



**Planning Commission Minutes of Meeting
Remote Meeting by Zoom**

CALL TO ORDER & ROLL CALL:

A regular meeting of the Bay City Planning Commission held remotely by Zoom, was called to order by Lori Dufresne at 7:00 p.m.

Present: Bob Shea, Doug Rise, Ashley Dardas, Jim Reaume, Shelley Niedzwiecki

Absent: Dan Matthews

Excused:

Others: Staff Liaison Terry Moulane, AICP, Planning & Zoning Manager; Lisa Griffiths, Planning & Zoning Administrative Assistant; Chris Girard, City Commission Liaison

APPROVAL OF MINUTES:

Motion by B. Shea, seconded by J. Reaume to approve past meeting minutes for April 21, 2021.

Motion carried unanimously.

PUBLIC COMMENT - NON-AGENDA ITEMS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

Site Plan Review: Case SPR 21-3, - 715 Marquette Street

Requesting site plan approval for the construction of a 12,007 square foot marihuana grow facility. Marihuana facilities are permitted by right in the M-1, Light Industrial zoning district.

Present: Lindsey Pence, applicant; David Ralph, property owner; Kyle Slabotsky, consultant; Jay Wheeler, engineer with William Kibbee & Associates.

T. Moulane explained there had been a rezoning request for M-1, light industrial designation that came before the planning commission for this same property in 2020. He said it was a 1.8-acre site and the intended use was permitted by M-1 zoning. He mentioned landscaping would need to be addressed but that it was a straight site plan review.

Mr. Wheeler presented an overview of the plans. He said there would be plenty of parking with ADA space, striping and signage. An enclosed locked dumpster would be in the back. He explained there was a planned expansion of 4,5000 ft. in phase two of the project. City staff and Consumers Power had been consulted regarding the existing utilities and a detention pond was also planned at the rear of the site within the setback area. Mr. Wheeler stated a landscaping plan would be submitted. He said a floor plan of the building had been included to give an idea of what the interior of the building might look like.

B. Shea mentioned two items from Sec. 122-327 Approval Standards. He was concerned with:

E) The pedestrian pathway must be protected from damage and repaired as necessary.

H) A fence may be required at the perimeter of the detention pond depending on the depth.

Mr. Wheeler responded the pond would be a dry detention pond and the depth was not expected to exceed two feet.

L. Dufresne asked if retail space in the facility was planned to be added at a later time. She was told retail space was not planned.

D. Rise was concerned with Item K from the staff report which specified lighting must be identified on the building construction plans. He requested to have the light fixtures in the parking areas added to construction drawings to be submitted for permitting as a condition of approval.

L. Dufresne agreed.

Miss Pence explained they were still getting bids on the lighting but could turn in a light plan. She said they planned to follow all the rules in protecting the landscaping and sidewalks. She explained Mr. Ralph had been communicating with city staff as her father and property owner. Miss Pence added they would follow all rules as needed for the site.

B. Shea asked if there had been any communication from neighbors. There had not. Staff explained notification letters are not sent out for site plan reviews because public hearings are not necessary.

T. Moutane wondered about the status of Miss Pence's marihuana license application. L. Griffiths replied the application had been on hold but that she had recently notified the applicant by email to submit the rest of the documentation required for the application. It was noted all Adult-Use Class C Grower licenses allowed by the City had been claimed. L. Griffiths assured Mr. Slabotsky a license had been held for each application with fee Miss Pence had submitted, for a total of two licenses.

B. Shea asked if there was a known timeframe for the project. Mr. Slabotsky answered the sooner the better.

Motion made by B. Shea, to approve the site plan review for Case SPR21-3 to include the condition for lighting,

Sec. 122-327. Approval standards.

K. All exterior lighting (building mounted and free-standing) is designed and installed to comply with the regulations of section 122-59, to result in minimal light trespass onto adjoining property, and to avoid interference with the vision of motorists on adjoining streets. *Lighting must be identified on the building construction plans. The plans submitted do not show light fixtures being mounted in the parking areas. The ordinance only requires that parking areas have sufficient lighting and that may be form a wall mounted fixture.*

seconded by D. Rise.

Motion carried unanimously.

T. Moulane reminded the applicant the next step would be to submit drawings for the building plan review.

OTHER BUSINESS:

Staff Updates by T. Moulane:

Zoning

T. Moulane did not think the Zoom meeting format was good for the new zoning topic and would like to wait until in-person meetings could be held, possibly in June.

Marihuana

Caps for some marihuana license classes had been reached, or nearly reached, but that some expired provisional certificates would probably be rescinded due to inactivity with working towards obtaining city operating licenses. Notification letters were planned. Two grow facilities on Morton St. have been progressing but it looked like the grow project on Marquette may have stalled. The status of the project was unclear. He would like to review the status of all planned grow facilities and tally the total square footage.

Social District Common Areas

Meetings took place with some businesses to arrive at solutions that would work well for everybody. Adams, Saginaw St. near Center, and Third Street will be street closures lasting from Memorial Day through Labor Day. Uptown and Midland St. will be both be Common Areas this year. Bar owners are responsible for maintaining their own areas. The planning department is responsible for signage in Common Areas.

411 S. Henry Street

D. Rise inquired if there were any updates on 411 S. Henry Street. T. Moulane explained the owner of the property had requested the deed restrictions be rescinded. The city manager, city attorney and Terry were not recommending the deed restrictions be rescinded. The request will be an item on the June 7, 2021 City Commission meeting agenda. It will also be republished and included on the agenda for the June 16, 2021 planning commission meeting.

Motion to adjourn by B. Shea, seconded by D. Rise.

Meeting adjourned at 7:28 p.m.

Prepared by Lisa Griffiths, Planning & Zoning Administrative Assistant