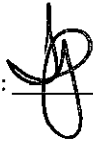


**City of South Lyon
Planning Commission
Regular Meeting Minutes
September 14, 2023**

Approved: 

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

Roll Call: Commissioner Mosier
 Commissioner Finnegan
 Commissioner Frost
 Commissioner Kopkowski
 Commissioner Dailey
 Chair Lanam

Also in attendance: Hannah Smith – Planner, CIB Planning
 Judy Pieper – Deputy Clerk

Absent: Commissioner Joseph

Motion to excuse Commissioner Joseph for his absence

Motion by Mosier, Second by Kopokowski

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

Motion to approve Agenda, as amended

Motion by Mosier, Second by Frost

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

Motion to approve Minutes from the 7-27-2023 meeting, as amended

Motion by Mosier, Second by Finnegan

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

Commissioner Kopkowski states that she has a complaint on receiving the minutes too late for her to be able to review them like she had hoped to.

Public Comments – None

New Business – None

Old Business – Site Plan Review: SP #23-04, Carriage Trace Phase 5. The applicant is seeking re-approval of an expired site plan for 8 lots that make up Phase 5 of Carriage Trace.

Hannah Smith, Planner, CIB Planning

Smith states that this site plan went before the Planning Commission at the July 27, 2023 meeting. She adds that the previous approval for the site plan had been originally granted in 2018, but has now expired. The applicant is requesting re-approval of the site plan with some minor proposed changes to the plan.

There were a lot of questions at the July meeting, mostly regarding the elevations, so the Commission decided to table the meeting so that the additional information could be collected, to answer some of these questions.

Smith points out an updated memo that is in the Commission's packet, she goes on to point out that one of the recommendations is that the Master Deed be amended to reflect Phase 5. Which means that Phase 5 will have to meet all the requirements that are in the Master Deed that applies to the other Phase's.

Smith states that they did look in to the by-laws and some of the specific building requirements that the houses will have to meet. She adds, one question that did come up was that the Commission wanted to require side entry garages. Smith states, that as the City, we cannot require that, but it is required in the by-laws, so it will have to be required for any new house in this development.

Smith states the by-laws have detailed façade standards which include 50% brick or masonry, siding being allowed on the second story. There are specific materials listed and these materials are consistent with what is acceptable in the city.

Smith states that there is also a section explaining how the houses will be approved. Mr. Hughes stated that he will review and give approval before any of the homes would be built. The by-laws do confirm that no structure will be built until review and approved by the association or the architectural committee. It also states that until the sales period is over, Mr. Hughes would be the soul member of the association or architectural committee. Which is typical for a residential development like this.

Smith adds that it also states that any new houses would have to meet city ordinances and codes.

Chair Lanam asks Smith to go over the differences in the site plan. Smith states that when it was approved in 2018, there was a list of conditions. She adds that they are recommending approval with the same conditions which are: the Master Deed be amended to reflect Phase 5; a 50 foot landscape and irrigation easement be maintained along the south property lines that provides a buffer between the development and the Motel; a staggered evergreen buffer, no less than 20 feet in width, be planted along the north property line and Trebor Drive; replacement of any street trees and sidewalks damaged during construction of homes; proper permits to fill the two regulated wetlands will be obtained and submitted to the city; and applicable consultants and departments and review and approval from all

other applicable consultants, departments and agencies. She adds that both engineering, fire and building reviewed the plans again and there were no issues.

Lanam questions the language in the by-laws and says that it states, once the entire development and sales period has ended, Ronald Hughes shall forthwith resign his office as member of the committee, to be succeeded by the person selected by the Board of the Director of the Association. Lanam states that the way he looks at this, this has already happened. The developer has been done with this sub-division for some time and that transition of power has already happened. He adds that if they were to approve Phase 5, they would have to revert back to that. This would take the architectural committee that is already in place, out of it and puts it back in the hands of the developer. This would be another question for the City Attorney.

Commissioner Daily asks if Lanam is saying that they would have to amend their by-laws. Lanam states that by adding Phase 5, they would have to amend their by-laws, but by doing that, they have to understand that they are also relinquishing their architectural committee powers and handing them back to the developer for this phase.

Commissioner Kopkowski states that there is a lot here that seems like the City Attorney needs to address.

Lanam confirms with Smith that there were some building envelope issues that needed to be addressed as well. Commissioner Finnegan adds that there were some parcels that did not have room for side entry garages. Smith states that this is how it was approved in 2018 and her understanding is, as far as the lot sizes, that nothing has changed and the lot size would have been set so that they can do side entry garages, which is required. Lanam states that it is required unless the architectural review committee waives it, which is the developer.

Smith confirms that she did talk with the City Attorney and the Attorney stated that they need to meet the requirements of the ordinance for the site plan, additional conditions cannot be put on. Lanam states that they are just trying to figure out who would have the authority and can that be taken back. Smith states that this would have to be a question for the Attorney.

Commissioner Kopkowski clarifies that the applicant is asking for it to be renewed and there are no changes. Smith states that there is one change, it is the rear yard setback for the houses on the south side of Coach House Lane. The original setback was 65 feet and they are asking for 55 feet instead. It would still meet the setback requirements and would still maintain the 50 foot landscaping easement that is required. Kopkowski states that there will be an issue if the homeowner wants to add a deck.

Ronald Hughes, Applicant/Developer, 37100 Telegraph Road, Bingham Farms, Michigan

Hughes states that he has had numerous builders that have made inquiries and they to want to make sure the side entry garages would fit, and it would.

Hughes than address the deck issues that the Commission was discussing and stated that certain lots the decks would be built on the side, not the rear. It would be accessible from the inside of the house. He adds that all the lots are 80 to 90 feet in depth and there is plenty of room to build any house that was built in Phase 1 – 4 on these lots.

Chair Lanam states that if the home is built to the back of the building envelope, this could cause a problem in the future. Kopkowski questions Hughes on how this can be prevented, as this is a consistent

problem in our city. How are we guaranteed that the builder is going to put the house in the right spot to avoid this problem?

Hughes suggests adding a provision stating that all plans that are submitted to the City must have a plan that does not go against the city ordinance.

Lanam questions if the easement can be part of the setback. Smith confirms that it can be part of the building setback, but she will go back and take a look. Smith adds that the problems being discussed are normally problems when you are dealing with smaller lots.

Lanam states that his biggest issue is with who has the architectural committee authority. He adds that this parcel wasn't even in the city limits when it got turned over to the Homeowners Association. This was part of the township. Smith adds that she would need to review this with the City Attorney.

Motion to table the Site Plan Review: SP #23-04, Carriage Trace Phase 5, to October 12, 2023, to give the City Attorney time to address the additional concerns.

Motion by Kopkowski, Second by Frost

Voice Vote: Ayes: Unanimous

Nayes: None

Motion Approved

Consultant Report

Smith states that they received communication from Green Oak Township advising that they will be updating their Master Plan, with that comes a 63 day review period for adjacent communities. She adds that she will have that at our next meeting to go over.

Smith States that the city will be going over some training opportunities for our Boards and Commissions. She will be mailing out training date options.

Smith states that there will be a September 28th meeting, the West End Industrial PUD will be on the agenda. Chair Lanam states that he will not be at this meeting.

Commissioner Mosier questions if there is anything new going on with the Draft Street location. He noticed there has been some activity. Smith states that she believes there is a new tenant there.

Commissioner Finnegan questions why the deck on the agenda was removed. Smith states that the family may be moving, so they will not be starting this project. Commissioner asks if this is going to be a routine thing with Fieldstone. Smith states that there has been quite a few permit applications for decks and patios and they are running in to lot coverage issues. She states that this is the first one that pursued the waiver. She adds that when the houses were approved, they tried to make a note to let the buyer know that they are going to very limited if they were going to add a patio or a deck.

Staff Report - None

Adjournment

ADJOURNMENT

Motion by Mosier, supported by Finnegan
Motion to adjourn 7:50 p.m.

VOTE:

MOTION CARRIED

Meeting Adjourned

Respectfully submitted,



Judy L. Pieper
Deputy Clerk/Treasurer