

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
August 17, 2022**

Chair Jane called the August 17, 2022 meeting of the Planning Commission, to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Rory Ruddick, Chris Jane, Kate McLeod, and Megan Eppley

EXCUSED Sarah Montgomery and Jacob Buse

ABSENT Kasey Thompson

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

There were 9 people in attendance.

APPROVAL OF MINUTES

Motion was made by Eppley seconded by McLeod, to approve the minutes of the July 20, 2022 meeting of the Planning Commission as presented.

Motion was passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

Joe McNally, representing Krist Oil, gave an update regarding the proposed Krist Oil gas station and food mart at 827 N State Street. This project was discussed during the July 20, 2022 Planning Commission meeting. One of the main concerns expressed by Commissioners during the Site Plan Review was regarding the driveway location and speed deterrents off of the alley. Krist Oil is in the process of working with the City's Engineering Firm, Fleis & VandenBrink, to address these concerns. One new concern discovered after the Site Plan Review meeting is regarding the soil saturation and drainage of the site. MDOT has requested a more in-depth soil saturation study to ensure that the catch basin will be sufficient for the runoff load. Krist Oil will present the Planning Commission with the revised plans during an upcoming meeting.

PUBLIC HEARINGS

Site Plan Review for an Expanded Parking Lot at 520 S Third Avenue

The Public Hearing was opened at 6:35 PM.

Priebe summarized the Staff Report stating that the Applicant, Fluresh, LLC is applying for a Site Plan Review for an expanded parking lot at 520 S Third Avenue. Their proposal will utilize the property at 520 S Third Avenue as well as 510 S Third Avenue. Both parcels are zoned C-3 Commercial and are located on the southeast side of Big Rapids. Fluresh, LLC also owns the two parcels immediately to the south of 520 S Third Avenue. The site plans were distributed to the Fire Marshal, the Public Works Department's Engineering staff, the Building Official, and the Zoning Administrator for their review. The Fire Marshal, City Engineer Technicians and the Building Official found no issues with the plans. During the zoning review of the plans, staff discovered that the current plans are missing bicycle parking. The site requires space for two bicycles and will need to be added to the revised plans.

Tracy Hutchinson, Civil Project Manager for Driesenga & Associates, Inc. spoke on behalf of the Applicant, Fluresh, LLC and stated the project is simply for adding on to the existing parking lot to support more customers for their business. The site has been cleared with new drive aisles and landscaping. The plans will be updated to incorporate bicycle parking.

Those Who Spoke in Favor of the Request:

John Gibson of Construction Simplified and Construction Manager for Fluresh LLC, stated that the site is being improved and is being utilized nicely.

Those Who Spoke in Opposition of the Request: None heard

Telephonic or Written Correspondence Received by Staff: None received

Chair Jane closed the Public Hearing at 6:42 PM and the Commission entered into Fact Finding.

The conversation ensued over the following topics:

- How soon will project begin after the Site Plan is approved? Mr. Gibson stated that his crew will begin as soon as they possibly can.
- How is the soil quality for the site? Ms. Hutchinson stated that the soils are sandy and drain great.

Motion was made by Kate McLeod, seconded by Megan Eppley to move that the Site Plan Review Application for an expanded parking lot at 520 S Third Avenue (PIN 17-14-204-009) be approved with one condition as it meets the Criteria for Review found in Section 9.9:6 of the Zoning Ordinance, with the addition of bicycle parking for two bicycles to meet the requirements in Section 5.7:2 of the Zoning Ordinance.

Motion passed with all in favor.

GENERAL BUSINESS

Discussion of Proposed RRC and Form-Based Code Amendments to the Zoning Ordinance – Draft Zoning Ordinance Amendments

Priebe summarized the continuous work Staff and Planning Commissioners have made to the proposed restructuring and changes to the Zoning Ordinance. This process was initiated as part of the Redevelopment Ready Communities (RRC) and is required to become RRC Certified. It is also driven by the findings of the Housing Study. Discussion thus far included downtown district standards, the use table, housing types, residential design standards, and zoning map alterations. A working Group of City Staff and three Planning Commissioners met on Wednesday August 10, 2022, to review possible changes to the Zoning Map. A primary topic of conversation was the degree of change to the map at this time. After considering options and factoring in the current Future Land Use Map and the timing of updating the Master Plan, it was decided that only needed fixes would be proposed at this time. The Public Hearing for the proposed Map Amendments will take place during the October Planning Commission meeting in order to meet the requirement of having larger rezoning proposals be posted for 60 days whereas the text amendment requires a 15-day notice.

Priebe walked through the entire proposed Amended Zoning Ordinance with Planning Commissioners. The following are comments and suggestions from Commissioners regarding the five Sections that have proposed changes:

Article 2. Definitions –

Changes to this Section:

- Several definitions have been added to meet form-based code standards (i.e. parking setback, dooryard, fenestration, frontage, accessory dwelling units, etc.).
- Different restaurant types have been added due to different regulations for each.

Comments from Planning Commission:

In agreement with new organization and additions to the Definitions section. Remove myotherapy establishment and Petroleum Bulk Plant from the list of uses.

Article 3. Use Table (Within the District Regulations) –

Changes to this Section:

- The addition of the Use Table will be added to this Section.
- Townhouses and Flats/Small Apartments – How would those work in the C-2 Commercial District (the downtown)? These housing types would not be permitted in the new Storefront District. They are permitted along other C-2 Commercial zoned properties such as along Warren Avenue or N State Street.
- Apartment complexes are currently regulated in the Zoning Ordinance as a Special Land Use. Staff suggests that since apartment complexes are only allowed in the R-3 Residential District, they should be allowed by right. Apartment complexes would still be

required to go through Site Plan Review and the standards of a Special Land Use would already be discussed during the Site Plan Review.

- Drive-thru and Drive-in Restaurants are currently allowed in the C-1 and C-3 Districts as a Special Land Use. Staff suggests that these uses should be allowed by right. These developments must go through Site Plan Review which provides scrutiny of plans.
- Addition of Accessory Dwelling Units (ADU's). Staff recommends that they be allowed in every Residential District. The Standards would allow one per property and must meet additional standards such as lot size, size of the accessory dwelling, adequate parking, etc.
- Home Occupations are currently regulated as a Special Land Use. Staff recommends that this use be administratively approved via a Zoning Permit. This is generally agreed, but must go through broader revision process and will be brought back to the Commission at a later meeting.
- Check Cashing or Payday Loan Stores are currently permitted in the C-3 Commercial District only. Staff received a question regarding if this use should also be allowed in the C-1 Commercial District (along Perry Avenue)?
- Disallow Personal Vehicle Sales, Service, and Rentals in the C-1 Commercial District. This use is only permitted in the C-3 Commercial District.

Comments from the Planning Commission:

In support of suggestions made by Staff.

Article 3. District Regulations –

Changes to this Section:

- R-P: Added a 'width (max.)' to keep new developments to a smaller size.
- R-1: Lot area minimums. Current Zoning Ordinance requires a parcel in the R-1 to be 11,250 sq ft. The proposed lot area minimum is 7,500 sq ft. This number "right sizes" the Zoning Ordinance requirements to the average lot sizes in areas zoned R-1. Front yard maximums have been changed so that if someone has a large lot, they can't build a house so far away that it can't be seen from the road.
- R-2 and R-3: Lot area minimums proposed to decrease to match the average lot size in these Districts. Impervious coverage maximums for both Districts are increased so that greater density is permitted. Rear yard setbacks with/without an alley have been added because alleys alter property utilization. Building widths have been changed in both Districts as well.
- R-R: All of the Siting and Building Requirements in this Section have been added in order to meet best practices of RRC and form-based code. This District was designed to be a buffer District between the busy commercial area and residential areas. The proposed changes reflect the intent of the District.
- C-1: No changes.
- C-2: Form-based code related changes to ensure that the downtown is pedestrian-friendly and walkable while encouraging mixed-uses. This District also includes the new Storefront Frontage Overlay, which adds fenestration (doors and windows) requirements,

horizontal articulation (variations in the massing of the buildings so that the buildings create visual interest), ground floor articulation, etc. There are special uses called out in this Overlay District such as only allowing active ground floor uses. These uses could be retail sales and services, restaurant/bars/lounge, etc.

Comments from the Planning Commission:

In support of suggestions made by Staff.

Article 4. General Provisions –

Several Sections from Article 4 have been moved or removed as changes from other Sections have been proposed. This is simply to keep the Zoning Ordinance organized.

Changes to this Section:

- Staff would like the Commission’s help with potential changes to Section 4.1:4 – Minimum Square Footage Per Dwelling Unit. The numbers stated in this Section currently are quite large. Several individuals and developers have expressed interest in building tiny homes. However, with the current regulations, tiny homes and cottage courts are prohibited. In order to allow these housing types, the numbers need to be reduced. Staff recommends that all numbers in the required square footage per bedroom be reduced by 200. While these numbers are small, they exceed Building Code minimums. The current regulation for a single-family dwelling in R-1 District requires a minimum of 950 sq ft. Staff recommends this number be reduced to 750 sq ft.
- Section 4.2 – Design Standards is new to the Zoning Ordinance. This Section sets forth architectural standards applicable to the various zoning districts. These standards are intended to result in construction and development that reinforces the urban form and character of development as well as use and intensity of use established in the Big Rapids Master Plan.
- **Proposed change** to the definition of a house: “Houses are a building type that has the appearance of a single-family detached house that is appropriately scaled to fit within historically single-family neighborhoods. A house may consist of a detached structure incorporating one unit or semi-detached incorporating two or three units stacked or placed side by side with each unit having access directly to the street”.
- Permitting different housing types such as: townhouses, flats/small apartments, accessory dwelling units (ADU’s), and cottage courts.

Comments from the Planning Commission:

- Could the Ordinance be amended to prohibit manufactured homes? Staff will research how other communities regulate the difference between manufactured vs. modular homes and the Fair Housing Act. Staff will bring this topic back at a future meeting.
- In support of suggestions made by Staff.

Article 11. Use Standards – Reorganized

Article 12. Planned Unit Development – Moved from Article 11 to create new Article 12. Needs to be amended, updated at a later date.

Article 13, 14, 15, and 16 – Renumbered

The tentative timeline to see this project through to Adoption is as follows:

- August 22 – September 20 – Educational Sessions and Feedback
 - Publish information on City Website and hold two in-person meetings to inform the public, answer questions, and receive feedback on the proposed Amendments
- September 21 – Planning Commission Meeting
 - Formal Public Hearing on the Complied Zoning Text Amendments
 - Recommendation to the City Commission
- October 17 – City Commission Meeting
 - City Commission acts on the proposed Zoning Text Amendments
- October 19 – Planning Commission Meeting
 - Formal Public Hearing on the Proposed Map Amendments
 - Recommendation to the City Commission
- November 14 – City Commission Meeting
 - City Commission acts on the proposed Map Amendments

UNSCHEDULED BUSINESS

Community Engagement Opportunity

Please join us to share your ideas and learn more about:

- The need for changes in residential housing
- Proposed zoning changes
- How rezoning will impact you

When?

- Tuesday, August 30 at 6:00 PM at Big Rapids City Hall (226 N Michigan Avenue)
- Wednesday, August 31 at 1:00 PM at Artworks (106 N. Michigan Avenue)

If you cannot attend an in-person meeting, please visit cityofbr.org to listen to a podcast of the information.

There being no further business, Chair Jane adjourned the meeting at 8:35 PM with all in favor.

Respectfully submitted,

Emily Szymanski

Planning & Zoning Technician and Planning Commission Secretary