

**City of South Lyon
Planning Commission
Special Meeting Minutes
September 11, 2014**

The meeting was called to order by Lanam at 7:06 p.m.

PRESENT: Keith Bradley, Vice-Chairman
Jerry Chaundy, Secretary
Frank Leimbach
Maggie Kurtzweil
Scott Lanam, Chairman
Steve Mosier
Jason Rose
Carol Segal

ABSENT: Wayne Chubb (excused)

OTHERS PRESENT: Carmine Avantini, Planning Consultant
Timothy Wilhelm, City Attorney
Kristen Delaney, Director of Community & Economic Development

APPROVAL OF AGENDA:

Motion by Chaundy, second by Kurtzweil to approve the agenda for September 11, 2014 as presented.

VOTE

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

Motion by Mosier, second by Chaundy to approve the minutes for July 30, 2014 as presented.

VOTE

MOTION CARRIED UNANIMOUSLY

COMMENTS FROM THE PUBLIC

None.

OLD BUSINESS

None.

NEW BUSINESS

1) Immanuel Lutheran Church Parking Lot: Planning Consultant Avantini reviewed his letter dated September 2, 2014. He noted that the plan before the Commission tonight was a revised and resubmitted plan. Both he and HRC had asked for some changes to the initial plan.

Dale Kort, Concrete Caulkers
47990 West Road, Wixom, Michigan 48393

Kort stated that he had a question about point #1 in the review letter from HRC dated September 5, 2014. Specifically, Kort asked about the process for obtaining a storm water detention lien and an easement or grading permission from the adjacent property owner to allow the proposed swale to discharge to the existing catch basin on their property.

Commissioner Kurtzweil replied that Kort and the church should work with their attorney to obtain this. Avantini noted that copies of the detention lien and easement will need to be submitted to the City before prior to construction.

Kurtzweil noted that she would like to see some fall color in the landscape plan. She recommended a Flaming Red Maple as well as a Sugar Maple so the landscape would have red and orange.

Commissioner Leimbach stated that he would like to see the yews in the landscape plan spaced no more than a distance of 2' apart. He would like to see the vegetation screen the front of the vehicles in the lot.

MOTION TO APPROVE THE SITE PLAN FOR THE IMMANUEL LUTHERAN CHURCH PARKING LOT CONTINGENT UPON THE FOLLOWING:

Motion by Bradley, second by Chaundy to approve the site plan for the Immanuel Lutheran Church Parking Lot contingent upon the applicant:

- **Replacing the trees on the landscape plan with a mixture of Flaming Red Maples and Sugar Maples,**
- **Spacing the yews on the landscape plan a distance of no more than 2' apart,**
- **Providing the City with copies of the detention lien and easement, and**
- **Compliance with any and all comments from the review of the City's consultants and department heads of the site plan and landscape plan.**

VOTE

MOTION CARRIED UNANIMOUSLY

2) McDonald's Drive-Thru Expansion from 1 to 2 Lanes: Avantini reviewed his letter dated August 25, 2014. He noted that the site will lose 10 parking spaces along the west property line to accommodate the by-pass lane. Avantini stated that there were two methods to

calculate parking requirements: usable floor area or maximum occupancy. These methods can produce different results. The ordinance requires 41 spaces with the usable floor area calculation and 48 spaces based upon maximum occupancy. The site plan shows that 46 spaces will be provided.

Kurtzweil asked if the applicant needed a variance. Avantini stated that in his opinion, they did not. He stated that he was in the process of revising the City's decades old ordinance, and that once it was revised, the site plan as presented today would meet the new requirements of the ordinance.

Avantini reviewed the landscape plan, noting that the applicant had made an effort to make the new island attractive and to screen the mechanicals that are part of the sign and ordering system.

Avantini stated that he was comfortable with the reduced parking spaces, noting that the spaces that were being eliminated were on the western edge of the property. If they remained, anyone who used those spaces would now have to cross over two drive-thru lanes to access the building.

Leimbach stated that he had concerns about increased traffic on the site. Avantini stated that he has reviewed a number of these drive thru expansions. He stated that in conjunction with the drive thru expansion, the restaurants make modifications to the kitchen/production areas so they can move people through more quickly.

Kurtzweil reviewed the landscape plan. She stated that in her opinion, the proposed Coral Bells are too small. She stated that they are a plant mostly seen in residential plans. She stated that she would recommend replacing the Coral Bells with something with more height like Russian Sage, Black-Eyed Susan or a variety of Sedum. She noted that she liked the selection of crab apple trees. Kurtzweil asked why they were proposing red mulch? She stated that she would like to see earth-toned mulch because it was hard to find plants that look good against the red mulch.

Commissioner Rose stated that low-lying plants were necessary so they would not obstruct the view of the menu boards.

Greg Lautzenheiser, A.I.A., L+A Architects, Inc.
2430 Rochester Court, Suite 200, Troy, MI

Lautzenheiser went over the presentation he had prepared for the Planning Commission. He noted that 70-75% of most McDonald's business is now done through the drive-thru. He stated that as a result, less parking is needed. He stated that the entire project will take 2-3 weeks to complete.

MOTION TO APPROVE THE SITE PLAN FOR MCDONALD'S DRIVE THRU EXPANSION FROM 1 TO 2 LANES:

Motion by Segal, second by Chaundy to approve the site plan for the McDonald's Drive-Thru Expansion from 1 to 2 lanes contingent upon compliance with any and all comments from the review of the City's consultants and department heads of the site plan and landscape plan.

VOTE

MOTION CARRIED UNANIMOUSLY

3) Discussion of Medical Marihuana Activities Ordinance: City Attorney Wilhelm reviewed the documents that he had prepared regarding the proposed amendment. He noted that the City Council currently has a moratorium in place for medical marihuana dispensaries. He stated that if the Commission is in favor of the proposed ordinance, the next step would be to hold a public hearing.

Wilhelm stated that the purpose of the proposed ordinance is to recognize an individual's right to use medical marihuana in a residential setting, while preventing medical marihuana activities in commercial districts. There were a number of questions regarding scenarios for the use of medical marihuana in residential settings. Wilhelm noted that when it comes to residential use, many of the questions that the Commission had were law enforcement issues rather than zoning issues.

Lanam had questions about how other communities were addressing the issue of medical marihuana activities. Wilhelm reviewed several communities' approaches.

Wilhelm noted that the current moratorium will expire the day before Thanksgiving. The Commission discussed potential dates for a public hearing.

MOTION TO SET A DATE FOR A PUBLIC HEARING:

Motion by Bradley, second by Chaundy to hold a public hearing for the proposed Medical Marihuana Activities ordinance amendment on October 9, 2014.

VOTE

MOTION CARRIED

**(7) Ayes
(1) Opposed**

PLANNING CONSULTANT REPORT

There was a discussion about possible outstanding items at Alexander Center. Delaney stated that she would direct Building Inspector Smith to visit the site when he returns from vacation.

STAFF REPORT

None.

ADJOURNMENT

Motion by Bradley, second by Leimbach
To adjourn the meeting at 8:36 p.m.

Scott Lanam, Chairman

Kristen Delaney, Recording Secretary

Jerry Chaundy, Secretary

DRAFT