

MINUTES

I. PUBLIC HEARING I

A. Call to Order

Lietz called the meeting to order at 7:01 p.m.

B. Roll Call

PRESENT: Jason Lietz, Sean Denison, Ralph McDonald

ABSENT: Kevin Barker, Donna Monell

STAFF: Community Development Director/Zoning Administrator, Richard Murphy; City Clerk, Barbara Pitcher

GUESTS: Approximately 15 applicants and other guests.

C. Opening of Hearing and Statement of Purpose of the Hearing

The purpose of the Public Hearing is for the Plan Commission to consider a Special Use Application from Sardor Vakhidov and Blackbirds, LLC to operate an Adult Use Marihuana Class C Grow Facility at 402-404 S. Oak St., Buchanan MI 49107.

D. Announcement of the Rules of the Hearing

Lietz announced the rules of the hearing.

E. Presentation by the Applicant

Rhett Johnson presented on behalf of the Applicant, introducing himself and discussing the grow process, security, traffic control, and intended community impact, including establishing residences, hiring employees, and economic.

F. Presentation by the Opposition

Ramsey Rolf - Email in opposition read by the Clerk.

Peggy O'Neal - Expressed concerns regarding security.

Marla Bailey - Spoke in favor.

Robert Cummins - Stated neutrality on the issue but asked how to ensure the plan comes to fruition.

G. Applicant's Rebuttal

Johnson stated they are pre-approved by the State, vetted and background checked. If approved by the City, all plans must be implemented and inspected or they will not be licensed. There will be no signage to indicate it is a grow facility.

H. Closing of Hearing

Lietz adjourned the public hearing at 7:24 p.m.

II. PUBLIC HEARING II

A. Call to Order

Lietz called the public hearing to order at 7:24 p.m.

B. Roll Call

PRESENT: Jason Lietz, Sean Denison, Ralph McDonald

ABSENT: Kevin Barker, Donna Monell

STAFF: Community Development Director/Zoning Administrator, Richard Murphy; City Clerk, Barbara Pitcher

GUESTS: Approximately 15 applicants and other guests.

C. Opening of Hearing and Statement of Purpose of the Hearing

The Buchanan City Planning Commission is concluding the public comment period on the 2021 Master Plan with this public hearing.

D. Announcement of the Rules of the Hearing

Lietz stated the same rules as the prior public hearing apply to this public hearing.

E. Presentation by Applicant

City of Buchanan Master Plan 2021 - Community Development Director, Richard Murphy, reviewed the adoption process. No comments were received from either the City or County website.

F. Presentation by Opposition

Norma Ferris - Asked if plans were available to read at City Hall.

G. Applicant's Rebuttal

Murphy stated the plan could be provided on demand and was available online. Public notice was given and all requirements were met.

H. Closing of Hearing

Lietz adjourned the public hearing at 7:31 p.m.

III. Regular Meeting - Call to Order

Lietz called the regular meeting to order at 7:32 p.m. and led the pledge of allegiance.

IV. Roll Call

PRESENT: Jason Lietz, Sean Denison, Ralph McDonald

ABSENT: Kevin Barker, Donna Monell

STAFF: Community Development Director/Zoning Administrator, Richard Murphy; City Clerk, Barbara Pitcher

GUESTS: Approximately 15 applicants and other guests.

V. **Approve Agenda**

Motion made by Denison, Seconded by McDonald to approve the minutes as submitted. Voice vote carried unanimously.

VI. **Public Comments - Agenda Items**

None

VII. **Approve Minutes**

A. August 10, 2021 Regular Meeting Minutes

Motion made by McDonald, Seconded by Denison to approve the minutes as submitted. Voice vote carried unanimously.

VIII. **Old Business**

Lietz clarified there was no unfinished business on this agenda, but asked the Clerk if the transfer of the Buchanan Tree Friends and Friends of the Trail subcommittees had been approved by the City Commission. The Clerk responded affirmatively. Lietz then advised the Clerk he would like subcommittee minutes submitted to the Planning Commission and included in meeting packets. He also asked the Clerk to ensure the topic of board appointments was on the next agenda.

IX. **New Business**

A. Special Use Application from Sardor Vakhidov and Blackbirds, LLC to operate an Adult Use Marihuana Class C Grow Facility at 402-404 S. Oak St., Buchanan MI 49107

Murphy discussed the application process and stated he was impressed with the applicant's submission as it was the most complete and timely he's seen and addressed mitigation strategies. Murphy reviewed the submitted staff report.

McDonald asked if this was an available license and how many are available. Murphy responded there are 2 Class C Grow licenses.

Lietz asked if a site plan review would take place. Murphy responded he didn't see anything that would trigger a site plan review.

Lietz asked if the parking was sufficient for the use and suggested it could be a condition of approval. The property owner clarified the entire south end of the building is parking.

Lietz asked for clarification on what's being done for odor control. The applicant responded they plan to remove the windows, apply spray-in insulation, a membrane, drywall, and caulking. The goal is to lock out everything from outside which also seals odors in creating a negative pressure environment.

McDonald stated that the number of parking spaces is not an issue but that they do need to pull trucks out into the street.

Lietz pointed out that this is the first grow facility adjoining a residential lot and feels a site review is necessary to address traffic, fumes, light intensity, fencing, and parking.

Motion made by Denison, Seconded by McDonald to approve the Special Use Application from Sardor Vakhidov and Blackbirds, LLC to operate an Adult Use Marihuana Class C Grow Facility at 402-404 S. Oak St., Buchanan MI 49107 with the condition that the applicant submit and receive approval for a site plan that addresses any site improvements including, but not limited to,

fence, outdoor lighting, outdoor storage including trash and waste receptacles, loading and unloading spaces, and parking spaces. Roll call vote carried unanimously.

Motion made by Denison, Seconded by McDonald to adopt the zoning administrator's staff report with the changes to note that to the west and to the north are residential uses and that the staff report is the finding of fact or the basis and support of our granting the special use. Roll call vote carried unanimously.

B. McDonald's Remodel and Upgrades to Drive-Through

Site plan review for proposed changes to the drive-through lanes, parking spaces, parking lot travel aisles, outdoor waste storage areas, loading spaces.

Murphy discussed issues that came up that would trigger a site plan review.

Denison pointed out that the sign permits were in the name of the previous owner. That should be amended/corrected.

Lietz discussed the carve out stating less than 15% would not trigger a site plan review and can be handled by the zoning administrator. However, parking does trigger a review.

McDonald's representative Bill Terry stated this is project is part of a nationwide plan for double drive-thrus. One hour prior to delivery truck arrival, orange cones are put out to block parking spaces. There is no designated delivery space. They have reworked the drives and will rework the dumpster area to either gate and put everything in the existing enclosure or expand. Changes will be made to two signs at the entrance and the exit to read "Welcome" and "Thank You", respectively. Sign size has been reduced. Lot frontage is 168 feet. Exterior will be changed. Construction is slated to begin on September 20.

C. Resolution to Adopt the Buchanan Master Plan 2021

The proposed Buchanan Master Plan 2021 is available for review at https://www.cityofbuchanan.com/file/772/DRAFTMay2021_Buchanan+Master+Plan2021.pdf

All required public hearing notice requirements have been met and per statute, the Plan Commission is able to adopt the Master Plan by Resolution any time after the September 14, 2021, Public Hearing

Motion made by Denison, Seconded by McDonald to adopt Resolution No. PC-2021.09/001 adopting the Buchanan City Master Plan 2021. Role call vote carried unanimously.

X. Public Comment - Non-Agenda Items Only

Elliot Davis - Recently purchased 411 N. Redbud Trail with the intent to run a Bigby Coffee at the site.

XI. Community Development Director Comments

Recognized approval of the Master Plan as a milestone and a great document with a great action plan. It's busy in Buchanan. New homes are being proposed and built.

XII. Commissioner Comments

McDonald - Welcomed the two new business owners to Buchanan and also McDonald's for their investment.

Denison - There should be a celebration for the Master Plan. Welcomed the applicants to Buchanan.

Leitz - Thanked everyone.

XIII. Adjournment

Motion made by Denison, Seconded by McDonald to adjourn the meeting at 8:40 p.m. Voice vote carried unanimously.

Jason Lietz, Chair

Barbara A. Pitcher, City Clerk

PENDING APPROVAL