

**City of South Lyon
Planning Commission
Regular Meeting Minutes
November 10, 2016**

The meeting was called to order by Chairman Lanam at 7:06 p.m.

PRESENT: Scott Lanam, Chairman
Keith Bradley, Vice-Chairman
Jerry Chaundy, Secretary
Michelle Berry, Commissioner
Mike Joseph, Commissioner
Steve Mosier, Commissioner
Jason Rose, Commissioner

ABSENT: Wayne Chubb, Commissioner (excused)
Frank Leimbach, Commissioner (excused)

OTHERS PRESENT: Timothy Wilhelm, City Attorney
Carmine Avantini, Planning Consultant
Kelly McIntyre, Planning Consultant
Megan Blaha, City of South Lyon

APPROVAL OF AGENDA

Motion by Mosier, second by Chaundy to approve the agenda for November 10, 2016.

VOTE **MOTION CARRIED UNANIMOUSLY**

Minor corrections were made to the October 13, 2016 minutes.

APPROVAL OF MINUTES AS AMENDED:

Motion by Bradley, second by Chaundy to approve the minutes for October 13, 2016 as amended.

VOTE **MOTION CARRIED UNANIMOUSLY**

COMMENTS FROM THE PUBLIC:

Carl Richards

390 Lennox, South Lyon

Richards stated that the South Lyon Herald no longer has a reporter at City Council meetings. He noted that there was a new business in the former ATI Physical Therapy location. Richards stated that a lot of work has been doing at Huntington Square. He touched on issues at the Knolls of South Lyon site.

PUBLIC HEARING:

None.

TABLED ITEMS:

1) St. Joseph Catholic Church Sign

Commissioner Joseph stated that he wanted to make the Commission aware that he is a member of St. Joseph Catholic Church and to ask if this constituted a conflict of interest. City Attorney reviewed the by-laws with the Commission, there was a consensus that this did not constitute a conflict of interest.

Planning Consultant Avantini reviewed the resubmitted sign permit, noting that the sign being proposed tonight does confirm with the ordinance.

MOTION TO APPROVE THE ST. JOSEPH CATHOLIC CHURCH SIGN AS PRESENTED IN THE SIGN PERMIT APPLICATION AND SKETCH DATED OCTOBER 17, 2016:

Motion by Bradley, second by Berry to approve the sign permit application and sketch for St. Joseph Catholic Church.

VOTE

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS:

1) South Lyon Storage 500 Stryker Street

Chairman Lanam opened the public hearing at 7:14 p.m.

Avantini reviewed his letter dated November 2, 2016 regarding the conditional rezoning request for 500 Stryker Street. He went over the conditions being offered by the applicant. They are:

1. The use will be limited to a storage facility.
2. Screening and buffering will be provided according to ordinance requirements.
3. The rezoning is conditioned upon site plan review and approval.

Avantini then reviewed the specific criteria that the Planning Commission should consider, in addition to other factors, in making their findings, recommendation and decision. These criteria are:

Criteria A. The requested zone should be consistent with the goals, policies and future land use map of the Master Plan, including any location-specific or corridor studies. If conditions have changed since the Master Plan was adopted, as determined by the Planning Commission or City Commission, the consistency with recent development trends in the site's area shall be considered.

Criteria B. The site's physical, geological, hydrological and other environmental features should be compatible with the host of principal permitted and special land uses in the proposed zone.

Criteria C. Evidence should document the applicant cannot receive a reasonable return on investment through developing the property with one or more of the principal permitted and special land uses under the current zoning.

Avantini went on to review his findings.

Finding A. The property at 500 Stryker Street is zoned and master planned as residential use. While the proposed conditional rezoning is not consistent with that document, there are several properties in close proximity that are master planned as industrial. He noted, that in addition, the conditional rezoning would limit the use of this property to a self-storage operation only.

Finding B. As a condition of rezoning, this property cannot develop into any other permitted or special land uses permitted in the industrial zoning district.

Finding C. It is unlikely that a reasonable return on investment through developing the property as single-family residential will occur, given the size of the parcel. Other difficulties include crossing the Yerkes Drain to access the rear third of the parcel, lot minimums and setbacks and the requirement for two points of access to residential developments.

Finding D. *The potential uses allowed in the proposed zone should be compatible with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic volumes, aesthetics, infrastructure, and potential influence on property values.* The conditional rezoning limits the property's development to self-storage units. The nature of this operation includes a minimal number of employees and traffic generation.

Finding E. *The street system should be capable of safely and efficiently accommodating expected traffic volumes generated by the potential uses in the requested zone.* The street system is capable of safely and efficiently accommodating expected traffic volumes generated by the self-storage operation.

Finding F. *The capacity of public utilities and services should be sufficient to accommodate the potential users in the requested zone without compromising the City's health, safety and welfare.* The proposed conditional rezoning should not increase demand for public services beyond what can reasonably be provided to the site.

Finding G. *There should be an apparent demand in the City for the types of potential uses in the requested zone in relation to the amount of land in the City currently zoned and available to accommodate the demand.* There is a limited amount of available Industrial land in the City that can adequately be developed for use as a self-storage facility. The presence of a manufactured housing community next door also makes this a good location for the storage facility since the units lack garages and basements, leaving a need for additional storage space.

Finding H. *Other criteria as determined by the Planning Commission or the City Council which would protect the public health, safety and welfare, protect public and private investment in the City, promote implementation of the goals, objectives and policies of the Master Plan and any amendments thereto, and enhance the overall quality of life in the City.* The subject property is subject to the site plan review process and failure to obtain approval will lead to the conditional zoning being eliminated.

In summary, Avantini stated that he recommends approval for the conditional rezoning application for 500 Stryker Street from R-3 Residential to I-1 based on his analysis and the parameters of the conditional rezoning request.

Finding B. *Compatibility of the site's physical, geological, hydrological and other environmental features with the potential uses allowed in the proposed zoning district.* The parcel is located adjacent to existing industrial sites and is also in close proximity to residential. The site is large enough to accommodate the uses permitted in the RM-1 District and although there is a wooded and wet area in the north east area of the property, this should not limit the ability to develop this site.

Finding C. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under the current zoning.* The applicant has provided an analysis of current real estate trends and projections. Avantini noted the economic downturn from the time that the property received site plan approval. He noted that the City and state are now in a better position for economic development opportunities and construction. Avantini stated that evidence has not been provided to show that the property cannot receive a reasonable rate of return on investment through developing the property with one of the uses permitted under the current zoning.

Finding D. *The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.* The proposed residential use would be consistent with the abutting residential. Avantini stated that he was concerned with the proximity of the proposed residential to existing and operating industrial uses. This includes the Water/Wastewater Treatment Plant and Michigan Seamless Tube. Noise from these existing operations as well as light, dust and dirt are not compatible with residential uses.

Finding E. *The capacity of City infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the City.* The proposed rezoning should not increase demands for public services beyond what can reasonably be provided to the site.

Finding F. *The apparent demand for the types of uses permitted in the requested zoning district in the City in relation to the amount of land in the City currently zoned to accommodate the demand.* Avantini noted that the City has an abundance of residential development, nearly 65% of the land within the City is zoned and/or used for residential purposes. Industrially zoned and utilized land in the City accounts for 4.3%.

Finding G. *Where a rezoning is reasonable given the above criteria, a determination shall be made that the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district.* The Master Plan does designate this site for Industrial use so other zoning districts would therefore not be appropriate.

In summary, Avantini stated that he did not recommend approval of the rezoning request from I-1 Light Industrial to RM-1 Multiple Family Zoning District for the following reasons:

1. The proposed rezoning is not consistent with the City of South Lyon Master Plan, and more specifically, the Future Land Use Plan.
2. There is a need to retain the City's limited industrial land.

3. Rezoning the land to residential does not address a community need (residential land use in the City is 65%).
4. The site is capable of accommodating the range of uses permitted in the I-1 District.
5. Residential use at this location is not an appropriate use due to adjacent, existing industrial operations.

Cliff Sieber
Sieber Keast Engineering
100 N Center Street, Northville

Sieber reviewed the characteristics of the site and the surrounding uses. He stated that they are proposing to keep some of the natural topographic features in place to act as a buffer between uses. This includes the wetland and trees on the west side to shield the proposed residential from industrial. He stated that the property started getting developed in 2002 and has sat vacant ever since due to the relatively small lot size and the fact that it is not near any major roads. He stated that they are proposing to build 66 units. The units will be duplexes.

Mark Schafer
Thomas Duke
37000 Grand River #360, Farmington Hills

Schafer reviewed an analysis that he did on the West End Industrial property and other similar properties in the region. He noted that access to the site is available only on unpaved Dixboro Road, which has been a deterrent to development. He noted that he looked at land use maps from Oakland County and stated that there is still a lot of industrial property in Lyon Township along the Grand River corridor that will be developed long before the West End property.

Carl Richards
390 Lennox, South Lyon

Richards stated that he agreed with Schafer. He has walked this property many times and he agrees that it probably won't get developed as an industrial use. Richards said that he thinks that there has to be something else that will work.

Chairman Lanam closed the public hearing at 7:55 p.m.

Schafer stated that the property is under purchase agreement and it is not yet owned by the developer. Lanam asked if the owner was aware of the proposed rezoning. Schafer responded that he was, and that he is present tonight.

Lanam stated that a portion of Dixboro Road will be paved so that shouldn't be an issue in the future. Commissioner Rose stated that Dixboro Road is a Class B road now and that won't change even it gets paved.

Joseph asked if the duplexes that the developer were proposing were condos. Schafer stated that they would be condos.

Lanam stated that it didn't look like that there had been much effort to actively market the property.

Commission Mosier stated that the City's Water/Wastewater Treatment Plant was just south of this property on Dixboro Road. He went on to say that he thinks that West End could be developed for industrial use if it was marketed correctly.

Rose stated that he thought that this was not an ideal spot for industrial uses. He noted that there were nice homes nearby.

Joseph stated that he agreed with Rose. He stated that there were \$500,000 houses located right across the street from West End.

Rose stated that Class B roads have weight restrictions and are not practical for getting large trucks into and out of the site.

Eric Szerlag
Thomas Duke
37000 Grand River #360, Farmington Hills

Szerlag stated that he has had the listing for West End Industrial for the last two years. He stated that before he had the listing, it had been listed with other commercial real estate companies. Szerlag stated that he had marketed the property just like all his other listings, including sending out mailers and emails and making calls to developers.

Commissioner Chaundy asked if anyone has come to the City looking for industrial property.

Avantini stated that he was not aware of any specific requests, although they would not necessarily come to him if there were any.

There was a discussion about tax revenue from residential and industrial properties.

There was a discussion about how to proceed on a possible motion for this rezoning request. Wilhelm stated that the City needs to get a written statement from the owner of the property before the Planning Commission could authorize a rezoning request.

Meghan Blaha stated that there had been an error in the mailings to nearby property owners and that this would need to be corrected prior to the Planning Commission deciding on this request.

Marc O'Rourke
Landmarc Building & Development
40440 Grand River Ste. E, Novi

O'Rourke asked the Commission to table the request.

MOTION TO TABLE THE THE REQUEST TO REZONE THE WEST END INDUSTRIAL PROPERTY ON DIXBORO ROAD BETWEEN 9 AND 10 MILE ROADS FROM I-1 INDUSTRIAL TO RM-1 MULTIPLE FAMILY RESIDENTIAL UNTIL THE DECEMBER 8, 2016 PLANNING COMMISSION MEETING:

Motion by Bradley, second by Rose to table the request to rezone the West End Industrial property.

VOTE

MOTION CARRIED UNANIMOUSLY

OLD BUSINESS:

None.

TABLED ITEMS:

None.

PLANNING CONSULTANT REPORT:

Avantini gave an update on the work done at South Lyon Square. He stated that he was looking on feedback regarding the street trees that had been removed. There was a general consensus among the Planning Commission that the removal of the trees was alright.

Lanam asked about the sign issues that were brought up at the last meeting. Avantini stated that this was an issue that Safe Built was working on.

Mosier stated that the City had recently hired a new Code Enforcement Officer.

STAFF REPORT:

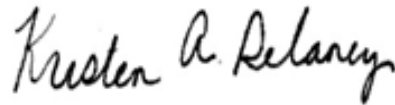
None.

ADJOURNMENT:

Motion by Bradley, second by Rose to adjourn the meeting at 8:34 p.m.

VOTE

MOTION CARRIED UNANIMOUSLY



Scott Lanam, Chairman

Kristen Delaney, Recording Secretary

Jerry Chaundy, Secretary