

**City of South Lyon
Planning Commission
Regular Meeting Minutes
March 12, 2020**

Approved: 

The meeting was called to order by Chairman, Scott Lanam at 7:00 p.m.

Roll Call: Scott Lanam, Chair
Steve Mosier, Commissioner
Erin Kopkowski, Commissioner
Michael Joseph, Commissioner

Absent: Jason Rose, Commissioner
Wayne Chubb, Commissioner

Also in attendance: Kelly McIntyre – CIB Planning
Judy Pieper – Deputy Clerk

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

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

**Motion to approve Agenda
Motion by Mosier, Second by Joseph**

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Motion to approve minutes from 2-13-2020

Motion by Kopkowski, Second by Mosier

Voice Vote: Ayes: Unanimous
Nayes: None

Motion Approved

Public Comments: None

Chair Lanam explains to the applicant that they are missing two Board Members this evening and he does have the option to postpone his presentation until they have a full board. Otherwise, he would need three out of four votes in his favor to pass his proposal.

The applicant states that he does wish to move forward with his presentation.

Public Hearing – Opens at 7:09 p.m.

Kelly McIntyre, CIB Planning, states that tonight we are looking at the Fieldstone Site Condominium, Planned Development (PD) Rezoning and Preliminary PD Site Plan Review.

The applicant is Pulte Homes, they are proposing a 50-unit single-family residential plan development on an 11.635-acre parcel. This is on the south side of Eleven Mile, ¼ mile west of Pontiac Trail. The property is currently zoned RM1, Multiple Family, it's triangular in shape and bordered by 11 Mile Road, single-family residential to the North; and the railroad and condominium units to the East and to the South. There is a pond located at the northwest corner of the site. Leaving it at RM-1 Multiple Family, this property can accommodate up to 154 units, given all other height, bulk, density and area regulations are met.

McIntyre gives some background information on this application and advises the Planning Commission that they have seen this a few times in the past several years. Proposals included single-family condominiums planned with 60-units, geared toward "empty-nesters". The originally approved development (formerly

known as Thomasville) was for the empty-nester housing to meet the demand for this type of housing and was a qualifying condition for the PD project. She states that the Planning Commission should come up with some qualifying conditions that support the rezoning and waiver of certain zoning ordinance standards.

McIntyre states that much of the plan is similar to the plan that the Board saw in 2018 and 2019. It uses the same entryway location off of Eleven Mile Road and the same road layout and circulation. The major difference is that the applicant has shown the largest possible footprint for each model and all the options that could, if selected, be on that property. Which includes enclosed sunroom, extended garages, and what the resulting lot coverage calculations could be.

McIntyre goes on to explain that in the RM-1, Multiple Family District, they are permitted to develop single family residential units. They are allowed to do that under the R-3 District regulations. Under this regulation, you have to have a minimum lot size of 8,750 square feet and a maximum density of 3.7 units per acre. Based upon the total acreage, they would have 43 units. The applicant is requesting 50 units.

McIntyre states that there are a couple stages that will need to be done. There is the planning development and rezoning, they will also look for a preliminary site plan recommendation. They will need two recommendations, one for the rezoning and one for the site plan to Council. Council will look at those and if approved, this will come back to Planning for final site plan where you will look at this again and make your final recommendations to City Council. There is also a required public hearing, which we will also be doing.

McIntyre goes through the following standards that must be met for consideration of a Planned Development rezoning request:

- a. **The uses proposed will have a beneficial effect, in terms of public health, safety, welfare or convenience or any combination thereof, on present and potential surrounding land uses. The uses proposed will encourage a more efficient use of public utilities and services and lessen the burden on circulation systems, surrounding properties, and the environment. This beneficial effect for the city (not the developer) shall be one which could not be achieved under any other single zoning classification.**

The proposed use will create less density than a multiple family residential development. Correspondingly, with less units, traffic and demands on utilities and public services will be less than required for multiple family. However, the development will be much more compact than originally anticipated. The proposed development *may* increase property values in the surround area.

b. The uses proposed shall be consistent with the master plan of future land use for the city.

The proposed future land use designation for the site is Suburban Residential, which includes “Planned developments that may contain a mix of suburban and traditional residential.”

c. The zoning is warranted by the design and amenities incorporated in the development proposal.

Given the unique characteristics of the site (unusual shape, a pond, proximity to a railroad, etc.) a Planned Development is more appropriate than a project developed under RM-1, Multiple-Family Residential zoning regulations. The major concern is whether the narrow roads and driveways will be suitable for larger houses, and the potential for additional vehicles, than the originally approved empty nester units.

d. Usable open space shall be provided, at least equal to the total of the minimum usable open space which would be required for each of the component uses of the development. The city may, if deemed appropriate, require for planned developments more or less open space than that required by this chapter.

Given the challenging shape of the lot and unique characteristics of the site, the open space is provided between the units that back up to one another thereby preventing the creation of through-lots. The pond at the northwest corner of the site will also be used as a detention basin, some trees along 11 Mile road will be preserved; and a passive recreation trail is planned around the pond.

- e. **Off-street parking sufficient to meet the minimum required by section 102-476 shall be provided and the city may, if deemed appropriate by the city require for planned developments more or less parking than that required by the chapter.**

Under the R-3 zoning designation, single family residential units must provide two (2) parking spaces per unit on the property it serves. Each proposed unit has a garage and driveway meeting this standard. The narrower roads will make it more difficult to accommodate additional vehicles in the future, primarily visitors.

- f. **Landscaping shall be provided so as to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. The city may, if deemed appropriate, require for planned unit developments more or less landscaping than that required by this chapter.**

Landscape buffering is to be provided along the south and east property lines abutting the existing condominium units. McIntyre adds that they will have a six-foot vinyl fence and staggered evergreens and they will be installing these prior to construction. Additional landscaping is proposed along the railroad tracks to create a vegetated buffer.

- g. **Vehicular and pedestrian circulation, allowing safe, convenient, uncongested and well-defined circulation within and to the district shall be provided.**

Vehicular access to the property will be from 11 Mile Road and meets the above criteria. Sidewalks are also provided within the project, however, there are several locations where a connection needs to be made to create safe pedestrian circulation.

- h. **Natural and historical features of the district shall reasonably be protected and preserved.**

The pond and some trees on the northern edge of the property will be preserved under this project.

McIntyre goes on to discuss the Preliminary PD Plan Review. She states that the R-3 single family residential district allows 3.7 dwelling units per gross acre; the applicant is requesting 4.7 dwelling units per acre. In order for this to happen, the planning commission must grant a waiver to allow an overall density of approximately 4.7 units per acre.

She then refers to the graph in the CIB Planning letter, dated 3/4/2020.

A waiver is required by the Planning Commission regarding Unit Lot Area, Unit Lot Width, Residential Density, Side Yard Setback, Rear Yard Setback and Building Coverage. The applicant does meet the standards for the Front Yard Setback and the Building Height.

McIntyre goes on to explain the Overall Layout and how the overall layout of the development complements neighboring residential developments. She goes on to discuss the Circulation of the development and the Pedestrian Circulation, along with the Emergency Access, Natural Features, Open Space/Park Area, Preliminary Landscape Plan and the Building Elevations.

Based upon the review that McIntyre discussed, the recommendation is that the Planning Commission recommend approval to City Council for the PD, Planned Development rezoning and Preliminary PD Site Plan for the Fieldstone development, with:

1. A waiver to allow an average lot area of 5,823 square feet;
2. A waiver to allow a minimum lot width of 50 feet;
3. A waiver to allow an overall density of 4.3 units per acre;
4. A waiver to allow a side yard setback of 5 feet, totaling a minimum of 10 feet between structures;
5. A waiver for rear yard setbacks that in some cases drops 30 feet;
6. Gaps in the internal sidewalk connection and along Eleven Mile Road be installed;
7. Require that the installation of landscape buffering abutting Colonial Acres to be installed at the beginning of the project/construction;
8. Brick or stone be required on first-floor side elevations;
9. Brick or stone be required on first floor rear elevations if a sunroom or gathering room is not added to the base model;
10. Missing landscape calculation and unit data (square footage) be provided;

11. Draft condominium documents to be submitted during final site plan approval;
12. Recommendation to approve the maximum lot coverage of 33%

McIntyre states that in the Boards packet is a review letter from the engineer, and it says that they do recommend the approval of the Preliminary Site Plan contingent upon the items that are listed in their letter be drafted in Final Site Plan submittal. The Preliminary Site Plan basically locks in the number of units, the layout and the circulation. The Final Site Plan is when we get into more details which include counting the number of trees, looking into the species, along with more engineering work.

Joe Score, Vice-President of Land Acquisitions, Pulte Homes of Michigan, 100 Bloomfield Hills Pkwy, Bloomfield Hills, Michigan

Score states that Fieldstone PD, is something that the Board has seen before under the name Thomasville. Thomasville had received approval Preliminary Site Plan approval in 2019. He states that Fieldstone and Thomasville are virtually identical to each other. The same density, the same road network, the same setback and the same lot size. It is substantially the same product.

Score states that they are here tonight to correct mistakes that were made by the current owner's representative. This fix is absolutely critical to the success of this project.

Score advises the Board that he is in a unique position. He is an employee of Pulte, and he represents them with this project. But he is also a resident of South Lyon and he has lived here for 14 years. His kids have gone to South Lyon Schools and coincidentally, he lives in Trotter's Pointe, which is directly across the road from this community and with the exception of Colonial Acres, probably the most affective community by this proposed PD.

Score goes on to state that this property is zoned RM-1, which allows apartments, multiple family, rentals, and a much higher density than what we are offering here tonight. In his opinion, and as a neighbor, what Pulte is offering is a much better option.

Mike Noles, Vice-President, The Umlor Group, 49287 West Rd, Wixom, Michigan

Noles begins by thanking Kelly McIntyre for being so thorough in her report, stating that she did cover most of what is in his report.

He begins his presentation with a power-point that he put together. The presentation includes slides of what the development will look like once completed. It shows where it is located, the shape of the property and the size (11.36 acres)

He then goes on to discuss what the underlining zoning (RM-1) would look like. He states that the proposed zoning is for 50 units and listed the public benefits. The reduced density would have a positive effect on the surrounding properties and will require fewer public services. There would be less traffic congestion, and fewer demands on public utilities. This proposal is also consistent with the City's master plan, attractive affordable housing for a wide market that includes both empty nesters and first-time buyers.

Noles goes on to say that the property contains 21.6% open space and this helps buffer the development from the railroad tracks on the South and from 11 Mile Road.

The existing pond will be the focal point of the open space with a walking path that will go around the pond. Park benches will be provided in this area. He states that a grove of white oak, red oak and black oak has been preserved along 11 Mile Road. Sidewalks will be provided throughout the development but discusses some issues that exist with a few of the lots.

Noles goes on to discuss the landscaping plans and where they are located and what they will include. He goes on to confirm that the fencing, as requested by Colonial Acres, will be installed prior to the construction of the homes.

Noles then goes on to discuss the elevations that they are proposing. He states that there are 21 elevations, 9 of which are new and refers to the plans that he gave to the Board. He adds that this is a challenging site and they are trying to avoid pricing themselves out of the market. He goes on to discuss vinyl siding vs brick and the surrounding developments which include Trotter's Point and Colonial Acres. He adds that they are eliminating the option of two types of vinyl siding from the prior PD agreement, they feel that this is not a great look and really doesn't make sense.

Noles states Thomasville had only three plans, all of which were 2 story family plans and the problem with one of the plans is that it couldn't be built on any of the lots and is one of the reasons that they are discussing this tonight.

The reason Pulte is requesting modifications for the building lot coverage is because the house sizes on the prior plan contain errors and omissions and

prevented them from building the approved plans and elevations and prevented Pulte from offering any options including optional brick.

He adds, that what the Board is looking at is the maximum building out of the five plans, included all the options, the maximum that would fit within the setbacks, and proposed that to be the plan. This is just to see what the biggest possible house that would fit within the setbacks, also including a 12 x 10 deck. They added up all the square footage of all the homes with all the options divided it by the lot area and it came out to 30%. So, this is what they are asking for. It's a 4% difference. This 4% will give the homeowners the option of porches, extended garages, backyard appeal and an improved street scape.

With this new plan, there are 18,000 possible combinations that can be built. He adds that these are great looking houses that cater to new families, underserved millennials, active adults, recently empty nesters and they are priced between \$325,000 to \$350,000.

Chair Lanam opens the floor to the Public to see if anyone would like to speak.

Bill Charles – President of the Colonial Acres Homeowners Association Board of Directors, 61957 Ticonderoga, South Lyon, Michigan

Mr. Charles states that they would like to see the re-zoning and something like this to avoid the high-density possibilities that could be done with this acreage. He states that they are in support of the plan that was presented.

Judy Keely, 62180 Arlington Circle, South Lyon, Michigan

Ms. Keely states that her condo in Colonial Acres, backs to 11 Mile Road. She states that the traffic would be their issue and she goes on to say that she would prefer this development to have a few less houses, but comparing it to condo's or apartments at 154 units, she would definitely support this.

Jim Hamade, 1189 Horseshoe Drive, South Lyon, Michigan

Mr. Hamade states that he lives across from where this development is, and he does like the plan. He questions if a few homes will be built before the lots are sold. He states that this makes a difference and feels this could give the city negotiation leverage.

Hamade states that extending the sidewalk is very important and there needs to be a way to do that. He goes on to say that he lives right next door to Saddle Creek (in Trotter's Point) and the first thing he noticed when they connected

Shetland was that the roadway narrows and where we are at there is a lot of children. As these children grow up, there are more cars and there is a need to park on the streets. With that said, he thinks the street size will be acceptable. He questions the developer, asking if there will be an HOA and what the annual dues will be and who will be responsible for the common areas.

Hamade asks if the homeowner will own their land, not rented. As he is not in favor of renting the land. He adds that he is concerned that the entrance and the emergency entrance are both on the same end.

Barry Elwell, 1165 Colt Drive, South Lyon, Michigan

Mr. Elwell states that he and his wife has lived there 22 years and they do like that it is quiet. He is all for doing something with this land but would like to see it done with less homes. Maybe 35 or 40, no need for 50, they are being jammed in like sardines. His concern is the traffic.

Chair Lanam closes the Public Hearing portion – 8:08 p.m.

Commissioner Joseph agrees with the public, does not want to see apartments built here. He states that this is an improvement from the original plans. Joseph states that South Lyon is not what it was 20 years ago. The designs being used look like something that was dusted off from 1980. Pulte is one of the biggest builders in the country, he believes in them and he believes that they can come up with some better proposed designs. He would like to see brick on all four sides, but he knows that they are trying to meet a cost ratio. He would also like to see less houses. He is asking them to look at the designs on the houses, not necessarily more cost, just more creativity.

Commissioner Mosier states that he would also like to see more brick and would like to see some of the home styles moved around a little bit more. Do not have all the ranches in one area. Mosier states he would like to see the sidewalks finished as well.

Commissioner Kopkowski states that she's not a fan of the planned development. She adds that they are making a good choice with the re-zoning, but they need to stay within the guidelines – it's only seven houses less. Kopkowski states she is in

the industry too and understands what seven houses less means, but she is not a fan of creative ideas to make it a Planned Development. Stick with what we worked so hard to create. Follow your zoning. She states that enough has been said about what the houses look like, she is not going to even go in that direction.

Chair Lanam states that in the presentation they kept saying that the plan is the exact same as the plan they had before. He states that this is not exactly true, setbacks have been changed, the sizes of the homes have been increased, some of the prior homes would not even fit on the lots. The lot layout is the same, but that's where the similarity ends. Lanam takes issues with some of the lots and adds the reason they can't get the sidewalks in is because they have packed in as many houses as they could and if you decrease that area by two lots, you could have sidewalks at both ends. He states that the last time they looked at this, they did not need six waivers like they do now. He adds that he agrees with the re-zone and thinks this is a better fit than the apartments would be.

Chair Lanam goes on to talk about the gravel road and how that can change down the road. He states that we touched back and forth about brick and adds that the brick is more durable and will hold up longer and refers to the older homes that were built in the 40's and 50's in other communities and they are still in great condition. Lanam goes on to touch on what Commissioner Mosier talked about and how all the Ranch homes appear to be in one area. He states that in the past they have gone with a one/three or a three/five option so as to prevent having the same elevation.

Chair Lanam goes on to talk about the benefit to having a Planned Development. He clarifies that the trail is asphalt and discusses that the roads are narrow and this gives people less room to maneuver their cars when backing out of their driveways. Lanam goes on to discuss the different setbacks for different lots and again states that this is a result of trying to fit 50 houses in where the ordinance says there should be 43.

Lanam goes on to discuss the 2nd entrance and how this is an emergency only entrance. Lanam does confirm that this will be an HOA as all houses in Michigan are. He confirms with the applicant that if a Sunroom is chosen the owner would have the option to go brick or vinyl. He also confirms that the builder will not Spec out the sites.

Noles goes on to answer some of the questions that have come up. He states that there would be an HOA with dues. These would be considered site condo's, there will be a model and Pulte would also Spec a house here and there, but the houses are primarily up to the buyer. Noles goes on to talk about the setbacks and again clarifies how he did the matrix on the old plans and then on the new plans. He states that the comments that were made regarding the homes and the 1980's are valid, but these are not from the 80's, Pulte architecture is getting better and better all the time. They are adding things that the buyers want. He states that some of the ordinances have just not caught up and are requesting brick and stone, and this forces a traditional look.

Noles explains that the renderings that they are looking at, just don't do it justice. The discussion continues regarding the options and the elevations of the homes. Noles also confirms that the second entrance/exit is an emergency access and that he would prefer to have it paved.

Noles also thanks Colonial Acres for their support.

Chair Lanam goes on to discuss the side lots for lots 27 and 28, and also 33, 50, 41 and 40, and how they are right on the street. Lanam states that if you took out 4 lots, it would make such a huge difference.

Noles goes on to explain he understands what they are saying, but he can't get rid of the density because they are the contract purchaser and they would have to go back to the seller, and he is not sure if they would make that deal.

Noles states that they cannot move forward with their plan, because it is just 50 lots, removing 7 would be a serious impact. This is the plan that they have to offer. It's very close to what you saw before, other than the lot coverage, he hopes that they will get your support just as they got their neighbors support on this project. They cannot reduce the density. This is an affordability plan, and they have to keep it under control, or they will never sell them.

Lanam states that a suggestion would be to limit the lots that he discussed to the York model, which is not a two story. Noles states that the York does not fit on those lots.

Noles states that the house are in here tight, there is no doubt about it, so what we tried to do was maximize the diversity, buyer choices and give the buyer a product with the right price for this location.

Noles refers to some of the odd shape lots that are in Trotter's Pointe and they had to build the house to fit the lot and Pulte just doesn't do that.

Commissioner Joseph states that he works for one of those companies that built the homes on the odd lots and in fact, he bought one of those homes. Joseph states that he got very creative with the design and it's a very distinctive house. Joseph does go on to say that we want to see this development move forward, and he gets it, it is all about numbers. But he would like to see some commitment on some really good-looking houses. The insides look great, the outside needs to match up. For the price range that is being charged, the buyer is going to totally expect it.

Noles states that's why they were willing to put in the landscaping along the fence ahead of the development, knowing that they would have to do that twice, they looked at the sidewalk connection, they are not huge things but they did not want to come in arrogant and have read your recommendations and not offer you anything. We can totally commit to parking on one side of the street, we keep talking about 30 foot roads being so small but a lot of municipalities are 27 feet, Brighton has a 26 foot travel lane for parking on one side. He states that they would absolutely commit to that and that would mean more signs and we would still meet the parking calculations.

Noles goes on to talk about the amenities, and states that they used to offer crazy amenities, but when asking people what they want (tennis courts, swimming pools?) it was always a walking trail, 100% of the time.

Commissioner Joseph questions if they will be doing any landscaping between the entrance and where they are saving trees. Noles points out flowers and trees and adds that they would agree to do that.

Chair Lanam questions if extending the path over the sidewalk across 11 Mile Road is doable. Noles states that they could make that work. He also confirms that these are not public streets, they are private and they will also be extending a portion of 11 Mile Road.

Commissioner Joseph questions if they will be adding lighting. Noles states that they are adding lighting and if you look at the old sight plan they are adding 4 or 5 lights throughout the neighborhood and they will all meet the ordinances of the city.

**Motion to approve the Fieldstone Planned Development Rezoning (RZ#20-01)
Motion by Mosier, Second by Kopkowski**

Voice Vote: Ayes: Unanimous

Nayes: None

Motion Approved

McIntyre adds that in her recommendation on page 8, #12 did not carry over and it should state the waiver to allow the maximum lot coverage of 33%

This is part of the Site Plan, not the Zoning.

Motion to approve the Fieldstone Planned Development Preliminary Site Plan Application (SPR20-01) with the discussions of the sidewalks, 33% lot coverage and the other issues that were pointed out from CIB Planning.

Motion by Mosier, Second by Joseph

Voice Vote: Ayes: Two

Nayes: Two

Commissioner Mosier - Yes

Commissioner Joseph -Yes

Commissioner Kopkowski - No

Chair Lanam -No

Motion Failed

Noles questions if there is anything that they could do to change their minds.

Chair Lanam states for himself, it is down to the sidewalks that they talked about, also the 6 lots that they discussed – not to eliminate them but to limit what can be put on them.

Noles adds that they can look at possibly moving lot lines where you see the light green on the prints, taking some of one building envelope and giving it to another. Basically, trying to push the other houses closer together to try pick up a foot or 2 feet to make the sidewalk work. But that would mean re-engineering the whole set.

Attorney Hamameh states that after hearing the discussions, perhaps the applicant could take the time to see what he can do to apes your concerns. Maybe a request for a tabling or a postponement.

Kopkowski confirms with Noles that he would not be able to make that decision, that he would have to go back and discuss with the others anyway.

Noles states that he will go back and look at it, but he did try to be fully up front with the board today and he appreciates the opportunity to take a look at it. But with that said, he's not sure if they will be back or not and this is not said in a threatening way.

Chair Lanam adds that they may come back with the same thing, but at least this gives them the opportunity to look at it and see if there is an option.

Kopkowski adds that by asking the Board to table it, this will give them the opportunity to come back, but doesn't mean you have to.

Motion to postpone the Fieldstone Planned Development Preliminary Site Plan Application until the applicant decides to return

Motion by Kopkowski, Second by Joseph

Voice Vote: Ayes: Unanimous
Nayes: None

Motion Approve

Old Business: None

Discussion: None

Consultant Report:

Mcintyre states that they will be looking at scheduling a joint meeting to go over the Zoning Ordinance, she will let them know what dates they are looking at.

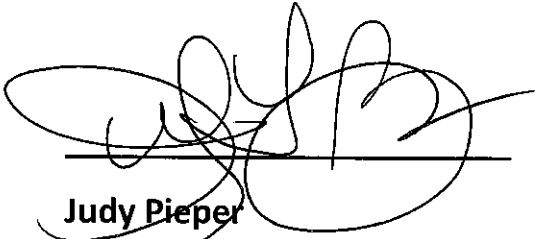
Staff Report: None

Adjournment

Motion to Adjourn – 9:15 p.m.

Motion by Kopkowski, Second by Joseph

Meeting Adjourned
Respectfully submitted,



A handwritten signature in black ink, appearing to read 'Judy Pieper', is written over a solid horizontal line. The signature is highly stylized and cursive.

Judy Pieper