site plan approval.

There was discussion with regard to the cost of the homes and the percentage of brick on the homes.

Mr. Hemker questioned if utility stubs will be provided for the residents on the eastern border of this development. Mr. Michaels responded that this is correct. He stated that they have actually met with every one of the residents twice to discuss what their requirements are, which they have relayed onto the Planner.

Mr. Hemker stated that he would like included in any motion made that they receive a copy of the signed letters from the neighbors indicating what they have agreed to. Mr. Michaels stated that this would not be a problem, they will provide a copy of the letters.

Ms. James noted that it indicates that there will be advertising signs put up. She suggested that the signs be placed on Pinehurst's property.

Mr. Seymour stated that he did look at the ordinance. He stated that approval of minutes is not specifically addressed in the Ordinance. He stated that he felt that the Planning Commission could go ahead with approval. He recommended that the approval of the minutes of the preliminary be taken care of at the next meeting.

Mr. Soper made a motion to recommend approval of AP-03-27, Pinehurst Planned Development, final planned development to the Board of Trustees subject to the following:

1. conditions indicated in the September 9, 2004 McKenna Associates, Inc. letter;
2. conditions indicated in the September 13, 2004 McKenna Associates, Inc. memorandum;
3. approval of light fixtures will be taken care of at site plan review;
4. signed letters from all bordering residents indicating agreement with landscaping and utilities should be submitted;
5. landscaping in the southeast corner will be entirely naturalized and not a planting or a berm;
6. architectural issues will be agreed upon at site plan approval.

Mr. Bisio supported the motion.

Voice Vote: Ayes: James, Hamilton, Soper, Williams, Bisio
 Nays: Hemker
 Absent: Barber

Motion approved.

AP-04-05, Lyon Crossing Retail Condominium, west side of Milford Road, Condominium Plan and Document Review.

Ms. Marcarello reviewed the comments indicated in the McKenna Associates, Inc. letter dated August 30, 2004 regarding this issue.

There was discussion with regard as to what will be built around the cemetery. Tony Antone, Kojaian, stated that there is a real thin piece of property between Lyon Crossing and the cemetery, which they do not own.

Mr. Hemker questioned why they are going with a condo versus the planned development. Mr. Antone responded that they are still under the planned development. Jim Fontichiaro, Barris, Scott, Denn & Driker, stated that this is nothing more than a subdivision of the property. He stated that everytime one of these units is contemplated, they will have to come before the Planning Commission for site plan approval. Mr. Antone noted that they did this for Lyon Towne Center also.

Mr. Olson stated that he is not sure what impact dividing this property up is going to have on the special assessment district. He stated that he and Mr. Crandell need to get together with Mr. Antone regarding this. Mr. Antone stated that he could not get together tonight, but for Mr. Olson to call him and let him know when and where.

Mr. Seymour stated that Mr. Quinn did have comments that should be inserted into the Master Deed. He noted that Mr. Quinn spoke with Kojaian's Legal Counsel, who indicated that it was not a problem. He stated that the Master Deed should reference that no water softener discharge should go into the sanitary sewer and that no sodium chloride should be used in any water softener. All food services must comply with the Grease Interceptor Ordinance. Mr. Fontichiaro indicated that this would not be a problem.

Ms. James stated that the McKenna Associates, Inc. letter had some items that needed clarification or changing. She asked if the developer had any problem with this. Mr. Fontichiaro responded that they have already addressed the issues.

Mr. Soper made a motion to recommend approval of AP-04-05, Lyon Crossing Retail Condominium, Master Deed Documents, to the Board of Trustees subject to the conditions cited in the August 30, 2004 McKenna Associates, Inc. letter and the inclusion of the items mentioned this evening by Mr. Seymour regarding the water softeners and grease interceptors. Ms. James supported the motion.

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

Motion approved unanimously.

AP-96-06, Carriage Club Planned Development, Phase III, South of Eleven Mile Road, east of Martindale Road, Tentative and Final Preliminary Plat Review.

The applicant was not present.

Ms. James made a motion to table AP-96-06, Carriage Club Planned Development, for up to 60 days. Mr. Hamilton supported the motion.

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

Motion approved unanimously.

6. NEW BUSINESS:

AP-04-33, Quadrants, Inc., 6th amendment and 4th re-plat of the Quadrants Industrial Research Centre Condominium.

Ms. Aniol reviewed the comments indicated in the McKenna Associates, Inc. letter dated September 2, 2004 regarding this issue.

Chad McCormick, Quadrants, indicated that this is for the dedication of the roads.

Mr. Soper made a motion to recommend approval of AP-04-33, Quadrants, Inc., to the Board of

Trustees subject to the comments indicated in the September 2, 2004 McKenna Associates, Inc. letter and approval by the Township Attorney. Ms. Williams supported the motion.

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

Motion approved.

AP-04-34, Woodwind Well House, north side of Ten Mile Road, west of Johns Road, Site Plan Review.

Ms. Marcarello reviewed the comments indicated in the McKenna Associates, Inc. letter dated August 24, 2004 regarding this issue.

Ray Cusineau, representing South Hill Construction, displayed samples of the brick that will be used for construction of the facility. He also displayed samples of the exterior façade material that they are proposing. He displayed a rendering of the building.

There was discussion with regard to the size of the building. It was noted that the height of the building is almost 40'.

Mr. Hemker questioned if there will be a water tower outside of the building. Mr. Cusineau responded that there will not be.

Mr. Hemker felt that this building could be very visible from Ten Mile Road because of the height. It was noted that there will be landscaping around the building. Mr. Cusineau noted that they have added gables to try and break up the roofline. This building will be to the north and to the west of the school.

Mr. Bisio noted that he walks everyday and he can barely see the school from where he is.

Ms. James questioned what kind of noise will be generated from the well house. It was noted that there will be minimal noise generated, it will be very quiet.

Mr. Soper made a motion to approve AP-04-34, Woodwind Well House, site plan review subject to the McKenna Associates, Inc. approval of the colors and textures of the materials, as discussed this evening. Window should be added to sides to break up the architectural design. Ms. James supported the motion.

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

Motion approved.

7. MISCELLANEOUS DISCUSSION NONE

8. ADJOURNMENT:

Mr. Hemker adjourned the meeting at 8:50 PM.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary