

**CITY OF MT. MORRIS
PLANNING COMMISSION AGENDA
September 18th, 2023
6:30 p.m.**

1. **MEETING CALLED TO ORDER:** Chairperson, Sara Black
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES:** Approval of August 21st, 2023, regular meeting minutes.
5. **COMMUNICATIONS:**
 - a. None
6. **PUBLIC COMMENT:**
7. **UNFINISHED BUSINESS:**
 - a. None
8. **NEW BUSINESS:**
 - a. **Public Hearing; Ordinance 2023-03:** Amending the zoning ordinance to regulate caregiver operations within the city.
 - b. **Action on Ordinance 2023-03.**
 - c. **Public Hearing; Ordinance 2023-04:** Amending the code of ordinances to prohibit signs for primary caregiver home occupations.
 - d. **Action on Ordinance 2023-04.**
 - e. **Public Hearing:** Conditional Use Permit for 11360 N. Saginaw
 - f. **Action on Conditional Use Permit:** 11360 N. Saginaw
 - g. **Action on Site Plans:** 11360 N. Saginaw
9. **PUBLIC COMMENT:**
10. **UPDATES:**
11. **PLANNING COMMISSION COMMENTS:**
12. **ADJOURNMENT:**

**PLEASE BE COURTEOUS TO OTHERS
SILENCE ALL CELL PHONES & OTHER DEVICES PRIOR TO THE MEETING**

**CITY OF MT MORRIS
PLANNING COMMISSION
August 21st, 2023**

At 6:33 p.m., Chairperson Sara Black called the Planning Commission Meeting to order.

PRESENT: Sara Black, Yusef Harrold, Chris Vogt, Melissa Neuwirth, Eric Calcut, and Mayor Sara Dubey.

ABSENT: Andrew Sorensen, and City Manager/Treasurer Vicki Corlew

OTHERS: City Clerk Spencer Lewis.

ROLL CALL:

None.

APPROVAL OF AGENDA:

A motion was made by Chris Vogt, seconded by Eric Calcut to approve the agenda.

All Ayes

Motion carried.

APPROVAL OF MINUTES:

A motion was made by Mayor Sara Dubey, seconded by Eric Calcut to approve the regular meeting minutes from June 19th, 2023.

All Ayes

Motion carried.

COMMUNICATIONS:

City Clerk Spencer Lewis stated that there will be a public hearing for a conditional use permit application for a drive-thru for a coffee shop, next meeting on September 18th, 2023.

PUBLIC COMMENT:

Wayne Walter, 12338 Parklane – Wayne questioned when the meeting was for next month?

Chairperson Sara Black answered that it will be on September 18th.

Jeff Harrington, The Herald – Jeff stated that he noticed on the ordinance amendment draft that there was one spot where it states township and should be city.

UNFINISHED BUSINESS:

- a. None.

NEW BUSINESS:

- a. **Review of MMC Code of Ordinances to regulate caregiver operations & set public hearing date.**

Chairperson Sara Black questioned if anyone had any questions or anything regarding these ordinance amendments? She also stated that these ordinances would help keep new people from growing medical marijuana in commercial/commercial-retail properties.

City Clerk Spencer Lewis stated that setting this public hearing in September would be good.

Chairperson Sara Black stated that the public hearing would be set for September 18th, 2023.

PUBLIC COMMENT

None.

Planning Minutes
August 21st, 2023.
Page Two.

UPDATES:

None.

PLANNING COMMISSION COMMENTS:

Chris Vogt questioned City Clerk Spencer Lewis as to when the plan review from Rowe would be completed?

City Clerk Spencer Lewis stated that it should be around the first week of September when they are completed and sent back to us.

ADJOURNMENT:

With no further business, the meeting was adjourned at **6:40 p.m.**

City Clerk, Spencer Lewis

**CITY OF MT. MORRIS
COUNTY OF GENESEE, MICHIGAN**

ORDINANCE 2023 -03.

AN ORDINANCE AMENDING THE MT. MORRIS CITY ZONING CODE OF ORDINANCES (APPENDIX D) BY THE AMENDMENT OF ARTICLE 2 – DEFINITIONS, ARTICLE 6 – DISTRICT REGULATIONS, AND ARTICLE 9 – DESIGN STANDARDS TO REGULATE CAREGIVER OPERATIONS WITHIN THE CITY AND TO PROVIDE FOR THE PENALTY FOR THE VIOLATION THEREOF

THE CITY OF MT. MORRIS HEREBY ORDAINS:

SECTION I

The Mt. Morris City Zoning Ordinance, APPENDIX D, the Zoning Ordinance, Articles 2, 6, and 9 are hereby amended as follows:

Article 2 - Definitions

2.54A - PRIMARY CARE HOME OCCUPATIONS (PCHO) is hereby added as follows:

Section 2.54A – Primary Care Home Occupations (PCHO)

Primary Caregiver means an individual or enterprise registered with the Michigan Department of Health and Human Services under the Michigan Medical Marihuana Act, initiated Law 1 of 2008, M.C.L.A. §§ 333.26421 et seq., to assist with a qualifying patient's use of medical marihuana through growing and provisioning. Except for a primary caregiver who produces and provides medicinal marihuana only for the primary caregiver and qualifying patients lawfully residing with the primary caregiver at the residence where the medicinal marihuana is produced, the production and providing of medicinal marihuana shall be considered a home occupation.

Article 6 - District Regulations

Sec.6.05. Residential "R-1" District is hereby amended with the addition of 6.05(2)(l) as follows:

2. Conditional Uses Permitted

l. Primary Caregiver Home Occupations subject to the provisions of section 9.09A.

Sec. 6.06. Residential "R-2" District is hereby amended with the addition of 6.06(2)(l) as follows:

2. Conditional Uses Permitted

l. Primary Caregiver Home Occupations subject to the provisions of section 9.09A.

Section 6.07. Residential "R-3" District. is hereby amended with the addition of 6.07(2)(l) as follows:

2. Conditional Uses Permitted

l. Primary Caregiver Home Occupations subject to the provisions of section 9.09A.

Article 9 – Design Standards, is hereby amended by the addition of section 9.09A as follows:

Section 9.09A - PRIMARY CAREGIVER HOME OCCUPATIONS (PCHO).

1. The regulations set forth in this section are designed to regulate and control, but not to exclude, the growing, consumption, distribution, and delivery of medical marihuana in a manner that protects the rights of those authorized to do so under the Michigan Medical Marihuana Act, being M.C.L.A. §§ 333.26421 et seq., as amended, by providing qualifying patients safe access to medicine, and to protect the health, safety and welfare of all residents of the city.
2. The principal use of the dwelling unit where a home care center may be located must be residential and must be in actual use as such.
3. Only 1 PCHO shall be allowed per parcel of record within the City of Mt. Morris.
4. Prior to the issuance of a permit for a PCHO, the City Building Official and/or Michigan State Electrical, Mechanical and or Plumbing Official, whichever is deemed necessary by the City Building Official, must conduct an inspection confirming that the primary residence, the electrical system, and the plumbing system used to facilitate the growth or cultivation of medical marihuana plants complies with all applicable construction codes adopted by the city.
5. PCHOs must be operated in accordance with the following requirements:
 - a. All primary caregivers shall comply with the MMMA (Michigan Medical Marihuana Act, P.A. 2008, Initiated Law 1, M.C.L.A. §§ 333.26421 et seq., including, M.C.L.A. § 333.26423(d) and meet the rules established by the Marihuana Regulatory Agency. Activity authorized under the Michigan Regulation and Taxation of Marihuana Act, M.C.L.A. §§ 333.27951 et seq., shall not be subject to the requirements of this section.

- b. A PCHO is not permitted to install any exterior or interior window signs, billboard or other advertisement for any purpose.
- c. The use of the dwelling unit for the operation of a home care center for the growing, cultivation and storage of medical marihuana shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% or 400 square feet, whichever is greater of the total first floor area of the dwelling unit (exclusive of an attached garage, breezeway, and enclosed or unenclosed porches) shall be used for the purpose of the home care center.
- d. Primary caregiver home occupation activities conducted in an accessory structure shall not be included in the floor area limitation stated in the division (3) above, but shall be subject to a separate limitation of the lesser of 750 square feet or 50% of the floor area of the accessory structure in which the activity is conducted. The accessory structure shall have a roof system and be built with construction material approved by the Building Official. No fencing or fence screening materials are permitted.
- e. There shall be no on-site person-to-person transfers of medical marihuana on the premises of a PCHO by a primary caregiver where the PCHO is located in a residential zone; however, a primary caregiver may deliver medical marihuana to the primary residence of his or her registered qualifying patients.
- f. No offensive noise, vibration, smoke, dust, odor, heat, artificial light noticeable at or beyond the property lines are permitted.
- g. All medical marihuana plants must be contained in an enclosed, locked facility.
- h. No medical marihuana plants contained in an accessory structure that is located outside of a primary residence shall be located within 1,000 feet from any school, library, church, or playground area.
- i. When a PCHO is located within 1,000 feet from the property of any school, library, church, or playground area, there shall be no outside usage of any kind of medical marihuana within the sight of children under the age of 18 years old.
- j. The holder of the primary caregiver license shall renew their permit on an annual basis in compliance with the home occupation guidelines. This will ensure all information is accurate and up to date for each PCHO.
- k. The location of primary caregiver home occupations shall be kept on private record with the city and shall not be accessible through requests that cite the Freedom of Information Act, pursuant to M.C.L.A. §§ 15.261 et seq.
- l. When deemed reasonably necessary to effective enforcement of this section, the building inspector, code enforcement officer, and police personnel may conduct inspections of the property where a primary caregiver home occupation is conducted to ensure all operations are compliant with this chapter and

applicable local and state laws. Inspection shall be at the time the home occupation is first established, as part of the annual renewal, and if there is reasonable cause to believe the home occupation is not in compliance with this section or other applicable laws.

6. If an application for a primary caregiver home occupation permit is denied, the applicant may appeal to the Zoning Board of Appeals.

SECTION II - PENALTY

A violation of this ordinance shall be deemed a civil infraction.

(A) If a defendant is determined to be responsible for a municipal civil infraction the judge or district court magistrate making the determination of responsibility may order the defendant to pay a civil fine not to exceed the sum of \$500, and, if applicable, in addition to the civil fine, the judge or magistrate may order the payment of damages and expenses incurred.

(B) If a defendant is ordered to pay a civil fine, the judge or magistrate shall summarily determine the city's costs of the action and tax the costs. The city's costs shall not necessarily be limited to the costs taxable in ordinary civil actions and may include all expenses, direct and indirect, to which the city has been put in connection with the municipal civil infraction, up to the entry of the judgment.

(C) In addition to the imposition of civil fines and costs as set forth in subsections (A) and (B) above, the district court judge may exercise its equitable jurisdiction as provided by statute and issue and enforce injunctive orders, order the recession or reformation of a contract and/or issue and enforce any judgment, writ or other necessary to enforce the ordinance violated, and to issue any such orders necessary to abate nuisances.

SECTION III - RATIFICATION

All other provisions of this Chapter shall be and are hereby ratified.

SECTION IV - SEVERABILITY

If any part of this ordinance shall be determined to be unenforceable by a court of competent jurisdiction, that part shall be deemed to be severed and removed from the body of this ordinance, and the rest shall remain in full force and effect.

SECTION V - PRIOR ORDINANCES

All City ordinances and resolutions or a part thereof, insofar as the same may be in conflict herewith, are hereby repealed.

SECTION VI – PUBLICATION AND EFFECTIVE DATE

This Ordinance shall be published in a newspaper of general circulation within the City of Mt. Morris, Genesee County, Michigan, and shall become effective on the 7th day after publication.

SECTION VII – INSPECTION OF ORDINANCE

A copy of this Ordinance may be inspected at the City Hall, 11649 N. Saginaw St., Mt. Morris, Michigan, during regular business hours.

CITY OF MT. MORRIS,

By: SARA DUBEY, MAYOR

By: SPENCER LEWIS, CITY CLERK

Ordinance introduced on:

Second Reading:

Publication date:

Effective date:

**CITY OF MT. MORRIS
COUNTY OF GENESEE, MICHIGAN**

ORDINANCE 2023 –04.

AN ORDINANCE AMENDING THE MT. MORRIS CITY
CODE OF ORDINANCES CHAPTER 48, SIGNS, BY THE
AMENDMENT OF SECTION 48-4 TO PROHIBIT SIGNS
FOR PRIMARY CAREGIVER HOME OCCUPATIONS
AND TO PROVIDE FOR THE PENALTY FOR THE
VIOLATION THEREOF

THE CITY OF MT. MORRIS HEREBY ORDAINS:

SECTION I

The Mt. Morris City Code of Ordinances, Chapter 48, Section 48-4, is hereby amended as follows:

CHAPTER 48 – SIGNS

48-4 Signs not requiring permits

(a) Signs in residential districts. On-site signs may be permitted in residential districts as follows:

- (1) One professional sign or nameplate sign for a permitted home occupation not more than 144 square inches in area which shall be non-illuminated, with the exception of a primary caregiver home occupation (PCHO) for which no sign is permitted.

SECTION II - PENALTY

A violation of this section shall be deemed a civil infraction.

(A) If a defendant is determined to be responsible for a municipal civil infraction the judge or district court magistrate making the determination of responsibility may order the defendant to pay a civil fine not to exceed the sum of \$500, and, if applicable, in addition to the civil fine, the judge or magistrate may order the payment of damages and expenses incurred.

(B) If a defendant is ordered to pay a civil fine, the judge or magistrate shall summarily determine the city's costs of the action and tax the costs. The city's costs shall not necessarily be limited to the costs taxable in ordinary civil actions and may include all expenses, direct and indirect, to which the city has been put in connection with the municipal civil infraction, up to the entry of the judgment.

(C) In addition to the imposition of civil fines and costs as set forth in subsections (A) and (B) above, the district court judge may exercise its equitable jurisdiction as provided by statute and issue and enforce injunctive orders, order the recession or reformation of a contract and/or issue and enforce any judgment, writ or other necessary to enforce the ordinance violated, and to issue any such orders necessary to abate nuisances.

SECTION III - RATIFICATION

All other provisions of this Chapter shall be and are hereby ratified.

SECTION IV - SEVERABILITY

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CITY OF MT. MORRIS,

By: SARA DUBEY, MAYOR

By: SPENCER LEWIS, CITY CLERK

Ordinance introduced on:

Second Reading:

Publication date:

Effective date:

CITY OF MT. MORRIS
CONDITIONAL USE PERMIT APPLICATION

NAME Michael J Cummings

ADDRESS 11360 N. Saginaw St

PHONE (home) 810-397-8110

PHONE (work) 810-397-8110

Tax Parcel # of Lot 57-07-501-076

Zoning District C

Proposed Use of Parcel

Coffee Shop w/ Drive thru

Attach a site plan meeting the requirements of Section 7.03 of the Zoning Ordinance.

An additional thirteen (13) copies of the site plan to be provided to the City Clerk.

Sent to Consultant Yes No Estimated Cost of Consultant \$

Authorization by Applicant to pay for Consultant Review

1. Please explain how the proposed conditional use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is being proposed. Coffee shop will be between Hungry Howies and Subway.

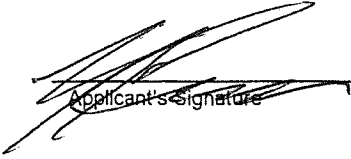
2. Please explain how the proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved. Proposed Drive through will be in harmony with existing drive through. New window for drive thru will be on the back of the building, not visible from the road. Traffic flow will mirror existing drive thru.

3. Please explain how the proposed use shall be designed so the location, size intensity, site layout and periods of operation do not cause any possible nuisance (such as dust, noise, fumes, vibration, smoke or lights) emanating from there from which might be noxious to the occupants of any other nearby permitted uses. The majority of new traffic flow will be in the A.M. From 6 AM to 11 AM. Currently Subway and Hungry Howies are not open until 11 AM. There will not be any foreseeable new nuisances.

4. Please explain how the conditional use permit, if granted, will be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. There will be a second drive thru window on the back of the building that will not interfere with the existing facade of the building. With the addition of a neighborhood coffee shop with convenient drive thru and walkable to city residence will add value to existing residences.

5. Will the conditional use place demands on public services and facilities in excess of current capacity? If yes, explain No additional public services or facilities will be needed.

6. Will the proposed use be designed, located, planned and operated so that the public health, safety and welfare will be protected? Please explain. there will be new parking lot stripes and curbing line painted behind the building. All public health and safety precautions will be protected.


Applicant's Signature

8/3/2023 Application Fee \$ 300.00
Date

This conditional use permit application was reviewed by the City of Mt. Morris Planning Commission at a meeting on _____ The Planning Commission voted to:

- Approve Conditional Use Permit
- Disapprove Conditional Use Permit

City of Mt. Morris Planning Commission Secretary

This site plan was reviewed by the City of Mt. Morris Planning Commission at a meeting on _____ The Planning Commission voted to:

- Approve Site Plan
- Disapprove Site Plan

City of Mt. Morris Planning Commission Secretary

An approved Conditional Use Permit consists of this completed form, a copy of the minutes of the meeting at which the Conditional Use Permit was approved, including any conditions included in the approval, a copy of the site plan with any changes required by the Planning Commission noted on the plan.

I confirm that I have received a copy of the approved conditional use permit and site plan including the minutes of the meeting and I am aware of the conditions placed on this site plan approval.

Applicant

Date

Date of Public Hearing _____

Date of Publication of Public Hearing Notice _____

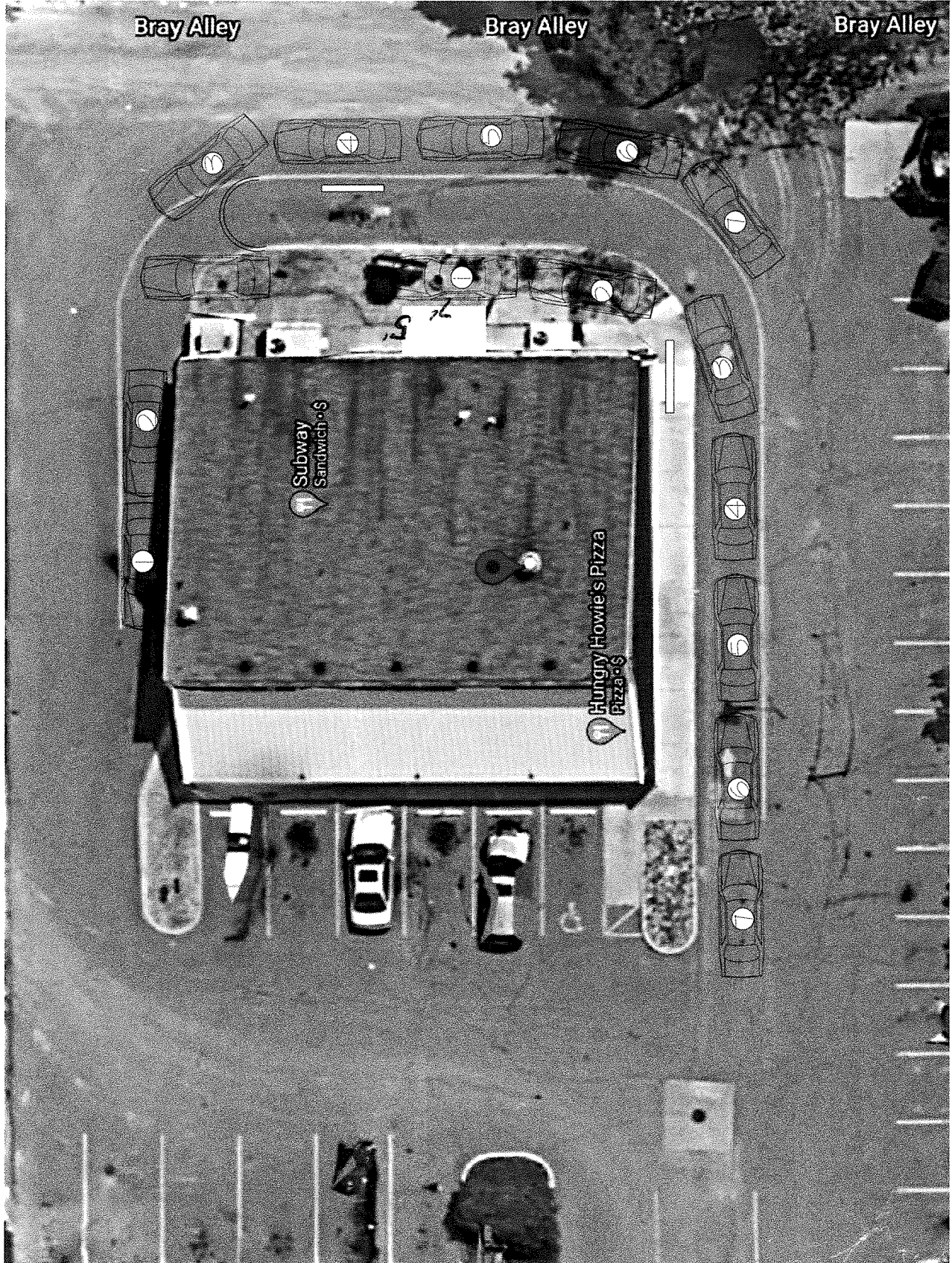
Attach copy of list of owners to whom notice of public hearing was mailed.

Bray Alley

Bray Alley

Bray Alley

N↑



N. Saginaw



Mt Morris, Michigan
Google Street View
Aug 2011



City of Mt. Morris

Genesee County, Michigan

11649 N. Saginaw St.
Mt. Morris, MI 48458
(810) 686-2160

City of Mt. Morris Planning Commission
Notice of Public Hearing

The City of Mt. Morris Planning Commission shall hold a public hearing at 6:30 p.m. on September 18th, 2023 at the city hall at 11649 N. Saginaw St., Mt. Morris, MI 48458. Among the items the Planning Commission shall consider are:

Conditional Use Permit Application for a drive-thru at 11360 N. Saginaw Street, Mt. Morris, MI 48458. The parcel identification number is 57-07-501-076.

Request by: Michael Cummings

You are receiving this notice because according to city records, you own or reside on property within 300 feet of the parcel associated with this request. The meeting is open to the public. Anyone wishing to comment on this request, but who is unable to attend the meeting, may send their comments to the City of Mt. Morris Planning Commission, 11649 N. Saginaw St., Mt. Morris, MI 48458. Copies of the application are available at the City of Mt. Morris between 9 a.m. and 8 p.m. on Mondays, and 9 a.m. to 5 p.m. Tuesday – Thursday or by calling city hall at 810-686-2160.



MEMORANDUM

TO: City of Mt. Morris Planning Commission
FROM: Jason Ball, AICP
Senior Planner
SUBJECT: 11360 N Saginaw - Conditional Use Application
DATE: September 12, 2023

This is a review of an application for a Conditional Use permit to establish a coffee shop with a drive through, located at 11360 N Saginaw Street, parcel number 57-07-501-076. The subject property is zoned C – General Commercial. Analyses of the request’s compliance with City of Mt. Morris Zoning Ordinance provisions related to Conditional Uses and Site Plan Review were completed. The following is an overview of missing information and any issues related to zoning ordinance compliance based on the information provided by the applicant.

Missing Information

- **Section 7.03.B** – The location of the principal and accessory buildings on the lot and the relationship of each structure to another was not provided.
- **Section 7.03.C** – It is unclear the existing traffic flow and the proposed change to the existing drive-thru lane.
- **Section 7.03.D** – It is unclear the existing parking space location and dimensions. It is also unclear the existing and proposed drive-thru lane dimensions.
- **Section 7.03.G** – The height and dimensions of all structures were not provided.
- **Section 7.03.H** – The front, rear, and side elevations of the structure were not provided.
- **Section 7.03.J** – The location, dimensions, type, and lighting of all signs was not provided. Applicant to confirm if signs are proposed.
- **Section 7.03.K** – The location, intensity, and orientation of all lighting was not provided.
- **Section 7.03.L** - The buildings within 50 feet of the boundary of the site were not provided.
- **Section 7.03.Q** – A floor plan showing the existing and proposed use was not provided.
- **Section 7.03.R** – The location of trash receptacles was not provided.
- **Section 7.03.S** – The designation of fire lanes was not provided.

Zoning Ordinance Compliance

- **Section 3.10 Sight Distance** – The applicant must confirm if any existing or proposed structures or signage are within the sight distance triangles.
- **Section 4.02 Nonconforming Structures** – It is unclear whether the existing structure is nonconforming in nature. The applicant must address concerns related to the district dimensional requirements in Section 6.14 and 6.15.

SINCE 1962

- **Section 4.03 Nonconforming Lot of Record** – It is unclear whether the existing lot meets the minimum dimensional requirements. The applicant must address concerns related to the district dimensional requirements in Section 6.14 and 6.15.
- **Section 5.02 Off-Street Parking and Off-Street Loading Space Requirements** – It is unclear the existing number of parking spaces on site. The restaurant use requires one space per 30 square feet of dining and drinking area.
- **Section 5.04.A.5** – It is unclear the existing lighting on site. Applicant to confirm if there are any changes to the existing lighting on site.
- **Section 5.04.A.8** – It is unclear the existing parking facilities design and layout. Applicant to confirm any changes due to the proposed restriping.
- **Section 5.04.A.9** – Unclear the number, location, and size of barrier free spaces on site. Applicant to confirm.
- **Section 5.04.A.10** – Unclear if the additional drive-through lane will restrict firefighting capabilities. The Fire Department should review.
- **Section 5.05.C** – It is unclear the number and size of the existing parking spaces and barrier free spaces on site. Applicant to confirm.
- **Section 5.05.D** – It is unclear the existing lighting on site. Applicant to confirm if there are any changes to the existing lighting on site.
- **Section 6.14 and Section 6.15 District Dimensional Requirements** – Based on the provided plot plan it is unclear if the existing structure and proposed drive-thru window meet the district dimensional requirements. The lot area, all setbacks, building height, lot width, lot depth, lot coverage and height of the drive-thru window were not provided. Applicant to confirm so the city and applicant are aware of the potential nonconforming status of the building.
- **Section 9.18.D** – It is unclear the materials and dimensions of the proposed drive-thru window. Applicant to confirm.

Next Steps

Comments regarding the standards for approval of a Conditional Use and Site Plan, along with draft motion language are included in the attached checklists. The next steps for the Planning Commission in evaluating this request are summarized below.

- **Conditional Use Request:** The Planning Commission must determine that the requested conditional use meets all seven standards in Section 8.03 of the Zoning Ordinance to approve the conditional use. If the request fails to meet one of the standards it should be denied, or action postponed until additional information is provided.
- **Outstanding Requirements:** The missing informational and zoning compliance requirements from the plan are necessary for the Planning Commission to evaluate the request. Particularly related to setback distance, parking area, and lighting on site. The Planning Commission may consider conditionally approving the request based on the applicant addressing all outstanding requirements. The Planning Commission may also postpone final action of the conditional use based on missing information being addressed in the site plan.
- **Site Plan Review:** The Planning Commission shall determine whether the outstanding informational and zoning compliance requirements can be addressed conditionally. The Planning Commission may conditionally approve the site plan conditioned upon the applicant addressing all outstanding requirements.

The Planning Commission may also postpone decision to allow the applicant to address the outstanding requirements.

Regulatory and other governmental agencies with jurisdiction may have additional comments or requirements. The developer and designer remain responsible for the design, construction, and any resulting impacts of the project. We hope this analysis assists the Planning Commission in your review of the rezoning request. If you have any additional questions, please contact me at jball@rowepsc.com or at (810) 341-7500.

Attachments: 11360 N Saginaw - Conditional Use Checklist
11360 N Saginaw - Site Plan Review Checklist

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CITY OF MT. MORRIS

CONDITIONAL USE CHECKLIST

Applicant:	Michael J Cummings
Property Address:	11360 N Saginaw
Parcel ID:	57-07-501-076
Planning Commission Meeting Date	

GENERAL STANDARDS FOR APPROVAL OF CONDITIONAL USE SECTION 8.03

The Planning Commission shall review the particular circumstances of the conditional use request under consideration in terms of the following standards, and shall approve a conditional use request only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this ordinance.

Standard	Does Site Meet Requirements		
	Yes	No	N/A
1. The proposed conditional use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> The multi-tenant building has two other restaurants, one which has an existing drive-thru on site. The addition of the use and the drive-thru would fit the character of the surrounding commercial corridor along Saginaw Road. 			
Applicants Comments: Coffee shop will be between Hungry Howies and Subway.	Planning Consultant Comments: The proposed use and drive-thru would be appropriate in the predominately commercial area along Saginaw Road.	Planning Commission Comments:	

Standard		Does Site Meet Requirements		
		Yes	No	N/A
2. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfacing.				
COMMENTS/FINDINGS OF FACT:				
<ul style="list-style-type: none"> The proposed store hours will not overlap with the existing stores in the multi-tenant building. The two drive-thru lanes overlay, however, would not be in use at the same times due to the proposed store hours, provided by the applicant. 				
Applicants Comments: Proposed drive through will be in harmony with existing drive through. New window for drive thru will be on the back of the building, not visible from the road. Traffic flow will mirror existing drive thru.	Planning Consultant Comments: It does not appear that the proposed use and drive-thru would have negative effects of existing pedestrian and vehicular traffic.	Planning Commission Comments:		

Standard		Does Site Meet Requirements		
		Yes	No	N/A
3. The proposed use shall be designed as to the location, size intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating there from which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.				
COMMENTS/FINDINGS OF FACT:				
<ul style="list-style-type: none"> A fence or wall is required to screen the drive-thru from the residential parcel to the east. An existing wood fence is located along the rear property line. 				
Applicants Comments: The majority of new traffic flow will be in the A.M. from 6 am to 11 am. Currently subway and Hungry Howies are not open until 11 am. There will not be any foreseeable new nuisance.	Planning Consultant Comments: Existing screening exists along the rear yard to screen the drive-thru.	Planning Commission Comments:		

Standard			Does Site Meet Requirements		
			Yes	No	N/A
<p>4. The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.</p>					
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> The proposed use is proposed to be in an existing multi-tenant commercial building. It does not appear to be any exterior changes, other than the addition of a drive-thru window and additional drive-thru lane. 					
<p>Applicants Comments: There will be a second drive thru window on the back of the building that will not interfere with the existing façade of the building. With the addition of a neighborhood coffee shop with convenient drive thru and walkable to city residence will add value to existing residences.</p>	<p>Planning Consultant Comments: The proposed use is to be located inside and existing multi-tenant commercial building that appears to have sufficient screening from the residential parcel to the east.</p>	<p>Planning Commission Comments:</p>			
Standard			Does Site Meet Requirements		
			Yes	No	N/A
<p>5. The conditional use shall not place demands on public services and facilities in excess of current capacity.</p>					
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> It does not appear to be any proposed changes to existing utilities on site. 					
<p>Applicants Comments: No additional public services or facilities will be needed.</p>	<p>Planning Consultant Comments: Does not appear the proposed use would have additional demand on public services and facilities.</p>	<p>Planning Commission Comments:</p>			
Standard			Does Site Meet Requirements		
			Yes	No	N/A
<p>6. The proposed use shall be so designed, located, planned and operated that the public health, safety and welfare will be protected.</p>					
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> 					
<p>Applicants Comments: There will be new parking lot stripes and cueing lines painted behind the building. All public health and safety precautions will be protected.</p>	<p>Planning Consultant Comments: It does not appear that the proposed use or drive-thru would adversely affect public health, safety or welfare.</p>	<p>Planning Commission Comments:</p>			

Standard	Does Site Meet Requirements		
	Yes	No	N/A
7. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or permitted land uses in the zoning district.			
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> • It does not appear the proposed use or drive-thru would be detrimental to the existing area. • The area is commercial in nature. The subject property has an existing drive-thru. • The proposed hours of operation would not cause overlap between the drive-thru for the existing business on site and the proposed use. 			
Applicants Comments:	Planning Consultant Comments: The proposed use does not appear that it will cause substantial injury to existing properties nor be detrimental to the existing uses in the zoning district.	Planning Commission Comments:	

Sample Motion to Approve:

I make a motion to approve the requested conditional use at 11360 N. Saginaw Road based on the request meeting all the standards in Section 8.03.

Further, in order to ensure compliance with these standards, the following conditions are part of my motion to approve:

-
-

Sample motion to disapprove:

I make a motion to deny the requested conditional use at 11360 N. Saginaw Road based on the following findings of fact:

- It does not comply with Standard # _____ based on ...
- It does not comply with Standard # _____ based on ...

Sample motion to postpone:

I make a motion to postpone the approval of the conditional use until the next regular meeting to provide the applicant with the opportunity to provide the following information.

- Information on _____ to verify compliance with _____
- Information on _____ to verify compliance with _____

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CITY OF MT. MORRIS

SITE PLAN REVIEW CHECKLIST

Applicant	Michael J Cummings
Address	11360 N Saginaw
Parcel ID	57-07-501-076
Planning Commission Meeting Date	

- Application complete, signed, and submitted.
- Application fee paid.
- 14** copies of the site plan provided to the City Clerk delivered at least 10 working days prior to PC meeting.

SITE PLAN INFORMATIONAL REQUIREMENTS SECTION 7.03				
<i>Requirement</i>	Does Site Plan Include this Information?			
	Yes	No	N/A	Comment
A. Statistical data including: Number of dwelling units, size of dwelling units (e.g., 1-bedroom, 2-bedrooms, 3-bedrooms), if any, and total gross acreage involved. In the case of mobile home parks, the size and location of each mobile home site shall be shown. In all other cases, the location, type, horsepower, fuel, dimensions, and other data of all machinery to be used on the proposed site (to determine compliance with minimum lot size, maximum lot coverage and density requirements and parking requirements)..			X	Proposed use is commercial in nature.
B. The location of principal and accessory buildings on the lot and the relationship of each structure to another (to determine compliance with setback requirements).		X		Not provided.
C. Vehicular traffic and pedestrian circulation features within and without the site (to determine compliance with traffic access standards including adequacy of access, conflicts between vehicles and pedestrians, turning movement conflicts between the site and other nearby driveways).	?			Unclear the existing traffic flow and the proposed change to the existing drive-thru lane.
D. The location and dimensions of all off-street parking areas including maneuvering lanes, service lanes, off-street loading spaces, and other service areas within the development (to determine compliance with parking requirements).	?			Unclear existing parking spaces. Unclear the proposed changes to the existing drive-thru lane.
E. The location, dimensions, and proposed use of all recreation areas, if any (to determine compliance with standards related to compatibility with adjacent areas).			X	Does not appear to be proposed.
F. The location of all proposed landscaping, fences or walls (to determine compliance with screening and landscaping requirements).			X	Does not appear to be proposed changes to existing landscaping. Does not appear any fences or walls are proposed.
G. The height and dimensions of all structures (to determine compliance with maximum height and lot coverage requirements as well as minimum building size requirements (residential) where applicable).		X		Not provided.

**SITE PLAN INFORMATIONAL REQUIREMENTS
SECTION 7.03**

Requirement	Does Site Plan Include this Information?			
	Yes	No	N/A	Comment
H. Front, rear, and side elevation of any typical structure proposed for development.		X		Not provided.
I. The location and capacity of private or public water, sanitary services and solid waste disposal facilities servicing the site (to ensure compliance with the standard requiring adequate water and sewer service, and to prevent overloading the city's water or sewer system).			X	Unclear the existing water and sanitary sewer services, however, does not appear to be any proposed changes.
J. The location, dimensions, type and lighting of all signs (to ensure compliance with sign requirements).		X		Not provided, applicant to confirm if any signs are proposed.
K. The location, intensity and orientation of all lights (to determine compliance with requirements regarding lighting being directed off adjacent premises).		X		Not provided.
L. Buildings within 50 feet of the boundary of the site (to determine compliance with any setback standards linked to structures on adjacent lots, or in the case of a conditional use permit, to determine suitability of the site for the proposed use based on proximity of incompatible uses).		X		Not provided.
M. Location of any identified wetlands (to comply with standards relating to protection of natural features and/or compliance with local, state and federal laws).			X	Does not appear the subject parcel is located within a wetland.
N. Outdoor storage or activity areas (to comply with standards relating to outdoor storage of material or outdoor activities).			X	Does not appear to be proposed.
O. Existing and proposed grades at two-foot intervals (to determine any minimum or maximum grade requirements, clear vision requirements and height requirements).			X	Does not appear any proposed changes to existing grade on site.
P. Cross section showing construction of drives and parking area (to comply with requirements regarding pavement surface and adequacy of base material).			X	Does not appear to be proposed changes to existing parking area.
Q. Floor plan showing existing and proposed uses (to verify gross vs. usable floor area and principal vs. accessory uses).		X		Not provided.
R. Location of trash receptacles (to determine compliance with ordinance requirements regarding location and screening).		X		Not provided.
S. Designation of fire lanes (to determine compliance with fire code requirements).	?			Unclear the location of the designated fire lane.

The individual or body responsible for reviewing and approving a site plan may waive any of the requirements above either on an individual basis or by establishment of an administrative rule when the information is not needed to determine compliance of the site with the requirements of this appendix.

ARTICLE 3 GENERAL REQUIREMENTS

<i>Requirement</i>	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
Sec. 3.09 Accessory Buildings				
A. Non-Residential Districts: Any part of a detached accessory building shall be at least fifty five (55) feet from any front lot line when the adjoining lot is located in a residential district.			X	Does not appear to be proposed detached accessory structure.
B. Residential Districts: No accessory building shall be erected in other than a side or rear yard. The garage or similar accessory building may be built up to within five (5) feet of the side and/or rear lot line; provided that such structure adjacent to such side or rear lot line is constructed to achieve the proper fire rating in compliance with the local building code. When the rear line of a corner lot abuts the side line of an adjoining lot in a residential district, no accessory building shall be within five (5) feet of such abutting lot line nor closer to the side street lot line than the setback of the principal building on the same adjoining lot. When the rear line of a corner lot abuts the rear line of any other lot or is directly across an alley therefrom, no accessory building shall be closer to the side street lot line than the setback of the principal building on the same lot.			X	Subject property is commercial in nature.
Sec. 3.10 Sight Distance. No obstruction to vision shall be permitted at the intersection of any street or road with another street or road or street or road junction between the heights of two feet and eight feet above centerline elevation of said streets or roads within the triangular area formed by the intersection of the street right-of-way lines and a line connecting two points which are located on those intersection right-of-way lines 25 feet from the point of intersection of the right-of-way lines.	?			Applicant to confirm any existing or proposed structures or signage within the sight distance triangles.
Sec. 3.11 Lot Grades			X	Does not appear any proposed changes.
Sec. 3.12 Curb Cuts and Driveways			X	Does not appear any changes are proposed to existing curbs or driveways.
Section 3.16 Private Roads			X	Does not appear to be proposed.

ARTICLE 4 NONCONFORMING USES, STRUCTURES

<i>Requirement</i>	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
Section 4.01 (A) Class A and B nonconforming uses			X	The proposed use is permitted by special land use in the C district.
Section 4.02 Nonconforming Structures	?			Unable to determine if the existing structure is nonconforming in nature. Applicant to confirm requirements in District Dimensional table.
Section 4.03 Nonconforming Lots of Record	?			Unable to determine if the existing lot is nonconforming in nature. Applicant to confirm requirements in District Dimensional table.

**OFF-STREET PARKING REQUIREMENTS
SECTION 5.01**

Requirement	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
A. All future development of land or expansion of existing uses shall meet these parking requirements:				
B. Off-street parking spaces for nonresidential uses in residential districts shall be located within a rear yard or within a side yard.			X	The existing parking is located in the front and side yards.
C. Off-street parking for other than residential uses shall be either on the same lot or within 300 feet of the building it is intended to serve (or a distance approved by the planning commission), measured from the nearest point of the building to the nearest point of the off-street parking lot. Parking may not be located across Saginaw or Mt. Morris streets from the business it serves.	X			Existing parking area is located on the same lot as the proposed use.
D. The storage, maintenance or repair of merchandise, motor vehicles or other equipment on required off-street parking spaces is prohibited.			X	Does not appear to be proposed.
E. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the planning commission considers is similar in type.				N/A.
F. When units of measurements determining the number of required parking spaces result in the requirement of a fractional space, all fractions over one-half shall be rounded up.				

**OFF-STREET PARKING AND OFF-STREET LOADING SPACE REQUIREMENTS
SECTION 5.02**

Required*		Provided	
Off-Street Parking Spaces	1 space per 30 square feet of dining and drinking area	Off-Street Parking Spaces	Unclear
Off-Street Loading Spaces	N/A.	Off-Street Loading Spaces	N/A.

**DESIGN REQUIREMENTS FOR OFF-STREET PARKING AND LOADING SPACES
SECTION 5.04**

Requirement	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
A. Off-street parking lots spaces shall be laid out, constructed and maintained in accordance with the following requirements:				
1. No parking lot shall be construed without a zoning permit issued by the zoning administrator. Parking lots that are part of site plan approved by the Planning Commission do not require a separate zoning permit.			X	Does not appear there are proposed changes to the existing parking area.
2. Adequate ingress and egress to the parking lot shall be provided for vehicles by means of clearly limited and defined drives.			X	Does not appear to be any changes to existing ingress and egress on site.
3. Parking spaces shall be set back from abutting residential districts as follows:				
a. Where the parking lot abuts on side lot lines, the required setback shall be ten feet from the side lot lines.			X	Parcels on either side lot line of the subject property are zoned C.
b. Where the parking lot abuts on a contiguous common frontage in the same block, the required setback from the street right-of-way shall be equal to the residential required setback, or average of existing setbacks in the common block frontage, whichever is greater.			X	Does not appear there are proposed changes to the existing parking area.

**DESIGN REQUIREMENTS FOR OFF-STREET PARKING AND LOADING SPACES
SECTION 5.04**

Requirement	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
c. Where the parking lot is across the street and opposite, with residential lots fronting on such streets, the required setback from the street right-of-way shall be equivalent to the opposite residential required setback.			X	The existing parking area is located on site.
d. Where the parking lot abuts the rear lot line, the required setback shall be ten feet from the street lot line.			X	Does not appear to be parking in the rear yard.
4. Where the parking lot boundary adjoins property zoned for residential use, a suitable screening wall shall be provided. Suitable ornamental fencing may be substituted for the screening wall with the approval of the planning commission. Said wall or fence shall not extend into the required front open space of abutting residential lots. The height of the wall or fence shall be at least four feet but no higher than six feet.	X			There is no parking space proposed in the rear yard, however, the drive-thru lanes in the rear yard abut a residentially zoned parcel. An existing wood fence is located along the east property line (rear yard) to screen the existing drive-thru from the residential parcel to the east.
5. All lighting for parking areas shall be limited to 20 feet in height and shall be directed away from and shielded from adjacent property and rights-of-way, especially residential areas, and shall be arranged to not adversely affect driver visibility on adjacent roads.	?			Unclear the existing lighting.
6. The parking lot shall be drained to eliminate surface water in such a way as to preclude drainage onto adjacent property or toward buildings.			X	Does not appear to be any changes to the existing parking area.
7. The surface of the parking lot, including drives and aisles, except for the buffer strips, shall be constructed of concrete, bituminous asphalt or similar dustless and durable all-weather surface material.			X	Does not appear to be any changes to existing materials of the parking area.
8. The parking facilities design and layout meets the minimum dimensional requirements:	?			Unclear if the existing parking spaces meet the minimum requirements.
9. All parking lots shall meet Michigan Barrier Free parking space requirements.	?			Unclear the total number of parking spaces and the total number of barrier free spaces.
10. All parking areas (including loading and unloading areas) must provide for sufficient access for firefighting and access by other emergency vehicles.	?			Unclear, Fire Department should review in order to determine if additional drive-thru lane will cause a nuisance to fire fighting capabilities.
B. Off-street loading spaces for specified land uses shall be provided in accordance with the following requirements:				
1. Retail uses. All retail sales facilities exceeding 10,000 square feet in floor area shall provide two loading spaces plus one loading space for each additional 30,000 square feet of floor area over 10,000 feet.			X	Proposed use is not a retail use.
2. Industrial uses. All industrial land uses shall provide one loading space for each 10,000 square feet of floor area, with a minimum of not less than two loading spaces.			X	Proposed use is not industrial in nature.

**DESIGN REQUIREMENTS FOR OFF-STREET PARKING AND LOADING SPACES
SECTION 5.04**

<i>Requirement</i>	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
3. All loading spaces shall be located and designed to avoid creating traffic hazard to public use of all public rights-of-way.			X	Does not appear to be proposed.

**OFF-STREET LOADING REQUIREMENTS
SECTION 5.05**

<i>Requirement</i>	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
A. Each parking space shall consist of an area not less than ten feet wide by 20 feet deep; provided, however such dimensions shall be increased, when necessary, to permit safe ingress and egress thereto.	?			Unclear the size of existing parking spaces, however, does not appear to be any proposed changes to existing parking.
B. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and maneuvered without moving or damaging another.			X	Does not appear to be changes to existing parking area.
C. For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, or improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinance and regulations of the city.	?			Unclear the number or size of existing parking spaces. Applicant has indicated they will be restriping the existing parking lot. Applicant to confirm any proposed changes.
D. Any lighting used to illuminate any off-street parking and loading area shall be so arranged so as to direct light away from adjoining property and streets.	?			Unclear the existing lighting on site.
E. Off-street parking and loading areas shall be surfaced with asphalt, bituminous or concrete pavement, and shall be graded and drained to dispose of all surface water into the storm sewer system.			X	Unclear the existing parking area materials, however, does not appear any proposed changes to the existing parking area.
F. Any construction or rearrangement of existing drives which involve the ingress and/or egress of vehicular traffic to or from a public street shall be so arranged so as to insure the maximum of safety and the least interference with traffic upon said streets and shall be approved by the zoning administrator, in writing.			X	Does not appear to be proposed.

**DISTRICT DIMENSIONAL REQUIREMENTS
SECTIONSS 6.14 & 6.15**

Zoning District: C General Business		Proposed Use: Coffee shop with Drive-thru	
<i>District Requirement</i>	<i>Ordinance Standard</i>	<i>Proposed Site Plan</i>	
Minimum Lot Area (sq. ft.)	N/A.	?	
Minimum Setbacks – Front (W) Saginaw Rd	50'	?	
- Sides (N)	0'	?	
- Sides (S)	0'	?	
- Rear (E) Bray Alley	50'	?	

Maximum Building Height (ft)	Within approved fire fighting capabilities	?
Minimum Lot Width (ft.)	N/A.	?
Minimum Lot Depth (ft.)	N/A.	?
Maximum Lot Coverage (%)	N/A.	?
Maximum Number of Accessory Structures	N/A.	?
Maximum Height of Accessory Structures	Height of principal structure	?

ARTICLE 9. DESIGN STANDARDS

<i>Requirement</i>	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
Sec. 9.01. Adult foster care family and small group homes site design standards.			X	Does not appear to be proposed.
Sec. 9.02. Adult foster care medium and large group homes site design standards.			X	Does not appear to be proposed.
Sec. 9.03. Adult uses site design standards.			X	Does not appear to be proposed.
Sec. 9.04. Cemeteries, municipal, denominational and private cemeteries site design standards.			X	Does not appear to be proposed.
Sec. 9.05. Cluster subdivision site design standards.			X	Does not appear to be proposed.
Sec. 9.06. Family day care home and group day care home site design standards.			X	Does not appear to be proposed.
Sec. 9.07. Fire station and water tower site design standards.			X	Does not appear to be proposed.
Sec. 9.08. Garden apartment and townhouse site design standards.			X	Does not appear to be proposed.
Sec. 9.09. Home occupations site design standards.			X	Does not appear to be proposed.
Sec. 9.10. Hospitals, sanitariums, clinics, nursing and rest homes and charitable institutions for human care site design standards.			X	Does not appear to be proposed.
Sec. 9.11. Industrial park site design standards.			X	Does not appear to be proposed.
Sec. 9.12. Mixed use site design standards.			X	Does not appear to be proposed.
Sec. 9.13. Mobile home park site design standards.			X	Does not appear to be proposed.
Sec. 9.14. Planned unit development site design standards.			X	Does not appear to be proposed.
Sec. 9.15. Public parks, golf courses, country clubs, tennis courts, and similar recreational uses site design standards.			X	Does not appear to be proposed.
Sec. 9.16. Radio and television station site design standards.			X	Does not appear to be proposed.
Sec. 9.17. Shopping center site design standards.			X	Does not appear to be proposed.
Sec. 9.18. Drive-thru facilities in central business district.				See below.
A. The drive-thru facility will not result in additional driveways.	X			Does not appear additional driveways are proposed.
B. The drive-thru will be designed to minimize conflict with pedestrians, internal vehicle circulation patterns and street traffic.	X			Does not appear the additional drive-thru will affect the existing circulation patterns.
C. The drive-thru will not be located in a front yard. For the purposes of this requirement, a front yard is defined as any side of the building fronting a street. In the case of a site that fronts on more than two streets, the front yard shall be defined as those yards adjacent to the two	X			The drive-thru is located in the rear yard.

ARTICLE 9. DESIGN STANDARDS

<i>Requirement</i>	Does Site Plan Meet the Requirement?			
	Yes	No	N/A	Comment
streets with the greatest average daily traffic in front of the parcel.				
D. The drive-thru shall be designed to meet the aesthetic compatibility requirements of the city's design standards for non-residential structures.	?			Unclear the materials of the additional drive-thru window.
E. The applicant shall demonstrate adequate stacking spaces for vehicles waiting to use the drive-thru based on nationally recognized standards for the use proposed.	X			See plot plan provided. Additional drive-thru shows seven stacking spaces compared to the existing seven on-site.
The applicant shall apply for and be granted a drive-thru window permit from city council.				
Sec. 9.19. Wireless telecommunications towers and antennas.			X	Does not appear to be proposed.

**GENERAL STANDARDS FOR APPROVAL OF SITE PLANS
SECTION 7.06**

<i>Requirement</i>		Does Site Plan Include this Information?		
		Yes	No	N/A
<p>A. Sidewalks and other walkways, driveways, parking areas, loading areas and maneuvering lanes will be designed to promote traffic safety, minimize turning movement conflicts, eliminate the stacking of cars within the public right-of-way, minimize vehicle/pedestrian conflicts, provide adequate access for fire, police, ambulance and other emergency services personnel, minimize the number of driveways with access onto major streets, promote adequate spacing between driveways, ensure adequate geometric design of streets and promote shared access.</p>				
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> Unclear the number and size of existing parking spaces. Applicant has proposed restriping the existing parking area. 				
<p>Applicants Comments:</p>	<p>Planning Consultant Comments:</p> <p>Applicant to provide further information related to the parking area in order to determine compliance with this standard.</p>	<p>Planning Commission Comments:</p>		
<p>B. Adequate transition areas or buffers will be provided between land uses to minimize off-site conflicts due to noise, light, smoke, odor or other nuisances and to maintain physical attractiveness.</p>				
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> There is an existing wood fence located along the east property line to screen the existing drive-thru. 				
<p>Applicants Comments:</p>	<p>Planning Consultant Comments:</p> <p>Existing screening along the east property line is provided.</p>	<p>Planning Commission Comments:</p>		

**GENERAL STANDARDS FOR APPROVAL OF SITE PLANS
SECTION 7.06**

<i>Requirement</i>			Does Site Plan Include this Information?		
			Yes	No	N/A
<p>C. Utility service is adequate to serve the needs of the development. Water pressure and capacity are adequate to meet usage and fire fighting needs. Sewer lines are adequate to handle the increased flow projected by the land use, and the city has adequate treatment capacity at the county wastewater treatment plant. Storm water facilities are adequate to handle any increased water run-off, which will be minimized through the use of storm water retention and detention facilities when appropriate. The site shall be designed to ensure that there is no increase in runoff onto adjacent sites or that existing drainage patterns are harmed.</p>					
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> Does not appear to be any proposed changes to existing utilities of the subject property. 					
Applicants Comments:	<p>Planning Consultant Comments:</p> <p>Does not appear to be any proposed changes to the existing utilities that service the subject property.</p>	Planning Commission Comments:			
<p>D. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration.</p>					
<p>COMMENTS/FINDINGS OF FACT:</p>					
Applicants Comments:	<p>Planning Consultant Comments:</p> <p>Applicant to confirm any proposed changes to the existing parking area when restriping.</p>	Planning Commission Comments:			
<p>E. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.</p>					
<p>COMMENTS/FINDINGS OF FACT:</p>					
Applicants Comments:	<p>Planning Consultant Comments:</p> <p>Does not appear that hazardous substances will be stored, used or generated on site.</p>	Planning Commission Comments:			

Sample Motion to Approve:

I make a motion to approve the requested site plan at 11360 N Saginaw Street based on the requested conditional use meeting all the requirements in Section 7.06.

Further, in order to ensure compliance with these standards, the following conditions are part of my motion to approve:
(Sample conditions)

- The applicant addressing all outstanding site plan informational requirements.
- The applicant confirming changes to the existing parking area.
- The applicant confirming the materials and dimensions of the proposed drive-thru window.
- The applicant addressing items related to site lighting and district dimensional requirements.

Sample motion to disapprove:

I make a motion to deny the requested site plan based on the following findings of fact:

- It does not comply with _____ based on

Sample motion to postpone:

I make a motion to postpone the approval of the site plan until the next regular meeting to provide the applicant with the opportunity to provide the following information.

- Information on _____ to verify compliance with _____
- Information on _____ to verify compliance with _____