NORTHFIELD TOWNSHIP
PLANNING COMMISSION
Minutes of Special Meeting
August 26, 2020

1. CALL TO ORDER

The meeting was called to order by Chair Roman at 7:05 P.M. via tele-conference.

2. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:

Janet Chick	Present
Brad Cousino	Present
Eamonn Dwyer	Present
Sam Iaquinto	Present
Cecilia Infante	Present
Larry Roman	Present
John Zarzecki	Present

Also present:
Building/Planning/Zoning Coordinator Mary Bird
Planning Consultant Paul Lippens, McKenna Associates
Planning Consultant Natalie Bond, McKenna Associates
Township Engineer Marcus Management, OHM
Township Attorney Mariah Fink
Members of the Community

3. ADOPTION OF AGENDA

▶ **Motion:** Roman moved, Chick supported, to adopt the agenda as presented.
Motion carried 7—0 on a voice vote.

4. FIRST CALL TO THE PUBLIC

David Gordon, Hellner Road, commented on the special meeting and sale of land in the North Village property and he recommended changes to the marijuana ordinance. Adam Olney, 9315 Lakewood Court, commented on the special meeting and the handling of marijuana applications by the Commission.

5. CLARIFICATIONS FROM THE COMMISSION

None.

6. CORRESPONDENCE

Roman referred to the Scoring Memorandum Update from Lippens and marihuana correspondence in the packet.

7. PUBLIC HEARINGS

None.

9. REPORTS

8A. Board of Trustees
Chick briefly reviewed the August 25th the Board meeting, including that they extended the time for closing on the sale of 75 Barker Road and approved the notice of public indebtedness and related mailing of postcards to residents regarding the Wastewater Treatment Plant retention basin.

8B. ZBA
Has not met since the last Planning Commission meeting.

8C. Staff Report
Nothing to report.

8D. Planning Consultant
Lippens said it appears all of the items previously discussed for the September 2nd agenda will be ready for that meeting. He said he, staff, and applicants are all doing their best to move applications along quickly.

8E. Parks and Recreation
Iaquinto announced that the ribbon cutting for the play path along Barker Road will be Saturday, August 29th at 11:00 A.M., said the Bark Park is being well-used, and a shed for the community garden will be constructed this fall. He said they passed a motion asking the Board to preserve at least 12 acres of the North Village site as parkland.

8F. Downtown Planning Group
Infante reported the Downtown Development Authority is meeting tonight.

9. UNFINISHED BUSINESS

None.

10. NEW BUSINESS

Iaquinto said he is abstaining from participating in any discussions on marijuana business applications.

Regarding all marijuana business applications, Lippens noted that multiple applications have been submitted for a limited number of available licenses, so the decision of which applications to approve should be supported by the findings regarding the proposals. He also said if an application is not given conditional use approval, he recommended that the action be to table to allow staff to work with applicants to see if there is another way to move forward. He said applications can

also be reviewed in relation to the Downtown Master Plan, Downtown Strategic Action Plan (which includes the Downtown Synthesis Plan), and the North Village Plan, in addition to the overall Master Plan.

Roman asked that Township documentation and proceedings use the defined ordinance terms of "retailer" and "provisioning center," rather than "adult use" listed on the agenda which is not defined in the ordinance. Lippens acknowledged that is correct, and explained that "adult use" came into common use following the adoption of the ordinance and is a synonym for "retailer." Infante noted that not using "adult use" will help eliminate the false impression that permits will allow use of marijuana on the sites.

10A. Case #JPC200002; GS Ashley, LLC; Location: 22 Barker and 9615 Main; Conditional Use to develop the existing structure into a Recreational Retail & Provisioning Center; Parcel 02-05-253-005; zoned WLD-D

Nathan Podrid and Josh Genderson of Holistic Industries (partner with GS Ashley), and Stephen Estey (legal counsel), made a presentation. Also present for the applicant were Scott Henderson, James Kahn, Sarah Stretchberry, and Vince Kahn. Comments included:

- Lippens has confirmed that their plan meets ordinance standards for the conditional use and site plan.
- Holistic Industries has stores in Ann Arbor and Detroit and is opening one in Madison Heights and their team has broad experience and expertise.
- Their plan is to transform the Barker and Main intersection with a widened and landscaped boulevard in partnership with the Township.
- They have a proven track record with outreach programs in Michigan and to operate their businesses within the State Act.

Estey referred to a memo he just submitted concerning the application and McKenna review. Lippens noted the Commission had previously indicated they would be forwarding the recommendations on all marijuana business applications at the same time, and if that is the case, he will distribute Estey's memo to Commissioners after this meeting.

Regarding GS Ashley's application, Lippens said he finds the ordinance standards have been met. He said many letters of support have been submitted and no major objections from the public were stated. He said the boulevard proposed—which can be achieved only through a public/private partnership—complements the plans he cited previously, and their proposal shows they have done their due diligence in considering the vision of the Township.

▶ **Motion:** Roman moved, Cousino supported, to table the recommendation in Case #JPC200002 for conditional use permit until immediately following the recommendations for the remaining applicants for the conditional use and site plan approvals. **Motion carried 6—0—1 on a roll call vote, Iaquinto abstaining.**

10B. Case #JPC200002; GS Ashley, LLC; Location: 22 Barker and 9615 Main; Site Plan to develop the existing structure into a Recreational Retail & Provisioning Center; Parcel 02-05-253-005; zoned WLD-D

Lippens referred to review letters from McKenna, OHM, and the Fire Department. He said the proposal is very nice, representing a real refreshing of this area of downtown. He noted his recommendation is for approval subject to approval of the conditional use permit. He said pursuing the Phase II development to create the boulevard would involve a separate site plan and a development agreement and would involve many public and private partners.

Marcus McNamara, OHM, said the proposal would reduce the impervious surface on the site and close one of the curb cuts, which would improve safety. He said the proposal would be subject to approval by the Washtenaw County Road Commission, which the applicant has acknowledged.

In answer to questions, Nathan Podrid and Josh Genderson with GS Ashley said their Ann Arbor store is located at 338 Ashley, 4-6 employees would be present at the Northfield Township location at any given time, and they would anticipate using additional parking at 75 Barker Road and on the street. They said three on-site parking spaces were lost to meet ordinance requirements, and they expect to be able to provide enough parking between their plan to hire locally and provide shuttle services. Dwyer asked whether adding parking on Main Street would be possible. McNamara said that would have to be approved by the Road Commission. Dwyer said if downtown redevelopment is successful parking will be an issue. Podrid noted the zoning ordinance requires no parking in the WLD-D district.

Chick noted public parking at 75 Barker is being preserved with the sale of the building and additional parking spaces are planned. Lippens said shuttling in employees is a good idea, partnering with the County will be necessary to provide additional parking, adding green space on the site is preferable to preserving more on-site parking, and part of the proposed boulevard project is the provision of more parking.

In answer to a question from Cousino, McNamara and Podrid said on-site parking was reduced to reduce impervious surface, but McNamara said there is not a

requirement to remove hard surfacing which is already existing. Podrid said it is his understanding that the Township or County required that they meet impervious surface requirements. Zarzecki said existing hard surfacing can be replaced with pervious materials—such as was approved for the Township's Community Center—which would allow the additional parking to be retained.

Lippens said the applicants chose to try to meet the County's drainage standards, even though it is not required, but reducing stormwater runoff and providing green space, a bench to sit on, etc. is also important for the downtown.

Infante said the proposed boulevard is part of the Downtown Strategic Action Plan to create the desired character for the area. Roman noted the proposed plan meets the Township's ordinances, and no change in the building footprint is proposed.

In answer to a question from Roman, Jo Alter, Design Teams Plus, said on behalf of the applicant that the exterior stairway is being removed and replaced inside the building. In answer to a question from Chick, Podrid said the building renter has vacated the premises.

▶ **Motion:** Roman moved, Zarzecki supported, to table the recommendation in Case #JPC200002 for site plan approval until immediately following the recommendations for the remaining applicants for the conditional use and site plan approvals. **Motion carried 6—0—1 on a roll call vote, Iaquinto abstaining,.**

10C. Case #JPC200005; Green Guys Group; Location: 9545-9551 Main Street; Conditional Use to develop the existing structure into a Recreational Retail & Provisioning Center; Parcel 02-05-254-023; zoned WLD-D

Matthew Ritz, Travis Copenhaver, Michael Lewis, and Michael O'Leary, appeared for Green Guys Group. Lewis and Copenhaver said since submitting their application in January they have held public events to answer questions from Township residents and have volunteered their time, such as working on the Barker Road play path. Ritz said they are offering an easement to connect Barker and Main Street and have been working with and listening to the community.

Lippens referred to his review and said a unique element of this proposal by Treehouse Wellness is the creation of a public parking and access between Barker and Main Streets with an easement. He said they also took the time to read the Downtown Strategic Action Plan and proposed elements called for in the plan, including benches, pavers consistent with the rest of the downtown streetscape, and façade improvements.

Lippens said he is recommending approval, noting that this site is within 1,000 feet of two other proposed sites, and said any recommendation for approval should include specific findings by the Commission or Township Board.

▶ **Motion:** Roman moved, Chick supported, to table the recommendation in Case #JPC200005 for conditional use permit until immediately following the recommendations for the remaining applicants for the conditional use and site plan approvals. **Motion carried 6—0—1 on a roll call vote, Iaquinto abstaining,.**

10D. Case #JPC200005; Green Guys Group; Location: 9545-9551 Main Street; Site Plan to develop the existing structure into a Recreational Retail & Provisioning Center; Parcel 02-05-254-023; zoned WLD-D

Lippens said he recommends approval of the site plan subject to approval by the Township Board of the conditional use permit. He explained the proposal would create parking circulation with 75 Barker Road which aligns with Township plans for the area. He said the planned facelift for the building and building reuse is essential for the revitalization of the downtown area. He said the easement should be part of any approval.

Township Engineer McNamara agreed the easement is desirable. He said the applicants have addressed their concern about visibility due to the building being placed on the lot line. He recommended that streetscape improvements be coordinated with the Township and noted the right-of-way is governed by the County. Roman noted the Fire Department review indicates no issues.

There was discussion about the access to the parking behind the building. Dwyer said the alleyway is inadequate and traffic flow would be dangerous. McNamara said once the alternate proposed access to the Barker property is available, the alley could be made one-way. McNamara said use of the alley and parking cannot be prohibited, and he envisions customers parking on the street and employees parking in the back.

Chick agreed the alley access presents issues, but said other downtowns have the same issues and signage and the mirrors could help.

In answer to a question from Roman, Matthew Ritz, applicant, said they will also have an additional non-marijuana business in part of the three buildings which comprise the application, but the building footprints

will not change. O'Leary confirmed the building elevations were labeled incorrectly (façade faces east, etc.), the stone veneer above the first floor window will be removed, evergreen screening of the property to the south is being added, and small deciduous trees are being added as a temporary screen until the easement is approved. Roman asked that the existing patio and stair configurations be determined to meet current building standards as a condition of the permit approval.

▶ **Motion:** Roman moved, Chick supported, to table the recommendation in Case #JPC200005 for site plan until immediately following the recommendations for the remaining applicants for the conditional use and site plan approvals. **Motion carried 6—0—1 on a roll call vote, Iaquinto abstaining,.**

RECESS

▶ **Motion:** Roman moved, Infante supported, to recess the meeting for seven minutes. **Motion carried 6—0—1 on a roll call vote, Iaquinto abstaining.**

10E. Case #JPC200007; Whitmore Wellness/Pure Buds; Location: 8475 Main Street; Conditional Use to develop the existing structure into a Recreational Retail & Provisioning Center; Parcel 02-08-250-017; zoned GC

Kishan Sutariya for Whitmore Wellness/Pure Buds said this is the site of the Bobber Down restaurant, and they also own 130 acres on North Territorial across from Jo-Mar where they are proposing a grow operation as part of a larger business park.

Sutariya said at the Main Street location they are proposing the conditional use operation, Pure Buds, as well as a convenience store, Pure Market. He said they removed parallel parking along the drive leaving about 24 parking spaces, and they added a rear awning.

Lippens said he is recommending approval of the conditional use. He said any action to approve their permit should be supported by findings, even though this application is not tied with another in the scoring. He said no other applications for site plan and conditional use within 1000' have been filed, and this is a good application.

▶ **Motion:** Roman moved, Zarzecki supported, to table the recommendation in Case #JPC200007 for conditional use permit until immediately following the recommendations for the remaining applicants for the conditional use and site plan approvals. **Motion carried 6—0—1 on a roll call vote, Iaquinto abstaining,.**

10F. Case #JPC200007; Whitmore Wellness/Pure Buds; Location: 8475 Main Street; Site Plan to develop the existing structure into a Recreational Retail & Provisioning Center; Parcel 02-08-250-017; zoned GC

Lippens said he is recommending approval of this site plan subject to the applicant being granted a conditional use permit by the Township Board.

Lippens noted this is the former Bobber Down restaurant which made site improvements recently, and the proposed exterior and interior renovations proposed will continue with those improvements. Township engineer Marcus McNamara said removal of the four parking spaces along the driveway is an improvement and he has no other issues with the site plan.

Roman noted the report from the Fire Department indicates no issues.

In answer to questions, Sutariya said:

- it is not their intent for the parking area to extend beyond the property line, and that will be corrected if necessary, and
- the proposed convenience store is not related to or connected to the cannabis operation.
- The only new construction is an awning.
- He has elevations of the building and can submit them after the meeting, but it was his impression that they were not needed until applying for building permit.

In answer to a question, Lippens said Planning Commission, not the Township Board, approves site plans, so the Commission has the choice of either approving the site plan—subject to approval by the Township Board of the companion conditional use application—or can wait to see if the conditional use is approved first. He said all of the site plans are professionally prepared and are good improvements.

▶ **Motion:** Roman moved, Infante supported, to table the recommendation in Case #JPC200007 for site plan until immediately following the recommendations for the remaining applicants for the conditional use and site plan approvals. **Motion carried 6—0—1 on a roll call vote, Iaquinto abstaining,.**

11. MINUTES

▶ **Motion:** Roman moved, Iaquinto supported, that the minutes of August 19, 2020, regular meeting be approved as presented, and to dispense with the reading. **Motion carried 7—0 on a voice vote.**

12. SECOND CALL TO THE PUBLIC

David Gordon, Hellner Road, commented on the proposals for marijuana conditional use permits and site plans and their possible effect on improving the downtown area. Adam Olney, 9315 Lakewood Court, commented on the various plans for development of the North Village site.

13. COMMENTS FROM THE COMMISSIONERS

Commissioners clarified that their intent regarding marijuana application is to forward all six marijuana conditional use permit applications (three on this agenda and three on the September 2nd agenda) to the Township Board together, with a recommendation to approve, deny, or approve with conditions, and on September 2nd the Commission will decide whether to approve or table the accompanying site plans. There was discussion about whether the Commission should consider indicating preference for one application over another.

Chick noted the Board will consider all six conditional use applications for Recreational Retail & Provisioning Center at their September 22nd meeting.

14. ANNOUNCEMENT OF NEXT MEETING

September 2, 2020, at 7:00 P.M. via tele-conference or at the Public Safety Building was announced as the next regular Commission meeting time and location.

15. ADJOURNMENT

▶ **Motion:** Roman moved, Infante supported, that the meeting be adjourned.
Motion carried 7—0 on a voice vote.

The meeting was adjourned 10:28 P.M.

Prepared by Lisa Lemble.
Corrections to the originally issued minutes are indicated as follows:
Wording removed is ~~stricken through~~;
Wording added is <u>underlined</u>.

Adopted on September 16, 2020.

Larry Roman, Chair

John Zarzecki, Secretary

Official minutes of all meetings are available on the Township's website at
http://www.twp-northfield.org/government/