

**MINUTES  
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION  
COUNCIL CHAMBERS, CITY HALL  
MONDAY, DECEMBER 11, 2017 – 6:30 P.M.**

**CALL TO ORDER:** Chairman Wascher called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:** Recited.

**ROLL CALL:** Assistant City Manager Susan Montenegro

**MEMBERS PRESENT:** Chairman Wascher, Vice-Chair Livingston, Secretary Janae Fear (arrived at 6:32 p.m.), Commissioners Jake Adams, Michelle Collison, Tom Cook, Brad Kirkland (joined discussion after Site Plan approval) and Tom Taylor.

**MEMBERS ABSENT:** Commissioner Dan Law

**OTHERS PRESENT:** Assistant City Manager Susan Montenegro, Bill Brown, City Attorney, Michael Brogran of the Hathaway Group, Ron Mallory, Contractor representing Elite Early Learning Center and Kendra Nichols, Director of the Elite Early Learning Center, Justin Horvath, SEDP.

**APPROVAL OF AGENDA:**

**MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE AGENDA FOR DECEMBER 11, 2017.**

**YEAS ALL. MOTION CARRIED.**

**APPROVAL OF MINUTES:**

**MOTION BY COMMISSIONER COOK, SUPPORTED BY VICE-CHAIR LIVINGSTON TO APPROVE THE MINUTES FOR THE NOVEMBER 27, 2017 MEETING.**

**YEAS ALL. MOTION CARRIED.**

**COMMUNICATIONS:**

1. Staff memorandum.
2. PC minutes from November 27, 2017.
3. Site Plan Review Application – 912 S. Washington
4. Draft ordinance for Medical Marihuana

**COMMISSIONER/PUBLIC COMMENTS**

Michael Brogran of the Hathaway Group spoke about the draft Medical Marihuana ordinance.

Vice-Chair Livingston asked about the property on W. Oliver St that was just rezoned. It appears as if they are removing the front drive. There is a dumpster in the back without a screen or fence. Ms. Montenegro stated that removing the front drive was part of the requirements. At this time, a site plan review is not required as they are not changing the foot print of the area. She will address the screening of the dumpster with the owners.

Chairman Wascher stated that the Stewart St construction has been suspended for the winter, but the stop signs and street signs have not been put back in place. Ms. Montenegro will bring this to the DPW's attention. Commissioner Fear read about the suspended work on Facebook but were notices mailed to area residents? Ms. Montenegro will check into it.

**PUBLIC HEARING:**

None

**SITE PLAN REVIEW:**

912 S. Washington

Ron Mallory, Mallory Builders, presented for Elite Early Learning Center. The Center is requesting to build an indoor playground for the kids to have year round ability to play, regardless of weather. 92 x 95 pre-engineered building, with additional parking. The existing playground equipment and outdoor play area is currently present. An outdoor play area will still exist. The drainage would tie into the existing storm drain on site. Floor elevation needs to be above existing grade. Commissioners questioned if there was any feedback from the neighbors. Site plan reviews do not require a mailing to surrounding residents. This language could be added to the Planning Commission By-Laws that would require notices mailed within 300' for Site Plan Reviews.

**MOTION BY VICE-CHAIR LIVINGSTON AND SUPPORTED BY COMMISSION COLLISON TO APPROVE THE APPLICATION FOR SITE PLAN REVIEW FOR 912 S WASHINGTON STREET, PARCEL # 050-651-039-006-00 AS APPLIED AND ATTACHED HERETO IN PLANS DATED DECEMBER 1, 2017 BASED ON THE FOLLOWING CRITERIA: AS PRESENTED.**

**ROLL CALL VOTE:**

**AYES: COMMISSIONER ADAMS, COLLISON, COOK, FEAR, TAYLOR, VICE-CHAIR LIVINGSTON AND CHAIRMAN WASCHER.**

**NAYS: NONE**

**ABSENT: COMMISSIONERS KIRKLAND AND LAW**

**MOTION PASSED**

At this time, newly appointed Commissioner Bradley Kirkland was introduced and joined the meeting discussion.

**BUSINESS ITEMS:**

None

**ITEMS OF DISCUSSION:**

1. Draft ordinance language for Medical Marihuana Facilities Licensing. Look at proposed ordinance language and discuss. This discussion covers the Police Power Ordinance Draft.
  - Ms. Montenegro presented a draft of the Police Power Ordinance. This draft comes from MSU and is much less involved as opposed to the previous draft presented at last meeting. This draft is only 10 pages as opposed to the other which was 27 pages.
  - The first draft included a great deal of language that is not necessary for the City of Owosso.

- This draft covers the types allowed, how many and appropriate locations.
- The State’s Emergency Rules came out last week and covers certain areas such as co-location.
- Suggested Changes:
- Section 1003. Authorization of Facilities and Fees:
  - A. – Four locations of Provisioning Centers recommended. The other types of licenses would be open-ended, as zoning districts, the market, etc. would restrict the number.
  - Reminder - the draft goes to the City Council for final approval. They may make changes.
  - B. Add 3 years and add official review after 1 year by Planning Commission, then Council reviews after that.
- Section 1004. Requirements and Procedure for Issuing License:
  - A. Add wording including City issues and State issues as well.
  - B. Let staff determine.
  - Look at Liquor License application for sample.
  - F. Verify with Staff if 14 days is adequate or not.
- Section 1007. Penalties and Enforcement:
  - A. Remove wording for a municipal civil infraction and add Misdemeanor.
- Zoning Districts:
  - A. A grower would be allowed in I-1 districts.
  - B. Processor would be allowed in I-1 districts.
  - C. Provisioning centers would be allowed in I-1 districts
  - D. Secure transporter would be allowed in I-1 districts.
  - E. Safety compliance facility would be allowed in I-1 districts.
  - Additional discussion was held regarding whether to allow provisioning centers in the downtown business district.

Ms. Montenegro suggested that planning commission members take time to drive around town, looking at specific zoning areas looking at land use in the surrounding areas prior to the next meeting in January. Amendments to the above sections will be made and presented at the next meeting on January 22, 2018. Planning Commission will go over the remaining of the draft ordinance pages 6 to 10.

**COMMISSIONER/PUBLIC COMMENT:**

None

**ADJOURNMENT:**

**MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER TAYLOR TO ADJOURN AT 8:25 P.M. UNTIL THE NEXT MEETING ON JANUARY 22, 2018.  
YEAS ALL, MOTION CARRIED.**

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Janae L. Fear, Secretary