



## Cedar Springs Planning Commission Meeting

### MINUTES

Tuesday, June 01, 2021

7:00 p.m.

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

1. **Conley** called the Meeting to Order at 7:01pm. The Pledge of Allegiance as recited.

2. ROLL CALL:

Mr. Jerry Hall	<u>Present - 7:07pm</u>
Ms. Ashley Hamel	<u>Zoom (in person 8:22pm)</u>
Mr. Matthew Hogg	<u>Zoom-Cedar Springs, MI</u>
Mr. Jason Merlington	<u>Present</u>
Mr. Daniel McGrath	<u>Zoom-Cedar Springs, MI</u>
Mr. John Nixon, Vice Chairperson	<u>Zoom- Cedar Springs, MI (7:32pm)</u>
Mr. Clint Conley, Chairperson	<u>Zoom-Cedar Springs, MI</u>

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 Regular Meeting May 11, 2021.

Motion by **Hogg** seconded by **Merlington** to approve the minutes of the Regular Meeting May 11, 2021.

**Voice Vote**

**5-0**

**Motion Carried.**

5. APPROVAL OF AGENDA.

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

**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.*

**Rose Powell** reported that the Grand Opening of the Fire Station would be June 12<sup>th</sup> and that there will be a clean up work session at the Heart of Cedar Springs from 5:30pm-8:30pm on June 2<sup>th</sup>.

**Brynadette Powell** appreciated everyone for attending the meeting.

**Roger Morgan** reported that he would be available for questions regarding the proposed Rockford Ambulance Project.

**Hall arrived in person at 7:07pm.**

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

None.

**8. SCHEDULED PUBLIC HEARINGS.**

- A. Public Hearing For A Special Land Use Of Lake Life Farms Inc., At 4116 17 Mile Rd Cedar Springs, MI 49319: The Applicant Is Seeking Special Land Use Approval For A Recreational (Adult-Use) Marihuana Retail Store And A Recreational (Adult-Use) Marihuana Processor. The Property Is Zoned HC Highway Commercial, The Applicant Requests Special Land Use Approval In That District. The Municipal Code, Sec. 40-365(V) And Sec. 40-365(U) – Special Land Uses Require Approval From The Planning Commission For This Request. The Parcel Number Is 41-02-36-100-004.

**Conley** opened the public hearing at 7:09pm.

Public Comment: **David Kotler** reported that he represents Lake Life Farms and is available for any questions.

**Conley** closed the public hearing at 7:11pm

- B. Public Hearing For A Special Land Use For Rockford Ambulance, Located At 14122 White Creek Cedar Springs, MI 49319: The Applicant Is Seeking Special Land Use Approval For An Ambulance Service Establishment. The Property Is Zoned HC Highway Commercial, 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 41-02-25-300-044.

**Conley** opened the public hearing at 7:11pm.

Public Comment: **Rose Powell** thanked applicant for continuing to move forward with the project and she welcomes the new addition to the City of Cedar Springs.

**Roger Morgan** reported that he is the CEO for Rockford Ambulance. He reported that this is the 5<sup>th</sup> or 6<sup>th</sup> substation in the area and they are looking forward to opening the substation in the City of Cedar Springs.

**Conley** closed the public hearing at 7:11pm

9. OLD BUSINESS.

- A. Special Land Use For An Adult-Use Marihuana Microbusiness Located At 45 W Pine Street, LLC D/B/A KindBuds, At 45 West Pine Street Cedar Springs, MI 49319
  - a. Main St. Planning May 11<sup>th</sup>, 2021 First Report
    - i. Main St. Planning June 1<sup>st</sup> 2021 Second Report
  - b. Kindbuds Reponses to May 11<sup>th</sup> report
  - c. Kindbuds Marihuana Application
  - d. Kindbuds Prequalification
  - e. Kindbuds SLU Application
  - f. Kindbuds Site Plan Review Application
  - g. Kindbuds Site Lighting
  - h. Kindbuds Site Plan Materials

**Johnson** reviewed his report. **Womack** reported that the mural should be removed from the site plan, but he noted that in the B-2 district murals are generally exempt under 12 square feet. He also remarked that there should be emergency lighting on the West side of the building. **Dallas VanBelkum** of KindBuds reported that they sent out letters to the surrounding area inviting the public to talk to the applicant regarding the proposed project. They reported they only had one person attend and they were in favor of the proposed business.

**Nixon arrived via Zoom at 7:23pm.**

Motion by **Merlington** seconded by **Hamel** to approve the request from 45 W. Pine Street, LLC doing business as KindBuds for a Special Land Use permit to establish a Marihuana Microbusiness establishment on property located at 45 Pine Street being Parcel Number 41-25-277-008 as the uses described in the updated application materials and illustrated on the site plan set meet the Special Land Use approval standards contained in Section 40-571 of the Zoning Ordinance and the requirements of Section 40-575(g)(3) pertaining to Marihuana Microbusinesses.

Approval is subject to the following conditions

1. Approval is granted based on compliance with the following plans prepared by Nederveld: The Site Layout Plan on Sheet C-205 dated 5-20-21, the S.E.S.C. and Grading Plan on Sheet C-300 dated 5-20-21, the Utility Plan on Sheet C-400 dated 5-20-21, the Details and Specifications on Sheet C-500 dated 5-20-21, the Landscape Plan on Sheet L-201 dated 5-18-21; the Floor Plan on Sheet A-1.1 and the elevation drawings on Sheet A-2.1 both dated 4-14-21 prepared by Designs; the photometric plan submitted with and attached to the updated application materials.

2. The plans in Condition 1 shall be revised to comply with Items 1b., 2a. 2c. and 2d., 3a-3d, and 5b of this report and the photometric plan dated and the preparer noted on the document.
  3. The light poles are approved for a height of 21 feet.
  4. The building façade is acceptable.
  5. The plans are subject to the approval of the City Engineer.
- Note: Conditions 6-11 are required for all marihuana establishments.
6. The Security Plan is subject to the approval of the Police Chief.
  7. All items illustrated on the site plan and all notes on the site plan are binding and shall be completed to the satisfaction of the Zoning Administrator before an occupancy permit is issued
  8. The marihuana microbusiness shall be operated in accordance with the application materials submitted by the applicant as revised by the Planning Commission.
  9. No occupancy permit shall be issued until all permits required by City officials are received.
  10. The applicant shall provide to the City Manager evidence that a license from the State of Michigan pursuant to the Michigan Regulation and Taxation of Marihuana Act has been issued to the applicant for the marihuana retailer establishment and the marihuana processor establishment. These licenses shall be provided prior to occupancy of the building.
  11. The revised plans shall be returned to the Zoning Administrator for final review and approval. Two revised site plans shall be signed and dated by the Secretary of the Planning Commission with one copy provided to the applicant and one retained by the City. An electronic version of the site plan shall also be provided.
  12. Lighting and photometric plans are subject to City Manager Approval.

**Voice Vote**

**7-0**

**Motion Carried.**

**10. NEW BUSINESS.**

- A. Site Plan review for JFJ Cedar Springs Properties LLC Retail Project at 4186 17 Mile Rd.
  - a. Main St. Planning June 1st 2021 First Report
  - b. Site Plan Application
  - c. Project Description
  - d. Site Plan Materials
  - e. Drainage Contours
  - f. Fishbeck Engineering Report May 19<sup>th</sup>, 2021

**Johnson** reviewed his report and noted that the proposed site plan is intertwined with the Lake Life Farms site plan.

Motion by **Hall** seconded by **McGrath** to table until a future time when we have additional information.

**Voice Vote**

**7-0**

**Motion Carried.**

- B. Site Plan Review And Special Land Use Of Lake Life Farms Inc., For A Recreational (Adult-Use) Marihuana Retail Store And A Recreational (Adult-Use) Marihuana Processor Located At 4116 17 Mile Rd Cedar Springs, MI 49319
  - a. Main St. Planning June 1<sup>st</sup> 2021 First Report
  - b. Lake Like Farms Application Materials

**Johnson** reviewed his report and noted that the plans presented for JFJ Cedar Springs Properties LLC and Lake Life need to be reviewed to match. **David Kottler** represented Lake Life Farms and he requested the Planning Commission approve the project with conditions. He also clarified that the presented proposed delivery window was for walk up deliveries only. The board discussed the location of the delivery window on the south vs west side of the building. **Hamel** discussed that having the window on the East side of the building would increase visibility from 17 Mile and deter crime. **Womack** remarked that the applicant could put deferred parking spots on the site plan for future use.

**Hamel arrived in person at 8:22pm.**

Motion by **Hall** seconded by **Conley** to table until more information is provided.

**Voice Vote**

**7-0**

**Motion Carried.**

- C. Site Plan Review and Special Land Use For Rockford Ambulance, Located At 14122 White Creek Cedar Springs, MI 49319
  - a. Main St. Planning June 1<sup>st</sup>, 2021 First Report
  - b. Rockford Ambulance Site Plan and SLU Applications
  - c. Rockford Ambulance Site Plan materials
  - d. Rockford Ambulance drainage Calculations
    - i. Fishbeck Engineering May 20<sup>th</sup> 2021 Report

**Johnson** reviewed his report. The commission reached a consensus that they did not want the parking driveway to have a shared drive way due to safety concerns.

Motion by **Hall** seconded by **Merlington** to approve the site plan set submitted by Rockford Ambulance to construct a 2,173 sq. ft. ambulance service establishment on property located at 14122 White Creek Avenue being Parcel Number 41-02-25-300-044 as the project meets the applicable requirements of the HC Zoning District, and the site plan approval standards of Section 40-51 and the Special land Use approval standards of Section 40-571.

**Approval is subject to the following:**

1. Approval of the annexation request according to the requirements of the 425 Agreement between the City of Cedar Springs and Solon Township.
2. Approval is granted based on compliance with the site plan set prepared by Nederveld dated 05-03-21 and the floor plan and elevation drawings prepared by Henrikson Architecture and Planning dated 01-08-21.
3. Approval of the site plan prepared by Nederveld dated 05-03-21 does not include the Future Building illustrated on the site plan. A new special use permit and a new site plan will be required to be obtained for this Future Building.

4. The request for the waiver of the sidewalk requirement of Section 40-464 shall be submitted to the City Council for a decision.
5. A lighting plan shall be submitted to the Zoning Administrator for final approval
6. The Commission finds that the driveway location requirements of Section 50-520(e) may be modified as there are practical difficulties associated with the project in complying with the strict requirements of this Section. The Commission approves the driveway to be located as illustrated on the approved site plan as the project meets Criteria a. b. e. h. of Section 50-520(c). The driveway is subject to the approval of the Kent County Road Commission.
7. The site plan is subject to the approval of the City Engineer.
8. The façade plan is acceptable.
9. The revised plans shall be returned to the Zoning Administrator for final review and approval. Two revised site plans shall be signed and dated by the Secretary of the Planning Commission with one copy provided to the applicant and one retained by the City. An electronic version of the site plan shall also be provided.

**Voice Vote**

**7-0**

**Motion Carried.**

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

A. Correspondence  
i.

B. Staff Comments.  
i. City Manager reported that he is happy with how pro-development the board has become, but it makes it difficult at times with additional workload.  
ii. City Clerk

C. Planning Commission Members.

**Conley** thanked everyone for coming and thanked everyone for efficiently moving through the agenda.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

**Hall** one of his biggest pet peeves is not having complete packets from the applicants. He thanked everyone for the good discussion from the board.

13. REPORT OF THE PLANNING CONSULTANT.

**Johnson** was glad to be back in person and he reported that Cedar Springs is not alone in the difficulty of getting incomplete applications from applicants.

14. ADJOURNMENT.

**Conley** adjourned the meeting at 8:49pm.

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Rebecca Johnson, City Clerk

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Clint Conley, Chairperson