

**City of South Lyon
Planning Commission
Regular Meeting Minutes
November 21, 2019**

The meeting was called to order by Chairman, Scott Lanam at 7:00 pm.

Roll Call: Scott Lanam, Chair
Jason Rose, Commissioner
Erin Kopkowski, Commissioner
Wayne Chubb, Commissioner
Mike Joseph, Commissioner

Late: Steve Mosier, Commissioner
Arrived at 8:11 pm

Also in Attendance:

Carmine Avantini - City Planner
Matthew Zalewski - City Attorney
Paul Zelenak – City Manager
Carol Brandon – Recording Secretary
Kelly McIntyre – City Planner, arrived at 8:30 pm

Carmine suggested moving item #10 (Temporary Use Applications) further down on the agenda to give Steve Mosier time to finish with the ZBA meeting across the hall.

Motion by Rose, Second by Kopkowski

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Approval of Minutes for October 10, 2019 tabled until next meeting.

Motion by Rose, Second by Kopkowski

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Public Comments: None

Public Hearings: None

Tabled Items: None

Closed Session:

Motion by Rose, Second by Kopkowski to enter a closed session pursuant to MCL 15.268(h), to consider a written attorney-client privileged communication that is exempt from public disclosure under MCL 15.243(1)(g), and to discuss pending litigation, *Alexanders Polish American Restaurant et. al. v. City of South Lyon et. al.*, pursuant to MCL 15.268(e), as open discussion would have a detrimental effect on the litigating position of the City.

Enter Closed Session 7:08 pm

Exit Closed Session

Motion by Kopkowski, Second by Rose to exit closed session.

Voice Vote: Ayes: Unanimous

Nays: None

Motion Approved

Exit Closed Session 7:38 pm

Old Business:

A. Alexander's Center

Attorney Zalewski referred to the judge's order to reopen this discussion based on new information and reaffirmed that the commission would deny/ vacate denial / or approve with conditions. Planner Avantini referred to the November 14 letter from Planner McIntyre that discusses the parking consultant hired by the property owner and the review by our consultant. Parking can be handled to expand to Unit C and the owner plans to use Unit A for storage. Property Owner Attorney Shiraz Khan says the property should have 25 more spaces once they are in Unit C, which still leaves 4 additional spaces per the parking study. Commissioner Rose

asked for clarification on seating and overflow parking. Attorney Khan does not believe there is even a parking issue even though Witches Hat uses Alexander's parking lot some nights. Attorney Khan says the Alexander's property owner is open to shared parking but is not asking for that at this time.

Motion by Rose, Second by Joseph, to rescind the Planning Commission's June 8, 2017 denial of the Alexander Center Expansion Proposal, and to approve with conditions a site plan modification for the Alexander Center for the expansion of Alexander's Polish American Restaurant, based on the application and floor plan submitted by the applicant, and the findings of the August 13, 2018 Fleis & Vandenbrink parking study and the September 12, 2018 Hubbell Roth & Clark review of the Fleis & Vandenbrink study. This approval is subject to the following conditions:

- **"Unit C" is approved to be used for expansion of restaurant seating, up to a maximum of 25 seats. This approval is not conditioned on a specific seating configuration, provided that the maximum of 25 seats is not exceeded.**
- **"Unit A" is approved to be used for storage only.**

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved.

Discussion:

A. Mural Ordinance

Attorney Zalewski asked if the commission had any questions or would they like to call for a public hearing? The intent of the mural ordinance is consistent with sign standards and there is limited reference of art vs. mural. Planner Avantini suggested removing the mural issue from the sign ordinance and making it a design element, which is being used in other communities. Commissioner Kopkowski feels that signs and murals need to be handled separately.

***** Commissioner Mosier arrived 8:11 pm *****

Commissioner Joseph feels there needs to be a committee review of murals. DDA Director Bob Donohue says there is a design review in the DDA and the DDA would review any proposed murals. The Cultural Arts Commission has indicated

that they would like to participate in the review process. Discussion of signs vs. murals and signs in murals. Commission requires professional standards, quality product, and review of project, would like to hold off on calling for a public hearing until the ordinance is defined further. Commission would also like to add review of projects from the DDA and Cultural Arts Commission.

New Business:

A. Temporary Use Application

Planner McIntyre joined the Planning Commission meeting at 8:30 pm after the ZBA meeting ended. Planner McIntyre reported that the commission has received an application for Temporary Use Permit from Heinanen Engineering requesting to temporarily install a 42-foot pole on top of their building at 350 S. Lafayette for the purpose of a New Year's Eve Ball Drop. Property owner, Jeff Heinanen, spoke about the construction of the pole, how the base has been welded to the roof of the building and the pole will be raised and lowered with use of a hinge. When not in use, the pole will be stored out of sight on the roof on a specially constructed bracket. Safety of people at the event is the primary concern. They have added illumination on the spire as well as the ball and are requesting to have the spire lit from 8 pm until 2 am. Discussion of fall zone and safety issues.

Motion by Rose, Second by Chubb to approve Temporary Use Application with following clarifications:

Timeframe December 1, 2019 to January 31, 2019

Review and approval by ZBA.

Spire and ball to be lit only between dusk and 2 am

No spotlights

Proof of Insurance

Voice Vote: Ayes: Unanimous

Nays: None

Motion Approved

Planning Consultant Report

Planner McIntyre reported that the BP Car Wash has been demolished. The business has been sold and the new owners are planning more improvements to the property. There has been no word from the owners of the Salvation Army property regarding their façade improvements. Need to verify occupancy rate tied to improvements.

Staff Report: None

Adjournment

Approval to Adjourn

Motion by Kopkowski, Second by Rose

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved – Meeting Adjourned 8:50 pm

Scott Lanam, Chairman

Carol Brandon, Recording Secretary

Steve Mosier, Secretary