

**City of South Lyon  
Planning Commission Meeting**

October 22, 2009

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

All present recited the Pledge of Allegiance to the Flag

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

Also present were Ben Tallerico (Planning Consultant), and Kristen Delaney, Director of Community and Economic Development

**APPROVAL OF AGENDA:**

**Motion by Bradley, supported by Chubb, to switch the order of the meeting and address old business before new business.**

**To approve the Agenda for October 22, 2009 as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF MINUTES:**

**Motion by Mosier, supported by Kurtzweil**

**To approve the Minutes for September 24, 2009 as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC COMMENT**

There was no public comment.

**OLD BUSINESS**

Proposed Changes to Sec. 102-203 Uses permitted submit to special conditions  
Tallerico wrote a new section, subsection 16, consistent with information from the applicant. He noted bullet H was from the building department.

Culbertson questioned the size of the property and whether or not three and a half acres was the correct size. Tallerico stated he could change it and noted it would also have to

abut industrial. There was a general discussion regarding the zone map and the layout of the property. Leimbach suggested requiring the side yard or the rear yard must abut industrial. Tallerico noted the change.

Weipert noted the building department suggested limiting the size of the structure. Delaney stated the suggestion fits the current zoning. Kurtzweil stated she thought any structure would have to allow for the maximum amount of vehicles on the site. Culbertson stated his interpretation was the truck needed to be stored and not the trailer. Tallerico stated that was correct. Weipert asked if industrial zoning required the vehicles to be stored inside. Tallerico stated his understanding from the last meeting was the applicant wanted a storage building. Leimbach stated his understanding was the vehicles needed to be out of view from the street; screened but not necessarily in a structure.

Jason Rhodes, 752 S. Hagadorn  
Mr. Rhodes stated nothing is visible from the street.

Mark Gawrych  
Mr. Gawrych stated the natural landscape screen the site.

Tallerico suggested changing the language to read screen from view and stored in the rear yard.

Chubb asked, regarding the vehicles and trailers, could they store open air trailers with trees, sod, etc? Tallerico stated he worked off the information providing by the applicant. Culbertson noted bullet F seemed to address that issue.

Kurtzweil asked if they could state no trailer could exceed a specific amount of feet or maximum number of vehicles stored with a limit of size. Rhodes noted it would be easier to limit by the number of axels or using twenty-four feet or less would be a reasonable, common restriction.

Weipert asked if the number of vehicles includes the residents or employee personal vehicles. Tallerico replied no.

Chubb asked if they would be allowed to have anyone work on site. Tallerico stated at the last meeting the applicant stated no one works on site and nothing would be stored on site.

Weipert asked to go back to the issue of the maximum number of vehicles and trailers. Tallerico stated they could limit the number and size or a combination. Mosier noted after the one year review they could make changes.

Gawrych stated his biggest trailer was eighteen-feet. He noted there would not be enough room for anything more than twenty-feet. Leimbach stated it seemed reasonable to limit the vehicles to one axel. Gawrych agreed and noted nothing larger would fit. Tallerico commented the real issue would be the trucks driving through the residential area.

Kurtzweil questioned the hours of operation that are limited to 7:00am until 8:00pm and asked if the applicant worked snow removal would they need to access the site in the middle of the night. Tallerico stated the applicant listed the business hours as 8:00am until 7:00pm but he allowed for an additional hour on each end. Gawrych stated it could be worked out by having a vehicles stay at an employee's home but really they leave and then they are gone for the rest of the night.

Chubb asked if the special use would be specific to landscape and snow removal businesses. Tallerico replied correct. Chubb asked if the applicant salts as well. Gawrych replied yes but they only use sidewalk salt and buy it as needed. It would not be efficient for them to store the salt.

Chubb asked if they would store gasoline on site. Gawrych stated all they would have on site would be a couple of five-gallons of mixed fuel for the weed-whackers.

Tallerico reviewed his changes based on the conversation.

Sabrina Harris

Ms. Harris asked if the ordinance would need to be stipulate permission for the employee vehicles. Tallerico replied no, that would be considered normal visitor parking.

Tallerico reviewed the next steps in the process.

Harris noted her husband sent his apologies for not being at the meeting. He was stuck in Chicago.

Tallerico suggested setting a public hearing for next month. Weipert noted the soonest it could be would be December 10<sup>th</sup> because of the Thanksgiving holiday.

Blight

a) Vacant, Abandoned and Foreclosed Structures Registry

Delany reviewed ordinances from Chula Vista and other communities. West Bloomfield appeared to best match South Lyon's needs; minus the posting in the front window or front door. She noted liking the definition of vacant versus abandoned also.

Chubb asked if this were to go into effect what would happen to the properties that already fall under the ordinance. Tallerico stated that would be a question for the city's attorney.

Weipert asked who would conduct the annual inspection. Delaney replied that would have to be determined.

Weipert liked the violation and penalty clause. Kurtzweil liked the recovery of fees section from Clawson's ordinance.



There was a general discussion regarding re-occupancy.

Delaney stated she would make some changes and bring a revision back to the Commissioners.

There was a general discussion regarding foreclosure rates.

Blight

b) Grass Height

The board directed Delaney to write a memo to the City Manager recommending that the allowable grass height in the City be lowered from 12" to 8". Tallerico noted that the 8" height was standard for most cities. Delaney stated she would move forward with changing the grass height however city council would also need to review the fee structure.

#### **NEW BUSINESS**

Façade Ordinance

Delaney asked if the Commissioners wanted to open up the discussion of the matrix again or would they prefer to move forward with fixing the façade ordinance.

Tallerico noted any ordinance would have a loophole or two. Weipert stated Mr. Veltri suggested they tighten up the current ordinance because the matrix would not get the Commission where they wanted to be.

Leimbach asked if there would be a way to require the developers to do more than the minimum required. Tallerico replied they could tight the percentages on what was already in the ordinance.

There was a general discussion regarding the difficulties working with the matrix.

Delaney asked if other communities use a matrix. Tallerico replied some do and it could work. Tallerico stated he felt this group could have gotten the matrix where they wanted but it might not be needed. He felt they could tweak what was already in use.

Leimbach noted he thought a statement should be made that they expect more than the minimum. Weipert asked if that could be said like that. Tallerico replied it could be written to give discretion to the Planning Commission to raise the expectation.

There was a general discussion regarding what other communities do and branding by businesses.

Kurtzweil stated she felt they should continue working on the façade ordinance because

eventually they would be dealing with re-development. She agreed with Leimbach that this was a process.

Bradley noted they had to step away from the matrix for a bit. Tallerico suggesting looking at what existed now and tightening that.

Leimbach suggested a percentage of change for re-developed properties to require them to appear before the Planning commission. Chub suggested they include bringing the building up to date with all codes at the same time. Kurtzweil stated Wisconsin has requirements to re-purpose building materials when tearing down and rebuilding.

Leimbach clarified he would not want re-developments tied to change of use, only the percentage of change to the structure itself so they could see the plans.

Tallerico stated he could change the site plan review process to include a change of twenty-five percent of the building. Leimbach agreed.

There was a general discussion regarding how to calculate the percentage of change.

Chubb asked if there could be concern this might discourage re-development. Leimbach agreed that investors should not be penalized. Tallerico stated they would do it as long as they know they have to.

Delaney asked if Milford's design guidelines were binding. Tallerico replied no.

Tallerico stated he liked Ms. Kurtzweil's point of including recycled building materials into the changes.

Tallerico asked if they would want a percentage of the cost of the redevelopment included into the changes. The Commissioners agreed.

#### Annual Retreat

Delaney stated as part of the annual report they discussed holding a retreat at the start of the year. It could even be an informal discussion with dinner. Tallerico stated it would be used to discuss general concepts and to develop a work plan for the year.

Delaney suggested a joint meeting with the Downtown Development Authority (DDA). Weipert agreed and added it would be good to meet with City Council also and then have a retreat.

Kurtzweil agreed that meeting with the DDA would be great because they work directly with the businesses. She would like to focus on the DDA first. Delaney stated the DDA is creating a subcommittee as part of the Main Street Development Committee which would be affected by changes to the façade ordinances for grants.

Delaney stated she would talk to the DDA about getting a joint meeting scheduled then

they could plan the retreat.

### **TABLED ITEMS**

Wind Energy Ordinance  
Item to remain tabled.

By-Laws Update  
Item to remain tabled. Planned to discuss at the November 12, 2009 meeting.

### **STAFF REPORTS**

Kurtzweil stated she would not be present at the November 12, 2009 meeting.  
Leimbach stated he would not be present at the December 10, 2009 meeting.

Delaney provided follow up information on Alexander Center, the landscape ordinance, and the Bodnar property. She noted that the resident at 601 Ada Street was given an order to cease and desist but not tickets will be issued since the Commission was trying to resolve the matter with the special use ordinance.

Culbertson asked why the sign ordinance expansion was not under the tabled items.  
Weipert stated it had not been an agenda item. It was a public comment that would be revisited in a year.

Tallerico stated his first year graduate students were looking at some of the odd-shaped properties in South Lyon to see if they could come up with project solutions.

### **ADJOURNMENT**

**Motion by Bradley supported by Kurtzweil**

**To adjourn the meeting at 9:17 p.m.**

### **VOTE**

**MOTION CARRIED UNANIMOUSLY**

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Pam Weipert, Chairperson

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Jennifer Knapp, Recording Secretary

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Keith Bradley, Secretary