



Cedar Springs Planning Commission Meeting

MINUTES

Tuesday, January 12, 2021

7:00 p.m.

Cedar Springs City Hall
66 S. Main St.
Cedar Springs, Michigan

1. City Clerk **Johnson** called the Meeting to Order at 7:00 p.m. The Pledge of Allegiance was recited.

Clerk to issued Oaths of Office to appointed/reappointed members: Daniel McGrath, John Nixon, and Clint Conley.

Clerk opened the floor to nominations for Chairperson.

Nixon seconded by **Hall** nominated Clint Conley for Chairperson.

Roll Call Vote **5-0** **Motion Carried.**

Clerk issues the Oath of Office to newly appointed Chairperson **Conley**.

Hogg arrived at 7:03pm

Chairperson opened the floor to nominations for Vice-Chairperson.

McGrath nominated Nixon for Vice-Chairperson.
Hall nominated McGrath Nixon for Vice-Chairperson.

Roll Call vote for Nixon for Vice-Chairperson.

Roll Call Vote **6-0** **Motion Carried.**

Clerk issued Oath of Office to newly appointed Vice-Chairperson **Nixon**.

2. ROLL CALL:

Mr. Clint Conley, Chairperson

Zoom-Cedar Springs, MI

Mr. Jerry Hall
Ms. Ashley Hamel
Mr. Matthew Hogg
Mr. Daniel McGrath
Mr. John Nixon, Vice Chairperson

Present
Present
Zoom-Cedar Springs, MI 7:03pm
Zoom-Cedar Springs, MI
Zoom-Cedar Springs, MI

3. Recognition of planning officials, engineering or legal representation.

Michael Womack (City Manager), Tim Johnson (City Planner), and Rebecca Johnson (City Clerk).

4. Motion to approve the minutes of the Special Meeting December 29, 2020.

Motion by **McGrath** seconded by **Hall** to approve the minutes of the Special Meeting December 29, 2020 with the amendment to change Hammel to Hamel throughout.

Voice Vote

6-0

Motion Carried.

5. APPROVAL OF AGENDA.

Motion by **McGrath** seconded by **Conley** to approve the agenda as presented.

Womack stated that item 8C was inadvertently left of the agenda under old/new business. He suggested holding two public hearings regardless.

Voice Vote

6-0

Motion Carried.

6. PUBLIC COMMENTS.

Those citizens wishing to speak on agenda and non-agenda items will be allowed a maximum of four minutes each to address their concerns. This is the only time during the meeting that citizens are allowed to address the Planning Commission. Please state your name and address for the record if you would like.

Sharon Magoon reported to the board that she was not in favor of marihuana establishments in the City of Cedar Springs.

Rose Powell reported that there is a blood drive on next Tuesday from 12pm-7pm at the Methodist church from 12pm-7pm and there is free COVID-19 antibody screening.

Brynadette Powell remarked that she is on the Zoning Board of Appeals for Solon Township and she thanked those who have volunteered their time for this board.

Craig Wilson reported that he thought that eight marihuana facilities was too many.

Gavin Schutten from Display Pack was in attendance for the purpose of the height restrictions on accessory uses.

Mike Gates thanked the new members for getting involved in the Planning Commission.

Kathy Bremmer wrote a letter which was read aloud. In summary she remarked that marihuana stores will change the neighborhood and goes against the small quaint feel identified in the Master Plan. She thinks that 6 applications are too many for a town that only has an estimated population of 3,700 people.

7. CONFLICTS OF INTEREST AND EX-PARTE COMMUNICATION INQUIRY.

None.

8. SCHEDULED PUBLIC HEARINGS.

- A. Special Land Use Of Kzoo Retailers, LLC D/B/A Kkind, at 206 and 218 N. Main Street Cedar Springs, MI 49319 for a Recreational (Adult-Use) Marihuana Retail Store.
 - a. 300 Foot letter

Conley opened the public hearing at 7:29pm.

Public Comment:

Craig Wilson opposed the project.

Mike Gates was in favor of the project.

Brynadette Powell remarked that marihuana businesses will be bringing in more security than any other buildings in town. She is in support of the project and is part of the sale.

Lisa was in support of the project.

Conley closed the public hearing at 7:33pm.

- B. Special Land Use Of Healing Organic Garden, LLC D/B/A White Pine Provisionary, at 4116 17 Mile Rd., Cedar Springs, MI 49319 for a Recreational (Adult-Use) Marihuana Retail Store and a Recreational (Adult-Use) Marihuana Class C Grower.
 - a. 300 Foot letter

Conley opened the public hearing at 7:33pm.

Public Comment:

Brynadette Powell remarked that updating these properties are important, but the rules do not permit the marihuana establishment at this location because the parcel is next to a single-family home.

Conley closed the public hearing at 7:37pm.

- C. Ordinance To Amend Chapter 40, Article 1, Section 40-6 Entitled "Definitions – N – Z;" Chapter 40, Article IV, Section 40-468 Entitled "Marihuana Establishments And Facilities;" Chapter 40, Article VIII, Section 40-575, Paragraph (G) Entitled "Marihuana Establishments" Of The Code Of Ordinances For The City Of Cedar Springs.

Conley opened the public hearing at 7:37pm.

Public Comment:

Rose Powell reported that there were was a 100-foot map starting at LUME that was missing from the packet and she thought the public should be able to review the map.

Brynadette Powell reported that the ordinance took over two years to pass and the proposed 100 ft buffer would eliminate many buildings that need a facelift. She stated that businesses should have been limited from the start and would also like the map to be included for public review.

Conley closed the public hearing at 7:33pm.

9. OLD BUSINESS.

- A. Motion to recommend the **approval** or **denial** to the City Council for the amendment of Ordinance Chapter 40, Article III, Division 13, Section 40-409 Entitled “Commercial And Industrial Side And Rear Setback Reductions” Of The Code Of Ordinances For The City Of Cedar Springs.

Motion by **McGrath** seconded by **Hamel** to table item 9A.

Voice Vote

6-0

Motion Carried.

10. NEW BUSINESS.

- A. Kkind Recreational (Adult-Use) Marihuana Retail Store at 206 and 218 N. Main St.
- a. Marihuana Establishment Application
 - b. Site Plan Application
 - c. SLU Application
 - d. Prequalification Status
 - e. Plans and community impact statement
 - f. Building renderings/elevations and site plan map
 - g. City Planner Report

T. Johnson reviewed his report. **Womack** reported that Pine Street is generally considered a drive way and would like some feedback regarding the façade. **Ron Shaefer** remarked that many of the items that Mr. Johnson identified have already been corrected. He requested that irrigation is waived because the landscaping provided does not require irrigation. He also reported that the black façade is part of the company branding, but if needed they could revise. **Womack** identified that turning left on Main street from the main entrance can be difficult and suggested traffic turning left use he light and the main entrance be a right turn only. **T. Johnson** supported making Main street entrance a one-way drive and narrowing the entrance on Main Street and angling the parking towards the building to aid in one way parking. Discussion regarding black versus grey façade. They requested color swatches of the paint choices for the façade to determine if it can be permitted under the ordinance. **Hall** also remarked that LUME requested corrugated steel on their façade and it was denied.

Motion by **Nixon** seconded by **McGrath** to table the request.

Voice Vote

6-0

Motion Carried.

- B. White Pine Provisioning Recreational (Adult-Use) Marihuana Retail Store and Class-C Grower at 4116 17 Mile Rd.
- a. Marihuana Establishment Application

- b. Zoning Permit Application
- c. SLU Application
- d. Prequalification Status
- e. Plans and community impact statement
- f. Building renderings/elevations and site plan map
- g. City Planner Report

T. Johnson reviewed his report. **Justin Sorensen** reported that they would be open to having a right turn only and plan to have the parking lot completed in summer 2021, and they are considering widening the drive way. Subway, Little Caesars, and Tobacco outfitters will remain in the building and the remaining part of the building will be updated into the cultivation center and retail center. **Nixon** questioned if the applicant would do a full redo of the existing drive/parking lot because it is beyond repair and noted that 300 customers per day is extremely high. **Justin Sorensen** responded that they have quotes for full redo and for a partial redo and if the City wants the entire parking lot redone, they would be willing to replace the entire parking lot. **T. Johnson** felt that the applicant should first contact the Kent County Road Commission regarding what type of drive they will permit at that location. **Womack** reported that he will get the applicant in touch with the City Engineer for a potential traffic study. **Hall** mentioned that the applicant could possibly install a “pork chop” right turn only island similar to Rite Aid. **Nixon** stated that a pork chop island would make it very difficult for 18 wheelers to get in and out of the parking lot. **Conley** inquired if the additional land purchase would allow for an access drive to White Creek. **Sorensen** remarked that there was one option that they were considering that could be possible, but wasn’t able to firmly commit to the possibility. **Hall** stated that for many years the City has tried to get cross access to White Creek, but that parcel prevented access.

Motion by **McGrath** seconded by **Hamel** to table the request until next month.

Voice Vote

6-0

Motion Carried.

C. Sec. 40-409 District Regulations-Maximum Building Height Exceptions Ordinance

T. Johnson cited section 40-448 of the ordinance that exempts silos.

Motion by **Hamel** seconded by **Hall** to remove the item from the agenda.

Voice Vote

6-0

Motion Carried.

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

A. Correspondence

- i. Sec. 40-446 – Walls and fences Ordinance Amendment Draft
 - i. City Manager Memo
- ii. Sec. 2-186-Membership Ordinance

B. Staff Comments.

- i. City Manager remarked that he Planning Commission does a lot of work and he thanked everyone for their hard work.
- ii. City Clerk

C. Planning Commission Members.

Conley remarked that the board has some questions before them regarding marihuana businesses and some of the unintended consequences of ordinances that were passed. We may need to have some discussion on what we can do to move forward. He has personal concerns about the density of marijuana businesses.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

Hall echoed the concerns of Mr. Conley regarding marihuana businesses in the city. He also would like to see more complete reports in the packet. He thanked the members that were reappointed and reported a new potential member coming soon.

13. REPORT OF THE PLANNING CONSULTANT.

None.

14. ADJOURNMENT.

Conley adjourned the meeting at 9:15pm.

Rebecca Johnson, City Clerk

Clint Conley, Chairperson