



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** welcomed Ashley Hamel to the City Council. She also reported that Mission Point will be having a Veteran Celebration on Thursday, November 11 at 2pm.

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

None.

8. SCHEDULED PUBLIC HEARINGS.

- A. The District Park LLC, DBA Skymint Marihuana Retailer and Processor at 4173 17 Mile Rd.
- a. 300 Foot Notice Addresses
  - b. Skymint Public Notice
  - c. Skymint Zoning, SLU and Marihuana Application
  - d. Zoning Administrator Memo regarding Skymint Marihuana.

**Conley** opened the public hearing at 7:10pm.

Public Comments: None.

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

**Karen Hendricks** reviewed the Skymint Report dated 11-08-2021. **Womack** reviewed his report. **Nixon** clarified that the murals presented would be on easels not adhered to the windows. **Womack** wanted the commission to weigh in on the parking issue. **Conley** was understood that the site plan approved for the plaza would cover the spaces for both proposed uses regardless of the use. **Nixon** was ok with the parking as presented. **Hamel** would like to require a bike rack to encourage a place for alternative transportation. **Hendricks** reported for the record that installing the bike racks on site would not be a problem.

Motion by **Conley** seconded by **Nixon** to approve the request from The District Park LLC DBA Skymint for a Special Land Use permit to establish a marihuana Retailer and Processor establishment on property located at 4173 17 Mile Rd as the uses described in the application materials submitted on 10-14-21 and the site plan set dated 10-14-21 prepared by Vivid Design Studio along with the approved site plan material from GRAPIDS meet the Special Land Use approval standards contained in Section 40-571 of the Zoning Ordinance and the requirements of Section 40-365 pertaining to marihuana retailer and processor establishments.

Approval is granted subject to the following conditions:

1. Enter the conditions as presented from Skymint in the memo dated 11/08/2021 and Revise the site plans to comply with the requirements in items 8, 9 and 12 of this report.
2. That if applicant intends to add exterior HVAC units or conduct curbside delivery that they must seek approval from the City before doing so.

3. Applicant must install exterior cameras to cover the west and north sides of the buildings, including the exterior door on the north side of the building.
4. All exterior windows that lead directly to a location in the building that displays or stores marihuana shall be covered with a shatter resistant film to prevent breaking the window.
5. Regarding Parking:
  - b. Accept the Zoning Administrator's calculations and allow applicant to use the parking lot as is, despite being below minimum required parking with the condition that the applicant will add a bike rack
6. 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.
7. The Security Plan and marihuana delivery operations are subject to the approval of the City's police department.
8. 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 10-14-21.
8. No occupancy permit shall be issued until all permits required by City officials are received and applicant conducts a walk-through of the facility with City police, fire and zoning administration.
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 revised site plan shall also be provided.

**Voice Vote**

**7-0**

**Motion Carried.**

- B. Sample Industrial Building Façade Requirements Ordinance
  - a. CM Memo on alternative exterior materials and styles

**Conley** opened the public hearing at 7:52pm.

Public Comment: None.

**Conley** closed the public hearing at 7:52pm.

**Womack** will bring back additional language for the next meeting and will look at what other communities do.

- C. An Ordinance To Amend Chapter 40, Article I, Section 40-5 Entitled "Definitions – K – M"; Chapter 40, Article III, Division 12, Section 40-386 Entitled "Permitted Uses" For The I-1 Industrial District; Chapter 40, Article IV, Division 2, Section 40-461 Entitled "Home Occupations"; Chapter 40, Article IV, Division 2, Section 40-468 Of The Code Entitled "Marihuana Establishments And Facilities" Of The Code Of Ordinances For The City Of Cedar Springs
  - a. Motion to recommend the medical marihuana caregiver zoning ordinance to the City Council.

**Conley** opened the public hearing at 8:05pm.

**Rose Powell** would like to see protections and requirements for odor control.

**Conley** closed the public hearing at 8:06pm.

Motion by **Hall** seconded by **McGrath** to recommend the medical marihuana caregiver zoning ordinance to the City Council.

**Voice Vote**                      **7-0**                      **Motion Carried.**

9. Site Plan Reviews

- A. Zoning Application for 88 N. Main St.
  - a. Powerpoint presentation
  - b. Panel Sample

**Kristine Gault** reported that she and her husband own 88 N. Main St. She is working to cleanup the building. They are looking for feedback from the Planning Commission regarding the permitted fixes to the brick on the side of the building. She suggested Hansen Metal Roofing Supply to install siding and repair the roof to prevent future deterioration of the brick building. She reported that the existing brick is only cosmetic and is not a structural problem. **Hogg** would like to make the building safe. **Merlington** would like to see a structural engineer report regarding the structural security of the brick on the side of the building. **Hogg** suggested using an alternative material on the bottom section of the wall to make it easier if repairs are needed in the future. **Hamel** felt that the proposed project could be permitted as presented under her interpretation of the existing ordinances. **Womack** reported that the applicant should bring a second plan with an alternative material on the bottom portion of the wall.

Motion by **Hogg** seconded by **Hamel** to table the request.

**Voice Vote**                      **7-0**                      **Motion Carried.**

10. OTHER BUSINESS.

- A. Motion to approve Resolution 2021-01 A Resolution To Establish The Regular Meeting Dates Of The Planning Commission From January 2022 Through December 2022

Motion by **Hall** seconded by **McGrath** to approve Resolution 2021-01 A Resolution To Establish The Regular Meeting Dates Of The Planning Commission From January 2022 Through December 2022 as amended to move April 5<sup>th</sup> to April 12<sup>th</sup> and June 5<sup>th</sup> to June 12<sup>th</sup>.

**McGrath** reported that he would be absent June 7<sup>th</sup>, 2022.

**Voice Vote**                      **7-0**                      **Motion Carried.**

- B. Motion to recommend to the City Council to adopt the 2021 bylaw revisions as presented.

Motion by **Hogg** seconded by **Hamel** to recommend to the City Council to adopt the 2021 bylaw revisions as presented.

**Voice Vote**                      **7-0**                      **Motion Carried.**

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

**Womack** requested the board to table so he could make some revisions. **McGrath** remarked that it is difficult to walk on the sidewalk in areas where the fences are right next to the sidewalk because snowbanks build up.

- D. Discussion on single family residential uses in R2 and R3 zoning and the possibility of rezoning those areas to match their use.

**Womack** reported that the Prairie Run neighborhood is currently zoned at R2 and R3. It is problematic because if someone wants to build or convert their home into a duplex/quadplex, etc. the city would be legally obligated to allow them to do so. He suggests converting them to R1. He reported that if houses burned down then the houses would not be able to rebuild on the same footprint. He remarked that would bring back some additional areas including Cherry and Muskegon, 5<sup>th</sup> to West Street, 6<sup>th</sup> Street south of Pear, 7<sup>th</sup> Street south of Pear.

**11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.**

- A. Correspondence
  - i. House Bill 4722
  - ii. 2021 Calendar
  - iii. Ordinance 225
  - iv. Skymint Report 11-08-2021
- B. Staff Comments.
  - i. City Manager
  - ii. City Clerk
- C. Planning Commission Members.

**Merlington** inquired to see if the materials that were presented are approvable?

**McGrath** suggested adding the page number to the agenda.

**Conley** congratulated Ashley Hamel on her election to City Council. He also inquired where the City was in hiring a new City Planner.

**12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.**

None.

**13. REPORT OF THE PLANNING CONSULTANT.**

None.

**14. ADJOURNMENT.**

**Conley** adjourned the meeting at 9:16pm.

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**Rebecca Johnson, City Clerk**

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**Clint Conley, Chairperson**