

**City of South Lyon
Planning Commission Meeting**

February 9, 2012

Chairperson Weipert called the meeting to order at 7:03 p.m.

All present recited the Pledge of Allegiance to the Flag

PRESENT: Commissioners Chubb, Mosier, Kurtzweil, Lanam, Leimbach, Bradley and Weipert were present. Commissioners Culbertson and Chaundy were absent and excused.

Also present were Carmine Avantini (Planning Consultant) and Kristen Delaney, Director of Community and Economic Development.

APPROVAL OF AGENDA:

Motion by Bradley, supported by Kurtzweil

To approve the Agenda February 9, 2012.

VOTE

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Motion by Mosier, supported by Leimbach

To approve the Minutes for January 26, 2012 as amended.

VOTE

MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

None

OLD BUSINESS

1) Residential in B3

Weipert stated the City Council had questions regarding this and the Wind and Solar Energy ordinances. They also asked the Planners to look at them.

Avantini stated he completed a review and his primary concern is allowing residential on

the first floor where there will be conflicts. It is difficult to in strictly business districts to allow residential on the first floor. Resident may be easier to occupy but there is a need to protect the commercial use. He is not supportive of allowing resident on the first floor. The second floor is different and completely fine.

Weipert stated in the central business district they do not allow residential on the first floor.

Randy Clark, 415 Lafayette

Mr. Clark was asked to represent the owners of the property that triggered this conversation. Their request was only for residential on the second floor. They are not sure what started the conversation regarding the first floor.

Kurtzweil stated it was a good time to layout the fact that the Planning Commission seems to have problems with getting ordinances through City Council. It was clear to the Planning Commission what was being recommended to Council but how it got so messed up is not understandable. Major changes have to occur because it is not just this ordinance. She does not know who communicates with Council but now there is a new Planner they should work with Council through the draft. Chairperson Weipert is doing a great job but questions are being asked and not answered. She is embarrassed. She has had Council members approach her not knowing what the Planning Commission is doing.

Weipert stated she does not think Council realizes the changes proposed are not out of the blue. Mosier noted he does not think Council reads their packets beforehand.

Kurtzweil asked who answers their questions. Mosier stated the issue of the first floor came out of the blue. Kurtzweil stated the Planning Commission needed to get out of the ordinance business.

Avantini stated the entire process needs to be reviewed and not just the symptoms. Reviewing the Master Plan will help identify issues and concerns. After that they can review the ordinances to match and make it more seamless. There will always be updates over time. Avantini explained the actual process that includes the planner and consultant attended Council meetings to present ordinances.

Kurtzweil asked who drafted the Wind and Solar Energy ordinance. Delaney replied Beckett and Raeder. Kurtzweil stated there is a height conflict. Weipert asked to finish the B3 discussion before addressing the Wind and Solar.

Kurtzweil stated she thinks they should re-present the B3 ordinances as originally written and have Mr. Avantini present it to Council. Leimbach noted there was never anything said about the first floor. Weipert noted Council could also change ordinances. Lanan stated he believes someone who wants residential on the first floor approached someone. Kurtzweil stated that was why they should send the professionals to explain it to Council.

Avantini stated typically if Council wants to make additional changes the correct thing

would be to refer back to the Planning Commission for further discussion. Kurtzweil stated maybe they would have a new city attorney who is more in tune and knows the right thing to do.

Chubb asked if Council could get their packets earlier. Delaney stated Council does receive the Planning Commission meeting minutes. The Commission did not rewrite the entire ordinance; only two words were removed.

Motion by Chubb, supported by Bradley

To approve recommend approval for the change in the ordinance for residential in B3 as originally submitted.

VOTE

MOTION CARRIED UNANIMOUSLY

2) Wind and Solar Energy Ordinance

Weipert stated there were heights options, two of which would never be allowed in South Lyon.

Lanam stated there are three types that exist and are available but that does not mean the city has to allow them. Kurtzweil stated that was why a professional should explain it to Council. The Council meeting turned into a three-ring circus and was an embarrassment to the Planning Commission.

Weipert stated the ordinance is written to not allow wind energy in residential areas. The question now is do we want to allow it. Lanam and Leimbach noted they would allow it on a smaller scale.

Leimbach stated including what will not be allowed opens a can of worms. Anything not allowed should be excluded. Lanam asked what was the difference between this and the cell towers.

Avantini stated cell towers are different structures with different marking requirements for planes and flight paths. Regarding the wind, what made him uncomfortable and does not understand what might be wanted versus the intent. Maybe this should wait since there is no urgent need to put it in place right now. He recommended erring on the side of caution. Kurtzweil asked if Council wants it. Weipert replied they did not object to solar but felt it was out of the blue. Bradley noted the Commission has been discussing this for years.

There was a general discussion regarding what other communities are doing. Lanam noted the reason to do this now was to address it before it became a problem. Avantini stated if someone applies then you can go to Council and ask for a moratorium. Weipert stated the city already allows for Wind and Solar in the ordinance so if someone wanted to do it now, they could. Avantini stated they still could request a moratorium to allow for

enough time to make sure it meets expectations.

Weipert asked if there would be trouble if the moratorium were dated after the application. Avantini replied no, the courts have been pretty good about siding with cities to allow for time to be prepared. But the Commission could ask Council for a moratorium now to allow time.

Carl Lewis noted that in the month of July Michigan State University has an agricultural exposition and they have a large pavilion in the center that address Wind and Solar energy and the different types that are available.

Motion by Lanam, supported by Kurtzweil

To table the Wind and Solar Energy Ordinance.

VOTE

MOTION CARRIED UNANIMOUSLY

3) Master Plan

Avantini walked through the work plan proposal.

There was a general discussion regarding the iZone which is more ordinance based and would be additional.

Weipert noted that David Murphy said he would budget into the next year for Master Plan.

There was a general discussion regarding which portions to include in the Master Plan review. The Commission agreed they would like to do everything except the public workshops. There was also a discussion regarding which sub-area plans and how many would be enough.

Motion by Bradley, supported by Lanam

To recommend to City Council approval for the Base Task, Open House, Stakeholder Interviews and three Sub-Area Plans.

VOTE

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

None

TABLED ITEMS

Alexander Center

Medical Marijuana Dispensary Ordinance

Complete Streets & Safe Routes to School

PLANNING CONSULTANT REPORT

Avantini stated he is already enjoying working with South Lyon.

There was a general discussion regarding grants and capital improvement planes.

STAFF REPORTS

None

ADJOURNMENT

Motion by Lanam supported by Kurtzweil

To adjourn the meeting at 8:31 p.m.

VOTE

MOTION CARRIED UNANIMOUSLY

Pam Weipert, Chairperson

Jennifer Knapp, Recording Secretary

Keith Bradley, Secretary