

**CITY OF BENTON HARBOR
PLANNING COMMISSION MEETING
LULA LEE COMMISSION CHAMBERS, 200 E. WALL STRET
April 5, 2022**

Present: Commissioners Henry, Marshall, McGee, City Manager Mitchell,
Chairman Reed

Absent: Commissioners Ferguson (excused), Hensel (excused), Mayor Muhammad
(arrived at 1:06pm), Commissioner Yarbrough (excused)

City Staff Present: Building Inspector Snider, Chief Code Compliance Officer Bruce,
Community & Economic Development Director Little, and City Clerk
Moore.

The meeting was called to order at 1:04 p.m. by Chairman Reed.

AGENDA

With no changes or modifications to the agenda, the agenda was approved on the following roll call vote. Yeas: Commissioners Marshall, Henry, Manager Mitchell, Commissioner McGee, Chairman Reed. Nays: None. Members Absent: Mayor Muhammad, Commissioners Hensel, Yarbrough, Ferguson

MEETING MINUTES

With no changes, additions, or deletions to the Meeting Minutes of March 1, 2022, the minutes were approved on the following roll call vote. Yeas: Commissioners McGee, Henry, Marshall, Manager Mitchell, Chairman Reed. Nays: None. Absent: Commissioners Yarbrough, Hensel, Mayor Muhammad, Commissioner Ferguson

PUBLIC COMMENTS

None

NEW BUSINESS

PUBLIC HEARING – SPECIAL USE PERMIT FOR 200 E MAIN ST (11-54-0340-0208-07-4) FOR THE OPERATION OF AN ADULT USE (RECREATIONAL) MARIJUANA PROVISIONING CENTER

Belicia Hicks represented Justice Grown (dba BLOC)
Public Hearing was opened by Chairman Reed at 1:07pm
No Public Comments
Public Hearing was closed by Chairman Reed at 1:08pm
No Comments from the Commission

A motion was made by Commissioner Henry to approve the Special Use Permit for 200 E Main St (11-54-0340-0208-07-4) for the operation of an adult use (Recreational) Marijuana Provisioning Center. Motion carried on the following roll call vote: Yeas: Commissioner McGee, Manager Mitchell, Commissioners Marshall, Henry, Chairman Reed. Nays: None, Absent: Commissioners Yarbrough, Hensel, Ferguson. Mayor Muhammad exercised his right to vote on behalf of the City Commission.

SITE PLAN REVIEW FOR 200 E MAIN ST (11-54-0340-0208-07-4) FOR AN ADULT USE (RECREATIONAL) MARIJUANA PROVISIONING CENTER

Belicia Hicks, representing Justice Grown (dba BLOC) stated there were no changes or modifications to the building since granted the medical license.

Officer Bruce and the Code Compliance Department recommends that 200 E Main St (11-54-0340-0208-07-4) to be used as an Adult-Use Recreational Marijuana Provisioning Center.

Hicks stated there is security staff on site. The medical and recreational products will be in the same display, with a separate line to check out, the only difference between the two is the excise tax.

Discussion was held regarding the space on the site plan that is marked as a secured delivery area, it was noticed that the area is using a city owned parking space.

Chairman Reed stated that since it is a city owned parking lot and is used by the public, there would need to be an agreement with the city to use the space. He suggests the plan be approved conditionally and an agreement be made between the city and applicant.

A motion was made by Chairman Reed to approve the site plan for 200 E Main St (11-54-0340-0208-07-4) with the condition that the city and applicant work out an agreement on how to utilize that secure space. Motion carried on the following roll call vote: Yeas: Mayor Muhammad, Commissioners Henry, Marshall, Manager Mitchell, Commissioner McGee, Chairman Reed. Nays: None. Absent: Commissioners Hensel, Ferguson, Yarbrough.

OLD BUSINESS

MONTHLY ABSENCE REPORT OF MEMBERS

Chairman Reed stated that Commissioners Hensel, Ferguson, and Yarbrough were excused.

UPDATE – 300 W MAIN AEP POWER SUBSTATION

Mona Livingston with Indiana Michigan Power introduced the project team. The team presented Temp Work Plan, Drainage Plan, Building Plans and Specs and Project Schedule.

There was discussion regarding the sidewalk on 10th St, it was proposed that the sidewalk would go to Wall St.

Discussion on the type of material that would be used as siding on the building.

The fence design and specs was also a topic of discussion, as well as the acknowledgement that a variance will be needed for the fence. A polymer design, which is currently in several substations was presented. Henry stated she would like to see brick in the front.

170 RIVERVIEW DRIVE APARTMENT COMPLEX

Tim Drews with Abonmarche stated they are looking to bid quickly to be able to build after the Senior PGA, there will be a 6-8 week construction timeframe where the road will be closed. He stated Whirlpool is funding the entire project. There was concern with the narrowing of the roadway. Mayor Muhammad states the area as it stands is deteriorated, Whirlpool stepped forward to repair on top and under the street in that area, so there was some sacrifice of space. But as it stands now, if something is not done to improve it, it will not compliment the development in the area.

MASTER PLAN UPDATE

Chairman Reed stated the consultant came to town and met with everyone who wanted to meet with him to discuss previous and current conditions and believes at this time they are ready to proceed with the planning and invite the public to participate. The actual planning will be June 6-10, he will provide a timeline and list what will take place during that time.

COMMISSION / STAFF COMMENTS

None

MOTION TO ADJOURN

A motion was made by Chairman Reed and seconded by Commissioner Henry to adjourn the meeting. Motion carried on the following roll call vote. Yeas: Commissioners Henry, Marshall, McGee, Manager Mitchell, Mayor Muhammad, Chairman Reed. Nays: None. Absent: Commissioners Ferguson, Hensel, Yarbrough.

With no further comments, the meeting adjourned at 2:08 p.m.

Tiffany Moore, City Clerk

Lee Reed, Chairman