

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.

None.

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

None.

8. SCHEDULED PUBLIC HEARINGS.

- A. Public Hearing For An Ordinance To: Amend Chapter 40, Article III, Division 12 To Add Section 40-390 Entitled "White Pine Trail Overlay Zone"; To Amend Article III, Division 1, Section 40-131 Entitled "Zoning Districts" To Add "White Pine Trail Overlay Zone And; To Modify The Map Entitled "The Zoning Map Of Cedar Springs"
- i. Ordinance
 - ii. Map

Conley opened the public hearing at 7:05 pm.

Public Comment: **Rose Powell** supported the overlay ordinance because it may increase the use of the White Pine Trail.

Conley closed the public hearing at 7:08 pm.

Womack reviewed the proposed ordinance. **Johnson** reported that there was a correction needed in the applicability section to revise the language from Elm Street to Church Street and revise it to Maple Street to Church Street.

Motion to recommend approval to the City Council of An Ordinance To Amend Chapter 40, Article III, Division 12 To Add Section 40-390 Entitled "White Pine Trail Overlay Zone"; To Amend Article III, Division 1, Section 40-131 Entitled "Zoning Districts" To Add "White Pine Trail Overlay Zone And; To Modify The Map Entitled "The Zoning Map Of Cedar Springs" with the correction as Mr. Johnson indicated.

Voice Vote

7-0

Motion Carried.

- B. Special Land Use Pinebrook Warren, LLC D/B/A Cloud Cannabis Cedar Springs, at 206 and 218 N. Main Street Cedar Springs, MI 49319:
- a. City Planner Report regarding Cloud Cannabis dated Sept.7th, 2021.
 - b. City Engineer Report regarding Cloud Cannabis dated July 27th, 2021
 - c. Cloud Cannabis Marihuana Application
 - d. Cloud Cannabis Site Plan

Womack reviewed the project. He reported that it may have been missed previously, but the two properties should be required to be combined.

Conley opened the public hearing at 7:12pm.

Public Comment: None.

Applicant: **Mr. McCloud** reported that he is looking forward to expanding to Cedar Springs.

Conley closed the public hearing at 7:15pm.

Motion by **Conley** seconded by **Merlington** to approve the request from Pinebrook Warren, LLC for a Special Land Use permit to establish a marihuana retail establishment on property located at 206 and 218 North Main Street as the uses described in the application materials submitted on 07-05-21 and the site plan set dated 07-16-21 prepared by the Architectural Workshop, Inc. meet the Special Land Use approval standards contained in Section 40-571 of the Zoning Ordinance and the requirements of Section 40-575(g)(5) pertaining to marihuana retailer establishments. Approval is granted subject to the following conditions:

1. Revise the site plans to comply with the Items 9 and 10 of this report.
2. The facade plan dated 07-16-21 is acceptable.
3. The underground irrigation system is not required.
4. 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.
5. The Security Plan and marihuana delivery operations are subject to the approval of the Police Chief.
6. The stormwater drainage provisions are subject to the approval of the City Engineer.
7. The marihuana retailer establishment shall be operated in accordance with the application materials dated 07-05-21.
8. No occupancy permit shall be issued until all permits required by City officials are received.
9. 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. These licenses shall be provided prior to occupancy of the building.
10. 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.
11. 206 and 218 North Main properties will need to be combined.

Voice Vote

7-0

Motion Carried.

9. OLD BUSINESS.

- A. Site Plan Review and Special Land Use For GRAPIDS 17 LLC., 4173 17 Mile Rd Cedar Springs, Mi 49319 to establish a drive-thru restaurant.
 - a. City Planner Report regarding GRAPIDS 17 LLC dated September 7th, 2021

- b. GRAPIDS 17 LLC updated site plan, dated August 17th, 2021
- c. 4173 Project Narrative and presentation

Womack reviewed the project and suggested an additional stop sign be added to the site. **Johnson** reviewed his report. **Melonie Hart and Michael Murray** reported the changes that had been made since the last meeting. They are now proposing a two tenant building retail building. She also reported that she sent some information to the City Manager, but it was after the agenda was sent out. She included lighting on the awning and parking simulations. **Conley** questioned if a porkchop island would be helpful in directing traffic in the exit lane. **Womack** reported that the raised porkchop island at Rite Aid has been a problem and that has received many complaints about it.

Motion by **Conley** seconded by **Nixon** to approve the request from Grapids 17, LLC for a Special Land Use permit to establish a drive through restaurant on property located at 4173 17 Mile Road NE being Parcel Number 41- 02- 25-300-052 as the use described in the application materials and the site plan set dated 08-17-21 prepared by Paradigm Design meet the Special Land Use approval standards contained in Section 40-571, the site plan approval standards of Section 40-52 and the requirements for drive through restaurants contained in Section 40-574(£) of the Zoning Ordinance" Approval is granted subject to the following conditions:

1. Revise the site plans to comply with the Items 4, 8, 9, and 10 of this report and add one more stop sign at exit lane.
2. The Commission finds, according to the discretion allowed by Section 40-513(b) and based on the evidence provided by the applicant, the 37 parking spaces provided on the site are sufficient for the proposed uses.
3. Any future uses which are proposed for the site shall only be permitted if the number of parking spaces required for all such uses is no more than 37 spaces.
4. The building façade is acceptable.
5. 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.
6. The utilities and stormwater drainage provisions are subject to the approval of the City Engineer.
7. 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.

B. Discussion- Sample Industrial Building Façade Requirements Ordinance

Womack requested the board to review the proposed ordinance and let him know if you have any concerns.

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

Womack will bring this item back when the board does not have site plans to review.

10. NEW BUSINESS.

- A. Discussion on Bylaws modification
 - a. Conducting site plan reviews in conjunction with public hearings
 - b. Conducting site plan reviews prior to ordinance reviews and other tasks

Conley would like to have the consideration of public hearings together with the discussion and potential action by the board. **Merlington** preferred having the discussion and action together rather than having the discussion on a public hearing an hour later. **Hamel** prefers to see the proposed motion on the agenda or separated from the very large agenda packet. **Conley** would like to see old business separated into site plans and non-site plan business.

- B. Discussion on offer by the Kent County Drain Commissioner to donate the property commonly known as 17 N. Main St. to the City.

Womack reported that the City may have the potential acquisition of the property located at 17 N Main Street. The donation of the property would not permit a permeant structure. **Hall** expressed the concern with adding the property on the tax roll. **Hamel** preferred accept the donation and try to do something with it an if it doesn't work then the city can revert the property to a park.

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

- A. Correspondence
 - i. Yearly Calendar
- B. Staff Comments.
 - i. City Manager thanked Mr. Johnson for his service to the city. He appreciated the work that the Planning Commission has put in.
 - ii. City Clerk introduced the Deputy Clerk to the board.
- C. Planning Commission Members.

Hamel thanked Conley for leading the meeting.

Conley thanked Mr. Johnson for his guidance during the meeting.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

Hall thanked the commission for all of the work they have completed. He reported that the board is responsible for molding the community for the next 5-10 years.

13. REPORT OF THE PLANNING CONSULTANT.

Johnson reported that he appreciated working with the board over the last several years and that in total has attended over 3,000 Planning Commission meetings.

14. ADJOURNMENT.

Conley adjourned the meeting at 9:04pm.

Rebecca Johnson, City Clerk

Clint Conley, Chairperson