

VILLAGE OF KENT CITY  
**PLANNING COMMISSION**

Regular Meeting Minutes

**Thursday, March 5, 2020 7:00 PM**

Kent City Village Office – Meeting Room

I. Call to Order

Chairman, Glenn Crabtree called the meeting to order at 7:00 PM.

II. Roll Call of Commissioners

Members Present: Staci Bull [arrived at 7:45 p.m. (VII. b.)], Randy Clay, Glenn Crabtree, Ed Lain and Sue Smalley.

Others Present: Mary Portell [Clerk], Bert Rose [President], Mark Vanderhyde, Todd Atwood, Merry Barron [Village Trustee], Greg Goss [Village Trustee], Joe Ohen, Jerry Lundberg, Terry Afton, Cory Afton, John Afton, Scott Mouthaan, Mark VanAllsburg [Village Attorney].

III. Approval of February Regular Meeting Minutes-

**Motion** by Smalley, Second by Lain to approve the January meeting minutes.  
Vote: 4 Ayes, 0 Nays. **Motion** Passed.

IV. Public Time- other than agenda items (5 minute limit)

Opened at 7:02PM, Closed at 7:04PM – No comment

V. Approval of Agenda

**Motion** by Lain, Second by Smalley to approve the agenda.  
Vote: 5 Ayes, 0 Nays. **Motion** Passed

VI. Public Comment on Agenda items (2 minute limit)- Time on Agenda Items and Public Hearing for C1 to C2 Rezoning opened at 7:30 p.m. Scott Mouthaan ~ 260 W. Muskegon St. He is in favor of changing vacant property from C1 to C2. He is opposed to changing current businesses that are C1 to C2 because variances would need to be given for set backs for C2 zoning. He does not agree to change the current businesses to C2 when the Master Plan is updated. Auto Body property was left out of this draft ordinance. He's not commenting on the Marihuana Overlay because he doesn't know anything about it. He does support changing the property at 391 W. Muskegon [duplex] from C1 to C2 because that property would be surrounded by C2, but nothing from the pizza business to the east. No other comments. The public hearing closed at 7:06 p.m.

## VII. Old Business-

### A. Marihuana Overlay District

- a. Mark VanAllsburg was present to clarify some questions. Glenn stated the equitable agreement is the question and legality of it.
  - Mark stated there are 2 separate sets ~ medical and recreation establishments.
  - Grower
  - Transporter
  - Process
  - Provisioning center [store]
  - Micro business ~ the new draft ordinance does not allow this
  - Safety compliance
- b. The current ordinance allows this now ~ retail and safety compliance in our commercial district and growing and processors in our industrial district.
- c. Separation distances is in our current ordinance.
- d. Section 5 has language for the whole new overlay district. Overlay district allows only in this area [90 Spring St] with no retail. We have to count a processor in the medical and recreational. We have ability to limit 1 of each kinds with an exception. They have to fit under Section 3. 12.38© (2) and (3) Voluntary agreement are not enforceable. Village has to have proof of additional expense for administration and enforcement to get the \$5,000. Litigation could be costly.
- e. Glenn asked about odor control. Mark stated the new draft has all of the same language and is a 2 stage process for the special land use.
- f. Randy asked if we still get the \$5,000 for the licensing fee. Mark stated yes and if there are 4 grower licenses than that is \$20,000. We don't get the 10% tax for the recreation marihuana on the gross sales if you don't allow retail sales.
- g. Greg stated that the reason they came to the village was because the current ordinance would not qualify anyone to get a license.
- h. Comment was made that the City of Newaygo was getting high nitrate readings in their sewer system and had to pay to correct it.

### B. Rental Property Registration-

- a. Mark VanAllsburg asked who was going to do the rental property inspection, how often the inspections would be conducted and what happens when the renter does not let you into the rental property. He stated in those cases you would need to get a warrant to get into the property to do the inspection.
- b. Kaminski stated that he would be doing the rental property inspections. He stated that the rental property inspection is really a safety checklist.
- c. VanAllsburg stated that the village needs to be careful of what they say they will be responsible for and comply with. He suggested that the village go about the safety checklist in a different manner.

- d. Crabtree stated that the committee will revisit the rental property registration at the next meeting.

C. Chicken Ownership

- a. Mark VanAllsburg stated that he had no issue with the chicken ordinance.
- b. Crabtree pointed out that the next step is to set up a public hearing.

VIII. New Business

A. Review and Consideration the proposed rezoning of the specified C1 to C2

- a. Crabtree explained the reasons for the rezoning of C1 to C2.
- b. Crabtree clarified the only thing that changes is the types of businesses that can go in that area.
- c. Crabtree stated that he does not see a disadvantage of rezoning the area from C1 to C2.

**Motion** by Smalley, 2<sup>nd</sup> by Lain to rezone C-1 District (Neighborhood Business) on the north side of M-46 between Galaxy Pizza and M-37 to a C-2 District (Highway Business).

Vote: 5 Ayes, 0 Nays. **Motion** Passed

- d. Crabtree stated that the Planning Commission will send the rezoning onto the Village Council for approval.

B. March PC Meeting- April 2, 2020 at 7:00PM.

IX. Commissioner Remarks- None

X. Adjournment

Meeting was closed at 8:25 PM by Glenn Crabtree, Chairperson

**Motion** by Smalley to close the meeting, Second by Lain.

Vote: 5 Ayes, 0 Nays. **Motion** Passed

Respectfully submitted,

Staci Bull  
Secretary