

DRAFT



PLANNING COMMISSION SPECIAL MEETING

City Hall, 125 South Maple Street, Fennville, MI 49408
Monday, March 23, 2020
6:30 p.m.

MINUTES

1. Call to Order by Chair Piantek at 6:30 p.m.

2. Roll Call

Present: Andry, Bolles, Martin (virtual), Rae, Piantek
Absent: None

3. Pledge of Allegiance

Was recited.

4. Public Comments

In light of the recent orders to limit social interactions due to COVID-19, the Planning Commission allowed for participation in person or through a virtual meeting site. The City Administrator briefly reviewed the rules for allowing for public comment before proceeding.

John Jamros – spoke in favor of allowing cannabis shops in the downtown.

Pat Dewenter – spoke of her desire to apply for a processing license.

5. The Planning Commission will be asked to take the following actions on a request to rezone the property located at 552 E 3rd Street:

- a. Hold a public hearing regarding the rezoning request.
- b. Make a recommendation to the City Commission regarding the rezoning request.

The City received an application to rezone the property located at 552 E Third Street from R-1 Single Family Residential to I-2 General Industrial District.

Moved by Bolles, Seconded by Rae to open the public hearing regarding the rezoning request for 552 E 3rd Street. Voted Yes: All. Motion carried.

Pat Dewenter questioned the type of activity that was going to be conducted on the property and if it was related to cannabis.

The applicant, Pete Palazzolo reviewed his rezoning request and shared some ideas for what he had in mind for the property.

Being no further public comments, it was moved by Bolles, seconded by Rae to close the public hearing. Voted Yes: All. Motion carried.

The board was informed that this rezoning request was consistent with the Future Land Use Plan for the City.

Moved by Piantek, seconded by Rae to recommend the approval of a request to rezone the property located at 552 E 3rd Street from R-1 to I-2 General Industrial. Voted Yes: All. Motion carried.

- 6. The Planning Commission will be asked to take the following actions on a request to rezone the property located at 222 S. Maple Street:**
 - a. Hold a public hearing regarding the rezoning request.**
 - b. Make a recommendation to the City Commission regarding the rezoning request.**

The City received an application to rezone the property located at 222 S Maple Street from OS1 Office Service District to B-2 General Business District.

Public Hearing declared open at 6:44 p.m.

Chairperson Piantek read aloud a statement from neighboring property owner Jim Krupka stating his concerns with the proposed use of the property.

The applicant Pat Dewenter briefly spoke regarding her request.

Being no further public comment it was moved by Piantek, seconded by Rae to close the public hearing. Voted Yes: All. Motion carried.

Tasha Smalley from Michigan Township Services stated that the rezoning request was inconsistent with the Future Land Use Plan and if the Planning Commission wished to proceed, that would need to be amended as well.

There was some discussion on the zoning of the surrounding properties which includes: CBD, Residential, B2 and OS-1. The board was also reminded that this was only a partial rezoning request as the property is being split and the other portion would remain zoned OS-1.

Moved by Piantek, seconded by Rae to recommend the partial rezoning of the property located at 222 S Maple Street from OS-1 to B-2 and to update the Master Plan to reflect that change. Voted Yes: All. Motion carried.

- 7. The Planning Commission will be asked to take the following actions on a request to amend the zoning code to prohibit recreational marijuana facilities in the Central Business District:**
 - a. Hold a public hearing regarding the proposed ordinance.**
 - b. Make a recommendation to the City Commission regarding the proposed ordinance.**

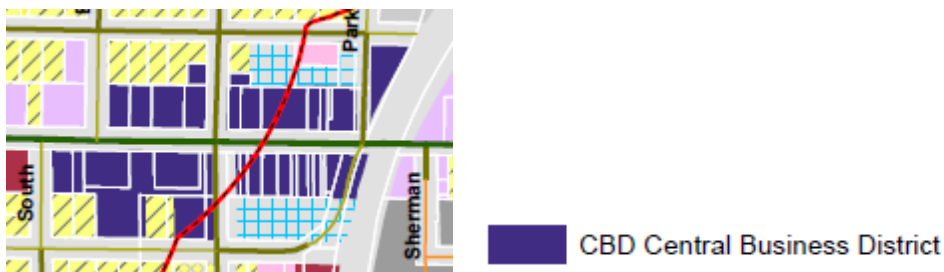
Background Information: In January, the Planning Commission worked to develop rules and regulations on recreational marijuana. On February 3, 2020 the City Commission formally adopted the licensing ordinance. During that same meeting, the City Commission asked that

the Planning Commission prohibit recreational marijuana facilities within the Central Business District.

The regulator ordinance will remain in effect. The requested prohibition will require an amendment to the text of the zoning ordinance separate from the licensing previously adopted. Staff is proposing adding a section to the language of Section 18 regarding the Central Business identifying the prohibition.

A zoning text amendment requires a public hearing which was noticed in the newspaper for at least 15 days prior to the hearing. Tonight the Planning Commission is being asked to hold the public hearing and make a recommendation to the City Commission. Regarding the proposed ordinance.

Please remember that the City Commission has already approved the regulatory ordinance to allow for marihuana establishments within the City as long as they are 1000' away from the school. They have asked that the Planning Commission to hold the public hearing reading the prohibition within the Central business District, not any of the other allowed districts.



Chairperson Piantek declared the public hearing open.

Chairperson Piantek read a statement from Reverend and Mrs. Houston voicing their opposition to allowing recreational marihuana in the City.

City Commissioner John Jamros stated that he is in favor of allowing recreational marihuana on Main Street.

Commissioner Andry questioned why the City Commission passed the original ordinance if they didn't want it on Main Street. Commissioner Bolles informed him that it was passed to make sure there was a regulatory ordinance in effect while the Planning Commission was discussing and accepting public comment on the prohibition on Main Street.

There being no further public comment it was moved by Piantek, seconded by Rae to close the public hearing. Voted Yes: All. Motion carried.

Commissioner Bolles asked the process to abstain from voting. There was a question as to whether or not he could vote as a Planning Commissioner and then again as a City Commissioner. It was determined that he would vote on the item but the City Administrator would discuss the question with legal counsel.

Commissioner Bolles questioned why the City would want to bury businesses, that we typically don't want to hide our business from those passing through town.

Commissioner Rae stated she was informed by the Mayor that some business owners were against recreational marihuana on Main Street.

Commissioner Piantek stated that he as personally heard from business owners that they did not want it on Main Street.

Moved by Piantek, seconded by Rae to recommend the ordinance to prohibit recreational marihuana in the CBD to the City Commission.

Voted Yes: Rae. Voted No: Andyr, Bolles, Martin, Piantek. Motion failed.

Moved by Bolles, seconded by Piantek to send the ordinance to prohibit recreational marihuana in the CBD back to the City Commission as Not Recommended by the Planning Commission. Voted Yes: All. Motion carried.

8. Adjournment

Meeting adjourned at 7:08 p.m.

Respectfully Submitted,



Amanda Morgan
City Administrator

Approved by the Planning Commission: **DRAFT**