



MINUTES
PLANNING COMMISSION
 Wednesday, February 17, 2021 @ 7:00 PM
 City Council Chambers

I CALL TO ORDER (Reminder: turn off cell phones)

Chair G Strander called the regular Planning Commission to order at 7:00 p.m.

II ROLL CALL of the Commission

PRESENT: Albert Amos (Albion, MI) ; Mayor Victoria Snyder (Albion, MI); Mark Lelle (Albion, MI); Tom Pitt (home); Scott Kipp (Albion, MI); Lenn Reid (home); George Strander (home) and Joseph Verbeke (home)

ABSENT: Sharon Ponds

ADMINISTRATION: Haley Snyder, City Manager, Jill Domingo, City Clerk and Ian Arnold, Planning & Building Director

III APPROVAL OF Prior Meeting MINUTES

A. APPROVE JANUARY 20, 2021 MINUTES

Moved by Commissioner Lelle, seconded by Commissioner Pitt

To approve minutes as presented

	For	Against	Abstained	Absent
Ponds Commissioner				x
Amos Commissioner	x			
Strander Chairman	x			
Lelle Commissioner	x			

Pitt Commissioner	x			
Kipp Chief Public Safety/Commissioner	x			
Reid (2)	x			
Verbeke Commissioner	x			
Snyder Mayor	x			
	8	0	0	1

Carried

IV CORRESPONDENCE- None

V PUBLIC HEARING

- A. ORDINANCE # 2021-02, AN ORDINANCE TO AMEND CHAPTER 100, ARTICLE VII, TO ADD SECTION 7.10A, MEDICAL USE OF MARIHUANA

Chair G Strander opened the public hearing at 7:04 p.m.

Planning & Building Director Arnold provided a brief overview of Ordinance # 2021-02 stating the ordinance will regulate caregiver grows. Caregiver grows are subject to the Michigan Medical Marihuana Act (MMMA) and are not intended to be commercial operations. Recently however, some individuals have developed more sophisticated operations claiming to operate under the MMMA, but becoming more commercialized. This issue was recently addressed in the Michigan Supreme Court case of *Deruiter v Township of Byron*. The Court unanimously ruled that Byron Township could regulate caregiver operations as a home operation under the Township's zoning ordinance. This ordinance is a nearly identical version of the Byron Township ordinance for the City to regulate caregiver grows.

Public comments were received from Mark Goodman, Greenhouse Farms Albion 1 LLC, who asked if the City has made a decision regarding adult use provisioning centers

Chair G Strander closed the public hearing at 7:10 p.m.

VI Order of Business

- A. APPROVE RECOMMENDATION OF ORDINANCE # 2021-02, AN ORDINANCE TO AMEND CHAPTER 100, ARTICLE VII, TO ADD SECTION 7.10A, MEDICAL USE OF MARIHUANA

Comments were received from Commissioners T Pitt; S Kipp and Chair G Strander; Mark Goodman, Greenhouse Farms Albion 1 LLC and Planning & Building Director Arnold

Moved by Commissioner Pitt, seconded by Commissioner Lelle

Approve Recommendation of Ordinance # 2021-02, An Ordinance to Amend Chapter 100, Article VII, to Add Section 7.10a, Medical Use of Marihuana

	For	Against	Abstained	Absent
Ponds Commissioner				x
Amos Commissioner	x			
Strander Chairman	x			
Lelle Commissioner	x			
Pitt Commissioner	x			
Kipp Chief Public Safety/Commissioner	x			
Reid (2)	x			
Verbeke Commissioner	x			
Snyder Mayor	x			
	8	0	0	1

Carried

B. APPROVE MEDICAL MARIHUANA GROWER RENEWAL PERMIT FOR GREENWELL BIOMEDICINALS LLC

Comments were received from Chair G Strander and Planning & Building Director Arnold

Moved by Commissioner Verbeke, seconded by Commissioner Lelle

Approve Medical Marihuana Grower Renewal Permit for Greenwell Biomedicinals, LLC

	For	Against	Abstained	Absent
Ponds Commissioner				x
Amos Commissioner	x			
Strander Chairman	x			
Lelle Commissioner	x			
Pitt Commissioner	x			
Kipp Chief Public Safety/Commissioner	x			

Reid (2)	x			
Verbeke Commissioner	x			
Snyder Mayor	x			
	8	0	0	1

Carried

C. APPROVE MEDICAL MARIHUANA PROVISIONING CENTER RENEWAL PERMIT FOR GREENHOUSE FARMS ALBION 1, LLC D/B/A SUNNIE'S

Comments were received from Commissioner T Pitt and Chair G Strander; Planning & Building Director Arnold; City Manager Snyder and Mark Goodman, Greenhouse Farms Albion 1 LLC

Moved by Commissioner Lelle, seconded by Commissioner Pitt

Approve Medical Marihuana Provisioning Center Renewal Permit for Greenhouse Farms Albion 1 LLC d/b/a Sunnies

	For	Against	Abstained	Absent
Ponds Commissioner				x
Amos Commissioner	x			
Strander Chairman	x			
Lelle Commissioner	x			
Pitt Commissioner	x			
Kipp Chief Public Safety/Commissioner	x			
Reid (2)	x			
Verbeke Commissioner	x			
Snyder Mayor	x			
	8	0	0	1

Carried

D. APPROVAL TO COMBINE THREE PARCELS-PARCEL A-619 AUSTIN AVENUE; PARCEL B-617 AUSTIN AVENUE AND PARCEL C-611 AUSTIN AVENUE INTO ONE PARCEL OWNED BY THE ALBION ECONOMIC DEVELOPMENT CORPORATION (AEDC)

Comments were received from Commissioners L Reid; S Kipp and T Pitt; Director of Planning & Building Arnold; City Manager Snyder and Christine Bowman, EDC

Moved by Commissioner Pitt, seconded by Commissioner Lelle

Approve Combining Three Parcels-Parcel A- 619 Austin Avenue; Parcel B- 617 Austin Avenue and Parcel C- 611 Austin Avenue into One Parcel Owned by the Albion Economic Development Corporation (AEDC)

	For	Against	Abstained	Absent
Ponds Commissioner				x
Amos Commissioner	x			
Strander Chairman	x			
Lelle Commissioner	x			
Pitt Commissioner	x			
Kipp Chief Public Safety/Commissioner	x			
Reid (2)	x			
Verbeke Commissioner	x			
Snyder Mayor	x			
	8	0	0	1

Carried

E. DISCUSSION MOBILE FOOD VENDORS

Director of Planning & Building Arnold stated currently the City does not have an ordinance for mobile food vendors. He feels an ordinance for mobile food vendors would better serve business owners and residents but also realizes the concerns with the risk of this type of ordinance. He has provided the Commission with a sample ordinance from Traverse City for discussion.

Comments/Questions from the Commission were as follows:

- Would the ordinance provide restrictions on where food trucks can be parked? *The ordinance can be as specific or non-specific as the Planning Commission would like*
- Currently a food vendor only needs approval through the Health Department
- Would the permit for mobile food vendors apply to celebrations/events in town? *Exceptions can be placed in the ordinance for celebrations/events*
- Will the ordinance regulate the day/times/hours and where they may park?
- Need to be mindful of limited parking in the downtown area
- May be able to utilize City parking lots for vendors
- Stoffer Plaza would also be a location for food vendors as long as

- it is not in competition with Farmers Market
- Feels competition draws in more people to events
 - Would like to see an ad-hoc sub-committee to work on this type of an ordinance
 - Feels mobile food vendors would be a great addition to the community
 - Since there is not an ordinance in place, it should first be decided that the City is going to allow mobile food vendors

The Planning Commission was in unanimous favor to create an ad-hoc sub-committee to work on the Mobile Food Vendor Ordinance. The sub-committee members are as follow:

Commissioner A Amos
Commissioner T Pitt
Commissioner J Verbeke
Mayor Snyder
Planning & Building Director Arnold

Comments were received from Commissioners T Pitt; M Lelle; L Reid; A Amos; Mayor V Snyder; S Kipp; J Verbeke and Chair G Strander and City Manager Snyder

F. DISCUSSION-CREATION OF NEW COMPREHENSIVE/STRATEGIC PLAN

Director of Planning & Building Arnold stated the Comprehensive/Strategic Plan will expire at the end of this year. He would like to obtain feedback and direction from the Planning Commission on how they would like to work on updating/creating the new plan. He has reached out to a consultant from Ottawa County that is willing to come down and assist with the process.

Commission M Lelle asked if the deadline for the plan was the same as the Recreation Plan?

Chair G Strander asked how often the Plan needed to be updated?

City Manager Snyder stated she assumed that the Plan would be due to the State by February 1st. The City would like to get started with the update as it has many components before the current plan expires, She stated the recommendation is to update the plan every 5 years

Chair G Strander asked if the plan needed to updated or a complete re-do

Commissioner Lelle stated the State has a list of all the steps that need to be completed for submitting the plan

Commissioner T Pitt stated there may be some funding available through a grant from the Community Foundation to help with the cost of updating the plan

Director of Planning & Building Arnold stated Albion College is also working on a strategic plan and we may be able to partner with them

Commissioner T Pitt asked if the plan were not updated by the deadline, how it would affect the City's Redevelopment Ready Community (RRC) status?

City Manager Snyder stated it doesn't take away the RRC certification but the City would not be eligible for state grants

The Planning Commission was in unanimous favor to create an ad-hoc sub-committee to work on updating the Comprehensive/Strategic Plan. The sub-committee members are as follows:

- Commissioner T Pitt
- Commissioner M Lelle
- Commissioner S Kipp
- Director of Planning & Building Arnold

G. EXCUSE ABSENT BOARD MEMBERS

Moved by (2) Reid, seconded by Commissioner Pitt

To Excuse Commissioner S Ponds

	For	Against	Abstained	Absent
Ponds Commissioner				x
Amos Commissioner	x			
Strander Chairman	x			
Lelle Commissioner	x			
Pitt Commissioner	x			
Kipp Chief Public Safety/Commissioner	x			
Reid (2)	x			
Verbeke Commissioner	x			

Snyder Mayor	x			
	8	0	0	1

Carried

VII PUBLIC COMMENTS

No public comments were received

Comments were received from Commissioner L Reid who stated she was willing to assist with sub-committees

VIII ADJOURNMENT

Moved by Commissioner Pitt, seconded by (2) Reid

To adjourn regular Planning Commission meeting

Chair G Strander closed the regular Planning Commission meeting at 8:05 p.m.

	For	Against	Abstained	Absent
Ponds Commissioner				x
Amos Commissioner	x			
Strander Chairman	x			
Lelle Commissioner	x			
Pitt Commissioner	x			
Kipp Chief Public Safety/Commissioner	x			
Reid (2)	x			
Verbeke Commissioner	x			
Snyder Mayor	x			
	8	0	0	1

Carried

Jill A. Domingo, City Clerk