

Crockery Township

Special Planning Commission Meeting

February 5, 2019

Approved Minutes

Chairman Bill Sanders called the meeting to order at 7:30 P.M. Roll call was taken with Commissioners Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, and Rich Suchecki, present. Z.A. Robert Toland and Attorney Ronald M. Redick were also present for this meeting.

Commissioners Mike Munch and Roy Holmes were absent.

There were six persons seated in the public gallery.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

The Commission reviewed the minutes from the January 15, 2019, Regular Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Ryan Arends. A 2nd was offered by Commissioner Rich Suchecki. The motion was unanimously approved.

Agenda Item 4. Announcements

Commissioner Rich Suchecki provided a brief overview of recent Board actions.

Agenda Item 5. Communications

Chairman Bill Sanders noted an e-mail memo authored by Bryan Montgomery, T & L Ventures, Eagle South Condominium #2, 12259C Cleveland Street, Nunica, Michigan, dated January 23, 2019, addressed to ZA Toland, offering support for a proposed zoning change affecting his property, from C-1 to C-3.

Agenda Item 6. Public Comment

No public comments were offered at this time.

Agenda Item 7. Action Items

A. Public Hearing - Maki Rezoning - C-1 to C-3.

Mr. Gregory Maki has made a request to rezone parcels #70-04-16-469-001, 70-04-16-469-002, and 70-04-16-469-003, (4.77 acres), located at 12259 Cleveland Street, 12261 Cleveland Street, and 12315 Cleveland Street, from C-1 Neighborhood Commercial to C-3 Highway Commercial. This request is consistent with the Township's Master Plan (for future land use).

Documents received by the Commission for this public hearing include; (1) a Planning and Zoning Review by Z/A Toland, dated February 5, 2019, discussing this proposed rezone, (2) two color aerials of the subject parcels and surrounding properties, by Ottawa County GIS, (3) a Crockery Township Zoning Application, signed by Gregory Maki, dated January 9, 2019, requesting a rezone, (4) an e-mail memo authored by Bryan Montgomery, T & L Ventures, Eagle South Condominium #2, 12259C Cleveland Street, Nunica, Michigan, dated January 23, 2019, addressed to ZA Toland, offering support for a proposed zoning change affecting his property, from C-1 to C-3, and (5) a color photograph of the structure at 12261 Cleveland Street.

Mr. Aaron Smith was present on behalf of Mr. Gregory Maki for this hearing.

Chairman Bill Sanders opened the public hearing in this matter.

Mr. Toland provided an overview of the rezone request, covering the information found in his Planning and Zoning Review, including the parcel descriptions, addresses, and the condominium status of the properties. Mr. Toland reminded the Commission the proposed zoning of C-3 allows for all commercial zoning uses allowed in C-1 and C-2, as well as, those uses specified in the C-3 zoning district. Mr. Toland further stated two of the properties are owned by Murphy Investments LLC, and the remaining property is owned by T & L Ventures LLC. Mr. Toland advised the rezone request proposing C-3 Highway Commercial is supported by the Township's Master Plan (future land use).

Mr. Maki is requesting this rezone to allow for a medical marijuana provisioning center.

Chairman Sanders asked for public comment.

Mr. Mike Murphy, Murphy Investments LLC, who owns two of the three parcels proposed for rezoning, was supportive of the request. Mr. Murphy feels the C-3 use allowances are appropriate for the properties.

Mr. Ted Solow asked a number of questions regarding the procedures for creating a zoning change and was advised by the Commission and Mr. Toland on the proper methods used in this process.

Mr. Ken Hill asked a number of questions related to the prior zoning designation of I-1 Light Industrial of the subject parcels. Mr. Hill questioned the past industrial movement and present industrial activities taking place. Mr. Toland advised the industrial activity taking place would be considered a legal nonconforming activity. Mr. Toland stated the movement of industrial activity on the parcels may be questionable. Mr. Murphy advised the Commission the industrial activity taking place on the properties has been on-going since the zoning change from industrial to commercial, without lapse. Mr. Murphy further stated the only movement of industrial operations has been for expansion purposes, to additional/different suits, within the same building. Mr. Murphy contends this movement is not in violation of the Township's Zoning Ordinance.

The Commission noted the memo of support submitted by Mr. Montgomery, who owns one of the subject parcels submitted for rezone to C-3.

Chairman Sanders closed public comment after all interested parties were heard.

The Commission discussed the proposed rezone at length. The Commission considered the public input and the opinion of the subject parcel owners. The Commission further considered the guidance offered by both Mr. Toland and Mr. Redick (Legal Counsel for the Township) particularly regarding the property descriptions and condominium status, as it applies to the request to rezone.

After all interested parties were heard, and all discussion complete, Commissioner Dave Meekhof made a **motion, via resolution**, to recommend to the Township Board, that Parcels #70-04-16-469-001, 70-04-16-469-002, and 70-04-16-469-003, (4.77 acres), located at 12259 Cleveland Street, 12261 Cleveland Street, and 12315 Cleveland Street, be approved for rezone from C-1 Neighborhood Commercial to C-3 Highway Commercial. A 2nd was offered by Commissioner Ryan Arends. The Commission unanimously approved the motion.

Agenda Item 8. Presentations

None.

Agenda Item 9. Discussion Items

A. Planning Commission Bylaws.

An approved copy of the Planning Commission Bylaws was made available to each of the Planning Commissioners present by Mr. Toland.

Agenda Item 10. Adjournment

A **motion** to adjourn was made by Commissioner Rich Suchecki at 8:08 P.M. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary
Crockery Township Planning Commission

Next Regular Meeting - February 19, 2019

Crockery Township

Regular Planning Commission Meeting
February 19, 2019
Approved Minutes

Chairman Bill Sanders called the meeting to order at 7:31 P.M. Roll call was taken with Commissioners Dave Meekhof, Jon Overway, Bill Sanders, Ryan Arends, and Rich Suchecki, and Mike Munch present. Z.A. Robert Toland and Attorney Ronald M. Redick were also present for this meeting.

Commissioner Roy Holmes was absent.

There were five persons seated in the public gallery.

Agenda Item 2. Approval of the Agenda

Approved as submitted.

Agenda Item 3. Approval of Minutes

The Commission reviewed the minutes from the February 5, 2019, Special Planning Commission Meeting. A **motion** was made to approve the minutes, as written, by Commissioner Ryan Arends. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved.

Agenda Item 4. Announcements

Commissioner Rich Suchecki briefed the Commission on recent Board actions regarding zoning and ordinance issues.

Agenda Item 5. Communications

None.

Agenda Item 6. Public Comment

Mr. Dave Willis, who resides on 136th Avenue south of State Road, asked the Commission to revisit the standards set for accessory buildings in varying zoning districts. Mr. Willis questioned the square footage allowances, based on zoning alone and not the amount of property one might own within a zoning district. The Commission advised it would review the issue as time allows.

Agenda Item 7. Action Items

A. Public Hearing – I-2 Heavy Industrial Zoning District (Including C-2 and C-3) – Zoning Amendment.

The Township has determined on its own initiative that a new zoning district was required for more intensive industrial land uses, and changes should also be made to the C-2 and C-3 Zoning Districts as well.

Chairman Bill Sanders opened the public hearing.

Mr. Toland provided a lead-in to this public hearing by reviewing the proposed changes found in Article 9A, C-2 General Commercial District, Article 9B, C-3 Highway Commercial District, Article 11, I-1 Light Industrial District, and Article 11A, I-2 Heavy Industrial District.

Chairman Sanders asked for public comment.

Mr. Ken Hill inquired on the 500-foot separation distance proposed for medical marijuana grow facilities. Mr. Hill was given information regarding separation distances as they apply to permitted medical marijuana grow facilities (actually found in Action Item 7B). It was also made clear that care-giver grow facilities do not fall under this separation as proposed by this ordinance amendment.

After all interested parties were heard, Chairman Sanders closed public comment.

The Commission further reviewed and discussed the proposed amendments and found them to be satisfactory.

After all parties were heard and all discussion complete, Commissioner Mike Munch made a **motion, via resolution**, to recommend to the Township Board that the proposed zoning amendments be approved. A 2nd was offered by Commissioner Dave Meekhof. The motion was unanimously approved by the Commission.

B. Public Hearing – Marijuana Facilities Separation Distances – Zoning Amendment.

The Township has determined, on its own initiative, revisions were necessary for medical marijuana facilities, and waterfront setback provisions, and to create standards for industrial businesses on Main Street (Nunica)

Chairman Bill Sanders opened the public hearing.

Mr. Toland provided a lead-in to this public hearing by reviewing the proposed changes found in Section 1. Medical Marijuana Grower Facilities in I-1 District, Section 2. Nunica Overlay, 11A. Nunica Main Street Overlay, Section 3. Additional Definitions, and Section 4, Waterfront Setback Averaging.

Chairman Sanders asked for public comment.

Mr. Ken Hill wondered why medical marijuana wasn't put on hold like other communities have done. Commissioner Rich Suchecki (Board member on the Commission) advised the Board felt it better to be proactive in limiting and regulating facilities. The Commission advised it was our responsibility to assist in developing ordinance aimed at regulating facilities.

Mr. Ted Solow also asked why medical Marijuana facilities were approved and if the Commission listens to the people (meaning the citizens of Crockery Township). The Commission advised we do listen and that this very hearing was a result of earlier public input regarding industrial development.

Mr. Dave Willis inquired about the potential of "recreational marijuana" and what might happen with that aspect of marijuana regulation. Mr. Willis was advised the Township is presently addressing medical marijuana and that the State has not yet developed regulations pertaining to other commercial uses of marijuana.

After all interested parties were heard, Chairman Sanders closed public comment.

The Commission further reviewed and discussed the proposed amendments and them to be satisfactory, with some changes and amendments to the draft.

After all parties were heard and all discussion complete, Commissioner Jon Overway made a **motion, via resolution**, to recommend to the Township Board the proposed zoning amendments, with changes and amendments to the draft, be approved. A 2nd was offered by Commissioner Ryan Arends. The motion was unanimously approved by the Commission.

C. Silver Vista SLU – Resolution of Intent to Hold a Public Hearing.

The Planning Commission has received a request from Silver Vista LLC for a Special Land Use permit to expand and existing self-service storage facility on parcel #70-04-23-100-016, located at 11080 Cleveland Street, which is presently zoned C-1 Commercial.

Documents provided to the Commission for this action include; (1) a site plan by Driesenga & Associates, Inc., Job #1610366.1B, dated February 12, 2019, Drawn by ARG, Designed by TLH, including, title Sheet, Existing Topographic Plan, Site Plan and Landscaping Plan, Storm Sewer Plan, Grading and SESC Plan, and other Details.

Mr. Steve Krommendyke was present for this action on behalf of Silver Vista LLC.

Mr. Toland provided a brief history of the Silver Vista LLC storage facility presently located on Cleveland Street.

The Commission had a brief discussion with Mr. Krommendyke regarding his intent.

Commissioner Rich Suchecki made **a motion, via resolution**, to hold a public hearing regarding this matter on Tuesday, March 19, 2019, at 7:30 P.M., at the Township Hall. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

D. Southwest Quadrant Sub Plan – Resolution to Approve.

The Township has determined on its own initiative that the unique physical characteristics of the southwest quadrant of the Township requires additional and necessary intensive planning.

The Commission, after meeting with the Board on January 16, 2018, has worked to develop and finalize the Crockery Township Southwest Quadrant Sub Plan, which is being considered for approval at this session of the Planning Commission.

Mr. Toland presented the final version of the draft document to the Commission. The Commission reviewed the final draft of the Plan and found it to be satisfactory.

After all discussion was complete, Commissioner Ryan Arends made **a motion, via resolution**, to recommend to the Township Board the Crockery Township Southwest Quadrant Sub Plan be approved. A 2nd was offered by Commissioner Mike Munch. The motion was unanimously approved by the Commission.

Agenda Item 8. Presentations

None.

Agenda Item 9. Discussion Items

None.

Agenda Item 10. Adjournment

A **motion** to adjourn was made by Commissioner Mike Munch at 8:44 P. M. A 2nd was offered by Commissioner Rich Suchecki. The motion was unanimously approved.

Respectfully Submitted,

Jon C. Overway, Secretary
Crockery Township Planning Commission

Next Regular Meeting - March 19, 2019