

**CiCITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
January 18, 2017**

Chairperson Schmidt called the January 18, 2017, regular meeting of the Planning Commission to order at 6:32 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Sue Bean, Renato Cerdena, Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel, Bill Yontz

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There was 1 person in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the November 16, 2016, meeting of the Planning Commission as presented.  
Motion passed unanimously with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

Lynn Anderson, 319 S Michigan, expressed a concern about the new construction at 316 Locust that replaced the previous fire damaged residence. She is disappointed in the appearance of the structure and believes the aesthetics of newly constructed buildings should be more regulated.

Schmidt agreed saying there should be ordinances that govern aesthetics. Jackson agreed saying perhaps there is a need to establish standards in the ordinance. Schmidt asked if the City is aware of the concept of *zoning by architecture*. Sweppenheiser was not familiar with the concept and added that single family homes do not go through site plan review.

**PUBLIC HEARINGS**

None

**GENERAL BUSINESS**

**Review of Master Plan On-Going Actions**

Sweppenheiser reviewed the Master Plan Long-Term/On-going Actions 2016 update with the Commission. He highlighted his responses to the On-going Actions (see attached Master Plan Long-Term/On-going Actions 2016) as outlined and the Commission had opportunity to comment on each item.

### Housing

In reference to #2, Cerdena remarked that there is a need for quality housing. Per the census, 50% of families in Focus Area #1 and the area bounded by Bailey, Woodward, 15 Mile and State are below poverty level. He wondered how to set policies so developers can address a broad range of housing.

In reference to #4, Cerdena wondered if the City has a data base that shows where violations occur. He is developing a geographic map to show violations. Sweppenheiser said that the See Click Fix program can do that, but code enforcement is not included on the See Click Fix map.

Bean added that the cost of building new homes is very expensive due to the need to be compliant with current housing codes. To be affordable houses may have to be smaller.

Schmidt wondered how to designate areas specifically for low income and higher income families. Sweppenheiser said the trend toward a healthy community is now one of mixed use. Cerdena cited examples of cities that have healthy mixed use environments such as Traverse City. Bean added that this is what the Housing Commission is trying to do in the northeast area of town.

Schmidt suggested that the City could offer incentives such as tax abatements. He also suggested that zones could be developed by architectural features, such as single family, multi-family, etc. He added that mixed use may not work.

Cochran believes that the City needs to be made attractive to entice people to locate here. Jackson added that we need visionaries, designers, and open zoning to facilitate development such as that going on in north Grand Rapids. Rockford Construction has poured millions into redevelopment on Bridge Street in Grand Rapids.

Yontz asked if a study could be done to see what the community would like to see. He would like to see fun things to do added to the City's amenities so that people would be attracted to Big Rapids. Sweppenheiser added that a survey was recently done for the update to the Park and Recreation plan to gain the communities insight as to what recreational amenities they would like to see in Big Rapids.

Sweppenheiser remarked that only 5 houses have been built in Big Rapids in the last decade.

Schmidt asked what the plan is and asked if the Planning Commission should look into this. Sweppenheiser said that the design standards must be followed. Schmidt asked about the process and what the Planning Commission can do to set the stage for a community vision. He

suggested that the community could become a “green” community and the concept could be pushed to attract people to Big Rapids.

Cochran asked about relying on staff to get all the work done and wondered if it is adequate. She suggested that we need a clear sense of the final picture instead of just pieces.

Cerdena stated that the Planning Commission hasn't been a part of any planning. He wondered what the City has in the way of incentives to entice private investments – perhaps tax incentives? Sweppenheiser stated that all of the last developments have been done without tax incentives. Why offer tax incentives if they can do the development without? There is a consequence for incentives: everyone pays due to loss of tax base.

Jackson and Schmidt agree that quality of life such as a great recreation program or an exceptional education system will attract people to Big Rapids.

### Transportation

Schmidt would like to see the Planning Commission involved in planning the layout of the streets and commercial corridors.

Sweppenheiser stated that he is not in full agreement that the Planning Commission should be involved in meeting with MDOT on transportation matters. MDOT has its regulations that must be followed - staff normally takes care of these matters.

### Downtown

Sweppenheiser stated that the downtown is taken care of very well. To redevelop a parcel takes a huge investment – it would not be a function of the Planning Commission. The City has a lot going on. Heather Bowman will sit on the Downtown Business Association. Aaron Kuhn will sit on the Downtown Development Association.

### Cooperation and Coordination

There is plenty of cooperation and coordination that goes on between staff and other organizations and boards. Development in the City has been slow the last few years. The township has more acreage than the City so new student housing development has been happening there rather than within City limits.

Sweppenheiser stated that the City has to be pro-active on keeping up to date and maintaining its assets. The City will be applying for a Michigan Economic Development Corporation Infrastructure Capacity Enhancement grant to replace the derelict water main on Ives and South Streets.

Schmidt asked why there isn't a water and sewer commission that reaches across City/Township lines to which Vogel said, in the past, the personalities did not work well together.

Sweppenheiser added that if we don't own the property, we can't extend the lines. Cost is a concern. Cerdena wondered if there were other agreements with neighboring communities for things such as pollution control. The City has a well head protection program and is looking at addressing the Ives storm water drain problem with the County and FSU.

### Public Facilities and Services

This year, as mandated by the state, the Capital Improvement Plan (CIP) will cover a 6-year period. Staff is currently involved in its creation. As funding the needed CIP projects is difficult, the City needs to carefully select which are the most important. Funding sources in the form of grants are sought to help the City complete some of the projects.

The Commission talked about things that would help keep people in Big Rapids. Schmidt said we need to see growth around the University and offer more entertainment. Along with a lack of things to do in town, Yontz believes that the streets are the problem. If people have trouble getting here they can't take advantage of what is offered. Cochran was concerned about the students not staying in town for the weekend. She believes the City needs to offer more for them to do to keep them here. Jackson said there are no job opportunities here for students so they go home on the weekends to make some money. Yontz thought it might be a good idea to have a FSU student at the Planning Commission meetings. The student would be responsible for reporting information back to the student body.

### Economic Development

The City is fortunate to have a fair amount of industrial businesses. Recently, owners of a wood related business looked at locating in Big Rapids. They would bring up to 730 jobs, but they also looked at other cities in other areas of the country and Big Rapids was not selected. Sweppenheiser believes it might have been a challenge to find 730 skilled workers in this area. Investments have been slower paced than the City would like to see. However, almost everything sighted in the 2006 Blue Print Plan for the City was accomplished.

### CIP Committee

Three people are needed to serve on the committee which will meet on Wednesday, February 1<sup>st</sup>, and Friday February 3<sup>rd</sup>. The first day is a drive-around to look at the projects. The second day is to meet with department heads and go over the need for the projects they have identified for inclusion in the CIP. Bill Yontz, Renato Cerdena and Tim Vogel will serve on the Committee.

### Home Occupation

Sweppenheiser stated that the Commission has discussed this topic before and he has consulted with the City Attorney who recommends that #5 of Section 11.1:10 of the Zoning Ordinance be altered to strike the part of the condition that states "no client or customers may visit on a regular basis to conduct business with the home occupation".

Home occupations have not been a problem in the City.

Vogel stated that he has looked at other City's ordinances and some are more restrictive and others are less restrictive.

Sweppenheiser asked the Commission to think about this for the next Planning Commission meeting.

**There being no further business, motion was made by Jennifer Cochran, seconded by Paul Jackson to adjourn the meeting. The meeting was adjourned at 8:20 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
February 15, 2017**

Chairperson Schmidt called the February 15, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Sue Bean, Renato Cerdena, Jennifer Cochran, John Schmidt, Tim Vogel

**EXCUSED** Bill Yontz

**ABSENT** Paul Jackson

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There was 1 person in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Sue Bean, to approve the minutes of the January 18, 2017, meeting of the Planning Commission as presented.**

**Motion passed unanimously with all in favor.**

In reference to the January 18, 2017 minutes, Cerdena asked if staff can download data from the See Click Fix program to create a data base/map of where problems occur in the City. Sweppenheiser said that he would ask Tim Moslener if it is possible. He added that there is information on a per issue basis and it is included on a map. Cerdena believes keeping track of this type of information can help the City identify hot spots, see trends and plan. Sweppenheiser agreed. Schmidt added that currently pot holes and water mains are issues.

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS**

**Recommendation on the 2017-2023 Capital Improvement Plan**

Sweppenheiser distributed copies of the ranked 2017/18 and 2018/23 CIPs (see attached) and reviewed each project that was recommended for funding with the Planning Commission members. He explained that per Michigan Economic Development Corporation requirements, the City must have a 6 year CIP in place to be eligible for grants. He further explained that the 2017/18 plan is important and more accurate, while the 2018 to 2023 plan can be tweaked over the years. This is the first year that the City has a written plan and it has turned out nicely. There will be minimal text changes to this plan.

Schmidt asked about the costs on page 6 of the Plan. Sweppenheiser explained that those items with 2 asterisks will be funded over multiple years, and those with 3 asterisks are projects to be funded with multiple fund sources. He asked about the total project costs and Sweppenheiser told him that they can be found on the spread sheets. He will try to incorporate total project costs in next year's Plan.

Schmidt asked about the Public Safety vehicle purchase and if the trade in value is reflected in the proposed cost. Sometimes the vehicles are recycled to different departments and sometimes they are traded in.

Reconstruction of roads is partly funded by Act 51 funds. Schmidt wondered if the road reconstruction costs reflect the new MDOT standards. Roads will be built to the new standards and more money will be coming from the gas tax to help fund them.

Vogel noticed that there are fewer projects on the Plan than in previous years. He appreciates the work the staff has put into compiling it. Schmidt commented on the 2021/22 Plan to replace lights and fixtures in the Water Plant with new LED lighting. He believes the cost savings would pay for the replacement in a hurry and wonders if the change over couldn't be done sooner. Sweppenheiser agreed and he may put on next year's CIP.

Cerdena referred to the Analysis and Prioritization criteria included on page 4 saying that it is a good plan. Next year we will be able to evaluate the need for proposed projects per this criterion.

Sweppenheiser commented that the challenge is in the number of years it takes to fund a project. Department heads need to realize that not everything can be ranked a #1 priority.

In order to better rank the projects, it may help next year to give a description of each ranking number.

## **MOTION**

**Motion was made by Tim Vogel, seconded by Sue Bean, to recommend approval of the 2017-2023 Capital Improvement Plan to the City Commission.**

**Motion passed with Sue Bean, Renato Cerdena, Jennifer Cochran, John Schmidt, and Tim Vogel in favor.**

**GENERAL BUSINESS**

Home Occupation language will be on the agenda next month.

**There being no further business, motion was made by Tim Vogel, seconded by Sue Bean to adjourn the meeting. The meeting was adjourned at 7:20 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary



**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
March 15, 2017**

Chairperson Schmidt called the March 15, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Sue Bean, Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED**

**ABSENT** Renato Cerdana

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There was 1 person in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Jennifer Cochran, to approve the minutes of the February 15, 2017, meeting of the Planning Commission as presented. Motion passed unanimously with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS**

**Recommendation on the Text Changes to Section 11.1:10 of the Zoning Ordinance (Requirements to obtain a Conditional Use Permit for a Home Occupation)**

Chairperson Schmidt opened the public Hearing at 6:35 p.m.

Sweppenheiser reviewed his Staff Report saying that the ordinance governing Home Occupation in the R-1, R-2, and R-3 Zones (11.1:10) requires the applicant to apply for a Conditional Use Permit. Number 5 of the ordinance states that no clients or customers may visit on a regular basis to conduct business with the home occupation, and the home occupation shall not generate more than ten (10) business related vehicle trips in any one (1) day period. The proposed text change

would omit the portion of the regulation that reads as follows: no clients or customers may visit on a regular basis to conduct business with the home occupation.

He stated that looking at the past home occupations that were approved, the phrase in question was not applied. He noted that home occupations have not generated any adverse issues. Furthermore, the term “regular basis” is not defined. He also believes that the number of vehicle trips allowed per day could be reviewed and revised.

The City Attorney recommends removal of the text.

Vogel asked about the process of receiving the Conditional Use Permit. It is as follows:

- Application is made,
- those within 300 feet of the home are notified,
- a Public Hearing is scheduled and held at the Planning Commission Meeting,
- the Planning Commission makes a recommendation on the request to the City Commission,
- the City Commission decides to either allow or disallow the home occupation or, may require additional information to make the decision.

#### Those Who Wished to Speak in Favor of the Request

None heard.

#### Those Who Wished to Speak in Opposition of the Request

None heard.

Chairman Schmidt closed the Public Hearing at 6:45 p.m. and the Planning Commission entered into Fact Finding.

Schmidt asked if Attorney Williams knew the background of the creation of this ordinance. Sweppenheiser replied that he did not and that it was probably borrowed from another municipality.

Vogel did some research of other city’s ordinances pertaining to home occupations in the residential zones. He found that Big Rapid’s is pretty strict compared to those he reviewed. Some say which particular type of home occupation is allowed or disallowed. Compared to the other cities, he likes the Big Rapids ordinance.

The City has ordinances that govern signs and parking in the residential areas. Signs for home occupations are not permitted in residential areas.

Vogel also reported that other cities allow an additional person to work at the home occupation.

The Commission discussed the hours of operation and some thought 7:00 a.m. was too early and some thought 9:00 p.m. was too late. The hours of operation were left at 7:00 a.m. to 9:00 p.m.

The question of whether those that sell Mary Kay, Tupperware, Pampered Chef, etc., fall under the need to apply for a Conditional Use Permit was discussed. It was thought that the customer business associated with this type of home occupation was based outside the home, but now some are holding the parties in their own home. This would mean a lot of cars at the same time for several hours, maybe a couple times a week or perhaps more. However, in some cases, the neighborhood may not even know that this type of business is being conducted.

Sweppenheiser has not experienced any trouble with home occupations and believes if there is a problem, it would be dealt with individually. Schmidt however, believes parameters should be set up beforehand.

Home occupations are allowed by Conditional Use Permit and not by right in the R-1, R-2, and R-3 zones. Those that receive a permit are on the honor system and can also be monitored on a complaint basis.

The ordinance bans the stocking and selling of any product out of the home unless it is produced in the home. Fed X and UPS trucks also count in the number of trips allowed per day.

## **MOTION**

**Motion was made by Tim Vogel, seconded by Bill Yontz, to recommend approval to the City Commission for text change to Section 11.1:10 of the Zoning Ordinance (Requirements to Obtain a Conditional Use Permit for a Home Occupation), by removing the text from #5 that states: *No clients or customers may visit on a regular basis to conduct business with the home occupation.* Number 5 shall read: **The home occupation shall not generate more than ten (10) business related vehicle trips in any one (1) day period.****

**Motion passed with Sue Bean, Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel, and Bill Yontz in favor.**

## **GENERAL BUSINESS**

### **Adopt-an-Alley Initiative**

Cochran reported on the progress of the initiative per the attached March 15, 2017 update. The Student Government president informed her that ten (10) Registered Student Organizations have indicated a desire to adopt an alley. The coordinator of the Big Event will be overseeing the Adopt-an-Alley initiative in the fall. Cochran has been working with Joy Pufhal, Dean of Student Life, on the signs that will identify the group/s that adopt a particular alley. Questions as

to which group will adopt which alley, how many signs per alley and who will be constructing and installing the signs are still to be determined.

Schmidt stated that the effort should be a 5 Star Event for volunteering students, meaning the students gain points toward community involvement.

### **Parking**

Sweppenheiser would like to adjust the number of parking spaces required for rental units. Currently, properties with more than 3 units are required to have 1 space for each bedroom and 2 per unit. He believes this is excessive and that it hinders new development by overburdening the developer.

Cochran says that she sees a problem with current parking in that the tenants can't roll the poly carts out to the curb through muddy ruts and unimproved parking lots.

The Commission discussed aesthetics and that perhaps Big Rapids should be developing minimum standards for construction.

Sweppenheiser believes that part of the issue is that housing stock is getting old and deteriorating. At some point buildings need to be torn down and replaced. He reported that the Redevelopment Ready Community program has up to \$30,000 to re-do zoning ordinances, but the updating may cost up to \$100,000.

Sweppenheiser will come up with some suggestions to the Parking Ordinance for the next Planning Commission meeting.

Jackson said that the Zoning Ordinance lacks architectural design aspects and would like the group to look at it to perhaps come up with some parameters.

Schmidt said he will check with some people he knows that have experience in dealing with this subject.

**There being no further business, motion was made by Paul Jackson, seconded by Bill Yantz to adjourn the meeting. The meeting was adjourned at 7:30 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
April 19, 2017**

Chairperson Schmidt called the April 19, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED** Sue Bean, Renato Cerdena

**ABSENT**

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There were 4 people in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Bill Yontz, to approve the minutes of the March 15, 2017, meeting of the Planning Commission as presented.**

**Motion passed unanimously with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS**

None

**GENERAL BUSINESS**

Chickens

Sweppenheiser explained that there are several Big Rapids citizens interested in raising chickens on their properties for their eggs. If it is determined to allow this practice, he would like to study the subject and create an ordinance to govern the keeping of chickens to ensure it doesn't become a nuisance in the City. He would like to have a committee to review the possibility and report back to the Planning Commission. He observed that this is the first time people have been

present to speak or hear about the topic. Sweppenheiser thought that maybe having a trial period in the ordinance would be helpful. He added that a hand out concerning the keeping of chickens was distributed at a previous meeting.

Chairperson Schmidt asked if anyone in the audience wanted to speak about raising chickens in the City.

Clifton Franklund who is a professor of micro biology at Ferris stated that he is in favor of raising chickens within the City. He and his family have raised chickens previously in another location. He provided a handout to the Planning Commission from the Back-Yard Chickens web site. More information is available at <http://www.backyardchickens.com>

Franklund researched other city's ordinances concerning chicken raising and said that the City of Lansing has a good one that could be tweaked for City of Big Rapids use. He listed the benefits of raising chickens as follows:

- If limited to a small number of birds, they become pets
- Chickens consume table scraps
- Chickens consume garden pests (bugs)
- Chicken waste makes good compost
- Chickens produce eggs for consumption.

Franklund listed possible problems as follows:

- Noise
  - a) Limit number of birds
  - b) Do not allow roosters
- Odor
  - a) Limit number of birds
  - b) Use reasonable set backs
- Zoonotic disease
  - a) Limit number of animals
  - b) Provide some basic background information

As roosters are noisy and only used to breed, they would be banned in the City. If owners were limited to 4 to 5 birds, the noise and odor would be kept down. But, he thought 1 to 2 birds in the City would be better due to the size coup that would be needed for more birds, and the small lot sizes in the City. Two to three sq. ft. per bird are recommended for a chicken coup. Franklund said that zoonotic disease would not be a problem. Chickens don't carry bird flu but do carry salmonella which can be avoided by simply washing your hands after handling the chickens.

Franklund said that heat lamps or a 100-watt bulb are sufficient to keep chickens warm in the winter and they would need ventilation in the summer. Hens usually lay eggs for about 4 years and live 5 to 6 years. Owners would be wise to keep the coup safe from predators. Feeders and

waterers can be used for times when the owners go on vacation. Eggs, if left in their bloom, can last at room temperature for several weeks.

Mark Speas is an acquaintance of Franklund and they have spoken about raising chickens. This winter he paid attention to other cities that allow chicken raising. He noticed that the home owners are generally younger (under 30 years old). All had secure fences around the coup area. He does not see any downside to raising chickens in the city.

Matt Nikkari stated that he is not interested in raising chickens, but has friends who raise them. They have shared eggs with him and he believes that they are better tasting. He said he remembers taking care of chickens at his grandmother's house and said once they don't lay eggs any more, they would be eaten. He supports raising chickens in the City.

Sweppenheiser said that the chicken coops themselves would not be regulated, but setbacks would be enforced. Suggested specifications for chicken coops can be found on the following web site: <http://www.backyardchickens.com>

Cochran wondered if the ordinance should govern the sharing of eggs for any liability reasons. Selling eggs would be regulated but not sharing with friends. Franklund added that you cannot see salmonella bacteria. The chickens don't get sick from it but humans need to wash their hands after handling chickens to avoid the bacteria. Larger flocks can be vaccinated, but with smaller numbers of chickens there is no need. Franklund stated that chickens would not make good house pets as they are dusty, dirty animals.

Sweppenheiser said that the ordinance limits pets to 3 dogs and cats. It specifically disallows pigs, sheep and goats. Any other animal must be kept 500 feet away from any structure.

Yontz, Vogel and Jackson will serve on a committee to work with the City Attorney to come up with some language for a Public Hearing and eventual recommendation to the City Commission. The Chicken Committee will have the information for the next City Commission meeting.

### Parking Regulations

Sweppenheiser introduced the discussion saying he is concerned about the regulations for multi-family rentals. Currently, the ordinance requires 2 spaces per unit, plus 1 space for each bedroom. The development at 113 Chestnut was required to provide an overabundance of parking – they needed 8 extra spaces. The regulations may have been developed in hopes of not creating too many student rentals, but now it seems we also discourage good development. Most of our larger apartment complexes have gotten variances for a lesser amount of parking spaces than is required by ordinance. He feels we need to reduce the number of spaces required for multi-family housing rather than give variances and the reduced parking requirement may attract new development. Single family parking regulations can stay the same at 2 per dwelling. He is proposing 1 spot per bedroom in multi-family dwellings. Sweppenheiser noted that in general, 80% of downtown land is used for vehicles.

Sweppenheiser would like to encourage new development rather than let existing housing continue to get older.

Cochran wondered if this new regulation would apply to existing housing and said she would like to see the dirt parking areas paved. Schmidt thought that requiring paved parking may deter people turning single family dwellings into rentals.

Sweppenheiser will come up with some new language for multi-family parking for the Planning Commission to review.

### Rezoning

The owner of 218 S Warren is interested in using it as a residential dwelling. Previously it was the Red Cross building. The property is zoned C-2 and is located in the DDA. The property owner would like the property to be changed to R/P. Since this would be considered spot zoning which is illegal, Sweppenheiser is suggesting the whole block be considered. The Master Plan and the Hyatt Palma Plan do not recommend any other use for this property other than C-2. Next month this will be considered at a Public Hearing. The R/P Zone is considered a buffer to the Commercial Zone.

The properties in this block are included in the Tax Increment Financing Plan. Currently, real property values are going up but are not seen in the tax capture. In 5 years, the tax on personal property will no longer exist. Additionally, parking is allowed across the alley from a business so AMC could expand parking in this area if they wished.

Schmidt warned that we should be careful of the zone slowly enlarging over time without the City realizing what is happening. He advised that we should bring it into conformance if we can.

### Surplus Property

Sweppenheiser said that recently several properties were recommended for surplus designation. The recommendations were made without first checking the deeds for any stipulations. Unfortunately, some of the properties had stipulations about resale. The Hanchett property had stipulations about usage due to contamination. Another property was purchased for a storm water easement and if sold, must be used as park land. Yet, another stated that if the City ever wanted to sell the property, it would go back to the State.

The City needs to develop a procedure to follow in selection of properties for surplus designation. A title search should be performed before the property is recommended for surplus designation.



**There being no further business, motion was made by Jennifer Cochran, seconded by Bill Yantz to adjourn the meeting. The meeting was adjourned at 8:15 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
May 17, 2017**

Vice-Chairperson Cochran called the May 17, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Sue Bean, Renato Cerdena, Jennifer Cochran, Paul Jackson, Tim Vogel, Bill Yontz

**EXCUSED** John Schmidt

**ABSENT**

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There were 5 people in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the April 19, 2017, meeting of the Planning Commission as presented.**

**Motion passed unanimously with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS**

**Zone Change Request from C-2 to R-P for 202 S Warren, 216 S Warren, 218 S Warren, 220 S Warren, 226 S Warren and 228 S Warren.**

After Vice-Chairperson Cochran explained the Public Hearing procedure, Sweppenheiser introduced the request by saying that Jack Frizzell, the applicant and owner of 218 S Warren, would like to create a ground level residential dwelling in the west portion of the building. The east portion would remain professional office space. Currently, the C-2 zone does not allow new residential use on the main or basement levels.

The parcels to be considered include a parking lot, an office building and residential buildings. The applicant requested a variance from Section 3.10:2(5) before the Zoning Board of Appeals in January and was denied.

The Planning Commission is to consider the following in making a decision on the request:

1. The use requested shall be consistent with and promote the intent and purpose of the Ordinance.
2. The proposed use will ensure that the land use or activity authorized shall be compatible with adjacent land uses, the natural environment, and the capabilities of public services affected by the proposed land use.
3. The land use sought is consistent with the public health, safety, and welfare of the City.
4. The proposed use is consistent with the City Master Plan or a determination that the plan is not applicable due to a mistake in the plan, changes in relevant conditions or changes in relevant plan policies.

Staff recommends approval of the zoning request to the City Commission.

**Vice-Chairperson Cochran opened the Public Hearing at 6:36 P.M.**

**Applicant Statement**

Jack Frizzell, 128 S Warren, stated that as a realtor, he is aware of the housing needs in the area and there is a lack of decent housing for professional people. He believes that there is adequate office space available. The building is already split in half with separate utilities in each. He wishes to create an apartment in the back and keep the office space in the front. This use is consistent with the R/P zone.

**Those Who Spoke in Favor:**

Tom Sage, 220 S Warren, stated that he supports the request to change the zoning to R/P as his office building may be able to be used as residential in the future if the zoning is changed.

**Those Who Spoke in Opposition:**

Sue Glatz, 17810 205<sup>th</sup> Avenue, Big Rapids, MI, stated that she is here on behalf of the owner, Nitkin Kohli, who lives in Canada. Kohli owns 228 S Warren and it is a 3-unit rental with one unit on the main floor, one in the basement and one to the rear on the main floor. She is wondering if the change will influence the use of this property - would this use still be allowed and would the owner be able to switch the use back and forth if he ever went to commercial use. Sweppenheiser said one unit could be commercial but if there would be 50% damage to the property, the office would have to go back to single family use.

Sue said that in that case, she would be against the re-zoning and would like the property to retain its current use. Sweppenheiser said that the owner could ask for a Class A Use that would allow for non-conforming use. Vogel said that even under the C-2, if 51% of the property were to be damaged, the same rule would apply. The Class A designation would allow for the non-conforming use. The C-2 zone doesn't regulate single family use.

**Written or Telephonic Correspondence:**

Rex Schuberg stated that he was in favor of the zone change.

**Applicant Rebuttal:**

Frizzell stated that the change might enhance the property rather than be detrimental.

Sweppenheiser said that if the property would remain non-conforming C-2, the use of student rental could be continued. A change to R/P would allow commercial use. The properties to the east and south are currently zoned R/P, while the properties to the north and west are zoned C-2.

**Vice-Chairperson Cochran closed the Public Hearing at 6:48 and the Planning Commission entered into Fact Finding.**

Cochran asked what the down-side would be to making the change to which Sweppenheiser said that in the C-2 zone, residents can use municipal parking. Residential property owners would have to provide onsite parking but there would be a grandfather component - if allowed to use municipal parking now, that use could continue. But, Frizzell would have to meet parking requirements if he makes changes to the property.

Bean wondered if there have been others that have asked for zoning changes. Yes, the property owners to the east of the ISD asked for a re-zoning and it wasn't granted.

This could be a focus area of the Master Plan in the future but only if there is interest in making a zoning change. It would increase the option for non-student residences. The area could still be used for parking for the theater if changed to R/P.

Vogel asked if property in the C-2 is more valuable than in the R/P. He assumes that the parcels could lose value. Also, C-2 is identified in the Master Plan for this area and the Hyatt Palma study did not recommend a change to any other zoning.

Cochran asked what would happen if the zoning is not changed to which Frizzell replied that the property would remain as office space. He believes that the City could use more professional rental properties as compared with office space which is adequate.

**Motion**

**Motion was made by Tim Vogel, seconded by Bill Yontz to recommend to the City Commission that the following properties be rezoned from C-2 to R/P: 202 S Warren, 216 S Warren, 218 S Warren, 220 S Warren, 226 S Warren and 228 S Warren.**

**Motion was tied with Sue Bean, Jennifer Cochran, and Bill Yontz in favor, and Renato Cerdena, Paul Jackson and Tim Vogel in opposition.**

**Site Plan Review for a 37 Space Public Parking Lot at 201 N Bronson Avenue (City Owned Property).**

Sweppenheiser reviewed his staff report saying that the City is the applicant for this municipal lot. It will serve Big Rapids Products. Big Rapids Products previously purchased residential property to the south of their building for future parking use. By paving this municipal lot for their use, it will protect the residential area to the south. The storm water and landscaping plans are adequate.

**Vice-Chairperson Cochran opened the Public Hearing at 7:10 P.M.**

**Applicant Statement:**

The City of Big Rapids is the applicant. Todd Richter, Fleis and VandenBrink engineer, added that the parking lot will consist of 37 spaces now in order to provide an ADA compliant space.

**Those Who Spoke in Favor:**

None heard.

**Those Who Spoke in Opposition:**

None heard.

**Written or Telephonic Correspondence Received by Staff:**

None

**Vice-Chairperson Cochran closed the Public Hearing at 7:13 P.M and the Commission entered into Fact Finding.**

Vogel asked about the Landscaping Plan and Richter stated that there are 3 trees to the west, 2 in back and 2 in front. They will be drought resistant maples, pears and ginkgos. The Zoning Ordinance calls for screening but since this is in an industrial area, grasses and perennials are

planned to beautify the entrance. Four lights are planned and we will use extra light fixtures that the City already owns. The lights will be LED.

Vogel was concerned about the curb cut that the City put in years ago, and how it will withstand trucks going in and out of the parking lot. He was concerned for the lack of irrigation for the trees and plantings. Sweppenheiser said that the City can water the trees and plantings. Per the agreement, the City plans on maintaining the lot.

### **Motion**

**Motion was made by Bill Yontz, seconded by Tim Vogel to approve the Site Plan for a 37-space parking lot at 201 N Bronson with the following conditions:**

- 1. The City will maintain the parking lot.**
- 2. Adequate lighting will be supplied.**

**Motion passed with Sue Bean, Renato Cerdena, Jennifer Cochran, Tim Vogel, and Bill Yontz in favor.**

**Paul Jackson was in opposition.**

### **Public Hearing for Zoning Text Change – Parking Regulations 5.2:1**

Sweppenheiser explained that the Planning Commission has talked about this issue several times before. It was prompted by a proposed project at the Hanchett site and the Housing Commission. Currently, Section 5.2:1 of the Zoning Ordinance requires the following off-street parking regulations:

1. Single Family: Two (2) spaces
2. Single Dwelling Unit: One (1) per unit + one (1) per bedroom
3. Duplex: One (1) space per unit + one (1) space per bedroom
4. Multiple Family: Two (2) spaces per unit + one (1) space per bedroom

It is staff's recommendation to require one (1) parking space per bedroom in all Single Dwelling Units, Duplexes, and Multiple Family dwellings.

### **Vice-Chairperson opened the Public Hearing for Zoning Text Change – Parking Regulations 5.2:1 at 7:38 P.M.**

### **Applicant Statement**

The City is the applicant. No further explanation was needed.

### **Those Who Spoke in Favor:**

None heard.

**Those Who Spoke in Opposition:**

None heard.

**Written or Telephonic Correspondence Received by Staff:**

None

**Vice-Chairperson Cochran closed the Public Hearing at 7:39 P.M. and the Commission entered into Fact Finding.**

The Commission agreed that two spaces for a family works well.

**Motion**

**Motion was made by Sue Bean, seconded by Bill Yontz, to recommend to the City Commission, a Zoning Text change to Section 5.2:1 of the City of Big Rapids Zoning Ordinance – Table of Parking Space Requirements, to require one (1) parking space per bedroom in all Single Dwelling Units, Duplexes, and Multiple Family Dwellings.**

**Motion passed with Sue Bean, Renato Cerdena, Jennifer Cochran, Paul Jackson, Tim Vogel, and Bill Yontz in favor.**

**GENERAL BUSINESS**

**Mitchell Creek Park Improvements**

Engineer Todd Richter of Fleis and Vandenbrink explained the Mitchell Creek Park Improvement Project saying that the project is made possible with a DNR Passport Grant. The improvements will include a paved parking lot, 8-foot-wide trail, drainage to the river via a bio-swale and rain garden, and LED lighting. By using the filtering system for storm water run-off from the parking lot to Mitchell Creek, the City will not be adding any extra water to the storm sewers.

As the Chamber of Commerce building will be taken down, there will be some sort of restoration to the slope of the hill. The steps will remain as well as the bike shelter.

Some tree removal is planned and the project is in accordance to the Master Plan and has been approved by the Park and Recreation Board. Two handicap parking spaces are planned.

**Chickens**

Committee members Bill Yontz, Tim Vogel and Mark Sweppenheiser met with City Attorney Eric Williams to discuss the Ordinance language to allow the keeping of chickens within City

limits. Sweppenheiser advised putting the language in the Code of Ordinance instead of the Zoning Ordinance so it isn't subject to variances.

Highlights of the Chicken Committee discussion included the following:

- Slaughter of chickens is prohibited
- Allowance of 3 or 4 chickens
- Permitted in rear yard only
- 2-year temporary permit
- \$25 permit fee, good for 2 years
- Must be kept 10 ft. from lot line, including any byproducts or manure
- Code of Ordinances vs. Zoning Ordinance
- Single residential unit/property only
- Owner of chickens must reside on property
- 40ft. (Lansing Ann Arbor) or 25 feet (TC) for neighboring residential structures
- Fully contained enclosure, no free range
- No Roosters.

It is the Committee's intent to hear additional feedback and have Eric Williams draft legislation for a public hearing in June.

The Planning Commission wants to make sure that no roosters are allowed and will have to make a determination as to the keeping of chickens either 25 or 40 feet from neighboring structures.

Yontz suggested that perhaps the City could develop a compost pile at which residents could dispose of the manure. Vogel noticed that chickens must be kept happy in order for them to lay eggs. He suggested talking to the County Extension to see if they could add anything useful.

He also suggested the number of chickens be kept consistent to other animals allowed in the City. Either three dogs or three cats, or a combination thereof totaling three per property are currently allowed. The number of chickens allowed would be kept at three regardless of the dog and cat limit. Mecosta County has an ordinance for chickens.

Vice-Chairperson Cochran thanked Sue Bean for her service as this is her last meeting.

**There being no further business, the meeting was adjourned at 7:55 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary



**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
June 21, 2017**

Chairperson Schmidt called the June 21, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED** Renato Cerdena

**ABSENT**

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There were 2 people in the audience.

**APPROVAL OF MINUTES**

Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the May 17, 2017, meeting of the Planning Commission with the following corrections:

- Change here to hear, page 7
- Add combination of 3 dogs and/or cats. Chicken count to be separate, page 7.

Motion passed unanimously with all in favor.

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS**

**Request for Text Change to the Code of Ordinances, Chapter 91: ANIMALS to Allow the Keeping of Chickens within City Limits**

Sweppenheiser explained that this will be a recommendation to the City Commission. There has been some interest in the past to keep chickens within City limits. The addition of allowing chickens to be kept in the City was discussed with Eric Williams and it was decided to include it in the Code of Ordinances rather than the Zoning Ordinance as in the Code of Ordinances, any

variations to an Ordinance are not allowed. If included in the Zoning Ordinance, a citizen could ask for a variance. The follow was discussed for inclusion in the ordinance language:

- Slaughter of chickens prohibited
- Allowance of up to 3 chickens
- Permitted in rear yard only
- 2-year temporary permit required - \$25
- Must be 10 feet from lot line, including any byproducts or manure
- Language to be included in the Code of Ordinances
- Permitted on owner occupied, single-family property only
- Must be located either 25 feet or 45 feet from neighboring property (to be decided)
- Must be kept in fully contained enclosure, no free-range

Sweppenheiser would like to add that no roosters will be allowed to be kept.

**Chairperson Schmidt opened the Public Hearing at 6:39 p.m.**

**Applicant Statement**

As the City is the applicant, Sweppenheiser spoke for the request. He stated that there has been interest and keeping chickens for their eggs and feels it doesn't seem to be just a fad. Some people keep them as a learning lesson for their children. He doesn't see a reason not to allow them in the City. He said that chicken owners will have to take good care of the chickens or they will not last very long. This Public Hearing was posted in the Pioneer on Friday to try to get interested people to attend the meeting.

**Those Who Spoke in Favor:**

None

**Those Who Spoke in Opposition:**

None

**Written or Telephonic Correspondence:**

None

**Applicant Rebuttal:**

None

**Chairperson Schmidt closed the Public Hearing at 6:42 and the Planning Commission entered into Fact Finding.**

Jane stated that he recently had the opportunity to observe the keeping of chickens and they have been clean, healthy environments with no smell.

The members discussed the previously outlined ordinance language with the following comments:

- The coop size, including a fenced run, should be no larger than 200 sq. ft. Chickens should not be able to run outside the fenced area.
- A building permit would need to be obtained for structures of 200 sq. ft.
- The coop needs to be located in the rear yard, 10 feet away from any lot line and 40 feet away from any neighboring residential structures. The 10 feet requirement is included within the 40 feet distance.
- Need to make sure roosters are not allowed.

### **Motion**

**Motion was made by Tim Vogel, seconded by Bill Yontz to recommend to the City Commission an addition of text to the Code of Ordinances Chapter 91: Animals, to allow the keeping of chickens within the City limits. The following regulations should be incorporated:**

- **The regulation will be found in the Code of Ordinances**
- **Chickens may only be kept on single family, owner occupied properties**
- **The owner of the chickens must reside on the property**
- **No roosters are allowed**
- **The slaughter of chickens is prohibited**
- **A maximum of 3 chickens per property is allowed**
- **Chicken coops permitted in rear yard only**
- **A 2-year temporary permit costing \$25 is required**
- **Chickens must be kept in a fully enclosed area – no free range**
- **Overall size of the structure and appurtenances must be 200 sq. ft. or less**
- **The chicken coop and pen area, including any byproducts and/or manure must be 10 feet from the lot line**
- **Chickens must be kept 40 feet from neighboring residential structures**

**Motion passed with Chris Jane, Jennifer Cochran, Paul Jackson, John Schmidt, Tim Vogel and Bill Yontz in favor.**

### **GENERAL BUSINESS**

#### **Bees**

Jane asked about bee keeping within City Limits. Sweppenheiser said they must be kept 500 feet from any structure. Schmidt added that they are treated as livestock per the Federal Government

but wondered if ordinances could be created to encourage bee keeping. Yontz wondered if the Co-op could help with any regulations or advise that would be needed.

### **Chamber of Commerce/Convention and Visitors Bureau**

Sweppenheiser reported that the new building will be complete soon and the Chamber and CVB hope to hold an open house in August of this year.

The previous building occupied by the Chamber and CVB will revert back to the City and will need to be taken down before the Mitchell Creek Park improvements begin.

At the June Park and Recreation Board meeting the building was discussed. A report on the condition of the building was presented and it identified some maintenance issues with the building (see attached report).

Next month there will be a Public Hearing for a recommendation to the City Commission as to what should be done to the building. Yontz added that it is not ADA compliant. Bringing the building up to code is not feasible per the City's building inspector.

### **Re-Zoning Recommendation**

The City Commission decided not to accept the Planning Commission's recommendation on last month's re-zoning request. They did not like the tie vote. They decided to re-zone it from C-2 to R-P through a resolution instead. City Attorney Eric Williams will write the Ordinance.

Schmidt asked if there could be an alternate Planning Commission member that could be called in if a member was going to miss voting on an issue, or if a member could recuse him/herself so there wouldn't be an even number of voters.

This would not be allowed per the City Charter and the Planning Enabling Act.

The applicant could go to the City Commission to make their case too.

There being no further discussion, Chairperson Schmidt closed the meeting with all in favor.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary



**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
July 19, 2017  
UNAPPROVED**

Chairperson Schmidt called the July 19, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED** Renato Cerdena

**ABSENT**

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There were 5 people in the audience.

**APPROVAL OF MINUTES**

Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the June 21, 2017, meeting of the Planning Commission with the following corrections:

- Change all spelling of “coup” to “coop”.

Motion passed unanimously with all in favor.

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS**

**Request to Rezone the East Half Block of N. State Street Between East Bellevue Street and Hemlock Street From C-3 to RP or RR**

Chairperson Schmidt opened the Public Hearing at 6:32 p.m.

Sweppenheiser explained that this request was referred by the City Commission to the Planning Commission. He explained that the owners of 416 N. State Street, Mark and Johanna McDonough, have asked for a rezoning to allow residential use of the property. This would

constitute a spot re-zoning which is not consistent with the Master Plan. Staff has recommended that the east side of north State from Bellevue Street to Hemlock Street (400 N. State Street, 414 N. State Street, 416 N. State Street, 418 N. State Street, 420 N. State Street, 430 N. State Street, 438 N. State Street, 440 N. State Street, 442 N. State Street), be considered for rezoning from C-3 to RP or RR. In 2015, the owners requested a variance to allow residential use on the main floor. The request was denied by the Zoning Board of Appeals for not meeting all 4 of the requirements showing unnecessary hardship. The owners changed the use of the property from residential to a hair salon decades ago.

Sweppenheiser stated that in order to grant the zoning request, the following standards outlined in Section 14.2:4 of the Zoning Ordinance must be met:

1. The use requested shall be consistent with and promote the intent and purpose of this Ordinance.
2. The proposed use will ensure the land use or activity authorized shall be compatible with adjacent land uses, the natural environment, and the capabilities of public services affected by the proposed land use.
3. The land use sought is consistent with the public health, safety, and welfare of the City.
4. The proposed use is consistent with the City Master Plan or a determination that the plan is not applicable due to a mistake in the plan, changes in relevant conditions or changes in relevant plan policies.

Currently, these properties are a mix of residential and commercial. Across State Street, the property is zoned R/R. Any properties zoned R/P are quite far away. Changing the property to R/R is not in the Master Plan and does not match the City vision. Staff does not support the request to rezone.

### **Applicant's Statement**

Gary Cook, Greenridge Realty Oakmont, represented the property owners. He stated that they have been trying to sell the property as commercial for 2 years with no luck. One problem is there is not a lot of parking space available for commercial use. The property is 48 feet wide. Sale of this property would benefit both the City and the owner as it has sat vacant for 2 years.

### **Those Who Spoke in Favor**

None

### **Those Who Spoke in Opposition**

Jerry Garner, 105 Linden, stated that he is trying to sell a commercial property a few doors away. He believes that changing the zoning to R/R would hinder its sale. He is against the rezoning.

Jim Addington, 430 N. State Street, stated that he owns the property at 430 N. State Street and it is used as a commercial business. When the business was formed, all the regulations had to be followed. He said that the east side of State is all commercial except for the 400 block. He believes no one is buying here for residential use and he would take a loss if the zoning were changed to R/R.

Cheryl Stein, 440 N. State, stated that they bought 440 and 442 N. State Street for business purposes. Their plans fell through, but they would still like to open a business there. She is not in favor of the rezoning to R/R. She feels that it is too loud, noisy and dirty to attract residential buyers.

### **Written or Telephonic Correspondence Received by Staff**

None

Chairperson Schmidt closed the Public Hearing at 6:45 p.m. and the Commission entered into Fact Finding.

Jackson stated that he was on the ZBA when the property owners asked for the property to go to residential and was denied. Originally the property was used as residential but the owners changed it to a commercial use for the hair salon. Alterations had already been made to turn the property into residential when they came to the ZBA to ask for a variance to use as a residential property. This violated the current zoning and that is one reason the request was denied.

It was clarified that the R/R district allows residential use and student rentals, but it also allows business. The R/P allows single family use and professional office space.

Vogel stated that if you read the Master Plan, it identifies commercial business as the intended use of the 131 corridor. It is the same for both sides of the corridor. The current use is consistent with the Master Plan and he feels it should remain commercial.

Cochran stated that she is unclear as to how the zone change would benefit the City. It is not consistent with the Master Plan. She feels that if granted, it might set a precedence for those that want to sell their property. She stated that rezoning is a big deal.

Schmidt added that the City has spent a long time on the Master Plan – it is a complicated issue.

### **Motion**

**Motion was made by Jennifer Cochran, seconded by Chris Jane, to recommend approval of the request to rezone 400 N. State Street, 414 N. State Street, 416 N. State Street, 418 N. State Street, 420 N. State Street, 430 N. State Street, 438 N. State Street, 440 N. State Street, and 442 N. State Street from C-3 to R/R or R/P.**



**Motion failed with Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel and Bill Yontz in opposition.**

**Recommendation to City Commission Concerning Gift to the City of 804 N. State Street by DiAnn Godbold**

Chairperson Schmidt opened the Public Hearing at 6:55 p.m.

Sweppenheiser introduced the topic saying that the property was formerly the El Burrito Restaurant and the owner, not being able to sell the property for the last couple of years, would like to gift it to the City. The issue before the Commission is a recommendation to the City Commission as to whether it is in the City's best interest to accept it. It is currently vacant. If accepted, it would probably be labeled as surplus property as the City does not see a use for it at this time.

The building on the property has had two additions and has a newer roof. The inside has been stripped. (See full report by Aaron Holsworth, Mecosta County Building Inspector, attached). It has been said that long ago there was a gas station located at the site. There was no response from Simmons when they were contacted about the opportunity. They have shown no interest in relocation since the City bought the Hanchett property. We wouldn't want this property to sit here vacant for the next 10 years.

It was asked that if the City were to take over the property, would it be renovated. Sweppenheiser said we could offer a Brown Field opportunity or an OPRA to a developer. It is unclear if the City would raze the building. Current true cash value is around \$180,000.

According to the Master Plan, future land use is Commercial. The property to the north at 818 N. State Street is a residence.

**Applicant Statement**

DiAnn Godbold, 400 N. Kalamazoo, Marshall, MI, stated that the property has been owned by her family for many years. Decades ago it was a gas station but the tanks were taken out. Other uses have been a shoe store, Kentucky Fried Chicken, Mexican restaurant, and an adult education center. They have had no luck in trying to sell the property. She would be happy to give it to the City if there is interest. She stated that the wall that was mentioned in the report has been braced. It is a good-sized building and it has a lot of parking. They would be proud to see the property look nice and be made into something again.

The Commission thanked Ms Godbold for her donation.

**Those Who Spoke in Favor of the Request**

None

**Those Who Spoke in Opposition of the Request**

None

**Written or Telephonic Correspondence Received by Staff**

None

Chairperson Schmidt closed the Public Hearing at 7:07 p.m. and the Commission entered into Fact Finding.

Vogel was in favor of accepting the donation. If accepted by the City, he would like to see a quick turnaround. Jackson agreed with Vogel but added that if it doesn't sell within a short time, the building should be razed. It was estimated that it may cost \$25,000 to raze the building. The owner added that the property has been empty for 5 years. Schmidt thought the money it would cost the City to raze the building would be an investment for a future sale. He believes it would be easier to sell. Jane added that the property is valuable and he is hopeful for someone with a vision to develop it. He added that it is a nice gift!

**Motion**

**Motion was made by Chris Jane, seconded by Bill Yontz, to recommend to the City Commission that the property at 804 N State Street be accepted by the City as a gift.**

**Motion passed with Jennifer Cochran, Chris Jane, John Schmidt, Tim Vogel, and Bill Yontz in favor.**

**Paul Jackson was opposed.**

**Recommendation on 246 N. State Street, Chamber of Commerce and CVB Former Building.**

Chairperson Schmidt opened the Public Hearing at 7:15 p.m.

**Applicant Statement**

As the City is the applicant, Sweppenheiser spoke for the request. The former occupants, the Chamber of Commerce and Convention and Visitor's Bureau, have built another building and

have moved, their lease is terminated and the property is now the City's responsibility as it sits on park land. Currently, the City has plans to improve the parking lot and Mitchell Creek Park. There is a need to decide what to do with the building before the proposed work is started. The Park and Recreation Board have recommended demolition of the building. City staff also recommends demolition.

When asked by Jane if the City had a vision for the property, Sweppenheiser said there is a grade issue there that makes it difficult to build on. It may be graded and landscaped as a part of the park.

Jerry Garner asked if the owners of the ice cream shop next door had any interest in purchasing for their parking. They do not.

**Those Who Spoke in Favor**

None

**Those Who Spoke in Opposition**

None

**Written or Telephonic Correspondence**

None

**Applicant Rebuttal**

None

**Chairperson Schmidt closed the Public Hearing at 7:17 p.m. and the Planning Commission entered into Fact Finding.**

Jackson stated that there is no reason not to demolish the building. He sees no viable use.

Yontz added that the building is not ADA compliant and can't be used. He would rather see it as part of the park.

**Motion**

**Motion was made by Paul Jackson, seconded by Jennifer Cochran to recommend to the City Commission that the building at 246 N. State Street be demolished.**

**Motion passed with Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel and Bill Yontz in favor.**

**GENERAL BUSINESS**

Sweppenheiser stated that City Attorney Eric Williams has drafted some language for a change in text for Surplus Property designation. This will be presented at next month's meeting.

Cochran stated that the FSU group she is working with has scheduled an alley way clean-up for September 9, 2017 from 11:00 a.m. to 2:00 p.m. Volunteers are welcome!

Yontz had an idea to raise some money for charity through a fundraiser centered around the demolition of the old Chamber/CVB building.

There being no further business, Chairperson Schmidt closed the meeting at 7:20p.m. with all in favor.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
August 16, 2017  
APPROVED**

Chairperson Schmidt called the August 16, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Paul Jackson, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED** Jennifer Cochran, Chris Jane

**ABSENT**

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There was no one in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Paul Jackson, seconded by Tim Vogel, to approve the minutes of the July 19, 2017, meeting of the Planning Commission as presented.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS** None

**GENERAL BUSINESS**

The Commission will address the Surplus Property Code Amendment and then the Sale of City Property Amendment.

**Surplus Property**

The Planning Commission has entertained several requests for determination of surplus property over the last couple of years. There hasn't been an organized set of criteria to use in that

determination and it would be helpful to create one to follow. Other City's policies have been reviewed and City Attorney Eric Williams has come up with the following criteria:

- Date, terms, and instrument by which the property was acquired,
- Restrictions, prohibitions, easements, and encumbrances of record affecting the property,
- All known existing and intended future public uses of the property,
- What the Master Plan provides on or for the property,
- The historical character and significance of the real property and /or the structures on it,
- Probable market value of property if sold,
- Whether the property is buildable or non-buildable.

Providing a title search for the property was brought up, but perhaps it could be done later. A reason for completing the Title Search before a determination of surplus property is made is so the City can identify any deed restrictions, easements or possible other owners of the property in review. Schmidt suggested that the City could order the title search and pass the cost on to the buyer. He added that if the City wants to sell the property, they should be able to advertise.

Jackson said that he buys and sells a lot of property and he said that tax foreclosure properties are sold as is and it is up the buyer to do their own due diligence. If the buyer pays cash, there is no title search required by a bank.

Schmidt asked that if someone bought property and it was discovered that there are gas tanks underground from prior usage, would the City have to pay for abatement. Sweppenheiser said he didn't know but it would be worth spending the money up front so that the property would be worth more on the open market. Vogel added that the Register of Deeds would have a history of who owned the property in the past. Contamination is not discovered in a Title Search. He feels the City needs to do Title Search before they sell property. It was suggested that if the City has a lot of property to sell, we could ask for bids on bulk title searches.

Sweppenheiser stated that some properties, such as Rail Road properties, are not worth the cost of a title search as they are involved. In quit claim sales previous owners are not discovered and it is up to the buyers to be aware of this.

### **MOTION**

**Motion was made by Tim Vogel, seconded by Paul Jackson, to recommend to the City Commission an amendment to Section 34.54 (B) Sale of Property. This section would read as follows:**

**(B) Sale of real property land by the City shall be made only after review and recommendation by the Planning Commission and determination ~~formal sealed bids have been taken and approved~~ by the City Commission that the real property is not required for any existing or intended future public purpose and use of the City. The City**

Commission may authorize the sale of real property to another government entity without obtaining quotations or competitive bids. (Ord. 657-03-13, passed 3-4-13)

- (1) The City Commission shall determine if any parcel of City owned real property is not required for any existing or intended future public purpose and use of the City, but only after receiving a recommendation from the Planning Commission on any existing or intended future public purpose and use of the real property.
- (2) Upon referral by the City Commission, City Manager, or City Planner, the Planning Commission shall conduct a public hearing on any parcel of City owned real property and evaluate whether there is an existing or intended future public purpose and use of the parcel. If the Planning Commission recommends a determination of no existing or intended future public purpose and use of the real property, the Planning Commission shall recommend the sale of the real property, or retention of the real property for any potential public purpose or use identified by the Planning Commission.
- (3) At a minimum, City staff shall provide to the Planning Commission the following information on any parcel of City owned real property to be evaluated by the Planning Commission regarding any existing or intended future public purpose and use:
  - a. Date, terms, and instrument by which the property was acquired,
  - b. Restrictions, prohibitions, easements, and encumbrances of record affecting the property,
  - c. All known existing and intended public uses of the property,
  - d. What the Master Plan provides on or for the property,
  - e. The historical character and significance of the real property and/or the structures on it,
  - f. Probable market value of property if sold,
  - g. Whether the property is buildable or non-buildable.

**The following is to be added for consideration:**

- h. A Surplus Property List is to be created or expanded upon and would include property information including a field for comments related to quality and environmental issues of the property.**
- i. The City Attorney shall consider if a title search should be done by the City prior to being considered for surplus property by the Planning Commission. If so, the cost shall be passed along in the sale of the property to the buyer.**

**Motion passed with Renato Cerdena, Paul Jackson, John Schmidt, Tim Vogel, and Bill Yontz in favor.**

### **Sale of Property**

Sweppenheiser reported that City staff has been interested in a better way to market/sell surplus City property. He is thinking that the best way may be to list the property with a realtor. One problem with listing the property is that the City may wish to control what development may happen on a certain piece of property. Transferring to the Housing Commission was thought of but they don't feel that is necessary. It is thought that changing the way the sale of City land is regulated by the City may be helpful in getting rid of surplus property. With the proposed language, the City can decide on a case by case basis which mode of sale is most appropriate.

Schmidt thinks the wording provided by City Attorney Eric Williams is too loose. He also questioned the process for recommending surplus property for sale.

Sweppenheiser said that the Planning Commission would make a recommendation to the City Commission. Ideally, a realtor would be selected by bid process for professional services. By listing with an agent, it would allow for negotiations to take place and help to insure the City receives fair market value for the property.

Schmidt believes that the City Commission has too many options to select from in paragraph (C) of the proposed code amendment. He would like to see the options presented in bullet form. He stated that he thinks there are too few Commissioners to make this decision. He feels that the paragraph needs to be rewritten.

Sweppenheiser stated that they are trying to give options on the best way to dispose of the property. The City's surplus properties have not sold yet. Jackson wondered if it would really make a difference to the City if the surplus property did sell. He feels the best way to interest someone in buying surplus property is to advertise. Sweppenheiser said that normally if someone is interested in buying surplus property, they come into the City Hall and ask what is available. The City has a list of surplus properties.



Jackson asked if it would be a good idea to advertise the property once a year and perhaps sell as they do properties that are foreclosed and sold at a tax sale. Then, if it doesn't sell, it would remain on the list for the next year.

Sweppenheiser said that when the City needs property, we tend to pay over market value for it. On the other hand, when we want to sell, we don't get the value back. The City is always in need of property. The City Manager and City Commission have a big input as to which properties will be available for sale. The City should have options on the sale process rather than being limited to just sealed bids.

Jackson asked how other cities handle the sale of surplus property.

Cerdena said the definition of surplus property is that in which the City has no current or intended use. Sweppenheiser said just because the Planning Commission would recommend a property as surplus, the City Commission still has the final say.

The City rejected the donation of property on State Street where the El Burrito restaurant was located due to the fact that there is no public use for this site.

### **Motion**

**Motion was made by Bill Yontz, seconded by Tim Vogel, to recommend to the City Commission the Code Amendment for Sale of Property Section 34.54 which reads as follows:**

**(A) Whenever any City property, real or personal, is no longer required, it may be sold. The Purchasing Officer may sell personal property not exceeding \$2,500 in value for cash after soliciting quotations or competitive bids. Personal property of a value in excess of \$2,500 may be sold after advertising and soliciting competitive bids, with the approval of the City Commission.**

**(B) Sale of real property land by the City shall be made only after review and recommendation by the planning commission and determination formal sealed bids have been taken and approved by the City Commission that the real property is not required for any existing or intended future public purpose and use of the City. The City Commission may authorize the sale of real property to another government entity without obtaining quotations or competitive bids. (Ord. 657-03-13, passed 3-4-13)**

**(C) The City Commission can authorize by resolution the sale of real property owned by the City by:**

- 1.) a public offering and formal sealed bids, or
- 2.) an on-line auction and secure bid, or
- 3.) listing the real property with a real estate agent or agency on the open market on terms and conditions set by the City Commission, or
- 4.) by sale to another governmental entity,

**with final approval of the terms of any bid or sale by the City Commission.**

**Motion passed unanimously with Renato Cerdena, Paul Jackson, John Schmidt, Tim Vogel, and Bill Yontz in favor.**

### **Purposed Meeting**

Chairman Schmidt would like to set up a meeting with a representative of the City Commission, and ZBA to formalize the process for applications that come before the City Commission and Planning Commission and how they are handled. He would also like to discuss approaches to Zoning.

Schmidt stated that the Planning Commission needs to be proactive instead of reactive. He feels that the Planning Commission needs to have more say. He feels the Planning Commission should review and approve a site plan before the ZBA has a chance to grant a variance.

Sweppenheiser stated that the Ordinance doesn't specify which review should come first, Planning or ZBA, but currently the City brings a variance request to the ZBA before the Planning Commission reviews it for approval.

Since some of the Planning Commission members are unsure of the role of the Planning Commission and the ZBA, Vogel suggested that Eric Williams be asked to help with training.

### **November Meeting**

Sweppenheiser stated that since the November meeting would fall on the opening of deer season, November 15<sup>th</sup>, he would see if there is anything to put on the agenda and if not, call off the meeting. Or, if there is something that needs to be on the agenda the meeting date could be switched.

There being no further business, Chairperson Schmidt closed the meeting at 8:21 p.m. with all in favor.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
September 20, 2017**

Chairperson Schmidt called the September 20, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED**

**ABSENT**

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There was one person in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Paul Jackson, seconded by Tim Vogel, to approve the minutes of the August 16, 2017, meeting of the Planning Commission as presented.  
Motion passed with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

Schmidt asked about meeting with City Attorney Eric Williams concerning the Planning Commission process. Sweppenheiser stated that Williams will be doing the training. Schmidt asked if it would constitute a meeting. He was told if members of the Planning Commission gather for City business and there is a quorum, it is considered a meeting. Sweppenheiser will ask the City Clerk or Williams to make sure.

**PUBLIC HEARINGS**

None

**GENERAL BUSINESS**

Election of Officers

**Motion was made by Jennifer Cochran, seconded by Tim Vogel, to nominate John Schmidt as Chairperson.**

**Schmidt accepted the nomination.**

**Motion passed with all in favor.**

**Motion was made by Tim Vogel, seconded by Renato Cerdena, to nominate Jennifer Cochran as the Planning Commission Vice Chairperson.**

**Nomination was accepted by Cochran.**

**Motion passed with all in favor.**

**Motion was made by Jennifer Cochran, seconded by Chris Jane, to nominate Tim Vogel as Planning Commission Secretary.**

**Vogel accepted the nomination.**

**Motion passed with all in favor.**

**Motion was made by Tim Vogel, seconded by Bill Yontz, to appoint Cindy Plautz as the Planning Commission Recording Secretary.**

**Motion passed with all in favor.**

#### Master Plan Update

Dave Bee, West Michigan Regional Planning Commission (WMRPC) Director, was introduced as the person who was hired to help update our Master Plan. Sweppenheiser explained that updating the Master Plan was part of the requirements to become a Redevelopment Ready Community per the Michigan Economic Development Corporation. The Plan doesn't need to be completely redone but needs an update.

Bee explained that as the Director of the WMRPC, of which we are a member, he helps with about one Master Plan per year. The WMRPC's main goal is to help bring EDA money to the region and to distribute transportation dollars. He explained that the WMRPC also provides a Comprehensive Economic Strategy for the region. This document provides each member's list of proposed projects and a compilation of strengths and weaknesses to the EDA.

Schmidt remarked that the City of Holland had a nice Master Plan and he'd like our Plan to mimic it.

Bee explained that the areas to be updated include the Introduction, the Work Program, the Demographics, and the Future Land Use Plan. He will help with the adoption process which he outlined as follows:

1. The Planning Commission recommends the City Commission distribute the Master Plan Addendum to Mecosta County, Green and Big Rapids Townships.

2. The City Commission reviews and distributes the Addendum.
3. The Townships and County are given time to review and make comments.
4. A minimum of one Public Hearing is held – it must be posted in the newspaper a minimum of 15 days ahead of the Public Hearing.
5. The Addendum is then adopted by the Planning Commission.

Bee reviewed the Master Plan update with the Commission who offered their comments and concerns.

Vogel would like the American Community Survey (ACS) referenced and explained in the Introduction. It is used as a substitute to the complete Census and uses estimates instead of direct survey results. Bee said the long form questionnaire is no longer a part of the Census and the ACS is updated every year.

There was a discussion about the population of Big Rapids. The reason there was a dip from the 1980's to the 1990's is due to the detachment to the Township. Now, students are moving out of the City to the newly developed apartment complexes in the Township. Schmidt wondered if students should be counted in our population as they are dependents of their parents in a different town. Bee noted that they are a part of the community. There is an advantage in counting them as they make our median income level lower which in turns helps Big Rapids qualify for grants.

Schmidt advocated for including the population with and without the students in the Master Plan. Bee said it would be hard to block them out and Vogel added that student income levels are a financial plus to the City. Jackson said there is no reason to show the population both ways – you can't have it both ways. Sweppenheiser added that the City recognizes that students are a benefit to the community.

Cerdena stated that there are a wide range of groups in the City such as; low income, higher income, students, families, and wondered what other Cities have done to address them in the Master Plan.

Cochran believes that the students have a profound effect on housing in the City and the City should do what it can to lure single families into the community. More single-family homes should be built.

Bee commented that to include this level of planning in the housing section would be very costly.

#### Age and Gender – Table 3

The largest group is those 18 to 23. There are more males than females due to the programs offered at Ferris. The median age goes up every year. Sweppenheiser commented that our poverty level is misleading because the students have money to spend. He also said that a

connector between Ferris and downtown could aid in City/student interaction. A correction needs to be made to the percentage of Under 5 individuals from 4.3% to 4.7%.

Household Distribution – Table 4

There are more non-family homes than family homes.

Cochran added that the Master Plan is a vision for the community. Bee stated that it is a layout of what the community needs and wants to do, but not how to get there.

Bee reviewed each of the tables and noted that the Median Income and Per Capita Income are half that of the State.

Page 8, Table 12, the column labeled “Year Built” needs to read “Value”.

The Existing Land Use has not changed a lot over the last few years. Spectrum Health Big Rapids Hospital needs to be added to the “Influences” page and changed from Mecosta County Medical Center wherever referenced.

It was noted that population projections show a decrease and there should be a goal to increase.

Bee stated that he pulled out the things that have already been addressed under the Issues, Goals and Action Plan section and made it easier to follow.

Schmidt said that the Commission should come up with a plan to review this section monthly. Then the goals will always be to the forefront.

Vogel mentioned that the Airport and its relationship with the City should be mentioned under the “Transportation” section. The airport was discussed by the Commission. Some thought it should be part of the City. Jackson added that the Federal Government governs a lot of the Airport’s operation.

“Mixed Use” was added to table 19 showing the addition of 9 acres.

The updated Master Plan will go to the City Commission October 2, 2017. Sweppenheiser is to make sure all the changes are made to it for their approval.

**Motion was made by Chris Jane, seconded by Bill Yontz to recommend to the City Commission, the distribution of the 2017 Addendum to the Master Plan to Mecosta County, Big Rapids Township and Green Township. The 2017 Addendum shall include the following changes:**

- 1. Introduction, page 1, change “Cities Planning Department” to “Neighborhood Services Department”, and reference the American Community Survey (ACS) and give an explanation of its contribution.**

2. **Table 3, page 3, change 4.4% to 4.7% under Big Rapids City, Under 5.**
3. **Table 12, page 8, change “Year Built” to “Value”.**
4. **Spectrum Health Big Rapids Hospital needs to be added to the “Influences” section under Existing Land Uses. Also need to change Mecosta County Medical Center to Spectrum Health Big Rapids Hospital wherever referenced.**
5. **The Airport needs to be mentioned in the Transportation section on page 22.**
6. **Change “has been strained for many years” in paragraph 4 under Cooperation and Coordination on page 25 to “has been improved”.**
7. **Add a space before the “Goal” paragraph under Economic Development on page 27.**

**Motion passed with Renato Cerdena, Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, and Bill Yontz in Favor.**

Planning Commission and Zoning Board of Appeals Budget Review

Schmidt wondered if the budget could be increased for training to allow more people to attend MAP conferences. Sweppenheiser said it should possibly be brought up to the City Treasurer at the CIP meeting.

**Motion was made by Chris Jane, seconded by Bill Yontz, to approve the 2017-2018 Planning Commission / Zoning Board of Appeals Budget as presented.**

**Motion passed with Renato Cerdena, Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, Bill Yontz in favor.**

**Motion was made by Chris Jane, seconded by Tim Vogel, to adjourn the meeting at 8:26 p.m.**

**Motion passed unanimously.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary



**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
October 18, 2017**

Chairperson Schmidt called the October 18, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED**

**ABSENT**

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There was one person in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the September 20, 2017, meeting of the Planning Commission with correction to punctuation on page one.**

**Motion passed with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None

**PUBLIC HEARINGS**

None

**GENERAL BUSINESS**

House Bill 4503 and Senate Bill 329

Chairperson Schmidt distributed copies of the bills saying that HB 4503 was referred to the Committee on Tourism and Outdoor Recreation. SB 329 was referred to the Committee on

Local Government. They are both the same and are a request to amend 2006 PA 110, entitled “Michigan Zoning Enabling Act”.

Sweppenheiser added that the bills are vague and referred the Commission to the City Attorney, Eric Williams’ memorandum dated August 3, 2017. This was an explanation of the bills prepared for the City Commission when they were brought to the City’s attention this past summer. The City Commission passed a resolution stating that the bills are vague and overly broad and will impair local governments’ ability to effectively address neighborhood property maintenance issues. The resolution was sent to our State Representative and Senator, the MML and the Committee Chairs.

Sweppenheiser said that the MML opposes the proposed legislation because the intended legislation prohibits local zoning of short-term rental properties. The fear is that rental property owners would implement a short-term rental strategy to bypass any local restrictions concerning rental programs. This is important due to the number of student rentals in Big Rapids and if implemented, the action could cripple our rental inspection program.

Schmidt handed out a letter and resolution he drafted for possible distribution to legislators and committee members. He would like legislators to know that the Planning Commission is opposed to the bills as it is important to the City not to lose control and be able to regulate rentals. He added that with the newly constructed rental units outside the City limits, perhaps someday, the rentals in town could convert back to single family homes.

Yontz added that he has personally stayed in Airbnb’s and the tendency is to pack a lot of people in them to save lodging costs. If our student rental landlords were allowed to go to 28-day leases, the City would lose control over inspection and consequently maintenance requirements and the state of the rentals would deteriorate.

Schmidt was concerned about some of the language in the bills stating that the City could still maintain authority over rentals. But, if the landlords went to 28-day leases, the City would lose control to inspect rentals.

Jane stated that the bills are too vague.

Jackson agrees with Jane about the bills being too vague. He has mixed emotions but agrees that the City needs to maintain local control. Perhaps the bills could be “tightened up” to include language to govern the 28-day rentals.

Sweppenheiser said that if passed, the City would not be able to apply special regulations.

Jackson added that Holland has a number of Airbnb’s and they are managed very well. If the cities could generate funds in some way, it would be a benefit. Cities should have control.

Schmidt said that short-term rental use as seen in Airbnb's could change the nature of City neighborhoods making them unappealing to families.

Vogel does not like the State superseding local control. Cochran agreed and added that she objects to State-wide control. It removes the ability to act on what Big Rapids needs. She believes that the letter that Schmidt proposed needs to be sent to those suggested.

Cerdena agreed that the community is the best judge of what is best for them. Yontz agreed with the need to maintain local control.

**Motion**

**Motion was made by Tim Vogel, seconded by Jennifer Cochran, to send the opposition to House Bill 4503 and Senate Bill 329 letter (see below) to the following people:**

**Speaker of the House Tom Leonard**

**102<sup>nd</sup> District Representative Michele Hoytenga**

**33<sup>rd</sup> District Senator Judy Emmons**

**Members of the Michigan House of Representatives' Tourism and Outdoor Recreation Committee: Clara Clemente, Vice Chair Scott Dianda, Chair Holly Hughes, Jason Sheppard, Vice Chair Curt Vanderwall, and**

**Members of the Michigan State Senate's Committee on Local Government:**

**Jack Brandenburg, Vice Chair John Proos, Tony Rocca, Coleman Young, Chair Dale Zorn**

**Date**

**[Contact and Address]**

**RE: House Bill 4503 and Senate Bill 329 addressing short-term rental**

**Dear [Contact]:**

**In August, the Big Rapids City Commission contacted you regarding the implementation of House Bill 4503 and Senate Bill 329. The City of Big Rapids Planning Commission understands that other organizations have contacted members of the legislature in opposition to such implementation.**

**As the City Planning Commission, we wish to reinforce the need to reject or modify these bills. We would like to re-emphasize the nature of our small college town, one in which a significant number of residents are transient students. The ability to side-step active zoning and local control of rental properties may decimate our neighborhoods and take away local control of such decisions on zoning. Nowhere in the bill does this limit short-term rental to a maximum of one stay of less than 28 days, thus providing the ability of landlords to offer continuing renewals of 28-day periods. In a residential zone, such a use would become commercial and challenge the nature of that neighborhood. In addition,**

**state control over zoning is contrary to the purpose of local control. The communities need to retain that right in order to properly plan for our futures.**

**If such operations as Airbnb or HomeAway are the focus of such legislation, the matter needs to be handled on a local level when presented to the city by an interested resident.**

**We sincerely appreciate your efforts to represent us and hope our voice will be heard.**

**On behalf of the City of Big Rapids Planning Commission:**

**Dr. John R. Schmidt, Chair**

**Commissioners: Renato Cerdena, Jennifer Cochran, Paul Jackson, Chris Jane, Tim Vogel and Bill Yontz**

**This will be sent pending the approval of the City Attorney, City Manager and Mayor.**

**Motion passed with Renato Cerdena, Jennifer Cochran, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel, Bill Yontz**

Vogel handed out information about public meetings from the Michigan Chapter of the American Planning Association entitled: Getting the Most Out of a Public Meeting. It contains some good information.

Sweppenheiser distributed copies of the By-laws and Planning Commission Handbook to the Commissioners. Everyone already has the Zoning Ordinance.

Planning Commission and ZBA training will be December 7<sup>th</sup>. Schmidt will not be able to attend but has offered to conduct site plan reading training for the Commission. It could be scheduled for November or December or be considered a special meeting.

**The meeting was adjourned at 7:05 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
DECEMBER 20, 2017  
UNAPPROVED**

Vice Chairperson Cochran called the December 20, 2017, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Jennifer Cochran, Chris Jane, Tim Vogel, Bill Yontz

**EXCUSED** Renato Cerdena, John Schmidt

**ABSENT** Paul Jackson

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services Coordinator

There was one person in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Chris Jane, to approve the minutes of the October 18, 2017, meeting of the Planning Commission with correction to a misspelled word on page 2 and on page 4.**

**Motion passed with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None

**PUBLIC HEARINGS**

None

**GENERAL BUSINESS**

Due to Jennifer Cochran taking a seat on the City Commission, she is resigning her position on the Planning Commission. Her role as Vice Chairperson will need to be filled. Also, John Schmidt wishes to step down from his position as Chairperson. Replacements for these two positions will be voted on during the January meeting.

## **MICHIGAN ECONOMIC DEVELOPMENT CORP (MEDC) RRC FINDINGS**

Sweppenheiser explained that a MEDC representative was scheduled to be at A City Commission meeting to go over the findings of the Redevelopment Ready Community (RRC) report submitted by the City but was postponed. They will now come to a meeting in February. He further explained that the City has been engaged in the RRC certification program for a while now and there are a few more steps to be taken to be certified as a RRC. The MEDC is pushing communities to get the designation to make it easier for developers to invest in Michigan cities. As incentive, the MEDC gives RRC's an advantage in the grant award process. Those communities that are designated RRC's receive extra points in the scoring process and consequently, an edge in being awarded a grant. The City depends a great deal on MEDC grant funding for its infrastructure projects.

For the most part, the City scored well on a majority of the criteria, but the findings reveal a deficit in Best Practice areas 5.1 – Redevelopment Ready Sites, 6.1 – Economic Development Strategy, and 6.2 Marketing and Promotion. Sweppenheiser said that the City has many portions of a good development strategy in place but needs to combine them into one economic development strategy. He added that he wasn't sure if this program will be around for very long but it is beneficial to pursue the RRC designation.

Sweppenheiser is currently working on a survey to ask applicants their opinion of the approval process for development and to see if they have any suggestions that may improve the process. Vogel suggested that the process for approval could be located on the City's web site so developers could easily obtain information that could expedite the process. He would also like to see the developers seek input from shareholders before making the decision to locate here.

Currently, there is interest from an Indiana developer who plans a residential development at the Water Tower Road property behind Dr. Delaney's office. He will hold a meeting on January 9<sup>th</sup> at 6:00 to inform and collect opinions from those that the proposed development may affect. The process for approval will take a number of months.

The idea of going to a form-based type of approval process for developments is still being explored. Sweppenheiser would like to see 2 City Commission members and 2 Planning Commission members sit in on the discussion. Community members will also be invited.

The State would like to see the approval process go to a form-based process and the City would like to hear more input from others before making a decision to switch our process. There is no "one size fits all" process that will fit for every community and it needs to be explored further.

## **REZOING REQUEST FOR WATER TOWER ROAD PROPERTY**

Sweppenheiser reported that the site is zoned C-1 and is a little over 6 acres. The proposed developer, Spectra, would like to invest in a multi-family development and therefore is requesting a zone change from C-1 to R-3. The Planning Commission will hold a Public Hearing on the subject on January 17<sup>th</sup> and also in February for a Conditional Use Permit. The developer is motivated and has completed projects in other towns. They are also interested in a Planned Unit Development which is allowed on properties over 5 acres.

Sweppenheiser said that no one else has been interested in the property due to some topography issues and lack of a curb cut on Perry Street. He is concerned that there is no property in Big Rapids limits where student rentals can be developed. His concern is that rental property in Big Rapids is very old and new development is going outside City limits. This property is close to shopping, restaurants and Ferris.

Vogel asked if water, sanitary sewer and storm sewer are available on the site. Sweppenheiser said that the sewer would be under a pressure system and will be more challenging.

#### **TEXT AMENDMENT**

Sweppenheiser reported that the City would like to revise text in Section 14.2 District Changes and Ordinance Amendments. The City is interested in lessening the burden and time it takes for these changes by skipping the City Commission and going directly to the Planning Commission. Yontz, Vogel and Cochran agreed as it would help in streamlining the process. A Public Hearing will be conducted for the request.

Sweppenheiser reported that the City hired Randy Ostrander of Lake and Lodge Realty to handle the sale of City surplus property.

The Capital Improvement Process will start soon. By next month we need Planning Commission volunteers to help with the decision process.

Jennifer Cochran thanked the City for the opportunity to serve on the Planning Commission. She said she has learned a lot in her time served and is excited to continue serving the community in her new role as City Commissioner.

**The meeting was adjourned at 7:35 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

