

**City of South Lyon
Planning Commission Meeting**

August 25, 2011

Chairperson Weipert called the meeting to order at 7:01 p.m.

All present recited the Pledge of Allegiance to the Flag

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

Also present were Ben Tallerico (Planning Consultant), Dave Murphy, City Manager, and Kristen Delaney, Director of Community and Economic Development.

APPROVAL OF AGENDA:

Motion by Mosier, supported by Lanam

To approve the Agenda August 25, 2011.

VOTE

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Motion by Culbertson, supported by Bradley

To approve the Minutes for July 14, 2011 as amended.

VOTE

MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

None

OLD BUSINESS

New Life Community Center

Troy Weidman, 12692 Wood Grove re: 521 Mill Street

Weidman wanted to clarify the building's and the church's original approval. He presented a letter addressing the church and the activities that take place.

Kurtzweil stated whether or not New Life was set up as a 501c3 was not a Planning Commission issue. She asked what the city required them to do originally. Weidman replied he had to go through Fire Department approval and a parking review. Kurtzweil asked if they communicated the use as a community center. Weidman replied yes. Kurtzweil asked what was changing in the use. Weidman replied nothing. Kurtzweil

asked if they are not changing the use then why are they here?

Tallerico explained they came to the city and stated they were changing the use and the Planning Commissioners said they wanted to see the parking and landscaping. He did not believe that the Planning Commission had reviewed anything previously.

Kurtzweil stated if the inside conforms to what was in the letter and Veltri approved this then she did not understand why the applicant needed to be here. Tallerico stated the letter was from the applicant. Kurtzweil asked what was the opinion of the city's attorney. Tallerico replied that the attorney's opinion was that the applicant needed to be here. Kurtzweil noted they are not changing the use. Tallerico noted the applicant stated they were.

Kurtzweil stated that maybe the applicant did not understand and have the benefit of having an attorney. Weipert noted that a church could do things that a community center cannot. Chubb stated the activities are accessory uses to a church. Tallerico stated the applicant said they were changing the use. Weipert stated now the Commission had to look at whether or not they conform to the special use district.

Kurtzweil stated she, personally, would withdraw the application and meet with an attorney to look at all the documentation. She does not believe the use is changing. Tallerico stated if one opens a government uses building as a renter the activities do not have to change. It was who owns it. As he stated last time, he did not have enough information. In general, it falls to who owns the building.

Kurtzweil asked if they still hold church services. Weidman replied yes. Kurtzweil stated she did not understand why the city did not have a community center and she thinks the city owes the applicants a huge debt. She was appreciative of what they do. She thanked the applicant and suggested they withdraw their application. Mosier noted they had not officially applied. Kurtzweil stated she thinks they only have a problem if they stop holding services. Weidman noted they wanted to provide an alternative. Lanam noted in case anyone thought the Planning Commission was not supportive, he appreciates what they are doing and they are supported.

Blight Ordinance

Weipert stated they received the blight ordinance changes back from the attorney's office. For the most part, they included the language the Commission created.

There was a general discussion regarding the numbering. Culbertson stated he could not follow it in this format. Weipert noted it was pretty much the same words. Delaney stated she added her own notes to highlight what was changed. Tallerico stated they could make a suggestion to change the number to City Council.

Motion by Lanam supported by Bradley

To recommend approval to City Council for the addition of the Blight

Ordinance 42.37

VOTE

MOTION CARRIED UNANIMOUSLY

Annual Report

Tallerico present a draft of the annual report as requested. He reviewed the content.

Culbertson asked to add what City Council decided on issues forwarded to them. Tallerico agreed.

NEW BUSINESS

Residential in B-3

Clark Bailo, 21388 Winding Creek Drive

Mr. Bailo explained that he looked at other communities and the wording for similar zoning and in each case they allow neighboring uses. He stated B-3 would not have pedestrian traffic but his property has all sort of pedestrian traffic. He would like to see consistency with the neighboring communities as well as within South Lyon's districts. Residential was often allowed as a special use in similar situations.

Chaundy asked if he was proposing that for his building Bailo replied he was proposing it for all of B-3. Right now he has to rent the second level to the business on the ground floor and they do not need it.

Tallerico stated cascading districts from one zone to another was not in South Lyon. There could be a very good reason why it was not.

Culbertson asked if there was an exterior entrance to the second floor. Bailo stated there was a hallway inside to get to the stairs. Lanam asked if he would still need a variance because, technical, it was not a two-story building. There was general discussion regarding what constitutes a two-story building.

Lanam asked Mr. Bailo if he looked at the viability to create the space as residential. Bailo replied yes, adding he would have to add some things, like windows, but he was willing to make the changes.

Weipert stated Mr. Bailo may not be the only in this situation. She suggested looking at the broader picture. Bailo noted he believes they could be more residential throughout the B-3 districts. Tallerico stated those home would be non-conforming.

Culbertson asked Randy Clark if his building was two-story. Clark replied yes, but the residential was grandfathered in. Kurtzweil stated she was in favor of it because she was in favor of increasing residential in any downtown area. Taxes in the city are not going up and she believes they need to provide a way for businesses to afford their buildings.

Weipert asked Ms. Delaney if she could find out why the ordinance was written as is.

TABLED ITEMS

BP Building Façade
Alexander Center
Medical Marijuana Dispensary Ordinance
Complete Streets & Safe Routes to School
Annual Retreat

PLANNING CONSULTANT REPORT

Tallerico presented a report, which included updates on a color map of the zoning ordinances, House bills, Senate bills, and the Supreme Court and wind energy.

Tallerico noted that regarding New Life, the use did not have to change in order for the Planning Commission to have the right to review it.

STAFF REPORTS

Delany provided updates on BP, Alexander Center, Royal Touch Pet Salon and election of officers.

Bradley provided a Zoning Board of Appeals update.

ADJOURNMENT

Motion by Culbertson supported by Lanam

To adjourn the meeting at 8:32 p.m.

VOTE

MOTION CARRIED UNANIMOUSLY

Pam Weipert, Chairperson

Jennifer Knapp, Recording Secretary

Keith Bradley, Secretary