

Council Chamber
Henry L. Brown Municipal Bldg.
One Grand Street
Coldwater, Michigan



May 3, 2021
5:30 p.m.
(517) 279-9501
www.coldwater.org

PLANNING COMMISSION MINUTES ELECTRONIC REGULAR MEETING

The City of Coldwater Planning Commission will hold an Electronic Regular Meeting through Zoom, beginning at **5:30 p.m. on Monday, May 3, 2021**, for purpose of conducting such business that comes before the Planning Commission. The meeting will take place electronically due to the COVID-19 Pandemic, current rates of infection in Branch County, social distancing requirements and gathering limitations in orders issued under the Public Health Code by Michigan's Director of Health and Human Services and pursuant to authorization for remote meetings found in Michigan's Open Meetings Act, MCL 15.263, as amended in Public Act 254 of 2020, authorizing remote meetings pursuant to established procedures in the event of a statewide or local state of emergency or disaster declared pursuant to law, charter, or local ordinance to preserve the personal health or safety of members of the public or the public body and the Coldwater City Council's declaration of a local state of emergency on March 22, 2021 in Resolution 21-18, which extended the authority for City Boards to conduct remote meetings until August 31, 2021, and the Branch County Board of Commissioners' December 8, 2020 declaration 2020-09 of a local state of emergency which extended authority to conduct remote meetings until December 31, 2021 For current and up-to-date information regarding the coronavirus, visit: <http://www.Michigan.gov/Coronavirus> or <http://www.CDC.gov/Coronavirus>.

Members of the public may view and participate in the meeting by the following methods:

ELECTRONIC SPECIAL PLANNING COMMISSION MEETING ACCESS

For individuals who may wish to give public comment, the method for providing public comment during this remote-participation meeting is to call the following toll-free numbers: **1-877-853-5257** or **1-888-475-4499 (Meeting ID: 854 0292 1369)** Participant ID is not required. Callers wishing to give public comment may call in before the meeting starts and wait in a "virtual waiting room." These instructions will be included in every official published agenda of the City Boards. Those calling in will be able to hear the audio of the City Board meeting, but they will be muted until called on. Callers who do not wish to give public comment are encouraged to view the meeting live-streamed on YouTube at, bit.ly/ColdwaterVideo and also on Skitter Channel 61.

ROLL CALL

Chairman Aloha Miller called the meeting to order with the following Commissioners present: Jeff Budd, Aaron Garn, Salwa Alsuraimi, Dave Rumsey, Mayor Kramer, Michael Beckwith and Chris Stevens all indicated they were located inside the City of Coldwater; Jessika Cole, the member at large, indicated she was in Girard Township; Commissioners also indicated there were no public comment emails received as of 3:30 p.m. prior to the meeting.

Others present: Keith Baker, Dean Walrack, Susan Heath, Shauna Chávez, Megan Angel, Sheila Puffenberger, Marcus Braman, Grant Troeger, Chris Harkins, Rich Rosier, Kirill Merkulov, Mike Scheeser, John Sarraïno and one other.

1. Minutes of the Regular Meeting of April 19, 2021.

Commission Action: Motion by Commissioner Stevens, seconded by Councilmember Beckwith, to approve and place on file the minutes of the Electronic Special Meeting of April 19, 2021, as presented.

Roll Call Vote:

Ayes: Commissioners: Michael Beckwith, Chris Stevens, Jessika Cole, Jeff Budd, Salwa Alsuraimi, Aaron Garn, Dave Rumsey, Mayor Kramer and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

PUBLIC COMMENTS (unrelated to items on the agenda)

- None

PUBLIC HEARING

2. SUP21-10 A request from Yuma Way, LLC to consider a Special Land Use Permit for the operation of an Adult Use Recreational Marihuana Grow; Class C located at 127 Industrial Ave.

Chairman Miller opened the public hearing at 5:43 p.m.

Administrator Dean Walrack presented SUP 21-10 A request from Yuma Way, LLC, to consider a Special Land Use Permit petition in accordance with Section 6.2 of the City of Coldwater Zoning Ordinance for the operation of an Adult Use Recreational Marihuana Grow Class C Establishment use for the property located at 127 Industrial Ave., Coldwater, MI. A special land use permit is required for this project by Section 6.2 of the Zoning Ordinance. Section 6.2.C.4 (Special Land Uses chapter) of the Zoning Ordinance states that: "The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code."

Yuma Way, LLC is requesting permission to operate an Adult Use Recreational Marihuana

Grow Class C Establishment from the southern portion of the industrial building at 127 Industrial Ave. There is a 33-space parking lot at the property's northwest, a 19-space parking lot on the east side, and a semi-improved lot at the building's south with access to Darling Dr. Administrator Walrack presented the sections of the Zoning Code regarding such a request, as well as the five Discretionary General Standards and three Non-Discretionary (Site Review) Standards by which the Commission may make decision regarding the request.

Kirill Merkulov, representatives of the property were on hand to answer Commissioner's questions.

Administrator Walrack read the email comments from the following:

- Rick Gates, Gates Primer Commercial Group and owner of the property, spoke in favor of this SUP request.
- Rob and James Putnam of Putnam Machine Products, spoke in opposition to this SUP request.
- John Slagle, Fox Factory Sport Truck USA, spoke in opposition to this SUP request.

Public Comment: None.

Chairman Miller closed the public hearing at 6:39 p.m.

Commission Action: Motion by Commissioner Rumsey, seconded by Commissioner Cole, to approve the Special Land Use permission request for Adult Use Marihuana Grow Class C Establishment to Yuma Way, LLC, as the proposed use will be bound to all requirements for Marihuana uses found in Ordinance 880 of the City of Coldwater Codified Ordinances, as well as all Specific Requirements for Special Land Uses in Section 4.21, as presented.

Roll Call Vote:

Ayes: Commissioners: Chris Stevens, Jessika Cole, Jeff Budd, Salwa Alsuraimi, Aaron Garn, Dave Rumsey, Mayor Kramer, Michael Beckwith and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

3. SUP21-11 A request from Northeast Alternatives, Inc. to consider a Special Land Use Permit for the operation of an Adult Use Recreational Marihuana Retail located at 355 S. Willowbrook Rd. Ste. F.

Chairman Miller opened the public hearing at 6:44 p.m.

Administrator Dean Walrack presented SUP 21-11 A request from Northeast Alternatives, Inc., to consider a Special Land Use Permit petition in accordance with Section 6.2 of the City of Coldwater Zoning Ordinance for the operation of an Adult Use Recreational Marihuana Retail Establishment use for the property located at 355 S Willowbrook, Coldwater, MI. A special land use permit is required for this project by Section 6.2 of the Zoning Ordinance. Section 6.2.C.4 (Special Land Uses chapter) of the Zoning Ordinance states that: “The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code.”

Northeast Alternatives, Inc. is requesting permission to operate an Adult Use Recreational Marihuana Retail Establishment from the westernmost suite of the commercial strip development which was previously occupied by Radio Shack. All physical changes to the building will be interior of the building. There are 48 parking spaces at the front and sides of the development for customers and employees.

Administrator Walrack presented the sections of the Zoning Code regarding such a request, as well as the five Discretionary General Standards and three Non-Discretionary (Site Review) Standards by which the Commission may make decision regarding the request.

Marcus Braman, Grant Troeger, Chris Harkins and Rich Rosier, representatives of the property were on hand to answer Commissioner’s questions.

Public Comment: None.

Chairman Miller closed the public hearing at 6:49 p.m.

Commission Action: Motion by Councilmember Beckwith, seconded by Commissioner Alsuraimi, to approve the Special Land Use permission request for Adult Use Marihuana Retail Establishment to Northeast Alternatives, Inc. as the proposed use will be bound to all requirements for Marihuana uses found in Ordinance 880 of the City of Coldwater Codified Ordinances, as well as all Specific Requirements for Special Land Uses in Section 4.21, as presented.

Roll Call Vote:

Ayes: Commissioners: Jessika Cole, Jeff Budd, Salwa Alsuraimi, Aaron Garn, Mayor Kramer, Michael Beckwith, Chris Stevens and Chairman Miller.

Nays: Commissioners: Dave Rumsey.

Motion carried.

4. SUP21-12 A request from Galenas Michigan, LLC to consider a Special Land Use Permit for the operation of an Adult Use Recreational Marihuana Process and Retail located at 290 Butters Ave.

Chairman Miller opened the public hearing at 6:51 p.m.

Administrator Dean Walrack presented SUP21-12 A request from Galenas Michigan, LLC to consider a Special Land Use Permit for the operation of an Adult Use Recreational Marihuana Process and Retail located at 290 Butters Ave. A special land use permit is required for this project by Section 6.2 of the Zoning Ordinance. Section 6.2.C.4 (Special Land Uses chapter) of the Zoning Ordinance states that: "The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code." Galenas Michigan, LLC is requesting permission to operate an Adult Use Recreational Marihuana Processing Establishment and an accessory Retail Establishment from the vacant property located at 290 Butters Ave.

Administrator Walrack presented the sections of the Zoning Code regarding such a request, as well as the five Discretionary General Standards and 20 Non-Discretionary (Site Review) Standards by which the Commission may make decision regarding the request.

Mike Scheezer and John Sarraino, representatives of the property were on hand to answer Commissioner's questions.

*Mayor Kramer left the meeting briefly and returned at 6:54 p.m.

Public Comment: None.

Chairman Miller closed the public hearing at 7:09 p.m.

Commission Action: Motion by Commissioner Stevens, seconded by Commissioner Cole, to approve the Special Land Use permission request for Adult Use Marihuana Processing Establishment and Retail Establishment to Galenas Michigan, LLC, with a complete site plan to be brought back to the Planning Commission for approval, and to include an odor mediation plan, as the proposed use will be bound to all requirements for Marihuana uses found in Ordinance 880 of the City of Coldwater Codified Ordinances, as well as all Specific Requirements for Special Land Uses in Section 4.21, as presented.

Roll Call Vote:

Ayes: Commissioners: Jeff Budd, Salwa Alsuraimi, Aaron Garn, Dave Rumsey, Mayor Kramer, Michael Beckwith, Chris Stevens, Jessika Cole and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

UNFINISHED BUSINESS

- None.

NEW BUSINESS

5. Consideration of a Council request for a moratorium on future grow and retail licenses for 90 days in the industrial zone.

Commission Action: Motion by Commissioner Rumsey, seconded by Commissioner Garn, to request City Council place a moratorium on future grow licenses for 90 days in the industrial zone, as presented.

Roll Call Vote:

Ayes: Commissioners: Salwa Alsuraimi, Aaron Garn, Dave Rumsey, Mayor Kramer, Michael Beckwith, Chris Stevens, Jeff Budd and Chairman Miller.

Nays: Commissioners: Jessika Cole

Motion carried.

Commission Action: Motion by Commissioner Budd, seconded by Councilmember Beckwith, to request City Council place a moratorium on future retail licenses for 90 days in the industrial zone, as presented.

Roll Call Vote:

Ayes: Commissioners: Aaron Garn, Dave Rumsey, Mayor Kramer, Michael Beckwith, Chris Stevens, Jeff Budd, Salwa Alsuraimi and Chairman Miller.

Nays: Commissioners: Jessika Cole.

Motion carried.

PUBLIC COMMENTS

- Administrator Walrack read a YouTube public comment from Joshua Blue wishing him a Happy Birthday.

ADJOURNMENT – Next Meeting Monday, June 7, 2021.

Noting no other business to come before this Commission, Chairman Miller adjourned the meeting at 7:23 p.m.

A handwritten signature in blue ink that reads "SEHeath".

Susan E. Heath, CMC, MiPMC
City Clerk