

PLANNING COMMISSION MINUTE SHEET
Regular Meeting

DATE **September 21, 2023**

TIME: **6:00** **P.M.**

1st ITEM ON AGENDA: ROLL CALL and DECLARATION of QUORUM

ROLL CALL:

	HERE	ABSENT
Chairperson Gilbert	X	
Vice-Chairperson Kelsey	X	
Commissioner Villines	X	
Commissioner Lyle	X	
Commissioner Afentul	X	

OTHERS PRESENT: Walter Rose, Whitney Abel, Jacqueline Womack, Ricky Womack, Jennifer Hunt, Elaine Estrada, Michael Whitman, Randy Gilbert, Jacki Robb, Leo Reyes

DECISION: Quorum

2ND ITEM ON AGENDA: Approval of the minutes of the last meeting on August 17, 2023.

DISCUSSION: None

MOTION MADE TO: Approve the minutes

MOTION MADE BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)

SECONDED BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)

ROLL CALL:

	AYE	NAY	ABSTAIN	COMMENTS
Chairperson Gilbert	X			
Vice-Chairperson Kelsey	X			
Commissioner Villines	X			
Commissioner Lyle	X			
Commissioner Afentul	X			

MOTION - - PASSES - FAILS

3RD ITEM ON AGENDA – Ricky & Jacqueline Womack are requesting a Rezone of their property at 607 W Rose Dr. (1 acre) from A-1(Rural Agriculture District) to A-2(Suburban Agriculture District) for residential purposes.

DISCUSSION: Ricky Womack spoke for the rezone. Stated that they are wanting to move to Tecumseh to live full time. They are planning to do a full remodel on the house and eventually want to build a shop and add on to the house as well.

None spoke against.

Gilbert asked if the city had any recommendation about the zoning change.

Rose stated that rezoning would bring the property into compliance.

MOTION MADE TO: Approve the Rezone

MOTION MADE BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)

SECONDED BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)

ROLL CALL:

	AYE	NAY	ABSTAIN	COMMENTS
Chairperson Gilbert	X			
Vice-Chairperson Kelsey	X			
Commissioner Villines	X			
Commissioner Lyle	X			
Commissioner Afentul	X			

MOTION - - PASSES - FAILS

4th ITEM ON AGENDA – Jennifer Hunt is requesting a Rezone of 3400 N 14th(Old Hilltop Tavern) (11 acres) from A-1(Rural Agriculture District) to C-3(Restricted Commercial District) with a Conditional Use Permit to operate a Liquor Store(Tabled from last meeting for further study and review).

DISCUSSION: Jennifer Hunt spoke for the rezone and conditional use permit. She is wanting to open a driver thru only liquor store. They made certain to notify all the surrounding residents. She has lived in the area for over 25 years and have investment property in town and in Pink. She stated that they completed a small impact study and found that the population of Tecumseh can sustain 2 liquor stores. A \$100,000 a year business will bring in a lot of tax money to help with town infrastructure and community development. Nothing unlawful will happen and they plan on signing a 5-year lease and will make it beautiful. There won't be any problems. Said they have tons of support from the community. She would like the opportunity to run a legal business. Definitely won't be a bar or dancers. She plans to make it look like a house.

Aftentul asked about any troubles they could have. Hunt stated that they can easily close the window and turn away any problem customers.

Lyle asked about the choice of location and stated that she had concerns about the intersection at Hwy 177/9 & Harrison Rd. Hunt stated that the whole stretch of road is dangerous and that she lost 2 nieces in a wreck on Hwy 9 further East. Hunt stated that she'd even be willing to pay for any additional Signage or Lighting that may be needed to make it safer. Lyle asked if they had looked at any other locations. Hunt stated that in order to open a bar they had to be in a township.

Lyle asked about drunk drivers and stated that just shutting the window on the customer still allows that customer to drive away inebriated. Hunt stated that it could also happen in town at other locations. Hunt said that they've only had to shut the window 3 times in the year and half they've been open in Pink.

Gilbert stated that the Y intersection there is incredibly dangerous from semis and large tractor trailers. ODOT has done 2 different studies on this intersection and how you can't easily get back onto Hwy 177.

Afentul stated that anywhere tractor trailers turn around are very dangerous. Cited Hwy 39 a while back had 2 deputies lost their life running into the side of one and there was not as much traffic there as there is here. Stated that the intersection is just too dangerous to put any kind of business in. Afentul also stated that he doesn't feel that a person can correctly judge the level of inebriation from a person seated inside a car. Hunt stated that that is wrong and they can easily tell. Afentul then asked about what if someone pulls up with a gun and employees call 911 then you end up with a Hot Pursuit right there and it jeopardizes our officers. Hunt stated that it is a lawful business and is highly regulated. Afentul stated that he's not against a liquor store but rather against any business located there. Afentul then asked about the Midnight closing time. Hunt stated that they would set the hours to any regulations the city required them to follow.

Gilbert stated that the section of roadway was very horrifically constructed. ODOT did a study and do plan on fixing it someday in the future. Hunt stated that that should not impede her business.

Michael Whitman spoke for the Rezone and Conditional Use Permit. Whitman stated that he is a small business owner of a cannabis company. He is legally licensed in a small town in Texas. He was originally in a different business where he worked his way up through the ranks but didn't enjoy it. Stated that he then met Jennifer Hunt who owns a dispensary. Whitman stated that every town in every community needs every dollar they can get. All businesses should be welcome as they would employ more people from the community. Everyone is all about Capitalism and free market enterprise. Whitman stated that he understands traffic issues and that people are going to continue doing what they are doing, and no one can stop them from doing that. Stated that that should not be reason for not opening a business. Accidents happen and are not meant to happen, like falling down stairs. If someone is planning on robbing someone they are going to do it in one place or another. No one can control other people. Whitman stated that he believes Jennifer should have the opportunity to open her business.

Jacki Robb spoke against the Rezone and Conditional Use Permit. Robb stated that she lives about 4/10th's of a mile north of the Old Hilltop Tavern. Robb stated that she is not against any business, she is opposed to the location. Robb stated that reason 1 is that it is a very dangerous intersection, and 2 if they don't leave by Hwy 9, they'll leave out the other direction past her house and is worried about the trash and the noise that would come from that traffic and is worried as well about the noise affecting her horses when she is trying pull them.

Gilbert asked if the staff had any comments. Rose stated no comment.

Gilbert asked if it would be subject to the 300ft rule for churches. Kelsey stated that they weren't close enough.

MOTION MADE TO: Reject the Rezone and Conditional Use Permit

MOTION MADE BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)
SECONDED BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)

ROLL CALL:

	AYE	NAY	ABSTAIN	COMMENTS
Chairperson Gilbert	X			
Vice-Chairperson Kelsey	X			
Commissioner Villines	X			
Commissioner Lyle	X			
Commissioner Afentul	X			

MOTION - - PASSES - FAILS

5TH ITEM ON AGENDA: NEW BUSINESS - None

6TH ITEM ON AGENDA: ADJOURNMENT

MOTION MADE BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)
SECONDED BY: GILBERT VILLINES KELSEY LYLE AFENTUL (CIRCLE ONE)

ROLL CALL:

	AYE	NAY	ABSTAIN	COMMENTS
Chairperson Gilbert	X			
Vice-Chairperson Kelsey	X			
Commissioner Villines	X			
Commissioner Lyle	X			
Commissioner Afentul	X			

MOTION - - PASSES - FAILS

TIME: 6:20 P.M.

WHITNEY ABEL, P.C. SECRETARY

CHAIRPERSON

Minutes were passed and approved on October 19, 2023.