

**City of South Lyon
Planning Commission Meeting**

August 27, 2009

Chairman Weipert called the meeting to order at 7:05 p.m.

All present recited the Pledge of Allegiance to the Flag

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

Also present were Ben Tallerico (Planning Consultant), Joe Veltri, Building and Zoning Official and Kristen Delaney, Director of Community and Economic Development

APPROVAL OF AGENDA:

Motion by Leimbach, supported by Subotich

To approve the Agenda for August 27, 2009.

VOTE

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Motion by Mosier, supported by Leimbach

To approve the Minutes for June 11, 2009 as amended.

VOTE

MOTION CARRIED UNANIMOUSLY

Motion by Leimbach, supported by Kurtzweil

To approve the Minutes for July 18, 2009.

VOTE

MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT

Jim Seghi from Seghi Development asked for consideration to expand the sandwich signs to everyone and not limit it to just the downtown. He does not see the signs as a burden and appreciates any consideration.

Weipert asked which zoning district is business is located in. He replied B1. Weipert asked where he would place a sign. Seghi replied near the street in accordance with the city's requirements. He was aware of the restrictions. He knows other businesses outside

of the downtown would like the opportunity as well. Times are tough and he's trying to keep up and thinks the sign would help.

Weipert stated the two considerations that were made when originally discussed were in the downtown are the signs are smaller and meant for pedestrian traffic and outside of the downtown the restrictions would have to be different. Seghi noted the building department is good about telling businesses where they could go and what the rules would be. He does understand about the issue regarding visibility and spent three weeks designing a sign and then found out later he's not in the downtown area and he would not be allowed to have the sign.

Weipert noted the Planning Commission would take his comments under consideration. Kurtzweil asked what type of sign she had and noted they were trying to encourage creativity to give the downtown a more upscale look. This sort of signage should be part of the design of the business. Seghi stated he would be happy to work with whatever the city would like it look like. He would follow the rules.

Tallerico stated there were other business that were present for the other discussions throughout the process but the Commissioners decided to give it a year or so in just the downtown but they could change it at any time. Seghi noted he would like to tip the scale.

OLD BUSINESS

Abandoned Residential Building/Blight Ordinance

Tallerico spoke with Ms. Delaney and Joe Veltri and recommended that items stay on the agenda until decided. Items may be tabled or the decision could be made not to pursue one particular item but they should stay on the agenda so they would not be lost.

Weipert stated the Blight Ordinance had been discussed at the last meeting and the consensus seemed to be to have some sort of posting for contact information. Everyone understood that it may take a while to have the information posted because of the timing of the foreclosure process. There currently are rules and regulations in place to enforce maintenance of the buildings. There had also been discussion regarding the length of grass and decreasing the height maximum.

Leimbach asked if there would be an increased burden on the city if the grass height were to be lowered. Tallerico noted twelve-inches were the standard for rural areas but not for cities. He did not think lowering the height would be unreasonable. The Planning Commission would make the recommendation to City Council for them to make the change.

Subotich stated he felt eight-inches would be more realistic. Leimbach stated he would not be opposed to eight-inches and asked for some language is drafted for the posting of the maintenance notification.

Kurtzweil stated West Bloomfield created an ordinance that if a property owner were to vacate the home for thirty days or more they must notify the city. Tallerico asked how they would enforce that. Subotich stated he would be interested in seeing that also. Kurtzweil stated Battle Creek had something similar that had been court tested.

Delaney asked if they wanted a registry as well as the posting. Subotich asked if the notice had to be posted on the front door. Kurtzweil suggested they require registration with the city. There was a general discussion regarding posting notifications where neighbors could see or whether they list should be made available through the city office.

Motion by Subotich, supported by Leimbach

To recommend to City Council to amend the city ordinance (Vegetation, Chapter 28) for lawn height from twelve-inches to eight-inches.

VOTE

MOTION CARRIED UNANIMOUSLY

Wind Energy Ordinance

Weipert noted there had been a story on National Public Radio about the trend for wind energy on homes and no one was sure how much good it would do but it would certainly be a trend that would keep going for a while.

Tallerico stated Mr. Veltri had been following up on some additional information and though this topic should remain on the agenda until Mr. Veltri is able to report on his progress.

Revised Landscaping Ordinance

Tallerico and Commissioner Leimbach discussed some language for better control. He also spoke with the city manager.

Leimbach stated in section 102.491 the language was strong however there should be better follow through. He did like the bond covered by the developer and would like to add a profession inspection so there would be no doubt what had been promised had been provided. Tallerico asked if the inspection should be by a certified landscape architect. Leimbach replied yes.

There was a general discussion regarding the history of problems with various sites.

Tallerico asked if they would like to add an inspection for the health of plants and trees. Weipert stated that might be in the ordinance already. Tallerico noted to check.

Chubb asked if the landscape architect would be a city consultant or the developers. There was a general discussion regarding the inspection process.

Leimbach stated in section 102-492 he liked the way it was written. Weipert asked if the tree survey must be completed by someone certified also. Tallerico and Leimbach noted it must be completed by an arborist. Weipert asked if that should be clarified. Leimbach stated he felt the Registered Landscape Architect could verify everything. Tallerico noted they should add in who would pay for the tree survey and inspections in that section also.

Weipert asked they should specify when the tree survey should be completed. Tallerico replied they could not get approval to move forward without it so it should not be a problem.

Motion by Leimbach, supported by Subotich

To approve changes to 102-491 and 102-492 as designated.

VOTE

MOTION CARRIED UNANIMOUSLY

There was a general discussion to schedule the public hearing for September 24, 2009.

NEW BUSINESS

Annual Report of the Planning Commission and By-Laws Update

Tallerico stated in accordance with Public Act 33 the Planning Commission is required to submit an annual report. There should be a date specified in the by-laws for elections and the by-laws would need to be followed.

Jumping ahead to the By-Laws he offered to write a long version and short version and then let the city's attorney decide which one to follow. He would like to have something drafted for the September 24th meeting.

Weipert suggested the elections happen in April since most of the Commissioner's terms end in March.

Tallerico asked when they would like to schedule the annual report going to City Council; he suggested October 31st since the year-end would be June 30th. Weipert agreed.

Tallerico stated once the by-laws were completed they would not have to go to City Council because they would be adopted solely by this body. The By-Laws could be shared with Council but it would not be required. He noted other things could be added in to the By-Laws like an annual retreat.

There was a general discussion regarding the language for the annual report including adding more detail regarding ordinance changes.

Weipert asked if the Building Matrix should be added back to the agenda. There was a

general discussion regarding the history of the Matrix for Ms. Delany and Commissioner Chubb. Delaney stated she would look through the information Mr. Veltri left for her.

There was a general discussion regarding the Planned Office District versus conditional zoning and the medical marijuana ordinance. Tallerico noted the city manager asked they hold off on the medical marijuana issue for now.

Subotich asked if they should discuss geothermal energy since South Lyon is on an aquifer. Mosier stated the aquifer would have be a closed system so it would not work in South Lyon.

Tallerico stated he would make the changes to the By-Laws and the annual report and bring it back before sending it to the city's attorney. The annual report would not be finished until the By-Laws were enacted.

STAFF REPORTS

Delaney noted they had not been in the habit of meeting on a regular basis. Weipert suggested meeting at least once per month in order to clean up all the unfinished business.

Delaney asked the Commissioners to consider a joint meeting with the Downtown Development Authority; they were interested in working together to create a strategic plan. Weipert agreed it would be a good idea.

Kurtzweil asked if everyone was aware of the meeting taking place in Lyon Township and noted she thought it was a shame they did not include South Lyon. Delaney noted they were conducting a charrette. Kurtzweil stated she did not think it would be just a discussion. Delaney stated they have a huge DDA and she did have contacts there and has heard some things. Kurtzweil asked what they would gain by separating. There was a general conversation regarding created downtowns.

ADJOURNMENT

Motion by Leimbach supported by Kurtzweil

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

VOTE

MOTION CARRIED UNANIMOUSLY

Pam Weipert, Chairperson

Jennifer Knapp, Recording Secretary

Keith Bradley, Secretary

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