

**CITY OF BENTON HARBOR
PLANNING COMMISSION MEETING
LULA LEE COMMISSION CHAMBERS, 200 E. WALL STRET
NOVEMBER 1, 2022**

Present: Commissioners Henry, Hensel, Marshall, City Manager Mitchell (left at 2:08pm), Mayor Muhammad (left at 2:08pm), Chairman Reed
Absent: Commissioners Ferguson, McGee, Yarbrough
City Staff Present: Chief Code Compliance Officer Bruce (arrived at 1:55pm), Community & Economic Development Director Little (left at 1:45pm), and City Clerk Moore.

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

AGENDA

A motion was made by Commissioner Hensel and supported by Commissioner Marshall to approve the agenda as presented. Motion approved on the following roll call vote. Yeas: Manager Mitchell, Commissioners Marshall, Henry, Mayor Muhammad, Commissioner Hensel, Chairman Reed. Nays: None. Members Absent: Commissioners Ferguson, McGee, Yarbrough.

MEETING MINUTES

A motion was made by Manager Mitchell and supported by Commissioner Henry to approve the minutes of September 6, 2022 as presented. Motion approved on the following roll call vote. Yeas: Commissioner Marshall, Mayor Muhammad, Commissioners Henry, Hensel, Manager Mitchell, Chairman Reed. Nays: None. Abstain: None. Absent: Commissioners Yarbrough, Ferguson, McGee.

There was no quorum present for the October 4, 2022 meeting.

PUBLIC COMMENTS

None

NEW BUSINESS

None

OLD BUSINESS

MONTHLY ABSENCE REPORT OF MEMBERS

Chairman Reed stated that Commissioner McGee is excused for health reasons and he will be reaching out to him to see what his future position on the Commission is. The rest of the Commissioners are absent without notification.

UPDATE – KUSHAVA CRAFT – 261 WATER ST

Jeff Koshaba stated that all the framing, wall covering, and structural work is complete. The plumbing and mechanical are delayed, there is not start date for electrical yet, but it should be soon. Chairman Reed stated he has seen quite a bit of activity; he asked when the parking lot work would start. Koshaba stated after the plumbing is complete, the parking lot would commence. Commissioner Hensel expressed concerns regarding piles of excavation materials in the street. Mayor Muhammad asked through the chair if that was a violation of the ordinance. Chair Reed stated that the equipment was unloaded and even though it is not blocking access, the public property is being used for private use.

Mayor Muhammad stated that if it is public space, then it should be removed. Koshaba stated he will make sure they are removed ASAP.

UPDATE – TRC BH LLC (The ReLeaf Center) – 326 E Main St

Jordan Florian provided an update on behalf of his clients at 326 E Main St. He stated that the City Building Inspector did give approval to move forward.

Mayor Muhammad asked what the projected overall investment for the project was. Florian responded that the project was approximately \$1 million.

Upon Officer Bruce's arrival, he stated that the Building Inspector walked with the contractor and they've completed everything, they are waiting on the electrician and drywall and he will provide those findings in writing.

Motion was made by Chairman Reed and supported by Commissioner Hensel to remove the contingency for 326 E Main St. Motion carried on the following roll call vote: YAYS: Commissioners Hensel, Henry, Mayor Muhammad, Commissioner Marshall, Manager Mitchell, Chairman Reed. NAYS: None. Abstain: None. Absent: Commissioners Yarbrough, McGee, Ferguson.

MASTER PLAN UPDATE

Paul Lippens stated that 4 neighborhood workshops were completed, there were discussions on what the residents of the neighborhoods were hoping to achieve through the planning process. He was hoping to have a discussion today about the zoning ordinance to find out what works and what doesn't work.

Commissioner Marshall asked if the new Master Plan plans to remove any structures. Lippens responded that sometimes the plan will include redevelopment visions and in some cases those redevelopment plans will include removing a structure and putting in a new structure. There isn't currently any plans at this time that envision that kind of redevelopment.

Director Little stated we need to look at multi family housing, in and out of the existing residential area. Lippens stated that has been consistent with what has been heard in the public engagement process so far. Mayor Muhammad agreed, and stated as we rebuild the economy, we have to think outside of the box, as far as entrepreneurship. Allowing residents to get creative in residential areas to make money, he would like to see mixed uses. Lippens stated that neighborhood mixed use has been supported, as well as opportunities with entrepreneurship has lined up with comments received so far. He is going to make a not about looking at home occupations. Little stated he just hopes that a line can be drawn to keep the lining up of appliances, wood, etc. He said there is a situation where there are a couple multi-family units where an issue is being raised where a special permit will be needed to allow them to continue or renovate and use them for the only purpose they've ever been use for. Chairman Reed stated that the City Attorney provided a written opinion on that, but isn't sure this is the proper time to come to a conclusion on that, but existing uses is something to look at as far as what's grandfathered in and not, and if changes need to be made to allow those uses to continue on, this might be a good time to look at that. Commissioner Hensel stated when the zoning ordinance was written, it was not anticipated that that property would be an issue, and clarified when the property is not occupied, the grandfather clause falls off and is now non-conforming. He doesn't think it's fair to have the building unused, especially when there is interest for development in it. He also stated that the sign ordinance is out of date and there have been conflicts that have caused a lot of expense, so that needs to be fixed as soon as possible. He spoke on containers for economic development and creating less expensive areas to build smaller spaces for start up businesses and has seen may opt for containers, he thinks the zoning ordinance should be changed to allow it. He also opened discussion on building similar houses. Mayor Muhammad stated that in Grand Rapids there's excitement for tiny houses, he doesn't know if there has been a study of what houses would look like in 20-30 years. When looking at college students, single mothers, newlyweds who might need smaller spaces, there's a need. Little stated that specific areas need to be

defined for tiny houses to be together and not spread out throughout the city, they need to be in a previous identified area, and will need and want to define what a tiny home is and if it is up to standard. Manager Mitchell stated that multi-family will take care of some of the need for tiny houses. Chair Reed stated that housing alone is one big subject. A checklist is needed for pre-site approval, like a pre-conference checklist, the purpose would be to determine economic impact and potential outcomes, would be able to track progress of necessary requirements, and tracking of contingencies, allowing them to get started without unnecessary steps to impede them. His list includes; tiny homes, trailers, access dwelling units that need strict zoning, anything that you are going to live in would have to meet the same requirements as any other houses. School zones need to be determined, workforce housing in school zones. Neighborhoods vs. scattered sight housing needs to be looked at. The biggest issue is people come in with plans but not an approved architectural stamp. Commissioner Henry stated that sometime ago a group of citizens came in to talk about signs, but nothing happened. Need to take care of signs for sure. Looking at the Master Plan that states single housing and mixed use, mixed use was such a vast area but only in a certain area, mixed use is a good thing, instead of multi housing, so the mixed use should be expanded a little further. Affordable housing is definitely a key that is missing, you build it, they will come. Her key effort is on the citizens that are here now and how to bring them up for generational wealth and a comfort in life. Investigation needs to be done on tiny houses and trailers. Hensel noticed in the Zoning Reform Kit was an idea of removing maximum and minimum building sizes for houses. If it was stated that anything could be a house at any size then tiny houses is what you will get. We're not using the Zoning Ordinance to exclude people. There is also a suggestion for zero parking, that needs to be looked at. Chair Lee need to look at sites in neighborhoods that is unique to Benton Harbor, need to control the area, what can be there, and the zoning. If school is defined for school zone, if looking for teachers to live in and putting residential in school zone could be considered. The activity looking for opposed to the label put on it would fall under zoning. Lippens stated some of the ideas developed during Planning Week that were reinforced during neighborhood workshops were creating new housing types and building types that could be reinforced during redevelopments, floor plans were presented for each building type, which included pre-approved site plans. Thinking about containers, rules for containers were temporary uses, but think about how containers can be used to meet building code requirements for permanent houses, looked at what those sites would look like. Chair Reed stated interstate has specific laws and regulations regarding signs and asked if those would carry over to business routes, if so, is there certain sign ordinances that apply. Lippens stated from a planning specific, the city has the authority and charge to have time, place, and manner regulations, would encourage local limitation on highway signage.

COMMISSION / STAFF COMMENTS

None

MOTION TO ADJOURN

With lack of quorum, Chairman Reed adjourned the meeting at 2:09pm.

Tiffany Moore, City Clerk

Lee Reed, Chairman