

CITY OF IONIA
Planning Commission
February 10, 2021
Regular Meeting Minutes

CALL TO ORDER Chairperson Hoppough called the Regular Meeting of the City of Ionia Planning Commission for February 10, 2021 to order at 4:46 PM.

ROLL CALL Present: Commissioners Mike Donaldson, Tim Lee, Judy Swartz, Ryan Videtich and Boomer Hoppough.

Absent: Commissioners David Cook and Ted Paton

Also Present: Planning Consultant Jan Johnson, City Manager Gregg Guetschow and several members of the public.

APPROVAL OF AGENDA Chairperson Hoppough said that he would be combining old business item 12a and new business item 13a so they can be taken up at the same time as they concern the same company. Mr. Guetschow requested to add an item under Old Business to report on the need to consider the extension of a special land use permit. It was moved by Commissioner Swartz and seconded by Commissioner Donaldson that the agenda of the meeting of February 10, 2021 be approved with the noted changes. MOTION CARRIED.

APPROVAL OF MINUTES Jan Johnson said that there was an error on page 3 of the minutes of the January 13, 2021 meeting. The minutes indicate the matter of approving an adult use retailer establishment license for 29 Beardsley Road would be table until the meeting of March 10 but should read February 10. It was moved by Lee and seconded by Swartz that the minutes of the meeting of January 13, 2021 meeting as corrected. MOTION CARRIED.

PUBLIC HEARINGS None.

PUBLIC COMMENTS David Bye of ArCanna thanked the Commission for its trail-blazing and hard work on the marihuana ordinances. He said this would lead to the creation of jobs and growth for the City. He described the structure of his company's operations, noting that a 2000 square foot addition is on hold for now but that his company has purchased 916 E. Lincoln Avenue

for future growth. He described the business entities that hold the various licenses associated with his company.

Chairperson Hoppough closed the public comments portion of the agenda.

OLD BUSINESS

Consider The Machine Inc. request for site plan approval and special land use permit approval for an Adult Use Marihuana Retailer Establishment to be located at 29 Beardsley Road.

Ms. Johnson described the various aspects of the application and site plan associated with The Machine, Inc. request for approvals for an adult-use retailer establishment. She noted that a public hearing had been held on this matter at the January 13, 2021 meeting of the Planning Commission. She described some deficiencies in the site plan. She described in turn each of the standards for special land use approval contained in Section 1274.04 of the Code of Ordinances that must be addressed.

Regarding the standard that the use must be harmonious with the existing or intended character of the general facility, Commissioner Swartz asked whether the use would result in an increase in traffic. Mr. Bye said that there would be no issues with construction traffic. He anticipated an additional 30 cars per day would visit the site but did not anticipate this would present any issues. Commissioner Swartz asked about any structure changes. Mr. Bye said there would be an additional 600 square feet of cooler space.

There were no additional questions or comments from Commissioners regarding the other standards of Section 1274.04.

Ms. Johnson identified several site plan issues that would need to be addressed before final approval would be granted. She noted differences between a colored floor plan and the black-and-white floor plan. There is a rec room that is taken out of the provisioning center space. Architectural elevations show changes in square feet in the processing area. She noted some typos to be corrected. The business plan is the same as the one submitted for the previously approved medical marihuana facilities which would change due to the retailer establishment and additional grow and processer facilities and establishments.

Mr. Bye noted that the original design was intended to accommodate the additional licenses that it is now seeking.

He noted that the business plan is outdated but has the full expansion numbers for the capacity of the facility. It was the consensus of the Commissioners that the existing business plan is satisfactory.

Ms. Johnson asked whether there would be differences in employee shifts and hours of operation. Mr. Bye said there would be no changes in these.

There was discussion about required City approvals and certificates of occupancy. Mr. Bye asked for clarification about building permit approvals. He noted that there is no additional construction and received approval of the County building inspector. Mr. Guetschow said that the City would be developing a certificate of occupancy process for projects like this, particularly when there is no new construction and no reason for the County to issue such a certificate.

It was moved by Commissioner Lee and seconded by Commissioner Donaldson that, based on a finding that the use complies with the standards of Section 1274.04 (a) through (e) of the Code of Ordinances, the special land use permit and site plan for the adult-use retailer establishment proposed by The Machine, Inc. for 29 Beardsley Road be approved subject to the approval by staff of the resolution of remaining site plan and binder issues. MOTION CARRIED.

NEW BUSINESS

Staff report regarding requests from Machine Grow & Process Inc. for Site Plan Approval and Special Land Use Permit Approval for an Adult Use Marihuana Processing Establishment, an Adult Use Marihuana Grower Establishment with 5 Class C Grow Licenses, a Medical Marihuana Processing Facility, and a Medical Marihuana Grower Facility with 2 Class C Grow Licenses to be located at 29 Beardsley Road.

A brief report was provided concerning these requests, noting that much of the prior discussion was applicable to these as well and no detailed report needed to be given at this time. Discussion took place regarding the number of licenses associated with medical marihuana facilities that had previously been approved by the Planning Commission. It was noted that there had been a change in the name of the licensee. The Zoning Ordinance requires in such a circumstance that these be treated as new applications.

It was moved by Commissioner Donaldson and seconded by Commissioner Swartz that public hearings on the requests

from Machine Grow and Process Inc. be set for the March 10, 2021 Planning Commission Meeting. MOTION CARRIED.

OLD BUSINESS

Consider Scott and Toni Feehan request for Site Plan Approval and Special Land Use Permit Approval for Plant Material Nursery to be located at 260 S. Dexter Street.

Mr. Guetschow indicated that this item remained on the Planning Commission agenda in anticipation that the Feehans might be submitting a revised plan to the Commission. None has been received to date. If that remains the case in the future, the Planning Commission might wish to take formal action denying the request at a subsequent meeting.

Discussion regarding B-2 amendments for 1st floor dwellings and Attached Urban Housing Planned Unit Development District

Ms. Johnson discussed the report she provided to the Planning Commission regarding first floor residential dwellings in the B-2 district. She noted that she had had conversations with DDA Director Linda Curtis and that the DDA would take up the issue of first floor dwelling units in the central business district at its next meeting. Her report listed three options:

Option I: Dwelling units on the first floor of structures which face upon Main Street shall not be visible from Main Street, but entrances to such dwelling units may face upon Main Street. Dwellings on the first floor of structures which face upon Main Street shall not occupy more than 50 percent of the gross floor area of the first floor of each structure.

Option II: Dwelling units on the first floor of structures which face upon Main Street shall not occupy more than 25 percent of the frontage of any block, as measured from the exterior of building walls between public streets. Measurement of block length shall not be taken from or between alleys. The structures in which dwelling units face upon Main Street shall include a façade which is approved by the Planning Commission, and which is compatible in appearance, materials, and scale with facades in the central business district.

Option III: In no case shall dwellings on the first floor be permitted in structures which face upon Main Street.

Chairperson Hoppough expressed a preference for Option III but with the inclusion of side streets. Commissioner Lee suggested the matter be tabled until input from the DDA is received. Ms. Curtis referenced concerns from the DDA that include loss of historical character, loss of property value, and the impact of dwelling units on parking demand in the vicinity. Commissioner Lee suggested clarifying the area in which such dwellings would be permitted. Ms. Johnson noted that the ordinance could be very specific regarding the area. Mr. Guetschow noted the Residential Target Market Analysis that was nearing completion and that its contents might be valuable to the Commission in deciding about this issue. It was suggested that the analysis be presented at the April Planning Commission meeting.

Ms. Johnson provided a summary of the language for establishing an Attached Urban Housing Planned Unit Development.

Receive staff report regarding Planning Commission Goals and Actions survey.

Mr. Guetschow provided a summary of the document he prepared based on responses of Commissioners to a request that they identify their top five goals and actions from the 2019 Master Plan.

Report regarding a request to extend a previously granted special land use permit.

Mr. Guetschow reported that there had been some confusion about the effective date of DNVK 3s special land use approval for a provisioning center. The Planning Commission action occurred on June 12, 2019 but the final site plan documents had not been approved until May 27, 2020. The company had relied upon information from the City about this latter date that led them to believe this was when the one-year effective date of the approval commenced. In order to proceed with processing their current request for an adult-use retailer application, it would be necessary to grant an extension. Ms. Johnson noted that the approval date is when the Planning Commission acts, not when all other documentation is received. Mr. Guetschow said that he believed that this was not a deliberate attempt on the part of the company but rather a reliance on information relayed by the City. Ms. Johnson noted that it would be necessary to take action prior to taking up the other issue. Additional discussion took place regarding other similar situations and

the timing of giving notice of the public hearing for the special land use permit requested for adult-use retailer for the same company. Ms. Johnson said that action on the granting of the extension would need to precede the holding of the public hearing. It was the consensus of the Commission to proceed with advertising the public hearing for DNVK 3s special land use permit application.

Consider approval of 2020 Planning Commission Annual Report.

Ms. Johnson noted that the report distinguished between special land use permits and associated site plan approvals whereas those are actually linked and should be so reflected in future reports.

It was moved by Commissioner Videtich and seconded by Commissioner Donaldson to approve the annual report as presented.

COMMENTS

Chairperson Hoppough referenced the housing study and asked about the Deerfield project. Mr. Guetschow said he had not had any contact with the developer on the project.

ADJOURNMENT

It was moved by Commissioner Donaldson and seconded by Commissioner Videtich to adjourn the meeting at 7:46 PM.

MOTION CARRIED

Respectfully Submitted,
Gregg Guetschow, Recording Secretary,
for David Cook, Secretary