

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
JANUARY 17, 2018**

Acting Chairperson Vogel called the January 17, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, Tim Vogel, Bill Yontz

**EXCUSED** John Schmidt

**ABSENT**

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

There were 9 people in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Paul Jackson, seconded by Chris Jane, to approve the minutes of the December 20, 2017, meeting of the Planning Commission as presented.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARINGS**

**Recommendation on a requested Map Amendment to rezone 830 Water Tower Road from C-1 to R-3.**

Sweppenheiser introduced the request saying that the proposed development is a multi-family residential development of 120 units. The development will also need a Conditional Use Permit for a PUD and Site Plan Review resulting in additional recommendations to the City Commission. This request, if granted, will change the Zoning Map. The Planning Commission will make a recommendation to the City Commission for approval.

Sweppenheiser outlined the four Standards to consider a Zoning Amendment as follows:

1. The use requested shall be consistent with and promote the intent and purpose of this 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 of Big Rapids.
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.

He explained that this property has been available for a long time and has gone undeveloped. He shared an excerpt from the City's Master Plan that outlines a population goal to work towards creating a steady increase by providing a range of opportunities. He read the following:

This goal is included in the Master Plan since growth is essential if the City is going to be able to adequately address many of the other goals established in the plan. Housing cannot improve if there is no demand for more and improved housing, the economy cannot grow if there is not a ready supply of workers, improvements to the transportation network cannot be made if the demand is not present, the downtown cannot be improved if the population is not great enough to support improvements, and facilities and services cannot be maintained without maintaining the population to support funding the facilities and services. Of course, a balance rate of growth is necessary to ensure that Big Rapids does not lose its small-town character. The particular goal of population growth did not emerge as a major need of the community during the public participation phase of the planning process, but growth (or at least maintaining the existing population) is necessary if the City wants to be able to sustain (or improve) its current quality of life that depends on providing residents and businesses with an adequate level of affordable services and facilities.

He also read the Short-Term Actions section of the Master Plan under Housing. It reads as follows:

The Planning Commission will work with the City Commission, City Staff, and the Housing Commission to expand housing opportunities for all types of households by defining areas appropriate for housing development in the Master Plan and making any necessary amendments to the Zoning Ordinance that encourage quality development or redevelopment of housing. This would include housing to accommodate the needs of families, senior citizens, students, professional, and others to allow for a varied population in the City. Encourage a broad range of housing values to ensure success.

Staff supports the Planning Commission's recommendation of approval to the City Commission for the Map Amendment request to change the zoning at 830 Water Tower Road from C-1 to R-3.

**Acting Chair Vogel opened Public Hearing for Map Amendment at 6:40p.m.**

**Applicant Statement**

Attorney Mark Warba, 627 Woodward, represented applicants Justin Farris and Steve Emmons of Spectra. He has lived in Big Rapids since 1984. He stated that 830 Water Tower Road is located just north of Perry and is zoned C-1. Even though this property has been available for C-1 development all along, it has not been developed as such. The C-1 zone allows general retail establishments, personal service establishments, retail establishments marketing primarily convenience goods, and office establishments. From these permitted uses, he used a grocery store as an example citing that a grocery store would bring quite a bit of extra traffic to the area. He also stated that there is limited frontage on Perry Avenue that any business would need to promote its business. Spectra Big Rapids LLC has made an offer to purchase the property contingent upon the Map Amendment and ability to obtain a Conditional Use Permit.

There are five opportunities for the public to comment on this development request. The first opportunity was an informational meeting presented by Spectra on January 9th. The second is this evening's Public Hearing on the Map Amendment to rezone from C-1 to R-3. At the February 5th City Commission meeting, the Commission will consider the Planning Commission's recommendation on the Map Amendment and review the development's sketch plan. On February 21<sup>st</sup>, the Planning Commission will review the site plan and Planned Unit Development request and that recommendation will go to the City Commission on March 5<sup>th</sup> for a decision.

Warba stated that a Planned Unit Development (PUD) is only allowed in an R-3 zone. Spectra is also interested in being allowed to develop its residential units as a PUD. It allows the developer to make a tradeoff between green space and required parking spaces and involves other contingencies. He stated that the Map Amendment is not spot zoning as it will complement and enhance the area.

The development is not limited to students only, it will contain four, two, and one-bedroom units. The City is in need of nice housing near City amenities. Lately, development has happened outside the City limits rather than inside.

The applicants propose a \$17,000,000 investment in the City and are not seeking a tax abatement. There is a \$250,000 annual property tax projection and 10 jobs will be created.

Warba stated that he is aware of concerns about the possibility of increased traffic on Bailey, Ridgeview, Fuller and Woodward. He believes traffic in these areas is already a concern and it

should be addressed. Public Safety will need to be involved and he suggested using speed trailers to inform motorists of their speed, and posting additional signage such as stop signs, speed limit signs and “Slow – Children Playing” signs.

The C-1 zone allows 2 entrances per parcel but the R-3 only allows one. Approval of a PUD will allow for 2 entrances in the R-3 zone. It is thought that to receive a permit from MDOT to create an entrance on Perry is not feasible.

Justin Farris, Co-founder of Spectra, 1112 Fox Hollow Road, New Castle, Indiana, stated that he loves college towns and they are not using tax credits, and are not accepting subsidies. They will charge market rate rents and will expect all tenants who qualify to follow guidelines. Spectra employs an analysis team who reviews applicable markets all over the United States. They found Big Rapids to be favorable as the proposed location is close to stores, restaurants, FSU and the downtown. They are seeking the change in zoning to allow residential development. If granted and the plans pass, they would start construction in May and project an August 2019 completion date. They do not have an in-house construction team but would use local contractors.

They have developments all over the United States and have recently completed one in South Carolina. They also have developments in Florida and Notre Dame. These residential units are occupied by all types of tenants.

Farris stated the proposed plan is a \$17,000,000 apartment complex that will generate approximately \$250,000 in property taxes to the City. They will not ask for any abatements.

Steve Emmons, Vice President of Development for Spectra, added that there are 8 buildings and they will break them up with green space. They are environmentally friendly and will create a bike path, bus stop and extend the sidewalk along Water Tower to Perry Avenue. The complex will include a club house with a fire place, fitness area, lounge space, study space and meeting spaces. They plan to add grills and would like the development to have a community feel. The buildings will be attractive and a nice addition to the neighborhood. There will be 120 units made up of 4, 2 and 1 bedrooms offered at market rate of approximately \$700 for one bedroom, \$1,000 for two bedroom and \$2,000 for 4 bedroom units. All utilities except electricity are included. Utilities will include free internet.

Garages will not be provided. The developers opted for more greenspace over providing garages. The only storage areas available to tenants will be those inside the units within hallways and closets.

When asked if the leases will contain restrictions, Emmons said they will not allow Air B& B's or short term sub-leases. They may be open to a master lease situation where an entity like FSU or the Hospital signs a lease but then rents it to in-coming employees for a certain amount of time.

Emmons said they do not have an inhouse construction division but have a general contractor out of Grand Rapids. They intend to use local labor and suppliers for the project.

Warba added that Public Safety has reviewed the layout and has made recommendations. The buildings will be sprinkled. There also be a playground area. Future meetings will give the City and the public more opportunities to review the plans.

### **Those Who Spoke in Favor of the Project**

David Miller, 900 Woodward, stated he owns the storage units across the street (825 Water Tower Road) from the proposed development. The driveway to the storage units receives a lot of usage as a short cut to and from the strip mall. He suggested that maybe a light on Perry Avenue may be needed to help control added traffic.

He would like to increase his storage business and add a U-Haul business to this location. He believes the proposed development would be good for his business. He would like to see good use of the land and feels that the R-3 designation is not inconsistent with the area. He feels people from the residential development will use Perry Avenue and perhaps Fuller to get to their destinations.

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

Jack Fraser, 522 Bailey, stated he is the third property to the north off of Fuller. A lot of his neighbors are currently down south or at church tonight and he feels they would be here otherwise. He reminded his audience that there has been a lot of history centered around rezoing a large property off of Fuller to accommodate a residential development. His neighborhood has experienced the noise coming from the existing student housing off of Fuller.

Fraser referenced the Tioga Park project off of Baldwin that started out as a condominium development that turned into student housing after the condominiums didn't sell. Consequently, the owner added even more student units. Fraser pointed out that there may be a sewer problem and questioned the need for a lift station for the new development. Emmons said that a civil engineer has looked at the need for a lift station and decided it wasn't needed, but if so, they are willing to install one.

Fraser wondered how many tenants can reside at the site and he was told there will be 120 units with approximately 300 tenants. Fraser wondered that if this property is allowed to be developed in this manner, will the property off of Fuller follow suit. He wishes to protect his property and the family neighborhood in which he lives.

Sweppenheiser responded that the City looks at the Fuller property differently. The Fuller property does not have the buffer area that the Water Tower property will have.

Fraser is worried about the added traffic and possible noise of a residential development. The noise could be a problem in the summer.

Kristi Chipman, 409 Bailey, stated that her husband attended the informational meeting held by Spectra. She has three children and feels that the traffic is too fast on her street. Others that live there feel the same. She stated that she likes Ferris State, but feels student residences need to be kept separate from family residences. She feels security is a problem. In respect to the 4-bedroom units Spectra will offer, she feels that the rent of \$2,000 will keep families from renting. She also feels that young drivers are more dangerous than more seasoned drivers.

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

David Albin, 506 Bailey was concerned about increased traffic in the area.

### **Applicant Rebuttal**

Warba stated that in order to control traffic in the area, perhaps stop lights are needed at Fuller and Bailey, and Fuller and State. A light is also needed at Water Tower and Perry, but the State will not allow it. He agreed with Fraser that the traffic on Bailey is bad. Perhaps there should be sidewalks on Bailey Drive. Having a bus stop on the Water Tower property should help with some of the traffic.

The property on Water Tower is one of the last within City limits to be developed. He said that this development is not intended for students only, but has a broader market. The student population has changed and it seems they are now more responsible.

Warba feels this is a good opportunity for the City and we should move forward to approve the Map Amendment.

### **Acting Chairperson Vogel closed the Public Hearing at 7:53 p.m. and the Commission entered into Fact Finding.**

Yontz said that his neighborhood also sees a lot of traffic and there is a need to work with Public Safety. A light is needed at Water Tower and Perry if this development goes through. He suggested contacting our State Representative to help push the issue. He believes we need to look toward the future and what is best for the City and he stated that the kid's safety is important but it is not the responsibility of the developer.

Jackson stated that this is a good proposal. If the project goes through he agrees that traffic will be a problem and a traffic light at Water Tower and Perry would be a good idea. Water Tower will be seeing a lot of increased traffic and he wondered if the road itself can withstand the extra use. He also suggested developing part of Sattler Square as an alternative street or through-way to Perry. He agrees that safety is an issue. He stated that the set back on building B may be a

problem and wondered why they are going for a PUD. Sweppenheiser answered by saying the PUD designation will allow for more green space vs. parking. A PUD is allowed by conditional use in the R-3 zone. The proposed location is one of the largest undeveloped parcels in the City and is considered the best fit for the development.

Jackson wondered what they will do with snow on the property. They will either plow it onto the greenspace or haul it off the property. The developers do not want to take up parking spaces for snow.

There will be 40 units without stairs within the development.

Ruddick questioned water utilities and asked how surface water will be handled. Emmons said they don't want any issues and they will figure out how all will be handled. Ruddick agrees that these apartments will end up being student housing to which Emmons said they are designed to a higher level and they don't want riff-raff. Tenants will have to abide by the rules in the leases and they expect less problems. Rents are designed to be higher. Farris added that it will come down to how the complex is managed. The hope to attract serious students and grad students.

Warba added that older people need places to live where they don't need to tend to their lawns or deal with snow or they may leave the City. He believes the condominiums at Tioga Park were overpriced and that is why they didn't sell.

Ruddick stated that he shares the safety concerns and the developers and the City need to work with Public Safety. Stop signs are needed and they need to be monitored. A stop light is needed at Perry and the State should be forced to allow it. He said that he lives amongst rental properties and the noise is not that big of a deal. He does not see commercial use of this property as viable and feels the proposed development is a good use and good for the City.

Cerdena noted there are 6 apartment complexes along Fuller. He thought that Sattler Square could be looked at for some type of traffic connection to Perry. He believes that with the extra people living in the area, Sattler Square may see some more development.

Yontz suggested that the extra money generated through increased Property Taxes could be used on more Public Safety involvement.

Jane feels there is a need for this development. He is in real estate and sees the R-2 area homes deteriorating. Rentals have infiltrated the R-1 zones and there is a problem here too. People that want to sell their homes have no rental options in the City. He is excited for this development and is in favor of it.

Vogel asked that if the recommendation is made to the City Commission in favor of this development, could the Planning Commission put a condition on the motion that the rezoning is

for this development only. Sweppenheiser said no, but we need to base the tonight's decision on the four standards previously outlined.

Ruddick asked if there is an opportunity for a new road to be developed that may help the traffic situation. Sweppenheiser said that the end of Fuller has been considered but it has never worked out.

The Commission reviewed and commented on the four Standards.

1. All agreed that the Map Amendment is consistent with and promotes the intent and purpose of the Ordinance.
2. The Commission agreed that the proposed Map Amendment is compatible with adjacent land uses and the natural environment. Public Works can accommodate sewer and storm water.

Vogel asked why this isn't considered spot zoning and Sweppenheiser said that the development will benefit the city and with spot zoning, only one person is benefitted. He added that the Master Plan is not perfect and there is always room for improvement. Perhaps in this instance the topography and limited access were not taken into consideration when designating the zone.

3. The Commission agreed that the proposed Map Amendment and subsequent use is consistent with the welfare of the City as there is a lack of suitable housing in the City. They agree there is a problem with safety and attention to the increased traffic in the area needs to be addressed.

Sweppenheiser said that Brookside Estates, which is a single family neighborhood, hasn't had any trouble with nearby rentals. He added that the proposed development is not geared solely toward students. Ruddick also noted that there hasn't been trouble with Tioga being located near commercial and private residential uses.

4. It was agreed that the proposed use is consistent with the Master Plan as affordable good quality housing is needed.

## **MOTION**

**Motion was made by Bill Yontz, seconded by Paul Jackson, to recommend to the City Commission that the requested Map Amendment to rezone 830 Water Tower Road from C-1 to R-3 be approved. This recommendation is made in accordance with Section 14.2:4 Standards for Zoning Amendment Review and, with the recommendation that further investigation into safety issues caused by increased traffic in the area and the ability to provide adequate public facilities be made.**



**Motion passed with Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, Tim Vogel and Bill Yontz in favor.**

**Public Hearing for 2018 Addendum to the 2009 City of Big Rapids Master Plan**

The City is the applicant for the request. Sweppenheiser stated that this process was started 3 months ago and the State of Michigan requires that our Master Plan be updated/adopted within the last 5 years to be grant eligible. The plan was updated with more current demographics and the Hanchett property was added as a focus area. The Plan has been reviewed by the County and Big Rapids and Green Townships and now it is up for final approval by the Planning Commission.

Dave Bee, who was hired to help with the update, made corrections to the typos pointed out by Jennifer Cochran. He also included the airport in the Master Plan and changed the name of the Hospital where referenced. He stated that the Master Plan reflects 99% of the City's land use and it remains relevant.

**The Public Hearing was opened at 8:55p.m.**

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

None heard.

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

None heard.

**Telephonic or Written Comments Received by Staff**

None received.

**The public Hearing was closed at 8:57p.m.**

**Motion**

**Motion was made by Paul Jackson, seconded by Chris Jane, to approve the 2018 Addendum to the 2009 City of Big Rapids Master Plan and the Resolution to Adopt. Additionally, 830 Water Tower Road is to be added as a Future Focus Area.**

**Motion passed with all in favor.**

**GENERAL BUSINESS**

### **Election of Chair and Vice Chair**

Due to the desire of John Schmidt to step down from his role as Chairperson and Jennifer Cochran's move to the City Commission, there is a need to select others from the Planning Commission to fill the positions.

Tim Vogel agreed to fill in as Acting Chair for 2 months and Bill Yontz volunteered for the Vice-Chair position. All were in favor.

### **Capital Improvement Program (CIP) Committee**

Tim Vogel and Chris Jane volunteered to sit on the CIP Committee. They will meet the week of February 5<sup>th</sup> and go on a tour of the proposed projects the week before.

**The meeting was adjourned at 9:05 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
FEBRUARY 21, 2018**

Acting Chairperson Vogel called the February 21, 2018, regular meeting of the Planning Commission to order at 6:32 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Paul Jackson, Rory Ruddick, Tim Vogel, Bill Yontz

**EXCUSED** Chris Jane, 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 Paul Jackson, seconded by Bill Yontz, to approve the minutes of the January 17, 2018, meeting of the Planning Commission as presented.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARINGS**

**Conditional Use Permit and Site Plan Review to Construct 120 Residential Apartment Units at 830 Water Tower Road (Spectra Big Rapids LLC)**

Sweppenheiser introduced the request saying that the Planning Commission's January 17, 2018 recommendation to the City Commission resulted in the property being re-zoned to R-3 and a sketch plan of the development being approved. The applicant is seeking a Conditional Use Permit for a Planned Unit Development which will give them flexibility to meet regulations, and a Site Plan Review of the proposed development. Tonight's recommendation will go to the City Commission for final approval.

Sweppenheiser outlined 3 technical items that need to be considered for review:

1. The number of units. Normally in an R-3 zone, the Zoning Ordinance would permit 87 units on the 6.152 acre property. The proposed PUD would allow for more units and would require a certain amount of open space. The project would require 99,000 sq. ft. of open space and the developers are providing 127,940 sq. ft.
2. The Number of parking spaces. The Zoning Ordinance requires one space per bedroom. The applicant is proposing 289 parking spaces or 91% of the required spaces. The PUD would allow the City Commission to allow for a variance from the required number of spaces if it is not incompatible with the purposes of the PUD. Sweppenheiser would like the Planning Commission to weigh in on this.
3. The number of driveway entrances allowed. Under Section 5.6:2, multiple driveway entrances off the street or alley are prohibited in residential districts. Under the PUD, the City Commission can authorize variations. The plan calls for 2 entrances.

Sweppenheiser reviewed Section 10.3:8 Standards saying that no conditional use shall be recommended by the Planning Commission unless they shall find:

1. That the establishment, maintenance or operation of the Conditional Use will not be detrimental to endanger the public health, safety or general welfare.
2. That the Conditional Use will not be injurious so the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor shall it substantially diminish and impair property values within its neighborhoods.
3. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and necessary facilities have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. That the Conditional Use shall, in all other respects conform to the applicable regulations of the district in which it is located, any specific requirements established for that use in Article 11, and to any additional conditions or procedures as specified in Section 10.4.

He added that the storm water plan has not received final approval yet. Our engineers have approved the calculations but need to see the final design of the storage area. They have also been monitoring the flow of the sanitary sewer on Bailey and Dexter for capacity and have found that at high flow, with this development fully built out, it would be at 80% capacity. The City would like to increase the size of the pipe. The increase would benefit others in the vicinity as we would not want to overload the system. It would cost the developer \$140,000 for utility hook ups.

## **Applicant Statement**

Attorney Mark Warba, 627 Woodward, and 115 Ives, represented the applicant Steve Emmons of Spectra. He introduced Tim Appleton of Nederveld Engineering who was also present. He started by saying that the City's Ordinance concerning Planned Unit Development is confusing. The text by-passes the Planning Commission's involvement and gives the review and decision making responsibility to the City Commission. On the other hand, the Planning Commission is responsible to make a recommendation to the City Commission for a Conditional Use Permit. He believes involvement of both Commissions is the right way to address the request. He also suggested the City should review the ordinance and make changes where they are warranted.

He went on to say that the PUD allows for discretion without seeking variances. Areas in which the PUD would be helpful include: the number of allowable units to available space, the number of required parking spaces, and the number of driveway entrances allowed. Under the PUD, the developer could provide more units as long as open space is made available. By being able to lessen the number of parking spaces required, there would also be more open space available. The developer wishes to encourage more pedestrian, bicycle and bus travel rather than the need for everyone to have a car. Also, 2 entrances make more sense for this development and a PUD would allow for that possibility.

Warba also addressed the sanitary sewer flow saying it could flow to Perry Street where a forced main helps with the flow, but staff would prefer it be taken to the north. This decision would benefit more than just the new development. The Planning Commission's recommendation will go to the City Commission on March 5, 2018.

Steve Emmons, the Vice-President of Development for Spectra, reviewed the project for the Commission. There will be eight buildings with 120 units. They will maximize greenspace and curb appeal especially on Perry and Water Tower. A wet detention pond is planned and will be properly maintained and fenced with attractive fencing and retaining walls. Less parking than is required is being planned but they have the space to add more if it is needed. They will provide a bike path and bus stop and plan to have bikes available for those who are interested in checking them out. A sidewalk will be added from the edge of their property to Perry and they will provide a playground area. The size of the parking spaces will comply with ADA and City requirements.

**Acting Chairperson Vogel opened the Public Hearing at 7:00 p.m.**

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

None heard.

**Those Who Spoke in Opposition:**

None heard.

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

None

**Applicant Rebuttal:**

Warba spoke about the sanitary sewer on Perry being a forced main which is needed to pump up the hill. After the crest, gravity takes over. This line could be used to service the one building along Perry, but another pump station would be needed to service the other buildings. The City's plan to use gravity to take sewage to the north and to enlarge that main is the better solution.

**Acting Chairperson Vogel closed the Public Hearing at 7:02 p.m. and the Commission entered into Fact Finding.**

Yontz, Cerdena, and Jackson were satisfied with the request for PUD designation and the Site Plan. Ruddick asked about the 80% capacity of the current sanitary sewer and wondered if it included storm water also. There may be a bit of storm water that enters the sanitary sewer but there is a separate storm sewer for the area. Vogel remarked that the property to the north is noted as R-1 on the site plan. It is R-2 and the developer will make the changes were necessary. He would also prefer to see the detention pond located underground for aesthetic reasons. He noted that usually detention ponds are not very well maintained and are unsightly.

Emmons stated that they are looking at putting the pond underground but it is a matter of money. Developing this site will be over the amount of money they usually spend due to the topography. Their goal has been to put the detention pond underground, but it will depend on whether or not there will be any delays to the project. They will put it underground if it is financially feasible. If not, they will make the ground level detention pond look nice. It is included in the open space square footage.

Vogel asked if the open space requirement will still be met if the developer needs to provide more parking for the tenants. They reported that it will, and they have actually looked at buying the property to the north on which to locate the detention pond but it was not available.

The developer stated that the internal sidewalk is slated to be 4 feet wide and the bike path is slated to be 5 feet wide. The sidewalk along Water Tower will conform to City standards.

According to the developer, the landscape plan shown is the minimum required by the City. Normally, 100% of the time they will exceed the requirements to make the property attractive. They will also add benches and chairs. Most of the landscaping will be along the buildings that

are visible from Perry and Water Tower. The tallest buildings will be under the 40-foot-tall limit. They will make all buildings attractive with brick work, hardy board, quality windows, and use metal railings on the decks. They strive for maintenance free exteriors.

Jackson noted that the building along Perry is closer to the road than any other along Perry. The developer stated that they will be cutting the hill down to make the building blend in and that setbacks have been met. Fire hydrants will be included on the civil plans. There will be 4 trash sites that will be screened with plants and the enclosures will be of the same type of material as the buildings. They plan for fewer on site but also plan for more frequent pick-ups. The bus stop will be near the club house along Water Tower. A structure will be provided to keep people out of the elements. Fire trucks will be able to maneuver through the development.

Vogel noted that the plans indicated “student living” and he expressed his disappointment. The developer stated that the one and two-bedroom units could house professionals, retirees, or families as the cost is normally prohibitive to students. The four-bedroom units are more fitting for students as the cost is split among the four tenants.

The Commission reviewed the previously outlined Standards set out in Chapter 10.3:8 of the Zoning Ordinance that must be met for a conditional use request as follows:

1. The Commission feels the request is compliant.
2. The Commission would like to require a fence on the north side of the property as a buffer. It was not included on the plan. The developer will add a fence as there is also a safety factor due to the slope of the land. The fence can be either metal or wood depending on City and neighbor preference. The detention pond, which the developers call a “wet pond”, was the subject of discussion as some prefer it to be located underground. The Zoning Ordinance requires a retention/detention pond to be fenced and screened.
3. The Commission did not see an issue here.
4. The sanitary sewer issue has not yet been resolved. If they need to go to Perry, an additional lift station could be installed.
5. The City is looking at hiring a traffic engineer to study the traffic flow and make a recommendation. The Commission agreed that the development will add more traffic, but it should not be a problem. Fuller will see more traffic for those heading east and those heading west can use Perry.
6. The Commission feels this project conforms with regulations.

The technical items previously outlined were reviewed by the Commission as follows:

1. The number of units shall be 120.
2. The number of parking spaces shall be 289. If more are needed the developer has planned for additional.
3. The number of driveway entrances shall be 2.

## **MOTION**

**Motion was made by Bill Yontz, seconded by Paul Jackson, to approve a recommendation to the City Commission for a Conditional Use Permit for a Planned Unit Development (PUD) and Site Plan Review for a residential development at 830 Water Tower Road consisting of 120 units, 289 parking spaces and 2 driveway entrances. Additionally, the Sanitary Sewer outfall shall be approved by City Staff, the storm water detention shall meet City standards and City Staff approved fencing along the north perimeter shall be provided.**

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

## **Public Hearing for Recommendation on the 2018-2024 Capital Improvement Plan**

Sweppenheiser explained that this plan runs from 2018 to 2024. The Capital Improvement Plan for 2018/2019 becomes part of the budget for that fiscal year. The State requires a six-year plan to be eligible for Michigan Economic Development Corporation grants and it is also good planning to have it in place. Staff, Chris Jane and Tim Vogel toured project sites where the proposed CIP inclusions are located. Then the team met with City Department Heads to hear their requests.

Sweppenheiser reviewed the projects included in the CIP for 2018/2019 with the Commission. He pointed out a couple of additions to be made to the plan:

1. The \$50,000 set aside for 2018/2019 remarketing the pool will be split 50/50 with tennis court replacement.
2. \$155,000 will be set aside for a larger sanitary sewer line on Bailey to accommodate an expected increase in flow due to the development on Water Tower Road.

Vogel expressed concern about taking money away from the pool as money needs to be set aside for a number of years to be able to remarkite.

Vogel wanted to relay thanks to the Department Heads from Jane and himself for their involvement during the CIP process.

**The Public Hearing was opened at 8:10 p.m.**

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

None heard.



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

None heard.

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

None received.

**The public Hearing was closed at 8:12p.m.**

**Motion**

**Motion was made by Paul Jackson, seconded by Bill Yontz, to recommend approval of the City of Big Rapids 2018 – 2024 Capital Improvement Plan with the following additions:**

- 1. To split the \$50,000 set aside for 2018/2019 under the General Fund for Pool Remarcite 50/50 with Tennis Court Replacement.**
- 2. Add \$155,000 under the Sewer Replacement Fund for Sanitary Sewer Replacement on Bailey.**

**Motion passed with all in favor.**

**GENERAL BUSINESS**

**End of Year Report**

A Year End Report was distributed for the Planning Commission to review. It will then go to the City Commission for review. This report is generated as part of the Michigan Economic Development Corporation's requirement for the Redevelopment Ready Community program. This year we were able to include a training that was conducted for City and Township Planning and ZBA members.

**Motion was made by Bill Yontz, seconded by Paul Jackson to accept the Year End Report as written and forward it to the City Commission.**

**Motion passed with all in favor.**

**The meeting was adjourned at 8:25 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
March 21, 2018**

Chairperson Schmidt called the March 21, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

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

**EXCUSED** Rory Ruddick

**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 February 21, 2018, meeting of the Planning Commission as presented.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARINGS**

**Recommendation on Text Amendment to Section 14.2 (District Changes and Ordinance Amendments) of the Big Rapids Zoning Ordinance.**

Sweppenheiser introduced the request saying that this is a request by the City to eliminate an extra step in the process of determining Text or Map Amendments to the Zoning Ordinance. The proposed text change would help eliminate the extra time it takes to get approval.

Previously, application for Text and Map Amendments have been referred to the Planning Commission by the City Commission who would then make a recommendation back to the City

Commission. Preference would be to eliminate the initial City Commission referral step to the Planning Commission to save the applicant time. The proposed text change would reflect the application is received by the City and presented directly to the Planning Commission. Additionally, staff would recommend elimination of the railroad notification. Staff recommends requests for Text and Map Amendments to be presented directly to the Planning Commission. The City Attorney will review the text change to ensure compliance with all applicable laws.

**Applicant Statement** Same as above.

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

**Those Who Spoke in Favor:** None heard.

**Those Who Spoke in Opposition:** None heard.

**Written or Telephonic Correspondence Received by Staff:** None

**Applicant Rebuttal:** None

**Chairperson Schmidt closed the Public Hearing at 6:38 p.m. and the Commission entered into Fact Finding.**

Keeping in mind the initiative for the City to go to a Form Based Code, Vogel wondered if the text should read that a request would go to the Neighborhood Services Department as the initial contact rather than just to the City. Sweppenheiser said it will go to the Neighborhood Services Department anyway as the department to receive/act on the request for the City.

Schmidt wondered what prompted the change and Sweppenheiser stated that it was brought on by the last request (Conditional Use Permit Request and Site Plan Review for a 830-unit apartment complex at 830 Water Tower Road). He stated that a whole month was added to the process by having the City Commission first make a referral to the Planning Commission and then the Planning Commission making a recommendation back to the City Commission. It ends up being a 3-month process because it takes time to post the Public Hearing and it can't be done within the same month.

Schmidt wondered if the Planning Commission meeting could be held the 4<sup>th</sup> Wednesday of the month instead of the 3<sup>rd</sup>, to which Sweppenheiser answered that there is still not enough time and there are other factors to consider.

## MOTION

Motion was made by Chris Jane, seconded by Bill Yontz, to recommend approval of a text change to Section 14.2:2 (1) and (2) and Section 14.2:3 (1) of the City of Big Rapids Zoning Ordinance. It shall read as follows:

### 14.2:2 Amendments

(1) Text Amendment. Any person residing in or owning property in the City of Big Rapids desiring a change in the Zoning Ordinance text shall make an application to the City ~~Commission~~. A letter shall be submitted which shall contain the requested change and the reason for such change.

(2) Map Amendment. Any person with a possessory or ownership interest in property in the City of Big Rapids desiring a change in the Zoning Ordinance map shall make application for a zoning change to said property to the City ~~Commission~~. A petition shall be submitted which shall describe the property involved, the zone change desired and the reason for such change. A map amendment may also be initiated by the Planning Commission or the City Commission.

### 14.2:3 Hearing

~~(1) The City Commission shall refer all applications for a change in the Zoning Ordinance text or map, to the Planning Commission.~~ **All applications requesting a text or map amendment to the Zoning Ordinance shall be presented to the Planning Commission.**

Before submitting its recommendations and report to the City Commission, the Planning Commission shall conduct a public hearing on the proposed amendment or change after posting notice of hearing at least fifteen (15) days prior to the date of the hearing, by publication in an official paper or a paper of general circulation in the Municipality. ~~and by United States mail to each public utility and railroad company operating any public utility or rail road within the district or zones affected that registers its name and mailing address with the City Clerk for the purpose of receiving the notice.~~ A hearing shall be granted a person interested at the time and place specified on the notice. In case of a proposed Zoning Map change, all property owners within three hundred (300) feet of the boundaries of the property proposed to be changed shall be ~~likewise notified~~ **by United States mail**. An affidavit of mailing shall be maintained.

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

## GENERAL BUSINESS

### Election of Chair and Vice Chair

Schmidt decided to retain the position of Chair, so election of a new Chair is no longer needed.

## MOTION

**Moved by Tim Vogel, seconded by Renato Cerdena, to elect Chris Jane as the City of Big Rapids Planning Commission Vice-Chair.**

**Motion passed with all in favor.**

**The meeting was adjourned at 6:45 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
April 18, 2018**

Chairperson Schmidt called the April 18, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, John Schmidt, Bill Yontz

**EXCUSED** Tim Vogel

**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 Bill Yontz, to approve the minutes of the March 21, 2018, meeting of the Planning Commission as presented.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARING**

**Recommendation on Map Amendment to zone Parcel #54-17-11-100-003 (1.756 acres) and Parcel #54-17-11-200-026 (0.421 acres) from Railroad Right-of-Way to Industrial**

Sweppenheiser introduced the request saying that these parcels were purchased from the DNR in November of 2014 and were meant to be kept by the City. They are zoned as railroad right-of-way and haven't yet been re-zoned. Zoning to Industrial is congruent to surrounding parcels, but they could potentially be rezoned to any zoning classification. At this point, the City does not have an interest in selling the properties.

**Applicant Statement** Same as above.

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

**Those Who Spoke in Favor:** None heard.

**Those Who Spoke in Opposition:** None heard.

**Written or Telephonic Correspondence Received by Staff:** A note was received from Rose Mary Jennings who was not able to attend the Public Hearing. She wanted to remind the City that this property is located next to her residential property, but she understands why it could be zoned Industrial.

**Applicant Rebuttal:** None

**Chairperson Schmidt closed the Public Hearing at 6:38 p.m. and the Commission entered into Fact Finding.**

Schmidt asked what the City concerns were that brought the zoning request to light. Originally, past City Manager Sobers promised the smaller parcel to the Jennings' who own the property to the north, but City owned surplus property must go to bid to be sold. During the bid process, it was noted that the properties were not zoned.

## **MOTION**

**Motion was made by Chris Jane, seconded by Paul Jackson, to recommend a map amendment to the City Commission to zone Parcel #54-17-11-100-003 and Parcel #54-17-11-200-026 from Railroad Right-of-way to Industrial.**

**Motion passed with Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, John Schmidt, and Bill Yontz in favor.**

## **GENERAL BUSINESS**

Sweppenheiser let the Commission know that the Township land the City purchased for Clay Cliffs needs to be zoned as park land and the City will need to incorporate it into the City. It will be before the Planning Commission next month.

Sweppenheiser reported that the City Commission approved the text and map changes recommended by the Planning Commission in March.

**Chairperson Schmidt adjourned the meeting at 6:44 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary



**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
May 16, 2018**

Chairperson Schmidt called the May 16, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Chris Jane, Rory Ruddick, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED**

**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 Chris Jane, seconded by Bill Yontz, to approve the minutes of the April 18, 2018, meeting of the Planning Commission as presented.  
Motion passed with all in favor.**

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

Commission Anderson invited everyone to the Old Jail Yard Sale on May 22<sup>nd</sup>.

**PUBLIC HEARING**

None

**GENERAL BUISNESS**

Sweppenheiser explained that the Redevelopment Ready Community program that the City is interested in is recommending adoption of Form Based Zoning. It focuses on a means of regulating land development to achieve a specific aesthetically pleasing form. As this is a new concept to the City, we need guidance to help us through the process. The Michigan Economic Development Corporation (MEDC) has a grant of up to \$20,000 for the assistance.

The City posted a Request for Qualifications for planning services and received two applications. The Redevelopment Ready Committee selected SmithGroupJJR. Kathleen Duffy who now works with the group had previously been to the City to offer insight into Form Based Zoning.

Sweppenheiser anticipates this process will result in bringing good things to the City. There will be Zoning Ordinance amendments associated with construction and we will use our strengths to identify and achieve a community vision. Regulations will govern physical form rather than separation of uses as the organizing principle and will focus less on land use. Sweppenheiser added that there will be more emphasis on a pedestrian scale. The community will be involved in determining what changes it wishes to see and he plans to build on the City's existing conditions to get to where we want to be.

Schmidt gave an example of a Form Based Code as follows: a community regulating the height of all signs to be under a certain height and maybe they could only be black and white.

Sweppenheiser said that perhaps the Form Based Code will be an ordinance inside the Zoning Ordinance.

Cerdena asked if the Code will be consistent with the Master Plan and if it will recognize the established "Focus Areas". Sweppenheiser said the Code will not follow the focus areas. Schmidt added that the Code would take over for the Zoning Ordinance and define what is expected in the area. Sweppenheiser agreed and said that the use can be Form Based and in line with what the community/pedestrian wants to see. He believes it could lead to better projects.

Commissioner Anderson added that, in the end, we could see more positive development. She believes Ms. Duffy is very knowledgeable and detail oriented and will be good to work with. The Form Based Codes idea will help with the City's aesthetic appeal.

## **MOTION**

**Motion was made by Chris Jane, seconded by Bill Yontz, to recommend to the City Commission the hiring of SmithGroupJJR for contracted planning services related to adopting Form Based Codes.**

**Motion passed with Renato Cerdena, Chris Jane, Rory Ruddick, Tim Vogel, Bill Yontz and John Schmidt in favor.**

Sweppenheiser told the Commission that the Text Change previously recommended to the City Commission was modified to give the City Commission notice before the request is put before them by the Planning Commission.

City officials met with Steve Kim of Fleis and VandenBrink to discuss the Hanchett property. They are working on getting the industrial use restriction off the deed. Sweppenheiser asked the Planning Commission members to think about what type of zoning they would like to see there.

The City has looked at R-3 as it allows Planned Unit Development. Residential and non-residential use would be possible in the R-3 zone. This will be on the agenda for next month. The City would like to be able to market this site. Maybe the Housing Commission would be interested in it. They have done a good job at Brookside.

Schmidt asked if this would be considered spot zoning. But Simonds to the south is zoned Industrial and Sweppenheiser said he would caution against making Simonds non-conforming by changing the zoning designation to match a future designation on the Hanchett property.

The apartment complex on Water Tower is moving forward. The developer is working with engineers to reduce costs.

There being no further business, Chairman Schmidt adjourned the meeting at 7:50 p.m. with all in favor.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
June 20, 2018**

Chairperson Schmidt called the June 20, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Paul Jackson, Chris Jane, John Schmidt, Tim Vogel

**EXCUSED** Renato Cerdena, Bill Yontz

**ABSENT** Rory Ruddick

**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 May 16, 2018, meeting of the Planning Commission with the following correction: Correct the spelling of *Business* on page one.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARING**

Recommendation on Map Amendment to Rezone Property at Parcel #54-17-11-193-004 (602 N Fourth Avenue) and the South 15' of Parcel #54-17-11-193-005 (614 N Fourth Avenue) from Industrial to R-3.

Sweppenheiser introduced the request by explaining that the City has contracted with Lake and Lodge Realty to sell various City owned surplus properties. Anthony Craft, has submitted an offer on the afore mentioned properties contingent on rezoning from Industrial to R-3. The City has accepted his offer. He would eventually build two multifamily units on the lot (602 N Fourth) which would require an extra 15 feet of land acquired from 614 N Fourth. Staff

recommends rezoning all of 602 N Fourth and 614 N Fourth from Industrial to R-3. A drainage pipe/ditch runs through 614 N Fourth and the lot is considered undevelopable. The buyer does not propose to build on the 15 feet acquired from 614 N Fourth, but it is needed for the required total square footage to construct the multifamily units.

Sweppenheiser pointed out that the area to the East is Industrial. The area to the North is R-2 which is buffered by the drainage pipe/ditch. The area to the West is R-3 and is the location of the Housing Commission housing units. The area to the South is zoned Industrial. He believes the change to R-3 is fitting with the surrounding areas.

In accordance with the Zoning Ordinance, the following standards must be considered when a Zoning Ordinance amendment is requested:

1. The use requested shall be consistent with and promote the intent and purpose of this Ordinance.
2. The proposed use will ensure that the land use or activity authorized shall be compatible with the 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.

Sweppenheiser added that the current Industrial designation is considered high intensity and wonders if that type of use would really be wanted in this area. He added that this really isn't a "spot zoning" as the proposed use is consistent with the area. The property to the north that contains the drainage pipe/ditch will be a nice buffer to the R-2 zone. He added that water and sewer are available at this site. The Planning Commission will be asked to review the proposed multi-family site plan in the near future.

Staff recommends that all of 602 N Fourth and all of 614 N Fourth be rezoned to R-3.

Schmidt opened the Public Hearing at 6:38 PM.

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

Jennifer Cochran, 430 S Stewart, Big Rapids, stated that the request sounds reasonable.

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

No one.

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

None received.

There being no further public comments, Chairman Schmidt closed the public portion of the meeting at 6:40 p.m. and the Commission entered into Fact Finding.

Jane questioned the term “high intensity” being used to describe the current zoning. Sweppenheiser said that Industrial use is considered “high intensity” by the nature of what is allowed in the zone. If developed for industrial use as is now allowed, the neighborhood may need to deal with increased traffic, parking and possibly up to three shifts of operation. The R-3 and Industrial zones are considered high intensity land use zones.

The developer would have to add the extra 15 feet to the property to have the required square footage to build the proposed multi-family buildings. The buildings will not be built on the extra 15 feet. The drainage area will buffer the R-2 area nicely. Sweppenheiser added that the City is comfortable with the lot split to add the extra 15 feet.

The development will require one parking space for each bedroom.

Jackson stated that he feels the criteria for Standards have been met.

Vogel asked if there has been any other interest in this particular piece of property. Sweppenheiser said that the owner of the storage units was contacted, and he was not interested in purchasing the lot.

### **Motion**

**Motion was made by Chris Jane, seconded by Paul Jackson, to recommend to the City Commission, the rezoning of all of parcel #54 17 11 193 004 (602 N Fourth) and all of parcel # 54 17 11 193 005 (614 N Fourth), from Industrial to R-3.**

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

### **GENERAL BUSINESS**

None heard.

There being no further business, Chairman Schmidt closed the meeting at 7:47 P.M.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
August 15, 2018**

Vice Chairperson Chris Jane called the August 15, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick (late), Tim Vogel, Bill Yontz

**EXCUSED** John Schmidt

**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 June 20, 2018, 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 HEARING**

None

**GENERAL BUSINESS**

**Guide to Development**

Sweppenheiser introduced the new Big Rapids Guide to Development saying that this document, specifically the flow chart, is one of those required by the Michigan Economic Development Corporation (MEDC) to receive Redevelopment Ready Community (RRC) status. Obtaining RRC status is important as it is required by the MEDC for the City to receive grant funding.

He explained that this guide follows the Zoning Ordinance and is beneficial to developers by collecting information pertinent to development and presenting it in one easy to follow guide. The guide would be available on line but Sweppenheiser would still hope to talk to developers beforehand to get an idea of what they want to do and to guide them in the right direction. Hopefully the guide will be helpful to developers.

RRC status is beneficial to the City as the MEDC will market available sites for development on their site. The State will list three of the City's developable properties which have been identified as the following: the Hanchett site, the old Dial-A-Ride site on State Street, and the property on Michigan Avenue across from the City Hall.

The next step to complete in the RRC process is the Economic Development Strategy. This will involve public participation. The City has hired a planning consultant who will help with the process and review the Formed Base Code idea with the City. The MEDC will pay for \$20,000 of the consultant's fee.

Vogel suggested the Development Guide should be dated so we know we are always looking at the latest version. Ruddick said he was impressed with the guide and the information it offers to developers.

**Motion was made by Tim Vogel, seconded by Bill Yontz, to adopt the August 15, 2018, City of Big Rapids Guide to Development.**

**Motion passed unanimously with Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, Tim Vogel and Bill Yontz in favor.**

#### **906 N State Street (Hanchett) Rezoning**

Sweppenheiser stated that as this is one of the development sites listed under the RRC, the thought is to make it ready for development by rezoning it ahead of a developer's request. By rezoning it now, it could take a month off of a developer's timeline.

Sweppenheiser said that the site will probably be used as some sort of residential development so, it would probably be best to rezone it to R-3. It could then be used as a Planned Unit Development (PUD) allowing both commercial and residential under a Conditional Use Permit.

The property could be designated to R/R to allow more opportunities or, the Formed Base Code could be used for the Hanchett property to help guide what we want to see there. Jackson agreed that we need to be open to different uses and make the property appealing to more developers. Sweppenheiser stated that most are looking for mixed use.

Cerdena asked what was across the street from the Hanchett property and if it is a long-time use. They have make cutting blades there for a very long time, but the company has recently sold and there could be some changes made.



Renato commented that mixed use would be more consistent with the Master Plan and that the Hanchett property is one of the identified focus areas.

Vogel stated the property has been marketed previously and wondered if the City was open to rezoning at that time. Sweppenheiser said that it was and there was interest in developing student housing. He added that there are some uses that the City would like to see there, but those types of developers have not yet come forward.

The property is not in a flood plain and the 3.7 acres has decreased due to an alteration in the right-of-way for the bridge realignment and the contaminated hill side which are not included in the property description.

Sweppenheiser said that condominiums have been envisioned for the site and that the Housing Commission could be interested in this type of development. It cannot be developed as single family residential due to the contamination at the site, but it could be condominiums. We do not know what type of remediation would be required for single family homes. There are no monitoring wells on the site. When the Riverwalk was being developed, the DEQ required a foot of top soil spread over the area.

It was mentioned that if we rezone and try to get someone interested in developing residential units for professional people, they attract students anyways. By going to Form Based codes we may alleviate some of that.

Yontz asked if it is legal to leave the zoning open to rezoning dependent on potential use. Sweppenheiser said that it is legal.

Jackson said that he would like to see the area developed as a unique shopping area like the one found in Rockford. He believes this would create a draw for Big Rapids and would make it a destination for shopping/tourists. Sweppenheiser said that the land is contaminated, and we have to be careful to not try to duplicate another downtown area taking business away from our already established downtown.

The Commission agreed to continue the Hanchett property discussion at next month's meeting.

There being no further business, Vice Chairperson Jane adjourned the meeting at 7:00 P.M. with all in favor.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
September 19, 2018**

Chairperson Schmidt called the September 19, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Paul Jackson, Chris Jane, John Schmidt, Tim Vogel

**EXCUSED** Rory Ruddick, Bill Yontz

**ABSENT**

**ALSO PRESENT** Mark Gifford, City Manager  
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 August 15, 2018, meeting of the Planning Commission as presented.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARINGS**

None

**GENERAL BUSINESS**

**Sweppenheiser Resignation**

Gifford informed the Commission of Sweppenheiser's resignation and said the position has been advertised. They expect to interview candidates by the end of October and have the new Neighborhood Services Director on board by the first of the year.

## **Strategic Planning Meeting**

He also said that Lou Bender who previously worked with the City Commission concerning team building was scheduled to speak to the group in September about strategic planning, but the meeting was canceled and will now be held in January. At the last meeting, Bender recommended that the City Commission, the Planning Commission, and the Park and Recreation Board should have a joint meeting. Gifford believes this would be a positive meeting.

## **Hanchett Property Sale and Re-Zoning**

Gifford reported that four covenants were passed at the last City Commission meeting that would set development parameters on the Hanchett property. Once they are recorded, the property can be put up for sale.

In 1997, a deed restriction on the land limited it to industrial. This is not consistent with the vision the City has for the property and staff has worked to have the restriction removed. This involved environmental analysis and covenants to replace the restrictions in order to sell the property. At the last City Commission meeting, the Hanchett covenants were approved and will move to the Department of Environmental Quality for approval. A Due Care Plan will need to be in place.

Gifford said that at the October 17<sup>th</sup> Planning Commission meeting a Public Hearing to rezone the property to R-3 will be held. The recommendation will go to the City Commission on November 5<sup>th</sup>.

Currently the City holds a \$250,000 debt on the property. It was purchased for approximately \$550,000.

Vogel stated that perhaps the idea of formed base codes would help control this property. A consultant, Kathleen Duffy, has been hired to help the City with the form base code idea.

Schmidt agreed that this a prime site to use formed base code so that the City would have control over what happens on the property.

Jackson added that at the last meeting the Commission talked about whether or not the property should be rezoned before it is put up for sale or leave it open to see what type of developer is interested and rezone it to suit. Gifford said that R-3 designation could be used as a guideline for development. Jane suggested listing it as vacant land to see what interest is generated. Schmidt again added that formed base code could help with this concern.

Jackson asked if there was ever any interest in the use of the property besides student rental use. Gifford said that four years ago the Bonner Group was hired to market the property and they

couldn't find a developer. Schaefer, the owner of the Rapids and Parklane apartments, was interested at one point.

Jackson asked what the City would like to see and Gifford said that he has had some express interest in high end condominiums. Perhaps a combination of condominiums with some commercial. Jackson said this idea has worked well in Grand Rapids. Jane added that people that are in the market for condos don't want stairs.

### **Train Depot**

Gifford reported that on September 6, the City held a depot tour and public input session. He said that the property is currently owned by the Department of Natural Resources (DNR). In 2008, the City resigned a 25-year lease. At that time, the Chamber was interested in occupying the building. For a number of reasons this didn't work out and the City has pursued purchasing the depot and adjacent land. The DNR finally agreed to sell the depot and land to the City for \$66,800. The DNR placed no restrictions on the purchase other than the land must remain as public use/recreation for perpetuity.

The question is: should the City buy the property and how should it be used.

The building is structurally sound apart from some water issues in the basement.

Schmidt said it could be moved and put on a new foundation. He believes it has no historic value if the roofline is not restored to the original design. He added that the government is not a good landlord and perhaps the depot portion could be sold to a private entity.

Cerdena argued that the depot does have historic value as years ago there were no cars or buses and depots were the center of activity in cities.

Gifford said the City needs to be comfortable with defining a use for the property. Do we sell as is or fix it up and try to sell it? Would we get our money back?

Last year, a visioning session was held with Ferris students who thought the property could be used as the Dial a Ride/Indian Trails hub. Ferris was not interested in hosting a small-town studio at the site.

Gifford said investment on the east side would be beneficial. The parking lot could be expanded, and restrooms constructed to serve as the trailhead.

It was suggested that the October meeting could be a work session with the City Commission or a work session could be held before the October 15<sup>th</sup> City Commission meeting.

### **Home Occupation Sign Regulations**

Gifford informed the Commission that the City received a sign permit application for a home occupation sign in the R/P zone. According to the Sign Ordinance, signs for a home occupation are not allowed, but the home occupation is located in the R/P zone which does allow signs. Gifford thinks that the R/P language should be changed to allow signs for a home occupation. The City will continue to work on this issue.

### **Day Care in R/P Zone**

Gifford received an inquiry from Dave Hamlin about establishing a day care center in the R/P zone. Dave is concerned that one of the reasons people are not working is the lack of day care for their children. He believes if more day care centers are created, it will help area businesses who are having trouble filling positions. He has identified the Baptist Church as being a possible location for a center. Josh Foor, pastor of the church is on board with the idea and they would like to pursue it further. The church has an unused area that was originally constructed as an instructional area. At the time it was constructed, it met building codes for this type of use.

The church is located in the R/P zone and a day care center is not a permitted use. The Commission discussed allowing this use by either getting a Special Use Variance or doing a text change to allow day care centers in the R/P zone. Gifford does not think that getting a Special Use Permit is the right direction to go. It may not meet all the Standards. Schmidt added that if it is allowed in the R/P zone, it would open the possibility of more day care centers in the area.

They also discussed the possibility of the church losing its 501C3 status if the day care makes a lot of money.

Vogel remembered that the last time a church was involved in trying to establish a homeless shelter (at the United Church), they were not able to do it.

The City will review the request further.

There being no further business, motion was made by Chris Jane, seconded by Tim Vogel to adjourn the meeting.

The meeting was adjourned at 7:25 with all in favor.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
October 17, 2018**

Chairperson Schmidt called the October 17, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Paul Jackson, Rory Ruddick, John Schmidt, Tim Vogel, Bill Yontz

**EXCUSED** Renato Cerdena, Chris Jane

**ABSENT**

**ALSO PRESENT** Mark Gifford, City Manager  
Cindy Plautz, Neighborhood Services Coordinator  
Stacey Johns, Code Enforcement Officer

There were 14 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the September 19, 2018, meeting of the Planning Commission as presented.  
Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARINGS**

**Recommendation on Conditional Use Permit Application to Allow BR Lunch Box to Operate at 105 W. Bellevue Street**

Gifford introduced the request saying that the site is an existing commercial building in which the applicant would like to start a pick-up and delivery type restaurant. A Conditional Use Permit is being sought as this type use is not a principle use in the R/R zone. He added that the City is always hearing that there are not enough restaurants in town. Staff is supportive of this

request and will work through the required Standards laid out in Section 10.3:8 of the Zoning Ordinance.

Yontz commented that #4 of the Standards may not be met as flooding of the storm sewer was identified during rain fall. Gifford said that the City needs to address this problem and it shouldn't hinder the request. He added that the City has not heard about regular flooding here.

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

**Applicant Statement**

Jonathan Yordy, 13990 Nancy Drive, Big Rapids, is interested in opening a small lunch restaurant at 105 Bellevue. It would have limited hours of operation – mainly from 11:00 a.m. to 2:00 p.m. His wife would be the chef and has recently retired from working in the kitchen at Ferris State. They would like to offer a pick-up and delivery service with a few spots to eat on location if someone would like. People would be able to order on line and pick up the order without a wait. The menu would consist of a few fresh choices per day and a dessert. They have explored other locations, but they have not been favorable.

Yordy added that he also works at FSU and has an Economic Development background. They will address any concerns that arise and will work within the zoning laws. He stated that the property was previously zoned Commercial but 12 years ago was re-zoned to R/R which allows residential as well as commercial.

**Those Who Spoke in Favor**

Travis Scott, 430 Marion Avenue, Big Rapids, stated that he supports local business. His property shares an alley with 105 Bellevue and he has noticed that the catch basin floods when it rains. He said if it helps, he would work with the City to come up with some sort of rain garden to help with the flooding issue. He is for the business but has concerns about the parking and extra traffic in and out of the area.

**Telephonic or Written Correspondence Received by Staff**

None

**Those Who Spoke in Opposition**

None heard.

**Applicant Rebuttal**

None heard.

**Chairperson Schmidt closed the Public Comment portion of the Hearing at 7:45 p.m. and the Commission entered into Fact Finding.**

Vogel asked about needing a dumpster and if they thought about snow removal. The applicant will use a poly cart instead of a dumpster and said they will not have a commercial fryer. The applicant will be responsible for the snow removal and landscaping. Vogel stated a concern as to where snow will be stored and if it will take up parking spaces. Bellevue does not have sidewalks at this location. Scott stated that snow is usually pushed to his front yard. If the rain garden is created this would be a problem.

Vogel stated that he does not have an issue with the Standards (1 through 6) or Section 11.1:20 of the Zoning Ordinance.

### **Motion**

**Motion was made by Tim Vogel, seconded by Bill Yontz, to make a recommendation to the City Commission to grant a Conditional Use Permit for the operation of BR Lunch Box at 105 W. Bellevue.**

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

### **Recommendation on a Text Amendment to the Zoning Ordinance that Would Permit Daycare Centers in the R/P Zone as a Conditional Use**

Gifford introduced the request by saying that an advocate for increased child care in the City is interested in promoting its establishment in the R/P zone. It has been said that there are not enough daycare opportunities in the City to enable people with young children to work out side the home – the Industrial Park is suffering. Josh Foor, Pastor of Big Rapids First Baptist Church which is located in the R/P zone, is interested in establishing a Daycare Center in his church.

Gifford added that the Zoning Ordinance doesn't address Daycare Centers in the R/P. However, the R/P zone does allow Licensed Adult Foster Care Family Homes and Licensed Family Day Care as does the R-1 zone. Licensed Adult Foster Care Small Group Homes are also allowed in the R-1 zone. In these instances, the licensee resides in the home. Daycare Centers are allowed in the R-3 zone.

A Daycare Center's hours of operation would be congruent with that of a church's which may also be set up to allow this type of use already. Gifford feels this use would be a good partnership. The R/P zone was created to allow single family residences and professional offices. This seems to be working well. Staff has wrestled with allowing Daycare Centers in the R/P. State regulations seem to be extensive and he wonders if more regulation from the City is



appropriate. Staff is not opposed at this time, but if not allowed, where else? He added that to turn a house into a Daycare Center would be unlikely. St. Mary's and St. Peters schools are located in the R-1 districts, perhaps a church would be appropriate, but we would also need to look at the whole area/zone to see if it is appropriate.

Chairman Schmidt opened the Public Hearing at 7:55p.m.

### **Applicant Statement**

Joshua Foor, 822 Marion Avenue, Pastor of Big Rapids First Baptist Church, cited scripture that said a church should seek the welfare of the City. There is a huge need in Mecosta County for child care and he feels compelled to meet the needs of the community. Providing Daycare would have a positive economic impact on the community. The church is a quality building in the middle of town that would lend itself to this use.

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

Dan Spedowski, 830 Lilac, feels the one-way street is too busy to drop off and pick up young children at this location. He questioned if the teachers or care givers would be certified because he feels Foor should not have anything to do with the Daycare Center. He wonders how Foor would handle discipline and is concerned. He feels the area intended for this use is not big enough and doesn't like the fact that there is a jail in the vicinity. He advised the Commission to think about this request as he doesn't feel it is the right area. A few years ago, when a bank wanted to locate in the area, it was denied.

Marjory Brink, 817 Cherry, said she has lived here almost all her life. She is concerned as her church, the Big Rapids Baptist Church, has lost 66 people since Foor became Pastor. She feels that there is not enough parking and the street is busy and dangerous for child drop off. She is also concerned as the church may lose its library to make space for the Daycare Center. The area was designed for Sunday School and space is limited. There are also stairs the children would have to navigate and feels that is not a safe situation for the children. She is against allowing Daycare Centers in this location.

Schmidt reminded everyone that the request is to amend the Zoning Ordinance to allow Daycare Centers in the R/P. It would be the church's responsibility to work with their congregation for appropriateness and the State for regulation compliance. The Daycare Center would have to be licensed. When the land was donated many years ago, it was intended for non-profit use. The Register of Deeds could not find this restriction.

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

Dave Hamelund, 18256 Taft, said he is speaking as a representative of the Mecosta County Chamber of Commerce and the Mecosta County Development Corporation who are trying to

find more Day Care opportunities for the area. He agreed that churches seem to be a logical location opportunity and the Baptist Church would be a good fit. Unfortunately, the area is not zoned for this type of use so they are asking for it to be allowed in the R/P zone. He said the building is secure and LARA has signed off on it and the Fire Marshall has signed off on it. They would still need to obtain a State License to operate the Day Care. He reports that existing Day Care Centers have a 2-year waiting list and it has affected business and industry in the area.

### **Applicant Rebuttal**

None heard.

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

Gifford spoke to Marjory Brink who spoke at the Public Hearing.

Chairman Schmidt closed the Public Hearing at 7:23 p.m. and the Commission entered into Fact Finding.

Yontz thought that the increased traffic on these busy streets may be an unfair burden on Public Safety. Gifford added that he spoke with the Public Safety Director who said he was not threatened by the increased traffic. Gifford stated that Stewart is busy and remembered that the bank site plan did not get approved a few years ago.

Jackson stated the Commission's job is to decide whether or not to allow Daycare Centers in the R/P zone, it is not the Commission's concern whether to allow it in this particular Church. Hillcrest School was brought up as a possible location for a Daycare Center, but it is located in a R-1 zone.

Vogel stated that he was here when the R/P zone was established, but he doesn't remember if allowing Day Care Centers was talked about at that time. The Zoning Ordinance Daycare language is similar to the R-3 zone which was here before. R-3 allows Day Care Centers.

The R/P zone was created to stop more of the homes from becoming student rentals. They are now zoned like those in the R-1 but also allow professional offices on the ground floors. The R/P zone is close to commercial areas.

Ruddick reviewed the discussion adding that Licensed Day Care Homes are allowed in single family dwellings that are occupied by the owner. To be licensed by the State, the Daycare Center must conform with their regulations. He doesn't believe that a City lot would satisfy State regulations especially for off street parking and loading and unloading. Ruddick also stated that, if allowed, a developer could purchase a couple of houses and demolish them and build a Daycare Center. He wonders if the residents in the area would want to live right next door to this type of use.

The Commission discussed some of the regulations for Daycare Homes and Centers and stated that the facility would have to be approved by the State first. They would like to look into the regulations further to figure out what is required for a Licensed Daycare Center.

**Motion**

**Motion was made by Paul Jackson, seconded by Bill Yontz, to postpone the Public Hearing for Zoning Ordinance Text Amendment to Permit Daycare Centers in the R/P Zone until next month's meeting.**

**Motion passed with Paul Jackson, Rory Ruddick, Tim Vogel and Bill Yontz in favor. John Schmidt was in opposition.**

**GENERAL BUSINESS**

Next months meeting will be held on November 14, 2018 due to the upcoming Thanksgiving Holiday.

**There being no further business, motion was made by Paul Jackson to adjourn the meeting. The meeting was adjourned at 7:50 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
November 28, 2018**

Vice Chair Jane called the November 28, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Paul Jackson, Chris Jane, Rory Ruddick, Tim Vogel, Bill Yontz

**EXCUSED** Renato Cerdana, John Schmidt

**ABSENT**

**ALSO PRESENT** Mark Gifford, City Manager  
Cindy Plautz, Neighborhood Services Coordinator  
Paula Priebe, Neighborhood Services Director

There were 12 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Paul Jackson, seconded by Tim Vogel, to approve the minutes of the October 17, 2018, meeting of the Planning Commission as presented.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARINGS**

**Recommendation on Site Plan Review for Additional Parking at 931 Fuller**

Gifford introduced the request by saying that a site plan review is required but a sealed plan is not required for this request to alleviate existing parking. Currently, tenants are staking their cars in the driveways, parking on the street when its allowed in the summer, or parking on the grass. This situation is not working and a solution for parking is needed. The owner, Mark Jones, would like to extend the concrete out from the driveways to create angled parking. Staff recommends approving the site plan for additional parking at 931 Fuller.

Vice Chair Jane opened the Public Hearing at 6:34 PM.

**Applicant Statement**

The applicant's representative stated that the request was self-explanatory.

**Those Who Spoke in Favor**

Jim Hagen, 527 Ridgeview, stated he was in support of the request. Parking at the property has been dangerous as vision was obstructed from on-coming traffic. Angle parking would alleviate street parking. He stated that it is a little late in the year for pouring concrete and asked if they would be laying gravel this fall and finishing the concrete in the spring.

**Those Who Spoke in Opposition**

None heard.

**Telephonic or Written Correspondence Received by Staff**

There was no written or telephonic correspondence received by staff.

**Applicant Rebuttal**

None heard.

**Vice Chair Jane closed the Public Comment portion of the Hearing at 6:36 p.m. and the Commission entered into Fact Finding.**

Vogel stated that he didn't have an objection, but he needed some clarification. It looks as if the parking on the west side will be in the front yard which isn't allowed. The picture is deceiving as it is an aerial photo that distorts the buildings and has shadows. The parking is not in the front yard.

Gifford added that they are not adding parking but rather alleviating existing parking.

Yontz wondered if the parking could go toward the middle of the property. It cannot because that would be in the front yard.

Jackson asked if the gravel would be replaced with concrete in the spring. The applicant stated that it would be cemented in the spring.

## **Motion**

**Motion was made by Bill Yontz, seconded by Rory Ruddick to recommend the approval of the Site Plan for reconstruction of parking at 931 Fuller with a stipulation that full cement work is to be completed by June 30, 2019.**

**Motion passed with Paul Jackson, Chris Jane, Rory Ruddick, Tim Vogel, and Bill Yontz in favor.**

## **GENERAL BUSINESS**

Gifford introduced the request by saying that tonight we are continuing the discussion that was started last month after the Public Hearing for a text amendment to the Zoning Ordinance that would permit Day Care Centers in the R/P Zone. It is not necessary to repeat the Public Hearing, but the Commission will continue its discussion. As a courtesy, Vice Chair Jane will open the floor to those that are in attendance who wish to speak after the Commission's discussion.

Gifford added that the Zoning Ordinance doesn't address Day Care Centers in the R/P. The text amendment would address a request by the Pastor of the First Baptist Church, 200 S. Stewart, to establish a Daycare Center at the Church and to allow this use in the R/P Zone.

At last month's meeting, staff was asked to do some research concerning State licensing, parking requirements, and to decipher what the Zoning Ordinance says pertaining to similar uses in Big Rapids.

Gifford reported going through the State licensing rules and he did not find a lot of information on land use. There was no information on parking and/or loading requirements. Indoor space and outdoor play areas were addressed as found on pages 18 and 19 of the State requirements for licensing (attached). Parking is available in the shared parking lot south of the First Baptist Church. It is shared by the Church, Dr. Garlick, Mecosta County, and the Salvation Army. For our purposes, the Zoning Ordinance defines Day Care Center as found in 2.2:23: A facility, other than a private residence, receiving one (1) or more preschool or school age children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.

There are gaps in how the Zoning Ordinance handles Day Care Centers. However, the R/P zone does allow Licensed Adult Foster Care Family Homes and Licensed Family Day Care as does the R-1 zone. Licensed Adult Foster Care Small Group Homes are also allowed in the R-1 zone. In these instances, the licensee resides in the home. Day Care Centers are currently allowed in the R-3 zone.

Gifford reported that Article 5 of the Zoning Ordinance deals with off-street parking and loading area requirements, however, he could not find any reference for regulations for Day Care Centers.

City Attorney Williams asked if parking and loading regulations needed to be developed for Day Care Centers in order to allow them in the R/P zone. If so, staff needs to develop them. He added that public schools need to provide parking spaces for staff/employees, but not for students. They are not required to provide spaces for pick-up and drop-off. He does not know what should be required for Day Care Centers. We would have to be careful not to create unrealistic standards.

Again, Gifford reminded everyone that regulations would apply to the whole R/P district, not just this particular site.

Jackson stated that perhaps other communities should be contacted to see what kind of regulations they have for Day Care Centers. Gifford contacted one other community and found that they didn't have any standards.

Williams stated that although there was no requirement for parking for Day Care Centers but found family and group homes require 3 spaces for every 5 beds. Perhaps as part of the City's regulations for Day Care Centers parking requirements could be tackled.

Vogel stated that the R/P zone was created to help reduce homes from being turned into rentals and to bring back the single family housing stock in the City. He mentioned the possibility that homes could be bought up, demolished, and turned into Day Care Centers and wondered how the neighbors would feel about this happening.

The Master Plan has identified housing as an issue. Would Day Care Centers in the R/P stick out like a sore thumb? Do they belong in the R/P?

Ruddick agrees that preserving housing stock for single family use was the premise for the R/P zone. Licensed Family Day Care Home, Licensed Adult Foster Care Family Home and Licensed Adult Foster Care Small Group Home are allowed in the R-1 zone, he wondered how the neighborhood felt about these uses.

Gifford doubted that someone would come in and tear down a City block to construct a Day Care Center. He suggested making a Day Care Center subject to a Conditional Use Permit.

Williams wondered about Day Care Centers in the R-1 neighborhoods. People don't seem to want them, and noise seems to be a factor – it seems counterintuitive. Should we put them in the commercial zones? This seems wrong. Is it right to exclude children in the residential areas? We need more day care as it seems jobs are contingent upon this service – both parents need to

work to make ends meet. Should we expand zoning to allow in Big Rapids? There seems to be anxiety over this particular site – perhaps it should be a Conditional Use.

Ruddick said that he has a Day Care Center near his home and it is nice and seems to fit in the neighborhood. He questioned whether or not to allow Day Care Centers in all the zones.

Gifford said that the permitted uses include conditions. Williams added that we can look at all the permitted uses and conditions and develop a list of conditions to allow of Day Care Centers in the R/P. Some of the conditions may include ingress/egress, no destruction of current buildings, lot size, setbacks, etc.

Staff and a couple of the Planning Commission members can meet and come up with some conditions and language for the Planning Commission meeting next month.

Vice Chair Jane opened the meeting to here comments from the audience.

Josh Foor, 822 Marian, said he appreciates the time the Commission and staff have spent on the topic. He added that the R/P zone allows schools without oversight and he wondered why a day care would need City oversight. Yontz advised that the State has jurisdiction over schools and the City has no authority over where they are permitted. Josh added that the State also has jurisdiction over child care.

Dave Hamlin, 18256 Taft Road, stated that the work force has changed from 1 person working to 2 people working in order to make ends meet. We are now in need of more day care to allow both parents or, one person in single parent families to work. Big Rapids is built out and we need to find spaces to house the Day Care Centers. The First Baptist Church has room for this use and would like to move forward. He addressed the perceived added traffic problem in the area by saying the Day Care traffic would be at different times than the school or work traffic. He added that the nearby parking lot is 80% vacant most of the time. Williams added that he is not sure parking is available there throughout the day. Hamlin said the County would designate 3 parking spots to the Day Care. Vogel asked how many children they envision at the site to which Hamlin answered it would be regulated by the State.

Marge Brink, a member of the First Baptist Church, said the building in which they intend to locate the Center is a two story structure with cement stairs not safe for young children. She said that the church area was built for Sunday School and youth activities. She is not in favor of tearing down structures to build Day Care Centers in the area.

Elenore Spedoski, felt that the Commission was not getting the big picture. She said that those that are left in the church don't want the Day Care Center located there. She asked the Commission to think it over and talk it out before making a quick decision.



Shannon McDonald commented that according to the State regulations an outdoor play area is required. She went on to say that the church has prisoners from the jail clean the building. She feels that these people should not be around children and is concerned about their moral character. She feels this church is not a good place to locate a child care center as people are afraid to enter the church as she believes the elderly have been mistreated there. She feels the proximity of the church to the jail and court house should be considered in any decision making.

Vice Chair Jane reminded the audience again that the decision to allow Day Care Centers in the R/P zone is for the whole zone, not a specific property.

Sue Rowshack, 15228 N Clear Lake Drive, she stated that people are bad mouthing the Pastor of the First Baptist Church with no foundation. She finds nothing wrong with him. The mission of the Church is to preach the gospel and to help children and the elderly. Children are our future.

Josh Foor stated that in making the decision and in coming up with conditions to regulate the request, it would be best to keep it simple.

Staff will come back with more information and recommendations on any conditions that will have to be met in order to allow Day Care Centers in the R/P at the December 19, 2018 Planning Commission Meeting.

**Motion was made by Bill Yontz, seconded by Paul Jackson to close the Planning Commission Meeting.**

**There being no further business, Vice Chair Jane closed the Planning Commission meeting at 7:50 PM with the intent to continue the R/P Language Amendment discussion at the December 19, 2018, Planning Commission Meeting. All were in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
December 20, 2018**

Vice Chair Jane called the December 20, 2018, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, Tim Vogel

**EXCUSED** John Schmidt, Bill Yontz

**ABSENT**

**ALSO PRESENT** Mark Gifford, City Manager  
Cindy Plautz, Neighborhood Services Coordinator  
Paula Priebe, Neighborhood Services Director

There were 15 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the November 28, 2018, meeting of the Planning Commission as presented.**

**Motion passed with all in favor.**

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

None heard.

**PUBLIC HEARINGS**

**Public Hearing for Site Plan Review for Construction of a Club House for Parklane Apartments at 521 Fuller Avenue (Campus Village Communities)**

**Vice Chair Jane opened the Public Hearing at 6:33 p.m.**

Priebe reviewed her staff report for the Commission. The property is a legal non-conforming use in the R-2 Zone, with R-3 limits. No additional parking is required for this accessory use as all required parking for the primary use of the apartment complex has been met. The landscaping plan meets the Zoning Ordinance standards and the storm water plan is still under review. One

point she wanted to make is that Public Safety recommends the sidewalks be increased from 6 feet to 8 feet to accommodate access of a fire truck to the building.

Staff recommends approval of the site plan.

**Applicant Statement**

Greg Schafer, 4023 Dixie Anna Court, Rochester Hills, MI, said that the apartment complex has been here for a while and the owners would like to improve the property by adding a club house, pool and leasing office. They also plan on doing some exterior upgrades to the Rapids and also some upgrading of individual units.

**Those Who Spoke in Favor**

None heard.

**Those Who Spoke in Opposition**

None heard.

**Telephonic or Written Correspondence Received by Staff**

There was no written or telephonic correspondence received by staff.

**Applicant Rebuttal**

None heard.

**Vice Chair Jane closed the Public Comment portion of the Hearing at 6:36 p.m. and the Commission entered into Fact Finding.**

Vogel asked the following questions:

If the landscaping would be irrigated – Yes.

If the lighting would be “dark sky” – Yes, LED lights would be directed at sidewalks.

If a dumpster enclosure is planned – No, an enclosure is not planned the walkway needs to be accessible. Gifford added that an enclosure is not required as this is an existing site.

If a pool is planned and if there are issues with a public pool – Yes, and State regulations will be followed.

Are they willing to widen the proposed sidewalk to 8 feet per Public Safety request – Yes.

The applicant said they could look into the cost of enclosing the dumpster.

**Motion**

**Motion was made by Tim Vogel, seconded by Paul Jackson to approve of the Site Plan dated November 27, 2018, for construction of a 1,965 sq. ft. club house with pool at 521 Fuller (Campus Village Communities) with the following conditions:**

- **The proposed sidewalk shall be widened from 6 to 8 feet.**
- **The proposed dumpster shall be enclosed.**
- **The Storm Water Plan shall be constructed as approved by Public Works.**

**Motion passed unanimously with Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, and Tim Vogel in favor.**

**Public Hearing for Site Plan Review for the Construction of a Rental Office at 217 Morrison Avenue (Campus Village Communities).**

**Vice Chair Jane opened the Public Hearing at 6:42 p.m.**

Priebe reviewed her staff report for the Commission. After demolition of the current structure, the applicant intends to construct a 1,399 sq. ft. rental office. The property is zoned C-2 and the proposed use will be consistent with this zoning district's permitted use.

Staff recommends approval of the site plan.

**Applicant Statement**

Greg Schafer, 4023 Dixie Anna Court, Rochester Hills, MI, restated that they wanted to upgrade their properties with a rental office.

**Those Who Spoke in Favor**

Bob Whalen, 304 Rust Avenue, Big Rapids, and Greenwich Parkway NW, Washington, DC, who is part owner of Walnut Knoll, wanted to thank the applicant for their investment in the community and he added that it will be a wonderful addition.

**Those Who Spoke in Opposition**

None heard.

**Written or Telephonic Correspondence Received by Staff**

Priebe received a call from Betty Goldammer 220 Morrison, Big Rapids, MI, who lives across the street from the proposed rental office. She wanted more information about the project and said she was in favor and that the addition of a sidewalk would add safety for those walking in the area.

Staff recommends approval of the site plan.

**Vice Chair Jane closed the Public Hearing at 6:45 and the Commission entered into Fact Finding.**

Vogel inquired about the following:

The width of the sidewalk – are they willing to widen to the 6-foot standard – Yes.

The property could use one tree in the right of way to the east of the drive - Okay.

Will the landscaping be irrigated? – Yes.

What type of sign will be provided? – Stand alone sign with lighting which will meet the Sign Ordinance regulations.

As there are residences nearby, will the general lighting of the property be “dark sky”? – Yes.

**Motion**

**Motion was made by Tim Vogel, seconded by Paul Jackson to approve the site plan, dated November 27, 2018, for construction of a 1,399 sq. ft. rental office at 217 Morrison with the following conditions:**

- **The 5-foot sidewalk shall be widened to 6-foot per City standards.**
- **The Storm Water Plan shall be constructed as approved by Public Works.**

**Motion passed unanimously with Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick, and Tim Vogel in favor.**

**GENERAL BUSINESS**

**Capital Improvements Programming Policy**

It was found that the 2013 Capital Improvement Programming Policy was out of date and needed to be updated. Priebe reviewed the proposed *CIP Process Schedule and Groups* document and also highlighted the changes to be made to the *Capital Improvement Programming Policy*.

The 2018 updated *Capital Improvement Programming Policy* would read as follows:

**I. Intent**

It is the intention of the City of Big Rapids, through the process of capital improvement programming, to promote both long term financial stability of the community and long-term integrity of municipal facilities, structures, and equipment.

## **II. Development**

### **A. Definition**

As used in the City of Big Rapids Capital Improvements Program (CIP), a capital improvement project is defined as a project that results in the acquisition, addition, updating, or development of physical facilities.

A capital improvement project may also include contractual or bonded indebtedness payments related to fix assets, or any major expenditure for physical development, which generally falls into one of the following categories:

1. Land and non-structural improvements
2. New structures
3. Major repairs - \$7,500 or more
4. Major replacements - \$7,500 or more
5. Non-motorized equipment - \$7,500 or more

Additionally, capital improvements are generally defined as the following:

- a) New and expanded physical facilities for the community which are relatively large-in-size, expensive, and permanent.
- b) Large scale rehabilitation or replacement of existing facilities.
- c) Major pieces of equipment which has a direct relationship to the function of a physical facility, and which are relatively expensive and of long life.
- d) Purchase of equipment for any public improvements when first erected or acquired that are to be financed in whole or in part from bond funds.
- e) The cost of engineering and architectural studies and surveys related to an anticipated improvement.

### **B. Development Schedule**

1. The Department of Neighborhood Services shall prepare a recommended schedule for creation and adoption of a six-year CIP annually.
2. In so far as practicable, development of a six-year CIP shall occur prior to the annual municipal budgetary process.

### **C. Creation and Utilization Directives**

1. The City will develop a multi-year plan for ongoing capital improvements, update it annually, and make capital improvement investments in accordance with the plan so far as practicable.
2. Capital improvement projects which violate the principles and concepts of an adopted City plan or which duplicate other public and/or private services will not be constructed.
3. Capital improvement financing shall support facility and equipment repair, maintenance, improvement, and/or replacement and will also fund implementation of approved plans that foster economic and neighborhood development, maintenance, and redevelopment.

### **D. Project Analysis and Prioritization**

Upon receiving requests from various departments for capital improvement funding, the Big Rapids Planning Commission shall oversee a process of project prioritization utilizing the following review criteria:

1. Project will improve quality of life and/or quality of service of residents and users.
2. If deferred, absence of project would negatively impact residents and users.
3. Project will result in creation of permanent jobs and/or generate additional net revenue to the City.
4. Project is part of an approved replacement schedule.
5. Projects which reduce the cost of operations.
6. Project is part of a multi-year funding commitment.
7. Projects which will increase property values in a neighborhood, residential, or commercial district.
8. Project is part of, or complements, other ongoing projects.
9. Projects which recover City's cost in five years or less.
10. Projects impacting the greatest number of people.
11. Projects creating the least disruption and inconvenience to users and/or citizens.
12. Projects which are an element of an approved City plan.

## **E. Project Classification**

Having prioritized requested projects, the Planning Commission shall place each project in one of the following categories:

### **Priority 1: Essential**

Project cannot be postponed, as it is essential; partially completed; meets an emergency situation, or remedies a condition dangerous to public health, welfare, or safety; or the City is committed by contractual arrangement. Only essential projects should be so classified.

### **Priority 2: Desirable**

Project should be carried out within a few years to meet anticipated needs of a current program or for the replacement of unsatisfactory facilities. These include projects that are needed to maintain the department program at current level of performance, projects that would benefit the community, and projects whose validity of planning and validity of timing have been established.

### **Priority 3: Acceptable**

Project is needed for the proper expansion of a program or facility with the exact timing, waiting, until funds are available. These are projects that are adequately planned, but not absolutely required, and should be deferred to a subsequent year if budget reductions are necessary.

### **Priority 4: Deferrable**

Project is needed for an ideal operation but cannot yet be recommended for action. Can safely be deferred beyond the third year of the six-year projection.

### **Priority 5: Needs Further Study**

Project is desirable but not essential, can be safely postponed without detriment to preset services, rated lowest of those submitted, and/or needs further study before being recommended for funding.

## **II. Capital Improvements Program Approval**

While the Planning Commission will play an important role in developing a CIP, recommendations from the Planning Commission to the City Commission are advisory in nature. It is the sole responsibility of the City Commission to approve and adopt the CIP.



## **Motion**

**Motion was made by Paul Jackson, seconded by Tim Vogel to recommend approval to the City Commission of the 2018 Capital Improvements Programming Policy updates as presented.**

**Motion passed unanimously with Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick and Tim Vogel in favor.**

## **Text Amendment to the Zoning Ordinance to permit Child Care Centers in the Residential/Professional (R/P) Zone**

Priebe reviewed the staff report where she outlined the following:

- State of Michigan definitions for child care organizations,
- Current allowances for day care centers within the Big Rapid Zoning Ordinance,
- Examples of other Principal Uses with Conditions,
- Examples of Other Conditional Uses with their conditions,
- Examples of Child Care Center Zoning from Other Communities, and
- Draft language for Child Care Centers in the R/P Zone.

In reference to the draft language for Child Care Centers in the R/P Zone, Cerdena asked about compatibility with the neighborhood and the environment and how those judgements would be made. He looked at the Master Plan's Focus Area #4 which included preservation of historic character as being important.

Priebe said that #'s 2 through 5 of the draft language came from another section of the Zoning Ordinance: R/3 Regulations of Buildings. Applicants would come to the Neighborhood Services Department for project evaluation. The conditions are subjective but provide guidance without being overly restrictive.

Vogel asked about regulations for signage. It will be addressed through the normal Sign Permit process.

To make sure audience members understood the proposed Text Amendment, Jane again stated that what is being considered is whether or not to allow child care centers in the R/P zone as a principle use with Conditions. The Commission will not focus on individual properties within the R/P zone at this time.

Priebe explained that the Zoning Ordinance definitions for child care facilities need to be updated per State regulations. They are attached and will also need a motion for approval to the City Commission. All reference to child care facilities in the Zoning Ordinance should also be changed to reflect the update.

**Motion**

Motion was made by Rory Ruddick, seconded by Paul Jackson, to recommend to the City Commission, a text amendment to the Big Rapids Zoning Ordinance under the Residential Professional (R/P) / Zone, 3.3:2 Principle Uses that would add Licensed Child Care Centers as a Principal use subject to the conditions of Section 11.1:28. The Ordinance would read as follows:

**3.3:2 Principal Uses and Structures:**

**Licensed Child Care Centers, subject to the conditions of Section 11.1:28**

**11.1:28 Child Care Centers shall be permitted within the R-P Residential-Professional District with conditions. To ensure general compatibility with character and design in surrounding residential neighborhoods, such uses shall be subject to the following conditions:**

- (1) Drop-off Facilities – The proposed design shall include designated safe drop-off facilities.**
- (2) Pedestrian Circulation – The proposed design shall be designed and scaled to ensure safe and efficient pedestrian circulation over the entire site and shall provide appropriate connections to the neighborhood pedestrian circulation system.**
- (3) Exterior Finish Materials – The color and texture of the material shall be compatible with residential structures in the surrounding area.**
- (4) Massing – The proposed design shall show consideration of the context in which the building is to be placed with respect to the nearby visual environment. The proposed design shall show consideration of surrounding buildings with regards to the proportion, height, scale, and placement of structures on the site.**
- (5) Relation to the Street – Walls facing a public street shall include windows and architectural features customarily found on the front façade of a building in the area, such as awnings, corning work, edge detailing or decorative finish materials. Doorways shall be directly accessible from public sidewalks.**
- (6) Parking – Parking areas shall be located at the back or side of the proposed building. Off-street parking requirements for child care centers shall be: 1 for each staff member.**

Also, the motion is to include the following recommendation to the City Commission of a Text Change to Chapter 2 of the Big Rapids Zoning Ordinance: Definitions. Chapter 2.2:23 Day Care Definitions would read as follows:

## **2.2:23 Child Care Definitions:**

**Child Care Center** “Child care center” means a facility, other than a private residence, receiving 1 or more children under 13 years of age for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. Child care center includes a facility that provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center.

**Family Child Care Home** “Family child care home” means a private home in which 1 but fewer than 7 minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage, or adoption. Family child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

**Group Child Care Home** “Group child care home” means a private home in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage, or adoption. Group child care home includes a home in which care is given to an unrelated minor child for more than 4 weeks during a calendar year.

**Furthermore, all references throughout the Zoning Ordinance concerning Day Care Center, Family Day Care Center, and Group Day Care Center shall read: Child Care Center, Family Child Care Home, and Group Child Care Home, respectively.**

Commission discussion outside of the Motion concerning the R/P text change:  
Jackson said we need to be consistent in the Zoning Ordinance. We are not looking at specific properties tonight. Gifford added that any proposed project would need to be addressed in the conditions set forth. He added that the Planning Commission has the letters that were received, and the City Commission will have them.

**Motion passed unanimously with Renato Cerdena, Paul Jackson, Chris Jane, Rory Ruddick and Tim Vogel in favor.**

Jackson wondered if there was an objective way to handle aesthetics. He suggested the use of using a Form Based Code. Gifford said that the idea of going to a Form Based Code is on the

agenda and will be a priority. It will eventually include design guidelines for new construction in the City. He mentioned the City has been sidetracked by the Hanchett and Depot properties.

An example that Ruddick used was the house on Third Avenue that burned. It was demolished and replaced. It fits into the neighborhood well. Jackson added that Grand Rapids codes are demanding. Detailed plans are required.

**Motion was made by Paul Jackson, seconded by Tim Vogel to close the Planning Commission Meeting.**

**There being no further business, Vice Chair Jane closed the Planning Commission meeting at 7:11 p.m. All were in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary