



**Cedar Springs Planning Commission Meeting**

**MINUTES**

**Tuesday, May 11, 2021**

**7:00 p.m.**

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

1. Conley called the meeting to order at 7:02 pm. The Pledge of Allegiance was recited.

2. ROLL CALL:

Mr. Jerry Hall	<u>Present</u>
Ms. Ashley Hamel	<u>Present</u>
Mr. Matthew Hogg	<u>Present-Zoom CS</u>
Mr. Jason Merlington	<u>Present</u>
Mr. Daniel McGrath	<u>Absent</u>
Mr. John Nixon, Vice Chairperson	<u>Present- Zoom CS</u>
Mr. Clint Conley, Chairperson	<u>Present- Zoom CS</u>

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

Michael Womack (City Manager) and Tim Johnson (City Planner)

4. Motion to approve the minutes of the Regular Meeting April 06, 2021.

Motion by **Merlington** seconded by **Hall** to approve the minutes of the Regular Meeting April 6th, 2021.

**Voice Vote**

**6-0**

**Motion Carried.**

5. APPROVAL OF AGENDA.

Motion by **Conley** seconded by **Hamel** to approve the agenda with modification to do NEW BUSINESS first and OLD BUSINESS second, due to expected time constraints.

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.*

**Brynadette Powell** stated that City Manager was hard to hear and asked that City Manager do something to be heard better

**Mike Murray** introduced himself and discussed his support for the setback ordinance change which would enable his proposed project to move forward

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

None

8. SCHEDULED PUBLIC HEARINGS.

- A. Proposed Ordinance To Amend 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.

**Conley** opened the public hearing.

**Mike Murray** discussed his future project at 4173 17 Mile Rd. and asked that the Planning Commission recommend to the Council approval of the setback ordinance change.

**Rose Powell** stated that she supported economic development in the City and that she supported the ordinance change.

**Conley** closed the public hearing.

- B. A Special Land Use For 45 W Pine Street, LLC D/B/A KindBuds, At 45 West Pine Street Cedar Springs, MI 49319: The Applicant Is Seeking Special Land Use Approval For An Adult-Use Marihuana Microbusiness. The Property Is Zoned B-3, The Applicant Requests Special Land Use Approval In That District. Special Land Uses Require Approval from The Planning Commission For This Request. The Parcel Number Is 41-02-25-277-008.

- a. Public Hearing Notice
- b. 300-foot letter
- c. John Sherburn Public Comment
- d. Lori Eckelstafer Public Comment
- e. Gerald and Marilyn Moyer Public Comment

**Conley** opened the public hearing.

**Brynadette Powell** stated that marihuana businesses bring lots of money into town, this property has been on the market to sell for many years and she was happy to see it bought and developed.

**Sue and Time Wolfe** stated that they owned property in that area and the opposed the marihuana store.

**John Wheeler** stated that he was a co-owner of Kindbuds and that he understands the concerns of community and that Kindbuds wanted to be a safe business that integrated well into City.

**Conley** closed the public hearing.

10. NEW BUSINESS. (agenda amended to do **NEW BUSINESS** before **OLD BUSINESS**)

- A. A Special Land Use For 45 W Pine Street, LLC D/B/A KindBuds, At 45 West Pine Street Cedar Springs, MI 49319: The Applicant Is Seeking Special Land Use Approval For An Adult-Use Marihuana Microbusiness. The Property Is Zoned B-3, The Applicant Requests Special Land Use Approval In That District. Special Land Uses Require Approval from The Planning Commission For This Request. The Parcel Number Is 41-02-25-277-008.
- a. Report of the City Planner
  - b. Site Plan Application
  - c. Site Plan information
  - d. SLU Application
  - e. Marihuana Application
  - f. Operation Plans
  - g. SLU Answers/Project Narrative

**Tim Johnson** reviewed his report and answered questions from Planning Commission members. **Michael Womack** discussed several aspects of the project and expressed Developer's concerns about receiving zoning approval prior to expiration of purchase agreement. **Merlington** indicated that the proposed business was better than current abandoned building and that if project met requirements that he had no concerns about location. **Hogg** indicated that he would be OK with approval at future date if site plan was completed. **Nixon** expressed opposition to approval due to proximity to neighborhood. **Hamel** stated that project was more than 1000 feet from school and that no problem to have 2 marihuana businesses in same vicinity, did research and marihuana businesses do not increase crime, CS is small city and everything is close to residential. **Hall** stated that this location is zoned commercial B3. **Conley** was concerned that approving of a marihuana business at this location could change character of the area which would violate SLU requirements. **Hamel and Hogg** stated that marihuana business should be treated similar to alcohol sales and Wesco sells alcohol next door. **Womack** stated that this was a commercially zoned area but that issue could be resolved with updated site plan. Developer can ask property owner for purchase agreement extension to past date of next PC meeting. **John Wheeler** stated that they want a safe business, want to comply with Planning Commission requirements and that the Wesco next door sells alcohol. **Dallas Vanbelkum** acknowledged that the site plan/application was missing some information and that Kind Buds would submit that additional information soon, expressed concern about purchase agreement close date. **Motion by Conley** to table review until future meeting, **seconded by Hall**. **Hamel** asked about strawpoll on future support to approve project so that developer doesn't waste time. **Conley** indicated that developer should be keeping track of expected level of support but that opinions could change with additional information submitted by applicant.

**Voice Vote**

**6-0**

**Motion Carried**

- B. Review and discussion on 13903 White Creek Ave. Fireworks Store parking lot expansion (Existing=47 spots, Required=25 spots, Proposed=75 spots)
  - a. Cover letter
  - b. Zoning Application
  - c. Civil Plans
  - d. Sec. 40-518
  - e. City Engineer Report

**Womack** explained that ordinance discourages excessive parking due to aesthetics and potential for unused parking to become blighted. Ordinance allows PC to permit parking above maximum if there is documented evidence of need for additional parking. **Womack** stated that this business does get very busy for several weeks prior to Independence Day and that the previous Agri-med site plan for this property had been withdrawn and was considered “dead” at this point. **Hall** indicated that sidewalk should be installed at this location. **Alex Medewa** is General Contractor and that virtually all business occurs in only 2 weeks per year at this location, thus need for increased parking. **Mike Pease** is owner and stated that traffic jams on road are created due to lack of parking. **Nixon** asked if parking lots could be connected to White Creek Lumber of Big Boy. **Merlington** asked what happens when the next business at this location doesn’t need that many parking spots. **Pease** indicated that he has spoken with Big Boy but not White Creek Lumber about using their parking area but that Big Boy doesn’t respond to requests. **Tim Johnson** stated that he did not formally review project but that the City Manager’s comments were good and that based on compliance with those comments, site plan probably approvable. **Motion by Hogg** to deny zoning approval of parking lot expansion. **Seconded by Nixon.** **Jackson Zuhl** is engineering consultant, requested ability to share screen on ZOOM of updated site plan and discussed incorporation of new safety elements compared to first draft. **Hogg withdrew Motion** based on new site plan, changed **Motion to table review until next meeting and encourage additional green space be created.** **Seconded by Conley.**

**Voice Vote**

**3-3**

**Motion Failed**

**Hall Motioned to approve, subject to site plan complying with City Manager’s noted requirements and subject to final approval of City Manager. Seconded by Merlington.** **Medewa** asked about lighting requirement. **Womack** stated that he would not require full photometric but would require some form of lighting.

**Voice Vote**

**5-1 (Nixon)**

**Motion Carried.**

- C. Sample Industrial Building Façade Requirements

**Womack** discussed the proposed industrial façade requirements. Commission members indicated desire to see updated draft that would allow corrugated metal but did not 100% of building to be corrugated metal, Commission members wants some architectural variation on building side that fronted to road and asked for updated draft at future meeting.

- D. Discussion on Cascade Twp. Ordinance soil erosion and sedimentation control
  - a. Likely to be put into Chapter 32 or Chapter 14 not zoning.

**Womack** discussed necessity for such an ordinance and addressed questions and concerns of Commission members. **Hall** indicated that we should add appropriate language to site plan/zoning forms. Commission asked to see this language put into City ordinance form.

9. OLD BUSINESS.

- A. Motion to recommend Ordinance To Amend 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 to the City Council.
- a. Setback revisions

**Conley motioned to recommend proposed ordinance change to the City Council. Hamel seconded.**

**Voice Vote**

**6-0**

**Motion Carried**

- B. Discussion on an Ordinance amendment to Chapter 40, Section IV. Division 2 to modify Sec. 40-446 Walls and Fences

**Womack** acknowledged that meeting was long but that some things needed to be addressed in draft ordinance in order to move forward. **Womack** asked Commission members their thoughts on aluminum fence slats and mesh fabric covers on fences. Commission members discussed fabric covers and preference that those only be used on commercial or industrial zones but not residential. Currently existing mesh fabric covers can look good or bad depending on how tight/taut they were installed. **Womack** stated that this topic would require significant discussion and requested a motion to table to future meeting. **Hall motioned to table to future meeting. Hamel seconded.**

**Voice Vote**

**6-0**

**Motion Carried**

- C. Discussion on White Pine Trail Overlay Zone

- a. Draft White Pine Trail Overlay Ordinance
- b. Motion to set a public hearing for the White Pine Trail Overlay Ordinance

**Johnson** introduced topic and gave background on proposed changes. **Womack** stated that the proposed changes were good but asked Commission members to proposed added uses and other uses that are permitted in commercial districts for possible addition to overlay zone. **Hamel** asked about liquor licenses and whether a retail store or restaurant could be next to trail in overlay. **Conley** discussed problem of adding businesses directly next to trail could discourage trail users from exploring downtown Main St. but that Rockford made it work so Cedar Springs can also.

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

- A. Correspondence
- i. Notice of Intent to Establish Condominium
  - ii. 4269 17 Mile Rd. Taco Bell Minor Site Plan Change

**Conley** asked about Condominium Notice. **Womack** stated that it was a standard notice for the White Pine Trails neighborhood that was being placed at 14805 CEDAR SPRINGS AVE.

**Womack** indicated that Taco Bell changed curb work in drive-thru lane. Commission members agreed that it was an improvement to site.

- B. Staff Comments.
  - i. City Manager
  - ii. City Clerk

**Womack** stated that meeting was tough, trying to manage ZOOM, discuss agenda items and take Minutes and that he hoped Minutes were accurate.

- C. Planning Commission Members.

**Conley** thanked everybody for being calm and professional.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

**Hall** thanked everyone for doing hard job and working on behalf of community's best interests.

13. REPORT OF THE PLANNING CONSULTANT.

Johnson looking forward to in-person meetings again.

14. ADJOURNMENT.

**Conley adjourned meeting at 9:23pm**

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Mike Womack, City Manager

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Clint Conley, Chairperson