

City of Perry - Planning Commission
Meeting Minutes – December 13, 2021

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CITY OF PERRY

Members present: Cottrell, Lambert, Jones, Muller, Ottke

Member(s) absent: Lewis, Wallace

Guests: Mindy Galbavi

Call to order: by Chairperson Ottke at 7:00 pm

Special Meeting Commences

New Business:

- Further Discuss Zoning Change for Marihuana Vote. Specifically, discuss potential zoning districts for a medical marihuana dispensary:

Lambert shares that he met with Eric Fazzini from CIB along with the Ordinance Committee. During their meeting, they delved into some of the same information we (The Planning Commission) went through. Marihuana facility ordinances were discussed and the consensus is that Eric is going to organize all the nearby city's ordinances and Perry's ordinance is going to be based on those of the cities in our vicinity (i.e. Laingsburg, Owosso, Chesaning). From there, the Ordinance Committee will meet and decide which city's ordinance verbage they like best or perhaps create a new ordinance that encompasses the ideal/suitable parts of the other city's ordinances.

Cottrell informs the Commission that she looked at special use and zone B1, and found the businesses permitted in those zones to be closest to a dispensary. She also looked at parking availability, and found that B1 has the best parking situation and less limitations than the other zones. Furthermore, Cottrell shares a map sketch on her computer that takes into account the requirement that the dispensary be at least 1,000 feet from the school.

Discussion ensues about why perhaps sectioning of B1 would be an ideal zone for the dispensary. Lambert proposes that the northern part of zone B1 could be sectioned off so that the dispensary is not stacked against residential areas.

As Lambert reiterates, Perry as a city has the authority to section off zone B1 and create a new zone for the medical marihuana dispensary- it could be called zone B2 as an example.

Muller states that he agrees sectioning off B1 and creating a new zone (i.e. B2) would, in his opinion, be the ideal permissible zone for a dispensary.

Ottke suggests that we can use all of zone B1 so that it is less restrictive but can stipulate that the dispensary cannot be closer than 500 feet from any residential and 1000 feet from schools.

Guest, Mindy Galbavi, mentions that business owners or residents can always voice concern if the potential location of the dispensary is near their home or business negatively impacts them.

Discussion commences about why downtown could still be an allowable zone for a dispensary and we should not automatically dismiss it as an allowable location. Jones shares his belief that downtown could attract more people to the downtown area which could create prosperity for nearby businesses.

Muller expresses concerns over parking availability within the downtown area and the implications it could create if a dispensary was located downtown.

Lambert shares that he has found that within the City of Chesaning's Ordinance, from his assessment, they did not define a distance requirement from residential areas in their ordinance. However, they did stipulate a required distance from schools and churches.

After discussing Chesaning's ordinances and how they required a certain distance between dispensaries and churches, the Commission generally agrees that not stipulating a distance requirement between Perry's future dispensary and its existing churches is the best course of action regarding the matter.

Discussion continues about not wanting to be too restrictive as to where the dispensary should be located- commission entirely agrees that we do not at all want to be too prescriptive as to the allowable area for a dispensary.

The idea is proposed by Lambert that we could look into lowering the 1,000 ft requirement in the vicinity of the school so that more of B1 is viable for a dispensary. Lambert states that he will look into the potential of reducing the 1,000 ft requirement.

Muller states that he believes sectioning off B1, especially if we can reduce the distance requirements, is not too prescriptive and leaves a lot of options for the dispensary to be located.

Jones and Cottrell state that we as the Commission need to find out if the distance requirements are from the actual school building(s) or the property line of the school.

After discussing allowing a larger viable area for a dispensary, the commission has varying opinions about whether or not a dispensary should be permitted within the downtown area.

Cottrell suggests allowing the dispensary to be in the B1, CBD, and MXD zones.

Guest, Mindy Galbavi, asks how we will determine requirements for parking.

In response to Mindy's question, the Planning Commission agrees we will need to look at other city's ordinances to see what their parking requirements are for medical marihuana dispensaries.

The Planning Commission concludes that parking and lighting requirements among other requirements for the medical marihuana dispensary need to be discussed at our next meeting.

Further discussion about the zoning for the marihuana dispensary will take place at our next meeting.

Ottke states he will find out what exactly we would need to do to change Perry's zoning.

In closing, Chairperson Ottke advises we research special land use so we have that together before we submit our recommendations to City Council.

Old Business: None discussed at this Special Meeting.

Next meeting: January 3, 2022 @ 7pm in City Hall's Council Chambers.

Other Comments: None

Adjournment: Meeting Adjourned at 8:30 pm by Chairperson Ottke.