

Charter Township of Lyon
Planning Commission
Meeting Minutes
June 26, 2017

Approved: July 10, 2017

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

Roll Call: Patricia Carcone, Board Liaison
Jim Chuck, Secretary
Michael Conflitti, Chairman
Stephan Hoffman
Ron Pennington
Kurt Radke
Carl Towne, Vice-Chairman

Guests: 14

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

APPROVAL OF AGENDA

Mr. Doozan explained Mr. Hutto requested his request be removed from the agenda.

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

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

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

A. Approval of the June 12, 2017 Minutes

**Motion by Towne, second by Chuck
To approve the minutes of June 12, 2017 as presented.**

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

MOTION APPROVED

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS - None

DDA REPORT

Ms. Archer provided status updates to the Planning Commission regarding the projects happening in the DDA district.

PUBLIC HEARINGS – None

OLD BUSINESS

1. **AP-17-03, Hutto Rezoning.** Property located on the east side of Griswold Road, south of 9 Mile road. Public hearing to consider a proposed rezoning of 28.96 acres from the I-1 (Light Industrial) District to the R-0.3 (Single-Family Residential) District.

HUTTO REZONING AP-17-03 WAS REMOVED FROM THE AGENDA AT APPLICANT'S REQUEST

NEW BUSINESS

1. **AP-17-14 Cook Automotive Expansion.** Property located on the east side of Pontiac Trail, north of 11 Mile Road. Site plan review of a proposed 14,682 additional building and additional parking.

Mr. Doozan reviewed the McKenna Associates memo dated June 22, 2017. He explained the revised plans for Cook Automotive are in compliance with Zoning Ordinance requirements and he would recommend approval.

Ms. Zawada referenced the CES memo dated June 26, 2017. She noted there are detention basins on site, and revisions will need to be made to those, but the site is large enough to accommodate those revisions. The most significant is that the water main should be extended so that all parts of the proposed building are within 250' of a hydrant. At this time, she would recommend approval.

Ms. Kimberlin referenced her memo dated June 21, 2017. She explained minor vehicle repair facilities are principal permitted uses in the B-3 General Business District, while major vehicle repair facilities are permitted subject to special land use approval. The applicant should confirm their service is either minor or major.

Applicant Doug Cook provided a PowerPoint presentation. He confirmed nothing is stored outside; there are 3 pole barns to store cars. He reviewed their objectives and goals for the future to accommodate walk-ins and same day service. Their plan is to demo the oldest pole barn on the property and build a 14,700 square foot new building. This will also significantly improve the visibility and curb appeal.

Mr. Chuck commended them on their presentation and for providing a complete package to the Planning Commission. He felt this is a great investment in our community.

Mr. Towne questioned what the 7th door is used for. Austin Cook explained it is used for incoming parts. Mr. Towne confirmed the number of lifts. Mr. Cook confirmed they will be installing a hydrant and a Knox Box on the new building. Mr. Cook confirmed they reviewed the CES letter and have been working with Ms. Zawada.

Mr. Towne commended the applicants as well. The outreach of people they are bringing in is great. He stated it's a win/win situation.

Treasurer Carcone confirmed they are a minor repair facility. She also expressed that she is very happy they are there and are a great addition to their community. She also loves the landscaping they have done.

Motion by Chuck, second by Towne

To approve AP-17-14 Cook Automotive Expansion based on the McKenna Associates memo dated June 22, 2017, the CES memo dated June 26, 2017, the Fire Department memo dated June 26, 2017 and the Attorney memo dated June 21, 2017.

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

MOTION APPROVED

- 2. AP-17-18, Huntmoore PD – Conceptual. Property located on the south side of 10 Mile Road, west of Milford Road. Conceptual review of a proposed planned developing consisting of 66 single family homes on 60 acres.**

Mr. Doozan reviewed the McKenna Associates memos dated June 5, 2017 and June 19, 2017. He explained as noted, no action shall be taken by the Planning Commission at the conceptual review stage. Instead, the Commission should offer advice on the issues presented in the review letter.

Ms. Zawada referenced the CES memo dated June 6, 2017. She noted the following concerns:

1. Passing lanes may be required for the entrance off of Ten Mile Road.
2. The proposed freeboard, storage, permanent water, bottom of pond, and top of bank elevations should be added to the plan for all proposed basins.
3. The sediment forebay volume net provided for Basin "1" should be corrected to the higher volume as marked in red on the plans. The total detention volume appears to be sufficient.
4. The onsite and offsite acreages should be broken down for basin 2 & 3 drainage area.
5. The weighted calculations should be provided for the runoff coefficient.
6. Runoff from rear yards of lots 40-46 should be directed into a forebay for pre-treatment.

She noted these concerns will be reviewed at preliminary PD should the project move forward.

Mr. Towne questioned if the applicant will have to have an answer regarding the left-hand turn lane before coming back for preliminary. Ms. Zawada stated it would make sense for the applicant to reach out to the Road Commission before preliminary, since that is when the public hearing will be held. Ms. Zawada explained she has started to send the traffic information to the Road Commission early in the process on new planned developments to get their feedback. Mr. Towne commented questioned if the applicant would have go in and pave 15 to 18' on Douglas Drive, since it's all gravel. Ms. Zawada stated it's too early to know the limits of the paving required.

Steve Deak provided a PowerPoint presentation giving an overview of the proposed project.

Paul LeBlanc explained they are asking for additional density bonus. They believe there are strong reasons to support that request. He briefly reviewed the proposed project density comparison map. They are proposing less density than what has been approved for Stoneleigh. He noted the following as possible benefits:

- Provides perimeter open space, maintains substantial rural view shed along 10 Mile; establishes connectivity with neighboring PD; close to services, schools, commercial node, and fire; sewer/water available; and assessments paid.

Mr. Deak explained the revised parallel plan does not have any lots where the easement occupies lot space.

Treasurer Carcone explained this property has the southwest sewer and water assessments on it, which started in 2007. It was owned by Van Oyen and Healy, and they had agreed to participate in the special assessment district. In 2007, they paid their entire bill. In 2008, Van Oyen only paid half of the bill, so it went delinquent. In 2009, they started to let the property go. 2010 and 2011 was when went to tax sale. After the property was purchased at the auction, she introduced herself to the purchaser. She wanted to make sure the purchaser knew this property had special assessments on it. This property has no prepaid REU's on it, and the purchaser had no idea it had special assessments on it. She thought the purchaser then flipped the property to Mr. Elkow. She provided a history of the surrounding developments and how they received density. She felt they should stick to 37 lots. There is no public benefit at all.

Mr. Chuck stated he would agree; there are no public benefits. He appreciated the one slide that showed the density. However, they are asking for a 57% density bonus, and none of the developments cited got a 57% bonus. He can't support the density.

Mr. Hoffman agreed there are no public benefits. The open space beyond the wetlands can't be utilized; there really is not any open space other than the perimeter. The setbacks requested are too tight. The plan would need a lot of work.

Mr. Towne commented that the setback from 10 Mile Road is good, as is the saving of

the woodlands on the south side. He did not like the switching of the lot sizes and felt they should get the number down. There should also be more public benefit. He is looking for lot sizes to be over 17,000 square feet. He would be looking for them to continue saving the woodlands and getting the density lower. He liked the open space. The Township is looking for playscapes, or he suggested building a pocket park that would be a public benefit. He will be looking for a letter from Oakland County Road Commission regarding the left-hand turn lane, and he would like to see Douglas Drive paved.

Mr. Radke commented he agreed with his colleagues and questioned if this plan met the Master Plan. Mr. Doozan stated his letter stands for itself; the analysis he put forth demonstrates something different.

Mr. Pennington stated that he needs to see the traffic study and what the County will do regarding the road. The public benefit is lacking. The density is too high. He supported saving the woodlands.

Mr. Conflitti commented that saving the woodlands is a huge plus. The open space numbers conflict with the planner's open space numbers though, and of course the proposed density is too high.

Jason Weaver, 24235 Douglas Drive – Mr. Weaver commented the only place he can see where kids can play is a swamp or underneath high tension lines adjacent to 10 Mile Road. That entrance to the sub, if it happens there, will need to be recreated since it has a downhill slope and there are accidents there once or twice a week. They are asking for it; sometimes it takes him 10 minutes to make a left. As far as open space, keep the density bonus to usable land.

Don Perfetto, 24861 Douglas Drive – Mr. Perfetto commended the Planning Commission regarding the density and hoped they stick by it. He asked that if Douglas Drive is paved to go longer than 19', since most of their pick-up trucks are longer. He confirmed it is very difficult to get out onto 10 Mile in the mornings. He asked that the Township keep looking out for them.

Rick Elkow explained when he bought the property, it was out of foreclosure. It is his feeling that the SAD for the sewer and water lines was based on 55 units. That density was honored elsewhere in the Township. Just because he didn't buy the property from the Township shouldn't mean he isn't treated fairly. He has work to do on the plan. He would also like to meet with the Douglas Drive residents.

3. AP-17-23, Testek Warehouse Addition – Site Plan. Property located on the south side of Grand River Avenue, west of Napier Road. Site plan review of a proposed warehouse addition consisting of 31,902 square feet.

Mr. Doozan reviewed the McKenna Associates memo dated June 14, 2017. He recommended approval of the Testek warehouse addition site plan, subject to the following conditions:

1. The location and screening of HVAC equipment shall be noted on the site plan.

2. The South Elevation must be properly labeled on sheet A.201.
3. The landscaping issues identified in item 10, above, should be addressed on revised plans.

Ms. Zawada referenced the CES letter dated June 20, 2017. She noted the following:

Preliminary Site Plan Sheet 2 of 2

1. The applicant should provide an overall weighted coefficient 'C' to demonstrate that the allowed 0.80 coefficient is not exceeded for Sediment Detention Basin #3. If exceeded then on-site storm water treatment will be needed.
2. There appears to be a hydrant coverage gap of approximately 60 feet on the east side of the addition, and an additional hydrant may be necessary. This should be corrected or approval provided from the Fire Marshal.

Mr. Valentine from G.A.V. Architects provided a power point presentation regarding the proposed project.

Mr. Towne questioned since this business is growing is there room to allow for an expansion on this site. Mr. Clark stated yes, they also sold the applicant unit 8 a number of years ago, which is approximately 8 acres that would abut Grand River and the rear of this facility.

Mr. Clark confirmed they are in agreement with the planner's letter.

Mr. Hoffman questioned why the fascia couldn't be carried back like on the first building. Mr. Clark stated that the entire building slopes that direction. They chose to bring the fascia across so it has the appearance of a flat roof. They could have let the fascia taper with the roof, so instead of it being flat, it could have had a slope down. They didn't think that would have good curb appeal. If they turn the corner, then a dam will be created on the roof, which is not a good idea structurally. He felt they designed it properly for the conditions. He is happy to taper it if that is the choice of the Planning Commission. The office area has a rubber roof. The pre-engineered steel is the warehousing portion. Since they are adding a warehouse onto a warehouse, they have to follow the roof line and the slope of the roof.

Motion by Radke, second by Chuck

To approve AP-17-23 based on the McKenna Associates memo dated June 14, 2017 and the CES memo dated June 20, 2017 and the Attorney's letter dated June 21, 2017 and the applicant's response letter dated June 21, 2017.

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

MOTION APPROVED

4. **AP-17-27, Woodwind PD Amendment, Discussion. Property located on the north side of 10 Mile Road, east of Currie Road. Discuss a possible amendment to the Woodwind Planned Development to allow for minor**

medications to be approved by the Township Planner.

Mr. Doozan reviewed the McKenna Associates memo dated June 17, 2017. An amendment to the Planned Development Agreement for Woodwind is proposed to give authority to the Township Planner to approve minor modifications to the approved Planned Development plans.

He explained if the Planning Commission concurred with the approach he would recommend that a public hearing is scheduled at the next available meeting to consider the proposed amendments.

Mr. Towne stated he would be willing to hold a public hearing and get comments. He didn't like doing it this way. Treasurer Carcone stated that this is their error which is why she would support this, it was not the homeowners fault.

Mr. Chuck agreed; let the administrator staff handle things like this.

**Motion by Towne, second by Carcone
To schedule a public hearing.**

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

MOTION APPROVED

ADDITIONAL BUSINESS

5. Community reports

Treasurer Carcone reported on the last Board meeting which only changed the meeting date for July.

Mr. Doozan reported the next MTA Hot Topics in Planning and Zoning will be held in Frankenmuth and if anyone was interested in attending to contact him. He also provided a handout regarding sidewalk cafés.

ADJOURNMENT

**Motion by Towne, second by Chuck
To adjourn the meeting at 9:08 p.m.**

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

MOTION APPROVED

The Planning Commission meeting was adjourned at 9:08 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary