

**City of South Lyon
Planning Commission
Regular Meeting Minutes
June 14, 2018**

Approved: _____

The meeting was called to order by Chairman, Scott Lanam at 7:15 p.m.

Roll Call: Scott Lanam, Chair
Keith Bradley, Vice Chair
Steve Mosier, Commissioner
Mike Joseph, Commissioner

Absent: Jason Rose, Commissioner, Excused
Wayne Chubb, Commissioner, Excused
Erin Kopkowski, Commissioner, Excused

**Motion to excuse Commissioner Chubb, Rose and Kopkowski
Motion by Mosier, Second by Bradley**

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Also Present: Carmine Avantini, Planning Consultant
Kelly McIntyre, Planning Consultant
Judy Pieper, Deputy Clerk
Patrick Brzozowski, Zoning Administrator
Tim Wilhelm, City Attorney

Motion made to add New Business #1, set Public Hearing for July 12, 2018 for the ordinance Utility Poles and Wireless facilities in the right away - distributed by Attorney Wilhelm at the beginning of the meeting.

Motion by Bradley, Second by Joseph

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

**Motion to approve the Agenda as amended
Motion by Mosier, Second by Bradley**

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

**Motion to approve Minutes as amended
Motion by Bradley, Second by Joseph**

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Public Comments – None

Public Hearings

1. Thomasville Site Condominium, PD Rezoning Preliminary Site Plan (#2018-003)

Allan Pruss, Monument Engineering Group and Associates, Inc., begins by explaining that the first time they went before the Board, sometime in early 2016, receiving a final site plan approval for the basically the same lay out that is in front of the Board now. He further states that the only change is that the lots went from 40 foot wide lots to now 50 foot lots, the density went from 60 units down to 50 units. The road alignment has not changed. The intersection at Lexington and Thomasville has been tweaked to accommodate the 50 foot wide lots. He further states that they made a few other minor changes throughout the sub. They have been working with Patrick and Carmine. They are here to answer any questions.

Planning Consultant McIntyre states that this will be a two-step process and they are looking at taking care of this simultaneously. The rezoning and the preliminary PD Site Plan request to construct a 50 unit, detached single-family residential condominium site. McIntyre states the only major change is the increase in lot size. She also states that there are a number of items that will need a waiver on. The Lot Area, Lot Width, Residential Density, Front yard setback, Side yard setback, Rear yard, Building Height and Lot Coverage. McIntyre goes on to state that the Police and Fire Departments have requested the installation of a paved, gated emergency access drive to 11 Mile Road. The previous property owners tried to work with Colonial Acres to obtain a cross access easement to allow the connection of Lexington Drive within Colonial Acres. At this time, Colonial Acres is not interested in pursuing this agreement. The City requests that Lexington Drive be paved to the property line and that easement language is included as a condition of site plan approval.

Planning Consultant Carmen Avantini, adds on the original plans, the sidewalks were back off of the curb by a foot or two. Now they are showing integrated with the curb.

Lorenzo Cavaliere, 30078 Schoenherr, Suite 300, Warren, Michigan Cavaliere states that in the old plan there was a 3 foot green belt between the back of the curb and the sidewalk, and you really can't plant anything on the 3 feet. If we could go with a 2 foot green belt and a 5 foot public walk that would still give you the look and still give something that is quite practical.

Chair Lanam states that the elevations seem to be very similar and doesn't see a difference when driving down the street.

Cavaliere states that it is done on a case by case basis, as they will not know which home is going to be sold on each lot.

Commissioner Joseph states that these are the epitome of “cookie cutter” houses. The designs are dated. They need to be more imaginative. Look at the materials that you are using. Take a drive around South Lyon. This is a 1980’s house.

Chair Lanam states that the designs are mostly identical.

Commissioner suggests flipping the garage from one side to the other.

Cavaliere explains that the elevations will be changing.

Commissioner adds that the homes have very little character.

Avantini adds that this is a re-zoning, so the preliminary is done here, recommendation to Council, and then they would come back here for site-plan and then to Council again.

Cavaliere adds that they can definitely add some additional options for elevations. Lanam adds that they should bring in samples of materials as part of the review process.

The conversation continues regarding the target market for this development and the housing shortage in this state.

Attorney Wilhelm states that he wants to raise some issues from looking back at the last time this was presented to Council.

Avantini states that the only reason that that connection was sought by the Police and Fire Department was so that they can approve their emergency exit through Colonial Acres. It really provides no benefit to this development.

The conversation continues regarding the 2nd reading that is included in the Council packet dated 11-14-2016.

Public Hearing opens at 7:56 p.m.

Judy Keeling, Colonial Acres Board

Keeling states that she would like to re-iterate that they are not for this property coming on to Lexington Drive, it’s a private road and we maintain that road. She states that they have Heritage Road that goes through for Police and Fire. She again states that she wants it noted that the project itself is not the problem, the problem is if they come on to our road.

Avantini adds that Colonial Acres may want to put up a sign on their property line.

Public Hearing closes at 7:58 p.m.

Motion made to recommend to City Council approval for Plan Development and Rezoning the Preliminary PD Site Plan for Thomasville Development conditioned upon the approval of the following: a waiver to allow an average lot area of 4,200 s.f.; a waiver to allow a minimum lot width of 50ft.; a waiver to allow an

overall density of 5.2 units per acre; a waiver to allow a setback of 15 feet between buildings; the installation of landscape buffering abutting colonial acres to be installed at the beginning of the project/construction; inclusion of language for a future cross access agreement with Colonial Acres via Lexington Drive; Submission of revised building elevations and material samples to the Planning Commission during final site plan review; draft condominium documents to be submitted during final site plan approval; sidewalks back to 2ft green belt between the curb and the sidewalk; all recommendations from the 11-14-2016 City Council packet A – E; All part of the original plans must be included on the site plan.

Motion by Bradley, Second by Mosier

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Cavaliere asked for a correction to 10 feet between buildings on prior Motion.

Motion to amend prior motion to allow waiver of setback to 10ft between buildings

Motion by Bradley, Second by Mosier

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

**Motion to approve amended motion
Motion by Bradley, Second by Mosier**

Voice Vote: Ayes: Unanimous

Nayes: None

Motion Approved

2. 825 W. Lake Street Conditional Rezoning (#2018-004)

Developer – Bob Langan, 128 N. Center Street, Northville, Michigan

One of the Principles of LV Holdings, LLC., which is the owner of this property. He goes on to state that his partner, Michael Valvona and their Consulting Engineer, Cliff Seiber, from Seiber Keast and Associates is also in the room this evening. He states that this property is at the corner of Lake Street and Dixboro and was in the Township until about a year or so ago, when it was annexed in to the city. He goes on to say that they have had a number of meetings with Consultants in the City to go over what they thought would be a good use of this property. He states that they have come up with a Multi-Family concept, 72 units in three buildings.

Consulting Engineer, Cliff Seiber states that they have really made an effort to make it not look crammed from Lake Street. He states that it is a looped traffic system with a Boulevard entrance off of Lake Street and good circulation throughout the site. Entering the site from the Boulevard gives you a more open space with a Gazebo. The Storm Water Basin runs along Lake Street adding a more open feel for the development. The Boulevard was added for a secondary access (after speaking with the Fire Marshall) with a breakaway gate for emergency use. Utilities, along with a looped water system, sanitary sewer and storm water will be on site as well. The mix of the units will include 51 – 2 bedroom and 21 – 1 bedroom. The parking requirements are met, along with an additional 20% guest parking.

Avantini refers the Board to the letter dated 6-7-2018 , he states that this is an additional rezoning request from R-1A (One Family Residential) to RM-3 (Multiple Family Residential) He goes on to explain the process stating the applicant will offer conditions. If those conditions are found acceptable in the Board's recommendation and also to City Council, the applicant would have to come back for final site plan approval.

Avantini goes on to list the following Conditions:

1. Building Exterior – High quality building materials
2. High Quality Interior Fit and Finish

3. Outdoor Recreation – Walkway connection over to the trail that goes to McHattie Park
4. Carport Construction – With input from the Police Department, will be open design, be strategically placed and illuminated

Avantini goes on to talk about how they had 2 meetings to discuss different land uses. What would be a good transitional use? This particular use gives us more flexibility. He states that with the conditional re-zoning, they are locked in with this use.

Avantini goes on to state that they recommend the approval of the conditional rezoning application for 825 West Lake Street, from R1-A, Single Family Residential to RM-3, Multiple Family Residential, in order to construct a low-rise apartment complex – based upon the following reasons:

1. Although the multiple family designation is not consistent with the site's planned future use of Industrial, residential properties are in close proximity to the subject parcel;
2. The proposed multiple-family residential provides an appropriate transition between the abutting industrial and single-family residential zoning districts.
3. It will be difficult to develop the property for any of the permitted and special land uses in the current R1-A zoning district;
4. The site's physical and other environment features are compatible with the proposed use;
5. The proposed use is compatible with surrounding uses and zoning in terms of land suitability, impacts on the environment, traffic volumes, aesthetics, infrastructure, and addressing a community need;
6. The street system is capable of safely and efficiently accommodating the limited expected traffic volumes generated by the proposed use; and
7. The capacity of public utilities and services is sufficient to accommodate the proposed use without compromising the city's health, safety and welfare.

The conversation continues regarding building a pathway and whether to build now or build it when the City feels it is appropriate, based on the paving of Dixboro. Chair Lanam states that Dixboro, between 8 and 9 Mile will be paved within the next year, but between 9 and 10 Mile there is no definite time. There are pretty major things in the way.

Lanam questions why they felt that the Dixboro entrance is not necessary. Seiber explains that this can be changed if the city would prefer.

Commissioner Joseph states that he is not a fan of apartments, but these are an appealing design. He states that he would like these to be maintained and to have appropriate landscaping.

Commissioner Bradley questions if 2 dumpsters will be enough. Langan states that they would be placing them and sizing them accordingly.

Lanam states that they would like to see building and color samples.

Public Hearing opens at 8:32 p.m.

Gayle Neff, 834 W. Lake, South Lyon, Michigan

Neff states that she has lived at this corner for almost 35 years, and there have been numerous accidents at this location. She states that there is a slight curve to this road and her concern is the speed of the traffic as traffic is heading out of town. She questions if there will be any changes to Lake Street. She states that she is worried about losing her 100+ year old barn. She states that she is concerned regarding the electricity. She also states that it is a nice looking building, her main concern is the road and the traffic. She adds she would like to see a blinking light at this corner.

Commissioner Joseph states that if/when they pave Dixboro, they will have to put up a traffic light.

Matt Zajac, 132 Shannon Partin Court, Charleston Park Sub-Division

Zajac states that he would prefer that South Lyon remain more of a community where the owners have a vested interest in the City. In his younger years, having an apartment was not a community; it was just somewhere you are staying. While it is proposed to be higher end, this is his point of view and he is assuming the same point of view from his community. If it does go forward, he states, he would like to see requirements from the city that landscaping be imparted to hide parking and/or carports. He states again, that he would like to see owned units vs leased or rented units.

Commissioner Bradley adds, that as far as landscaping is concerned, the Board is pretty tough on this.

Ken and Linda Redman, 24000 N. Dixboro, South Lyon, MI

Redman states that he borders the property that we are talking about. He just wanted to see what this was about; he really does not have any complaints as of yet. Just wants to see what is going on there.

Public Hearing closes at 8:43 p.m.

Langan states that the application that they submitted comes with a two page, written by me, narrative of the conditions which were the exterior quality(durability), the interior quality fit and finish, the outdoor recreation pathway that we discussed, and the carport construction that we keep public safety in mind and to minimize the overwhelming visual effect of a carport. Langan states that he has submitted a landscape plan with the package. It has significant landscaping along Lake Street and significant landscaping with the Redman's.

Attorney Wilhelm states that he would like to briefly touch on the authorization for conditional rezoning – MCL125.3405

Motion to recommend to the Council approval of the conditional rezoning application for 825 W. Lake Street from R1-A, Single Family Residential to RM-3, Multiple Family Residential, with the following conditions:

- 1. The Exterior use of durable, exterior building materials including cultured stone accents, high quality composite siding, high efficiency and quality rated windows and attractive solid core exterior doors.**
- 2. Interior Fit and Finish: Use of upgraded finishes including: stainless steel plumbing fixtures, granite countertops, marble and tile bathrooms, built in dishwasher, decorative trim, crown moldings, upgraded carpet, hardwood floors, and in-unit stackable washer and dryers.**
- 3. Outdoor Recreation: the construction of a non-motorized pathway connecting the development to the Huron Valley Trail. The initial path will be temporary and constructed of wood chips or gravel. The owner/developer will deposit the civil engineer's cost of construction estimate for the construction of an asphalt path to be complete after Dixboro Road is paved.**
- 4. Carport Construction: Carports will use an open design, be strategically placed, and illuminated (consistent with the current crime prevention and personal safety standards), with a berm between the carports and Dixboro Road to soften the visual impact.**
- 5. Final site plan approval including landscaping for the following reasons:**
 - 1. Although the multiple family designation is not consistent with the site's planned future use of Industrial, residential properties are in close proximity to the subject parcel;**

2. The proposed multiple-family residential provides an appropriate transition between the abutting industrial and single-family residential zoning districts.
3. It will be difficult to develop the property for any of the permitted and special land uses in the current R1-A zoning district;
4. The site's physical and other environmental features are compatible with the proposed use;
5. The proposed use is compatible with surrounding uses and zoning in terms of land suitability, impacts on the environment, traffic volumes, aesthetics, infrastructure, and addressing a community need;
6. The street system is capable of safely and efficiently accommodating the limited expected traffic volumes generated by the proposed use;
7. The capacity of public utilities and services is sufficient to accommodate the proposed use without compromising the city's health, safety and welfare.

Motion by Bradley, Second by Mosier

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

New Business:

1. Consideration of Zoning Ordinance Amendments for Small Cell Wireless Communication Facilities Deployment Act (SB 637)

Attorney Wilhelm gives a bit of back ground information regarding this act. He states that we are just trying to be proactive and stay ahead of the game.

Motion to set a Public Hearing for 7-12-2018, to go over the ordinance for the wireless utility pole and other structures.

Motion by Mosier, Second by Joseph

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Old Business:

Tabled Items:

Planning Consultant Report:

Avantini states that they are looking forward to meeting with you in two weeks to go through the Zoning Ordinance.

Staff Report: None

Adjournment:

Approval to Adjourn

Motion by Bradley, Second by Joseph

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved – Meeting Adjourned – 9:05 p.m.

Scott Lanam, Chairman

Judy Pieper, Recording Secretary

Steve Mosier, Secretary

DRAFT