

**City of South Lyon
Planning Commission
Regular Meeting Minutes
March 13, 2014**

The meeting was called to order by Lanam at 7:05 p.m.

PRESENT: Jerry Chaundy, Secretary
Keith Bradley, Vice-Chairman
Maggie Kurtzweil
Scott Lanam, Chairman
Frank Leimbach
Steve Mosier
Jason Rose
Carol Segal

ABSENT: Wayne Chubb

OTHERS PRESENT: Carmine Avantini, Planning Consultant
Timothy Wilhelm, City Attorney
Kristen Delaney, Director of Community & Economic Development

APPROVAL OF AGENDA:

Motion by Chaundy, second by Kurtzweil
To approve the agenda for January 9, 2014 as presented.

VOTE

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Motion by Bradley, second by Kurtzweil
To approve the minutes for January 9, 2014 as presented.

VOTE

MOTION CARRIED UNANIMOUSLY

COMMENTS FROM THE PUBLIC

Carl Richards
390 Lennox Street, South Lyon

Richards made comments regarding various, ongoing projects around the City.

OLD BUSINESS

1) South Lyon Collision Site Plan

Commissioner Mosier wanted to disclose that he was personal friends with Don Beagle, landscape architect for the plan under discussion. Planning Consultant Avantini noted that a conflict of interest is usually present only if a commissioner has a financial interest in the outcome of the matter at hand.

City Attorney asked Mosier if he had a financial interest in the outcome of the matter at hand. Mosier responded that he did not.

MOTION TO STATE THAT MOSIER HAS NO CONFLICT OF INTEREST IN THE SITE PLAN FOR SOUTH LYON COLLISION:

Motion by Bradley, second by Leimbach

To state that Commissioner Mosier has no conflict of interest in any matters pertaining to the site plan for South Lyon Collision.

VOTE

MOTION CARRIED

(1) Abstaining (Mosier)

Avantini gave an overview of the progression of the site plan to date. The last time the matter came before the Planning Commission, it was for a special land use request, which Avantini had recommended for approval. At this meeting, he will give a review of the site plan, and discuss some of the storm water issues that have come up that will need to be addressed.

Avantini noted that in his review letter, dated December 30, 2013, he detailed some of his conditions for approval which include getting the correct, 2" caliper trees and correcting the spacing of the trees on the landscape plan. He noted that the items to be addressed were relatively minor and could be handled administratively.

Commissioner Kurtzweil stated that she had questions about the storm drain that runs under the area where the proposed addition would go.

Mike Darga
105 W. Grand River, Howell

Mike Darga, of HRC, the City's engineering consultant, answered numerous questions pertaining to the storm drain/drainage issues. Kurtzweil asked if Darga had observed the 10" pipe that is on the South Lyon Collision property. Darga stated that no, he had not seen it. He had not done an on-site inspection of this property, only reviewed the plans.

Don Beagle
1089 Chestnut Lane, South Lyon

[Beagle stated that the head of the water department had told him that the storm drain was abandoned.]

Beagle stated that storm water from the street will go into the existing retention basin on site.

Kurtzweil asked why a private company is storing water for the City, rather than connecting to the City's storm water system? Beagle stated that the property owner was trying to address the issue at hand. Kurtzweil stated that she understood that, but that it should be the City's responsibility to deal with storm water from the street.

Gary Fagin
150 E. McHattie Street, South Lyon

Fagin stated that the proposal in the site plan at hand is trying to help address the issue and help the surrounding property owners too.

Chairperson Lanam asked Fagin, that if flooding occurs does his retention area flood too? Fagin replied that it does not.

Randy Clark
415 S. Lafayette

Clark gave an overview of the catch basins in the immediate area and the construction of Reynold Sweet Parkway. Clark stated that he was concerned about street water going into Fagin's retention area. Clark suggested that a separate pipe be installed that would collect street water and divert it into the City's system. Run off from the site could be kept on site and diverted into the retention area.

Commissioner Rose made some comments about the specifications detailed on page A1 of the site plan. Rose stated that, in his opinion, two pipes would be needed. Rose asked if the retaining wall on site was on Fagin's property. Fagin stated that it was. Rose stated that an easement would be needed to locate the new pipe. In his opinion an *[approximately]* 10' easement would be sufficient.

Wilhelm stated that it was important to note that despite the fact that the existing pipe was not shown on City records, it is the applicant who is requesting that the situation be changed, not the City. He is not sure that the City should have to bear the cost.

There was a discussion of how the pipe ended up on Fagin's property and how the situation should be addressed.

Fagin stated that he was confident that a resolution could be achieved. His main interest in getting the proposed addition started.

Wilhelm stated that an engineering solution needs to be arrived at first, and secondly, the legal issues can be addressed.

Kurtzweil stated that she was not comfortable voting on this issue tonight because there were too many loose ends that needed to be resolved. She stated that excavation could not start for a while. Rose stated that yes, excavation could start now. He noted that many companies are doing excavation throughout the winter.

Avantini suggested that the Commission vote on the special land use and the site plan with conditions to address the engineering/drainage issue.

MOTION TO APPROVE THE SPECIAL LAND USE REQUEST FOR THE SOUTH LYON COLLISION ADDITION CONTINGENT ON THE REQUIREMENT THAT THE APPLICANT ADDRESSES THE ITEMS NOTED IN AVANTINI'S REVIEW LETTER DATED DECEMBER 30, 2013 AND RESOLVES THE STORM WATER ISSUES (ENGINEERING AND DESIGN OF A SYSTEM TO KEEP STORM WATER AND SITE RUNOFF SEPARATE AND GRANTING OF ANY NECESSARY EASEMENTS) DISCUSSED AT TONIGHT'S PLANNING COMMISSION MEETING:

Motion by Bradley, second by Rose

To approve the Special Land Use request for the South Lyon Collision addition contingent on the requirement that the applicant address all outstanding issues listed in Avantini's letter dated December 30, 2013 and resolves the storm water issues discussed at tonight's Planning Commission Meeting.

VOTE

MOTION CARRIED

MOTION TO APPROVE THE SITE PLAN FOR THE SOUTH LYON COLLISION ADDITION AS PRESENTED, CONTINGENT ON THE REQUIREMENT THAT THE APPLICANT ADDRESSES THE ITEMS NOTED IN AVANTINI'S REVIEW LETTER DATED DECEMBER 30, 2013 AND RESOLVES THE STORM WATER ISSUES (ENGINEERING AND DESIGN OF A SYSTEM TO KEEP STORM WATER AND SITE RUNOFF SEPARATE AND GRANTING OF ANY NECESSARY EASEMENTS) DISCUSSED AT TONIGHT'S PLANNING COMMISSION MEETING:

Motion by Bradley, second by Rose

To approve the Site Plan for the South Lyon Collision addition as presented contingent on the requirement that the applicant address all outstanding issues listed in Avantini's letter dated December 30, 2013 and resolves the storm water issues discussed at tonight's Planning Commission Meeting.

VOTE

MOTION CARRIED

NEW BUSINESS

1) Ordinance Update

Avantini gave an overview of some areas of the ordinance that needed to be updated. The Commission talked about some areas of concern including: regulating personal ice rinks, playhouses and play structures, flagpole height, backyard chickens, recreational vehicle parking and storage, downtown commercial districts and home occupations. Avantini stated that he will bring updates to future meetings.

PLANNING CONSULTANT REPORT

Avantini stated that City has received a final site plan from the Knolls of South Lyon. Per Avantini's review, there are a number of outstanding items identified that must be addressed in a revised Final PD Site Plan submission. Since some of these items directly relate to the approved Preliminary PD Plan and conditions of rezoning. He is recommending that the applicant meet with the Planning Commission in a workshop session to discuss his comments, as well as any others. A revised plan can then be prepared and submitted for Planning Commission recommendation to the City Council for final action.

The Commission discussed potential dates for a special meeting to discuss this issue. The first regularly scheduled meeting in April would not work since Avantini will be out of town. The Commission selected the date: Wednesday, April 23, 2014 at 7:00 p.m.

STAFF REPORT

Delaney stated that the next regularly scheduled Parks and Recreation Commission meeting would be a Public Workshop for the Master Plan. Everyone is encouraged to attend.

ADJOURNMENT

Motion by Bradley, second by Leimbach
To adjourn the meeting at 9:56 p.m.

Scott Lanam, Chairman

Kristen Delaney, Recording Secretary

Jerry Chaundy, Secretary

Corrected copy: April 24, 2014