

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



August 15, 2022
5:30 p.m.
(517) 279-9501
www.coldwater.org

**PLANNING COMMISSION MINUTES
REGULAR MEETING**

ROLL CALL

Chairman Garn called the meeting to order with the following Commissioners present: Dave Rumsey, Andrew Cameron, Jessika Cole, Patty DeGroot, Chris Stevens, Councilmember Michael Beckwith and Mayor Kramer.

Members Absent: Salwa Alsuraimi

Commission Action: Motion by Commissioner Cole, seconded by Commissioner Stevens, to excuse the absence of Commissioner Salwa Alsuraimi, as presented.

Ayes: 8

Nays: 0

Motion carried.

Others present: Dean Walrack, Shauna Chávez; Don Reid, Yasin Atwain plus two others.

1. Minutes of the Regular Meeting of June 6, 2022.

Commission Action: Motion by Commissioner Stevens, seconded Commissioner Cameron, to approve and place on file the minutes of the Regular Meeting of June 6, 2022, as presented.

Ayes: 8

Nays: 0

Motion carried.

PUBLIC COMMENTS (unrelated to items on the agenda)

- None.

PUBLIC HEARING

Chairman Garn opened the public hearing for SUP22-05 at 5:31 p.m.

2. SUP 22-05 A request from Craft Leaf, 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 Processor use for the property located at 211 W. Garfield Rd., 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."

Craft Leaf, LLC is requesting permission to operate an Adult Use Recreational Marihuana Processor from 211 W. Garfield Rd. This location was awarded Special Land Use permission to operate a Marihuana Grow Class C on October 4, 2021 and the owners are now interested in vertically integrating the processing and sales into this site. When the City was first preparing its marihuana ordinance, many growers were expressing interest in bundling these uses and the City crafted its ordinance to allow for this possibility. The Planning Commission is being asked whether this particular location is appropriate for this collection of uses.

Garfield Rd. is a relatively high-traffic road, it is accessible by the I-69 business loop to the east and US-12 to the west. It provides access to several factories, fabrication shops, and some general retail uses such as C.E.M. Supply and Fastenal.

Administrator Walrack presented the sections of the Zoning Code regarding such a request, as well as the five Discretionary General Standards and twenty

Non-Discretionary (Site Review) Standards by which the Commission may make decision regarding the request.

After review, staff notes the following:

The applicant has proposed two potential configurations for the site, one with an addition to the existing building's west side, or one with Retail taking place in a freestanding building to the west of the existing building.

The applicant is in the process of installing new paved parking and stormwater management for the previously approved Grow Class C use. The stormwater management system is sized to accommodate expanded uses on the site. The parking for the Retail use will likely need to be expanded to accommodate at least seven (7) customer vehicles, as well as employee vehicles. The applicant will need to provide updated odor management plan.

The applicant will be required to submit additional electrical, mechanical, plumbing, and building plans if and when applying for the respective permits. Their final floor plans will also need to be approved by local and State fire marshals.

As a Special Use Permission request, the Planning Commission may place additional requirements upon an applicant if they feel it is necessary to preserve the public interest and the interest of nearby properties.

PUBLIC COMMENTS

- None.

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on July 28, 2022 as required by law.

Yasin Atwain, a representative of the property was on hand to answer Commissioner's questions.

Chairman Garn closed the public hearing for SUP22-05 at 5:43 p.m.

Commission Action: Motion by Commissioner Cole, seconded by Rumsey, to approve SUP22-05 request for Adult Use Marihuana Processor Establishment to Craft Leaf, 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."

Ayes: 8

Nays: 0

Motion carried.

Chairman Garn opened the public hearing for SUP22-06 at 5:52 p.m.

3. SUP22-06 A request from Craft Leaf, 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 a Retail Establishment use for the property located at 211 W. Garfield Rd., 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.”

Craft Leaf, LLC is requesting permission to operate a Retail Establishment from 211 W. Garfield Rd. This location was awarded Special Land Use permission to operate a Marihuana Grow Class C on October 4, 2021 and the owners are now interested in vertically integrating the processing and sales into this site. When the City was first preparing its marihuana ordinance, many growers were expressing interest in bundling these uses and the City crafted its ordinance to allow for this possibility. The Planning Commission is being asked whether this particular location is appropriate for this collection of uses.

Garfield Rd. is a relatively high-traffic road, it is accessible by the I-69 business loop to the east and US-12 to the west. It provides access to several factories, fabrication shops, and some general retail uses such as C.E.M. Supply and Fastenal.

Administrator Walrack presented the sections of the Zoning Code regarding such a request, as well as the five Discretionary General Standards and twenty

Non-Discretionary (Site Review) Standards by which the Commission may make decision regarding the request.

After review, staff notes the following:

The applicant has proposed two potential configurations for the site, one with an addition to the existing building’s west side, or one with Retail taking place in a freestanding building to the west of the existing building.

The applicant is in the process of installing new paved parking and stormwater management for the previously approved Grow Class C use. The stormwater management system is sized to accommodate expanded uses on the site. The parking for the Retail use will likely need to be expanded to accommodate at least seven (7) customer vehicles, as well as employee vehicles. The applicant will need to provide updated odor management plan.

The applicant will be required to submit additional electrical, mechanical, plumbing, and building plans if and when applying for the respective permits. Their final floor plans will also need to be approved by local and State fire marshals.

As a Special Use Permission request, the Planning Commission may place additional requirements upon an applicant if they feel it is necessary to preserve the public interest and the interest of nearby properties.

PUBLIC COMMENTS

- Tom Manning – Email in opposition of SUP22-06 - Recreational Marihuana Retailer at 211W. Garfield Rd. (attached in Addendum A).

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on July 28, 2022 as required by law.

Yasin Atwain, a representative of the property was on hand to answer Commissioner's questions.

Chairman Garn closed the public hearing for SUP22-06 at 6:06 p.m.

Commission Action: Motion by Commissioner Rumsey, seconded by Commissioner Cole, to table the SUP22-06 request for Retail Establishment to Craft Leaf, LLC until the September 6, 2022 meeting for zoning ordinance clarification, as presented.

Ayes: 8

Nays: 0

Motion carried.

OLD BUSINESS

4. Administrator Walrack presented an update regarding a public comment complaint of animal odors in downtown businesses. ~~The Planning Commission was asked if they wish to consider recommending a downtown animal ordinance.~~

Commission Action: None, discussion only.

NEW BUSINESS

4. Master Plan Review Proposal.

Commission Action: None, discussion only.

COMMUNICATIONS

- None.

Administrators Report

5. Planning & Zoning Administrator Report-August 2022.

Commission Action: None, informational only.

ADJOURNMENT – Next Meeting Tuesday, September 6, 2022.

Noting no other business to come before this Commission, Chairman Garn, adjourned the meeting at 6:53 p.m.

A handwritten signature in blue ink that reads "Shauna Chávez". The signature is written in a cursive style.

Shauna Chávez
Deputy City Clerk