

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
September 21, 2022**

Chair Jane called the September 21, 2022 of the Planning Commission, to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Sarah Montgomery, Chris Jane, Megan Eppley, Kate McLeod, Kasey Thompson, and Jacob Buse

EXCUSED Rory Ruddick

ABSENT None

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

There were 53 people in attendance.

APPROVAL OF MINUTES

Motion was made by Sarah Montgomery seconded by Kasey Thompson, to approve the minutes of the August 17, 2022 meeting of the Planning Commission as presented.

Motion was passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

Kristal Wible of 830 Marion Avenue asked the Commission for an update regarding the Site Plan for a new Krist Oil gas station and food mart at 827 N State Street. Chair Jane stated that at this time, Krist Oil is still working on revising the Site Plans based on the conditions set by the Planning Commission during the July 20 meeting. City Staff will notify the public as soon as the revised plans have been submitted.

Mary Gallagher-Eustice of 224 Division Street complimented the City of Big Rapids for the beautiful downtown floral arrangements and thanked the City Staff that tends to them each and every year.

Zach and Tim Cooper of Red Bull Rentals expressed interest in purchasing 430 N Third Ave. This property is zoned R-2 Residential, and they are hoping to create group housing that would consist of 4-6 rooms. They have a history of purchasing homes in Big Rapids to renovate and then resell. The hope is to rent the rooms to young professionals. They currently own a men's group home and receive constant calls asking for open occupancy of a room. Tim Cooper asked for any comments or questions from the Planning Commission.

PUBLIC HEARINGS

Proposed Amendments to the Zoning Ordinance Articles 2, 3, 4, 9, 11, and 12.

The Public Hearing was opened at 6:35 p.m.

Priebe summarized the Staff Report stating that tonight’s meeting will include the formal Public Hearing for the many text amendments to the Zoning Ordinance that have been discussed for several years. The process was initiated as part of the Redevelopment Ready Communities program (RRC) and is required to become RRC Certified. It is also driven by the findings of the Housing Study. The proposed changes are fully in agreement with the City’s Master Plan. Within the 2018 Addendum to the 2009 Master Plan, the Housing Goal established is to “...work towards creating a balanced range of the housing opportunities that includes well-maintained single-family homes, multiply family units, and other types of housing”. These amendments will also help the City work toward the Downtown Goal and the Economic Development Goal. The Planning Commission walked through all of the proposed changes at their August 2022 meeting. On August 30 and 31, the Community Development Department staff held two public educational meetings to share about the proposed changes and to solicit feedback from attendees.

In an attempt to make these changes more easily understood, Staff has been thinking of the changes as four different categories: Administrative Changes, District Standards, Housing Types, and the Zoning Map. Administrative Changes include:

- An update and reorganization of the Definitions section,
- Clarify and reorganize Use Standards
- Adding a Use Table to make the old “Principal Uses and Structures” list more accessible.

The proposed changes to the District Standards Section includes:

- Amending standards in Article 4 – General Provisions for the C-2 and R-R Districts. These changes are driven by the RRC program and current planning best practices. They utilize Form-based Code for the walkable areas of the City where the framework is most beneficial.
- Amending standards within Residential District Standards. City Staff have been working with Kathleen Duffy of SmithGroup to prepare the proposed amendments. The Residential District Standards include a purpose statement, siting and building requirements, graphics, and dwelling occupancy sections for the R-P, R-1, R-2, R-3, and R-4 Districts. A key purpose behind the changes in the residential districts is to “right size” the zoning district standards to the actual lot sizes in Big Rapids. The current Zoning Ordinance has district regulations that make most residential lots in the City non-conforming, because they require very large lots. By fitting the lot areas and adjusting the setbacks to fit reasonably within those lot areas, many lots lose their non-conformity and no longer require the exceptions in Article 4 to be buildable lots.

The proposed changes to the permitted housing types include:

- Several additional housing types were presented to the Commission. These include townhomes, flats/small apartments, accessory dwelling units, and cottage courts, which are all examples of “Missing Middle Housing” that fall in between the single-family houses and large apartment complexes. These changes were driven by the Master Plan goals, the RRC program, and the findings of the Housing Study.

The proposed Zoning Map alterations include:

- 30 properties within the City are being proposed for the Zoning Map Amendment. These properties are considered “spot zoning” and do not match adjacent land uses and how the properties are currently being used.

Based on feedback gathered over the past week, staff are recommending several alterations to the Proposed Amendments as published:

- 2:2:M: add definition of Mezzanine
- Use Table: addition of Fraternal Organizations and Rooming Houses as a Special Land Use in the R-2 District.
- 3.4:1 Purpose statement for the R-P District: add desired residential development as house of one unit and up to one Accessory Dwelling Unit.
- 3.5:1 Purpose statement for the R-1 District: edit desired development to be one house of one unit and up to one Accessory Dwelling Unit.
- 4.1:7: Clarify that this section applies to non-residential accessory structures, not to the new Accessory Dwelling Unit section.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Carlleen Rose of 518 Locust St stated that while she is representing herself as a homeowner within the R-1 District, she is also representing the Big Rapids Housing Commission. She stated that although it is not a bad idea to consider changes, the R-1 District may need further discussion because these changes have the potential to dramatically change single-family neighborhoods. Big Rapids does need to encourage and facilitate new housing that will fit the vision and need of the community. The City and the Housing Commission have focused on eliminating non-conforming rentals in the R-1 District and the Housing Commission feels as though allowing accessory dwelling units will create more problems due to the increase in density. What is the value of adding ADUs? The need to reduce the minimum lot sizes make sense in some areas of the City but higher density should be restricted to the R-2 and R-3 Districts. Could the City create an additional R-1 District for new and future developments? Communication between the Housing Commission and the City needs to improve going forward.

Lonnie Deur of 120 Hutchinson St stated that he used to trust decisions made by the City Commission. When the City opted in to allow marihuana businesses within City limits, Mr. Deur lost that trust. Not every marihuana business will succeed, and many empty storefronts will arise. Regarding the zoning amendments, Mr. Deur stated that when he came into City Hall to learn

more about the changes, he was told what the political well-being of the R-1 District was but was not given the insight on how the proposed amendments would totally change the R-1 District. Multiple dwellings in one building will devalue property, devalue families, and home values. The City needs to look 5, 10, and 15 years into the future. The City does not consider people and families like all forms of Government right now. Please table the discussion.

Jane Johansen of 117 S Stewart Ave stated that in 2008, when Mayor Warba was elected, the R-P District was on the ballot. Over 60% of City residents voted that they wanted the R-P District as written in the current Zoning Ordinance. Can the Planning Commission amend a Section of the Zoning Ordinance that was voted by the people? Another concern regarding the R-P District is within the proposed Use Table. She stated that the Use Table is missing language that would state that a single-family dwelling, a professional office space, or a combination thereof would be permitted. The propose of the R-P was to allow some of these bigger homes be used to the best of their ability. One single family would be permitted, not multiple people, while also allowing one office space as well. Johansen stated that she grew up in Big Rapids and lives in the home she grew up in. When she moved back to Big Rapids, she lived next to two drug houses which created a lot of noise and traffic. She stated that after the area was rezoned to R-P, they reclaimed the neighborhood and now have families back in the homes. This is a big decision, and no one knew about it because no one pays attention in the summer months. Please table the discussion.

Jack Fraser of 522 Bailey Dr asked what started this push for missing middle housing? He stated he used to live on Rose Ave, which was rezoned once before to R-2 Residential but then was rezoned back to R-1 Residential because someone got smart. The issue is that the homes that were rentals were grandfathered in. With the additional units (ADUs) permitted on R-1 lots comes safety concerns. There was a house on Woodward Ave that had a second smaller home on the lot. That smaller home caught fire and turned out to be a drug house. Given the current feelings within the community regarding drugs, these amendments will create even more of a problem. He stated that a few of his neighbors run these “drug places”. In the 1970’s, Hillcrest came into town and many tenants have created issues. There are also several duplexes on Woodward that are run down rentals that do nothing but create issues. The R-1 District protects the single family and that’s the bottom line. If the City amends the Ordinance, the City should change the water tower’s slogan because “we won’t love it here. We don’t need homes cut up for a bunch of drug dealers. We are a family City”.

Roberta Cline of Escott St stated that she has been a City resident for 46 years and has lived in the R-1 District for 42 years, employee of the City for 46 years, and City Clerk for 34 years so she has heard conversations regarding the R-1 District, which shows how passionate the R-1 residents are. She has attended all of the study sessions and attended the City Commission meeting on September 19. She stated she has concerns regarding the RRC program due to the number of other communities involved. Since Big Rapids is a smaller community, we might not be able to compete with other communities for funding. It feels as though the City is selling out the R-1 District in order to make a few extra dollars. Is the goal of these amendments to increase

the number of rentals? At the City Commission it was brought up that townhouses, cottage courts, duplexes, and ADUs would be permitted. A lot of the data from the Housing Study suggests more rentals and adding these housing types would increase rentals. The four-unit dwelling on Chestnut St looks very nice and more similar developments would really benefit State St. Accessory dwelling units in the R-1 District will create problems with density and off-street parking availability. Thank you to staff for your hard work and the educational meetings were beneficial. However, please table the decision.

Joan Ciarmitaro of 917 Lilac Avenue stated that she moved to Big Rapids six years ago and loves her neighborhood and loves that her neighbors are young families, older couples, and everything in between. The street is very quiet and lovely. She stated that she wants her neighborhood to stay R-1 exactly the way it is.

Tim Vogel of 618 Willow Ave expressed concerns regarding the accessory dwelling units. These units will increase density and take away from the beautiful R-1 neighborhood. He researched single-family neighborhoods in other communities that are currently RRC Certified. Mt. Pleasant allows single family and duplexes. Houghton permits strictly single-family units and neighborhoods. Marquette uses a term called “low density residential” which is similar to our current R-1 District. Big Rapids can still reach RRC Certification while still allowing strictly single-family neighborhoods. Families and young professionals could benefit from living in multiple family buildings that have been turned into apartment complexes. This could be an opportunity for the City to look into. He stated that he appreciates City staff for their hard work.

Jana Lee Farrier of 729 N State St stated that in the R-1, “we have worked hard to renovate our homes and make them look nice. Accessory dwelling units will cause the R-1 residents to leave. We are there because we like the peace and quiet”. If someone rented an ADU near her, she would consider moving out into the Township or County. She stated, “I’d assume that as a City, you’d want some nice R-1 neighborhoods and allowing additional smaller units will make the City move in the wrong direction”.

Wayne O’Neil of 903 Woodward Ave stated that he never would have known about these amendments had it not been for a neighbor. The City needs to do a better job advertising these very important meetings to get more people out. He is against the proposed amendments.

Krystal Wible of 830 Marion Ave stated that the issue in Big Rapids is the lack of affordable housing. Adding a smaller accessory dwelling unit does not solve that issue. The City should look outside of the R-1 District and create a community that focuses on affordable single-family homes. She stated that she is worried about potential property tax increases that will be created from these new developments, including having a second dwelling on the property. The City should protect the R-1 neighborhoods.

Roberta Nista of 611 Willow Ave stated that her neighborhood is one big family. The neighborhood is wonderful, so if it’s not broke, why fix it? Please don’t mess it up.

Dan Spedowske of 830 Lilac stated that he has lived here 67 years and has worked very hard to get what he has in life. Why would the City want to wreck his neighborhood? He moved in the R-1 neighborhood because it's quiet and very nice. He stated, "I try to keep my property nice and welcoming, but not welcoming to everyone". He doesn't think Commissioners are listening to the people of Big Rapids. Leave the R-1 residents alone. Who will benefit from these amendments? Not him. He stated that if these amendments are passed, everyone moves in, and a little Detroit happens in his City, do his taxes go down? If approved, Mr. and Mrs. Spedowske will move out of the City after 67 years because he feels that they won't be welcomed here anymore.

Telephonic or Written Correspondence Received by Staff:

In-person Conversation:

Tyler Haynes, local Realtor and Big Rapids Township resident, stated that all new developments, new construction will have safer residential units because they will need to conform to current building and fire codes. He also stated that Big Rapids needs more units, for renters and buyers, that are geared towards professionals, FSU faculty and staff, etc. He is in support of the new housing types being proposed.

Phone Conversation:

Sally and Dave Alban of 506 Bailey Dr stated that they do not want their street to be anything other than single-family dwellings and do not want any accessory dwelling units in their neighborhood. They expressed concern about safety if there is any higher residential density development near their house. Overall, they want to see Big Rapids be more family friendly and think that the proposed changes would make Big Rapids less family friendly.

Written Correspondence:

Judy and Dale Monson of 908 Lilac Ave, Katherine LaPietra of 604 Cedar St, Monte and Catherine Johnson of 526 Bailey Dr, Greg and Terry Denny of 323 W Pere Marquette St, Mark Warba of 627 Woodward Ave, and David Mason of Reed City are against the proposed amendments. To read the written correspondence in its entirety, please refer to the last page of these minutes.

Chair Jane closed the Public Hearing at 7:47 PM and the Commission entered into Fact Finding.

The conversation ensued over the following topics:

- Montgomery asked what impacts would having an accessory dwelling unit have on property taxes? If a property is owner-occupied, the portion that is owner-occupied is eligible for the primary residence exception (PRE). The portion of the property that is not owner-occupied is not eligible for PRE.
- Jane asked how many people could occupy an accessory dwelling unit? There are requirements within the Zoning Ordinance that would have to be met (such as parking

and size of bedrooms). However, accessory dwelling units are quite small in size (600 sq feet or smaller) and typically can only house one person or a couple.

- Could manufactured homes be considered an accessory dwelling unit? No. There are additional standards for ADUs. However, a statement that says, “manufactured homes are not permitted as accessory dwelling units” could be added to clarify this point. Staff will bring back the conversation of amending standards for manufactured homes at a future meeting.
- Eppley stated that she would like to hear from a larger population of renters, since the majority of Big Rapids residents are renters. She would like to find a balance between the opinions of homeowners versus opinions of renters pertaining to these proposed amendments. It is important to find the balance, because Commissioners also have to think about the future of the community and seeing Big Rapids grow. Often times we take for granted what “family means”. What’s right for one family, is different for another. There has to be growth and development to sustain the community. Big Rapids may not look like what it’s always looked like, but these amendments deserve more discussion.
- Montgomery stated that she feels unsettled, and the Commission should not vote on the proposed amendments tonight. She stated that she loves how the R-1 is very family oriented and quiet.
- Dr. Thompson stated that she does not feel comfortable with moving forward with the amendments tonight. However, we may not all agree and use a single approach, but we need to get closer to finding that medium before moving forward. Societally, the whole framework and concept of family is changing a bit. Children are staying home a lot longer, children come back, and there are different definitions of family for everyone. Accessory dwelling units aren’t just to be used as rentals. They also give the homeowner the opportunity to use their property in a way that isn’t focused on making a profit. Instead, ADUs could help conform to this new normal of having different types of families. It’s not all negative and would love to allow homeowners the opportunity to work on beautification of their homes.

Motion was made by Kasey Thompson, seconded by Sarah Montgomery to move that the Zoning Ordinance Text Amendments to Articles 2, 3, 4, 9, 11, and 12 be tabled and brought back at a later meeting of the Planning Commission, because more discussion is needed in order to reach a more universal decision on the proposed amendments.

Motion passed with all in favor.

GENERAL BUSINESS

Site Plan Approval Extension Request for 614 S State Street

Priebe summarized the Staff Report, stating that the Planning Commission held a Public Hearing at the December 15, 2021 meeting on a Site Plan Review for a New Wendy’s Drive-through Restaurant at 614 S State Street. The Site Plan was reviewed with one condition. The condition was met, and Staff approved the Plan with a letter on February 4, 2022. The owners and construction contractors have requested an extension of their Site Plan approval until June 30,

2023 due to delays in their project's timeline. This extension would allow them the time needed to complete the project.

Motion was made by Jacob Buse, seconded by Megan Eppley to extend the Site Plan approval for the New Wendy's Drive-through Restaurant at 614 S State Street (PIN 17-15-283-006) as granted on February 4, 2022 until June 30, 2023.

Motion was passed with all in favor.

Annual Organizational Meeting 2022

Priebe stated that the Bylaws and Rules of Procedure for the Planning Commission call for an annual organizational meeting to be held each September at which time the Commission must do four things:

1. Elect officers for the ensuing year.
2. Appoint a Recording Secretary
3. Review the Planning Commission budget for the ensuing year.
4. Adopt a regular schedule of meetings for the next year.

Each office can be held by one person for three terms concurrently. Chair Jane is termed out.

The four offices that need to be decided are Chairperson, Vice Chairperson, Secretary, and Record Secretary. Current Chair Chris Jane is currently completing his third consecutive term as Chairperson, current Vice Chair Megan Eppley is currently completing her second term as Vice Chair, and current Secretary Sarah Montgomery is completing her first term as Secretary.

The elected officers for next year are as follows:

- Megan Eppley as Chairperson (1st term)
- Dr. Kasey Thompson as Vice Chairperson (1st term)
- Sarah Montgomery as Secretary (2nd term)

Emily Szymanski was appointed Recording Secretary.

The Planning Commission budget was reviewed, and the meeting schedule was adopted as stated. The meeting time will remain at 6:30 p.m. on the third Wednesday of each month.

A Motion was made by Chris Jane, seconded by Megan Eppley to approve the elected officers, recording secretary, budget, and schedule, as discussed.

Motion passed with all in favor.

UNSCHEDULED BUSINESS - None

There being no further business, Chair Jane adjourned the meeting at 8:45 PM with all in favor.

Respectfully submitted,

Emily Szymanski, Planning & Zoning Technician and Planning Commission Secretary