

**Charter Township Of Lyon
Planning Commission
Meeting Minutes
December 11, 2006**

Approved January 29, 2007 as corrected

Date: December 11, 2006
Time: 7:00 PM
Place: 58000 Grand River

Mr. Barber called the meeting to order at 7:00 P.M.

Roll Call

Present: Barber, Mike (chair)
Towne, Carl
Hamilton, Jim
Hicks, John (Board Liaison)
James, Laura (Secretary)
Conflitti, Michael
O'Neil, Sean

Absent:

Also present: Matthew Quinn, Township Attorney
Chris Doozan, Township Planner
Michelle Aniol, Township Planner
Chris Olson, Township Superintendent
Lannie Young, Township Supervisor

Guests: 17

Approval of Agenda

Mr. Hamilton moved "to approve the agenda for December 11, 2006." Ms. James supported the motion.

Voice vote:
Ayes: all
Nays: none

Motion approved.

Approval of Consent Agenda:

Mr. Hicks moved "to approve the minutes for November 13, 2006 as modified." Ms. James supported the motion.

Voice vote:
Ayes: all
Nays: none

Abstained: Mr. Towne and Mr. O'Neil

Motion approved.

Comments from public on Non-Agenda Items:

None

Public Hearings:

- 1. AP-06-61, Holdenberg Text Amendment to the Zoning Ordinance; public hearing to consider a request to allow automobile repair operations as a special use in the B-1, New Hudson Development District; discussion and possible action following the public hearing.**

Mr. Doozan reviewed the comments in the McKenna Associates letter dated November 13, 2006.

Open public hearing: 7:05

Closed public hearing 7:06

Ms. James asked for Mr. Olson's comments. Mr. Olson said that if they can keep it contained, it will work. He commented that the Township has talked with them about storage of vehicles. Mr. Olson commented that the kindest thing to do with the site would be to rebuild it, but it is a difficult site to work with. If they do the improvements that the Holdensbergs say they can do, the site will be greatly improved. It is the best we can do with the existing building.

Mr. Barber said that there is already a Discount Tire in the area.

Ms. James moved "to recommend that the amendment to the Town Center Overlay District Outline and the McKenna letter for November 13, 2006 be approved by the Township Board." Mr. Hamilton supported the motion.

Voice vote:

Ayes: all

Nays: none

Motion approved.

- 2. AP-06-48, First Commercial, public hearing to consider an amendment to Copperwood Planned Development regarding design and layout of commercial development, southeast corner of Johns Road and Ten Mile Road; discussion and possible action to follow the public hearing.**

Ms. Aniol reviewed the comments in the McKenna Associates letter dated December 7, 2006 and a memorandum dated December 11, 2006.

Bill Watch, First Commercial, 27600 Northwestern Hwy, Suite 200, Southfield – Mr. Watch said that it is their intention to own this shopping center for a long time. Mr. Watch showed the Planning Commission the project as it was approved in 2005. It was a 114,000 square foot plan. The new plan is basically the same, but the problem with the old plan was that the bank took the parking for the grocery store. He also said the original depth for the retail stores was 135 feet, which they would be unable to lease. The restaurants are 13,700 square feet. With that size, the restaurants would have about 350 seats each. With an average of one car for every two people on a Friday night, there would be 350 cars in the parking lot. There is no additional parking. Mr. Watch said that many restaurants had concerns about the circulation around the building, delivery, trash, and entrances. They all approach from the same side, and taxes are high. It would cost \$1,100 per seat. Both economically and physically, they had no success attracting retailers. Mr. Watch showed and explained to the Planning Commission the proposed plan. They have 435 parking spots. They also made the site more walk-able by making the shopping center L shaped. He also showed the elevations of the shopping center. Mr. Watch also showed the Planning Commission a plan of Rite Aid. They are currently discussing changing the building with Rite Aid.

Jim Hiller, Hiller's Market - Mr. Hiller said that he believes that the request is being made due to his store. Mr. Hiller said that they will have 125 employees in the store and possibly more. He said that the Market at 5 Mile and Haggerty has 400 spaces, and they are full most of the time.

Mr. Barber asked Mr. Hiller if his store could stand alone or if he needed stores to back him up. Mr. Hiller said he has a standalone store at 5 Mile and Haggerty that does just fine, but being with other stores is a convenience and benefit for the community.

Mr. O'Neil asked Mr. Hiller how many employees he was going to have at any given time. Mr. Hiller responded that there would be about 75 or 80 employees. He also said that the store could have about 15,000 people go through it a week.

Mr. Hamilton asked about the hours of operation. Mr. Hiller said generally from 8 a.m. to 10 p.m. They do stock shelves at night.

Karen Sebastian (Chase Bank) – Ms. Sebastian said that the one issue that came to light was the parking. The Township ordinance requires 17 spots. Ms. Sebastian commented that the building will be 4, 307 square feet, but the letter says 3,600 square feet. The bank fully staffed will have 19 employees. The 17 parking spots would not cover the staff parking. They feel that 35 spaces would be appropriate.

Mr. Barber asked if they had enough room for stacking cars that are waiting for the drive-through. Ms. Sebastian said yes, they have 4 spots available.

Mr. Olson asked if the architecture of the bank could be closer to the elevation of the shopping center.

Ms. Sebastian said that was something they could look at, and they could consider changing some of the materials. Mr. Olson wanted more information in regards to the bank in the original approved plan. Ms. Sebastian said that Chase likes to be separate and apart from the retailers. There was too much conflict with parking in the original plan.

Mr. Towne asked if this proposed bank was going to be similar inside to the one on Milford Road. Ms. House-Seamen said that bank on Milford Road has pillars, and this one will not. It will also have more traditional teller lines and approximately the same amount of staff.

Ms. James asked if they considered going to a different location that has more access roads. Ms. Sebastian said this location was the one that fit the bank's desired profile. Ms. James also stated that this was in an area set aside for wetland litigation.

Mr. Watch said that they are going to build a retention basin.

Mr. Olson asked if it was possible to complete the parking somewhere besides the Ten Mile frontage. Ms. Sebastian said this is the best possible way.

Kelly House- Seamen 31690 W. 12 Mile Road Farmington Hills – Ms. House-Seamen said that if the parking is moved to the front, that will be the main entrance to the bank.

Jim Eppink 5285 Glenwood Creek Clarkston – Mr. Eppink wanted to address the issue of landscaping. They believe it will be one of the prettiest designs they have made. They have been working with the Township to make sure their plan meets the expectations of the 10 Mile corridor. Originally the approved PD called for a 75-foot buffer along 10 Mile. The new plan has actually shifted the building back about 5 feet. The landscaping is still going to meet the intentions of the 10 Mile corridor plan. Their new plan proposes to plant 273 trees of 25 different varieties, 300 shrubs, and 429 grasses and flowers. For the 10 Mile Road portion, the original PD had 91 trees. They are now proposing to plant 58. Retail does not work if it is hidden behind trees. He said 58 trees are still aggressive for a retail center. They are also planting 253 shrubs. It also calls for berms, a 10-foot wide safety path or fencing, and they included that. Mr. Eppink said that they are proposing 85 different trees for the parking area. They are going to use plants that can handle salt. Mr. Eppink said that they have to address the bank parking and need to add more trees. He also said that there are 23 parking lot islands that will have two trees and be crowned with sod. Mr. Eppink said the third area is going to have a total of 126 additional trees as well as shrubs and perennials. The McKenna letter said that the original PD called for 168 trees. He could not document that, but their intention is to be close to the original tree count. The original PD also called for pre-significant landscaping at both entrances. This will be the responsibility and continued to be developed with Victor International RV. The area by Tamarack is the same as the original. The original PD was installing 311 trees, and the proposed is 273 trees.

Mr. Hamilton asked where some of his other developments were located. Mr. Watch said Hamburg Township, Warren, Flint, Woodhaven, Detroit, and Royal Oak Township.

Mr. Conflitti asked what types of retailers they were interested in getting. Mr. Watch replied that they are looking for a grocery store, coffee shop, card shop, two restaurants, women's fashion, or real-estate offices.

Mr. O'Neil asked about the rear elevations for the grocery, retail 1, 2, and 3, which is directly adjacent to a residential development. Mr. Watch said that retail 3 will be all brick, and the main retail building will be regular cinder block but is heavily screened. Mr. Watch said that all mechanicals will be screened, which is code.

Mr. Towne asked about the tree planting, pertaining to the size and the life span of the trees. Mr. Eppink said that all the trees will meet the ordinance, and he expects the trees to live a long time. He also said that a 2 ½ inch tree will be about 15 feet. Mr. Towne asked if 17 feet between trees was enough space to allow them to live on their own. In Mr. Eppink's opinion, the trees will not crowd each other out.

Mr. Quinn asked why there was not a direct connection between the bank and the main parking lot. Ms. Sebastian said that they would not be opposed to that.

Mr. O'Neil also commented that no landscaping is shown behind retail 3. Mr. Watch said that it is already landscaped. It is not their property.

Open public hearing at 8:31

John Bell 23113 Currie Road – Mr. Bell said that he thinks it looks good, and he likes Hiller's Market, and it looks top notch.

Mark Cassell 26663 Daria circle west – Mr. Cassell said that he does not want to go into South Lyon to do his shopping.

Close public hearing: 8:35

Ms. James said that this is really a rezoning request and it is worth recalling that there was significant public opposition to any commercial in the area whatsoever. The reason they approved this was because the Future Land Use Map calls for 10 acres of neighborhood retail there. 4 acres of commercial was approved, opposed to the 10 acres because the developer said that 10 acres would not work. Now 5 more is wanted on the same grounds. Ms. James said that Hiller's would be welcome, but they are asking for too much. She also said that she did not like the Rite Aid building. 14 acres should be sufficient.

Mr. Barber said that the Planning Commission had no idea this was going to be such a big shopping center.

Mr. Hicks said that he welcomes Hiller's Market. The architecture should include the utilities in the design. Mr. Hicks also commented that there are going to be two fronts along 10 Mile, and he thinks the bank and pharmacy would be easier to put along 10 Mile, not restaurants. Banks and pharmacies will have less dumpsters. He also said he agrees with the comments on Rite Aide.

Mr. Hamilton said that he agreed with what Ms. James said. It was difficult to give them 4 acres the first time. He thinks that the design can be changed and they can make it work.

Mr. Barber said that the Township likes open space and trees. Mr. Barber feels they eliminated most of that. He also said that he does not think they understand that they are building in swamp land.

Mr. Aniol asked if MDEQ does not allow Chase to build in the proposed area, would they build on the out lot next to the pharmacy?

Mr. O'Neil asked how they feel about the conditions in the McKenna letter. Mr. Watch said that they would be happy to discuss the issues. He also pointed out that the 14 acres to 19 acres change is only a 1 percent increase in

the size of the retail buildings. Mr. Hicks said that the ratio does not include the 1.27 acres. Mr. Watch said that was correct. They do not currently have use for that. Mr. Hicks commented that the ratio will increase.

Mr. Watch said that he is willing to work with the Planning Commission.

Ms. Aniol commented that the plan shows 19.44 acres of commercial, and that is in line with the land divisions. The plan also shows that there are 16.48 net acres for commercial, but we do not have any calculations to verify what makes 16.48 acres. There needs to be more information.

Mr. O'Neil asked Ms. Aniol and Mr. Doozan if they felt the acreage was appropriate. He asked if the 19 acres is what the Master Plan intended.

Ms. James moved "to table this matter until the January 15th meeting." Mr. Hamilton supported the motion.

Mr. Towne said that his concerns are with the landscaping, trees, and the parking lot.

Mr. Conflitti said that he is concerned about causing a domino effect by approving 19 acres.

Voice vote:

Ayes: all

Nays: none

Motion approved.

Old Business:

None

New Business:

None

Mr. Barber adjourned the meeting at 9:05 P.M.

Respectfully Submitted,

Catherine Culver

Catherine Culver

Recording Secretary