

Charter Township of Lyon
Planning Commission
Regular Meeting Minutes
August 25, 2014

Approved: September 8, 2014

The meeting was called to order by Mr. Conflitti at 7:00 p.m.

Roll Call: Ed Campbell
Michael Conflitti, Chairman
Kris Enlow
Sean O'Neil, Board Liaison
Carl Towne, Vice-Chairman
Jim Chuck

Guests: 5

Also Present: Chris Doozan, McKenna Associates
Leann Kimberlin, Township Attorney
Leslie Zawada, Civil Engineering Solutions

APPROVAL OF AGENDA

**Motion by Towne, second by Chuck
To approve the agenda as presented.**

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

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

A. August 11, 2014 Meeting Minutes

**Motion by Towne, second by Campbell
To approve the Consent Agenda as presented.**

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

MOTION APPROVED

COMMENTS FROM PUBLIC

None

PUBLIC HEARINGS

- 1. AP-14-34, Bader & Sons Rezoning. Property located on the west side of Pontiac Trail, north of 8 Mile Road. Public hearing to consider rezoning 6 acres of property from B-2 (Community Business District) to B-3 (General Business District) for the purpose of relocating an existing tractor and law equipment sales and service dealership.**

Mr. Doozan reviewed the McKenna Associates memo dated August 13, 2014. He explained that the analysis presented in the memo revealed the following:

1. Subject to compliance with zoning regulations, the proposed rezoning would:
 - a. Result in land use that is compatible with surrounding land use;
 - b. Further implementation of the Future Land Use Map; and
 - c. Be compatible with surrounding B-2 zoning.
2. The evaluation based on the nine criteria in Section 9.03 favors rezoning.
3. The rezoning would increase the redevelopment potential of the school bus garage property.

Based on these findings, it is recommended that the Planning Commission recommend to the Township Board approval of the proposed rezoning from B-2, Community Business District, to B-3, General Business District (Case AP-14-34).

Ms. Zawada stated that there are no engineering comments at this stage, and Ms. Kimberlin did not have any comments.

Mr. Bader explained that they would like to stay in the community and currently have 7 locations throughout mid-Michigan. They are a John Deere dealer; there are a few other lines that they offer to compliment the John Deere product. Mr. Bader's great-grandfather started the business in the 1930s. The main reason they would like to move is that the people that own the property that they are currently on are not willing to sell it to us, and the facilities are not adequate for what they like. There are few parcels in the area that are B-3, and this is a building that they thought they could work with. They would make improvements to the building for aesthetic purposes and that would be the first thing they would want to tackle.

Mr. Towne asked if there would be any new lines coming. Mr. Bader stated he didn't see that happening. Actually they have downsized and have gotten rid of some short line items that were not profitable and they like to do maintenance on the items that they sell. John Deere also does not like them to sell other items. Mr. Towne asked if they would be a parts distributor and reach out to larger area. Mr. Bader stated he felt they would stay the size that they are, he didn't see it to be much more than what is there now.

Mr. Towne stated that the site was a bus garage, and he questioned if the applicant owned the property yet. Mr. Bader explained that the purchase agreement has been signed and all environmental items were passed. Ms. Zawada confirmed that the site is currently on well and septic.

Mr. Towne questioned the fuel and if it would follow the State regulations. Mr. Doozan stated yes; it would be State regulated.

Mr. Towne questioned the communication tower. Mr. Bader stated that it will be owned by them, but he hoped it would be temporary. There has been contact with someone who is interested in buying it from the school district. Mr. Bader stated that they did not have any use for the tower and would either sell it or keep it and charge rent. Mr. Doozan stated it would not have any impact on zoning. It retains its status, and the change in zoning does not make any difference.

Mr. Chuck commented that he liked the idea; it fits the applicant's needs. The rezoning should not be an issue, and he would be supporting it. The building is vacant, and he trusted that it would better when they get in there.

**Motion by O'Neil, second by Towne
To open the public hearing at 7:23 p.m.**

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

MOTION APPROVED

Abraham Ayoub- Mr. Ayoub stated that the applicant does a good job in the current location and felt that they will do a good job in the new location. He explained that he was told there is a run-off issue on the site. Ms. Zawada stated that would come up during site plan review, the property has to be rezoned first, then site plan application, depends on when they get into details of the site plan. Mr. Ayoub stated that he was told it was flooding Township property, and someone may want to look into that.

**Motion by Chuck, second by Towne
To close the public hearing at 7:25 p.m. due to no further comments.**

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

MOTION APPROVED

Mr. Towne agreed with Mr. Ayoub and felt that Mr. Doozan did a good job identifying the 9 points with the ordinance and he felt the project is compatible with future land use, and compatible all the way around. He commented that Cook Automotive has done a great job they, and he thought this would be as good or better.

**Motion by Towne, second by Chuck
To recommend approval to the Township Board of AP-14-34, Bader & Sons
Rezoning from B-2 to B-3.**

Mr. Enlow commented that it's important to remind everyone that other uses can be used if for some reason the applicant can't do what they came in for. He asked if the

items in the letter are permitted uses or if some require special land uses. Mr. Doozan stated that some are special land uses.

Mr. Campbell stated that the items listed were not outrageous if someone wanted to come in and present one of those businesses.

Roll Call Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

OLD BUSINESS – None

NEW BUSINESS

- 2. AP-14-36, Lyon Trail South PD – Conceptual Review. Property located on the north side of 8 Mile Road, west of Griswold Road. Conceptual review of a proposed PD consisting of 54 single-family homes on 42.24 acres.**

Mr. Doozan reviewed the McKenna Associates memo dated August 18, 2014. He explained that McKenna Associates recommends that the Planning Commission offer comments on the proposed development for the applicant to refine the plan in preparation for preliminary plan review. No formal action will be taken at this time.

Mr. Doozan noted that a revised economic impact statement was provided by the applicant.

Mr. Enlow questioned the different density bonus calculations, Mr. Doozan explained in terms of the one that is really applicable it's the zoning, the basis for which the density should be determined.

Ms. Zawada reviewed the CES memo dated August 22, 2014. She explained that the conceptual site plan depict four detention basins. Sediment forebays will be required for any ponds outletting to a regulated wetland. Additional information will be necessary on those basins. Also, utility information and pond volume sizing information shall be provided in the Preliminary PD submittal for review.

Mr. Mancinelli explained that the plan is similar to what was seen at the pre-conceptual.

Mr. Mancinelli provided a chart which showed what trees will be saved. He had no problem with tagging some of the poor conditioned trees for safety issues. Mr. Mancinelli stated that those trees would be tagged and knocked over; they would not be taken out.

Mr. Towne commented that there are some small lots and he would like to see them get closer to 17,000 sq. ft. He suggested eliminating 2 units and to get the lots closer to 17,000 sq. ft.

Mr. Mancinelli explained that it is always easier to drain shorter and smaller lots.

Mr. Mancinelli explained that he had the wetlands measured by MDEQ and the way they are showed on the plan is how they were approved. He thought they may have to go through the process again. He explained that the reason the setbacks were reduced to 5' and 25' is because it gives more grass between the property lines. He explained that there is no traffic analysis yet due to the paving that is to be done at 8 Mile and Griswold Road.

Mr. Mancinelli explained that the following lots were suggested to be bigger where there is a switch in drainage and the driveways go back to back: lots 9, 10, 22, 23, 29, 30, 40, 41, 47 and 48, are all between 100-125 feet wide.

Mr. O'Neil stated that it boils down to these main things, buffering, access, density, drainage, and wetland impact. He explained that there are different opinions on what the number should be density wise or how it's calculated. Mr. Doozan explained that it would per the ordinance the density will be based on the zoning not on the Master Plan or Future Land Use Map. Mr. Doozan explained that the only way it can go to the Master Plan or Future Land Use would be to take a step back and rezone the property and start the process again. The bottom line is that the Zoning Ordinance is very clear in the PD that the density is based on the zoning.

Mr. O'Neil questioned why use Gary Court as a connection rather than Stedman Drive or why not both. Mr. Mancinelli stated he can't do the connection at Stedman Drive because would end up with a cul de sac that was far too long and he didn't want to do it because the residents don't want it either. Mr. Mancinelli stated that before he would it to 44 lots he would go back and rezone the property. He can't do the deal at 44 lots he would have to go back and rezone the property. He thought this was a very nice solid development offering buffering on all sides.

Mr. Enlow stated that the plans submitted tonight show a drive approach to Deer Haven Drive. Mr. Mancinelli stated that the Road Commission told him they had to do that connection as an emergency access and if the residents ever wanted to convert to a public road they could use that.

Mr. Enlow stated he would like to see the square footage of the lots increased and he would prefer to see both connections made. Mr. Mancinelli stated he could increase them by making them deeper but he felt it was more important having the buffering, and saving the trees and the conservation easement as big as possible.

Mr. O'Neil suggested removing lot number 7. Mr. Mancinelli explained that if the County made him connect to the road he would also lose another lot.

Mr. Mancinelli confirmed the road will be concrete curb and gutter with asphalt.

Mr. O'Neil stated that he was concerned that if they start skipping steps and they needed to make sure to address concerns to avoid putting him through unnecessary steps. Mr. Mancinelli stated that steps have been skipped many times over the years and there were a lot of projects that were not defunct projects that came through with density bonuses.

Mr. Campbell stated that this is not much different then what they have done in the past, but it has to be discussed by the Planning Commission. He commented that he thought Mr. Mancinelli did a great job on the layout. .

Mr. O'Neil stated he would rather see a shallower lot and keep the trees and that leaving the trees that are there will go a long way for buffering on both sides.

COMMUNITY REPORTS

Mr. O'Neil reported that it was a long agenda, with several items coming from the Planning Commission; he gave status updates regarding what was accomplished at the last Board meeting.

Mr. Doozan provided an article based on a survey that was done this year. The survey showed that people living in the suburbs were happiest, that older people are satisfied with where they live, and people who have stable jobs are happier with where they live as well as people who have a higher education also corresponds to being happy with where you live.

ADJOURNMENT

**Motion by Towne, second by Chuck
To adjourn the meeting at 8:30 p.m.**

Voice Vote:	Ayes:	Unanimous
	Nays:	None

MOTION APPROVED

The Planning Commission meeting was adjourned at 8:30p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary