

Charter Township of Lyon
Planning Commission
Meeting Minutes
August 8, 2016

Approved: August 22, 2016

The meeting was called to order by Mr. Conflitti at 7:00 p.m.

Roll Call: Jim Chuck
Michael Conflitti, Chairman
Kris Enlow, Secretary
Stephan Hoffman
Kurt Radke
Carl Towne, Vice-Chairman

Absent: Patricia Carcone, Board Liaison

Guests: 6

Also Present: Leann Kimberlin, Township Attorney
Chris Doozan, McKenna July 11, 2016

**Motion by Chuck, second by Towne
To excuse Treasurer Carcone's absence.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

APPROVAL OF AGENDA

**Motion by Chuck, second by Towne
To approve the agenda as presented.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

APPROVAL OF CONSENT AGENDA

A. Approval of the July 25, 2016 Minutes

**Motion by Towne, second by Chuck
To approve the July 25, 2016 minutes as presented**

Voice Vote: Ayes: Unanimous

Nays: None

MOTION APPROVED

COMMENTS FROM PUBLIC ON NON-AGENDA ITEMS

Shirley Baker, 27239 Stancrest – Ms. Baker questioned the removal of a sign that was on Grand River that said “New Hudson”. Mr. Doozan explained the Road Commission would be responsible for that. She questioned if another one would be put up. Mr. Doozan agreed to look into it.

DDA REPORT – None

PUBLIC HEARINGS

- 1. AP-16-25, New Hudson Zoning District – Text Amendment. Public hearing to consider a proposed text amendment to Section 41.203 of the Zoning Ordinance, which would allow drive-through facilities for restaurants as Special Land Uses in the Core and Edge Sub-Areas.**

Mr. Doozan reviewed the McKenna Associates memo dated July 18, 2016. He explained that Oraha Petroleum, owner of New Hudson Gas, has submitted a request to consider an amendment to the Ordinance Text. Specifically, the applicant would like the regulations in Section 41.203 of the Zoning Ordinance to be amended to allow drive-thru restaurants in the Core and Edge subareas of the New Hudson Zoning District.

In summary, Mr. Doozan explained that if drive-thru restaurants are permitted, they should be subject to special land use approval. He is of the opinion that drive-in facilities should not be permitted in the New Hudson Zoning District. Drive-thru businesses for restaurants, if permitted, should be subject to special land use approval because each such business should be considered on its own merits, depending on the specific conditions on and surrounding the site in relation to the proposed site plan.

A drive-in business is defined as “an establishment so designed that its operation involves providing services to patrons while they are in their car, rather than within a building or structure”. There are very few drive-in businesses anyway, so prohibiting drive-in businesses will not create a hardship. Mr. Doozan reviewed the proposed revisions to the Zoning Ordinance.

Mr. Halabu explained that Tim Horton’s would not locate there if there is no drive-thru. Currently, where Tim Horton’s is located it is too hard for customers to take advantage of it. They would like to remove the current location and move it to a drive-thru area for more exposure. The walking part of any downtown is during the afternoons or evenings. This business is more of a morning business, so he didn’t think this would be an interference with that.

Mr. Towne commented he was against having a drive-thru in the downtown area. He explained that this would not meet the criteria because more space is needed.

Mr. Halabu stated that they are already in the process of obtaining the alley that is next to the property, which would provide the space needed. Mr. Towne stated that alleviates a lot of the traffic that would go in the walkable area. Mr. Towne stated that they have to meet all of the criteria.

Mr. Bannon explained he is the potential buyer and owner of the Sunoco station on Milford Road that currently has the Tim Horton's inside. Having this new site would resolve an issue that they are dealing with on their current site. They have too much traffic coming into their property right now, and they think it would alleviate that issue if the Tim Horton's inside the gas station was removed. They realize it is complicated. They have looked at options and have potential sketches to see if it will work; he thinks it can be accomplished.

Mr. Chuck confirmed the corporate percentages are 75-78% for the drive thru.

Mr. Conflitti questioned the traffic at the Beck Road location, since it has so many trucks and landscaping trailers. Mr. Bannon stated that he owns the one on Beck Road as well and that development is not completed yet and when it is done that will improve. It was also explained that happens because that location has a fueling station and they are gassing up for the day, and that would not happen with a stand-alone Tim Hortons.

Mr. Bannon stated 70-80% of their revenue is from morning business.

Mr. Enlow asked if that New Hudson Gas is a historical building. Mr. Halabu stated no.

Mr. Enlow stated this was a tough one for him. He is a big fan of Tim Horton's. It is a café type of place, and he could see that in a walkable area, but he did not want to see a line of drive-thru restaurants down the street.

Mr. Towne stated if they really want to make it work they need to be creative and make it accessible and able to make it walkable.

Mr. Bannon stated that he felt they could do that, but they haven't gotten to that point yet. Mr. Halabu stated that most of Tim Horton's majority of business is 70-80% in the morning and being downtown they will do the lunch and dinner and after hours. People will like to come in and sit down and get a cup of coffee. The business will be downtown and whatever could be done to accommodate that, the proposed purchaser would not ignore that.

Mr. Hoffman stated this ordinance applies to the whole downtown area. It is the gateway to the community, and he would want that site to be outstanding and comply with the ordinance as well as any prospective tenant.

Mr. Bannon stated he would estimate about 700 transactions per day.

Mr. Chuck stated that they have a unique opportunity, and this could jump start the district if it's done properly and right with property acquisition. It would be something on Grand River that is unique. There could be merit to it.

Mr. Doozan stated if it's going to be based on the number of drive thru's that they get, just Tim Horton's and at the other end a Dunkin Donuts wouldn't be that big of a deal.

Ms. Kimberlin commented that if it is approved as a special land use then one of the criteria is a need. If there are already one, two, or three then the need would be tempered.

Mr. Hoffman questioned if they should put a limit of how many drive-thru establishments are allowed in the area.

Mr. Halabu commented that he has seen a distance between drive thru's that has been used. Mr. Doozan stated he didn't think it was necessary to do that.

**Motion by Towne, second by Enlow
To open the public hearing at 7:43 p.m.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

Shirley Baker – 27239 Stancrest – Ms. Baker questioned how many people will be able to sit inside the Tim Horton's.

**Motion by Chuck, second by Towne
To close the public hearing at 7:44 p.m. due to no further comments.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

**Motion by Towne, second by Chuck
To approve to the Board AP-16-25 text amendment Section 41.203 which would allow drive thru restaurants as a special land use in the core and edge area. Everything pertaining to the discussion and the McKenna Associates letter dated 7/18/16 and comments made by Ms. Kimberlin.**

**Roll Call Vote: Ayes: 5
Nays: Conflitti**

MOTION APPROVED

OLD BUSINESS - None

NEW BUSINESS

2. AP-16-27, Zoning Ordinance Text Amendments – Article 16.00, Signs.

Mr. Doozan reviewed the McKenna Associates memo dated August 2, 2016. He reviewed Article 16.00 of the Zoning Ordinance, which sets forth the revised sign regulations. There was brief discussion regarding the revisions.

**Motion by Towne, second by Enlow
To schedule a public hearing for September 12, 2016.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

COMMUNITY REPORTS

Mr. Doozan announced that former Trustee and Planning Commissioner Bob Seccombe passed away. Also, the City of Novi completed a new Master Plan, and they sent it out to take a look at it and respond if anyone was interested.

ADJOURNMENT

**Motion by Chuck, second by Towne
To adjourn the meeting at 8:28 p.m.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

The Planning Commission meeting was adjourned at 8:28 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary