

**CITY OF IONIA**  
**Planning Commission**  
**January 8, 2020**  
**Annual Meeting Minutes**  
**Regular Meeting Minutes**

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CALL TO ORDER

Annual Meeting

The City Manager called the Annual Meeting of the City of Ionia Planning Commission to order at 4:30 PM. The purpose of the Annual Meeting is to select a Chairperson, Vice-Chairperson and Secretary for 2020. All Commissioners except Commissioner Donaldson were present.

**Chairperson:** It was moved by Commissioner Paton, seconded by Commissioner Lee to select Commissioner Hoppough as Chairperson for 2020. MOTION CARRIED.

**Vice-Chairperson:** It was moved by Commissioner Hoppough, seconded by Commissioner Lee to select Commissioner Paton as Vice-Chairperson for 2020. MOTION CARRIED.

**Secretary.** It was moved by Commissioner Hoppough, seconded by Commissioner Swartz to select Commissioner Cook as Secretary for 2020. MOTION CARRIED.

Upon a motion by Commissioner Paton, seconded by Commissioner Hoppough, the Annual Meeting was adjourned at 4:33 PM.

CALL TO ORDER

Regular Meeting

Chairperson Hoppough called the Regular Meeting of the City of Ionia Planning Commission for January 8, 2020 to order at 4:33 PM and welcomed new Commissioner Ryan Videtich.

ROLL CALL

Roll Call revealed Commissioners Dave Cook, Boomer Hoppough, Tim Lee, Ted Paton, Judy Swartz and Ryan Videtich present. Commissioner Mike Donaldson was excused.

City Manager Jason Eppler and Planning Consultant Jan Johnson were also present.

Several members of the public were present.

APPROVAL OF AGENDA

Chairperson Hoppough reviewed the agenda with the Commission. After review, it was moved by Commissioner Cook, seconded by Commissioner Paton to approve the agenda for the January 8, 2020 meeting as presented. MOTION CARRIED.

APPROVAL OF MINUTES The Commission reviewed the minutes of the December 11, 2019 Regular Meeting. After review it was moved by Commissioner Cook, seconded by Commissioner Swartz to approve the minutes of the December 11, 2019 Commission meeting as presented. MOTION CARRIED.

PUBLIC COMMENTS Chairperson Hoppough called for public comments.

Mrs. Jani Millard, 528 West Washington Street, offered her thoughts regarding the Steele Street Corridor Master Plan contained in the City's 2019 Master Plan. She stated that the plan should provide some flexibility in approving certain land uses along Steele Street. She stated that special land use permit approval should be granted for the medical marihuana provisioning facility proposed for 300 South Steele Street. She stated that the Matcor parking lot located north of 300 South Steele Street acts as a buffer between this property and future recreational development at the former plaza property now owned by the City.

Logan Bailey, 921 West Fargo Street, also commented regarding the requests before the Planning Commission for the future use of 300 South Steele Street. He shared with the Commission an informational petition that he circulated regarding the approval of the requests for 300 South Steele Street. The petition contained the signatures of approximately three dozen Ionia County residents encouraging approval.

John Dinehart, Live Local Realty, on behalf of Pete Sanford, owner of 300 South Steele Street, reviewed the land use history of 300 South Steele Street and the future use designation of the property in the City's Master Plan. He stated that the Master Plan contemplates a wide-range of commercial uses (office/retail, etc) and provides the Commission with adequate flexibility to approve a special land use permit for a medical marihuana provisioning center at this location.

Pete Sanford, owner of 300 South Steele Street, stated that if the special land use permit for his property is approved, he plans to relocate and expand his brewery business at another location in the City.

OLD BUSINESS Project 1, LLC – Site Plan Approval/Special Land Use Permit Approval – 410 Swartz Court – Provisioning Center Facility: The City Manager reported that the applicant recently submitted an updated site plan (revisions made to the

draft reviewed by the Commission at its October 2019 meeting). Mrs. Johnson will soon begin her review of the updated site plan in order to prepare a review memorandum for the Commission's review.

DVNK 3, LLC – Amended Site Plan Approval – 406 South Steele Street: The City Manager reported that DVNK 3, LLC previously received both Special Land Use Permit approval and Site Plan approval from the Planning Commission to convert the existing building at 406 South Steele Street to a medical marijuana provisioning center. Based on changes made by the applicant to the previously approved site plan, review and approval of the site plan is again required by the Commission (the City Manager has determined that the changes made constitute a “major change” to the site plan per Section 1276.11 of the City Code thereby requiring Commission approval of the revised site plan). He noted that the most significant change to the site plan is to the façade of the building. Previously, a brick façade was proposed, now a steel sheeting façade is proposed as well as changes to the roof line.

Cody Newman, architect with Driven Design, on behalf of the applicant, reviewed the revised site plan with the Commission. He stated that the reason the material proposed for the façade was changed was based on the thickness of the brick and the fact that the building, as currently constructed, encroaches into the required front yard setback of 30'. He further stated that changing the exterior to steel siding, which is much thinner than brick, will not result in further encroachment into the setback. He also stated that other site plan changes that were made, which are minor in nature, were done so to address comments in the previous planner review memorandum.

Mrs. Johnson reviewed with the Commission her review memorandum dated December 11, 2019. This memorandum covers the most recent, revised site plan submitted by the applicant. She noted that a number of the previous site plan deficiencies have been corrected with the latest site plan. She stated, as the City Manager had previously shared, that the major revision from the previously approved site plan is the appearance of the building. The latest site plan shows a building with an exterior very different than what was approved (very similar to the current appearance of the current building). She stated that if the Commission continues to prefer a building with a façade and roof line consistent with what has already been approved, the applicant

can make application to the Zoning Board of Appeals for a front yard setback variance to provide enough flexibility to have a brick façade rather than a steel siding façade.

Commissioners offered comments regarding the proposed façade and roof line changes. Several Commissioners commented that they preferred continuing with the currently approved building façade/roof line assuming that the Zoning Board of Appeals grants a front yard setback variance.

It was moved by Commissioner Paton, seconded by Commissioner Cook to approve the request submitted by DVNK 3, LLC, for approval of its updated site plan (dated November 5, 2019) to convert the existing building at 406 South Steele Street to a medical marijuana provisioning center facility based on the site plan complying with Site Plan Standards of Approval contained in Section 1276.07 of the City Code subject to the following conditions:

- The granting of a front yard setback variance by the Zoning Board of Appeals so that the building exterior and building roof line can be constructed as previously approved by the Planning Commission at its meeting held on June 12, 2019;
- Approval by the Ionia County Health Department of the methods for capping the existing private well and the methods for abandoning the existing private septic system located on the property considering connection to available municipal utilities will be made;
- Providing specifications concerning the exterior lighting (both on the building and parking lot) and verification that both types of lights are downward shining;
- Site Plan “clean-up” items including proper measurement of building setbacks (from property lines rather than site amenities), measurements for handicap parking spaces, advertising sign details/profiles, relocating the loading space to the location originally approved, and reconciling the landscape planting material table with the landscape planting plan;

and, with the approval of the parking plan which proposes one space fewer than the previously approved site plan but still with over 20% more spaces than required by the parking standards contained in the Zoning Ordinance; and, subject to final administrative approval of the site plan based on compliance with the Site Plan Standards of Approval contained in Section 1276.07 of the City Code and subject to

the applicant gaining approval from the State of Michigan for licensure as a medical marihuana facility.

MOTION CARRIED.

The City Manager explained that the Zoning Board of Appeals meets on an as-needed basis. Once the application is received, the meeting will be scheduled. Action by the Zoning Board of Appeals regarding the front yard setback variance will determine if the site plan needs to be re-reviewed by the Commission (if a variance is granted, the applicant can construct the building with the façade and roofline as previously approved, if the variance is denied, the front yard setback issue remains and alternative siding materials will need to be pursued and approved by the Commission).

PRW Ventures – Site Plan Approval/Special Land Use Permit Approval – 300 South Steele – Provisioning Center Facility: The City Manager reported that the Commission began its review of the request submitted by PRW Ventures for Site Plan Approval/Special Land Use Permit Approval to convert the existing building at 300 South Steele Street to a medical marihuana provisioning center at its November 2019 meeting. No action was taken at that time and discussion at the December 2019 meeting regarding the request was delayed at the request of the applicant.

The City Manager suggested that the Commission begin its review of the request by re-reviewing the comments provided by Mrs. Johnson in her review memorandum regarding the Special Land Use Permit request. He stated that if the permit request is granted, then site plan review can occur.

The Chairman recognized John Dinehart, Live Local Realty, for comment. Mr. Dinehart reviewed an aerial photograph of the property at 300 South Steele Street and the Matcor owned property which surrounds it. He stated that the Matcor property buffers the property at 300 South Steele Street from other properties, particularly City owned property which may be used for recreational purposes in the future. He discussed societal changes, the voters support of both medical and recreational marihuana and offer his views on how someday marihuana related land uses will be as common as liquor stores and bars. He also shared that currently the Steele Street Brewery's business is about one-third food sales and two-thirds beer sales. He urged support of the request for the Special Land Use Permit Approval for 300 South Steele Street.

The Chairman recognized Justin Dunaskis, a consultant appearing on behalf of PRW Ventures. Mr. Dunaskis stated that a medical marijuana provisioning center is a less-intense business use than some of the other business uses permitted in the B-3 zoning district. He also stated that he felt that the PRW Ventures request complies with all of the standards for the granting of a Special Land Use Permit.

Mrs. Johnson reviewed with the Commission her memorandum dated November 13, 2019 regarding the Special Land Use Permit Approval/Site Plan Approval request submitted by PRW Ventures for 300 South Steele Street. She stated that she did not believe that the request for the Special Land Use Permit met all of the standards, particularly the first standard which states that the proposed use must be “harmonious with the existing or intended character of the general vicinity and that such use will not significantly change the essential character of the area in which it is proposed”. She stated that her rationale for his conclusion was based on the intended future uses for Steele Street as identified in both the 2012 and 2019 Master Plans.

Mrs. Johnson reminded the Commission that all five standards contained in Section 1274.04 of the City Code must be met in order to approve a Special Land Use Permit.

Recognizing that the first standard is often the most difficult standard to meet, the Commission discussed this standard at length.

After further discussion, it was moved by Commissioner Cook, seconded by Commissioner Swartz to find that the request submitted by PRW Ventures for a Special Land Use Permit to operate a medical marijuana provisioning center at 300 South Steele “is designed, constructed, operated and maintained so it will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not significantly change the essential character of the area in which it is proposed.”

YES: Commissioners Cook, Swartz, Videtich

NO: Commissioners Lee, Paton and Hoppough

MOTION FAILED.

Mrs. Johnson continued her review of her review memorandum regarding the four remaining standards of approval. It was the consensus of the Commission that the request meets the four remaining standards, specifically that:

Standard #2: The project is adequately served by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.

Standard #3: The project will not create excessive additional requirements at public cost for public facilities and services.

Standard #4: The project does not involve uses, activities, processes, materials and equipment or conditions of operations that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Standard #5: The project is consistent with the intent and purpose of the zoning district in which the use will be located.

It was moved by Commissioner Cook, seconded by Commissioner Swartz, to grant the request submitted by PRW Ventures for a Special Land Use Permit to operate a medical marijuana provisioning center at 300 South Steele Street based on the proposed project meeting all five standards contained in Section 1274.04 of the City Code, specifically:

- 1) The project is designed, will be constructed, operated and maintained so it will be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not significantly change the essential character of the area in which it is proposed.
- 2) The project is adequately served by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.
- 3) The project will not create excessive additional requirements at public cost for public facilities and services.
- 4) The project does not involve uses, activities, processes, materials and equipment or conditions of operations that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

- 5) The project is consistent with the intent and purpose of the zoning district in which the use will be located.

YES: Commissioners Cook, Swartz, Videtich

NO: Commissioners Lee, Paton and Hoppough

MOTION FAILED.

Crisis Shelter Homes – Zoning Ordinance Amendment: The City Manager stated that he will be working with Mrs. Johnson to draft a proposed zoning ordinance amendment that addresses the crisis shelter home type use. This may be available as early as the February meeting.

NEW BUSINESS

None.

COMMISSIONER COMMENTS The City Manager reported that Commissioner Jennings served as the Planning Commission's representative to the Zoning Board of Appeals. With his resignation, a new representative needs to be selected.

It was moved by Commissioner Paton, seconded by Commissioner Hoppough to select Commissioner Cook as the Commission's representative to the Zoning Board of Appeals. MOTION CARRIED.

Commissioner Lee provided an update regarding a grant application approved by the City Council for possible Community Development Block Grant funding to cover the majority of the cost of constructing Wetland Park, one of the recreational components proposed for Steele Street by the Steele Street Corridor Master Plan.

ADJOURNMENT

It was moved by Commissioner Videtich, seconded by Commissioner Cook to adjourn the meeting at 6:55 PM. MOTION CARRIED.

Respectfully Submitted,

Jason Eppler  
City Manager  
Recording Secretary for Dave Cook, Secretary