

**City of South Lyon
Planning Commission Meeting**

July 14, 2011

Chairperson Weipert called the meeting to order at 7:04 p.m.

All present recited the Pledge of Allegiance to the Flag

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

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 Bradley, supported by Lanam

To approve the Agenda July 14, 2011.

VOTE

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Motion by Culbertson, supported by Mosier

To approve the Minutes for June 9, 2011 as amended.

VOTE

MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Clark Bailo, 21388 Winding Creek Drive

Mr. Bailo has lived in the area for over twenty years. He was present because he owns a property in the B3 business district. The structure has two floors with approximately three thousand square feet, which is split. After reviewing what is allowable in a B3 district he discovered the only thing not allowed are dwellings. He handed out a district map of the area and noted that if the words "excluding dwelling" were removed then he could put apartments into the structure. He was not expecting anything to happen today but would like the opportunity in the future. He was looking for something that makes sense and makes the building more viable. He believes it would be smarter for the city.

Carl Richards, 390 Lennox

Mr. Richards stated that several months ago he asked the Commission to consider setting aside one acre for a park. He has spoken with the historical society and other community members and there seems to be a lot of support. He believes it would be a draw for hundreds of people and noted it would not have to be staffed. It would eventually be self-supporting. Mr. Richards reviewed the history of the county to highlight the historical benefit to having such a park.

OLD BUSINESS

None

NEW BUSINESS

BP Building Façade

Pete Bonth, 14165 N. Fenton Road, Fenton, MI

Mr. Bonth has owned the BP station for the past six years and the brick façade is falling off. He brought with him Gary who will be doing the work for him.

The brick system on the building is a failing system. Because what is on the building currently is not masonry it cannot support real brick. A stucco panel would work and meet the city's requirements.

Weipert asked if it would all be replaced. Gary replied one section at a time.

Tallerico asked if the material was EFIS. Gary replied no, it was panel board. There was a general discussion regarding EFIS and the fact that the panel board would be all the way up from the metal frame, the whole south side and west under the windows until the other sides need replacement. Lanam asked if this was certified from ground contact. Gary stated there was a trim at the sidewalk.

Lanam noted he would prefer to see something more maintenance proof. In his opinion this would be the cheap way out. There was a general discussion regarding other option. Lanam stated he does not consider stucco panel as meeting the masonry requirement and he does not agree with doing half now and half later. He feels it should all be done at one time. Tallerico added they would need a variance for the stucco panel.

Lanam stated he understands not spending a lot of money if the applicant is planning on rebuilding but there must be something in the middle. He does not have a lot of faith in maintenance being done since the building has been allowed to get to this point.

Weipert stated the applicant needed to come up with another material because they could only use twenty-five percent of the stucco panel. Bonth asked what they suggested. Lanam noted it was not up to the Commission to determine. Weipert stated an acceptable list was in the code.

There was a general discussion regarding the acceptable materials and how much

coverage per the ordinance.

Culbertson stated he was concerned about any proposal that did not include all three sides viable to Pontiac Trail. Bonth agreed to do the three sides and the east if economically feasible.

Bonth apologized for his slow response to the city but now wants to move forward. Delaney stated she would send him a copy of the façade ordinance.

New Life Community Center

Lonnie Short, Troy Weidman & Brian Clark, 521 Mill Street

Mr. Short stated they were looking to change from a church to a community center.

Weipert asked if it was a church operating as a community center or vice-versa. Because if it was a church it could be used in other ways but a community center has to go through the city's channels.

Short stated the center is at a financial hardship and they could not partner for financial support from a lot of businesses because they would not all donate to a church.

Weipert stated if they are operating as a community center then they need to make certain it was following the ordinances. Tallerico stated he concurs with the city attorney's evaluation but was unable to do a full reviews. It does matter what activity takes place and questions need to be answered before they could do a review to answer.

Bradley asked if the way they would like to use the space would qualify for the special use. Tallerico replied from the limited information he had, it would appear so.

Culbertson asked if there are church services held on site. Short answered it was not used as a traditional church. It was being used as a recreational ministry. The building was leased but because of how it was being used when fundraising they could not get businesses to donate to a church. They were willing to let that perspective go so it would be a neutral place for everyone. Mr. Weidman added it would be a change in the business model.

Tallerico stated they needed to provide details so they could determine what uses the applicants were planning.

Culbertson asked if church services take place. Short replied yes, on Sunday mornings. Tallerico stated because services happen there does not mean it had to be a church.

Delaney asked if they were making fundamentally altering the building. Short replied no. Tallerico stated they Commission had never seen anything before. They did not know what was on the inside and they need to see what is there as they do for any other business.

Lanam stated he has been there and his children have been there and he likes what they do but noted they probably did not have enough parking per the ordinance, however parents do drop off and pick up. Tallerico stated they could include a drop off/pick up area to help make that case. Bradley noted they might need a variance. Tallerico stated he did not know until he sees the plans.

There was a general discussion regarding the city's attorney's comments. Weipert asked them to come back with a plan and a decision would be made then and if needed, they would set a public hearing.

Alexander Center

Terry Trajkorski, 553-557 S. Lafayette

Mr. Trajkorski stated the building has been in existence for about three years and there was a bond but it expired in 2010. The bond had not been renewed because there was no interest for tenants in the building. The problem is now that he needed a new bond. He has applied for two and one is under review.

Tallerico stated there was a meeting where they did discuss the design and the challenges the applicant would have and a restaurant had never been mentioned. He did not know how a restaurant would go in there because there was not enough room. The Commission stressed to Mr. Trajkorski that a smaller building would give him more options. How he gets the building back on track was another issue.

Trajkorski stated when first presented they had other store front ideas. There are thirty-five parking spaces. Tallerico asked if he was moving forward with the original plan. Trajkorski replied yes and noted he did not know the rules. Tallerico stated he needed to learn the rules. Weipert stated there was required parking for different types of uses. Tallerico stated he needed to re-submit the plan with the retail uses and employees.

Weipert stated the bigger issue was if the site plan had expired. Leimbach noted he believed the site would have to re-start from the beginning. There were numerous violations and a lot of issues that could not be worked around. Chaundy agreed.

Lanam stated the parking was not a new issue and it had been heavily discussed. The violations have to be fixed before any businesses could move in. The parking calculations are the major obstacle. Possibly the best solution would be to demolish the building and start over.

Trajkorski stated the retail area was not designed that way. It was meant for people at the restaurant who want to pick up something else. Lanam stated this was not their personal feeling to determine. The rules were written for the Commission to use and they had to make sure the requirements were met.

Culbertson asked if Mr. Trajkorski was using a new architect. Trajkorski replied yes. Culbertson suggested Mr. Trajkorski speak to his architect because the statues are the statues and they have to be followed. He needed somebody to help him figure out what

he could do based on those statutes. He had been told over and over that the parking was going to be a problem for the size of the building and a restaurant had never been mentioned.

Bradley and Mosier each stated they needed to see a site plan. Weipert agreed and noted it needed to show the intended use and be updated to meet all new ordinances.

Trajkorski agreed and stated for the roofing he had underestimated how much the metal roofing would be and wrote a letter saying he wanted to do shingles instead. Bradley stated then he was changing the site plan that was approved and that cannot be done like that.

Lanam asked how he would address the issue of the fire code. Trajkorski stated he would use double-sided fire drywall. Lanam noted he would need to check that with the fire inspector.

There was a discussion regarding parking calculations.

Annual Report

Tallerico stated it was time to do the annual report. The Commissioners agreed.

TABLED ITEMS

Medical Marijuana Dispensary Ordinance
Complete Streets & Safe Routes to School
Annual Retreat

PLANNING CONSULTANT REPORT

Tallerico presented a report, which included updates from some recent court cases, the Attorney General's opinion of the Medical Marijuana Act, state planning bills, and news from Beckett & Raeder.

STAFF REPORTS

There would be a code enforcement report for the next meeting in August.

There was general discussion regarding excluding dwellings in the B3 district and they agreed to discuss at the next meeting.

ADJOURNMENT

Motion by Culbertson supported by Bradley

To adjourn the meeting at 8:59 p.m.

VOTE

MOTION CARRIED UNANIMOUSLY

Pam Weipert, Chairperson

Jennifer Knapp, Recording Secretary

Keith Bradley, Secretary