

Charter Township of Lyon  
Planning Commission  
Regular Meeting Minutes  
June 13, 2011

Approved: July 11, 2011 as written

The meeting was called to order by Mr. O'Neil at 7:00 p.m.

Roll Call: Lise Blades  
Ed Campbell  
Michael Conflitti  
John Dolan  
Kristopher Enlow  
Sean O'Neil  
Carl Towne

Guests: 5

Also Present: Chris Doozan, McKenna Associates  
Matthew Quinn, Township Attorney

**APPROVAL OF AGENDA**

**Motion by Towne, second by Blades  
To approve the agenda as submitted.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

**CONSENT AGENDA**

**Motion by Towne, second by Conflitti  
To approve the April 25, 2011 Special Meeting Minutes and the May 9, 2011  
Regular Meeting Minutes as presented.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

**COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS - None**

**PUBLIC HEARINGS**

**1. AP- 11-11 Kroger Special Land Use, northeast corner of 8 Mile and Pontiac Trail. Public hearing to consider a Special Land use request to allow outside display of merchandise for sale.**

Mr. Doozan reviewed the McKenna Associates memo dated 6/6/11. Mr. Doozan explained that the only issue that has not been adequately addressed is the “need” issue. Provided this issue is addressed by the applicant to the satisfaction of the Planning Commission, then he would recommend that the Planning Commission recommend approval of the Kroger Special Land Use to the Township Board.

Mr. Endlein, Manager at Kroger, explained that they have sold 3,000 bags of water softener salt and 250 cylinders of propane, which clearly shows that the community has a need for the outdoor items. He also explained that to remain competitive with Wal-Mart, Lowe’s, and Tractor Supply, which are allowed to have outdoor selling, Kroger should be allowed to have it as well.

Mr. Towne explained that he disagreed with the front display, since there is not much walking room there for pedestrians. He felt it was a terrible location to put items in that front area. He agreed that the other areas were fine.

Ms. Blades confirmed that the storage does not include the future fuel station; it’s only for the specified locations. Mr. Endlein stated yes.

Mr. Dolan stated that the outdoor items are seasonal in nature. Mr. Endlein explained that it’s outdoor furniture in the summer and wood/propane in the winter.

Mr. Enlow explained that to be ADA compliant, the walking space needs to be 5’; that should be required.

**Motion by Blades, second by Conflitti  
To open the public hearing at 7:09 p.m.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

**Motion by Towne, second by Conflitti  
To close the public hearing at 7:10 p.m. due to no comments.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

There was brief discussion regarding outdoor selling at area stores. Mr. Doozan explained that this request is for permanent display and something that Kroger could have year round.

Mr. Quinn stated that 5' should be required for the pedestrian walkway. Mr. Endlein offered to remove the 79.5 sq. feet of seasonal display area, between the two entrance ramps serving the building.

Mr. Dolan stated that there have not been any complaints raised in the 10 years that the display has been there. The Township needs to be supportive of its businesses.

**Motion by Towne, second by Campbell**

**To recommend approval to the Board of AP-11-11 with area #1 18.75 sq. ft. propane storage area, adjacent to the building and south of the entrance and #2 a 295.8 sq. ft. display area, 50 feet in length, adjacent to the building and south to the entrance. The applicant has agreed to delete item #3 the 79.5 sq. ft. seasonal display area, between the two entrance ramps serving the building.**

**Roll Call Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

- 2. AP-11-07b Verizon Monopole Extension, 54750 Grand River Avenue. Special Land Use review of a proposed extension of existing monopole and construction of new equipment shelter.**

Mr. Doozan reviewed the McKenna Associates memo dated June 1, 2011. The remaining concerns were identified as follows:

- a. Engineering specifications must be submitted to demonstrate that the tower can safely support the new antenna array.
- b. New propagation maps keyed to the South Hill/Grand River Ave. location must be provided.
- c. Exterior materials for the equipment shelter must be resolved.
- d. The plan for longer-term maintenance must be identified.
- e. A description of the security to be posted upon issuance of a building permit to assure removal of the facility when it has been abandoned or is no longer needed must be provided.

**Motion by Towne, second by Campbell**

**To open the public hearing at 7:27.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

**Motion by Towne, second by Campbell**

**To close the public hearing at 7:28 due to no comments.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

**Motion by Towne, second by Campbell  
To table AP-11-07b Verizon Wireless Monopole Extension until further  
notice.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

**OLD BUSINESS**

**1. AP-11-08, Blue Cross/Blue Shield**

**Representing BC/BS: Randy Metz, Grissim Metz Andriese Associates.  
Rich Houdak  
Gene Reeds**

Mr. Doozan reviewed the McKenna Associates memo dated June 1, 2011.

Mr. Towne asked that they take careful consideration when looking at the trees and grasses to make sure there are safe site distances.

Mr. Dolan expressed his concern that the grasses will be kept tall along Grand River. There is already a problem with high grasses in the Township, and he felt this would be a problem.

Mr. Houdak explained that their purpose is to save money, but it will be kept manicured. Mr. Metz explained that the company wants to become more sustainable and green.

Mr. Towne suggested the use of internal signage throughout the site and suggested getting a stamp of approval from University of Michigan.

Mr. Enlow stated it would be beneficial to promote a sidewalk, as was discussed at the last meeting.

Mr. Conflitti raised the concern of fire with any employees that smoke due to the higher grasses. Mr. Houdak explained that employees are not allowed to smoke on the property.

Ms. Blades suggested moving the wildflower area closer to Grand River. Mr. Houdak stated that they could do that. Ms. Blades also explained that a sidewalk would be a benefit to the community. She liked the idea of internal signage. Mr. Houdak stated that he liked the idea of moving the wildflower area closer and that it could be incorporated. He also liked the idea of the sidewalk and asked if it could be done in a

later phase.

Mr. Dolan stated that he is not happy with the tall grass and felt that other businesses would wonder why they had to cut their grass; he thought it would just cause problems. Mr. Metz stated that he would be surprised at how nice it looks. They want it to be a sustainable project, and he didn't think this trend would change.

Mr. O'Neil explained that there needs to be a good balance and they want to make sure it's done right.

**Motion by Towne, second by Blades**

**To approve AP-11-08 including the comments from the McKenna Associates memo dated June 1, 2011 with the addition of adding internal signage, the addition of more wildflowers along Grand River if possible and incorporate sidewalk in future phase.**

**Roll Call Vote:     Ayes: Unanimous  
                          Nays: None**

**MOTION APPROVED**

- 5.     AP-11-09, Pinehurst PD Amendment. PD located on the north side of Ten Mile Road, east of Martindale Road. Schedule a public hearing to consider an amendment to the PD Agreement to allow farming in the undeveloped phases.**

Kevin Christiansen gave a brief account of the property. He explained that the process of preparing for farming has been done with administrative approval.

Mr. Towne stated that he felt they have been negligent, since there are still no guidelines for planting on properties that aren't being development. They don't know what chemicals are being used or what is being planted.

Mr. Christiansen stated that Pulte would not do anything negligent to affect the existing residents.

**Motion by Conflitti, second by Towne**

**To set the public hearing for AP-11-09 to consider an amendment to the PD Agreement to allow farming in the undeveloped phases for the next regular meeting in July.**

**Voice Vote: Ayes: Unanimous  
                          Nays: None**

**MOTION APPROVED**

- 6.     Master Plan**

Mr. Doozan explained that he recommends that the Planning Commission initiate the

adoption of the Master Plan to the Township Board.

Mr. Towne and Ms. Blades commented that they are happy to see that procedures are being followed.

**Motion by Blades, second by Towne  
To submit the Master Plan to the Township Board.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

**MOTION APPROVED**

## **NEW BUSINESS**

### **7. AP-11-12 Asbury Hill Condominium PD**

Mr. Doozan reviewed the McKenna Associates memo dated June 3, 2011. He explained that the first step is a conceptual review and no formal action shall be taken on a plan submitted for conceptual review. This step is intended to give the applicant an indication of the issues and concerns that must be resolved prior to preliminary plan review.

Mr. Doozan also commented that Ms. Zawada's Civil Engineering Solutions, Inc. letter dated June 11, 2011 states that although the sewer is private, it looks like there will be many reconfigurations which will be reviewed in detail during the site plan and engineering plan review phases. She believed some if it will actually have to be removed. Also, due to the sewer re-configurations, they will have to provide many easements over the shared leads and they will have to address potential maintenance issues on these shared leads in the Master Deed. The storm sewer may have some similar issues.

Tim Storey, SES Engineering Group explained that they are interested in providing screening along the south and west borders from the trailer park and the apartment complex. This plan reduces the density by 13%, and he didn't see the need for a trip-generated test. Mr. Doozan stated that it would not require a traffic impact study.

Mr. Storey proposed a crossway to the bike path across Grand River.

Mr. Enlow asked that the applicant makes sure that they are not directing the sumps to neighboring properties.

Mr. Storey explained that the topcoat on the road has not been done yet, and they would ask that it waits until a certain percentage of units are built. He explained that for the first phase the sale of the existing multifamily units would be completed.

Mr. Towne questioned if landscaping would be done around the retention pond. Mr. Storey stated that they are not proposing a fence and they will meet the standard on slopes. Mr. Storey stated that there is landscaping along Grand River. Mr. Towne felt

there should be some sort of distinction as to where the property ends. Mr. Storey stated it would most likely be a natural area.

Ms. Blades liked the idea of a bike path connection in lieu of a sidewalk along Grand River and questioned if that could be done. Mr. Doozan stated that sidewalks are required; both ordinances deal with providing a sidewalk or bicycle path along the frontage, not for crossing the road as an alternative. Mr. Quinn stated that since this was a PD the Board could put in an alternative, but they would be looking at the societal reasons to do that and is there a cost equality between the two options.

Mr. Storey questioned the open space requirement. Mr. Doozan explained that open space is required for all PD's. Ms. Blades suggested removing the lot by the multi-family area, which would provide access for the neighborhood but discourage cross traffic from the surrounding complexes. Mr. Storey liked her suggestion.

Mr. Conflitti questioned if there would be a fence on the west side. Mr. Storey stated that their initial thought was to plant arborvitaes.

Mr. Storey explained that they were asking for leniency on the setbacks. The Commission was comfortable with the smaller lots/setbacks. Mr. Quinn suggested that they added wording regarding the rear yard setbacks with the lots that have utilities running through them, as it pertains to decks on the houses. He suggested that the applicant identifies the size of decks that would be allowed. One street tree is required per 40 linear feet and there is no leniency on that requirement.

Mr. Storey thanked the Commission for their time and he will go back with their suggestions for the next step.

## **8. AP-11-13 Off Premise Advertising Signs**

Mr. Doozan reviewed the McKenna Associates memo dated June 7, 2011. Locations were briefly discussed.

**Motion by Blades, second by Conflitti  
To schedule a public hearing at the next regularly scheduled meeting in July.**

**Voice Vote: Ayes: Unanimous  
Nays: None**

### **MOTION APPROVED**

### **ADDITIONAL BUSINESS**

#### **1. Vehicle Repair Discussion Chart**

Mr. Doozan reviewed the McKenna Associates memo dated June 1, 2011. He asked that the Commissioners fill out a chart to determine what types of vehicle service uses belong in each commercial district.

## **2. Chickens in Subdivisions**

Mr. Quinn reviewed the memo dated May 24, 2011, which explains lawful farming within the Township.

Ms. Blades felt that chickens were an oversight in the ordinances and that it could be easily addressed with new language.

Mr. Dolan and Mr. Quinn will bring this item before the Board and question if it should be changed in the ordinances before moving ahead.

## **3. Form Based Coding**

Mr. Doozan explained that they need to get started on this. The DDA will fund it, but he needs a recommendation from the Planning Commission to get moving.

Mr. O'Neil felt that the DDA needs to participate in getting this off the ground; they need to know what the expectations are, have a timeline and perhaps some joint meetings.

Mr. Dolan felt it would be a good idea to have the DDA present this to the Planning Commission.

### **Motion by Blades, second by Towne**

**To accept the task of taking on the Form Based Code assignment upon the Planning Commission receiving a motion from DDA recommending to move forward and they have approved the funding in the amount of "x" dollars for this. Also, the Planning Commission would like the DDA to assign 3 of their members and work together with 3 members of the Planning Commission to form a subcommittee and come back before there are any approvals by either body.**

**Voice Vote:      Ayes:              Unanimous  
                         Nays:                None**

## **MOTION APPROVED**

## **9. Community Reports**

Mr. Dolan reported that the new day-to-day engineers for the Township are Civil Engineering Solutions, Inc. He also reported that Deborah Sellis will be the new ZBA member.

Ms. Blades expressed her concern that there is no money left in the park fund. Unless donations are made, they would not be offering the movies in the park this year. There was brief discussion regarding the cost of hosting the movies in the park.

## **ADJOURNMENT**

**Motion by Towne, second by Campbell  
To adjourn the meeting at 9:50 p.m.**

**Voice Vote:      Ayes:              Unanimous  
                         Nays:                None**

**MOTION APPROVED**

The Planning Commission meeting was adjourned at 9:50 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto  
Recording Secretary