

**City of South Lyon
Planning Commission
Regular Meeting Minutes
September 28, 2023**

Approved: _____



The meeting was called to order by Co-Chair Mosier at 7:00 p.m.

Roll Call: Commissioner Finnegan
 Commissioner Frost
 Commissioner Kopkowski
 Commissioner Dailey

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

Absent: Chair Lanam, Commissioner Joseph

Motion to excuse Chair Lanam and Commissioner Joseph for their absence

Motion by Kopkowski, Second by Finnegan

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

Motion to approve Agenda

Motion by Dailey, Second by Kopkowski

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

Motion to approve Minutes from the 9-14-2023 meeting

Motion by Kopkowski, Second by Frost

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

Public Comments – None

New Business – None

- a. **Public Hearing:** RZ #23-01, Westlake PUD Conditional Rezoning. A 4.49-acre parcel, currently zoned RM-3, and a 34.32-acre parcel, currently zoned I-1, proposed to be conditionally rezoned to PUD, Planned Unit Development. The property identification numbers are 21-30-126-005 and 21-30-126-003.

Public hearing – Open’s at 7:03

Bob Langan, 128 N Center Street, Northville, Michigan
Principal of Elevate Property Partners, which is the entity that is proposing this development.

Langan states that his partner, Matt Lyons, is here, along with several of our consultants and people from our office. We have Bob Emerine from Seiber Keast Lehner Civil Engineers, and Sharon Woods, Marketing Analyst from Land Use USA.

Langan starts with a slide presentation to show some highlights of the proposed development. He then refers to the existing development, West Lake Place Apartments, located at Dixboro and Lake Street, 72 Units, that was just completed in December of 2022. He states that they are now proposing to add to it by acquiring the development, most familiarly called the West End Industrial property. Calling West Lake Place Apartments, Phase I, and the remainder of this development, Phases II, III, and IV.

Langan refers to the Site Plan and adds that they are proposing 252 new units, these will be compatible with the existing units, but not identical. He goes on to state that they learned some things about the existing units and decided to expose the community to a few different market segments that are not currently available at the Phase I unit. Mainly, we are adding 2 bedroom and 2 bathroom units, and 3 bedroom and 2 bathroom units to give opportunities to members of the community that want to be here.

Langan goes on to explain the Phases and states that the first Phase (82 Units) would be along Dixboro, and we will be paving Dixboro to our Southerly property line. He then points out the current entrance way up along W. Lake Street, and states that they are proposing to move this entrance to better handle a community of this size. This would aline with the entrance to Charleston Park Subdivision. This would be done in Phase II, when we build the Club House amenity along with the swimming pool. Langan goes on to add that Phase III would be the south easterly corner with the final units.

Langan states that there is a lot more uncertainty with the Phasing for the Industrial site. He is proposing that they will build the first building and expose the remaining of the site, hoping to attract a user that would like us to build to suit. If we were to absorb that first building consistently, we would build a second building on spec. We want to maintain flexibility, hoping to get a big user in here if we can get one.

Langan goes on to say that there would be very little Wetland impacts, they are proposing one small crossing to create the new entrance along Lake Street. The entrances along Dixboro, are already paved and they plan on using them to the extent that they can, mainly for the industrial component.

Langan states that they had their architect do a 3D rendering and refers to the current slide being shown. He adds that they are proposing to move the "Welcome to South Lyon" sign to the actual start of

South Lyon, which is West Lake Apartments. He adds that the Club House that is being proposed is well off the road and it is really shrouded in the existing woodland, you really don't get a good view of the Club House, until you get in to the site.

Langan adds that they are really not changing the view from W. Lake, but looking at Dixboro, you do see the existing retention basin and two building, set pretty far back.

Langan adds that they are proposing adding and connecting a sidewalk to the end of the current city sidewalks at Hagadorn and we are going to extend the paved path connecting to the Huron Valley Trail. This being part of the obligation from the West Lake Apartments zoning agreement.

Langan goes on to talk about the site amenities. He adds that they are proposing pretty extensive site amenities. They are proposing a Club House, a 24 hour fitness center, a swimming pool, a community garden, two Pickle Ball courts, a dog park and throughout the site, they are putting spots to encourage the residents to gather. He also points out garages and storage type units for the residents.

Langan goes through some of the presentation, showing placement of landscape buffers and roadways to the industrial section. He shows the layout of a non-motorized, circulation route that makes a loop in to town and back using the Huron Valley Trail. He also adds that the distance from the tube mill to the closest unit of this proposal is also within the radius of a fair amount of residents in town.

Langan also points out 3 single family detached home lots that they will develop to continue on the nature of the homes on Lake Street.

Langan goes over some of the elevations for the units and compares them to the current West Lake Street Apartments - he adds that they are up grading the buildings and giving them a bigger foot print. They enhanced some of the details that include expanding the porches, adding bike racks and EV charging stations, the concept is to integrate with West Lake Place.

Langan goes over the Industrial buildings and shows how the façades are broken up. They are modular and have unlimited capacity for variations on this theme.

Kelly McIntyre, City Planner, explains to the Commission that we are looking at a Conditional Rezoning but we are also looking at a PUD and these are two, somewhat complicated processes and not your standard site plan review. She goes on to explain, that the applicant wants to conditionally re-zone 33-acres of industrial land, known as West End, and then the existing almost 4.5-acres of the West Lake Apartments making this one big development, making this PUD. They will still operate as industrial and multiple family, but the PUD will allow for a mixed use and allows this to be all on one property.

McIntyre goes on to explain that the site is surrounded by varied uses; to the North, there are single family residences to the West in Green Oak Township, there is Industrial to the South, which includes the Tube Mill and the City's Waste Water Treatment Plant. The property has both frontage on Dixboro and Lake Street, Dixboro being the dividing line between the City and Green Oak.

McIntyre addresses the rezoning element and goes on to explain that the Michigan Zoning Enabling statute allows for the conditional rezoning of land offering another tool for property owners seeking the ability to use their property in a way other than what is allowed by current zoning. If approved, a conditional rezoning ties the use and any development of a property to specific conditions offered by the property owner/applicant. She adds, with a conditional rezoning, you are adding a concept, the layout and what is being proposed and locking it in. With a conditional rezoning, the applicant can

voluntarily offer some conditions that they would like to give to the community and they feel would be of value to the community. The conditions are supposed to have a reasonable relation to the property that is being rezoned.

McIntyre goes on to explain that this is a 4 step process. Step 1, is tonight with a Public Hearing of the rezoning and look at a preliminary site plan. Planning Commission will then make a recommendation to City Council. Step 2: City Council will review and do a first reading and preliminary Site Plan approval. Step 3: City Council will do a second reading and sign an agreement. Step 4: the Planning Commission will review and give Final Site Plan Approval.

McIntyre goes over the voluntary offerings from the applicant which include:

1. Mixed Use Development which consists of 30.92 acres of residential and 7.7 acres of Industrial. It is 324 residential units, 1, 2, and 3-bedroom units and approximately 64,000 sq. ft. of industrial building space;
2. The Development of Phase I Industrial and Phase 2 Multiple Family Residential will happen concurrently;
3. As part of the Phase I Industrial and Phase II Residential development, paving of 1,088 Lineal feet along Dixboro Road, will be installed from Lake Street to the southerly end of the property line;
4. At the time of Dixboro Road paving, the pedestrian connection to Huron Valley Trail will be installed from Lake Street to the southerly end of the property line;
5. A payment of \$36,200 to the City of South Lyon will be made for the future construction of the remaining 724 lineal feet from southerly property line and Huron Valley Trail.
6. A pedestrian sidewalk will be constructed along Lake Street, between Dixboro Road and South Hagadorn Road to connect to the existing sidewalk that leads to downtown.
 - a. The sidewalk portion from the proposed residential lots along Lake Street to Hagadorn Road will be constructed during Phase II Residential.
 - b. The sidewalk portion from Lake Street and Dixboro to proposed residential lots will be constructed during Phase III Residential.
7. The existing Lake Street driveway approach to Phase I will be removed and relocated during Phase III in order to improve traffic safety.

McIntyre goes on to explain that it is important to note that with a conditional rezoning, the City can waive standards if they feel the conditions proposed by the petitioner and the benefits that would result from them outweigh the need to meet such standards.

McIntyre goes on to explain the criteria that needs to be looked at when going through a re-zoning. The first being the consistency with the goals, policies, and future land use map of the City. The properties are currently zoned RM-3 and Industrial and the entire area has been planned Industrial of the Future Land Use Map. She notes that they conditions have changed since the City Master Plan was adopted. In 2018, the parcel was conditionally rezoned for the development of an apartment complex, West Lake Apartments. McIntyre adds that we have to look at 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 as well as in close proximity to both single family and multiple family residential. She adds that the site contains over 9 acres of wetlands, and there is a significant amount of wooded and wet area in the northeast area of the property which should not limit the ability to develop the site. The applicant has to show evidence that they cannot receive a reasonable return on investment through developing the property with one of the uses permitted under the current zoning. McIntyre adds that the existing zoning is Industrial and we know that this property has sat for 20 years, even with utilities and the actual drive already put in. She states that one of the big reasons she feels that it has not been developed is because of the unpaved, load limited road (Dixboro) and of course, the economy has not helped.

McIntyre adds that we do realize there will be an increase in traffic with daily trips, however, the traffic will not be created by heavy trucks. The applicant has also provided a traffic impact study to go over.

McIntyre reviews the Use Demand and goes on to say that the City has a pretty heavy use in residential development. 67% of the land is zoned for residential purposes; however, industrially zoned and utilized land in the City accounts for 4.3%. It has always been the goal, when looking at this property to keep some Industrial.

McIntyre states that we also have to decide if this is the most appropriate zoning and goes on to explain that a PUD gives us the ability to have mixed uses. It also allows you to be more creative with the property.

McIntyre states, with all this in mind, they are recommending that the Planning Commission send a positive approval recommendation for the rezoning to the City Council.

McIntyre refers to the attached form.

McIntyre goes on to the Site Plan. She states that a Conditional Rezoning must be tied to a specific preliminary site plan to the rezoning of the property. The applicant is developing this as a PUD, so they have submitted a Preliminary PUD Plan. In order to do this, the PUD shall meet a list of the following conditions:

Preservation of significant natural or historic features. The applicant is preserving 9.54 acres of wetlands.

A complementary mixture of uses or a variety of housing types. A mixture of uses is proposed: Industrial and multiple family residential.

Common open space for passive or active recreational use. Several common areas are proposed, including BBQ facilities, pickle ball courts and community gardens.

Mitigation to offset community impacts. The site has been designed so that industrial users have access to a paved roadway on Dixboro Road.

And finally, the implementation of a significant component of the South Lyon Master Plan. McIntyre states that the goals to finish the industrial development on Dixboro as well as providing diverse, accessible quality housing.

- b. **Site Plan Review:** SPR #23-03, Westlake PUD. The property owner is seeking preliminary PUD site plan approval for the development of a mixed-use development, consisting of 324 multiple-family residential units and 63,742 square feet of industrial. The property identification numbers are 21-30-126-005 and 21-30-126-003.

McIntyre goes on to review the Preliminary PUD Plan and refers to the Modification Chart in the Commission's packet. She states that the site will be under control, it has to have one owner of the entire development. Under the Site Plan, the applicant is proposing 1 - 3 bedroom units. Technically, the underlying zoning, R3, requires you to have 4 bedroom units, but the research suggests this is not what is needed and the PUD allows you to make modifications. There is also modifications on the parking. The ordinance requires 754 spaces, the traffic study that was done, shows that 572 spaces are needed. The final modification is for the Industrial parking, at this time, they are proposing 223 spaces. However, the spaces will depend on the user: i.e. athletic facilities or recreation studios (dance, karate, etc.) require more parking than traditional industrial users. She adds that as each building is built, the parking around the building can be evaluated.

McIntyre reviews the Woodlands, Wetlands and Landscaping and explains that a woodland survey has been conducted. She states that 50% of the existing trees will be preserved on site and trees will be replaced throughout the site, meeting ordinance standards. There is a 9-acre wetland, regulated by Michigan Department of Environment, Great Lakes, and Energy, EGLE, on this property. McIntyre adds that a wetland permit is required for the construction of the single family lots on West Lake as well as the relocated residential entrance and proposed concrete walk along West Lake Street frontage.

McIntyre adds that they will be looking at much more detail during final landscaping and engineering when this comes back to the Planning Commission.

McIntyre states that they are recommending that the preliminary PUD Site Plan be approved and tied to the conditional rezoning conditioned upon:

1. Planning Commission's approval to deviate from the ordinance standards:
 - a. To permit 1, 2, and 3 bedroom units, ranging in size from 600 sq. ft. to 950+ sq. ft., instead of a 4 bedroom unit, with a minimum of 1,000 sq. ft. floor area;
 - b. to permit a reduction to the amount of required parking for multiple family residential units - from 754 to 572;
 - c. to permit an increase in parking for the industrial buildings - as the users are unknown at this time and may require parking that exceeds the "general" industrial category;
 - d. a table of deviations with this information must be included on the site plan;
2. Submittal of all required information for Final PUD Site Plan Review;
3. Façade materials and samples being presented and approved during Final PUD Site Plan Review;
4. Review and approval from other applicable consultants, departments and agencies; and
5. Approval and recording of Conditional Rezoning Agreement between the applicant and the City.

Public Comments:

Ken Redman, 24000 Dixboro Road, South Lyon, Michigan

Redman states that he owns the property adjacent to this development. He is here to voice his disapproval of this and that it has put him in financial hardship. He states that apparently, he cannot mortgage his home because he is bordered by these apartment buildings. He states that in his heart, he cannot approve any of this and refers the Commissioners to a letter that is in their packet. He states that if it matters at all, he cannot give his approval to any of this.

Penny Young, 42113 East Huron River Drive, Paw Paw, Michigan

Young states that the Redman's are family and that she used to live in South Lyon. She questions if each one of the Commissioner's received a letter stating how much of a hardship that this development has created for this one house. She questions the Commission on if they received the letter and if anyone has taken the opportunity to drive by to see what they are dealing with. You have one house, one house that is surrounded on the North side and on the East side of their home. They have lived there 40 years. And out of these beautiful site plans, and it is a nice site plan, not once did I see the Redman's house there. And now on the South side, they want to develop and what do you propose you want the Redman's to do. She states that Elevate has not considered them, but they consider all the other things and amenities that they can give to South Lyon. Not one time did they offer a proposal that is workable to the Redman's? They are long time tax payers here. Don't you think that they need some consideration, just like the new developer does? You talk about giving something to the community, well the Redman's have lived here their entire life and not one proposal to them. Their house is un-mortgage able. You've created a hardship, mental anguish, and nobody cares. Nobody has talked to them or has given them a proposal. Homes are expensive right now and they have created a monopoly on this property and she thinks that they need to be looked at also. She doesn't see their house anywhere there. Why? They live there. Why is someone not speaking to them?

Young continues. Why should their house diminish in value? But yet they want to add value to theirs, they want a nice residence, what are they doing to the Redman's. They are on septic and they are on well.

Commissioner Mosier states that Young's 2 minutes are up.

Young states that she is aware that her 2 minutes are up and continues. She goes on to say that you want the surrounding area to be nice, but yet you are leaving one house there. Why can they not talk to the Redman's about this? Why is this not subject, before it's approved, they work out something with the Redman's? We are talking about a half of acre, but they are going to buy 33 acres and develop it and surround them on all sides except for the road where they can get in. Their house is built on a hill, they can barely get in their driveway now. What is it going to be once they develop it and pave it. Who wants to buy their house? You are a market analysis, what would you say the market value of their home has become? Who wants to buy that house?

Commissioner Mosier again states that her time is up.

Young states to please consider the Redman's.

Suzann Martin, 602 W. Lake Street, South Lyon, Michigan

Martin questions that there is only one retention basin and states that this is not enough. She states that the wetlands do the natural filtration. These are beautiful wetlands and they protect against heavy metals, storm water, surges in storms. She states that she is on the storm water committee for the city and she is very nervous. Martin states that the wetlands provide wild life habitat, breeding, nesting and feeding grounds. Martin confirms that the Commission received her letter. She states that she would like to see the driveway at West Lake re-done. She states that there is a statute with the State of Michigan that says a road going through a wetland needs to be manually prepared. Martin states that her concerns are for the wetlands, mostly, and I don't like to see anybody putting a road through there, that is a lot of construction and disruption. They should put it closer to the apartments that are already there if they are going to be approved to do this.

Ryan Cottingim, 601 S. Lafayette, South Lyon Michigan

Cottingim states that he is very opposed to this plan as submitted. For many reasons as Suzann just mentioned. He states that it is unbelievable that in his pitch, referring to Langan, he says that they are not really disrupting the wetlands. Also, talking about what's not included on the Site Plan, he didn't see any of the wetlands included on those beautiful pictures either. They are going to put a boulevard right in the middle, they are going to completely destroy the wetlands. You can't bring those wetlands back. They are going to completely destroy the wetlands. All the developers' plans could be done without that entrance and without disrupting those wetlands. You can still achieve everything they want to achieve, even down to the city's master plan, adding more houses can be done without building a road through the wetlands. The drive in to South Lyon is going to change. It is beautiful, it always has been, ever since he was a kid. Since all of us have been here. It's going to be a boulevard, no longer going to be that beautiful scenery going in there, the wetlands are going to be completely demolished. He states that he believes it's going to look just like their site plan, with all the grasses and no wetlands. He states that we need those, our lively hoods rely on them, climate is changing, storms are surging we are seeing flooding, why are we going to move in that direction. There are 3 other entrances. He hopes that the Commission does not approve this, and this does not move forward until the wetlands are completely protected. All 9 acres of them or whatever it is, there is no reason to compromise any of them if they can still achieve all their plans.

Erin Cottingim, 601 S. Lafayette, South Lyon, Michigan

Cottingim states that she came here today to say that she strongly disapproves of destroying any of our wetlands running through there. We all know how important the wetlands are for our environment and it was played off like it was a small deal, but destroying any of our wetlands is a big problem. She states that we have lost more than 50% of our wetlands in the state of Michigan in such a short period of time. We need to protect our wetlands. It is very important and she would also like to add that it is very disturbing what is going on with the Redman's. We have a duty to take care of the people that are here already and she would like to see the Commission put some care and consideration towards that.

Public Comment - Closed at 7:54

Commissioner Kopkowski states that she is not a big fan of PUD's, and adds, we have ordinances for a reason and it's worked on and very time consuming. Kopkowski asks Langan what is hardship is, why can't he conform to anything that we have. She states that she understands wanting some multi-family on this, but she is concerned about what he considered to be his hardship.

Langan states that he is not aware that having a hardship is a necessary element of having a PUD. A better questions would be what is the benefit of having a PUD. He adds that if he were to retain a portion of the property and re-zone a portion of the property, this would give him a lot more wiggle room than this gives him. Under the conditional re-zoning parameters, all of the public amenities and design criteria that are being proposed are locked in. He adds with a straight re-zoning, he would have every right to do everything within the zoning classification and that would give you a lot less comfort than this proposal would give you.

Kopkowski goes on to question Langan about the Redman's and the wetlands. Langan states that he would like Ken to stand up again and tell the truth. How they sat at his kitchen table and made them a darn good offer. Langan states that to say that they have ignored the Redman's is a falsity, he adds that when they first proposed the current development, Langan states the he spoke with Ken and Linda (Redman) in this room, and out in the parking lot and at their home. Kopkowski verifies that he is talking about the existing development. Langan goes on to say that they are proposing nothing closer to the Redman's home than already exists and adds that the Redman's have been living next to an industrial zoned property for as long as this has been zoned Industrial, 23 – 25 years. Langan states that they made an offer to build the Redman's a brand new home on one of the three lots that they are proposing, at our cost and then give them, in cash, the difference between the cost of the home and \$300,000.00. He adds that their current property has an SEV of \$80,000.00. The home that we are proposing will cost \$225,000.00, giving them a check for the difference and this house will have a market value of approximately \$350,000.00. The Redman's comment was, they do not want to live in the city, they want to live in the township, and they can't afford city taxes. Kopkowski confirms that it is one of the 3 lots shown at the top of the development, not the wetlands. Redman states that they are a one trick pony as far as their offer, and we didn't take that. He adds that he is on a fixed income, has been for 18 years and he cannot get in to a situation where his taxes are more than what he is paying now. He will put himself in to bankruptcy by having a nicer home. Bottom line, he would be coming out of this with a \$150,000.00 mortgage that he cannot pay. Redman states that they did make him an offer, Bob is right, but he can't get in to a tax situation that he cannot live with. Young states that they made Mr. Redman an option, not an offer. It is unsigned, it states that the property is vacant and it is not, and it also states that they would give a \$100 deposit and they never gave any deposit.

Commissioner Mosier states that Young has already given her statements at Public Comment.

Kopkowski asks if Langan would care to address the wetlands. Langan states that the crossing that they are proposing is 40 feet and adds that this specific location is the narrowest point. He states that he would be happy to keep the entrance where it is, it is already built. However, the public interest in moving that entrance way is significant.

Mosier confirms that EGLE would have to approve whatever changes are made. Kopkowski states that we really don't have any say in the wetlands and she wanted to let the public know that as a city, we really don't have control over those wetlands. Kopkowski adds that if we approve this site, we are not really approving any of that. That will have to go to EGLE. Langan states he is well aware of that and they have had EGLE out on this site. He adds that we are not going to fill, we are going to cross the wetlands.

Langan adds that they have knowledge that EGLE will take a year to get them their permit, if they do at all.

Kopkowski adds that she thinks there is too much residential and not enough parking. She states that there is pros and cons to this project. The biggest pro being that you are sitting on the edge of our city, so you are not going to impact it as much. Langan states that he hopes to impact the city in a positive way. Kopkowski states that she feels this was a lot of information to get in a short amount of time and she is not willing to vote on this tonight. Kopkowski states that she didn't get the traffic study until 1:53 p.m., yesterday. Kopkowski adds that she has lived in the city for over 25 years and she had a development come in that lowered her property value, so she is sensitive to the Redman's and she would like to see a resolution and agreement that everyone can come to.

McIntyre confirms with Kopkowski that she got the final traffic study yesterday, however, the preliminary study and all the documentation was given to the Commission on Friday. McIntyre also adds that the Redman property is not in the City and in order to use it, the property would have to be annexed in to the city. Which is a long process to go through with Lyon Township. McIntyre adds that this development is currently zoned Industrial, and unfortunately for the Redman's, there is going to be Industrial development around them, it's just a matter of when.

Kopkowski adds that she agrees with this 100%, she would just like to see a little compromise instead of the fighting that we just had here.

Langan states that they have gotten along with the Redman's very well, he thought, and they have been great neighbors for the last 3 years. He adds that as far as the amount of parking spaces required, the reality of these particular units, isn't compatible with the original ordinance.

Commissioner Frost questions if the parking was done up to code on the first Phase. Langan states that they did build the first piece per ordinance, they didn't really know to ask for a variance. Kory also adds that our job is not to voice our opinion as much as it is to say what the code is. City Council is more for how people feel. Mosier adds that they are not approving this, they are giving their recommendations. McIntyre agrees and said that the Planning Commission will potentially see this three more times. Commissioner Finnegan states that in the past, they did push things forward and it did not pass.

Mosier states that he would like to see what happens with the wetlands. He asks how big of house would be built on the three lots. Matt Lyons states that it should be approximately a 1,600 to 1,800 sq. ft. ranch.

Finnegan states that because improving the gateway to the city was mention, he would ask that the 3 homes look elevated as opposed to just blending in.

Kopkowski questions if EGLE has given any input. Langan states that EGLE stated, unofficially that this is a prudent approach. She asks if Langan has a Plan B and he states that it would be to leave the driveway where it is.

Commissioner Dailey states that she lives in this area, on Woodland Drive, and when she got her packet and went through it all, she states that she was very excited. I really like what this looks like, and what it will be. To speak about the Redman's, this area was going to be developed at some point, these things do happen as land gets developed around you. Dailey states that she is in the city, and she really doesn't have a say of what her neighbors can and can't do. Dailey adds that she drives this way a lot and through the years she noticed how poorly this looked with random weird houses that have been taken down.

She adds that she likes the fact that it is one more thing that you will see, and she loves that it connects this non-motor area. She also likes the idea of splitting this up to utilize the property. Looking at these statistics, it does appear that we need more multi-family in this area. We want to maximize growth. I want to keep the wetlands to balance the eco system.

Finnegan states that he has concerns regarding timing consideration. McIntyre states that this insures that this will get developed. That is required by the state and if it doesn't get built, it will revert back to the original zoning. McIntyre states that she's learned with her experience that people looking for Industrial are not in the business of building, they want to occupy a building that is already there.

McIntyre adds that this Site Plan will be attached to an agreement that is signed by the city, signed by the applicant and recorded with the register of deeds.

Finnegan states that ever since he has been on the Planning Commission, the need has been for the missing middle, empty nesters. I don't know if there is a need for rentals in this area or not. There is very little left of development in this city and it is his experience that renters in apartments do not favorably contribute to the downtown. They don't shop at the stores, they don't pay property taxes and they don't necessarily eat and dine out in the restaurants. Langan offers to let Sharon Woods speak, he states that she is the one that did the market study that the Commission has a copy of. Finnegan states that he can't help but think that this would be an unbiased study. Langan adds that she is a market analysis for cities and he very much doesn't want her to be bias. He asks her what the solution is here. Finnegan states that he doesn't want this to look like 7 Mile in Northville. They were nice when they were new, but now they are blighted. He's thinking longer term.

Sharon Woods states that she pushed him on a few things. She had him increase the balcony size, and mixed up the exterior material a bit, to address the parking, etc. She has also been very realistic about the number of units to build in any given year. City wide the number of attached renter occupied units is about 450 units a year. He's definitely building a quality community, and it will be a quality renter. The rents will be at least \$1,300 a month and by the time we get there, \$14 - \$1,500 a month. She is looking at the renters income, what they are willing to pay, and if they are willing to rent a household or other formats. Although he did retain me, her job is to make sure that this project is successful.

Kopkowski questions the rent for the West Lake Apartments. Langan advises that the rent is \$1,350 to \$1,750 and they are full, with a waiting list. Quite a few young professionals, some empty nesters that would like to be near their families. Daily states that she has a different perspective on this and thought these are pretty nice and high end. Finnegan states that he would not call these high end. \$1,300 a month is not high end, you can't find an apartment under that unless it Section 8. Kory states that he thinks this is a good thing, and 20 + years of hoping someone shows up and 25 more can pass by. He adds, he would love to hear something better for the Redman's, but that is not what we are here for. We are here to make sure you are doing things that the rules state.

Finnegan asks if condominiums were considered. Langan said that in his view having renters is a more responsible use of the property.

McIntyre adds that if someone is to make a motion, it will be two motions. One is for the Conditional Rezoning to be recommended to City Council and the second one will be the Preliminary PUD that is attached to the Conditional Rezoning.

Motion to recommend the approval for the Conditional Rezoning for Parcel #21-30-126-005 and #21-30-126-003 from RM-3, Multi-Family Residential and I1, Lt Industrial, respectfully to

PUD, Planned Unit Development overlay district to permit 324 Multiple Family Residential Units and approximately 64,000 Sq. Ft. of Industrial Development, based on these 9 reasons. (See attached)

Motion by Dailey, Second by Frost

Roll Call: Commissioner Finnegan	No
Commissioner Kopkowski	No
Co-Chair Mosier	Yes
Commissioner Dailey	Yes
Commissioner Frost	Yes

Motion passes

Motion for SPR – 23-03 for West Lake PUD, we recommend approval for the Preliminary Site Plan Conditions on the five (5) state reasons below:

1. Planning Commission's approval to deviate from the ordinance standards:
 - a. To permit 1, 2, and 3 bedroom units, ranging in size from 600 sq. ft. to 950+ sq. ft., instead of a 4 bedroom unit, with a minimum of 1,000 sq. ft. floor area;
 - b. To permit a reduction to the amount of required parking for multiple family residential units - from 754 to 572;
 - c. To permit an increase in parking for the industrial buildings - as the users are unknown at this time and may require parking that exceeds the "general" industrial category;
 - d. A table of deviations with this information must be included on the site plan;
2. Submittal of all required information for Final PUD Site Plan Review;
3. Façade materials and samples being presented and approved during Final PUD Site Plan Review;
4. Review and approval from other applicable consultants, departments and agencies; and
5. Approval and recording of Conditional Rezoning Agreement between the applicant and the City.

Motion by Frost, Second by Dailey

Roll Call: Co-Chair Mosier	Yes
Commissioner Kopkowski	No
Commissioner Finnegan	No
Commissioner Dailey	Yes
Commissioner Frost	Yes

Motion passes

Old Business - None

Consultant Report –

Hannah Smith advises that Green Oak Township is updating their Master Plan. There is a period of 9 weeks to add comments. They can be given to her and she can pass them along.

Smith states that there is a report from the Road Commission.

Smith adds that they are looking for dates to set up training, potential October 12th, but she will let us know.

Staff Report - None

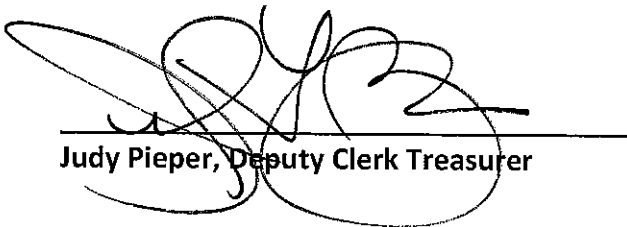
Adjournment

Motion to Adjourn

Motion by Mosier, Second by Finnegan

Meeting Adjourned – 8:40 p.m.

Respectfully submitted,



Judy Pieper, Deputy Clerk Treasurer