

**CHARTER TOWNSHIP OF LYON  
PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
November 17, 2003**

Approved as submitted December 22, 2003.

DATE: November 17, 2003  
TIME: 6:30 PM  
PLACE: 58000 Grand River

Call to Order: Chairman Hemker called the meeting to order at 6:30 pm.

Roll Call: Present: Brent Hemker, Chairman  
Michael Barber, Vice Chair  
Laura James, Secretary  
Ray Bisio, Trustee  
Jim Hamilton  
Ted Soper  
Laura Williams

Also Present: Dave Gillam, Assistant Township Attorney  
Chris Doozan, Township Planner

Guests: 4

**1. APPROVAL OF AGENDA**

Mr. Soper made a motion to approve the agenda as written. Mr. Hamilton supported the motion.

Voice Vote: Ayes: All  
Nays: None

Motion approved unanimously.

**2. APPROVAL OF CONSENT AGENDA: NONE**

**3. PUBLIC COMMENTS ON NON-AGENDA ITEMS: NONE**

**4. PUBLIC HEARINGS: NONE**

**5. OLD BUSINESS: NONE**

**6. NEW BUSINESS:**

**AP-02-23, Sunoco Gas Station and Convenience Store**, Lyon Towne Center, review of proposed amendment to the approved lighting plan.

Mr. Doozan reviewed the comments indicated in the November 13, 2003 McKenna Associates, Inc. letter regarding this issue.

Kevin Banham, owner, stated that when they got to the point of ordering the lighting for the

canopy, they did a study through LSI, the lighting manufacturer, and the recommended lighting that they got back from LSI was completely different than what they originally submitted. He stated that when they looked into the difference, they found that there was an oversight from their architect, who submitted the wrong lighting, which apparently is not sufficient lighting.

Derrick Peter, LSI, displayed the flat lens lighting fixture that the Planning Commission originally approved for this site. He stated that this is a good fixture but the problem with a flat lens product is that it is like a Mag flashlight. The pattern becomes very tight and only lights up just below the the fixture. He stated that concrete is not what the customers see. The customers see things on a vertical surface, not the horizontal surface. He state that LSI has come out with a new fixture called the focus fixture, which he displayed and explained how it works.

Mr. Peter stated that the focus fixture has a louvered lens that when placed on either side of the pump, it lights up the pump area so the customers can see what they are doing. He passed around a photograph illustrating how the focus fixture only highlights the dispenser and that there is no other stray lighting.

Mr. Peter discussed the high lighting values indicated on the lighting schematic that was submitted to the Commission. He stated that the high values located around the dispensers is what is throwing the averages off. The flat lens is creating an ambient affect and the focus light is putting the light right where the customers need to see.

Mr. Peter used a light meter to check the number of light level that are in the meeting room. The meter indicated 70 footcandles in the meeting room.

Mr. Soper questioned if the "B's" indicated on the lighting schematic would be for the focus fixture. Mr. Peter responded that this is correct. Mr. Soper questioned if the "A's" shown on the drawing indicates what has already been approved. Mr. Peter responded that this is correct.

Mr. Soper questioned if they need to have such high intensity of lighting around the pump itself. Mr. Peter responded that they believe that this is necessary. He stated that the fixture is only a 100 watt metal halide. The flat lens fixture has a 320 watt halide. He noted that it is really a very tame light source. He stated that the lighting in the meeting room is for task purposes. He stated that they are doing the same thing a at gas pump, task type purposes. He stated that the customer has to see what they are doing.

Mr. Hemker stated that he felt that this is awfully bright. He stated that if you look at the numbers indicated away from the pumps, there are 30's and 40's and some higher.

Mr. Peter stated that the petroleum industry average is 60 to 100 foot candles average under the canopy. He stated that 20 foot candles is extremely low. He challenged the Commissioners to find any gas station in this area that does not have a foot candle value over 20.

Ms. James stated that there is a tension between the gas station owner and the Planning Commission. She stated that the Commission wants this to be a dark as possible and the gas station owner wants this to be as light as possible.

Mr. Banham stated that initially they looked at it this way, but when they looked at the numbers it became more of a safety issue than a marketing issue. He stated that they are thinking more of safety issues. They are going to be liable for this lot. He stated that historically speaking, gas stations that are going to be open 24 hours, they need to make sure that they are secure all the time.

Mr. Barber turned off some of the lights in the meeting room and asked Mr. Peter to check the

foot candles. Mr. Peter did, and stated that it was down to 20 foot candles.

Mr. Doozan stated that it would seem that 20 foot candles should be sufficient lighting in between the pumps. He stated that with the focus fixture, it doesn't suggest why they would need lighting in the 50's between the pumps.

Mr. Barber stated that if they allow this applicant to do this, then they would have to allow anybody else who comes in with a gas station proposal the same consideration. He stated that the Township has engineers come up with their lighting requirements because of the dark skies in the area.

Mr. Peter stated that this site seems to sit very low. Mr. Soper stated that this is more of a problem for the lighting because they are concerned about the lighting catching someone's eyes.

Mr. Peter stated that the lighting they are proposing now is for safety reasons. He stated that gas stations tend to have a high crime rate because of the amount of money that is being passed.

Mr. Banham stated that if something happens in the store, they would like to be able to see to try and get a license plate number. He noted that they do get drive-offs all the time. He stated that if they don't have good lighting under the canopy, it is a disadvantage to them.

Mr. Bisio questioned some of the values that are indicated on the schematic chart. Mr. Peter stated that they could reduce the wattage on the fixture. Mr. Bisio stated that he sees the need to light up the pumps, but the overall lighting is too high.

Mr. Peter stated that the reason the Green Oak gas station, which was discussed briefly before, looks like it is so bright is because the lights are not flush with the canopy, they hang below the canopy. At this station you see the light source and that is what produces the glare. He stated that with this product you will not see the light source, therefore, there will not be any glare.

Ms. James stated that the applicant's architects seem to think that the lighting was sufficient. She stated that it is up to the applicant to give the Commission the burden of proof to show why they need the higher amount of lighting. Mr. Banham stated that he called the architect and asked him about the lighting, and was told that it was an oversight and somebody made a mistake.

Mr. Banham stated that they want to create a safe environment. They are open 24 hours and are close to the freeway.

Mr. Doozan questioned if they could use the same fixture but with a lesser watt bulb. Mr. Peter stated that most gas stations use a 400 watt halide bulb. He stated that with this product they use a 320 watt bulb, but can reduce it to 250 watts. He stated that with the lesser watt bulb, he can't promise that they will get the numbers down to 20, but they will definitely get close. He stated that he could have the study done tomorrow, it is just a matter of plugging in the numbers to the CAD System.

Mr. Bisio noted that there is a lot of shoplifting going on already per a discussion he had with the Oakland County Sheriff.

Mr. Banham questioned if they could come up with a formula that the Commission would approve them for a certain amount and then they will work around this to match it. He stated that it would then become their problem to end up with a certain amount for the foot candles and a certain

amount for the pump area.

Mr. Soper questioned what the amount would be if the wattage was reduced. Mr. Peter responded that the foot candles would probably be reduced by 20% to 25%.

After further discussion, the Commission determined that Mr. Barber and Mr. Soper would visit a few gas stations in different locations and use a light meter to determine and compare the amount of foot candles. Mr. Barber and Mr. Soper will compile this information and report back to the Commission at their next meeting. It was also determined that Mr. Peter would run another study using the lower wattage bulbs and return to the Commission at the next meeting with the results of the study.

Ms. James made a motion to table AP-02-23, Sunoco Gas Station and Convenience Store, until the next meeting. Mr. Soper supported the motion.

Voice Vote:           Ayes: All  
                              Nays: None

Motion approved unanimously.

**7.     DISCUSSION AND COMMUNICATIONS:                    NONE**

**8.     ADJOURNMENT:**

Mr. Hemker adjourned the meeting at 7:23 PM.

Respectfully Submitted,

*Deby Cothery*

Deby Cothery  
Recording Secretary