

**City of South Lyon
Planning Commission
Regular Meeting Minutes
June 13, 2019**

Approved: _____

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

Roll Call: Scott Lanam, Chair
 Steve Mosier, Commissioner
 Erin Kopkowski, Commissioner
 Jason Rose, Commissioner

Absent: Keith Bradley, Vice-Chair
 Michael Joseph, Commissioner
 Wayne Chubb, Commissioner

Also in attendance: Kelly McIntyre – CIB Planning
 Judy Pieper – Deputy Clerk

**Motion to excuse Commissioner Joseph, Chubb and Bradley
Motion by Mosier, Second by Rose**

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

**Motion to approve Agenda
Motion by Mosier, Second by Rose**

Voice Vote: Ayes: Unanimous
 Nays: None

Motion Approved

**Motion to approve the Minutes for March 14, 2019, as amended
Motion by Mosier, Second by Rose**

Voice Vote: Ayes: Unanimous
Nayes: None

Motion Approved

Public Hearings: None

Tabled Items: None

New Business:

**1. 820 N. Mill, Knolls of South Lyon Planned Development
Amendment**

Kelly McIntyre, Zoning Administrator (CIB Planning), states that a waiver request has been given to the Planning Commission for review. This property is in the Knolls and the Knolls was built under the Plan Development format. In our code, setbacks is not one of the items that can be approved administratively, it must go before the Planning Commission. The Planning Commission is the only ones that can make an amendment to the PD agreement. McIntyre goes on to say, in order to get more open space, the developer created lots that were about 7,200 square feet. With this setback, there is a particular building envelope. A majority of the houses have been built to the envelope, which means they are at the rear, front, and two side yard setbacks, they are on the line. This particular home is built to the 40 foot setback. The applicant is requesting to build a deck that is 15' x 30'. We recognize that there have been some issues in the Knolls and a lot of the homes are at the setback lines. So about two years ago, an amendment was made that allowed an applicant homeowner to encroach in to the rear yard setback 25%. The rear yard setback is 40, which means the 25% is 10 feet. This means they are allowed to go 10 feet in to the setback. This applicant wants to go 16 feet, so they are asking for a deviation or wavier of the additional 6 feet.

Commissioner Kopkowski asks McIntyre if she knows how many houses are right up to the rear setback. McIntyre states that she would have to look that up.

Commissioner Rose adds that according to the overhead view, it's everyone on that side of that street.

Commissioner Mosier verifies that they had made a change about two months ago so that this would not happen.

Chair Lanam confirms the change, but states that the resident is requesting a little more than the change provides.

Commissioner Rose clarifies that the setback only refers to the posts. Our ordinance allows a two to three foot overhang/cantilever.

Applicant, Alex Hamilton, 820 W. Mill Street, South Lyon, Michigan, 48178

Hamilton states that the posts will be at 15 feet, adding that it's a 24" high deck so he will be using smaller beams. The overhang will be less. There are 3 sets of posts, one at one foot, one in the middle and one at 15 feet.

Hamilton states that he realizes this is a Plan Development that seemed like it was based around the point of being an Open Space Preservation, kind of following the same standards.

Chair Lanam confirms with Hamilton that Hamilton's neighbor to the south already has a deck on their home. Hamilton states that it is a ground level patio.

Commissioner Kopkowski states that he may be able to get close to what he wants with different engineering.

Hamilton states that he thought it would be fair to use the Open Space Preservation because that's what it was based around. He states that a lot of the neighbors are reverting to a patio of some sort. A lot of them have built a patio that is 24" off the ground, adding that he is not a fan of having a 24" slab of concrete for a patio.

Hamilton goes on to discuss the ground condition and the over dig.

Commissioner Rose asks if Hamilton has ever considered making the deck wider. Hamilton would like the deck deep to be able to utilize patio furniture.

Chair Lanam explains that the bad part of this is that the builders put you in this situation and then you have to come to us. Rose questions if the setback requirements are explained at the time of purchase.

Commissioner Kopkowski states that if he compromises, the deck can be re-engineered. It may not be to 16 feet, but there is a compromise that can be done.

Hamilton questions why this couldn't be an Open Space Preservation? Chair Lanam explains that the builders do not come to them with plans; they come to them with a PD. Rose states that under a standard zoning situation, the houses would not be as close together, you would have houses at equal distance on the whole entire property and you wouldn't have this open area that is behind you. Lanam adds that you can't use the Open Preservation and a PD together. Hamilton questions why an exception can't be made. McIntyre states that the PD is a legal document and the Planning Commission has already amended it once for the entire sub. It was amended to try and stop this from happening. Kopkowski adds that the builder took what they amended to give the homeowners a deck and they built a house on it. Hamilton stated that he doesn't feel the amendment was fair.

The conversation continues regarding patios, brick pavers, etc., with regards to City Ordinances and our building department.

Commissioner Rose suggests that Hamilton goes back to an engineer to get close to what you want.

Motion made to deny the encroachment for the rear yard setback for 820 N. Mill Street.

Motion by Kopkowski, Second by Rose

Voice Vote: Ayes: Unanimous
Nayes: None

Motion Approved

Hamilton questions if there is an appeal process for this. McIntyre advises that it would have to be done through the Circuit Court.

2. 111-113 N. Lafayette Addition and Façade Review and Site Plan Approval

McIntyre states that this is renovation to our Art Craft Building in Downtown along with a rear addition that is 359 square feet. The addition itself will be for

storage and utility/mechanic area. The roof of the addition will actually be a patio for the second story apartment.

The current light green painted façade on the building, believed to have lead, will be taken off and the exposed brick will be painted. They will tuck and paint new brick; add new composite upper and lower cornice, and metal clad pre-finished windows, trying to very much stick with the original architecture of the building. The storefront entrance (vestibule) will be replaced with new wood grain fiberglass. The rear of the building will be Wythe burnished blocks.

She adds that the property owner renovated the 2 properties to the North of this location. They came before you before and they have done an excellent job with that.

Brad Alvord, Lindhout Associates Architects, 10465 Citation Drive, Brighton, Michigan – Representing RB113 Investments

Alvord states that this building has been neglected for many years. The biggest item we are challenged on is that someone elected to paint it somewhere down the road. He states that they have dealt with this condition on multiple projects. Alvord explains what how the moisture, over time, has an effect on the older paint and how it gets trapped and eats away at the brick. He states that they have already had the Sherwin Williams representative come out and take a look at the paint/brick condition.

Alvord states that his firm will try as best they can to get the building back to its existing character, getting the property back to its original historical look.

In terms of demolition, all of the brick face they will be painting instead of stripping the brick face off. The first floor, the Plan Review we will be keeping the first level as is, they are planning on stripping it back to get back to the footing. The addition will give us a back storing or staging place for the retail space up front. The second floor will be a total gut. The roof was replaced by the City years ago. Everything will be gutted and stripped down to the structure and the bare brick walls. They will stud out the interior walls and use spray foam insulation. The plan layout will stay pretty close to what it is now. There would be a living room area that looks out on to Lafayette, kitchen with the existing stairwell coming up, and add two bedrooms to the back and as Kelly mentioned, the roof of the addition would be an outside sitting area for the second floor apartment.

Alvord then refers to the rendering that he handed out. They plan on working with a maroon shade brick. He states that Sherwin Williams has a historic line and they are going with a historic blue to tie in with the tan and bring in an accent

color of maroon for the cornice and for around the doorways. Alvord goes on to discuss/describe the condition of the structure.

Commissioner Mosier questions if this building has an existing basement. Alvord states that it has a partial basement, approximately 8 feet deep. It's not a habitable space. He states that they were originally going to try and salvage the basement, but moving forward, they may just fill it with pea gravel. There is really no need for it, it serves no purpose.

Commissioner Rose questions what method will be used to take off the paint. Alvord states that it will be light abrasion. It will have to be scraped just to get any of the loose material off. He states that they do not want to sand blast or anything that could become air born. Commissioner Rose questions if the painter from Sherwin Williams qualified is to work in this type of situation. Alvord assures the Commission that they will be paying close attention to the building codes/standards.

Commissioner Kopkowski verifies with McIntyre that the proposed façade meets the architecture and design requirements. McIntyre goes on to explain that they have a set of design guidelines for downtown, along with an informal committee that looks at it. She states that Mr. Joseph, who is on the Planning Commission, has looked at this and it has been determined that it does meet the requirements. Chair Lanam advises that we will need to make a motion for a correction to our Agenda.

Motion made to amend agenda item #2 to add Site Plan Approval

Motion by Mosier, Second by Kopkowski

Voice Vote: Ayes: Unanimous

Nays: None

Motion Approved

Motion made to approve the 111-113 N. Lafayette Addition and Façade Review and Site Plan Review with the recommendations from CIB Planning on Page 4, Items 1-5

Motion by Rose, Second by Mosier

Voice Vote: Ayes: Unanimous
Nays: None

Motion Approved

Old Business – None

Planning Consultant Report

McIntyre states that she was hoping to have a 2nd meeting in June to discuss two different items. The first being the property at 825 W. Lake Street, the property at the corner of Lake Street and Dixboro, which was given conditional rezoning to develop an Apartment Building.

Chair Lanam asks if this is now expired. McIntyre advised, it has not.

The second one is the Stryker Property (by the Cemetery) which is also proposing an Apartment Building.

At this point, McIntyre advises that we will not be having a second meeting in June. This is to prevent rushing things and not having what we need to present it to the Planning Commission.

Chair Lanam asks McIntyre if there is anything more on the RCA Building.

McIntyre advises that we should be seeing something from them shortly. She also advises that the City Staff will be meeting with Property Owners for West End to review some ideas.

The Planning Commission confirms that we did hire a new Code Enforcement Officer.

Staff Report

Adjournment

Motion to adjourn the meeting – 8:15 p.m.

Motion by Kopkowski, Second by Rose

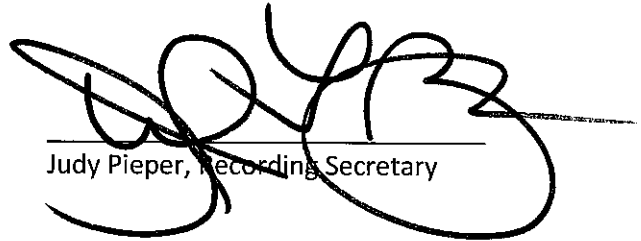
Voice Vote: Ayes: Unanimous

Nays: None


Motion Approved



Scott Lanam, Chairman



Judy Pieper, Recording Secretary



Steve Mosier, Secretary