

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
April 20, 2022**

Vice Chair Eppley called the April 20, 2022 regular meeting of the Planning Commission, to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Megan Eppley, Jacob Buse, Kate McLeod, Kasey Thompson, Rory Ruddick, and Sarah Montgomery

EXCUSED Chris Jane

ABSENT None

ALSO PRESENT Paula Priebe, Community Development Director
Emily Szymanski, Planning & Zoning Technician

There were 10 audience members.

APPROVAL OF MINUTES

Motion was made by Rory Ruddick, seconded by Jacob Buse, to approve the minutes of the March 16, 2022 meeting of the Planning Commission as presented, with no changes. Motion was passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

Zoning Ordinance Map Amendment Application to Rezone 126 S Dekrafft Avenue from R-1 Residential to I Industrial

The Public Hearing was opened at 6:33 PM.

Staff Report

Priebe summarized the Staff Report stating that City staff received an application to rezone this property by the property owner, Michigan Pipe Dreams LLC. The owners also own the other three parcels of the block as well and have received special land uses for marihuana grow facilities 126 S Dekrafft Avenue is currently zoned R-1 Residential and is vacant. The applicants are requesting the property be rezoned I Industrial. In the Industrial District, it is intended to provide areas of industrial development for trades and light industries. This District permits primarily manufacturing and warehouse uses as well as offices and other accessory uses related to a principal industrial use. Marihuana growers and processors are permitted in the I Industrial District as a Special Land Use. Staff supports recommendation adoption of the Zoning Ordinance Map Amendment to rezone the property from R-1 Residential to I Industrial as it meets the Standards set in Section 14.2:4 of the Zoning Ordinance.

Kimberly Yob, Chief Operating Officer of Michigan Pipe Dreams, stated that the main reason for the rezoning request is for possible expansion of the marihuana grow and process facility in the future. Although there are no plans to expand right now, if the business ever needed more space, 126 S Dekrafft would be available to them.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Jean Schneidt, of 22101 13 Mile Road, stated that she has concerns regarding the lack of “buffer zones” between industrial and residential. Mrs. Schneidt suggested that the property be rezoned Commercial to provide a smoother buffer between residential and industrial. Ms. Paula Priebe stated that in Section 8.3 – Minimum Buffer Zones of the Zoning Ordinance, adjacent uses that have potential conflict, there are required levels of “buffer”. However, the Zoning Ordinance does not require a buffer from one use to another use, the Minimum Buffer Zones described in Section 8.3 are more so regarding landscaping and fencing buffer requirements. R-1 Residential uses are considered a level one use and I Industrial uses are considered a level four use. This requires the highest level of buffer (trees and hedges four feet in height or an eight-foot fence). If there is ever an expansion, the owners would be required to go through the Site Plan Review process and buffering would be one required element included in the plans.

Telephonic or Written Correspondence Received by Staff: None received

Vice Chair Eppley closed the Public Hearing at 6:44 PM and the Commission entered into Fact Finding.

- Eppley stated that if there are no current plans of expanding, why would the Applicant wish to rezone the parcel right now? Mrs. Yob stated that rezoning to parcel from R-1 Residential to I Industrial would ensure the owners that expansion could happen if they ever need to.

- Thompson clarified that if the Applicant received the rezoning approval, the Applicant would most likely expand in the future. Mrs. Yob stated that yes, expansion is the plan.

Motion

Motion was made by Rory Ruddick, seconded by Sarah Montgomery to move that the Rezoning Application for 126 S Dekrafft Avenue (Parcel #17-14-454-002) from R-1 Residential to I Industrial be recommended to the City Commission for approval because it meets the Standards set in Section 14.2:4 of the Zoning Ordinance.

Motion passed with all in favor.

Request to Discontinue Two Alleys that Enter Maple Street Adjacent to Big Rapids Products

The Public Hearing was opened at 6:55 PM.

Staff Report

Priebe stated that the City Commission received a request to discontinue two alleys that enter Maple Street adjacent to Big Rapids Products. Priebe stated that Big Rapids Products has safety concerns due to the heavy vehicle traffic that use the alleys. As part of this review process, several departments in the City were consulted regarding the proposal of vacating two alleys, and their feedback is provided in the packet created for this meeting. Upon review of the proposal and in recognition of feedback by the departments, staff encourages the Planning Commission to recommend denial of the request to discontinue use of two alleys that enter Maple Street adjacent to Big Rapids Products.

Mr. John Chaput, President of Big Rapids Products, was not present at the meeting, however, did submit a letter in support of the two alleys being discontinued. A summary of the letter is included below.

“...Closing the alleys would complete the original intent and goals of the City so many years ago, reduce the City’s maintenance costs, make the neighborhood safer, and make traffic flow on Maple Street smoother and safer... If the continued use of the alleys is to be allowed, an alternative solution would be to widen and pave the alleys, give them names, street signs, intersection lights, and punctuate them with STOP signs. This would clearly be more expensive and goes against the City’s original intent of closing Pemberton and Gilbertson Streets in the first place.”

To read Mr. Chaput’s letter in full, please see the attached letter at the end of these minutes.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Jean Schneidt of 22101 13 Mile Road stated that the City never intended to close any alleys, like Mr. Chaput stated in his letter. Mrs. Schneidt said that previous City Managers have asked Mr. Chaput what his intentions were for the properties he purchased, and Mr. Chaput would not disclose any information. She also expressed concerns regarding the amount of noise that is heard by residences that are close to Big Rapids Products. The landscaping buffer that is in place does not do anything to improve the noise pollution produced from the business. If the intent was to expand and add an office space, why not disclose that information? Adding a building might help to buffer the noises created by Big Rapids Products. The alleys in question are used heavily by the surrounding neighborhood and Mrs. Schneidt stated that Mr. Chaput will not allow cul-de-sacs on his property to accommodate traffic, garbage, and snow removal that is required. The biggest issue is that Maple Street is not the truck route. The truck route came in by Simmonds and the old Hanchett building, and all Federal Screw trucks still use that route.

Roger Schneidt of 22101 13 Mile Road stated that the cul-de-sacs needed will have to be large enough to accommodate garbage removal and that is a major concern due to residences placing their garage in the alley for pickup. Since Maple Street is not a truck route, Mr. Schneidt doesn't know why there is such conflict. Not knowing Mr. Chaput's intent is alarming because the City cannot make decisions without a plan.

Telephonic or Written Correspondence Received by Staff:

Jean Schneidt of 22101 13 Mile Road wrote a letter to City Officials stating her concerns. Most concerns were heard during the public comment portion of the meeting. To read Mrs. Schneidt's letter in response to the request to discontinue two alleys, please see the attached letter at the end of these minutes.

Vice Chair Eppley closed the Public Hearing at 7:15 PM and the Planning Commission entered into Fact Finding.

- Ruddick, Eppley, and Montgomery stated that they don't understand why this is necessary. Both Commissioners are open to the discussion, but not enough information was provided to even consider this request.
- McLeod stated that it doesn't seem like Big Rapids Products is overly concerned, otherwise a representative would have attended. Priebe stated that the Applicant was notified of the meeting.

Motion

Motion was made by Jacob Buse, seconded by Rory Ruddick to recommend that the Request to Discontinue Two Alleys that Enter Maple Street Adjacent to Big Rapids Products be denied.

Motion passed with all in favor.

UNSCHEDULED BUSINESS

None

There being no further business, Vice Chair Eppley adjourned the meeting at 7:20 PM with all in favor.

Respectfully submitted,

Emily Szymanski
Planning & Zoning Technician and Planning Commission Secretary