

**MUSKEGON CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
PC-20-04
April 13, 2020**

CALL TO ORDER

Chairperson Bouwman called the virtual WEBEX meeting to order at 7:00 p.m.

ROLL

Present: Singerling, VandenBosch, Borushko, Hower, Hughes, Bouwman

Absent:

Excused: Frein

**Also Present: Planning / Zoning Administrator Brian Werschem,
Recording Secretary Andria Muskovin, Fire Marshall Nicolai, Building
Official Steven Sheldon and 17 guests.**

Approval of Agenda

**Motioned by Hower supported by Singerling to approve the April 13, 2020
Agenda.**

Roll Call:

Ayes: Borushko, Hughes, Bouwman, VandenBosch, Hower, Singerling

Nays:

Motion carried.

Approval of Minutes

**Motioned by Singerling supported by Borushko to approve the minutes of March
9, 2020.**

Roll Call:

Ayes: Borushko, Hughes, Bouwman, VandenBosch, Hower, Singerling

Nays:

Motion carried.

Communications

**Board Minutes for March 2, 2020; March 16, 2020; Emergency Meeting March 20,
2020 reviewed with no comments.**

Staff Report acknowledged

Unfinished Business - None

New Business –

1. PC 20-06 Site Plan

Name: Green Peak Industries
Address: 2345 E. Apple Ave.
PP# 61-10-400-000-0014-00
Zoning: Neighborhood Commercial (C1)

Purpose: Adult Use (Recreational) and Medical Marihuana Provisioning Center

Green Peak Industries proposes to convert the former Mexican Grill Restaurant site into a combined Medical Marihuana and Adult Use (Recreational) Marihuana Facility.

Joe Neller, 10332 Lafayette, Diamondale, MI 48821 –They have the largest Provisional Center in Lansing 76,000 sq. foot. They have 7 stores – 4 of which are dual medical and recreational.

They would like to come in and remodel the building. Parking is sufficient and expandable.

Hower asked hours of business. Joe Neller replied the hours would be within Township guidelines.

Chairman Bouwman stated that all Planning Commission had reviewed the Site Plan with regards to the Site Plan Review Standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances. Chairman Bouwman requested comments and questions from Planning Commissioners on any standard they felt were not met. No commissioners questioned any of the standards being unmet.

Motion by Singerling supported by Hower to approve site plan for 2345 E. Apple Ave parcel # 61-10-400-000-0014-00 having met all the site plan standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met. Further the Planning Commission recommends approval of the requested Medical Marihuana License and Recreational Marihuana License to the Township Board.

Roll Call

Ayes: Singerling, Borushko, Hower, Bouwman, Hughes
Nays
Abstain: VandenBosch,

2. PC 20-07 Site Plan

Name: Warren Elite PC, LLC / Holton East Investors
Address: 1965 Holton Road
PP# 61-10-004-100-0031-00
Zoning: Neighborhood Commercial (C1)

Purpose: Adult Use (Recreational) and Medical Marihuana Provisioning Center

Warren Elite PC, LLC / Holton East Investors proposes to convert a pre-existing non-conforming residential home into a C1 conforming use as a combined Medical Marihuana and Adult Use (Recreational) Marihuana Facility.

Louis Meeks, 455 E Eisenhower #240, Ann Arbor, MI

Mark Guzniak, 8181 Thornapple, Newaygo, MI

Conversion of non- conforming residential home 2800 sq. ft. Redesign/Reform to an attractive looking Home Town look.

Chairman Bouwman stated that all Planning Commission had reviewed the Site Plan with regards to the Site Plan Review Standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances. Chairman Bouwman requested comments and questions from Planning Commissioners on any standard they felt were not met. No commissioners questioned any of the standards being unmet.

Motion by Singerling supported by Hower to approve site plan for 1965 Holton Rd. parcel # 61-10-004-100-0031-00 having met all the site plan standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met. Further the Planning Commission recommends approval of the requested Medical Marihuana License and Recreational Marihuana License to the Township Board.

Roll Call

Ayes: Singerling, Borushko, Hower, Bouwman, Hughes
Nays
Abstain: VandenBosch,

3. PC 20-08 **Site Plan**

Name: Agrimed
Address: 1437 Holton Rd.
PP# 61-10-265-000-0003-00
Zoning: Neighborhood Commercial (C1)

Purpose: **Adult Use (Recreational) Marihuana Provisioning Center**

Agrimed proposes to convert the currently vacant and former Heart n Hand Commercial Building into an Adult Use (Recreational) Marihuana Facility only (no medical provisioning).

Aaron Smith, 400 N Causeway, North Muskegon, MI – Aaron stated that they have the first Provisioning Center in both Muskegon and Ottawa Counties. The building at 1437 Holton Rd is 5700 sq. ft. but they would only be using 3000 sq. ft. of the building. He stated that the parking was ample but would expand if they needed to. They would leave the building as is.

Joe Singerling questioned a couple of things in the drawing, and Steven Sheldon, Building Official, clarified that accessible access to drinking fountain and push/pull door. He said they would be making those changes.

There was question on the peak hour trip chart from Joe Singerling.

Chairman Bouwman asked the hour by hour average time spent in Business of other locations that they have. Aaron Smith replied that Ottawa County site usually is 6 minute transaction time and Muskegon is usually 7-7 ½ minute transaction time. He state that the transactions are longer at first, but after a few visits, the transaction times are less.

Chairman Bouwman stated that all Planning Commission had reviewed the Site Plan with regards to the Site Plan Review Standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances. Chairman Bouwman requested comments and questions from Planning Commissioners on any standard they felt were not met.

Joe Singerling questioned #7 of the Standards. Mark Nicolai, Fire Marshal, stated that striping required in plan with walkways, ADA ramp, ADA compliant, lighting, etc. It would conform to Ordinance.

Motion by Hower supported by Singerling to approve site plan for 1437 Holton Rd. parcel # 61-10-265-000-0003-00 having met all the site plan standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met. Further the Planning Commission recommends approval of the requested Recreational Marihuana License to the Township Board.

Roll Call

Ayes: Singerling, Borushko, Hower, Bouwman, Hughes

Nays

Abstain: VandenBosch

4. PC 20-09 Site Plan

Name: Agrimed
Address: 2315 E Apple Ave
PP# 61-10-400-000-0013-00
Zoning: Neighborhood Commercial (C1)

Purpose: Adult Use (Recreational) Marihuana Provisioning Center

Agrimed proposes to convert the currently vacant and former Hot n Now Commercial Building into an Adult Use (Recreational) Marihuana Facility only (no medical provisioning).

Aaron Smith, 400 Causeway, North Muskegon, MI – stated he had been working with MDOT and a civil engineer regarding closing off access to Apple Avenue using only the East St entrance/exit. This location would have curbside pickup which has been a trend of late, no drive-thru pickup. Brian indicated that the closure of Apple access was dictated by MDOT.

Joe Singerling stated that for traffic purposes it would be a positive to have the Apple Avenue access closed off, but asked about East Street being residential. Joe asked how many cars would be on able to be on property. Aaron stated 12-13 cars. 2-3 people would run the daily operations and that there was plenty of parking based on the size.

It was brought up that the 24' lane according to our Ordinance for ADA parking would need to be changed as it is only 20'.

Chairman Bouwman asked what transpires before they enter building, purchasing done one on one with individual, check in and sit in waiting room, or come in to show room.

Aaron stated that it is not an open area sales room. 1 employee would watch the door and 2 employees would be bud tenders on the floor.

VandenBosch asked Steven Sheldon about the review of building code as far as occupancy and Steven stated that they could post occupancy at entrance.

Chairman Bouwman stated that all Planning Commission had reviewed the Site Plan with regards to the Site Plan Review Standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances. Chairman Bouwman requested comments and questions from Planning Commissioners on any standard they felt were not met. No commissioners questioned any of the standards being unmet.

Motion by Singerling supported by Hower to approve site plan for 2315 E Apple parcel # 61-10-400-000-0013-00 having met all the site plan standards of Section 58-486 of the Muskegon Charter Township Code of Ordinances contingent upon all federal, state, county and local ordinances and regulations being met and correction of 24' drive aisle adjacent to the ADA parking spaces. Further the Planning Commission recommends approval of the requested Recreational Marihuana License to the Township Board.

Roll Call

Ayes: Singerling, Borushko, Hower, Bouwman,

Nays: Hughes

Abstain: VandenBosch

Public Comment

None

Announcements – Special Meeting WebEX April 27th, 2020 6:30 Work Session, 7:00 Meeting

Adjournment

Motioned by Hower supported by VandenBosch to adjourn at 8:00 P.M.

Motion carried.

Respectfully submitted by,

**Sandra Frein
Secretary**

58-486 Standards for Review

The following are the standards for Site Plan approval.

(b) Each site plan shall conform to all applicable provisions of this chapter and the following standards:

- (1) All elements of the site plan shall be designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.
- (2) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- (3) Storm water and erosion protection.
 - a. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public storm water drainage system, or nearby bodies of water.
 - b. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust.
 - c. The use of detention/retention ponds may be required.
 - d. Surface water on all paved areas shall be collected at locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.
 - e. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

- f. Catch basins or other protective measures may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.
 - g. Compliance with the requirements of [section 58-487](#) shall also be demonstrated.
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- (4) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - (5) Every structure or dwelling unit shall have access to a public street, unless otherwise provided in an approved PUD.
 - (6) A pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system shall be provided.
 - (7) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site shall be provided. Drives, streets and other elements shall be designed to promote safe and efficient traffic operations within the site and at its access points.
 - (8) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area.
 - (9) All streets shall be developed in accordance with [chapter 42](#), subdivisions and the county road commission specifications.

- (10) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the fire and police departments.
- (11) The site shall be adequately served by water supply and sewage collection and/or treatment.
- (12) All loading or unloading areas and outside storage areas, including refuse storage stations, shall be screened from view of the street and/or adjacent properties by a vertical screen consisting of structural or plant materials.
- (13) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.
- (14) Site plans shall conform to all applicable requirements of state and federal statutes and approval must be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.