



**Thursday, January 26, 2023
7:00 P.M.**

Chairperson Rossmassler called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Rossmassler, Grossmeyer, Anderson, Steffey, Campbell, Csapo, Siwik
Absent: Senyko
Others Present: Jason Payne, Building/Zoning Administrator, Carmine Avantini
CIB Planning & Consulting, Steve Guy, Fenton Water Plant Supervisor

MINUTES

Motion by Grossmeyer, supported by Csapo, to approve the minutes from the November 17, 2022. Motion passed.

BUSINESS/PUBLIC HEARINGS

- A. Public Hearing – To allow public comment to consider a special land use for the Destruction Depot, located at 1390 N. Leroy, to have indoor entertainment for axe throwing and other activities. The property is zoned GBD, General Business District, where entertainment establishments are permitted by special use.**

The hearing was opened at 7:03 pm. There were not speakers and the hearing was closed.

- B. PSLU22-0006 – Special Land Use request from the Destruction Depot, located at 1390 N. Leroy, who is requesting an axe throwing, rage room, and arcade facility.**

Carmine Avantini, CIB Planning gave the following review:

We have reviewed the above special land use request to build out an existing 4,311 square foot space in the Towne Center Shopping Center at 1390 N. Leroy Street. The proposed use is as an indoor entertainment center with axe throwing, rage rooms, and virtual entertainment options. Hours of operation are from 1-9 pm Monday through Thursday; 1-11 pm Friday & Saturday; and 1-7 pm on Sunday. They anticipate having four (4) staff on-site during busy hours and can increase that number on an as-needed basis. No exterior changes are proposed for the site and a detailed description of the business has been provided by the applicant. The property is zoned GBD, General Business District, where entertainment uses within an enclosed building are special land uses in that District.

The opinions in this report are based on a review of the application submitted by the applicant and conformance to City plans and ordinance standards. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, additional information provided by the applicant, input provided during the public hearing, and your own findings based on ordinance standards as part of your deliberation.

GENERAL SPECIAL LAND USE STANDARDS

According to *ARTICLE 14*, any special land use must adhere to all of the following general standards listed in the Zoning Ordinance:

1. Be compatible and in accordance with the goals, objectives, and policies of the City of Fenton Master Plan and promote the intent of the zoning district in which the use is proposed.

Finding - In compliance: The subject site is located in an area designated commercial and one of the Master Plan goals is to “eliminate or minimize impacts of existing land use conflicts and prevent new conflicts from occurring through sound planning and zoning.” The subject use is located in the center of a shopping plaza and should not pose a conflict to surrounding land uses. In addition, the intent of the GBD District is “to accommodate commercial establishments that serve community-wide shopping and service needs” and the proposed use will draw customers from throughout the Fenton community.

2. Be constructed, operated, and maintained so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed.

Finding - In compliance: The proposed use will be indoors and will have external characteristics similar to other uses currently in the shopping center and not change the character of the area.

3. Be served adequately by public facilities and services, such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, and primary and secondary schools.

Finding - In compliance: The subject site will be adequately served by existing facilities and roads.

4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, smoke, odors, or other such nuisance.

Finding - In compliance: Based upon the information provided by the applicant, the special use should not have a negative impact on the above items through the excessive production of noise, traffic, etc. The shopping center parking lot is rarely, if ever, completely full

RECOMMENDATION

Based upon the above analysis, **we recommend approval of the special land use for the Destruction Depot Special Land Use**, conditioned upon the following:

1. There being no external activities; and
2. Review and approval from all applicable consultants, departments and agencies.

At this time, the applicant, Mr. Matt Crawford, 3546 Habitat Trail, Pickney, MI, gave a brief description of the what the business would entail. His first location was in Whitmore Lake which has been very successful so he would like to open another location here in Fenton.

The question was asked if there would be food and drink brought in by customers? Mr. Crawford stated no because he has limited space at this facility. He gave a breakdown of what each room will have in it. The question was also asked regarding the disposal of materials from the rage room. Mr. Crawford stated he does a weekly run to the recycling center. He may use Scrap Dog which isn't too far from the facility. He works with resale shops for materials to use in the rage rooms but does not use anything with batteries or liquids.

MOTION by STEFFEY, supported by GROSSMEYER, to approve the special land use for the Destruction Depot, conditioned upon the items listed in the CIB letter dated January 3, 2023.

MOTION PASSED (7-0) Grossmeyer – yes, Csapo – yes, Campbell – yes, Steffey – yes, Rossmassler – yes, Anderson – yes, Siwik – yes

CALL TO THE AUDIENCE

No one this evening.

ADMINISTRATIVE ITEMS

- **2022 Planning Commission Annual Report**
- **City of Linden Master Plan Notice**
- **Resignation Letter from Wesley Whittaker**

Payne gave a quick review of all the items above. He was also asked by City Council to discuss the time the Planning Commission meets. Commission Member Grossmeyer added that it was

brought up at the January Council Meeting that there is really no particular reason this board meets at 7 pm; there is nothing in the Charter that states a specific time. So, Council said that if the Boards and Commissions wanted to change the time they meet to an earlier time, they could do so. This would also help the city employees who oversee more than one Board and are here after hours for those meetings as well. They could remain after work to set up for said meetings and not have a two hour lapse between work and the meetings.

After some discussion, the majority of the Board was agreeable to meet at 6 pm; however, one member preferred it to remain at 7 pm. The decision was left on hold to see if arrangements could be made for the one night the Planning Commission meets. Discussion will be revisited at the next meeting.

CIB ITEMS

- **City of Fenton Planning Commission Training 2023**

Carmine Avantini, CIB Planning, did a presentation on the roles and responsibilities of the Planning Commission covering the master plan, zoning ordinances, site plan reviews, special land uses, and planned unit developments. A lot of great information was shared with good discussion.

- **Wellhead Production Information From Steve Guy (City of Fenton Water Treatment Facility Superintendent)**

Steve Guy, Water Treatment Superintendent, shared great information and went over the wellhead protection zones and responsibilities business owners have in protecting the city's ground water.

COMMISSION MEMBER ITEMS

Steffey asked about the status of El Topo. Payne stated they are going to demolish the building and bring new plans for a two story restaurant.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Respectfully submitted by,

Linda Davis

Recording Secretary