



**CITY OF WALLED LAKE  
PLANNING COMMISSION  
TUESDAY, MAY 10, 2022**

The Meeting was called to order at 7:30 p.m.

Pledge of Allegiance led by Chairman Wolfson

**ROLL CALL:** O'Rourke, Owsinek, Whitt, Wolfson, McComas

**ABSENT:** Novak, Palmer

**OTHERS PRESENT:** Confidential Assistant Jaquays, Planning Consultant Ortega, City Attorney Vanerian, City Clerk Stuart

**REQUESTS FOR AGENDA CHANGES: NONE**

**APPROVAL OF MINUTES:**

**PC 05-01-22 APPROVAL OF THE MARCH 8, 2022 PLANNING COMMISSION MEETING MINUTES**

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To approve the March 8, 2022 Planning Commission minutes.

**AUDIENCE PARTICIPATION: NONE**

**COMMUNICATION: NONE**

**PUBLIC HEARING:**

- 1. C- 361-22 Amendment to Chapter 51, Article 2.00, Section 51-2.02 "Definitions" as provided by this ordinance**

*Open Public Hearing 7:32*

*Close Public Hearing 7:33*

City Attorney Vanerian explained how the amendment addresses some of the definitions in the zoning ordinance so the definitions can be used more specifically.

Commissioner Whitt stated that the amendment was presented before council for first reading.

City Attorney Vanerian explained that City Council then referred the amendment to the planning commission for the required public hearing. Mr. Vanerian said any comments or recommendations that planning commission would like to make can be forwarded to City Council.

Commissioner Robertson said he would recommend the ordinance amendment to City Council for second reading.

Commissioner Owsinek said he has reviewed the ordinance amendment as well and that he would recommend the amendment to City Council.

Commissioner O'Rourke said he would like more time to review the ordinance.

**PC 05-02-22                    MOTION TO FORWARD C- 361-22 AMENDMENT TO CHAPTER 51, ARTICLE 2.00, SECTION 51-2.02 "DEFINITIONS" AS PROVIDED BY THIS ORDINANCE TO CITY COUNCIL**

Motion by Robertson, seconded by Owsinek, CARRIED: Motion to forward C- 361-22 amendment to Chapter 51, Article 2.00, Section 51-2.02 "definitions" as provided by this ordinance to City Council

Roll Call Vote

Ayes (4)	Owsinek, Robertson, Whitt, Wolfson
Nays (1)	O'Rourke
Absent (2)	Novak, Palmer
Abstention (0)	

**PC 05-03-22                    MOTION TO AMEND THE MAIN MOTION TO LAY OVER C- 361-22 AMENDMENT TO CHAPTER 51, ARTICLE 2.00, SECTION 51-2.02 "DEFINITIONS" AS PROVIDED BY THIS ORDINANCE TO CITY COUNCIL UNTIL JUNE 2022**

Motion by Whitt, seconded by Owsinek, CARRIED: Motion to amend the main motion to lay over C- 361-22 Amendment to Chapter 51, Article 2.00, Section 51-2.02 "definitions" as provided by this ordinance to City Council until June 2022

Discussion

Commissioner O'Rourke asked for clarification if the amendment to the main motion would post-pone City Council from taking action this month?

Commissioner Wolfson said the planning commission can recommend to council to lay over the amendment to give more time to the commissioners and public to review.

#### Roll Call Vote

Ayes (4)	Owsinek, Robertson, Whitt, Wolfson
Nays (1)	O'Rourke
Absent (2)	Novak, Palmer
Abstention (0)	

**UNFINISHED BUSINESS:            NONE**

#### **NEW BUSINESS:**

##### **1. PC295- Zoning Site Plan- 900 Ladd Road**

City Planner Ortega said the applicant is proposing a class C Adult marijuana grow facility at 900 Ladd Road which is zoned I-1, limited industrial district. Mr. Ortega described the existing site characteristics. Mr. Ortega said there are some inconsistencies with the site plan and the application, and which type of marijuana license they are applying for. Mr. Ortega explained that the City has approved for a maximum of three growers in the I-1 District. Mr. Ortega said the floor plan needs to be revised to reflect if there are one or two operators. Mr. Ortega said additionally, there needs to be clarification that no activities related to growing marijuana will be conducted outside of the building. Mr. Ortega said the City's ordinance requires the applicant to submit a security plan that is subject to review by the Police Chief. Mr. Ortega also advised the applicant that they should submit a lot split application because the current legal description includes the existing road right of way, which should be dedicated to the City. Mr. Ortega said the provided parking exceeds the required amount and the site does provide a dumpster enclosure. Mr. Ortega noted that a landscaping plan has not been submitted. Mr. Ortega said additionally, the applicant should provide a detailed photometric plan. Mr. Ortega summarized the applicant's proposal and provided clarification on the outstanding items should the commission grant site plan approval.

Commissioner Robertson asked for clarification on the 2 grow rooms and the 2 veggie rooms.

Attorney Kejbou said he is here tonight representing Sun Farms LLC. Mr. Kejbou explained that there will only be one operator in the facility. Mr. Kejbou said that there are different phases of the grow process and explained what operations are done in the grow room versus the veggie room. Mr. Kejbou said there are two of each room because of the variety of strains that will be grown. Mr. Kejbou said his client is applying for a class C adult marijuana grow license. Mr. Kejbou said he has no issues with completing a lot split to clarify the legal description. Mr. Kejbou said he has no objections to having the Police Chief review the security plans. Mr. Kejbou said the applicant will submit a photometric plan. Mr. Kejbou said he believes the proposed plans are fitting for the facility.

Commissioner O'Rourke asked Mr. Ortega if he could speak to the concerns presented in the Fire Marshal's letter.

City Planner Ortega said the applicant will need to comply with the 2018 Fire Codes. Mr. Ortega said City Administration has an extensive process post-site plan review to ensure the remainder of the licensing requirements through the state is followed thoroughly before the applicant receives a C of O. Mr. Ortega said the Fire Marshal and Building Official will also complete inspections.

Commissioner Wolfson asked if the commission should table the case due to some outstanding items?

Attorney Kejbou opined that the outstanding issues were mostly clerical. Mr. Kejbou said the lighting plan will straightforward and in compliance with the ordinance. Mr. Kejbou said when building plans are submitted it will be detailed.

**PC 05-04-22                    MOTION TO APPROVE PC CASE 295 FOR SITE PLAN  
APPROVAL CONTINGENT UPON MEETING THE CRITERIA  
FROM CONSULTANT CITY PLANNER DATED MAY 4, 2022  
AND FIRE MARSHAL LETTER DATED MAY 5, 2022 WITH  
ADMINISTRATIVE REVIEW OF THE LANDSCAPING PLAN  
AND PHOTOMETRIC PLAN**

Motion by Robertson, seconded by Whitt CARRIED UNANIMOUSLY: Approve PC Case 295 for site plan approval contingent upon meeting the criteria from consultant city planner dated May 4, 2022 and fire marshal letter dated May 5, 2022 with administrative review of the landscaping plan and photometric plan

**COMMISSIONERS COMMENTS: NONE**

**PC 05-05-22                    ADJOURNMENT**

Motion by O'Rourke, seconded by Owsinek, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:13 p.m.

  
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Hana Jaquays  
Recording Secretary

  
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Neal Wolfson  
Chairman