

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
SEPTEMBER 26, 2016**

A regular meeting of the City of Lapeer Zoning Board of Appeals was held in the Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Monday, September 26, 2016 at 7:00 p.m.

Members Present: Chairman Joe Black, Vice Chairman Bernard Jocuns, Mr. Paul Parsch, Mr. A. Wayne Bennett, Mr. Jeff Hogan and Mr. Wes Butterfield.

Members Absent: None.

Also Present: Mr. Scott Kree, Rowe Professional Services Company Planning Consultant.

Chairman Black called the meeting to order at 7:00 p.m.

MINUTES

It was moved by Mr. Bennett and supported by Mr. Jocuns to approve the minutes of the meeting held on August 22, 2016 as presented. **MOTION CARRIED.**

PUBLIC COMMENTS

There were no public comments

PUBLIC HEARING SCHEDULED

Escape Game Use Classification Determination

Mr. Kree reviewed the request from the Planning Department to interpret the definition of Amusement Arcade and determine whether or not an escape game business and/or a funhouse should be considered a use similar to amusement arcades pursuant to Section 7.22.05(a). Mr. Kree reported an escape game use was recently proposed at a CBD-2 zoned property, that the applicant has since withdrawn his request to operate at the proposed location and that the Planning Department is moving forward with the request for an interpretation in order to be prepared for similar proposals in the future.

Mr. Kree stated the zoning ordinance does not provide a clear definition for escape game type uses, reviewed the business plan submitted describing the use and stated amusement arcades is the closest definition in the current ordinance. Mr. Kree reported amusement arcades are currently a permitted use in the CBD-1 and CBD-2 districts and are permitted by Special Land Use in the B-2 district.

Chairman Black opened the public hearing at 7:10 p.m.

There being no comments, the public hearing was closed.

Discussion was held regarding the conditions amusement arcade uses are currently required to meet including vehicular entrances and access and minimum setbacks from schools, other arcades and residential properties. Discussion was also held regarding the demographic of escape game business patrons, similar operations in larger cities, whether or not the use is similar to seasonal haunted houses, efforts to increase fall activities in the downtown area, the fact escape game uses are not a seasonal use and the disappearance of amusement arcades over time.

The board discussed various options for interpreting the use classification including whether or not the use is similar to amusement arcades and regulating the use as such, whether a new definition and text amendment is required and the option of deferring the interpretation to the Planning Commission.

After discussion, it was moved by Mr. Parsch and supported by Mr. Hogan to determine escape game and funhouse uses are similar to an amusement arcade business use as defined in the ordinance and should be regulated as such. **MOTION CARRIED.**

ADJOURNMENT

There being no further business, it was moved by Mr. Jocuns and supported by Mr. Butterfield to adjourn the meeting at 7:38 p.m. **MOTION CARRIED.**

Mr. Joe Black
Chairman