

**IMLAY CITY PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 25, 2025
6:00 PM**

1. CALL TO ORDER

Walt Bargaen called the Regular meeting to order at 6:00 PM.

2. PLEDGE OF ALLEGIANCE

Bargaen led the Pledge of Allegiance

3. ROLL CALL

Present: Chairman Walt Bargaen, Mayor Barbara Yockey, Frank Demske, Bob Tanis

Absent: Vice-Chair James Blount, Tom Germaine, John Lengemann

Also Present: City Manager Craig Horton, Zoning Administrator Lonnie Hayes, Spicer Community Planner Michael Daly-Martin, Spicer Community Planner Faith Vignola, Wade Trim Professional Planner Caitlyn Habben, Police Chief Brett Selby, DDA Director Christine Malzahn, Clerk/Treasurer Dawn Sawicki-Franz and public

4. APPROVAL OF AGENDA

MOTION by Tanis seconded by Demske to approve the agenda with the addition of **NEW BUSINESS D. BLIGHT**

MOTION CARRIED UNANIMOUSLY

5. APPROVAL OF MINUTES

MOTION by Yockey seconded by Tanis to approve the regular Planning Commission meeting minutes of January 28, 2025

MOTION CARRIED UNANIMOUSLY

6. FINANCIAL REPORT ENDING – DECEMBER 2024 AND JANUARY 2025

Bargaen asked if there were any questions or comments regarding the Planning Commission's December 2024 and January 2025 financial report and then accepted them as presented

7. CITIZENS FROM THE FLOOR

NONE

8. PUBLIC HEARING

A. ARTICLE: 2 DISTRICTS, DIVISION 3: COMMERCIAL SECTION 2.25: PERMITTED USES

1. NOTICES AND PUBLICAITONS TO RECORD

MOTION by Yockey seconded by Tanis to enter notices and publications to record

MOTION CARRIED UNANIMOSUSLY

2. PUBLIC HEARING – OPEN

Chairman Bargaen **OPENED** the Public Hearing at 6:03 PM

3. PUBLIC COMMENT

Spicer Planner Daily-Martin stated that we need to discuss the zoning amendments to the B-2 Central Business District including professional services.

Chairman Bargaen asked about mixed uses in downtown such as business in the lower level with living quarters up above.

DDA Director Malzahn pointed out that many areas of the permitted uses chart not marked with P (Permitted) are already located in the downtown district such as personal, medical and business services, bars, taverns, lounges, animal grooming and more, then continued asking do we want to add these uses to permitted or have them on a case-by-case basis?

City Manager Horton shared that perhaps a case-by-case basis with having the Planning Commission approval would be a positive and we could have the Police Chief expand on

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this, as we currently have a meat processor downtown right next to a restaurant that has impacted the restaurant's business. In addition, stated we would not want a machine shop with oils and smells right next to a restaurant as this would not be good for either business. Spicer Planner Daily-Martin continued by stating that how each use is permitted may be valid to consider each on a case-by-case basis, to think about what the potential impact to the downtown area that each use may be, then shared the difference between special land use (SLU) and conditional land use (CLU).

4. **PUBLIC HEARING – CLOSED**

Chairman Barga **CLOSED** the Public Hearing at 6:23 PM

5. **ACTION**

NO MOTION, DISCUSSION ONLY

9. **UNFINISHED BUSINESS**

A. SITE PLAN REVIEW M-53 PROPERTIES LLC, 1872 S. CEDAR STREET I19-85-234-040-00

Spicer Planner Daily-Martin referenced the Spicer Planner's Imlay City Planning Commission Staff Report dated November 19, 2024 - REVISED February 18, 2025.

Spicer Planner Faith Vignola highlighted with discussion, the list of 14 outstanding items from the presented site plan with Dan Rivet as he answered questions from their list of unmet requirements to clarify.

MOTION by Yockey seconded by Demske for a conditional approval of the site plan based on the list of 14 items from Spicer Planner's review letter report REVISED dated February 18, 2025 to be taken care of by the developer with the additional condition that an approved deferral for landscaping surrounding the retention pond until the residential housing project and/or 2030 whichever comes first and waiver of indentation, all with management review and including the variances that will need to be obtained prior, at the ZBA board.

ROLL CALL VOTE

Ayes: Yockey, Demske, Tanis, Barga

Nays: None

Absent: Blount, Germaine, Lengemann

MOTION CARRIED UNANIMOUSLY

B. MASTER PLAN

Wade Trim Professional Planner Habben reported on the open houses that were held with the City and Imlay Township together last fall and their successful meetings with great feedback and input by both. Then Habben highlighted each section of the Future Land Use Plan, Implementation Plan and Neighborhood Improvement Authority (NIA) and gave statistics included in the plan for reference. Three items to keep in mind from the survey results of the community: 3) Desire to be a place that children and young people want to be and stay in the area, 2) Additional housing is needed and demographic pull, 1) Sidewalks – fixing and maintaining as well as increasing sidewalks are needed (filling in the gaps in residential areas with sidewalks on both sides of the streets) as well as ADA compliance on VanDyke-the train bridge gateway sidewalk was a great improvement in this area. The final step of the process is to review the pre-public hearing draft and have the City Commission authorize the draft for a public hearing. The Special Meeting is scheduled for Wednesday, April 9, 2025 at 6:00PM and will be held jointly with the City Commission, the Planning Commission and the DDA. This meeting will also serve as the public hearing for the NIA District establishment.

MOTION by Demske seconded by Tanis to recommend authorization of the Master Plan as presented and forward this to the City Commission to ask City Commission to put this out to public hearing.

ROLL CALL VOTE

Ayes: Demske, Tanis, Yockey, Barga

Nays: None

Absent: Blount, Germaine, Lengemann

MOTION CARRIED UNANIMOUSLY

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10. NEW BUSINESS

A. KEEPING OF ANIMALS

Discussion regarding Appendix I: Current Ordinances-City of Imlay City, Michigan Code of Ordinances a. Title IX, Chapter 95, Section 07-Animals. Recommended by the Planning Commission to leave this ordinance as is.

NO MOTION, DISCUSSION ONLY

B. ANNUAL PLANNING COMMISSION REPORT

Presentation of the City of Imlay City Planning Commission 2024 Report by Wade Trim Professional Planner Habben as a requirement of the Planning, Zoning and Enabling Act and as part of the Redevelopment Ready Community (RRC)

MOTION by Tanis seconded by Demske to accept the Planning Commission 2024 annual report and send this to City Commission for their review.

MOTION CARRIED UNANIMOUSLY

C. PLANNING SERVICES DISCUSSION

City Manager Horton informed that our current City planner Spicer Group Inc have shared that it is time to go out for RFP for services and Horton is currently working on an RFP to go out requesting planner services for the City.

NO MOTION, INFORMATIONAL ONLY

D. BLIGHT

Police Chief Selby specified that the downtown area of the City of Imlay City, has building owners and business owners. The Police Department along with the City are looking for compliance and are now looking at these building owners' buildings that are vacant and/or using their businesses as storage, which causes issues with blight, vermin, and state and local fire codes. We are only looking for compliance. We want these businesses to operate their locations as a viable business so that there is activity and contribution to the downtown. The first five businesses that are not following the ordinances are now going to court.

DDA Director Malzahn agreed with Chief Selby that one of the difficulties is that the downtown area has business owners that have no incentive to rent their space or sell their space, or get a tenant in there in order to contribute to our historic downtown. Some of the DDA Board Members desire to really enforce as blight, the harm that those business owners who aren't engaged are creating and causing a negative effect on all the other business owners in town, by them not utilizing their space as it is zoned. This is causing harm to other business owners that are trying to operate within the law. We need to help Chief Selby and Code Enforcer Charlie do their jobs by holding business owners accountable for the "inaction" as well as their "action". A very strongly worded ordinance is imperative.

Wade Trim Professional Planner interjected her expertise stating that a multi-disciplinary approach should be considered. When the code of ordinance is updated – have a conversation with the police department, have a conversation with the fire department - regarding what needs to be changed. Review what are the problems and what are the ordinances that need to be in place to remedy the problems and review real case scenarios. Every change in occupancy or change in use, requires a permit so we know what is happening in the downtown.

Chairman Barga asked City Manager Horton to administer this from the office.

City Manager Horton said we will draft something up and put it in front of you for review.

Zoning Administrator Hayes defined the difference between zoning ordinance and blight ordinance, and stated that the Planning Commission is charged with writing these ordinances.

NO MOTION, DISCUSSION ONLY

11. CITIZENS FROM THE FLOOR

NONE

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12. ADJOURNMENT

MOTION by Yockey seconded by Tanis to adjourn the meeting at 8:21 PM

MOTION CARRIED UNANIMOUSLY

Respectfully Submitted by: _____
Dawn Sawicki-Franz, Clerk/Treasurer

Approved by Planning Commission: April 22, 2025

Approved by City Commission: May 06, 2025