

**PROPOSED PLANNING COMMISSION PROCEEDINGS**  
**August 19, 2009**

Chairman Laux called the meeting to order at 7:00 p.m. in the City Hall Council Chambers.

Roll call: Micheal Culpepper, James Cherry, Randy Meder, Steve Laux, Randy Martin, and Lana Kaiser.

Absent: Jessica Bayer, Michael Cassidy and Mike Smith.

Also present: Peter Preston, Zoning Consultant and Paula Willoughby, Zoning Administrator.

There was no public comment.

Moved by Cherry, seconded by Culpepper to approve the minutes of July 15, 2009, as presented. Motion carried.

Mike Wood of Mike Wood and Son Asphalt, Inc., 635 W. Grand River Road, Laingsburg is requesting a special land use permit and has submitted a site plan for an 80' x 80' structure (6,400-sf) for purposes of storing and maintaining vehicles and equipment. The petition is also for the use of portions of the site for outdoor storage of vehicles and equipment. The operation of the site is considered a "contractor's establishment with outdoor storage" which is a land use under C-2, General Commercial zoning district. The public hearing for this special land use was held July 15, 2009.

The Planning Commission reviewed the staff report and revisions to the site plan and petition for special land use since the public hearing. The Planning Commission also reviewed outstanding required and requested information.

The Planning Commission also discussed the continued use of the property in violation of the Ordinance, junk and debris and consideration of next steps if the petition is approved or denied.

Moved by Laux, seconded by Meder to recommend the City Council grant approval of the petition for special land use and preliminary site plan submitted by Mike Wood & Son Asphalt, Inc., for property located in Section 29 of the City of Laingsburg and as legally described in the petition based on the following reasoning and subject to the following conditions:

Reasoning:

1. Standards set forth under Section 704 (basis for determination) appear to be met subject to the conditions set forth below.
2. Standards set forth under Section 604 (preliminary site plan requirements) and Section 606 (standards for review) has been or can be met subject to the conditions set forth below.

Conditions:

1. Address outstanding issues and provide informational requirements outlined in items 3, 4 and 5 of staff's report in the final site plan that is required prior to any additional use or improvement on the site. A final site plan must be approved within 60 days of special land use approval by City Council.
2. Junk, debris, and non-business affiliated vehicles must be removed from the site within 30 days of special land use approval by City Council.
3. The MDEQ permit that is assumed to be required due to the location of the proposed improvements within the 100 year floodplain must be acquired and in effect within 180 days of special land use approval by City Council.
4. If the above conditions are not met, all equipment and vehicles must be removed from the property and the operation of the business is to cease and desist immediately. In that the use of the property would be in violation of the ordinance, all appropriate legal remedies, including fine, penalty, and seeking of injunctive relief, should be pursued if conditions are not met.

The motion carried unanimously.

The staff will prepare a document outlined the provisions of the recommendation of approval for the City Council's consideration. This document will also act to advise the petitioner of the conditions and seek their acknowledgment of the conditions being applied.

The Planning Commission, as well as city staff and Pete Preston, Zoning Consultant for the City, have been working diligently for the past several months updating the city's

Master Plan. It is now ready to present the Plan to the City Council and adjacent communities for their review.

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Moved by Cherry, seconded by Meder and to ask the Laingsburg City Council for permission to proceed to distribute copies of the proposed 2009-2010 Master Plan to adjacent communities: Victor and Sciota townships, as well as Clinton and Shiawassee Counties. And after a 60-day review period the City Council will schedule a public hearing on the Master Plan. Motion carried.

As a courtesy, copies of the plan will also be distributed to the Laingsburg Community School Board, as well as the DDA and LBA.

Moved by Culpepper, seconded by Laux to adjourn. The motion carried and the meeting adjourned at 7:56 p.m.

Lana Kaiser  
City Clerk

