

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



July 6, 2020  
5:30 p.m.  
(517) 279-9501  
[www.coldwater.org](http://www.coldwater.org)

**PLANNING COMMISSION MINUTES  
ELECTRONIC REGULAR MEETING**

**Any interested person or group may address the City Planning Commission on any agenda item when recognized by the presiding officer or upon request of any Commission Member. Also, any interested person or group may address the Planning Commission on any matter of concern not on the Agenda during the agenda item designated Public Comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Commission.**

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:

**1-888-475-4499 or 1-877-853-5257 (Meeting ID: 862 6804 9199)** 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.” Those calling in will be able to hear the audio of the City Planning Commission meeting, yet their microphone will be muted. Callers who do not wish to give public comment are encouraged to view the meeting live-streamed on YouTube at, [bit.ly/ColdwaterVideo](http://bit.ly/ColdwaterVideo).

**ROLL CALL**

Chairman Miller called the meeting to order with the following Commissioners present: Jeff Budd, Jessika Cole, Aaron Garn, Dave Rumsey, Mayor Kramer, Michael Beckwith and Chris Stevens and Zack Stempien.

**Others present:** Dean Walrack, Susan Heath, Keith Baker, Pat Pool, Steve Teitsma, Scott Morrison, Rick Gates, Closed Captioner and three others.

1. Minutes of the Special Meeting of June 1, 2020.

**Commission Action:** Motion by Commissioner Stevens, seconded by Commissioner Rumsey, to approve and place on file the minutes of the Electronic Regular Meeting of June 1, 2020, as presented.

Roll Call Vote:

Ayes: Commissioners: Stempien, Budd, Cole, Garn, Rumsey, Mayor Kramer, Beckwith, Stevens and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

**PUBLIC COMMENTS** (unrelated to items on the agenda)

- None

**OLD BUSINESS**

2. **Medical Marihuana Memorandum** – Information regarding the timeline and costs associated with operating Medical Marihuana Facilities and Recreational Marihuana Establishments.

**Commission Action:** None – Staff Presentation only (attached in Addendum A).

**NEW BUSINESS**

3. SPR20-03 A request by Gates Prime Commercial Group, LLC to build a five-building, 40-unit multi-family residential development at the 2.9 acres property located at the corner of Northshore Dr. and W. Chicago St.

Administrator Dean Walrack presented SPR20-03 a request by Gates Prime Commercial Group, LLC to build a five-building, 40-unit multi-family residential development at the 2.8 acres property located at the corner of Northshore Dr. and W. Chicago St. The property will be accessed by two driveways proposed for Northshore Dr. The site is presently vacant and properly zoned for the proposed use.

The apartments will be served by a 70-space parking lot consisting of 37 unprotected spaces, five barrier-free spaces, and 28 protected spaces under three carports.

This area of the City consists primarily of multi-family residential developments with some commercial services and light manufacturing nearby. The Heritage Park is also nearby offering open space and recreation, while Chicago St. provides vehicular and pedestrian connectivity. The applicant has provided a set of adjusted Site Plans with updated grading and stormwater management plans. The City's engineering consultant has not had an opportunity to fully review the new material, but has notified Staff that the corrections seem to be sufficient and that conditional approval is warranted.

CONTINGENCY ITEMS – Based upon our review, staff has identified the following items which require inclusion or clarification:

- 1) The stormwater management plans are fully approved by City of Coldwater engineering consultant.
- 2) The applicant submits and is approved for a Soil Erosion and Sediment Control permit and plan.
- 3) Each building is wired with appropriate Ethernet at time of construction in accordance with CBPU Telecommunications Department's specifications.

**Commission Action:** Motion by Commissioner Rumsey, seconded by Commissioner Garn, to approve SUP 20-03 along with the above three noted contingencies, as presented (not acted upon in its original form).

**Amendment to previous motion:** Motion by Commissioner Rumsey, seconded by Commissioner Garn, to amend the previous motion and strike contingency item number 3, as presented.

Roll Call Vote:

Ayes: Commissioners: Rumsey, Mayor Kramer, Beckwith, Stevens, Stempien, Budd, Cole, Garn and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

**Commission Action as Amended:** Motion by Commissioner Rumsey, seconded by Commissioner Garn, to approve SPR 20-03 along with Contingency item numbers 1 and 2 noted above and to strike contingency item number 3, as presented.

Roll Call Vote:

Ayes: Commissioners: Budd, Cole, Garn, Rumsey, Mayor Kramer, Beckwith, Stevens, Stempien and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

4. SPR20-04 A Request by Coldwater Leisure, LLC to build a 2,300 sq. ft. addition to the existing 3,500 sp. Ft. restaurant building located at 50 E. Chicago St.

Administrator Walrack presented SPR20-04 a request by Coldwater Leisure, LLC to build a 2,300 sq. ft. addition to the existing 3,500 sq. ft. restaurant building located at 50 E. Chicago St. This new addition will be constructed on land currently used as a seasonal outdoor dining area adjacent to S. Hudson St. The new addition will contain a pizza oven and second kitchen, additional restrooms, and dining seating.

The site is served by a 25-space private parking lot directly south of the building with additional public parking located nearby in public lots and on streets.

CONTINGENCY ITEMS – Based upon our review, staff feels approval of the site plan is warranted with the following contingencies:

- 1) The post-project stormwater system is built to the same capacity as the existing system.

- 2) An egress door to the patio is installed on the current building.
- 3) The exterior elevation is found to be suitable by the Coldwater Downtown Historic District Commission.

**Commission Action:** Motion by Commissioner Stevens, seconded by Commissioner Cole, to approve SPR20-04 along with contingency item numbers 1 and 3 (and striking item number 2) noted above, as presented.

Roll Call Vote:

Ayes: Commissioners: Cole, Garn, Rumsey, Mayor Kramer, Beckwith, Stevens, Stempien, Budd and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

5. Resolution 20-07 a resolution regarding the 2021 Meetings of the Coldwater Planning Commission.

**Commission Action:** Motion by Commissioner Stevens, seconded by Commissioner Beckwith, to adopt Resolution No. 20-07 (attached in Addendum B), as presented.

Roll Call Vote:

Ayes: Commissioners: Garn, Rumsey, Mayor Kramer, Beckwith, Stevens, Stempien, Budd, Cole and Chairman Miller.

Nays: Commissioners: None.

Motion carried.

## **PUBLIC COMMENTS**

- None.

**ADJOURNMENT** – Next Meeting Monday, August 17, 2020.

Noting no other business to come before this Commission, Chairman Miller adjourned the meeting at 6:19 p.m.



Susan E. Heath, CMC  
City Clerk

Date: June 9, 2020

## **STAFF REPORT TO THE PLANNING COMMISSION**

**SUBJECT:** INFORMATION REGARDING OBTAINING JOINT MEDICAL MARIHUANA FACILITIES AND ADULT USE RECREATIONAL MARIHUANA ESTABLISHMENT LICENSING

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### **MEDICAL MARIHUANA LICENSING TIMELINE**

City of Coldwater Staff has contacted the Bureau of Medical Marihuana Regulation (BMMR) and the Marihuana Regulatory Agency (MRA) to seek information on the licensing process for a Medical Marihuana Facility. The MRA provides two reviews: an applicant pre-qualification review which is allotted a 120 day timeframe and subsequent Special Land Use Permission hearing, and a facilities review after local approval which is allotted a 90 day timeframe.

The pre-qualification review must be completed before an applicant would be able to apply for the City's Municipal Marihuana License, and the approval of that license is a prerequisite to an application for a Special Use Hearing. Staff does not presently have an application process in place for the acceptance and review of the Municipal Marihuana License, however a Special Land Use Permission will require a Public Hearing with Notice published and mailed at least 15 days prior; thus it can take anywhere between three and seven weeks. The ordinance on the Municipal Marihuana License currently specifies that the City will begin to accept Municipal Marihuana Licenses on September 1, 2020. Thus, currently, all timing will run from that date.

An additional initial amount of time must be devoted to creating an enabling amendment to the Zoning Ordinance to allow for Medical Marihuana Facilities which, will necessarily require a Public Hearing --with notice printed in the Daily Reporter 15 days prior-- be held before the Planning Commission followed by an introductory reading at a subsequent City Council meeting and a vote at least two weeks later, with the amended ordinance taking effect 21 days following. Staff cannot give a definitive timeframe for when the amended text may be ready for publication, but it will likely need to wait until the August 17 Planning Commission meeting at its earliest, with introduction at City Council on August 24, City Council vote on September 14, and becoming law on October 5.

It is possible for an applicant who is a party to an entity which operates a Medical Marihuana Facility to apply for an Adult Use Recreational Marihuana license of any type.

### **MEDICAL MARIHUANA FACILITY LICENSING COST**

An applicant for a Medical Marihuana Pre-Qualification will need to pay the State a \$6,000 fee which is due for each applicant, but not necessarily each Facility: a Grower who is licensed may apply to also operate a Processing Facility without paying the \$6,000 Pre-Qualification fee, but must still pay the new Processing Facility licensing fee in addition to the Grower Facility fee. Applicants must also show between \$200,000 and \$500,000 in capitalization with at least 25% of that being liquid assets. The \$6,000 application fee is separate from the actual state license fees discussed below.

The Medical Marijuana Facilities licensing fees are capped at \$10,000 for Grower Class A Licenses and \$66,000 for all other License types. They do, however, change year-to-year with the 2020 costs are as follows:

Medical License Type	New License	Top-Tier Renewal	Middle-Tier Renewal	Bottom-Tier Renewal
Grower Class A	\$10,000	\$10,000	\$10,000	\$10,000
Grower Class B	\$30,000	\$36,000	\$30,000	\$24,000
Grower Class C	\$56,000	\$67,000	\$56,000	\$45,000
Processor	\$56,000	\$67,000	\$56,000	\$45,000
Transporter	\$44,000	\$52,000	\$44,000	\$36,000
Provisioning Center	\$44,000	\$52,000	\$44,000	\$36,000
Safety Compliance Center	No Fee	No Fee	No Fee	No Fee

### **ADULT USE RECREATIONAL MARIHUANA ESTABLISHMENT LICENSING COST**

An applicant for an Adult Use Recreational Marijuana Establishment Pre-Qualification will need to pay the State a \$6,000 fee which is due for each applicant, but not necessarily each Facility.

The Adult Use Recreational Marijuana Facilities licensing fees change year-to-year but the 2020 costs are as follows:

Recreational License Type	New License	Top-Tier Renewal	Middle-Tier Renewal	Bottom-Tier Renewal
Grower Class A	\$4,000	\$5,000	\$4,000	\$3,000
Grower Class B	\$8,000	\$10,000	\$8,000	\$6,000
Grower Class C	\$40,000	\$50,000	\$40,000	\$30,000
Microbusiness	\$8,000	\$10,000	\$8,000	\$6,000
Processor	\$40,000	\$50,000	\$40,000	\$30,000
Transporter	\$25,000	\$30,000	\$25,000	\$20,000
Retailer	\$25,000	\$30,000	\$25,000	\$20,000
Safety Compliance Center	\$25,000	\$30,000	\$25,000	\$20,000
Event Organizer	\$1,000	\$1,000	\$1,000	\$1,000
Consumption Establishment	\$1,000	\$1,000	\$1,000	\$1,000

### **SUMMARY**

If the City of Coldwater moves to adopt a Zoning Ordinance Text Amendment to enable Medical Marijuana Facilities, the earliest conceivable opportunity for a new applicant to apply to the MRA would be October 5, 2020. It is likely that the applicant would receive pre-qualification in early February 2021, at which point they would be eligible to apply for the Municipal Marijuana License from the City of Coldwater Clerk. Once that application is approved, the applicant may apply for Special Land Use Permission from the Planning Commission at a Public Hearing, likely in April (between February being a short month and the Public Hearing requiring additional

time to prepare notices to be mailed and published 15 days prior to the Hearing). Once approved locally by the Planning Commission, the applicant would be able to apply to the MRA for Facilities approval with award in late June or early July if 2021.

The costs involved in applying for the first year's licensing is laid out in the below chart, while renewals for subsequent years are based upon the tier in which the applicant falls; the tiers are based upon the amount of marihuana sold within the year. Medical Marihuana Facilities operators are also required to demonstrate between \$200,000 and \$500,000 in capitalization with at least 25% of that in liquid assets upon application to MRA for their Medical Marihuana Facilities License.

Recreational License Type	New License
Grower Class A	\$14,000*
Grower Class B	\$60,000
Grower Class C	\$118,000
Microbusiness	\$19,000*
Processor	\$118,000
Transporter	\$91,000
Retailer	\$91,000
Safety Compliance Center	\$47,000

\*Medical Marihuana Facilities licensure is not required to operate the Grower Class A or Microbusiness uses.

Respectfully Submitted,



Dean Walrack  
Planning and Zoning Administrator

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**CITY OF COLDWATER  
RESOLUTION NO. 20-27**

**A RESOLUTION REGARDING THE 2021 MEETINGS OF THE COLDWATER PLANNING COMMISSION:**

**WHEREAS**, pursuant to Section 5(2) of Act 267 of 1976, the Open Meetings Act, the Coldwater Planning Commission must establish and post notice of its regularly scheduled meetings; and

**WHEREAS**, regular Planning Commission meetings are held at 5:30 p.m. local time on the **first Monday** of each month in the Coldwater City Council Chamber located at One Grand Street, Coldwater, Michigan, unless otherwise stated; and

**WHEREAS**, a regular meeting may be rescheduled or a special meeting canceled upon eighteen (18) hours posted notice; and

**WHEREAS**, the City of Coldwater will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one week's notice to the City Clerk's office by writing or calling the following: City Clerk, One Grand Street, Michigan 49036, (517) 279-9501; and

**WHEREAS**, questions regarding meetings should be directed to the Planning and Zoning Administrator at One Grand Street, Coldwater, Michigan, (517) 279-6926.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

That the Coldwater Planning Commission Meetings for 2021 are scheduled for the following dates:

January 4  
February 1  
March 1  
April 19  
May 3  
June 7  
July 19  
August 16  
September 7  
October 4  
November 15  
December 6

AYES:           9  
NAYS:           0  
ABSENT:        0

Dated:           July 6,  
2020

  
Aloha Miller, Chairman