

**City of South Lyon  
Planning Commission  
Special Meeting**

January 29, 2013

Chair Lanam called the meeting to order at 7:06 p.m.

PRESENT: Kurtzweil, Weipert, Lanam, Culbertson, Mosier

ABSENT: Bradley, Chubb, Chaundy, Leimbach

Also present: Carmine Avantini, Planning Consultant  
Tim Wilhelm, City Attorney  
Debbie Nogle, Administrative Assistant

**APPROVAL OF AGENDA:**

**Motion By Mosier, Supported By Culbertson**

**To Approve the January 29, 2013 agenda.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF MINUTES:**

**Motion by Culbertson, supported by Weipert**

**To approve the Minutes December 13, 2012 as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC COMMENT**

None

**OLD BUSINESS**

None.

**NEW BUSINESS**

Oakland 40 Group LLC's Application to rezone approximately 40.13 acres located west of Huron Valley Trail, north of Krestrel Ridge Drive, south of Knollwood Drive, and east of Eagle Heights Drive (Parcel No. 21-20-176-002) from R-2 to R-3.

Avantini read his review letter dated January 23, 2013. He noted the application was poorly prepared and recommended the Commission table or deny the application. The

applicant can reapply and/or participate in the Master Plan process.

Lanam stated the Fire Chief was unable to offer an opinion without a site plan but had concerns regarding a single access point.

Paul Elkow, 2871 Wintergreen Drive Farmington Hills, MI

Mr. Elkow explained that he is the contract purchaser for the subject property. He also provided his previous development experience and work history in the area. He stated he was not asking to go to full density. He has a rough draft of 81 lots with three access points. He noted that housing is coming back and this is a great opportunity to bring to South Lyon. He would like to know whether the Planning Commission is willing to look at it, and he would like an opportunity to discuss it, otherwise he would be fine moving on.

Avantini stated the application was not thorough and did not provide specific reasons or analysis to support the application to rezone the subject property from R-2 to R-3. There were enough concerns under R-2 zoning that were not answered so it was difficult to justify rezoning to R-3. The concerns need to be address and then create a comfort level in order to support rezoning to R-3 which would allow more density.

Elkow explained that he is proposing that the Commissioners to come to grip with seventy-foot lots rather than the required eighty-foot frontage lots. He noted the City should not give up this opportunity in a hot market.

Weipert stated it sounds like Mr. Elkow wanted to play around with the site and asked whether a straight rezoning was the right way to start. It sounds like he wants density for flexibility. Elkow stated he would only add thirteen units to his density calculation under R-2 to make a total of eighty-one units.

There was a general discussion regarding access roads.

Weipert stated she felt it would be important to go through the Master Plan process with this property.

Kurtzweil stated that Lyon Township solved some problems with Mr. Elkow's development in the Township. She questioned the reasons behind the R-3 request since R-2 is much more compatible than R-3. She has noticed more of a demand for homes in R-1 or R-2. Elkow stated there are more homes in R-1 or R-2 areas, but R-3 was selling out at a faster pace.

There was a general conversation regarding home prices.

Kurtzweil stated she had looked at studies on the effect of housing density on wetlands and did not hear anything about the potential ecological impact of the proposed development if rezoned to R-3. Elkow stated that was an oversight. He was not going to just come in and bulldoze. Elkow noted the application was an opportunity for everyone to start working together. Lanam stated he was asking for seventeen-percent increase in density. Elkow stated he did not think that would be unreasonable. Kurtzweil noted he was the developer.

Avantini stated they could talk all night about the density but there was no correlation to that and a good site plan. A better way to work is to do a full site analysis. Reviewing the request for additional residential density through a straight rezoning does not allow for an analysis of a site plan and the property's characteristics and the City's concerns. Elkow stated he was encouraged by the idea of a contract rezoning. Lanam stated a rezoning without a final site plan did not guarantee what would be built.

Lanam stated the Commission has never seen where a developer could or could not build on this lot based on wetlands and open space. Mosier noted that a tree survey has never been done.

Avantini stated he would like the applicant to meet with the planning consultants, include fire department and police, so they can discuss the site and Mr. Elkow can have a full understanding of what would be needed to make a successful development and then the site plan could evolve from that point.

Nancy Iacovacci, 720 Hestrial Court, South Lyon

Ms. Iacovacci asked if streets could just be put anywhere, who decides where they go.

Kurtzweil stated that right now the only option is at a cul-de-sac.

There was a general discussion regarding the possible locations of roads to access a development on this property.

Steven Henderson, 788 Deerfield Court, South Lyon

Mr. Henderson stated he lives right next to the wetlands and was very concerned about runoff. To him, high density did not make sense. Lanam stated there are ways to engineer the site to help. Mr. Henderson stated his other concern was traffic.

Mark Kipp, 691 Grant Court, South Lyon

Mr. Kipp stated he bought his lot knowing the site was zoned industrial. The chance that the cul-de-sac could go away was disconcerting. He was concerned about the increase of traffic with the increase in population.

Avantini explained two options for the Commissioners and the applicant; first, the Commission could make a decision on the pending rezoning application, or second, the applicant could withdraw the application for rezoning and agree to meet with the City's planning consultants to discuss the site and the applicant's proposed development and layout.

Elkow stated he would withdraw his application and would like to start meeting. He noted he could work as fast as the City could.

Lanam stated by working together, everyone may not get everything they want, but it would protect the majority of people and take care of the ecological concerns.

Mr. Elkow asked whether he could "brush hog" the property in the interim. A general discussion followed regarding the need an environmental assessment of the property including a wetland delineation. The Commission requested that Mr. Elkow provide the City with information regarding the wetland boundaries and where he proposed to "brush hog."

There was a general discussion regarding a site tour. Kurtzweil stated she was certain the residents would be out taking pictures this week to record the site.

**TABLED ITEMS**

**PLANNING CONSULTANT REPORT**

Avantini stated he met with Mr. Clarke with Lexington Place to discuss the setbacks and decks. The setback would stay the same but the width would increase. So the decks could be bigger without impacting the setbacks.

There was a general discussion regarding Oakland 40 and access roads. Weipert thanked Mr. Avantini for the thoroughness of his review letter.

**STAFF REPORT**

None

**Motion by Culbertson, supported by Kurtzweil**

**To adjourn the meeting at 8:22pm.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

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Scott Lanam, Chairman

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Jennifer Knapp, Recording Secretary

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Jerry Chaundy, Secretary