

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
March 16, 2022**

Chair Jane called the March 16, 2022 regular meeting of the Planning Commission, to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Megan Eppley, Jacob Buse, Chris Jane, and Kate McLeod

EXCUSED Rory Ruddick and Sarah Montgomery

ABSENT Kasey Thompson

ALSO PRESENT Paula Priebe, Community Development Director
Emily Szymanski, Planning & Zoning Technician

There were 13 audience members.

APPROVAL OF MINUTES

Motion was made by Jacob Buse, seconded by Megan Eppley, to approve the minutes of the February 16, 2022 meeting of the Planning Commission as presented, with no changes. Motion was passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

Zoning Ordinance Amendment to Section 11.1:29(2)(e) to Remove the Prohibition on Curbside Sales and Dispensing for Commercial-type Marihuana Establishments

The Public Hearing was opened at 6:37 PM.

Staff Report

Priebe summarized the Staff Report stating that the majority of the proposed changes are to the City Code of Ordinances in Title 11 Chapter 116, where the authorizing and regulating Ordinances for marihuana businesses are found. One proposed change that is regulated in both

the City Code of Ordinances and the Zoning Ordinance is regarding the regulation of curbside sales and dispensing. This topic has been discussed at both the January 17, 2022 and February 16, 2022 Planning Commission meetings and is being brought back to the Planning Commission for a Public Hearing tonight. During previous meetings, staff provided three different options for changes to this Ordinance and presented feedback from local marihuana businesses and how other communities regulate curbside sales.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request: None heard

Telephonic or Written Correspondence Received by Staff: None received

Chair Jane closed the Public Hearing at 6:41 and the Commission entered into Fact Finding.

- Jane asked if City staff already has the framework in place that would allow curbside designations for the marihuana businesses. Priebe stated that the curbside designation will be built into the existing permit process. Marihuana businesses in the City of Big Rapids that offer curbside will be required to identify specific parking spaces designated for curbside sales on a site plan and also have the proper security and lighting.
- Eppley asked if the on-street parking spaces in front of the downtown marihuana businesses would become curbside-only parking spaces. Priebe stated that because downtown marihuana businesses do not have their own parking lot, customers could use the on-street parking for curbside, however, on-street parking can be used by the general public as well.

Motion

Motion was made by Megan Eppley seconded by Jacob Buse to recommend that the Zoning Ordinance Text Amendment to Section 11.1:29(2)(e) to remove the prohibition on curbside sales and dispensing for commercial-type marihuana facilities be adopted as presented, as the amendment meets all of the Standards for Review found in Section 14.2:4 of the Zoning Ordinance.

Motion passed with all in favor.

Special Land Use Permit Application for a Marihuana Grower and Processor Facility at 1100 Maple Street

The Public Hearing was opened at 6:47 PM.

Staff Report

Priebe introduced the Staff Report, stating that the Applicant, Michigan Pipe Dreams LLC, is applying for a Special Land Use Permit for a Marihuana Grower and Processor Facility in order

to use the existing industrial building at 1100 Maple Street as a marihuana grower and processor facility. Due to the majority of changes happening inside of the building, and minimal changes occurring to the exterior, a formal site plan review was not required of the Applicant.

Christian Franke, CFO of Michigan Pipe Dreams LLC, stated that he has addressed the Planning Commission before for a Special Land Use for a Marihuana Grower and Processor Facility at 125 Howard Street. To expand their operations, Mr. Franke has purchased 1100 Maple Street with the intent of using the building for a small genetic grow and processing facility. Mr. Franke stated that he has been working with the neighboring business, Spectrum, to ensure that odor-mitigation is up to their standards. Having done so, Spectrum has signed another 5-year lease to stay at their current location.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Phil Neitzel of 115 DeKrafft Avenue stated that he has concerns regarding the number of children that live within a block of the current processing plant. With the proposed expansion of this grow and processing plant and with the daycare located down the street, the health and safety of the children should be taken into consideration. Mr. Neitzel stated that it seems as though Big Rapids is turning into a “Marihuana Mile” with all of the marihuana businesses open right now and the others on the way. He feels that any money the City receives from the marihuana revenues should go back into the community in ways that would benefit City residents such as park improvements, or building the farmer’s market pavilion.

Telephonic or Written Correspondence Received by Staff: None received

In response to the opposition voiced from a community member, Christian Franke, CFO of Michigan Pipe Dreams LLC, addressed some of the concerns:

- For concerns with safety and children being able to access the building, Mr. Franke stated that all marihuana facilities are required to follow State law and in doing so, have some of the best security compared to other types of businesses. The building will also be surrounded by a fence with several evergreen trees that will not only add additional safety measures, but also assist in beautification of the neighborhood.
- For concerns with smell, Mr. Franke stated that their business will use a type of o-zone machine system which will filter through any odor and microbials. In addition to the system, they will also have specific types of filtered exhaust that acts as a double-filtered system.

Chair Jane closed the Public Hearing at 7:03 PM and the Planning Commission entered into Fact Finding.

- Buse asked the Applicant to discuss the tentative timeline for this project. Mr. Franke stated that the project will take about 60 days to fund and about 60 days to improve the building and add the necessary exhaust system. After the 120 days and the inspection from both the State and City, the business should be up and running 90 days after that.

Motion

Motion was made by Megan Eppley seconded by Kate McLeod to move that the Special Land Use Permit Application for a marihuana grower and processor facility at Parcel # 17-11-454-001, street address 1100 Maple Street, be recommended to the City Commission for approval, because it meets the Standards set in Section 10.3:8 and Section 11.1.29(3) of the Zoning Ordinance.

Motion passed with all in favor.

Zoning Ordinance Map Amendment Application to Rezone 510 S Third Avenue from R-3 Residential to C-3 Commercial

The Public Hearing was opened at 7:10 PM.

Staff Report

Priebe summarized the Staff Report, stating that the Applicant recently purchased the property at 520 S Third Avenue, zoned C-3 Commercial, and is interested in purchasing the vacant lot at 510 S Third Avenue, currently zoned R-3 Residential. The requested Map Amendment is to amend the zoning of 510 S Third Avenue from R-3 Residential to C-3 Commercial to compliment the zoning of 520 S Third Avenue.

Shoran Williams, General Council representing Fluersh LLC, stated that the intent of the Applicant for 510 S Third Ave is to rezone the vacant lot as C-3 Commercial in order to construct a parking lot that would compliment the existing Commercial business at 520 S Third Avenue. The Applicants have no intent of building toward the Muskegon River, however, would like to mitigate any traffic issues on Third Avenue.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request: None heard

Telephonic or Written Correspondence Received by Staff: None received

Chair Jane closed the Public Hearing at 7:17 PM and the Planning Commission entered into Fact Finding.

- Buse asked if the parking lot were to be constructed, would there be the existing one road access point or two? The Applicant stated that there would be two, so they would add

another curb cut. Priebe stated that a new parking lot does require a Site Plan Review so any development would come back to the Planning Commission for approval.

Motion

Motion was made by Jacob Buse seconded by Megan Eppley to move that the Rezoning Application for 510 S Third Avenue (Parcel # 17-14-204-007) from R-3 Residential to C-3 Commercial be recommended to the City Commission for approval, because it meets the Standards set in Section 14.2:4 of the Zoning Ordinance.

GENERAL BUSINESS

Training: Planning for Equity Policy Guide

Introduction

Szymanski stated that as part of the Redevelopment Ready Communities (RRC) program, staff will be providing Commissioners will more small-scale training opportunities in addition to the larger workshops and conferences. The resource attached was written by the American Planning Association (APA) and provides an excellent overview of the different types of equity in planning. Since Planning Commissioners have been working diligently on the Zoning Ordinance amendments to allow different types of housing, this resource identifies the need for housing diversity and provides steps and policies to ensure housing in our communities is equitable, among other topics.

UNSCHEDULED BUSINESS

None

There being no further business, Chair Jane adjourned the meeting at 7:28 PM with all in favor.

Respectfully submitted,

Emily Szymanski
Planning & Zoning Technician and Planning Commission Secretary