

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

Present: Commissioners Henry (arrived at 1:02pm), Hensel, McGee, City Manager Mitchell (left at 1:40pm), Commissioner Yarbrough, Chairman Reed
Absent: Commissioners Ferguson, Mayor Muhammad
City Staff Present: Chief Code Compliance Officer Bruce, Community & Economic Development Director Little, and City Clerk Moore.

The meeting was called to order at 1:01p.m. by Chairman Reed.

AGENDA

With no changes or modifications to the agenda, a motion was made by Commissioner Marshall and supported by Commissioner Yarbrough to approve the agenda as presented. Motion approved on the following roll call vote. Yeas: Manager Mitchell, Commissioners Marshall, McGee, Yarbrough, Hensel, Chairman Reed. Nays: None. Members Absent: Commissioners Ferguson, Henry, Mayor Muhammad.

MEETING MINUTES

With no changes, additions, or deletions to the Meeting Minutes of May 3, 2022, a motion was made by Manager Mitchell and supported by Commissioner Hensel to approve the minutes as presented. Motion approved on the following roll call vote. Yeas: Commissioners Marshall, Henry, Hensel, Manager Mitchell, Commissioners Yarbrough, McGee, Chairman Reed. Nays: None. Absent: Mayor Muhammad, Commissioner Ferguson.

PUBLIC COMMENTS

None

NEW BUSINESS

PUBLIC HEARING – SPECIAL USE PERMIT FOR 261 WATER ST (11-54-00340-0013-06-0) FOR THE OPERATION OF AN ADULT USE (RECREATIONAL MARIHUANA CLASS C GROW FACILITY

Chairman Reed opened the Public Hearing at 1:04pm
Jeff Kushaba, with Kushava Craft and Jason Ficklen with Abonmarche were present as representatives of 261 Water St.

They explained they are looking at doing a renovation of an existing building into a Recreational Cultivation Facility which is zoned heavy industrial.

Commissioner Henry asked if there were licenses available for Class C Grow facilities. Clerk Moore and Director Little confirmed there was.

Commissioner Marshall asked how many the company intended to employ. Kushava explained that there would be 2-3 employees for the first couple month and then 5-6, then 7-10 or more when the additional rooms were completed. Marshall asked if they would employ local employees and Kushava stated that they would be hiring and recruiting locally.

Commissioner asked if they were only going to have a grow facility and if they were growing soil or hydroponics. Kushava stated that they were only planning the grow facility at this time but would maybe consider expanding in the future and they were using soil.

Commissioner Henry asked if they planned on hiring Benton Harbor residents. Kushava stated that they would be start recruiting locally for entry level full time positions, starting at at least \$15 per hour, and making them shareholders of the company.

Commissioner McGee asked how may full time employees they were going to hire. Kushava explained that they planned on 7-10 with the current space and ideally would like to hire 20 if they were to expand and that all employees would be offered insurance.

Chairman Reed asked if they would be marketing locally. Kushava stated that they are going to start with advertising in Southwest Michigan.

With no comments from the public, Chairman Reed closed the Public Hearing at 1:14pm.

A motion was made by Commissioner Hensel and supported by Commissioner Yarbrough to approve the Special Use Permit for 261 Water St (11-54-0340-0013-06-0) for the operation of an Adult Use (Recreational) Marihuana Class C Grow Facility. Motion carried on the following roll call vote: Yeas: Commissioners Yarbrough, Hensel, McGee, Henry, Marshall, Manager Mitchell, Commissioner Yarbrough, Chairman Reed. Nays: None. Absent: Mayor Muhammad, Commissioner Ferguson.

SITE PLAN REVIEW FOR 261 WATER ST (11-54-0340-0013-06-0) FOR THE OPERATION OF AN ADULT USE (RECREATIONAL) MARIHUANA CLASS C GROW FACILITY

Jeff Kushaba, with Kushava Craft and Jason Ficklen with Abonmarche were present as representative of 261 Water St.

Chairman Reed stated that he noticed the curb was cut due to city improvements and found a water shut off value. It's realized that the applicant is the tenant and not the owner and under the current conditions rain washes soil into the drain. He asked if there were any planning for mitigation. Commissioner Hensel added that it is unclear where the entrances are due to the curb cuts. Officer Bruce explained that he spoke with the owner, who said once the commences there on the parking area he will lay concrete around the shut off. He was unsure on the curbing, if it was due to the lead line replacement project, that may need to be referred to the city engineer. Ficklen stated he could get that answer. Commissioner Henry stated that the contractors with the lead line replacement project are supposed to replace anything damaged, and it takes awhile for concrete to set, it's a process, but it is in their agreement. Hensel stated there is a serious issue with erosion and there should be proection for drainage. There is only one drain that is off to the East.

A motion was made by Chairman Reed and supported by Manager Mitchell to approve the Site Plan for 261 Water St (11-54-0340-0013-06-0) for the operation of an Adult Use (Recreational) Marihuana Class C Grow Facility with the Condition that a mitigation process to stop drainage is completed and a pre-meeting is complete before the next meeting. Motion carried on the following roll call vote: Commissioner McGee, Manager Mitchell, Commissioners Yarbrough, Hensel, Marshall, Henry, Chairman Reed. Nays: None. Absent: Mayor Muhammad, Commissioner Ferguson.

OLD BUSINESS

MONTHLY ABSENCE REPORT OF MEMBERS

Chairman Reed stated that Commissioner Ferguson's absence was unexcused.

UPDATE – 300 W MAIN AEP POWER SUBSTATION

Mona and Matt (new project manager) presented the Landscape Plans and updates. With no questions, **A motion was made by Commissioner Hensel and supported by Commissioner Marshall to remove the last contingency for the project, being the landscaping plan. Motion carried** on the following roll call vote: Yeas: Commissioners Hensel, Henry, Marshall, Yarbrough,

McGee, Chairman Reed. Nays: None. Absent: Mayor Muhammad, Manager Mitchell, Commissioner Yarbrough.

170 RIVERVIEW DRIVE APARTMENT COMPLEX

Mark Walburg provided an update on the project, currently framing the building, beginning MEP rough, structural steel complete, elevator tower and trash room CMU complete, finishing roof on first wing, first floor framing on other wing nearly complete.

Commissioner Hensel asked if they were where they wanted to be as far as progress. Walburg responded they are on schedule; the biggest struggle is running into winter conditions in the inside of the building and getting power into the building quickly to be able to turn on heaters rather than using natural gas or diesel to run temporary heat.

Commissioner Marshall asked if the building was rented as far as occupancy. Walburg stated that the application process hasn't begun, marketing is being put together and they are putting together virtual model units.

MASTER PLAN UPDATE

Chairman Reed stated that community engagement is the next step. A website has been constructed. He's disappointed that a large number of citizens don't know what a Master Plan or what Economic Development is. He would like to schedule a special meeting of the Commission and Planning Commission and Advisory Group to discuss housing. There is a nationwide movement based on inflation, building costs, and there's many ways to look at obtaining more attainable housing. The Legislative Committee is reviewing Landlord Policy that the Planning Commission needs to help with. We need as many Commissioners to encourage citizen participation.

Commissioner Marshall asked where new development would go. Chairman Reed stated on existing lots, some will require zoning changes.

Commissioner Henry attended Planning Week and saw most of the same stuff that's been seen for decades. She didn't see much citizen participation and it's not pleasing to see actions from the past. Residents are not involved in the process.

Commissioner Hensel doesn't expect people will come to us. We need the Commission's help to get to people throughout the wards and the city.

Chairman Redd stated the city is well represented with 4 wards and 4 Commissioners at Large and the Mayor. People will not step up if representatives show no enthusiasm.

COMMISSION / STAFF COMMENTS

Commissioner Marshall stated things are changing but not for the benefit of the people who have endured mistreatment and name calling. The people who used to say they were afraid to come to Benton Harbor are walking down the streets. People need to know the truth of what is going on.

Commissioner Hensel stated we need to talk with the consultant to see what tools we need to talk to the citizens of the community to discuss what their needs are.

Commissioner Henry poverty and lack of jobs is the main problem with the citizens. The Master Plan so far combines Benton Harbor, City of St Joe, St Joe Township and Benton Township together and calls the City of Benton Harbor the hub, which it is, but to put those incomes together and bring our annual income up to \$44,000 a year is lying to the people. If she doesn't have the right information to share with the plan going on, we need information to share instead of giving a personal opinion, but want truth to say what the intention of the plan is for the people.

Chairman Reed agreed with Commissioner Henry and has asked the consultant who talked about trade.

Commissioner Marshall said there were programs to train, there were organizations outside of the city that train people to interview, not do the work.

Chairman Reed stated we know what the problem is, what are we going to do about it.

MOTION TO ADJOURN

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

With no further comments, the meeting adjourned at 2:28 p.m.

Tiffany Moore, City Clerk

Lee Reed, Chairman