



CITY OF INKSTER PLANNING COMMISSION MEETING AGENDA

MONDAY, MAY 23, 2022
6:30 P.M.
CITY COUNCIL CHAMBERS
OPEN TO THE PUBLIC

The meeting was called to order at 6: 39 p.m. by Chairman Chisholm.

I. ROLL CALL

Present: Chairman Steve Chisholm, Vice-Chair Kimberly Faison, Commissioner Rebecca Daniels, Commissioner Lynette O. Cain, Commissioner Mack Willis, Commissioner Tonia Williams.

Absent: Commissioner Daryl Davis and Mayor Patrick Wimberly

Others in attendance: Mara Braciszewski (McKenna), Gage Belko (McKenna), James Gorenflo (McKenna), Members of the Public

II. ADOPTION OF AGENDA

MOVED by Faison, seconded by Williams to Adopt the Agenda as presented.

ROLL CALL VOTE:

Chairman Chisholm	Yea
Vice Chair Faison	Yea
Secretary Daniels	Yea
Commissioner Williams	Yea
Commissioner Cain	Yea
Commissioner Willis	Yea

Vote: 6-0, Motion carried.

III. ADOPTION OF MINUTES

A. Adoption of April 11, 2022 minutes

MOVED by Daniels, seconded by Cain to approve the minutes as presented.

ROLL CALL VOTE:

Chairman Chisholm	Yea
Vice Chair Faison	Yea
Secretary Daniels	Yea
Commissioner Williams	Yea
Commissioner Cain	Yea
Commissioner Willis	Yea

Vote: 6-0, Motion carried.

IV. FIRST HEARING OF THE PUBLIC *(for items not scheduled for a public hearing)*

Comments: None

V. PUBLIC HEARING(S)

A. Case # 21-20 (SLU) Adult Use Marijuana Retailer, Medical Marijuana Provisioning Center and Drive Thru Restaurant at 29225 – 29245 Michigan Avenue.

MOVED by Daniels, seconded by Willis to open this item for discussion.

ROLL CALL VOTE:

Chairman Chisholm	Yea
Vice Chair Faison	Yea
Secretary Daniels	Yea
Commissioner Williams	Yea
Commissioner Cain	Yea
Commissioner Willis	Yea

Vote: 6-0, Motion carried.

DISCUSSION

(Gorenflo) A licensing process in the City of Inkster. This governs who applies for the application. The Clerk's Office accepts application, does the background check and establishes that the applicant has the requirements to meet the licensing requirements. In the meantime, the City accepts applications. The first group will obtain the final licenses. Once the final requirement is issued, this triggers the 1000 ft buffer. While the 1000 ft buffer is in effect, it doesn't take effect until they receive their final stage of licensing. The first person who obtains the license triggers the isolation distance.

However, there is discussion to revising the marijuana ordinance and the buffer requirements. These adjustments would go to Planning Commission, City Attorney, and City Council.

(Daniels) Do we have any other applicants before this applicant?

Gorenflo explained the moratorium. Applicants outside of the moratorium are not being accepted. However, there are many applications in the process. These are the first applicants to be ready for their public hearing and request a special land use. Staff is revising the marijuana ordinance to reflect queue standards. Right now, the people who get through all the licensing process first establish the buffer, it is not necessary first come first served, but whoever gets through the process first (aka abides by City regulations first).

(Faison and Chisholm as clarifying questions)

Gorenflo explains the difference between medical provisioning center and adult use retail. Both are retail, but provisioning is medical and adult use retail is recreational. Applicants want to sell two different types of products so they need two different licenses. Microbusiness is a self-contained total operation: grow, processing and retail. Everything that is grown and processed in a micro-business has to be sold within the facility. They can grow up to 300 plants.

(Ermal Mendija, applicant) City Ordinance does not address updates from the State of Michigan. The Planning Commission's duty is to approve the this part of the license. Planning Commission cannot measure this distance now because the process flow is to let all applicants apply and follow the general licensing process.

(Gorenflo) This is what is wrong. We would like to address the buffer now, but the process is to allow all applicants to move forward with this part of the licensing requirements.

(Faison) Do we communicate to the applicants that this is the process? (Reports considers of disenfranchisement).

(Gorenflo) We believe this is communicated within the Office of the Clerk.

(Mendija) This is a legal issue that needs to be dealt with.

(Gorenflo) We need to get to these ordinances to allow applicants to move forward without any difficulty.

(Chair) What is City Attorney's take?

(Gorenflo) City Attorney is aware of challenge and is encouraging us to make revisions to the marijuana ordinance quickly as possible to avoid any problems in the future.

PUBLIC COMMENT

Ermal Mendija: Planning has recommended approval, we request you to do the same.

Councilmember Watley: Master Plan does not say to inundate the City of Inkster with marijuana facilities. There are three existing today. There are too many. Don't want to turn City into giant toking ring.

Applicant Ronnie Saad and Ally Saad: We are trying to create something for the community. Putting commercial aspect to benefit the community. Bring jobs and money. This is a currently vacant building being redevelopment to marijuana facilities and a drive-thru restaurant. Many interest in being the tenant of the commercial business (juice spot, salad place). Small time investor, made risk to take this opportunity to move through the process.

Daniels: Would you have the business without marijuana?

Applicant: No. Too much investment.

Mack: Where do you stay? What do you give back?

Applicant: Dearborn. I made investment to homecoming carnival. I have businesses within Inkster.

Daniels: Table it? Want attorney to review and need more time to review?

(Abe, owner of 26051 Michigan Ave approached stand, but items need to be related to the agenda).

Chair: Some members of the public are in favor, some are not. There is uncertainty, but our attorney is not here. What do we do about the medical provisioning center cap?

Applicant: There is no cap on SLUs. The place will still be built out prior to the license. There will need to be a restaurant in order to receive their Certificate of Occupancy.

Gorenflo: City Council has final action on SLU approval. If medical license isn't available, recreational license is still available.

Applicant: Commits to provide retail

Chair and Gorenflo discuss that the Clerk performs location buffer requirements to see if the establishment is located within any sensitive area.

MOVED by Cain, seconded by Williams to close this public hearing.

ROLL CALL VOTE:

Chairman Chisholm	Yea
Vice Chair Faison	Yea
Secretary Daniels	Yea
Commissioner Williams	Yea
Commissioner Cain	Yea
Commissioner Willis	Yea

Vote: 6-0, Motion carried.

B. Case # 21-19 (SLU) Adult Use Marijuana Retailer at 30007 Michigan Avenue.

MOVED by Cain, seconded by Daniels to open this item for discussion.

ROLL CALL VOTE:

Chairman Chisholm Yea
Vice Chair Faison Yea
Secretary Daniels Yea
Commissioner Williams Yea
Commissioner Cain Yea
Commissioner Willis Yea

Vote: 6-0, Motion carried.

Faison: Question about the process for micro-grow business. Is there any equity related to these businesses?

Gorenflo: The application is for an adult-use recreational retailer. The Master Plan considers allowing an Entertainment District for micro-businesses only. Only business can be located within the city as long as they meet that buffer. Staff is looking to require a higher level of social equity and investment to open a micro-business.

Faison: Did we address the buffer? Page 3 of the site plan review.

Braciszewski: Yes, we just wanted this item to be at the attention of the Planning Commission. But today, we only ask that Planning Commission move forward with the process as outlined in the ordinance. Staff is looking to revise this process, but today we must follow process.

PUBLIC COMMENT

Applicant: This has been vacant for many years. No residential property. Seek adult use retail.

Ermal Mendija: Another application submitted through the process. They declare that their application was submitted before this application. The license will buffer out, not special land use.

Councilmember Watley: Moratorium was one day? Microbusiness has more social equity. But there are no microbusinesses. Only retailers.

Faison: Wants more information on the process. Wants multiple bodies to be on page together. When were laws passed? What is the application flow?

MOVED by Willis, seconded by Daniels to close the public hearing.

ROLL CALL VOTE:

Chairman Chisholm Yea
Vice Chair Faison Yea
Secretary Daniels Yea
Commissioner Williams Yea
Commissioner Cain Yea
Commissioner Willis Yea

Vote: 6-0, Motion carried.

C. 2022 Smoking Lounge Ordinance

MOVED by Williams, seconded by Daniels to open this item for discussion.

ROLL CALL VOTE:

Chairman Chisholm Yea
Vice Chair Faison Yea
Secretary Daniels Yea

Commissioner Cain Yea
Commissioner Willis Yea
Commissioner Williams Yea

Vote: 6-0, Motion carried.

DISCUSSION

Staff debriefed Planning Commission on revisions such as definitions and removing background requirements and criminal acts.

Faison: Encourage a social environment on a patio.

Gorenflo: No language precludes restaurants from being near smoking lounges.

PUBLIC COMMENT

Background: Chair asked about this process when someone wanted to open a smoking lounge but there were no regulations on the books.

Councilmember Watley: There is nothing that is marijuana related.

Staff: Marijuana products are prohibited.

MOVED by Daniels, seconded by Willis to close public hearing.

ROLL CALL VOTE:

Chairman Chisholm Yea
Vice Chair Faison Yea
Secretary Daniels Yea
Commissioner Williams Yea
Commissioner Cain Yea
Commissioner Willis Yea

Vote: 6-0, Motion carried.

VI. OLD BUSINESS

A. **2022 Smoking Lounge Ordinance.** Review and consider recommending approval of the 2022 Smoking Lounge Ordinance for City Council for adoption.

MOVED by Cain, seconded by Daniels to item as presented.

ROLL CALL VOTE:

Chairman Chisholm Yea
Vice Chair Faison Yea
Secretary Daniels Yea
Commissioner Williams Yea
Commissioner Cain Yea
Commissioner Willis Yea

Vote: 6-0, Motion carried.

B. **Planning Commission Meeting Schedule Adjustment.** Consider approval and adoptions of the Planning Commission meeting schedule to be one Planning Commission meeting per month, on the fourth Monday of the month. See Appendix A. Special Meeting have ability to be held on the second Monday of the month, as deemed necessary by any Commissioners.

MOVED by Cain, seconded by Williams to adopt and approve the item as presented.

ROLL CALL VOTE:

Chairman Chisholm Yea
Vice Chair Faison Yea
Secretary Daniels Yea
Commissioner Williams Yea
Commissioner Cain Yea
Commissioner Willis Yea

Vote: 6-0, Motion carried.

VII. NEW BUSINESS

A. Case #s 21-20 (SLU) and 21-19 (SPR) Adult Use Marijuana Retailer, Medical Marijuana Provisioning Center and Drive Thru Restaurant

Review and consider approval of a special land use request and site plan for a retail marijuana establishment, medical marijuana provisioning center and drive thru restaurant in the B-3, General Business district at 29225 – 29245 Michigan Avenue. Rohnne Saad is the applicant.

Staff (Braciszewski) presented the outstanding items required in the site plan and special land use report. Site plans are subject to special land use approval. If tabling items, need to table to a date specific to show good faith effort from Planning Commission to move process forward.

Daniels wants to table the discussion until the next meeting. Faison wants more information about process. Cain doesn't think tabling is the right option. They have to follow the process set forward. Daniels wants more time to review what they are saying yes or no to.

Faison: wants clarity from administration on the process. Need legal perspective.

Gorenflo: If there is a motion to table, need actionable item for staff or applicant to provide. Staff has tried to figure out process and is in attempt to revise ordinances to clarify and eliminate challenges.

Chair: Community voiced concerns re: Dollar General. We have too many dollar stores. We want something better. Support a restaurant. Marijuana businesses: maybe not so much because the people have voiced concerns. He wished the Clerk and Attorney were here to ask clarifying questions.

Gorenflo: If applicant meets zoning ordinance criteria, PC must move process forward.

Motion to table the Special Land Use Review and Site Plan Review until the June 13, 2022 meeting due to Commission Daniels not receiving the material until today (for the record, staff submitted planning packet one week in advance). Request that the City Attorney and City Clerk attend the meeting.

MOVED by Daniels, seconded by Willis to table the Special Land Use Review and Site Plan Review until the June 13, 2022 Special Planning Commission Meeting. This is due to Commission Daniels and Commissioner Williams not receiving the material until today (for the record, staff submitted planning packet one week in advance). Request that the City Attorney and City Clerk attend the meeting.

ROLL CALL VOTE:

Chairman Chisholm Yea
Vice Chair Faison Yea
Secretary Daniels Yea
Commissioner Williams Yea
Commissioner Cain Yea
Commissioner Willis Yea

Vote: 6-0, Motion carried.

B. Case #s 21-19 (SLU) and 21-19 (SPR) Adult Use Marijuana Retailer

Review and consider approval of a special land use request and site plan for a retail marijuana establishment in the B-3, General Business district at 30007 Michigan Avenue. Danny Haidar is the applicant.

Staff (Braciszewski) presented the outstanding items required in the site plan and special land use report. Site plans are subject to special land use approval. If tabling items, need to table to a date specific to show good faith effort from Planning Commission to move process forward.

MOVED by Daniels, seconded by Williams to table the Special Land Use Review and Site Plan Review until the June 13, 2022 Special Planning Commission Meeting. This is due to Commission Daniels and Commissioner Williams not receiving the material until today (for the record, staff submitted planning packet one week in advance). Additional request that the City Attorney and City Clerk attend the meeting.

ROLL CALL VOTE:

Chairman Chisholm	Yea
Vice Chair Faison	Yea
Secretary Daniels	Yea
Commissioner Williams	Yea
Commissioner Cain	Yea
Commissioner Willis	Yea

Vote: 6-0, Motion carried.

VIII. MISCELLANEOUS

REVIEW WHO RECEIVES E-MAILS FROM STAFF

Commissioner Williams and Daniels do not receive the packet of information. Domain names: aol and att.

Who would like hard copies and electronic copies? Print copies will be available at Inkster City Hall on Monday the week before the meeting. Send two emails: one with the agenda. Another with the giant packet.

CORRESPONDENCE

Chair: bring questions of projects. Send the email to Planning Staff/ Planning Chair/ Vice Chair for City Attorney so they are prepared to address questions. Staff will cc Chair and Mayor.

PROCESS

Williams: Process is ridiculous. Where we are at in revising process?

Staff: Compiled all relevant marijuana sections of ordinances. Received direction from administration from what they would like to see. Send comments to Mara and Gage for marijuana revisions. Hoping to have something within 2-3 weeks for review. Planning responsibilities are pragmatic. However, City Council members have more latitude to act on politics. Staff interprets law and provides all information to Planning Commission. Planning Commission can override. Public hearing can sway decision and interpretation (Planning Staff does not always the correct interpretation).

RRC SUBCOMMITTEE

Discussed joint training for early August. Received Trello training.

IX. SECOND HEARING OF THE PUBLIC (*for items not scheduled for a public hearing*)

Councilmember Watley: City of Inkster has dedicated a street to Lilly Lester, first female Sgt of Arms in the State House. On May 5th she turned 100.

X. ADJOURNMENT

MOVED by Daniels, seconded by Willis to adjourn at 9:33 p.m.

MOTION CARRIED UNANIMOUSLY.

Rebecca Daniels, Recording Secretary

APPENDIX A: Proposed 2022 Planning Commission Meeting Schedule

~~January 24~~

~~February 14 & 28~~

~~March 14 & 28~~

~~April 11 & 25~~

~~May 9 & 23~~

June 27

July 25

August 22

September 26

October 24

November 28

December 27 (Tuesday)