

Charter Township of Lyon
Planning Commission
Regular Meeting Minutes
September 22, 2014

Approved: October 13, 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 (arrived at 7:45 p.m.)
Carl Towne, Vice-Chairman
Jim Chuck

Absent: Ed Campbell

Guests: 8

Also Present: Jennifer Gatti, Township Attorney
Chris Doozan, McKenna Associates
Leslie Zawada, Civil Engineering Solutions

**Motion by Chuck, second by Enlow
To excuse Ed Campbell's absence.**

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

MOTION APPROVED

APPROVAL OF AGENDA

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

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

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

A. September 8, 2014 Meeting Minutes

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

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

COMMENTS FROM PUBLIC

John Bell – Mr. Bell thanked everyone for their help with History of Lyon Township book. He explained that they received 500 copies and all 500 copies are committed and sold. Hunter Pasteur Homes has decided to offer the book to their new homeowners who close on a house.

Carl Towne reported that he was surprised to see that the land was clear cut at the Spring Meadows development. The developer had agreed that they would only cut the trees that would affect the first phase, and they did the entire site.

PUBLIC HEARINGS

- 1. AP-14-46, Petz Auto & Truck – Special Land Use. Property located on the south side of Travis Road, west of Milford Road. Public hearing to consider a special land use request to allow an automotive repair business in the I-1 (Light Industrial) zoning district.**

**Representing Petz Auto & Truck: Gary Roberts
Mr. Petz**

Mr. Doozan reviewed the McKenna Associates memo dated September 5, 2014. He explained that based on the analysis presented in the memo, occupancy of the front of the existing building at 57425 Travis Road satisfies the special land use standards in Section 19.02(E), provided that additional information is provided to demonstrate community need, as noted in item 7.

Provided that the “need” issue is addressed satisfactorily, McKenna Associates recommends that the Planning Commission recommend approval of the proposed special land use involving Petz Auto & Truck repair to the Township Board.

Mr. Doozan also explained that the Fire Marshal is requiring that a Knox Box be provided along with either a Knox padlock for manual gates or the Knox override switch for electric gates and any permanent fencing installed to allow access to all points of the building during an emergency.

Mr. Roberts explained that this is only a mechanical business; nothing is parked outside. There is no impact, and the applicant is looking forward to being a part of the community.

Mr. Chuck confirmed that this business only does restoration of older vehicles. Mr. Petz stated that it is all mechanical, and there is no body work done on the site at all. Mr. Chuck pointed out that there are similar businesses in the area, but he did like that the current building is a vacant building. He would like to see a business in it.

Mr. Towne commented that the owner of the property is Dena Investments but that he knows nothing about the owner of the building. He thinks what they want to do is great, but he does not have the connection of what the applicant will do compared to what the owner of the building would do. He is very reluctant to agree to this without speaking to the owner of the building.

Mr. Roberts explained that they are signing a net lease. The owners agreed to maintain the outside of the building and the tenant would care of the inside. This is a 5 year lease with a 3 year option. Mr. Petz explained that he has been in business for 25 years, and he is just moving the location. Currently, the business is located in Walled Lake. The Lyon Township location would be a more centralized location for his customer base. He stated he will keep the business looking good as well as in good operating order to keep the customers coming in.

Ms. Gatti explained that the use runs with the land, so the business owners could change.

**Motion by Towne, second by Enlow
To open the public hearing at 7:21 p.m.**

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

MOTION APPROVED

**Motion by Towne, second by Chuck
To close the public hearing at 7:22 p.m. due to no comments.**

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

MOTION APPROVED

Mr. Towne stated that the McKenna memo did a great job explaining the special land use. If there is a motion to be made he felt it should be contingent upon the owner providing some sort of documentation. Ms. Gatti stated that there is a little control through the site plan; it's not like a rezoning. Ms. Zawada also pointed out that the owner does sign the application so they are aware of the potential use.

Mr. Enlow commented that if this use is approved there should be ample screening provided to the subdivision located to the south but since there were no public comments of concern it may not be a big concern.

**Motion by Chuck, second by Towne
To approve AP-14-46 Petz Auto and Truck Special Land Use contingent on the memo from McKenna Associates dated 9/5/14, the Township Attorney memo dated 9/22/14 and the Fire Marshal memo dated 9/22/14.**

Roll Call Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

OLD BUSINESS - None

NEW BUSINESS

- 1. AP-14-31, Riverwood Estates PD – Phase 1. Property located on the north side of 10 Mile Road, north of Currie Road. Condominium review of Phase 1, consisting of 28 units.**

Mr. Doozan reviewed the McKenna Associates memo dated September 12, 2014.

Ms. Zawada referenced the CES memo dated 9/18/14.

Ms. Gatti stated that there were no issues.

Wayne Perry, Desine Engineering, explained that he has no issues although he has not seen the comments from the Attorney but he didn't think it would be anything different.

Mr. Perry explained that this project is a partnership between two developers. The community will be one single condominium, and they are working out how to put the paperwork together for the project. They decided it would be best to have a single entity be responsible for the entire project. The intention of the development is that the legal documents will be under the name of Foriz Farms, LLC.

Ms. Zawada explained that the documents were inconsistent. Mr. Perry stated that all of the documents will be corrected and will use the name of Foriz Farms, LLC.

Motion by Towne, second by Chuck

To recommend approval to the Township Board of AP-14-31 Condominium Review of Riverwood Estates Phase 1 Exhibit B including the reference to follow the guidelines in the McKenna Associates memo dated 9/12/14, the CES memo dated 9/18/14, and the Township Attorney memo dated 9/22/14.

Roll Call Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

- 2. AP-14-44, ASHE Enterprises Building. Unit 29 of Lyon Industrial/Research Centre, located north of Grand River Avenue, east of Lyon Center Drive East. Site Plan review of a proposed 23,787 square foot industrial building to be used for manufacturing and warehousing.**

**Representing ASHE Enterprises Building: Dan LeClair
David Hembree
Karl Vollmar**

Mr. Doozan reviewed the McKenna Associates memo dated September 7, 2014. The site plan for ASHE Enterprises, LLC/J.I.T. Packaging, Inc. is largely in compliance with ordinance requirements. Consequently, it is recommended that the Planning Commission approve the site plan, subject to the following conditions:

1. The side aisle between the barrier-free spaces must be increased to 8 ft.
2. Information about lawn areas and irrigation must be provided.
3. The plan is subject to review and approval by the Township Engineer.

Mr. Doozan reviewed the Fire Marshal memo dated 9/2/14 and explained that a monitored fire suppression system and Knox box will be required.

Ms. Zawada referenced the CES memo dated 9/19/2014. She commented that there is one item to correct in the memo, and that is this site will be on a septic field and will not be subject to the sanitary sewer capital charges, and this pond will outlet to the regional detention basin that was recently repaired.

Ms. Gatti stated that there are no legal issues.

Mr. LeClair explained that the lot is currently vacant. The proposal is for a 24,000 sq. ft. building. He commented that it is a pleasure to see a high tech business coming back to Michigan. The business will be tapping into the water and they will comply with all comments from McKenna Associates, the Fire Marshal and the Township Engineer.

Mr. Hembree explained that his business is currently located in Brighton. Prior to that, they were located in South Lyon. He commented that he has been in business for 20 years and they supply packaging to the automotive industry. He is looking forward to moving to the area.

Mr. Towne questioned the septic system. Mr. Hembree explained that they don't use water in the process of the business because they use dry molds. If they do use water, it is internal and all self-contained.

Mr. Towne suggested using local businesses for any product that they may need and to consider recruiting from the local high schools for any employment opportunities. Mr. Hembree agreed.

Motion by Towne, second by Chuck

To approve the site plan for AP-14-44, ASHE Enterprises Building. The applicant agrees to all of the mentioned changes from the CES letter dated 9/19/14 and the McKenna Associates memo dated 9/7/14 and Fire Marshal letter dated 9/2/14.

**Voice Vote: Ayes: Unanimous
Nays: Nays**

MOTION APPROVED

4. AP-14-47, Rathmor Park PD – Phase 1. Property located on the northwest corner of 10 Mile and Napier Road. Condominium review of Phase 1, consisting of 49 units.

Mr. Doozan explained that since this was already reviewed at length at the last meeting he asked if there were any additional questions.

Ms. Zawada referenced the CES memo dated 9/18/14.

Ms. Gatti referenced the review letter dated 9/21/14 and 9/22/14.

Karen Brown, Hunter Pasteur Homes, explained that the applicant agrees with all of the comments from the planner, the engineer and attorney.

Mr. Towne questioned the 30' separation between the houses. Ms. Brown stated that they will conform to the minimum 25' setback between the houses.

Ms. Brown explained that the open lot has been removed, and there is a landscape easement there. Mr. Towne stated it is an outstanding project.

Motion by O'Neil, support Towne

To recommend approval to the Township Board including the CES memo dated 9/18/14, the McKenna Associates memo dated 9/11/14, and the Township Attorney memos dated 9/21/14 and 9/22/14.

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

MOTION APPROVED

COMMUNITY REPORTS

Mr. O'Neil brought the Planning Commission up to date regarding the Griswold Road Project.

Mr. Doozan gave an update regarding enforcement issues. Mr. Doozan also brought the Commission up to date regarding Asbury Hill. The Township Board will also be looking at amendments for the Tree Protection Ordinance.

Mr. Towne commented that he has heard from many residents that the Saddle Creek homeowners love the bridge.

ADJOURNMENT

Motion by Chuck second by Enlow

To adjourn the meeting at 8:01 p.m.

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

The Planning Commission meeting was adjourned at 8:01 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary