

**PROPOSED PLANNING COMMISSION PROCEEDINGS**  
**July 15, 2009**

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

Roll call: Jessica Bayer, Jim Cherry, Micheal Culpepper, Steve Laux, Randy Martin and Lana Kaiser.

Absent: Micheal Cassidy, Randy Meder and Mike Smith.

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

There was no public comment.

Moved by Bayer, seconded by Culpepper to approve the minutes of June 17, 2009, as presented. Motion carried.

A petition from Kim Hamilton has been received. The petitioner is requesting a special land use permit and has submitted a site plan, for a "Group Day Care Home" for the purpose of providing day care for seven (7) or more children, but less than thirteen (13) children.

The petitioned property is located at 325 Crum Street in the City of Laingsburg and is generally located at the southwest corner of Third North and Crum Street side of Grand River Road and east of Meridian Road. The property is approximately 0.4 acres. The petitioned area is zoned RM, Medium Density Residential and has historically been utilized at day care for six (6) or less children. The use of land surrounding the site is primarily single family residential. There is a church and associated educational facilities to the east of the site

Moved by Cherry, seconded by Bayer to open a public hearing to receive public input regarding the petition for a special land use permit and site plan for a "Group Day Care Home" at 325 Crum Street. Motion carried.

A public hearing commenced regarding the special land use permit and site plan of a Group Day Care Home at 325 Crum Street.

Pete Preston, Zoning Consultant for the City of Laingsburg, reviewed the staff report with those present. Paula Willoughby, Zoning Administrator added that Kim Hamilton has applied for a zoning permit to erect a fence on the property, as shown on the site plan. The fence will be erected once the special land use and site plan are approved.

There was no public comment from the audience.

Moved by Kaiser, seconded by Bayer to close the public hearing for 325 Crum Street.  
Motion carried.

Moved by Laux, seconded by Cherry to recommend the City Council grant approval of the petition for special land use and final site plan submitted by Kim Hamilton for property located at 325 Crum Street in the City of Laingsburg and as legally described in the petition based on the follow reasoning:

1. Standards set forth under Section 704 basis of determination appear to be met subject to the conditions set forth below
2. Standards set forth under Section 605 (final site plan requirements) and Section 606 (standards for review) has been or can be met subject to the conditions set forth below.
3. That the use of the group day care home is a viable use for this property and that the petitioner work out details of the final site plan with staff.

#### Conditions

As it concerns the requirements for a final site plan and special land use, provide information as outlined in items 3, 4 and 5 of staff's report, dated July 7, 2009.

The motion carried unanimously.

The next item on the agenda was a petition received from Mike Wood, President of Mike Wood and Son Asphalt, Inc. The petitioner 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 entire petitioned area is zoned C-2 and is in violation of the Zoning Ordinance and the petitioner has been officially notified of this. The use of land surrounding the site is residential and commercially used, planned or zoned.

Moved by Kaiser, seconded by Laux to open a public hearing to receive public input regarding the petition for a special land use permit and site plan for the construction of a 80' x 80' structure for storing and maintaining vehicle and using portions of the site for outdoor storage of vehicles and equipment. Motion carried.

A public hearing commenced regarding the Special land use permit and site plan for a contractors establishment with outdoor storage at 635 W. Grand River Road.

The applicant is still waiting for documentation from the D.E.Q. to build on this parcel.

There was no public comment from the audience.

Moved by Bayer, seconded by Laux to close the second public hearing. Motion carried.

Moved by Cherry, seconded by Bayer to table the petition for a special land use and site plan approval from Mike Wood & Son Asphalt, Inc. for property located at 635 W. Grand River and as legally described in the petition based on the following reasoning:

#### Reasoning

Additional information is needed for the Planning Commission to ascertain if the standards outlined in Section 704 can be met.

The motion carried unanimously.

A petition filed by Richard and Deidre Hafner to re-locate Cinders Grill Restaurant to 205 E. Grand River Road

Public comment was received from those in attendance. The Planning Commission determined that the comments did not pertain to the site plan.

Moved by Laux, seconded by Cherry to approve the petition for final site plan submitted by Richard & Deidre Hafner for property located at the northeast corner of Grand River Road and Roosevelt Row and as legally described in the petition based on the following reasoning and subject to the following conditions:

#### Reasoning

1. Standards set for under sections 605 (final site plan requirements) and Section 606 (standards for review) have been or can be met subject to the conditions set forth below.

#### Conditions

1. Provide information as outlined in item 3 of the Cinder's Grill Major Change of Use Site Plan Review staff report dated July 8, 2009.
2. Resolve issues as presented in Items 4 and 5 of the staff report in the final site plan as required.
3. No improvements or use of the site shall be implemented for the purposes petitioned until the Planning Commission approves a final site plan.

The motion carried unanimously.

Proposed Planning Commission Proceedings  
July 15, 2009 – pg. 4

The Planning Commission has been discussing ORV (off road vehicles), which under the current ordinances are not allowed in the City. Amending the City's Disabled Motor Vehicle Ordinance would allow them under certain conditions.

Moved by Cherry, seconded by Bayer to forward the amendments to the City of Laingsburg's Disabled Vehicle Ordinance to the Laingsburg City Council for their review and consideration of the proposed amendments to this ordinance. Motion carried.

Moved by Bayer, seconded by Martin to adjourn. The motion carried and the meeting adjourned at 8:23 p.m.

Lana Kaiser  
City Clerk