

Planning Commission

Regular Meeting

Big Rapids City Hall
226 N Michigan Avenue

January 15, 2020
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. November 20, 2019
5. Public Comment
6. Public Hearing
 - a. Easement for Consumers Energy at 1315 Hanchett Drive.
 - b. Easement for Consumers Energy in Mitchell Court (Alley between Maple St and E Pine St, west of N Michigan Ave).
 - c. Map Amendment to rezone 906 N State St from Industrial to R-3 Residential.
 - d. Zoning Ordinance Amendment to add Bicycle Parking Regulations to Article 5.
7. General Business
 - a. Recommendation to City Commission regarding possible sale of 906 N. State St (Boman offer, revised).
8. Unscheduled Business
9. Adjourn

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
November 20, 2019**

Chairperson Jane called the November 20, 2019, meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Renato Cerdena, Josh Foor, Chris Jane, Rory Ruddick, Tim Vogel, and Bill Yontz

EXCUSED

ABSENT Paul Jackson

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

There were 4 people in the audience.

APPROVAL OF MINUTES

Motion was made by Tim Vogel, seconded by Bill Yontz, to approve the minutes of the October 16, 2019, 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

Zoning Ordinance Text Amendment Application to Clarify that the Setback Requirement for Marihuana Establishments is 500 feet from K-12 Schools, Public or Private, Measured in a Straight Line from Property Line to Property Line.

Staff Report

Priebe reviewed her staff report saying that the City Commission accepted the Planning Commission's recommendation on medical and adult-use marihuana businesses in the City and adopted a series of Ordinances which establish the regulations and zoning provisions for

marihuana business. After a number of conversations with those wishing to establish a marihuana business in the City, staff realized a need for clarification on the set back requirements. Questions arose as to where the 500 feet from a K-12 school, public or private was to be measured from, the building or the property line.

In previous Planning Commission and City Commission discussions, it was clear that the 500 feet should be measured from property line to property line, but this was not specified in the ordinance. The proposed amended language for Ordinance No. 752-10-19 would read as follows:

(d) No such facility shall be situated within 500 feet of a K-12 school, public or private, **measured in a straight line from property line to property line.**

Standards for Zoning Amendment Review found in Section 14.2:4 are as follows:

The planning Commission and City Commission shall consider the request for an amendment to the Zoning Ordinance in accordance with the following standards:

- 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 determination that the plan is not applicable due to a mistake in the plan, changes in relevant conditions, or changes in relevant plan policies.

The Planning Commission is asked to make a recommendation to the City Commission.

Chairperson Jane opened the Public Hearing at 6:34 PM.

Those Who Spoke in Favor of the Request: None heard.

Those Who Spoke in Opposition of the Request: None heard.

Written or Telephonic Communication Received by Staff: None.

Chairperson Jane closed the Public Hearing at 6:35 PM and the Commission entered into Fact Finding.

Vogel stated that the Planning Commission has talked about this before and they agreed that the 500-foot set back should be measured from property line to property line.

Motion

Motion was made by Bill Yontz, seconded by Rory Ruddick, to recommend that Section 11.1:29 (1) (d) of the Zoning Ordinance be amended to read as follows:

“No such facility shall be situated within 500 feet of a K-12 school, public or private, measured in a straight line from property line to property line.”

Because it meets the Standards set forth in Section 14.2:4 for Zoning Amendment Review.

Motion passed unanimously with Renato Cerdena, Josh Foor, Chris Jane, Rory Ruddick, Tim Vogel, and Bill Yontz in favor.

GENERAL BUSINESS

Rezoning of 906 N State Street

The former Hanchett Property at 906 N. State St. is zoned Industrial and has been for sale for a while. The City questions whether they should leave it as Industrial or change the zoning to fit the use that has been identified as preferable by the community, and to align with the SmithGroups concepts of a mixed use of commercial and residential. Currently, there is interest in the site for a marihuana grow facility which can only be located in an Industrial district. An offer to purchase has been received by the City for this proposed use.

Gifford added that there is no written protocol as to how to handle this request and he asked the Planning Commission to weigh in on the zoning issue. The offer to purchase the property for \$235,000 by Jerry Bowman was forwarded to the City today.

Randy Ostrander, the City’s realtor for the property, added that the offer is contingent on the buyers ability to sell his property in Columbus Township and be able to take advantage of a tax deferred “1051”, have sketch plans approved, have taxes re-evaluated to the purchase price, and to be able to remove the fence on the north end of the property so the river can be viewed. Bowman added that he would need 45 days for the sale of his property.

The property was purchased by the City for \$550,000 and the Hanchett building was demolished and remediation of hazardous materials was performed. The City listed the property for sale at \$350,000.

Ruddick commented that there has been a lot of discussion on this property and the discussion should be based on what the City and the community would like to see at this site.

Bowman added that if his offer to purchase the property is accepted, he would like to split the property for Industrial and Commercial use. He would like to split off the north notch of the

property that is within 500 feet of St. Mary's school, so the grow facility could be located to the north. He added that he came up with the offer price based on the only other comparable property in Big Rapids. Priebe noted that the location of the grow facility to the north of the property would require trucks to traverse through the property.

Priebe added that the property would need to be zoned R-3 to be a PUD. She would eventually like to reevaluate the PUD regulations to allow them in other districts. She added that historically, student rental use of this property has not been favorable.

Gifford stated that at some point, the Planning Commission will need to make a recommendation to the City Commission as to what to do with this offer. Vogel stated that he would like to continue in the direction that was identified (mixed use) as ideal and not approve the offer. Yontz, Ruddick, and Jane agreed. Priebe stated that City staff should not dictate but rather follow the process of the Planning Commission making a recommendation to the City Commission for their decision. Staff will work on rezoning to support the community vision.

Motion

Motion was made by Bill Yontz, seconded by Rory Ruddick, to recommend the City Commission not move forward with approving the offer made by Jerry Bowman.

Motion passed unanimously with Renato Cerdena, Josh Foor, Chris Jane, Rory Ruddick, Tim Vogel, and Bill Yontz in favor.

Flexible Parking

One of the remaining items to satisfy the RRC requirements is the addition of flexible parking standards to the Zoning Ordinance. The Planning Commission will need to go through the regulations and come up with a plan. Priebe stated that we require too many parking spaces for development. The Downtown has shared parking lots but perhaps shared parking agreements could also be used elsewhere. She cited providing bicycle parking as a means to reduce the number of spaces required for vehicular parking. The Commission discussed the following flexible parking ideas:

- Is there a need for more bicycle parking in the City?
- It could encourage more bicycle riding if more parking was provided.
- Increased bicycle parking could be useful in the summer months but not throughout winter months.
- Parking for the residences that are rentals remains to be the challenge.
- Perhaps rental properties could benefit by the use of shared parking agreements.
- Public parking is adequate.
- Increased bicycle parking could decrease vehicular traffic.
- Add minimal bicycle parking in the Ordinance.
- Work on downtown issues with the SmithGroup.

- Its great to be able to park on the main street in the downtown.
- Lower parking standards to be ready for development.
- Odd/even parking in the winter instead of banning all overnight parking.
- Odd/even more difficult for public works to clear snow.

Form Based Code

Form based code is also a part of the RRC process. SmithGroup, the City's consultant, has been working on adding this concept to the C-2 and R-R Districts since the public open house in September. They recently met with the Steering Committee for their proposed changes and will continue working on a final report for the City.

Unscheduled Business

City staff has started working on the CIP and 2 Planning Commission members are needed to for the January 21, 2020 meeting. Chris Jane and Tim Vogel volunteered.

Priebe reported that the marihuana ordinances are in place, but a petition was presented and marihuana businesses in the City will go to a vote again. The Ordinances will be in effect until overturned by a vote of the people.

There being no further business, Chairperson Jane closed the meeting at 7:30 PM with all in favor.

Respectfully submitted,

Cynthia J. Plautz
Planning Commission Secretary

STAFF REPORT TO THE CITY COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Easement for Consumers Energy at 1315 Hanchett Drive
DATE: January 15, 2020

Introduction

Consumers Energy and Big Rapids Products are requesting an easement for the utility line that runs from the corner of N Bronson Ave and Hanchett Dr, along Hanchett Dr, to the Big Rapids Products facilities. See attached map for location information and details. The requested 12' wide easement goes over City-owned property at the Dial-a-Ride Facility, and thus requires review by the Planning Commission and a decision by the City Commission.

Legal Framework

Easements for City-owned land must be reviewed by the Planning Commission and voted on by the City Commission.

The City Code of Ordinances states, in Section 94.26 (attached), that permits, not easements, are the general manner in which the City of Big Rapids allows utilities to use public land.

Easement: a property right that gives its holder an interest in land that is owned by someone else.

Permit: an official document giving someone authorization to do something.

If the City grants an easement, the holder has “ownership” of that land for the intended use in perpetuity and the City cannot revoke that right. If the City grants a permit, the holder has the right to use the land as stipulated, but the City can ask the holder to move the use if needed.

Decision Making

Staff have two main concerns when it comes to granting an easement for Consumers Energy at 1315 Hanchett Dr. First, that the recommendation to grant an easement in this case goes against the City Code of Ordinances and could set a precedent for future easements over public land. Second, that the request is for use of land outside of the Right-of-Way (ROW), when the ROW is the intended place for public utilities.

Unlike much of the other business of the Planning Commission, cases like this have no delineated standards for review. It is up to the Commission to investigate the case and then make a recommendation as they believe best on behalf of the community.

Action

Staff encourages the Planning Commission to recommend that the City Commission deny the request for an easement for Consumers Energy at 1315 Hanchett Drive.

(G) *Display.* Permits shall only be valid if displayed in a manner visible to the public.

(H) *Fees.* Prior to considering a request for a sidewalk occupancy permit, an application fee in an amount to be established by resolution of the City Commission shall be paid by the applicant.

(I) *Revocation.* All permits issued under this section are subject to immediate revocation by the City Manager or his or her designee for failure to comply with any or all provisions of this section. (Ord. 362-7-94, passed 7-5-94; Am. Ord. 382-3-95, passed 4-17-95; Am. Ord. 418-3-97, passed 3-17-97; Am. Ord. 594-04-08, passed 4-21-08; Am. Ord. 716-02-18, passed 2-19-18) Penalty, see § 94.99

§ 94.26 FACILITIES INSTALLATION; PERMIT REQUIRED.

(A) No person, public utility, business, or association, public or private, shall have the right to use the City streets, alleys, highways, public places, or rights-of-way for wires, poles, pipes, tracks, conduits, antennae or other utility facilities without the consent of the City, or to transact business therein without first obtaining a franchise from the City.

(B) Every public utility franchise shall be subject to the right of the City to use, control, and regulate the use of its streets, alleys, bridges, and public places and the space above and beneath them. Every public utility shall pay such part of the cost of improving or maintaining streets, alleys, bridges and public places as shall arise from its use thereof, and shall protect and hold the City harmless from all damages arising from said use. The City may require every franchise to permit joint use of its property and appurtenances located in the streets, alleys and public places by the City and by other utilities insofar as such joint use may be reasonably practicable. The City Commission shall arbitrate the terms and conditions of joint use and the compensation to be paid. The City Commission's decision shall be final.

(C) No person, public utility, business or association, public or private, shall use, install or construct any wire, pole, pipe, track, conduit, antenna, or other utility facility in the City streets, alleys, highways, public places or rights-of-way without first obtaining a permit from the City that describes the use, work, and facility and requires an "as built" blueprint or diagram to be filed with the City.

(D) No easement shall be granted by the City for the placement or installation of any wire, pole, pipe, track, conduit, antenna or other facility in the City streets, alleys, highways, public places or rights-of-way, but the City may grant a revocable license or permit for such purposes. (Ord. 709-07-17, passed 7-17-17)

§ 94.99 PENALTY.

Any person who violates any ordinance within Title IX, Chapter 94, shall be responsible for a municipal civil infraction and shall be penalized as provided in § 10.97. (Ord. 427-10-97, passed 10-6-97)

EASEMENT FOR ELECTRIC FACILITIES

Master Tract# ROW000916059562
SAP# 1049723141
Design# 11077524
Agreement# MI00000047357

CITY OF BIG RAPIDS, a Michigan municipal corporation, whose address is 226 North Michigan Avenue, Big Rapids, Michigan 49307 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)*] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Big Rapids, County of Mecosta, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing electricity.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, or other vegetation located outside of the Easement Area which are of such a height or are of such a species whose mature height that in falling directly to the ground could come into contact with or land directly above Consumers' facilities.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This Easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner: CITY OF BIG RAPIDS, a Michigan municipal corporation

By: Heather Bowman
Its: Director of Public Works

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,
on _____ by Heather Bowman, Director of Public Works for the City of Big Rapids, a Michigan
Date
municipal corporation, on behalf of the corporation.

Notary Public

County, Michigan
Acting in _____ County
My Commission expires: _____

**PROPERTY OWNERS MAIL
SIGNED EASEMENT TO:**

David Renwick #100-B
Consumers Energy Company
400 N. Bronson Avenue
Big Rapids, MI 49307

Prepared By:
Madison Lefke 11/14/2019
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

REGISTER OF DEEDS OFFICE USE ONLY

Return recorded instrument to:
Carrie J. Main, EP7-287
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Land situated in the City of Big Rapids, County of Mecosta, State of Michigan:

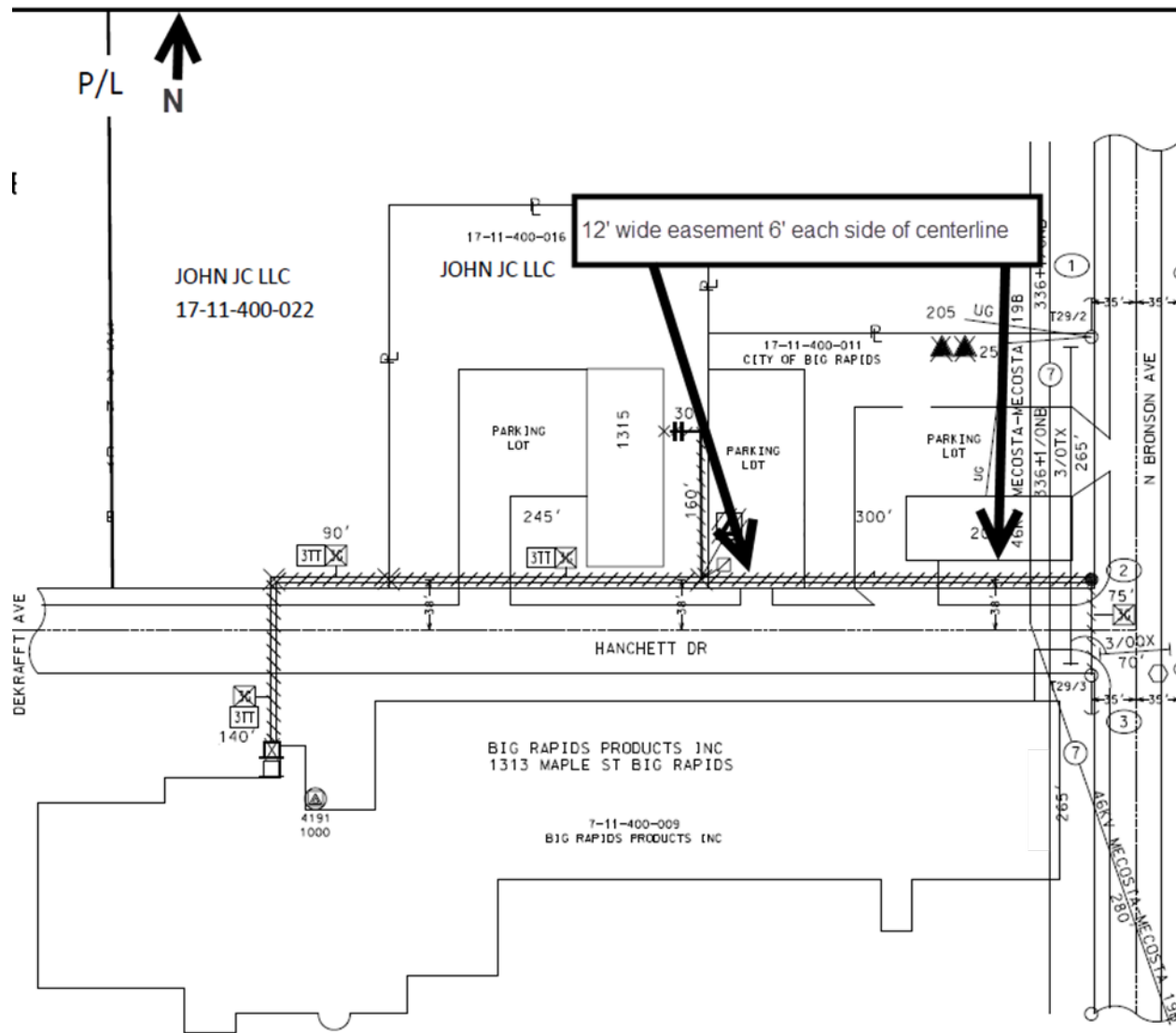
A parcel of land in the Northeast 1/4 of the Southeast 1/4 of Section 11, Town 15 North, Range 10 West, described as: Commencing 366.00 feet North and 33.00 feet West of intersection of North line of Maple Street and the East section line of Section 11I thence West 300.00 feet; thence North 200.00 feet; thence East 300.00 feet; thence South 200.00 feet to the Point of Beginning.

Parcel ID: 17-11-400-011

Also known as: 201 North Bronson Avenue, Big Rapids, Michigan 49307

Easement Area

A 12.00 foot-wide strip of land, being 6.00 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.



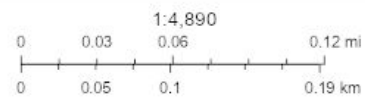


ERC Mapping Report

Area of Interest (AOI) Information

Area : 36.42 acres

Oct 28 2019 15:54:20 Eastern Daylight Time



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Summary

Name	Count	Area(acres)	Length(mi)
Critical Dunes	0	0	N/A
Wetlands	0	0	N/A
Regulated Surface Water	0	N/A	0
Contaminated Site- BEA	0	N/A	N/A
Contaminated Site-Leaking Tank			
Protected species or habitat	0	0	N/A
Contaminated Site- 201			
Contaminated Site-Land Use restriction	0	0	N/A
Contaminated Site-Land Use restriction	0	N/A	N/A
FEMA Floodplain Map	1	36.42	N/A

FEMA Floodplain Map

#	STUDY_ID	Area(acres)
1	26107C	36.42

4" DIRECT BORE ENTIRE ROUTE

- 5 INSTALL
PMH-5 LCP 324
100 AMP FUSE
SM-20
FIGURE 65-258-1
LCP 323
TERMINATE NEW PRIMARY

NOTE:
SET PMH-5 ON EXISTING PAD
SAW CUT MAY BE NEEDED

REMOVE
LF SWITCH ENCLOSURE

1315 HANCHETT DR
20 TON RTU
LRA 245=INRUSH 88KVA
EXISTING
VOLT DROP=5.90
FLICKER=7.10
NEW
EXISTING
VOLT DROP=3.73
FLICKER=3.19

- 4 INSTALL
150 KVA DF
FT
FIGURE 66-302-2
EST DEM
92 KVA

REMOVE
75 KVA DF
FT

TRANSFER
PARKING LOT
LIGHTS SVC

SOURCE
MILTON SUB
MAPLE ST CKT

SOURCE
MILTON SUB
MILLPOND CKT

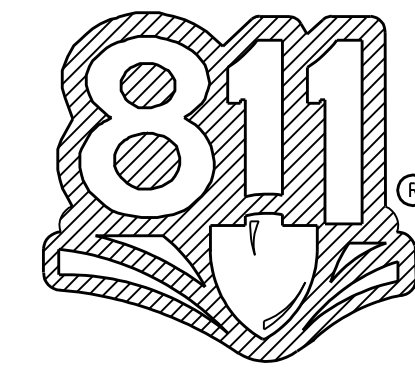
- 1 INSTALL
D11M (MHT=37'0")
FIGURE 43-203-1 FIG A
FIGURE 23-205-1 FIG B
S8S DVICE (32'0")
50 & 25KVA LA/CO (MHT=30'0")
FIGURE 26-201-1
4/OCU HD
TRANSFORMER LEADS
FIGURE 26-411-2
NEUTRAL (MHT=24'0")
D=13'

REMOVE
S8S
50 & 25KVA LA/CO
(CHAR BLACK)

- 2 INSTALL
35-5 D11M SKIP SPAN
FIGURE 23-140-1 FIG B
RISER
FIGURE 63-31-1
FUSE 200AMP
LCP 6173
D=11'

- 3 REMOVE
RISER
FUSE 125AMP
LCP 6173

MISS DIG System, Inc.
1-800-482-7171



MECOSTA CO
BIG RAPIDS TWP
T15 R10 SEC.11

UNDERGROUND LEGEND

- Single-phase primary
- Open wye primary
- Three-phase primary
- Single-phase secondary
- Combination light and power secondary
- Three-phase power secondary
- Single-phase service
- Combination lighting and power service
- Three-phase power service
- Streetlighting conductor (2/C-#10 CU)
- Streetlighting conductor (2/C-#8 AL)
- Covered neutral conductor for ducts
- Streetlighting conductor (3/C-#1/0 AL)

CONDUIT

P2 2"Plastic P3 3"Plastic P4 4"Plastic P6 6"Plastic

S2 2"Steel S3 3"Steel S4 4"Steel S5 5"Steel S6 6"Steel

CABLE MATERIAL AND SIZE

- A. No 2 AL cable,175 mils,15KV, or secondary.
B. No 1/0 AL cable,175 mils,15KV, or secondary.
C. No 3/0 AL cable,175 mils,15KV, or secondary.
D. 350 kcmil AL cable,175 mils,15KV, or secondary.
E. 500 kcmil copper cable,175 mils, 15KV, or secondary.
F. 750 kcmil AL cable,175 mils, 15KV, or secondary.
FF. 1000 kcmil AL cable (175 mils tree-retardant INS, Jacketed)
G. No 1/0 stranded AL cable, 280 mils, 28KV.
H. No 3/0 stranded AL cable, 280 mils, 28KV.
I. 750 kcmil AL cable, 280 mils, 28KV.
J. Cable joint.
K. 350 kcmil AL cable, 260 mils, 25KV.
M. Marker to locate cable
N. Refer to Note on Drawing, N1 for Note 1, etc.
R. No 1/0 AL, solid, 280 mils, 28KV.
T. No 1/0 AL stranded, 280 mils, 28KV, jacketed
TT. No 1/0 AL stranded cable, 260 mils tree-retardant INS,25KV,Jacketed.
V. 350 kcmil AL stranded, 260 mils, 25KV, jacketed.
VT. 350 kcmil AL cable, 260 mils tree-retardant INS, 25KV, Jacketed.
W. 750 kcmil AL stranded, 280 mils, 28KV, jacketed.
WT. 750 kcmil AL cable, 260 mils tree-retardant INS, 25KV, Jacketed.

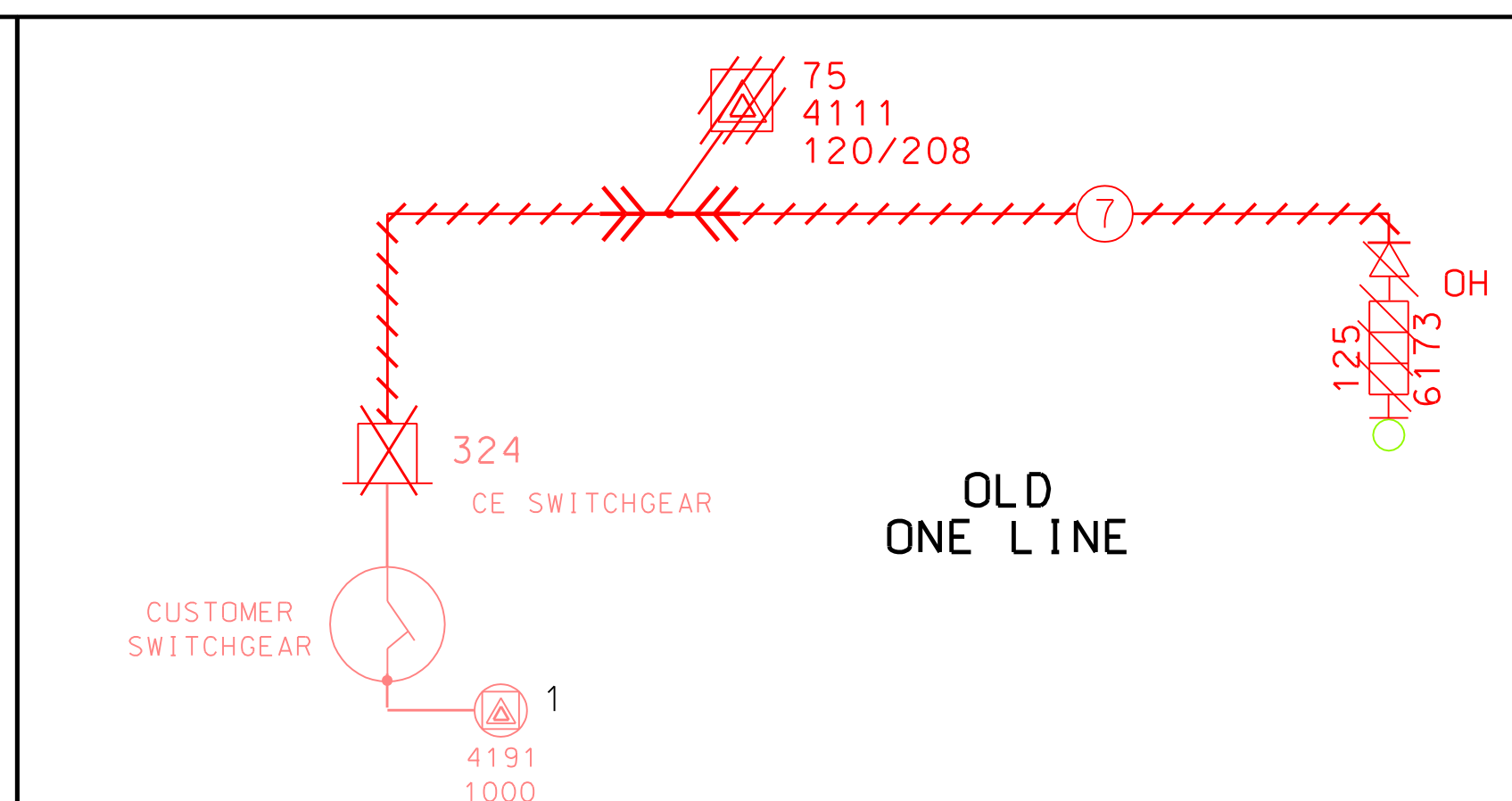
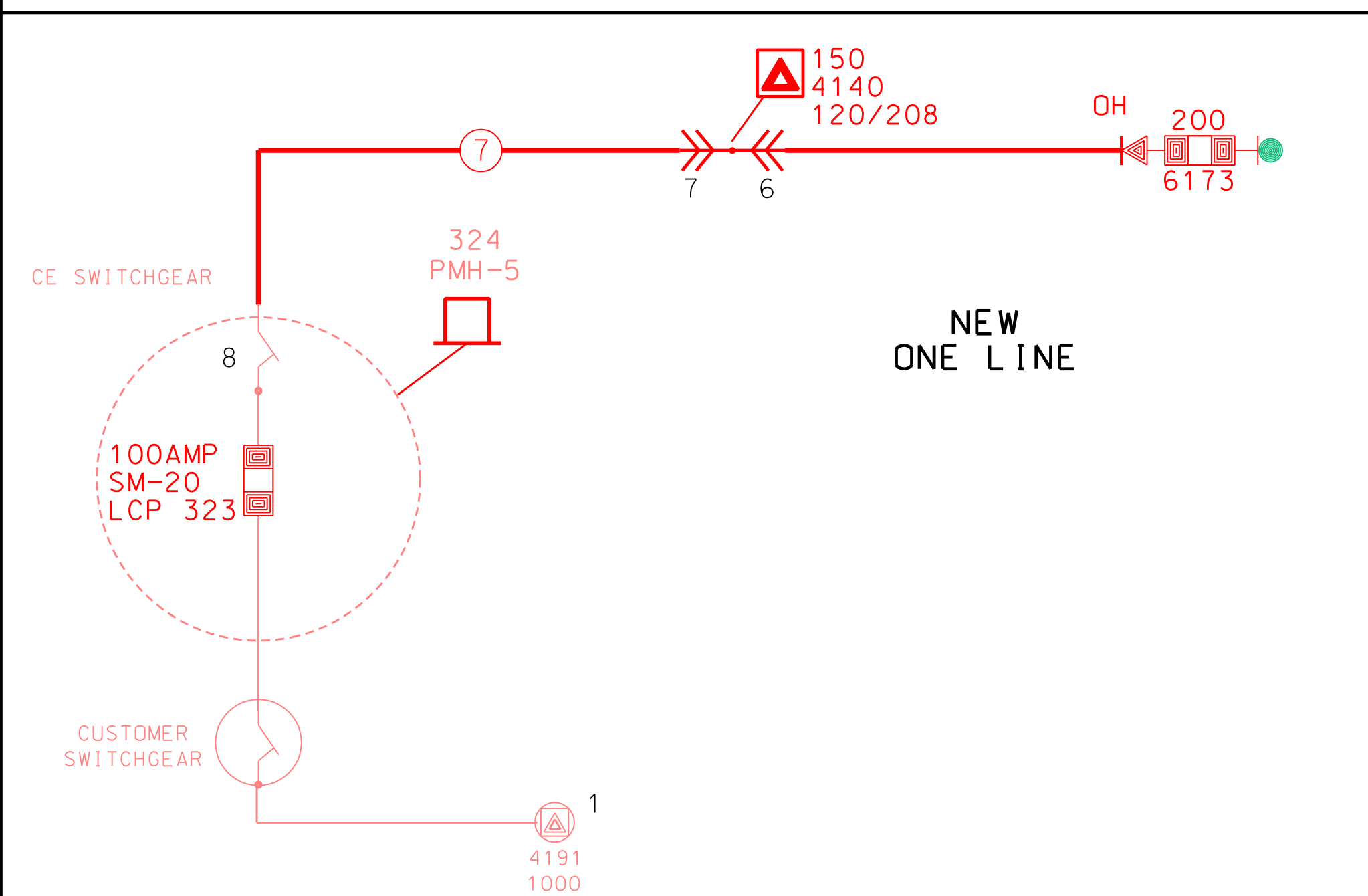
- PROF. ELEC. CONDUCTORS ONLY
PROF. ELEC. AND GAS LINES ONLY
PROF. GAS LINE ONLY
PROF. ELEC., GAS AND TELECOMMUNICATIONS
EXIST. ELEC. CONDUCTORS ONLY
EXIST. GAS LINE ONLY
FUTURE ELECTRIC TRENCH

EX: 3R = No. 1/0 solid AL cable for three-phase primary

3G4D = No. 1/0 AL cable for 3-phase primary
and 350 AL cable for 1-phase secondary

CONDUCTOR CHANGE

CONTACT SYSTEM CONTROL WHEN WORKING NEAR/UNDER 46KV LINE MECOSTA-MECOSTA LINE:19B



CONSUMERS ENERGY CONTACTS			
DEPARTMENT	NAME	NUMBER	AL TERNATE
DESIGNER	DARREL O'BOYLE	616-754-2006	616-490-8103
COORDINATOR	MICHAEL NEWBERRY	231-592-8802	231-250-6477

TLM NO.	NO. OF RODS INST.	OHMS TESTED
1510114140		
1510114108		
1510114191		

-CONSTRUCTION CERTIFICATION-
Work was constructed as Engineered or Changed as Indicated.
All Salvageable Material Was Returned to Stores.

Signed _____ in Direct Charge of Work

Dates: Started _____ Completed _____

MISS DIG NUMBER: _____ DATE: _____

STAKED	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
TREES	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
TLM NUMBER	# OF RODS	OHMS

Consumers Energy
A CMS Energy Company ELECTRIC

DESIGNED BY: DCOBOYLE
DATE: 10/21/19

APPROVED BY: _____
DATE: _____

SHEET 1 OF 1
SCALE: NONE

1315 HANCHETT DR BIG RAPIDS ECNC CLU	CM NO. 100005492189
For: BIG RAPIDS PRODUCTS INC	
1315 HANCHETT DR	
SUBSTATION MILTON	WO NO. 0073
CIRCUIT MAPLE ST	CRK NO. LCP NO. 02

STAFF REPORT TO THE CITY COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Easement for Consumers Energy in Mitchell Court
DATE: January 15, 2020

Introduction

Consumers Energy is requesting an easement to install underground utility lines adjacent to Mitchell Court, the alley from Maple St to Pine St, west of N Michigan Ave. See the attached map for location information and details. The requested 12' wide easement will allow for lines to be run 3' to 4' underground, to the west of Mitchell Ct, in City-owned parcels that are part of Mitchell Park and a municipal parking lot.

Legal Framework

Easements for City-owned land must be reviewed by the Planning Commission and voted on by the City Commission.

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Decision Making

Staff have two main concerns when it comes to granting an easement for Consumers Energy along Mitchell Court. First, that the recommendation to grant an easement in this case goes against the City Code of Ordinances and could set a precedent for future easements over public land. Second, that the request is for use of land outside of the Right-of-Way (ROW), when the ROW is the intended place for public utilities.

Unlike much of the other business of the Planning Commission, cases like this have no delineated standards for review. It is up to the Commission to investigate the case and then make a recommendation as they believe best on behalf of the community.

Action

Staff encourages the Planning Commission to recommend that the City Commission deny the easement for Consumers Energy in the requested parcels along Mitchell Court.

(G) *Display.* Permits shall only be valid if displayed in a manner visible to the public.

(H) *Fees.* Prior to considering a request for a sidewalk occupancy permit, an application fee in an amount to be established by resolution of the City Commission shall be paid by the applicant.

(I) *Revocation.* All permits issued under this section are subject to immediate revocation by the City Manager or his or her designee for failure to comply with any or all provisions of this section. (Ord. 362-7-94, passed 7-5-94; Am. Ord. 382-3-95, passed 4-17-95; Am. Ord. 418-3-97, passed 3-17-97; Am. Ord. 594-04-08, passed 4-21-08; Am. Ord. 716-02-18, passed 2-19-18) Penalty, see § 94.99

§ 94.26 FACILITIES INSTALLATION; PERMIT REQUIRED.

(A) No person, public utility, business, or association, public or private, shall have the right to use the City streets, alleys, highways, public places, or rights-of-way for wires, poles, pipes, tracks, conduits, antennae or other utility facilities without the consent of the City, or to transact business therein without first obtaining a franchise from the City.

(B) Every public utility franchise shall be subject to the right of the City to use, control, and regulate the use of its streets, alleys, bridges, and public places and the space above and beneath them. Every public utility shall pay such part of the cost of improving or maintaining streets, alleys, bridges and public places as shall arise from its use thereof, and shall protect and hold the City harmless from all damages arising from said use. The City may require every franchise to permit joint use of its property and appurtenances located in the streets, alleys and public places by the City and by other utilities insofar as such joint use may be reasonably practicable. The City Commission shall arbitrate the terms and conditions of joint use and the compensation to be paid. The City Commission's decision shall be final.

(C) No person, public utility, business or association, public or private, shall use, install or construct any wire, pole, pipe, track, conduit, antenna, or other utility facility in the City streets, alleys, highways, public places or rights-of-way without first obtaining a permit from the City that describes the use, work, and facility and requires an "as built" blueprint or diagram to be filed with the City.

(D) No easement shall be granted by the City for the placement or installation of any wire, pole, pipe, track, conduit, antenna or other facility in the City streets, alleys, highways, public places or rights-of-way, but the City may grant a revocable license or permit for such purposes. (Ord. 709-07-17, passed 7-17-17)

§ 94.99 PENALTY.

Any person who violates any ordinance within Title IX, Chapter 94, shall be responsible for a municipal civil infraction and shall be penalized as provided in § 10.97. (Ord. 427-10-97, passed 10-6-97)






1. Single-phase primary
2. Open wye primary
3. Three-phase primary
4. Single-phase secondary
5. Combination light and power secondary
6. Three-phase power secondary
7. Single-phase service
8. Combination lighting and power service
9. Three-phase power service
10. Streetlighting conductor (2/C • 10 CU)
11. Streetlighting conductor (2/C • 8 AL)
12. Covered neutral conductor for ducts
13. Streetlighting conductor (3/C • 1/0 AL)

A. No 2 Y/cable,175 mis,15KV, or secondary.
 A. No 3 Y/cable,175 mis,15KV, or secondary.
 C. No 3 Y/cable,175 mis,15KV, or secondary.
 D. 350 kcmil cable,175 mis,15KV, or secondary.
 E. 350 kcmil cable,175 mis,15KV, or secondary.
 F. 750 kcmil cable,175 mis,15KV, or secondary.
 G. No Y/0 stranded AL cable, 280 mis, 28KV.
 H. No 3 Y/0 stranded AL cable, 280 mis, 28KV.
 I. 750 kcmil cable, 280 mis, 28KV.
 J. Cable joint.
 K. 350 kcmil AL cable, 260 mis, 25KV.
 M. Marker to locate cable.
 N. Refer to Note on Drawing, N/1 for Note 1, etc.
 R. No Y/0 AL, solid cable, 280 mis, 28KV.
 T. No Y/0 AL stranded cable, 260 mis, 28KV, jacketed.
 TT. No Y/0 AL stranded cable, 260 mis tree-retardant INS, 25KV, or
 V. 350 kcmil AL stranded, 260 mis, 25KV, jacketed.
 TT. 350 kcmil AL cable, 260 mis tree-retardant INS, 25KV, Jacketed.
 TT. 350 kcmil AL stranded, 260 mis tree-retardant INS, 25KV, Jacketed.
 WT. 750 kcmil AL cable, 260 mis tree-retardant INS, 25KV, Jacketed.

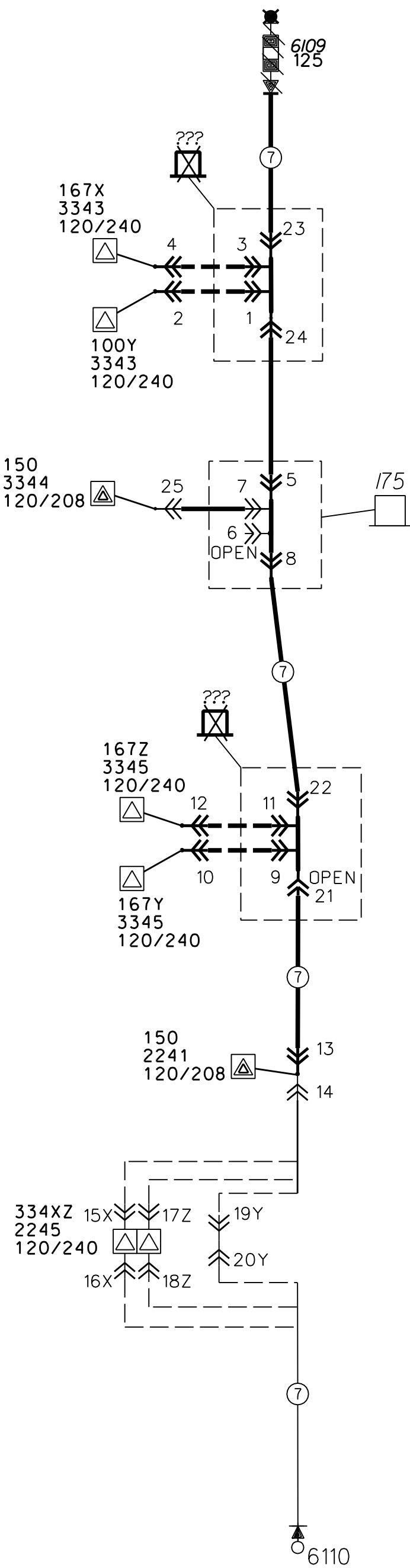
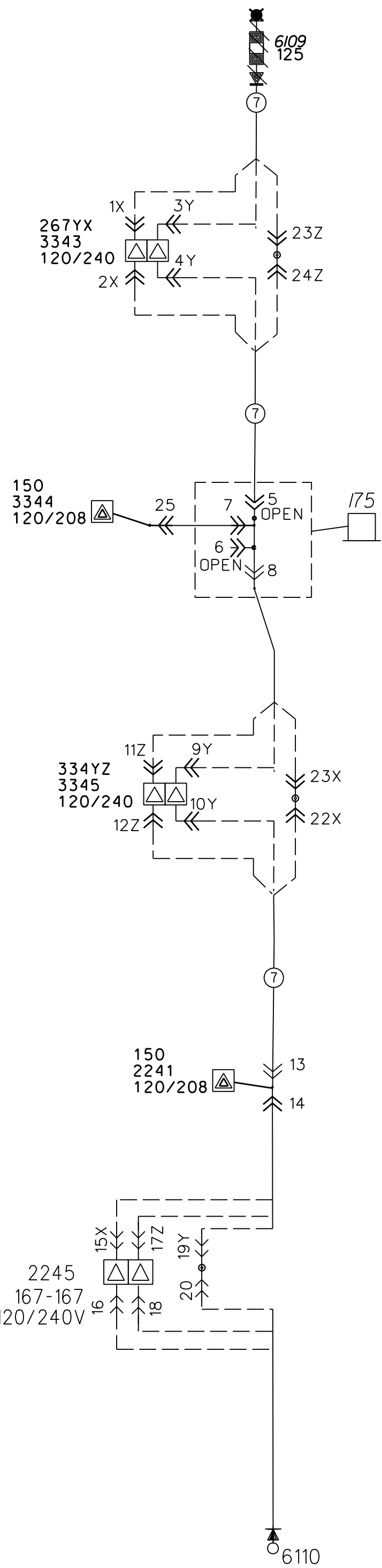
EX: 3R • No. 1/0 solid AL cable for three-phase primary
3G4D • No. 1/0 AL cable for 3-phase primary
 and 350 AL cable for 1-phase secondary

 CONDUCTOR CHANGE

MISS DIG System, Inc.
1-800-482-7171



MECOSTA CO
BIG RAPIDS TWP
T15 R10 SEC.11



ORDER TYPE	MAT. TYPE	NOTIFICATION NUMBER	DESIGN NUMBER	ORDER NUMBER
ESIC	UGL	1041280908	11092119	
ESIC	DHL	??	??	
ESIC	UGS	??	??	
ESIC	UGS	??	??	
ESIC	UGS	??	??	

JOB IS TO REPLACE CABLE AND
FACILITIES IN ALLEY PER CITY.
ALLEY IS BEING REPAVED AND
CITY WILL NOT GIVE PERMITS FOR
10 YEARS TO OPEN CUT PAVEMENT.

CONSUMERS ENERGY CONTACTS			
DEPARTMENT	NAME	NUMBER	ALTERNATE
SYS OWNER	IAN MEREDITH	616.530.4284	
DESIGNER	JOEL BROWN	231.332.2682	231.557.8762

-CONSTRUCTION CERTIFICATION-
Work was constructed as Engineered or Changed as Indicated.
All Salvageable Material Was Returned to Stores.

Signed _____ in Direct Charge of Work
Dates: Started _____ Completed _____
MISS DIG NUMBER: _____ DATE: _____

STAKED	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
TREES	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
TLM NUMBER	# OF RODS	OHMS
1510113344		



Consumers Energy

A CMS Energy Company *ELECTRIC*

DESIGNED BY JMBROWN	DATE 11/08/19
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APPROVED BY	DATE

SHEET 1 OF 1	SCALE 1"=100'
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REHAB18 MILTON/MAPLE RELO MAPLE

For: REHARDT, ADDLETON/WALDRON

REHAB18 APPLETON/WALDRON	
WAY RELO MAPLE	OF

SUBSTATION NINETEEN MILE	WD NO. 1003	
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CIRCUIT	CKT NO.	LCP NO.
UND. BARK	03	

IND PARK	02		

CM NO. 100004508136

ORDER TYPE	MAINTENANCE ACTIVITY TYPE	DESIGN NUMBER
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ESIC	UGL	11092119
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DESIGN FILE NAME: 11092119.001

ELECTRIC CAD TITLE BLOCK (22x34) 10-30-2008
SHEET D
11/15/2019 4:44:58 PM C:\of\backup\wrad\ustn\dgn\11092119.00

DESIGN FILE NAME: 11092119.001
T R S 15 10 11

STAFF REPORT TO THE CITY COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Rezoning of 906 N State St from I to R-3
DATE: January 15, 2019

Introduction

The property at 906 N State St, known as the Hanchett Property, has been zoned Industrial since it was the site of Hanchett Manufacturing. Years ago, that Hanchett Manufacturing moved out of the City, the old building was demolished, and the site cleaned up and made ready for redevelopment. This occurred with a mix of grant funding and City monies. The City currently owns this site. It has remained as Industrial zoning until now.

In 2019, the City conducted a public charrette to gather input from the community on the desired future of this site. The concepts that came out of that process included a blend of residential and mixed-use. As the City is listing the property for sale and trying to find a developer interested in a project for the site that is residential and mixed-use, the current zoning is an issue.

Rezoning

The issue on the table is to consider rezoning this site from Industrial to R-3 Residential. A rezoning, also called a Map Amendment, is a request to change the zoning of a property from one type to another type to permit a different array of uses on the site.

The Industrial District is an area for trades and light industries, including manufacturing operations, warehouses, and other similar uses. It is not intended for residential or commercial uses. The R-3 Residential District provides areas for higher density residential development, including multi-family developments and office uses.

Within the City of Big Rapids, R-3 is the only district which currently permits Planned Unit Developments (PUD). PUD is a Special Land Use within the R-3. And, within the Zoning Ordinance, the best way to permit the type of mixed-use development desired on the 906 N State St site is to utilize the PUD process.

Process and Procedure

The process of rezoning a property is circumscribed by the Zoning Ordinance in section 14.2. All Rezoning Applications require a Public Hearing. Notice was posted in the Big Rapids Pioneer on December 30, 2019, notice was sent to all property owners within 300 feet of 906 N State St, and notice was placed on a sign at the property. Staff received 0 calls from neighbors in advance of the hearing.

Standards for Zoning Amendment Review

Section 14.2:4 of the Zoning Ordinance clearly lays out a series of standards for Zoning Amendment Review, stating as follows:

The Planning Commission and City Commission shall consider the request for an amendment to the Zoning Ordinance in accordance with the following standards:

- (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.

Planning Commissioners are encouraged to review the Application against the Standards in Section 14.2:4 to decide if they find it meets or fails to meet them.

Staff Recommendation

Staff encourages the Planning Commission to recommend that the City Commission adopt a Map Amendment to rezone the City-owned property at 906 N State Street from Industrial to R-3 Residential.

Action

Three options lay before the Planning Commission regarding Rezoning Applications: Approval, Denial, or Table. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and sends the Application to the next step in the process where City Commission has final say in approving or denying the request.

“I move that the Rezoning Application for 906 N State St from I to R-3 be recommended to the City Commission for approval, because it meets the Standards set in Section 14.2:4 of the Zoning Ordinance. *[If any conditions on approval, list them here.]*”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Rezoning Application for 906 N State St from I to R-3, because it does not meet Standard 14.2:1 (X) of the Zoning Ordinance.
(Fill in the X with which number Standard the application does not meet.)”

Table

A Table motion is appropriate when more information is needed before reaching a decision regarding the Application and pauses the process until a later date.

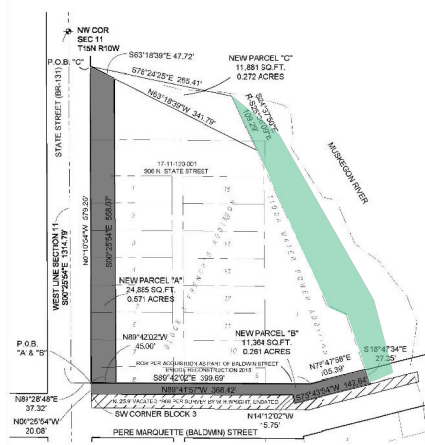
“I move to table a decision on the Rezoning Application for 906 N State St from I to R-3 until the February 19, 2020 meeting of the Planning Commission, because *(list your reason for tabling the decision here)*. ”

PROPERTY INFORMATION

PRIORITY REDEVELOPMENT SITE

- 117-11-120-001
- 906 N. State Street
- City owned
- Brownfield
- Utilities on site

Parcel



Aerial (2018)



GUIDELINES FOR REDEVELOPMENT

- Serve as a catalyst for the future redevelopment of the focus area
- Provide an attractive northern gateway to the community, particularly along State St.
- Capitalize on views of the Muskegon River and Riverwalk trail
- Provide for public space/ public use component
- Retain (and extend) public access to the Muskegon River
- Prioritize pedestrian connectivity around and through the site
- Screen parking, utilities and loading areas
- Complement the scale and character of the adjacent residential neighborhood
- High quality materials

CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS

- Mixed use site
- Neighborhood commercial retail shops/restaurant near the intersection of State and Pere Marquette
- 2-story apartment/condo flats fronting the river
- Gateway open space
- Expanded riverfront park with gathering areas



CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS



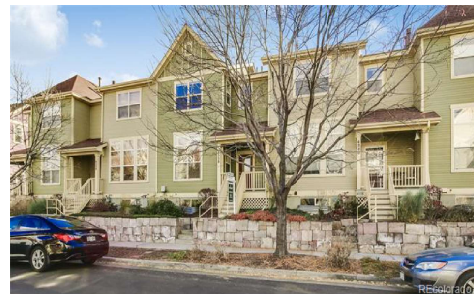
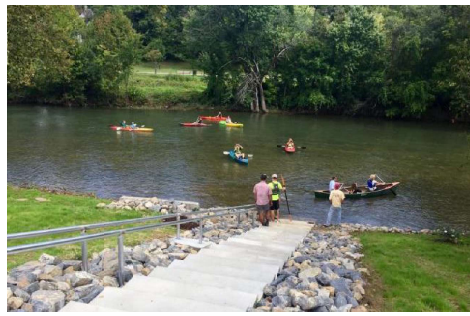
CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS



CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS



CONCEPT 2

TOWNHOMES IN A PARK SETTING

- Residential development
- 2.5 story townhomes or flats with garages
- Abundant green space and pedestrian circulation
- Design elements include gateway feature, rain garden and pedestrian bridge



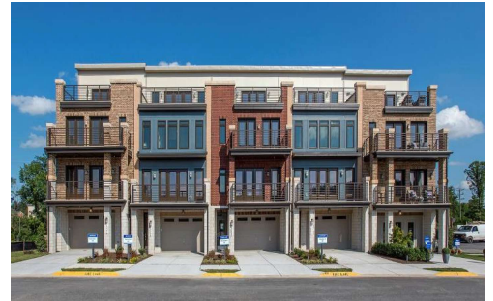
CONCEPT 2

TOWNHOMES IN A PARK SETTING



CONCEPT 2

TOWNHOMES IN A PARK SETTING



CONCEPT 3

RIVERFRONT LOFTS AND DESTINATION MIXED-USE ON THE RIVER

- Mixed-use development and higher density housing
- 3-story lofts with at grade parking
- Or 4-story lofts with parking below grade
- Destination retail/restaurant with views of the river
- Opportunity for lofts above commercial space



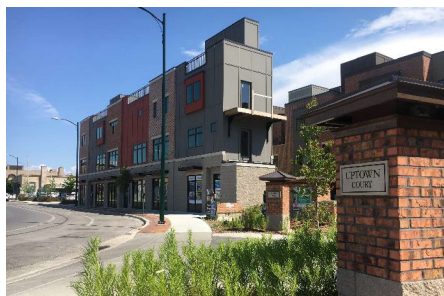
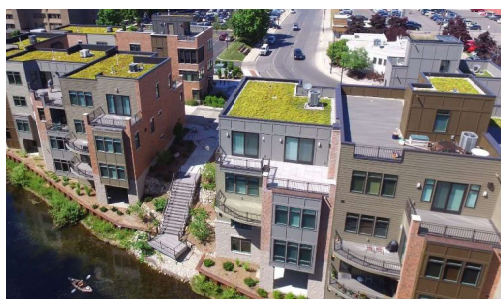
CONCEPT 3

RIVERFRONT LOFTS AND DESTINATION MIXED-USE ON THE RIVER



CONCEPT 3

RIVERFRONT LOFTS AND DESTINATION MIXED-USE ON THE RIVER



STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Zoning Ordinance Amendment to add Bicycle Parking Regulations to Article 5
DATE: January 15, 2019

Introduction

As part of the Zoning Ordinance review that is required in the Redevelopment Ready Communities process, the City did not meet the following requirement: “The Zoning Ordinance includes standards to improve nonmotorized transportation”. The recommendation to remedy this lack is to “incorporate standards to improve non-motorized transportation, such as bicycle parking, traffic calming, pedestrian lighting, and public realm standards”. The City is required to meet at least one of these types to achieve this task toward RRC Certification.

After a discussion at the November Planning Commission meeting, it was suggested to begin by adding bicycle parking regulations to the Zoning Ordinance which would provide regulations for bicycle parking in the City of Big Rapids as well as encourage and incentivize developments to include bicycle parking at their locations.

Draft Amendment

The attached Draft Zoning Ordinance Amendment proposes adding a new subsection under Section 5.7 Parking Regulations in All Districts. The proposed subsection 5.7:2 Bicycle Parking includes regulations and recommendations regarding the number of recommended spaces and their location, type, and size. It also provides an incentive to include bicycle parking to offset required off-street parking spaces. This incentive would allow a new development to reduce the required off-street motor vehicle parking spaces by up to 20%, if the removed spaces were replaced by bicycle parking spaces at a ratio of 2:1.

Staff reviewed bicycle parking ordinances from many communities across Michigan when developing this draft amendment, as well as reviewing recommendations from experts on bicycle facilities. Resources from the Association of Pedestrian and Bicycle Professionals were very useful, especially the “Essentials of Bike Parking” guidebook, which is attached.

Standards for Zoning Amendment Review

Section 14.2:4 of the Zoning Ordinance clearly lays out a series of standards for reviewing Zoning Amendments, stating as follows:

The Planning Commission and City Commission shall consider the request for an amendment to the Zoning Ordinance in accordance with the following standards:

- (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.

Planning Commissioners are encouraged to review the proposed Amendment against the standards in Section 14.2:4 to decide if they find it meets or fails to meet them. These standards shall be used to decide the recommendation provided by the Planning Commission.

Action

Staff believes that the Draft Amendment meets the standards for Zoning Amendment Review and thus encourages the Planning Commission to recommend that the City Commission adopt the draft Zoning Ordinance Amendment to add Bicycle Parking Regulations to Article 5.

Motion

Two options lay before the Planning Commission regarding Zoning Ordinance Text Amendment Applications: Recommendation to Adopt or Recommendation to Not Adopt. As the City Commission has the final determination on Ordinance Amendments, the application must be forwarded to them with a recommendation.

Explanations and sample motions are included below.

Recommendation to Adopt

A recommendation of adoption motion is appropriate when the Application meets the Standards of the Zoning Ordinance.

“I move recommend that the Zoning Ordinance Text Amendment to add Bicycle Parking Regulations to Article 5 be adopted, because it meets all of the Standards for Review set in Section 14.2:4 of the Zoning Ordinance.”

Recommendation to Not Adopt

A recommendation to not adopt motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance.

“I move to recommend that the Zoning Ordinance Text Amendment to add Bicycle Parking Regulations to Article 5 not be adopted, because it does not meet the Standards for Review set in Section 14.2:4 of the Zoning Ordinance.” *(Include which number Standards the application does not meet.)*”

Draft Zoning Ordinance Text Amendment to add Bicycle Parking Regulations to Article 5

Add the new section below to Article 5: Off-Street Parking and Loading

5.7:2 Bicycle Parking

- (1) Recommended Spaces. Any development requiring motor vehicle parking spaces is encouraged to provide bicycle parking. Off-street parking areas are recommended to contain at least one (1) bicycle parking space for every number (#) spaces provided for motor vehicles, or fraction thereof, with a minimum of two (2) bicycle parking space provided.
- (2) Location. Bicycle parking for commercial, multi-family residential, and mixed-uses shall be conveniently located within 50 feet of building entry points and shall not conflict with pedestrian travel. Bicycle parking areas must be visible to the public and have adequate lighting to facilitate nighttime use.
- (3) Facility Type: Bicycle parking shall consist of “inverted U” or “post and ring” style racks which meet the Performance Criteria for Bike Parking Racks in the 2nd Edition of the Association of Pedestrian and Bicycle Professionals’ Essentials of Bicycle Parking. The bicycle parking rack must be anchored to the ground and shall allow the bicycle wheel and frame to be locked to the bicycle rack.
- (4) Facility Size: Each bicycle parking space shall accommodate a bicycle at least six feet in length and two feet wide. Bicycle racks shall be installed no closer than two feet from a wall or motor vehicle parking space.
- (5) Maintenance. The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud, debris, ice and snow.
- (6) Offset of Required Off-Street Parking Spaces. The Zoning Administrator may permit a reduction of required motor vehicle parking by up to 20% if two (2) on-site bicycle parking spaces are provided for each motor vehicle parking space removed.

ESSENTIALS OF

BIKE PARKING

Selecting and installing bicycle parking that works



apbp

Association of Pedestrian
and Bicycle Professionals

Expertise for Active
Transportation

Essentials of Bike Parking

Revision 1.0, September 2015

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Acknowledgments

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Alta Planning + Design donated their expertise in the design and illustration of this guide. Cat Cheng, lead designer, Jillian Portelance, production designer.

Cover image: Sign D4-3 from *Standard Highway Signs*, 2004 Edition, http://mutcd.fhwa.dot.gov/ser-shs_millennium_eng.htm

Bicycle parking manufacturers and distributors shall not use APBP's logo or imply product endorsement by APBP without express written permission from APBP.

APBP is an association of professionals who plan, implement and advocate for walkable and bicycle-friendly places.

Association of Pedestrian and Bicycle Professionals

bikeparking@apbp.org
www.apbp.org



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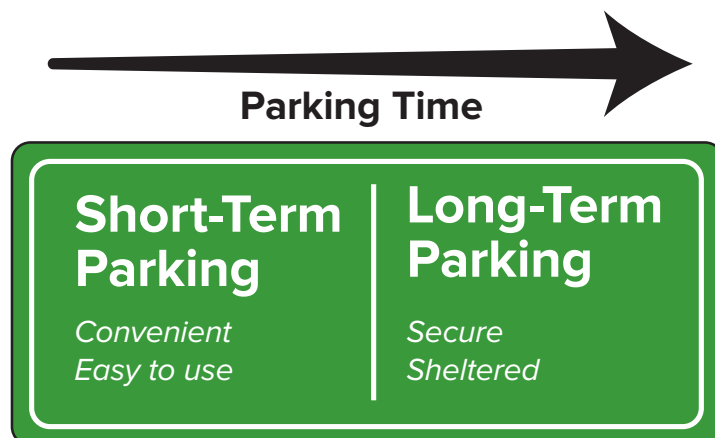
- 01 INTRODUCTION**
- 02 SHORT-TERM PARKING**
 - Site planning
 - Bike corrals
- 03 LONG-TERM PARKING**
 - Site planning
 - Special considerations for long-term parking
- 04 INSTALLATION**
 - Installation surface
 - Installation fasteners
 - Installation techniques
- 05 BICYCLE RACK SELECTION**
 - Performance criteria for bike parking racks
 - Rack styles
 - Rack materials and coatings
- 10 PLACEMENT**

INTRODUCTION

Among the necessary supports for bicycle transportation, bike parking stands out for being both vital and easy. Still, it requires some attention to get it right. Bike parking may go unused if it's not more appealing to users than the nearest sign post. A minor mistake in installation can make a quality rack unusable. The variety of bicycle sizes, shapes, and attachments continues to increase, and good bike parking should accommodate all types.

The Association of Pedestrian and Bicycle Professionals (APBP) prepared this guide for people planning to purchase or install bike parking fixtures on a limited scale. It is a brief overview of APBP's comprehensive *Bicycle Parking Guidelines* handbook, available at www.apbp.org.

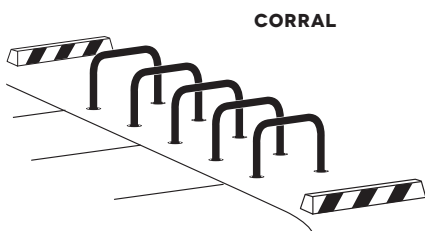
This guide divides bike parking into short-term and long-term installations. These two kinds of parking serve different needs, and the starting point for most bike parking projects is recognizing whether the installation should serve short-term users, long-term users, or both. If users will typically be parking for two hours or longer, they are likely to value security and shelter above the convenience and ease that should characterize short-term parking.



SHORT-TERM PARKING

Effective bike parking for short-term users depends on two main factors:
1) proximity to the destination and
2) ease of use.

Short-term parking is designed to meet the needs of people visiting businesses and institutions, and others with similar needs—typically lasting up to two hours. Short-term users may be infrequent visitors to a location, so the parking installation needs to be readily visible and self-explanatory.



SITE PLANNING

Location

Short-term bike parking should be visible from and close to the entrance it serves—50' or less is a good benchmark. Weather-protected parking makes bicycle transportation more viable for daily and year-round use, and it can reduce the motivation for users to bring wet bicycles into buildings. Area lighting is important for any location likely to see use outside of daylight hours.

Security

All racks must be sturdy and well-anchored, but location determines the security of short-term parking as much as any other factor. Users seek out parking that is visible to the public, and they particularly value racks that can be seen from within the destination. Areas with high incidence of bicycle theft may justify specific security features such as specialty racks, tamper-proof mounting techniques, or active surveillance.

Quantity

Many jurisdictions have ordinances governing bike parking quantity. APBP's full *Bicycle Parking Guidelines* offers complete recommendations for the amount and type of parking required in various contexts. In the absence of requirements, it's okay to start small—but bear in mind that perceived demand may be lower than the demand that develops once quality parking appears.

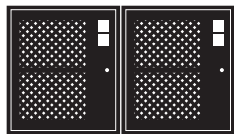
BIKE CORRALS

Some cities with limited sidewalk space and strong bicycle activity place bike parking in on-street "bike corrals" located in the street area adjacent to the curb. Bike corrals can sometimes make use of on-street areas that are unsuitable for auto parking. When replacing a single auto parking space, a corral can generally fit 8 to 12 bicycles. APBP's full *Bicycle Parking Guidelines* provides details about designing and siting bike corrals. ➡ apbp.org

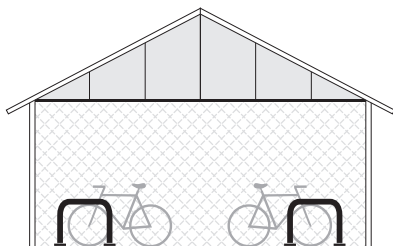
LONG-TERM PARKING

Users of long-term parking generally place high value on security and weather protection. Long-term parking is designed to meet the needs of employees, residents, public transit users, and others with similar needs. These users typically park either at home or at a routine destination such as a workplace. They often leave their bicycles unmonitored for a period of several hours or longer, so they require security and weather protection that let them park without unreasonable concern for loss or damage.

Long-term parking can take a variety of forms, including a room within a residential building or workplace, a secure enclosure within a parking garage, or a cluster of bike lockers at a transit center. Some long-term parking is open to the public—such as a staffed secure enclosure at a transit hub—and some of it is on private property with access limited to employees, residents, or other defined user groups.



BIKE LOCKERS



SHELTERED SECURE ENCLOSURE

SITE PLANNING

Location

Appropriate locations for long-term parking vary with context. Long-term parking users are typically willing to trade a degree of convenience for weather protection and increased security. Long-term installations emphasize physical security above public visibility. Signage may be needed for first-time users.

Security

Security is paramount for quality long-term parking. Access to parked bicycles can be limited individually (as with lockers) or in groups (as with locked bike rooms or other secure enclosures). Options for access control include user-supplied locks, keys, smart cards, and other technologies.

Quantity

Refer to local ordinances or the comprehensive APBP *Bicycle Parking Guidelines* to determine the amount and type of parking required for various contexts.

SPECIAL CONSIDERATIONS FOR LONG-TERM PARKING

In many ways, short-term and long-term parking function similarly and are served by the same guidelines. Some exceptions are noted below.

Density

The competition of uses for high-security and sheltered locations creates particular pressure on long-term parking to fit more bicycles in less space. When parking needs cannot be met with standard racks and spacing recommended in this guide, consider rack systems designed to increase parking density. See the high-density racks table on page 7. Note that increasing density without careful attention to user needs can create parking that excludes people because of age, ability, or bicycle type. This may result in people parking bicycles in other less desirable places or choosing not to bike at all.

Bicycle design variety

Long-term parking facilities should anticipate the presence of a variety of bicycles and accessories, including—depending on context—recumbents, trailers, children's bikes, long-tails, and others. To accommodate trailers and long bikes, a portion of the racks should be on the ground and should have an additional 36" of in-line clearance.

Performance criteria

The bike rack criteria in the next section apply to racks used in any installation, regardless of its purpose. Long-term installations often use lockers and group enclosures not discussed in this guide. Such equipment raises additional considerations that are discussed in detail in APBP's full *Bicycle Parking Guidelines*. ➔ apbp.org

INSTALLATION

Selecting an appropriate installation surface and technique is key to creating bicycle parking that remains secure and attractive over time.

INSTALLATION SURFACE

A sturdy concrete pad is an ideal surface for installing bicycle parking. Other surfaces often encountered include asphalt, pavers, and soft surfaces such as earth or mulch. These surfaces can accommodate in-ground mounting or freestanding bike racks such as inverted-U racks mounted to rails. See APBP's *Bicycle Parking Guidelines* for details. ➡ apbp.org

INSTALLATION FASTENERS

When installing racks on existing concrete, consider the location and select appropriate fasteners. Drill any holes at least three inches from concrete edges or joints. Some locations benefit from security fasteners such as concrete spikes or tamper-resistant nuts on wedge anchors. Asphalt is too soft to hold wedge and spike anchors designed for use in concrete. Installing bike parking on asphalt typically requires freestanding racks and anchor techniques specific to asphalt.

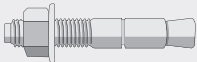
FASTENERS

CONCRETE SPIKE



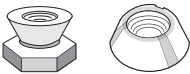
Installs quickly in concrete with a hammer. Tamper-resistant. Removal may damage concrete and/or rack.

CONCRETE WEDGE ANCHOR



Allows for rack removal as needed. Not tamper-resistant, but can accommodate security nuts (below).

SECURITY NUTS



Use with concrete wedge anchors. Security nuts prevent removal with common hand tools.

INSTALLATION TECHNIQUES

When installing racks on existing concrete, choose those with a surface-mount flange and install with a hammer drill according to the specifications of the mounting hardware selected. When pouring a new concrete pad, consider bike parking fixtures designed to be embedded in the concrete. Because replacing or modifying an embedded rack is complicated and costly, this installation technique requires particular attention to location, spacing, rack quantity, and material.



BICYCLE RACK SELECTION

PERFORMANCE CRITERIA FOR BIKE PARKING RACKS

These criteria apply to any rack for short- or long-term use.

CRITERIA	DETAILS
Supports bike upright without putting stress on wheels	The rack should provide two points of contact with the frame—at least 6" apart horizontally. Or, if a rack cradles a bicycle's wheel, it must also support the frame securely at one point or more. The rack's high point should be at least 32".
Accommodates a variety of bicycles and attachments	The racks recommended on page 6 ("racks for all applications") serve nearly all common bike styles and attachments—if installed with proper clearances (see placement section). Avoid designs and spacing that restrict the length, height, or width of bicycles, attachments, or wheels.
Allows locking of frame and at least one wheel with a U-lock	A closed loop of the rack should allow a single U-lock to capture one wheel and a closed section of the bike frame. Rack tubes with a cross section larger than 2" can complicate the use of smaller U-locks.
Provides security and longevity features appropriate for the intended location	Steel and stainless steel are common and appropriate materials for most general-use racks. Use tamper-resistant mounting hardware in vulnerable locations. Rack finish must be appropriate to the location (see materials and coatings section).
Rack use is intuitive	First-time users should recognize the rack as bicycle parking and should be able to use it as intended without the need for written instructions.

RACK STYLES

The majority of manufactured bike racks fall into one of the categories on pages 6-8. Within a given style, there is wide variation among specific racks, resulting in inconsistent usability and durability. APBP recommends testing a rack before committing broadly to it.

RACKS FOR ALL APPLICATIONS

When properly designed and installed, these rack styles typically meet all performance criteria and are appropriate for use in nearly any application.

INVERTED U

also called
staple, loop



Common style appropriate for many uses; two points of ground contact. Can be installed in series on rails to create a free-standing parking area in variable quantities. Available in many variations.

POST & RING



Common style appropriate for many uses; one point of ground contact. Compared to inverted-U racks, these are less prone to unintended perpendicular parking. Products exist for converting unused parking meter posts.

WHEELWELL- SECURE



Includes an element that cradles one wheel. Design and performance vary by manufacturer; typically contains bikes well, which is desirable for long-term parking and in large-scale installations (e.g. campus); accommodates fewer bicycle types and attachments than the two styles above.

This guide analyzes the most common styles of bike racks, but it is not exhaustive. Use the performance criteria on page 5 to evaluate rack styles not mentioned. Custom and artistic racks can contribute to site identity and appearance, but take care that such racks don't emphasize appearance over function or durability.

HIGH-DENSITY RACKS

These rack styles do not meet all performance criteria but may be appropriate in certain constrained situations.

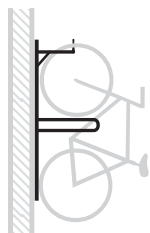
High-density rack systems can maximize the use of limited parking space, but they don't work for all users or bicycles. If installing these racks, reserve additional parking that accommodates bicycles with both wheels on the ground for users who are not able to lift a bicycle or operate a two-tier rack, or for bikes that are not compatible with two-tier or vertical racks.

STAGGERED WHEELWELL-SECURE



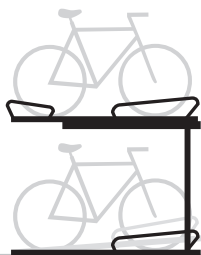
Variation of the wheelwell-secure rack designed to stagger handlebars vertically or horizontally to increase parking density. Reduces usability and limits kinds of bikes accommodated, but contains bikes well and aids in fitting more parking in constrained spaces.

VERTICAL



Typically used for high-density indoor parking. Not accessible to all users or all bikes, but can be used in combination with on-ground parking to increase overall parking density. Creates safety concerns not inherent to on-ground parking.

TWO-TIER



Typically used for high-density indoor parking. Performance varies widely. Models for public use include lift assist for upper-tier parking. Recommend testing before purchasing. Creates safety concerns not inherent to on-ground parking, and requires maintenance for moving parts.

RACKS TO AVOID

Because of performance concerns, APBP recommends selecting other racks instead of these.

WAVE

also called undulating or serpentine



Not intuitive or user-friendly; real-world use of this style often falls short of expectations; supports bike frame at only one location when used as intended.

SCHOOLYARD

also called comb, grid



Does not allow locking of frame and can lead to wheel damage. Inappropriate for most public uses, but useful for temporary attended bike storage at events and in locations with no theft concerns. Sometimes preferred by recreational riders, who may travel without locks and tend to monitor their bikes while parked.

COATHANGER



This style has a top bar that limits the types of bikes it can accommodate.

WHEELWELL



Racks that cradle bicycles with only a wheelwell do not provide suitable security, pose a tripping hazard, and can lead to wheel damage.

BOLLARD



This style typically does not appropriately support a bike's frame at two separate locations.

SPIRAL



Despite possible aesthetic appeal, spiral racks have functional downsides related to access, real-world use, and the need to lift a wheel to park.

SWING ARM SECURED



These racks are intended to capture a bike's frame and both wheels with a pivoting arm. In practice, they accommodate only limited bike types and have moving parts that create unneeded complications.

RACK MATERIALS & COATINGS

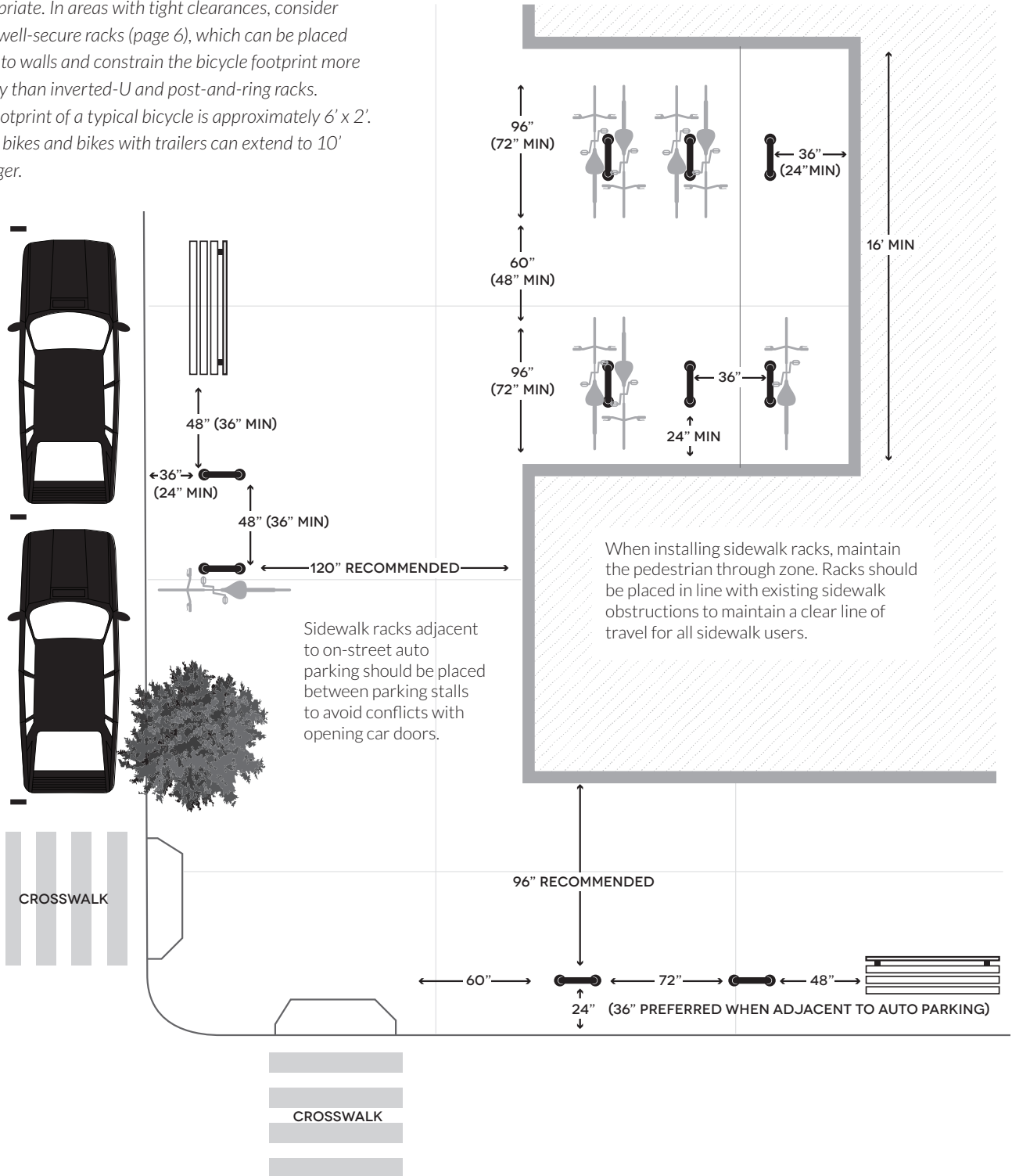
Most bicycle parking racks are made of carbon steel or stainless steel. Carbon steel requires a surface coating to resist rust while appropriate grades of stainless steel need no coating. Not all materials and coatings with the same name perform equally. Square tubing provides a security advantage as round tubing can be cut quietly with a hand-held pipe cutter. Before purchasing racks, talk to suppliers about your particular conditions and choose a material and coating that suit your needs. The following are common choices, depending on local considerations and preferences.

RACK MATERIAL – COATING	RELATIVE PURCHASE COST	DURABILITY	CAUTIONS
Carbon steel - galvanized	Usually lowest	Highly durable and low-maintenance; touch-up, if required, is easy and blends seamlessly	Utilitarian appearance; can be slightly rough to the touch
Carbon steel - powder coat* (TGIC or similar)	Generally marginally higher than galvanized	Poor durability	Requires ongoing maintenance; generally not durable enough for long service exposed to weather; not durable enough for large-scale public installations
Carbon steel - thermoplastic	Intermediate	Good durability	Appearance degrades over time with scratches and wear; not as durable as galvanized or stainless
Stainless steel - no coating needed, but may be machined for appearance	Highest	Low-maintenance and highest durability; most resistant to cutting	Can be a target for theft because of salvage value; maintaining appearance can be difficult in some locations

* When applied to carbon steel, TGIC powder coat should be applied over a zinc-rich primer or galvanization to prevent the spread of rust beneath the surface or at nicks in the finish.

PLACEMENT

The following minimum spacing requirements apply to some common installations of fixtures like inverted-U or post-and-ring racks that park one bicycle roughly centered on each side of the rack. Recommended clearances are given first, with minimums in parentheses where appropriate. In areas with tight clearances, consider wheelwell-secure racks (page 6), which can be placed closer to walls and constrain the bicycle footprint more reliably than inverted-U and post-and-ring racks. The footprint of a typical bicycle is approximately 6' x 2'. Cargo bikes and bikes with trailers can extend to 10' or longer.



STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Recommendation regarding possible sale of 906 N State St
DATE: January 15, 2019

Introduction

The City of Big Rapids owns the property at 906 N State St, the former site of the Hanchett Manufacturing facility. This property has been zoned Industrial. However, recommendations from various public participation events over the past two years have indicated that the prevailing community vision for the site is mixed-use with residential and some commercial uses. The Planning Commission is discussing rezoning the property from Industrial to Residential (R-3), so that it can be used with a Planned Unit Development project in the future.

Offer on the Property

The City Realtor has been listing this property for several months. On November 20, 2019, he received an offer to purchase the property for \$235,000. The potential buyer is interested in using the property as the site of a marihuana grow facility, which is an industrial use. He stated that, as that use would not require all of the land on the site, he would also be interested in some commercial or residential uses as well, in the future.

The potential buyer was present at the November 20, 2019 Planning Commission meeting. He answered questions from the Planning Commission regarding his desired plans for the property.

Recommendation from the Planning Commission

The Planning Commission discussed the offer and the City's previously established vision for the site. They decided to move forward with rezoning the site from Industrial to another zoning district to allow for mixed use. They also unanimously passed the following motion to the City Commission to recommend rejecting the offer to purchase 906 N State St:

"I move to recommend that the City Commission not accept the offer of \$235,000 for the property at 906 N State St for use as a marihuana grow facility."

City Commission Referral Back to the Planning Commission

At the City Commission meeting on December 2, 2019, the City Commission addressed the recommendation to reject the offer. Mr. Jerry Boman, the potential buyer, stated that he was not prepared for his first meeting with the Planning Commission, but was working on a more involved proposal and would like to share that before a decision was reached. The City Commission tabled the decision and referred the question back to the Planning Commission for further review.

Action

Staff encourages the Planning Commission to recommend that the City Commission reject the offer to purchase 906 N. State St.

BE IT RESOLVED, that the City Commission hereby confirms the following Mayoral appointments/recommendations:

WEST MICHIGAN REGIONAL PLANNING COMMISSION

Jennifer Cochran, Paula Priebe and Rory Ruddick appointed to the West Michigan Regional Planning Commission for the 2020 Calendar Year.

Cindy Plautz appointed to be the City's representative to the Comprehensive Economic Development Strategy (CEDS) Committee.

Yeas: Andrews, Cochran, Eppley, Hogenson, James

Nays: None

The Mayor declared the resolution adopted.

Dated: December 2, 2019

The resolution to approve the sale of 906 N. State Street and to authorize purchase agreement was tabled and referred back to the Planning Commission. Mr. Jerry Boman commented that did not have good information ready for the Planning Commission meeting and would like to see this resolution tabled so that he could make a more concise presentation to the Planning Commission.

Mr. Bill Yontz, current Planning Commissioner stated that the Planning Commission's decision to recommend not selling the property to Mr. Bowman was based on community feedback. The community feedback was to have small, ground level retail stores with luxury apartments which could look over the river. Mr. Yontz stated that he would like to hear another presentation from Mr. Boman.

Steve Masters, Big Rapids, commented that the City has spent a great amount of money on this property with no purchase offers except Mr. Boman's. Mr. Boman is willing to build a new building, which will produce taxes for the City, as well as income tax from the employees. He is concerned that the property will still be vacant 10 years down the road. Mr. Masters is in favor of selling the property to Mr. Boman.

MOTION NO. 19-153

Commissioner Eppley moved, seconded by Commissioner Andrews, a motion to table the resolution to approve the sale of 906 N. State Street and to authorize purchase agreement, pending another presentation from Jerry Boman to the Planning Commission.

The Commission would like to see this back on the Commission agenda within sixty days.

Yeas: Andrews, Cochran, Eppley, Hogenson, James

Nays: None

The Mayor declared the motion adopted.

Dated: December 2, 2019

2020 PLANNING COMMISSION SCHEDULE

The regularly scheduled City Planning Commission meetings will be held in the City Hall meeting area at 6:30 p.m. as follows:

January 15
February 19
March 18
April 15
May 20
June 17
July 15
August 19
September 16
October 21
November 18
December 16

Planning Commission

Regular Meeting

Big Rapids City Hall
226 N Michigan Avenue

February 19, 2020
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. January 15, 2019
5. Public Comment
6. Public Hearing
 - a. Map Amendment application to rezone 520 S Third Avenue from R-3 Residential to C-3 Commercial
 - b. Special Land Use Permit application for 1410 Bjornson Street to amend the existing Special Land Use Permit to operate a home occupation with a part-time seasonal employee
 - c. Special Land Use Permit application for 1294 Perry Avenue to permit a restaurant with drive-thru service
 - d. Site Plan Review for an Arby's restaurant with drive-thru service at 1294 Perry Avenue
7. General Business
 - a. Capital Improvement Program
8. Unscheduled Business
9. Adjourn

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
January 15, 2020**

Chairperson Jane called the January 15, 2020, meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Renato Cerdena, Chris Jane, Rory Ruddick, Tim Vogel

EXCUSED Josh Foor, Bill Yontz

ABSENT Paul Jackson

ALSO PRESENT Paula Priebe, Neighborhood Services Director
Cindy Plautz, Neighborhood Services Coordinator
Eric Williams, City Attorney

There were 10 people in the audience.

APPROVAL OF MINUTES

Motion was made by Tim Vogel, seconded by Rory Ruddick, to approve the minutes of the November 20, 2019, meeting of the Planning Commission as presented.

Motion passed unanimously with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard.

PUBLIC HEARINGS

Easement for Consumers Energy at 1315 Hanchett Drive.

Staff Report

Priebe explained that due to the requested easement being located on City property, the request needs to go to the Planning Commission for recommendation to the City Commission. Consumers is requesting a twelve-foot easement for a utility line that runs from the corner of N. Bronson Avenue and Hanchett Dr. along and under Hanchett Dr. to Big Rapids Products.

She explained that Section 94.26 of the City Code of Ordinances reads that permits, not easements, are the general manner in which the City allows utility companies to use public land. The reasoning behind this is that if the City were to grant an easement, the holder has ownership of the land for the intended use in perpetuity and the City cannot revoke that right. If the City grants a permit, the holder has the right to use the land as stipulated, but the City can ask the holder to remove or move the use if needed.

Williams stated that the area identified for the easement currently contains an electric line. He added that almost all private property has easements for service lines, but easements over public property don't work well. In the event an easement is granted for a service line on public property, it is normally to service a public facility such as a streetlight. This gives the utility an ability to maintain the light.

Chairman Jane opened the Public Hearing at 6:37PM.

Applicant Statement

Eric Gustad from Consumers stated that permits are a challenge for them, and they would like to work with the City. Their attorneys would prefer an easement over a permit. He added that they can't always stay in the Right-of-Way (ROW) even though it is the intended location for utilities. They are not interested in acquiring land.

Dave Renwick from Consumers stated that the City has given Consumers an easement in the past. Williams added that in 2016 an easement was granted, but in 2017, the City made amendments to the Ordinance to offer only permits instead of easements. He asked why they couldn't place the new line in the ROW.

Ian Meredith from Consumers answered that it isn't always practical to use the ROW. Sometimes the ROW is needed for bike paths, sidewalks, etc. and they are asked to move their lines to make way for them. Moving the lines cost money and makes customer rates go up. They strive to serve customers in a cost-effective manner. Williams asked if there is room in the ROW – Priebe answered that there is currently room. Williams added that Consumers is looking out for themselves and wondered if there has been a design change at Consumers.

Meredith answered that they try to use the ROW first. Rather than tear up the road which becomes expensive, they would prefer to use the grassy area which already has a line running through it but would locate the new line a little closer to the road on the proposed 12-foot easement.

Mike Newberry from Consumers added that the current line is old, and a new business is being added – it may not be reliable. He stated that when he talked with Big Rapids Department of Public Works, they stated that a retention pond is planned for the corner property. (The retention pond was clarified later to be a catch basin.) He added that with the 10-foot set back regulation,

it is the perfect spot for an easement for the new line as no one would be able to build on it. If the retention pond were to be put in, Consumers would have to move their line. Alternatively, Williams added that if the City is to grant an easement, the City would not be allowed to put the catch basin in.

Those Who Spoke in Favor - None

Those Who Spoke in Opposition – None

Telephonic or Written Communications Received by Staff – BR Products owner John Chaput, contacted staff and said he was in favor of the request.

Chairman Jane closed the Public Hearing at 7:00 and the Commission entered into Fact Finding.

Ruddick asked why Consumers doesn't locate the line on Big Rapids Products property. Meredith answered that the plan is to install the line and have the City be able to keep the planned catch basin. He explained the route location was selected as the best option as they need to come off of the pole on the north side of Hanchett and need to get to the circuit box located on the north side of Hanchett. They prefer to stay out of the ROW and to only cross the road one time to keep costs down.

Vogel asked about a time when the downtown was having electrical problems and Consumers was able to fix the problem and make improvements within the boxes. Consumers was able to fix the problems with a series of "switching" and tying into different circuits. The lines are located underground. They went on to explain that the current line north of Hanchett was put in before the 1970's and about 6 ½ years ago they started to have reliability problems. A line upgrade is needed. Utility building codes have changed over the years and replacing old lines is not "like for like". This has put them in a challenging spot.

Vogel asked if the City could sell the land to Consumers, but Williams stated it would need to go through a public bid process. Additionally, Consumers does not want to own the land. It was noted that if they went through the City permit process, a line could still be installed outside of the ROW. The line will be located 36 to 48 inches underground.

Justin Claucherty of Consumers stated that the easement is to serve Big Rapids Products. If a permit is issued instead of an easement, and the City needed use of the land, the permit could be revoked. At this point, who would pay to relocate the line?

It was noted that if Consumers has to redesign the project, Big Rapids Products would have to pay for it.

MOTION

Motion was made by Tim Vogel, seconded by Rory Ruddick, to recommend the City Commission deny the request made by Consumers Energy for an easement at 1315 Hanchett Drive due to the availability of other options.

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

Easement for Consumers Energy in Mitchell Court (Alley between Maple Street and E. Pine Street, West of N. Michigan Avenue)

Consumers Energy is requesting an easement to install underground utility lines to the west of Mitchell Court in City owned parcels that are part of Mitchell Creek Park and a municipal parking lot. They request a 12' wide easement to run lines 3' to 4' underground. As with the previous request, if an easement is granted, the holder has an "ownership" in the land. On the other hand, if a permit is granted the holder would have authorization to do something on the land but not have any ownership.

As granting an easement for this land is against the City Code of Ordinances and the request is for use of land outside of the ROW, staff recommends the request be denied.

Chairman Jane opened the Public Hearing at 7:23 PM

Applicant Statement

Joel Brown, responsible for the project design, stated that the City requested the cable be replaced through the alley. He was told that permits would not be given for work for 7 to 10 years after the alley was repaved, so the cable was to be located outside the alley to the westside of Mitchell Court. They need to bring the line up to standards and due to other facilities located in the ROW, need to install within City properties to the west of the ROW. He mentioned that the City has a grant to put a charging station in the City owned parking lot along the route. This would be considered a facility, but it can't be put in the ROW. The new line would run down to and under Maple Street and if an easement would be allowed, construction would be less costly.

Priebe clarified that the proposed charging station is located in the City owned parking lot and because it is considered a fixture, an easement could be granted for it. Williams added that Consumers would have to ask for the easement from the transformer to the charging station. The City is also repaving the alley behind Shooters - work will be done there before the paving.

Ruddick asked if the line would be encased in conduit. Currently it is not, but it has been designed to be buried and encased in conduit.

It was noted that MDOT will issue a *permit* instead of an *easement* to cross M-20.

Those Who Spoke in Favor of the Request - None

Those Who Spoke in Opposition of the Request -None

Written or Telephonic Correspondence Received by Staff – None

Chairman Jane closed the Public Hearing at 7:38PM and the Commission entered into Fact Finding.

Ruddick asked if the proposed project would need a permit from the DNR as it is located near Mitchell Creek. It was determined that no DNR permit would be needed. He added that it seemed like the Permit vs Easement dilemma may be a trust issue.

Work needs to be completed before the street is repaved.

Vogel stated that the permit process is the City's vehicle for work to be done on City property. Consumers asked that if a permit is granted and the City decides to build or do other work where the pole on the north side is located, where could the pole be located? Consumers was assured that the City would work with them for an amicable solution.

MOTION

Motion was made by Tim Vogel, seconded by Renato Cerdena, to recommend the City Commission deny Consumer Energy's request for an easement along Mitchell Court within City owned properties as the proper course of action would be to use the City permit process.

Motion passed with Renato Cerdena, Chris Jane, Rory Ruddick, Tim Vogel in favor.

Moving from Public Hearings to General Business due to the nature of the next request.

GENERAL BUSINESS

Recommendation to City Commission Regarding Possible Sale of 906 N State Street (Boman Revised Offer)

Applicant Jerry Boman, 202 S. Stewart, stated the he was no longer interested in purchasing the property, but he added the following thoughts:

A small parcel of land should remain Industrial so a grow facility could be located there, and the remaining parcel could be R-3 for Residential and Commercial use. He added that taxes on the parcel are too high as it is not riverfront property. The City owns the parcel directly adjacent to the river.

Due to the fact that Boman withdrew his offer, the recommendation to the City Commission was no longer needed.

REMAINING PUBLIC HEARINGS

Map Amendment to Rezone 906 N. State Street from Industrial to R-3 Residential

Priebe explained that the property has long been zoned Industrial and since the removal of the Hanchett Manufacturing buildings, the desired community vision is that of a mixed-use nature combining residential with commercial properties. The property would need to be zoned R-3 so that it can be used as a Planned Unit Development (PUD) project in the future. She would like to update the City's current PUD regulations and give it its own chapter under Article II of the Zoning Ordinance. A PUD allows more uses and allows the City to work with a developer for a unified vision. She believes that if the property is rezoned, it would be more saleable.

Staff recommends the property be rezoned from I to R-3.

Those Who Spoke in Favor – None

Those Who Spoke in Opposition – Jerry Boman thought that the property should have the option to be Industrial and R-3. It could be done by splitting the parcel. This would still allow it to be used for a marijuana grow facility.

Written or Telephonic Communication Received by Staff - None

Chairman Jane closed the Public Hearing at 8:00 and the Commission entered into Fact Finding

Vogel wondered if the property across the street could be rezoned from Industrial for future use. Priebe answered that the long-term vision for it would be R-3. The rezoning would need to be instigated by the property owner.

Cerdena reviewed the Standards for Zoning Amendment Review for the Commission as found in Section 14.2:4 of the Zoning Ordinance:

The Planning Commission and City Commission shall consider the request for an amendment to the Zoning Ordinance in accordance with the following standards:

- 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 determination that the plan is not applicable due to a mistake in the plan, changes in relevant conditions, or changes in relevant plan policies.

The Commission considered the criteria and found the rezoning was consistent with each standard set forth.

MOTION

Motion was made by Renato Cerdena, seconded by Rory Ruddick, to recommend the City Commission approve the Rezoning Application for 906 N. State Street from I to R-3, as it meets the Standards set forth in Section 14.2:4 of the Big Rapids Zoning Ordinance.

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

Zoning Ordinance Amendment to add Bicycle Parking Regulations to Article 5

Priebe explained that one area of the Redevelopment Ready Communities process that hasn't been met is that the Zoning Ordinance is to include standards to improve nonmotorized transportation. The City is required to incorporate standards to improve non-motorized transportation such as; bicycle parking, traffic calming, pedestrian lighting, and public realm standards. The City must meet at least one of these standard types to achieve RRC Certification.

Previously, the Commission identified bicycle parking regulations as desirable to add to the Ordinance. It is thought that the regulations would encourage and incentivize developers to include bicycle parking at their locations.

The proposed Zoning Ordinance amendment (attached) would add a new subsection under Section 5.7 Parking Regulations in All Districts. This new incentive would allow a new development to reduce the required number of off-street motor vehicle parking spaces by up to 20% if the removed spaces were replaced by bicycle parking spaces at a ratio of 2:1.

Chairperson Jane opened the Public Hearing at 8:07 PM.

Priebe reviewed the proposed Ordinance amendment for the Commission and they discussed each point. They talked about the number of bicycle spaces recommended per number of vehicle parking spaces and decided: one bicycle space per 10 vehicle spaces with a minimum of 2 bicycle spaces would be appropriate. They also discussed #6, Offset of Required Off-Street Parking Spaces, and decided this point needs to be clarified.

Vogel stated that with the number of students residing in Big Rapids, of those that ride bikes, many take them inside for overnight or long-term storage. Perhaps these recommendations are

for short-term storage. An upper limit is needed for #6. Priebe suggested up to 20%. Vogel stated that most students have cars and asked if the number of spaces required for parking is reduced, where will the students park their cars? Student parking has been a long-time problem in Big Rapids. A 20% reduction may be too much for rental properties.

This topic will be brought back for further consideration in February after staff revises the proposed Text Amendment.

Chairperson Jane postponed the hearing at 8:27 PM with all in favor.

UNSCHEDULED BUSINESS

Vogel asked about the changes made to City Commission meeting procedures and wondered if the Planning Commission should adopt the same. The Planning Commission could look at making these changes, but it is not mandatory.

Priebe reported that Josh Foor is moving to Grand Rapids and will no longer be serving on the Planning Commission.

ADJOURN

Vogel moved to adjourn the meeting and there being no further business, Chairperson Jane adjourned the meeting at 8:30PM with all in favor.

Respectfully submitted,

Cynthia J. Plautz
Planning Commission Secretary

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Rezoning of 520 S Third Ave from R-3 to C-3
DATE: February 19, 2020

Introduction

The property at 520 S Third Avenue is currently zoned R-3 Residential. The building on the site was the location of Dr. David Gear's Dentistry and Orthodontics Office from the time he purchased the property in 1995 and built the office in 1996 until he closed the office in 2013. The property has remained vacant since.

The property, parcel number 17-14-204-009, is approximately 38,600 square feet (or 0.9 acres) in size and includes access to the Muskegon River. The existing building is 1,320 square feet on the main floor and includes a full basement. The paved parking lot is 5,477 square feet and is currently striped to provide 15 parking spaces.

The Applicant who applied for this rezoning is Mr. Michael Vlasich on behalf of his company Mother Nurtures, LLC who are interesting in using the property to operate a medical marihuana provisioning center. Mr. Vlasich has a purchase agreement for the property which is contingent upon approval of C-3 Zoning for the site.

Rezoning

The issue on the table is to consider rezoning this site from R-3 Residential to C-3 Commercial. A rezoning, also called a Map Amendment, is a request to change the zoning of a property from one type to another type to permit a different array of uses on the site.

The R-3 Residential District is one of three residential districts in the City of Big Rapids Zoning Ordinance. This district allows areas of higher residential density than the R-1 and R-2 districts, including multi-family dwellings, as well as a variety of non-residential uses, including office buildings for professional offices for financial, insurance, real estates, etc. Health clinics are permitted in the R-3 District under a Special Land Use permit.

The C-3 Commercial District is intended to provide areas for commercial development that depend on continual movement of vehicular traffic. This district permits any use permitted in the C-1 and C-2 Commercial Districts, as well as other uses that require outdoor space. Marihuana provisioning centers are a permitted use in the C-3 District.

Process and Procedure

The process of rezoning a property is circumscribed by the Zoning Ordinance in section 14.2. All Rezoning Applications require a Public Hearing. Notice was posted in the Big Rapids Pioneer on February 4, 2020, notice was sent to all property owners within 300 feet of 520 S Third Avenue, and notice was placed on a sign at the property. Staff received 1 call from a neighboring property owner in advance of the hearing. He stated that he was neutral on the rezoning, but he would like to see the property used, rather than continue to sit vacant.

Standards for Zoning Amendment Review

Section 14.2:4 of the Zoning Ordinance clearly lays out a series of standards for Zoning Amendment Review, stating as follows:

The Planning Commission and City Commission shall consider the request for an amendment to the Zoning Ordinance in accordance with the following standards:

- (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.

Planning Commissioners are encouraged to review the Application against the Standards in Section 14.2:4 to decide if they find it meets or fails to meet them. The attached maps and pictures are intended to provide context to assist the Commissioners in evaluating the request according to these standards. See the Applicant's attached written statement addressing the standards in his own words.

Further Consideration – Is this spot zoning?

One further consideration is that approval of the request could be considered a spot zoning. The classic definition of spot zoning, according to Anderson's American Law of Zoning, 4th Edition, is "the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners". Spot zoning is generally discouraged, as it can cause conflicts between adjacent uses, and can be illegal in some cases.

Accusations of spot zoning must be considered on a case by case basis. In the case of 520 S Third Avenue, staff believes that approval of the request would not constitute a spot zoning for several reasons.

- First, the request is in accordance with the City's approved Master Plan and Future Land Use Map. The Future Land Use Map has the parcel marked Commercial. See the attached map excerpt. The parcel is also very near Focus Area Three, where "this plan recommends changing the current zoning to allow for commercial uses such as restaurants and/or office space" (2018 Addendum to the Master Plan, page 36).
- Second, the rezoning would not be "totally different" from the surrounding area. The parcels across S Third Avenue are zoned C-3 Commercial.
- Third, as the property is already developed for a commercial use (health clinic—dentist office), a change of zoning classification is unlikely to lead to detriment to nearby lands.

Staff Recommendation

After wrestling with this unique application for some time, staff has decided to recommend approval of the rezoning request, as the request has been reviewed and found to meet the standards and not be a case of spot zoning.

Action

Three options lay before the Planning Commission regarding Rezoning Applications: Approval, Denial, or Table. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and sends the Application to the next step in the process where City Commission has final say in approving or denying the request.

“I move that the Rezoning Application for 520 S Third Avenue from R-3 Residential to C-3 Commercial be recommended to the City Commission for approval, because it meets the Standards set in Section 14.2:4 of the Zoning Ordinance. *[If any conditions on approval, list them here.]*”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Rezoning Application for 520 S Third Avenue from R-3 Residential to C-3 Commercial, because it does not meet Standard 14.2:1 (X) of the Zoning Ordinance. *[Fill in the X with which number Standard the application does not meet.]*”

Table

A Table motion is appropriate when more information is needed before reaching a decision regarding the Application and pauses the process until a later date.

“I move to table a decision on the Rezoning Application for 520 S Third Avenue from R-3 Residential to C-3 Commercial until the March 18, 2020 meeting of the Planning Commission, because *[list your reason for tabling the decision here]*. ”



City of Big Rapids

Department of Neighborhood Services Application to the Planning Commission for Zoning Request

Application Date: January 30, 2020

Applicant Information:

Name:	Mother Nurtures LLC, Micahel Vlasich
Address:	1602 Cedar Point Drive, Niles, MI 49120
Phone Number:	219-577-6199
Property Zoning:	C-3
Request Property Address:	520 South Third Avenue, Big Rapids
Explanation of Request:	Request zoning change from R-3 to C-3

Please check one of the following:

- ☐ Special Land Use Permit, Please include the following information
1. A legal description of the property.
 2. Twelve (12) copies of a site plan meeting the requirements of Section 9.4 of the Big Rapids Zoning Ordinance as amended.
 3. A written description of the use.
 4. Address use standards set forth in Section 10.3:8.
 5. \$200.00 Application Fee
- ☒ Zoning Amendment Review, Please include the following information:
- ☒ Zoning Map Amendment (Rezoning)
1. A legal description of the property.
 2. A written description of reasons for rezoning and proposed new zoning classification.
 3. Address the requirements set forth in Section 14.2:4. (posting of notification).
 4. A location map.
 5. \$200.00 Application Fee
- ☐ Text Amendment
1. A written description of proposed changes and reasons why.
 2. Proposed new text.
 3. Address the requirements set forth in Section 14.2:2.
 4. \$200.00 Application Fee

eSigned via SeamlessDocs.com
Michael Vlasich
Key: 10e77f6b34513a64a4a1826a17f07896

Signature of applicant or property owner

01/30/2020

(Date)

SUPPORT TO PLANNING COMMISSION FOR ZONING REQUEST

520 SOUTH 3RD AVENUE

1. The legal description is: 000520 S THIRD AVENUE: BIG RAPIDS WATER POWER IMPROVEMENT COMPANY'S ADDITION -- BLK A, LOTS 13 & 14.

2. On behalf of my company, Mother Nurtures LLC, I am hereby requesting the Commission re-zone the above described property from R-3 to C-3 for the specific purpose of opening a Medical Marihuana Provisioning Center. I currently have a pending contract to purchase this former dental office contingent upon the City granting the re-zoning from R-3 to C-3. This provisioning center will allow for the sale of marihuana and marihuana-infused products to licensed patients and caregivers in accordance to, and in compliance with, State and City law(s). This request is being made because The City of Big Rapids requires all provisioning centers to be zoned C-3 and without this zoning, a Municipal Marihuana Operating Permit cannot be obtained. The City of Big Rapids has “opted in” allowing these facilities within its borders and it currently has a rolling application process that does not cap the number of facilities located within the City. In looking at this specific location, the re-zoning would be consistent with the end use of a Provisioning Center as the other side of 3rd Avenue maintains the C-3 classification. Additionally, this Provisioning Center will provide the much-needed medicine to those licensed patients in accordance with the City’s choice to opt in; as well as create revenue and revitalization to this area. Without this zoning change, this location may be vacant for an undetermined amount of time due to its’ specific building plan requiring a specific buyer.

3. 14.2:4

The use of this land will be consistent with and promote the intent and purpose of the ordinance in that there will be a licensed Provisioning Center which is similar in scope from the current use as a dental office. Specifically, this facility will solely exist to provide patients with medicine, just as the dentist provide dental services. Patients will enter the facility, receive their medicine and depart. Further, this facility will not use any chemicals, manufacture any products or create any noise or nuisances to the surrounding areas. Simply, it will act as a pharmacy in accordance with the regulations and laws of the City and State. Additionally, the facility is offset from the road and has plenty of parking therefore, there will be no issues involving traffic along 3rd Avenue.

Further, there will be no issues that would affect adjacent land use as across the street is a gas station and other business which are zoned C-3. Directly behind the building and parking lot is the river which patients will not have access to, and which will be monitored by security cameras located on the building. Lastly, any neighboring homes will not notice any difference from the operation of the Provisioning Center as again, is has a similar patient flow as the current dentist's office.

This land use is consistent with the public health, safety and well being of Big Rapids in that it will provide a City authorized Provisioning Center where citizens can obtain their state approved medicine. The proposed use is also consistent with the City's master plan as it has approved these facilities within its' boarders, and I believe that the re-zoning from R-3 to C-3 is in line with this type of operation at this location. This is due to the fact that when the original R-3 classification was given it was given in order to protect the natural resources adjacent to the River and rightfully so. Again, the end use of a Provisioning Center ultimately has less of an impact on the surrounding area as the facility is heavily regulated, monitored and supervised by both the City and State and all business will be conducted in accordance thereto.

Respectfully Submitted,

Michael Vlasich

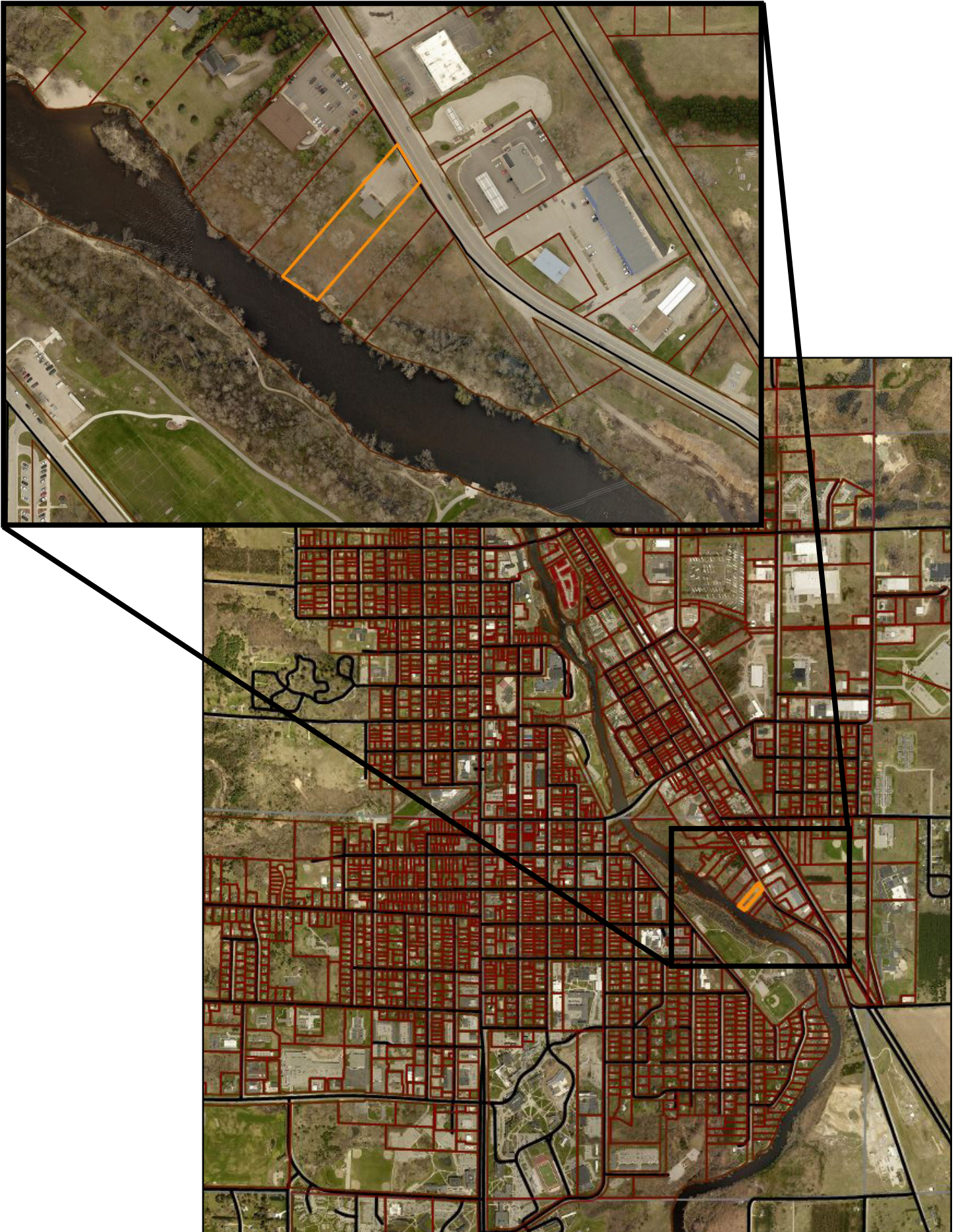
Michael Vlasich

Mother Nurtures, LLC

Enc: Contract for Purchase of Property

Site Map

Location Maps



Aerial Imagery



Excerpt from Future Land Use Map



Excerpt from Zoning Map







STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Special Land Use Permit Application – 1410 Bjornson St
DATE: February 19, 2020

Introduction

Applicant Lorraine James runs a business, Miedema's Bookkeeping and Tax Services, Inc., out of her home at 1410 Bjornson Street. She received a variance in December 2011 which allows for a part-time seasonal employee and a Special Land Use Permit in February 2012 permitting operation of a home occupation which includes a part-time seasonal employee up to 20 hours a week. See the attached resolution.

Applicant Lorraine James is applying for a Special Land Use Permit to amend her existing Special Land Use Permit and has asked to have a part-time seasonal employee up to 30 hours a week.

This property is located on the east side of the City and is in the R-1 Residential District. See the attached Location Map.

Conditional Use Process and Procedure

The Special Use Permit Application was received by the Neighborhood Services Department on 31 January 2020. As no alterations are proposed for the site, no site plan was required of the Applicant.

All Special Land Use Permit Applications require a Public Hearing. Notice was posted in the Big Rapids Pioneer on Tuesday, February 4th and sent to all property owners within 300 feet of 1410 Bjornson St. Staff received 0 calls or letters from neighbors in advance of the hearing.

Standards for this Conditional Use

Section 10.3:8 of the Zoning Ordinance clearly lays out a series of standards for Special Land Uses, stating as follows:

Standards. No conditional use shall be recommended by the Planning Commission unless such Board shall find:

- (1) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.
- (2) That the conditional use will not be injurious to 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.

Section 3.4:6 (4) of the Zoning Ordinance lists home occupations as a Special Land Use, subject to the conditions of Section 11.1:10. This Section states that home occupations may be permitted in the R-1, R-2, and R-3 Residential Districts as a special land use under the following procedures and conditions:

- (1) No stock in trade may be kept or articles sold or offered for sale in the dwelling except such as are produced by such home occupation.
- (2) No display of goods or signs pertaining to such use are visible from the street and that no persons are employed other than the dwelling occupants.
- (3) The principal structure for which the Special Land Use is requested must be the residence of the applicant. No such home occupation may be conducted in any accessory building.
- (4) No such home occupation shall require interior or exterior alterations, or use of mechanical equipment, not customary for housekeeping.
- (5) The home occupation shall not generate more than ten (10) business related vehicles trips in any one (1) day period.
- (6) Parking for the home occupation shall be accommodated in the driveway or along the curb adjacent to the property.
- (7) Nor more than twenty-five (25) percent of the floor area of the ground floor of the principal structure may be devoted to the home occupation.
- (8) The home occupation shall not require exterior alterations that change the residential character of the dwelling (this statement shall not be construed so as to prohibit alterations necessary to comply with the Americans with Disabilities Act).
- (9) In no case shall the home occupation be open to the public at times earlier than 7:00 a.m. or later than 9:00 p.m.

The Applicant has addressed both of these sets of Standards in her own words in the Special Land Use Permit Application (attached).

Planning Commissioners are encouraged to review the Application against the Standards in Section 10.3:8 to decide if they find it meets or fails to meet them. Commissioners are also encouraged to review the Application against the Home Occupation in a Residential District standards in Section 11.1:10.

Recommendation

Staff recommends approval of the Special Land Use Permit Application to extend the hours of a part-time seasonal employee at a home occupation from 20 hours per week to 30 hours per week, as the request meets the Standards set in Section 10.3:8 and Section 11.1:11 of the Zoning Ordinance and further because it falls under the purview of the variance granted to the Applicant for this purpose at the Zoning Board of Appeals meeting on December 29, 2011.

Action

Three options lay before the Planning Commission regarding Special Land Use Permit Applications: Approval, Denial, or Table. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and sends the Application to the next step in the process where City Commission has final say in approving or denying the request.

“I move that the Special Land Use Permit Application to extend the part-time seasonal employee average weekly hours from 20 hours to 30 hours for the bookkeeping and tax services home occupation at 1410 Bjornson Street be recommended to the City Commission for approval, because it meets the Standards set in Section 10.3:8 and Section 11.1:11 of the Zoning Ordinance. *[If any conditions on approval, list them here.]*”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Special Land Use Permit Application to extend the part-time seasonal employee average weekly hours from 20 hours to 30 hours for the bookkeeping and tax services home occupation at 1410 Bjornson Street, because it does not meet Standard 10.3:X or Standard 11.1:11(X) of the Zoning Ordinance.
(Fill in the X with which number Standard the application does not meet.)”

Table

A Table motion is appropriate when more information is needed before reaching a decision regarding the Application and pauses the process until a later date.

“I move to table a decision on the Special Land Use Permit Application to extend the part-time seasonal employee average weekly hours from 20 hours to 30 hours for the bookkeeping and tax services home occupation at 1410 Bjornson Street until the March 18 meeting of the Planning Commission, because *(list your reason for tabling the decision here)*. ”

RESOLUTION NO. 12-11

Commissioner Rothstein moved, seconded by Commissioner Hogenson, the adoption of the following:

RESOLUTION ACCEPTING PLANNING COMMISSION RECOMMENDATION FOR A HOME OCCUPATION CONDITIONAL USE PERMIT FOR 1410 BJORNSON STREET FOR A BOOKKEEPING SERVICE

WHEREAS, the City of Big Rapids received a request for a conditional use permit to establish a bookkeeping and tax service home occupation at 1410 Bjornson Street, and

WHEREAS, the Planning Commission reviewed the request and referred it to the Zoning Board of Appeals which, at their December 29, 2011 meeting approved a variance allowing for a part-time seasonal employee, and

WHEREAS, the City Planning Commission, following a public hearing held on January 18, 2012, recommends that a conditional use permit for a home occupation be granted.

NOW, THEREFORE, BE IT RESOLVED, that the Big Rapids City Commission accepts the recommendation of the Planning Commission and approves the conditional use permit request to operate a bookkeeping and tax service business at 1410 Bjornson Street, which includes a part-time seasonal employee up to 20 hours a week.

Yeas: Anderson, Hogenson, Rothstein, Warba

Nays: None

Abstain: James

The Mayor declared the resolution adopted.

Dated: February 6, 2012



City of Big Rapids

Department of Neighborhood Services
Application to the Planning Commission for Zoning Request

Application Date: 11/31/20

Applicant Information:

Name:	<u>LORRAINE JAMES</u>		
Address:	<u>1410 BJORNSEN ST</u>		
Phone Number:	<u>7967730</u>	Property Zoning:	<u>R2</u>
Request Property Address:	<u>1410 BJORNSEN</u>		
Explanation of Request:	<u>Adding part time seasonal hours to existing variance</u>		

Please check one of the following:

☒ Special Land Use Permit, Please include the following information

- ☒ 1. A legal description of the property.
- ☒ 2. Twelve (12) copies of a site plan meeting the requirements of Section 9.4 of the Big Rapids Zoning Ordinance as amended.
- ☒ 3. A written description of the use.
- ☒ 4. Address use standards set forth in Section 10.3:8.
- ☒ 5. \$200.00 Application Fee

☐ Zoning Amendment Review, Please include the following information:

☐ Zoning Map Amendment (Rezoning)

1. A legal description of the property.
2. A written description of reasons for rezoning and proposed new zoning classification.
3. Address the requirements set forth in Section 14.2:4. (posting of notification).
4. A location map.
5. \$200.00 Application Fee

☐ Text Amendment

1. A written description of proposed changes and reasons why.
2. Proposed new text.
3. Address the requirements set forth in Section 14.2:2.
4. \$200.00 Application Fee

Lorraine James 11/31/20
Signature of applicant or property owner (Date)

Lorraine James
1410 Bjornson St
Big Rapids, MI 49307
231-796-7730
231-250-3552

I have a variance to allow a part-time seasonal employee who is not an occupant of my dwelling. I then received a Special Land Use Permit which set 20 hours per week. My request is to amend that Special Land Use Permit to increase those hours from 20 to 30 hours. It has been very tight the last few years at only 20 hours. I now am also trying to train someone new who might want to purchase the business going forward. Sometimes the 20 hours a week works great other times it does not, and paperwork must sit and not be processed.

Special Land Use Permit – Article 10 – Section 10.3:8

1 – The increase in hours will not be detrimental to or endanger the public health safety, or welfare. It is an increase from 20 hours to 30 hours a week Jan through April.

2 – The increase of hours will not be injurious to 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. House sits over 300 feet back from the road and has adequate parking.

3- The increase in hours will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. House sits over 300 feet from road and has adequate parking.

4 – There are adequate utilities etc. Extra hours will not affect this.

5 – No traffic congestion in the public streets. House sits back over 300 feet from road and has adequate parking.

6 – Special land use conforms to the applicable regulations of the district.

I would like to note that this will be my 44th year of preparing taxes and bookwork for clients. I have never had a complaint from any neighbor. Having the house sit back over 300 feet from the road allows for adequate parking in front or side of house. Entire driveway is concrete.

Danaine James
1/31/20

Lorraine James
1410 Bjornson St
Big Rapids, MI 49307

- 1 No stock in trade or articles sold or offered for sale - only tax work or bookkeeping work.
 - 2 No signs visible from the street.
Special Use previously given for 20 hrs a week.
 - 3 My residence is 1410 Bjornson.
 - 4 No alterations have been made and no mechanical equipment.
Computers - Printers - Calculators - Copy Machine
 - 5 Usually not more than 4 appts in any given day. Drop offs and pick ups of documents. More traffic during tax season, due to the nature of the business, but very little to none outside of April.
 - 6 Parking is adequate by front of house - six cars could park.
There is parking off to the side - additional parking.
 - 7 My two rooms that I use for an office is approximately 11% of the entire floor area.
 - 8 No exterior alterations have been made to change the residential character of the dwelling.
 - 9 Office Hours are Closed Sunday and Monday - Tue - 11am until 6/Wed - 11am -5/ Thur 11am - 6/Friday 11am - 4/ and Saturday 10am - 4. See attached
- The latest I have ever stayed open for a client would be 7 or 7:30.

Lorraine James
2/6/20

Year	MBOR Assessed	Final SE\
2016	\$182,600	\$182,600

Land Information

Zoning Code	R-1	Total Acres	4.090
Land Value	\$27,600	Land Improvements	<i>Not Available</i>
Renaissance Zone	No	Renaissance Zone Expiration Date	<i>No Data to Display</i>
ECF Neighborhood	4045 EAST SIDE NEWER SF	Mortgage Code	<i>No Data to Display</i>
Lot Dimensions/Comments	<i>Not Available</i>	Neighborhood Enterprise Zone	No

Lot(s)	Frontage
Lot 1	167.94 ft
Total Frontage: 167.94 ft	

Legal Description

001410 BJORNSON STREET: SEC 2, T15N, R10W -- COM 1997.61 FT N ALG THE N/S 1/4 LI FR THE S 1/4 COR, TH N 1 427.43 FT, TH S 330.99 FT, TH W 673.79 FT TO THE POB. SUBJ TO THAT PART USED OR TAKEN FOR ST PURPOSES.

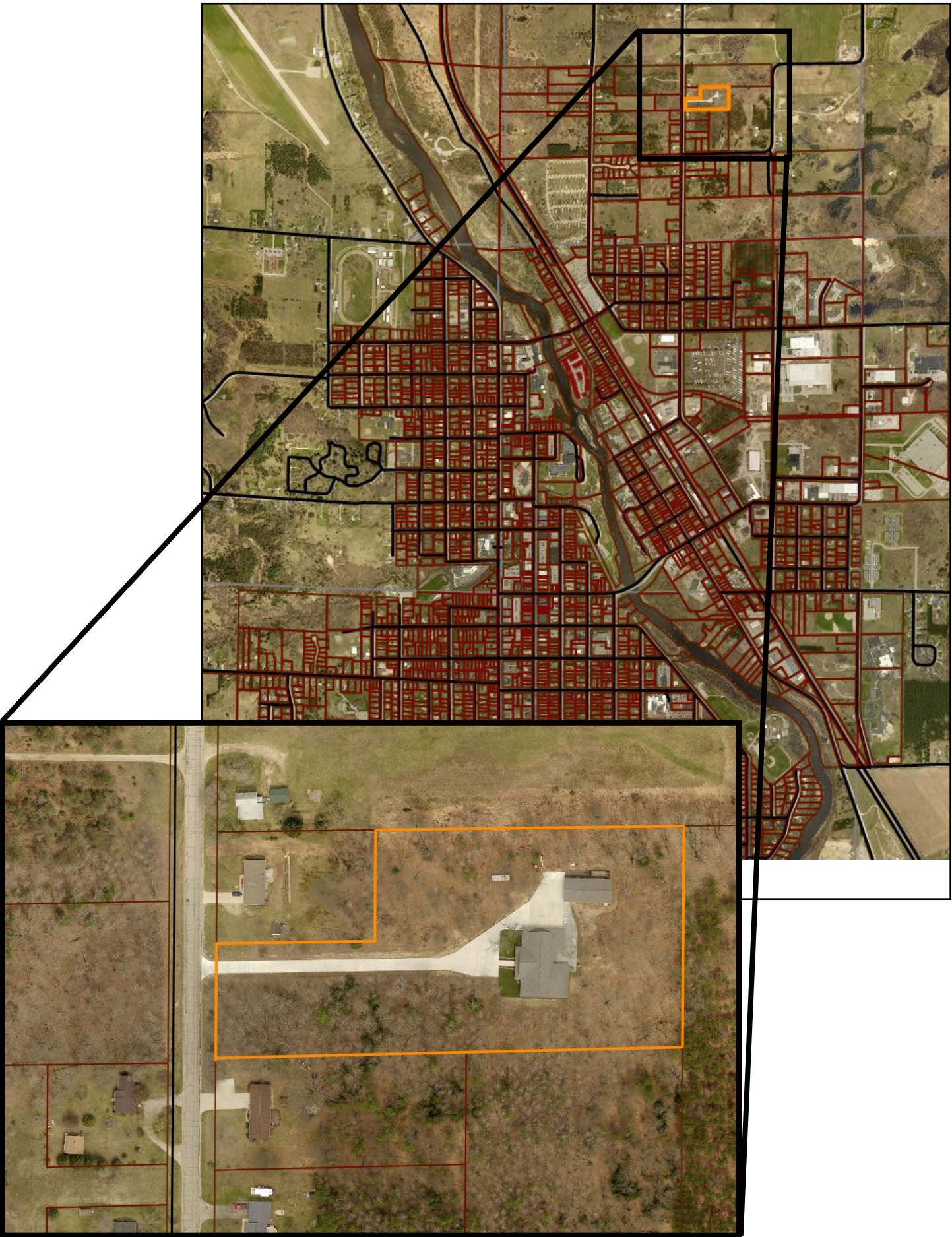
Land Division Act Information

Date of Last Split/Combine	<i>No Data to Display</i>	Number of Splits Left	0
Date Form Filed	<i>No Data to Display</i>	Unallocated Div.s of Parent	0
Date Created	<i>No Data to Display</i>	Unallocated Div.s Transferred	0
Acreage of Parent	0.00	Rights Were Transferred	<i>Not Available</i>
Split Number	0	Courtesy Split	<i>Not Available</i>
Parent Parcel	<i>No Data to Display</i>		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	T
11/25/2015	\$0.00	QC	JAMES DEAN A & LORRAINE A	JAMES DEAN & LORRAINE CO TRUSTEES	
11/24/2015	\$0.00	QC	JAMES DEAN & LORRAINE REV TRUST	JAMES DEAN A & LORRAINE A	
11/30/2011	\$0.00	OTH	JAMES DEAN A & LORRAINE REV TRUST	JAMES DEAN A & LORRAINE A	
11/29/2011	\$0.00	OTH	JAMES DEAN A & LORRAINE A	JAMES DEAN & LORRAINE REV TRUST	
05/12/2006	\$35,000.00	WD	STILSON, LORRAINE K	JAMES REV TRUST, DEAN A & LORRAINE	
12/09/2005	\$0.00	OT	STILSON, GERALD W	STILSON, LORRAINE K	

Location Map - 1410 Bjornson Street





STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Special Land Use Permit Application – 1294 Perry Ave
DATE: February 19, 2020

Introduction

Applicant Ken Knuckles of Development Management Group, LLC is applying for a Special Land Use Permit for an Arby's Restaurant with dine-in and drive-thru options at 1294 Perry Avenue. Both "Restaurants/bars serving meals and/or beverage for indoor consumption subject to the conditions of Section 11.1:20" and "Drive-in restaurants" are permitted in the C-1 Commercial District as special land uses in Section 3.9:6 of the Zoning Ordinance

This property is located on the far west side of the City and is in the C-1 Commercial District. See the attachments for maps and images of the property. The parcel, PIN 17-15-300-035, has 152.75 feet of frontage on Perry Avenue and is 273.765 feet deep along Venlo Drive, for a total size of 0.96 acres.

Special Land Use Process and Procedure

The Special Land Use Permit Application was received by the Neighborhood Services Department on January 29, 2020. The Applicant is also applying for a Site Plan Review, as the project includes new construction.

All Special Use Permit Applications require a Public Hearing. Notice was posted in the Big Rapids Pioneer on February 4, 2020 and sent to all property owners within 300 feet of 1294 Perry Ave. Staff received 0 calls from neighboring property owners in advance of the hearing.

Standards for this Special Land Use

Section 10.3:8 of the Zoning Ordinance clearly lays out a series of standards for Special Land Uses, stating as follows:

Standards. No special land use shall be recommended by the Planning Commission unless such Board shall find:

- (1) That the establishment, maintenance or operation of the special land use will not be detrimental to or endanger the public health, safety or general welfare.
- (2) That the special land use will not be injurious to 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 special land 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 special land 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.

Section 3.9:6 (3) of the Zoning Ordinance lists restaurants as a Special Land Use in the C-1 District, subject to the conditions of Section 11.1:20. This Section states that “planned shopping centers, restaurants/bars, motels and hotels, and drive-through establishments may be permitted in the C-1 Commercial District as a special land use under the following procedures and conditions:

- (1) All points of vehicular ingress and egress are clearly defined.
- (2) All pedestrian areas on the site are clearly defined.”

The Applicant has addressed both of these sets of Standards in his own words in the Special Land Use Permit Application (attached).

Planning Commissioners are encouraged to review the Application against the Standards in Section 10.3:8 and Section 11.1:20 to decide if they find it meets or fails to meet them and make their decision on this case in accordance.

Recommendation

Staff recommends approval of the Special Land Use Permit Application for a restaurant with both eat-in and drive-thru service at 1294 Perry Avenue, as it meets the Standards set in Section 10.3:8 and Section 11.1:20 of the Zoning Ordinance.

Action

Three options lay before the Planning Commission regarding Special Land Use Permit Applications: Approval, Denial, or Table. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and sends the Application to the next step in the process where City Commission has final say in approving or denying the request.

“I move that the Special Land Use Permit Application for a restaurant at 1294 Perry Avenue (PIN 17-15-300-035) be recommended to the City Commission for approval, because it meets the Standards set in Section 10.3:8 and Section 11.1:20 of the Zoning Ordinance. *[If any conditions on approval, list them here.]*”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Special Land Use Permit Application for a restaurant at 1294 Perry Avenue (PIN 17-15-300-035), because it does not meet Standard 10.3:X of the Zoning Ordinance.

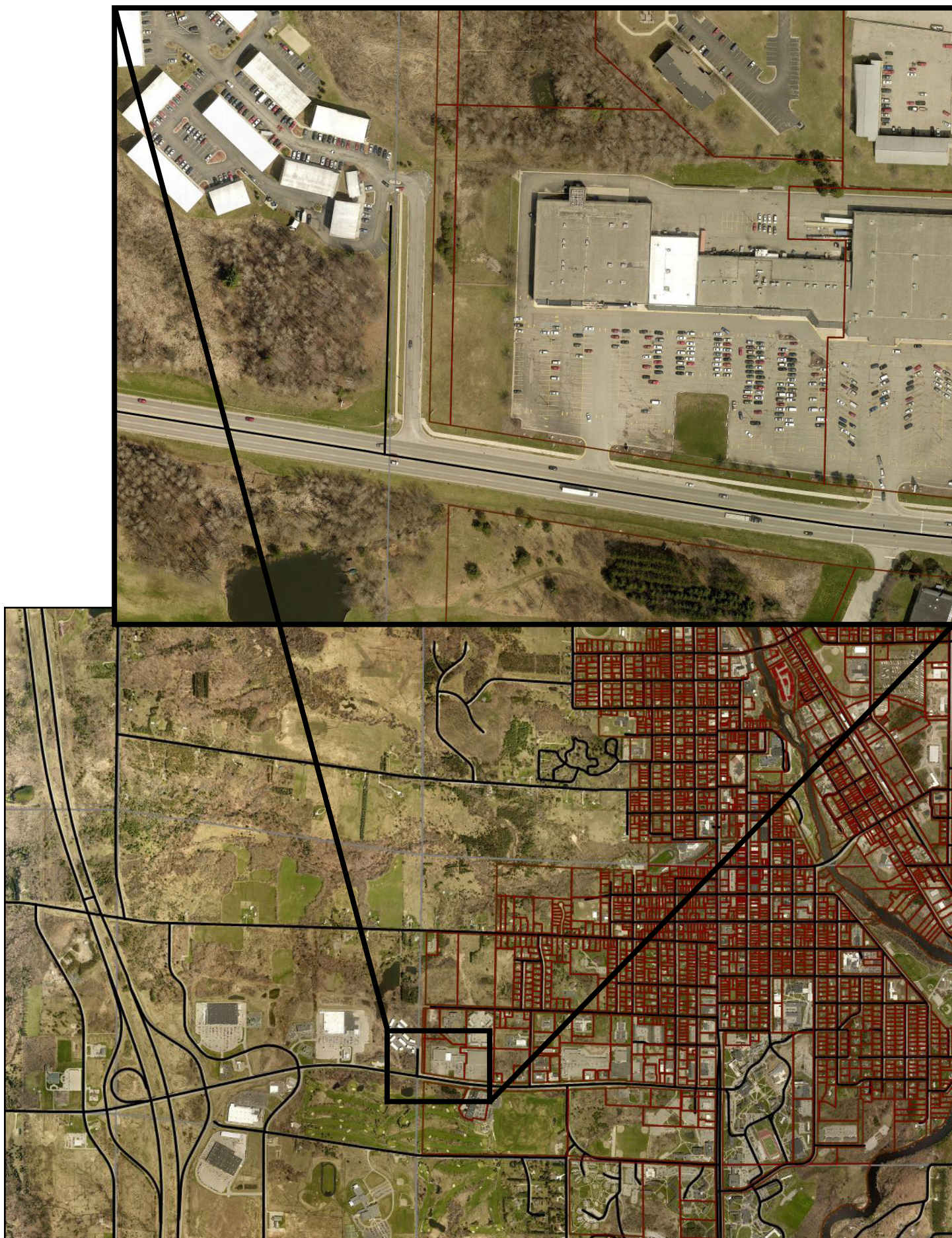
(Fill in the X with which number Standard the application does not meet.)”

Table

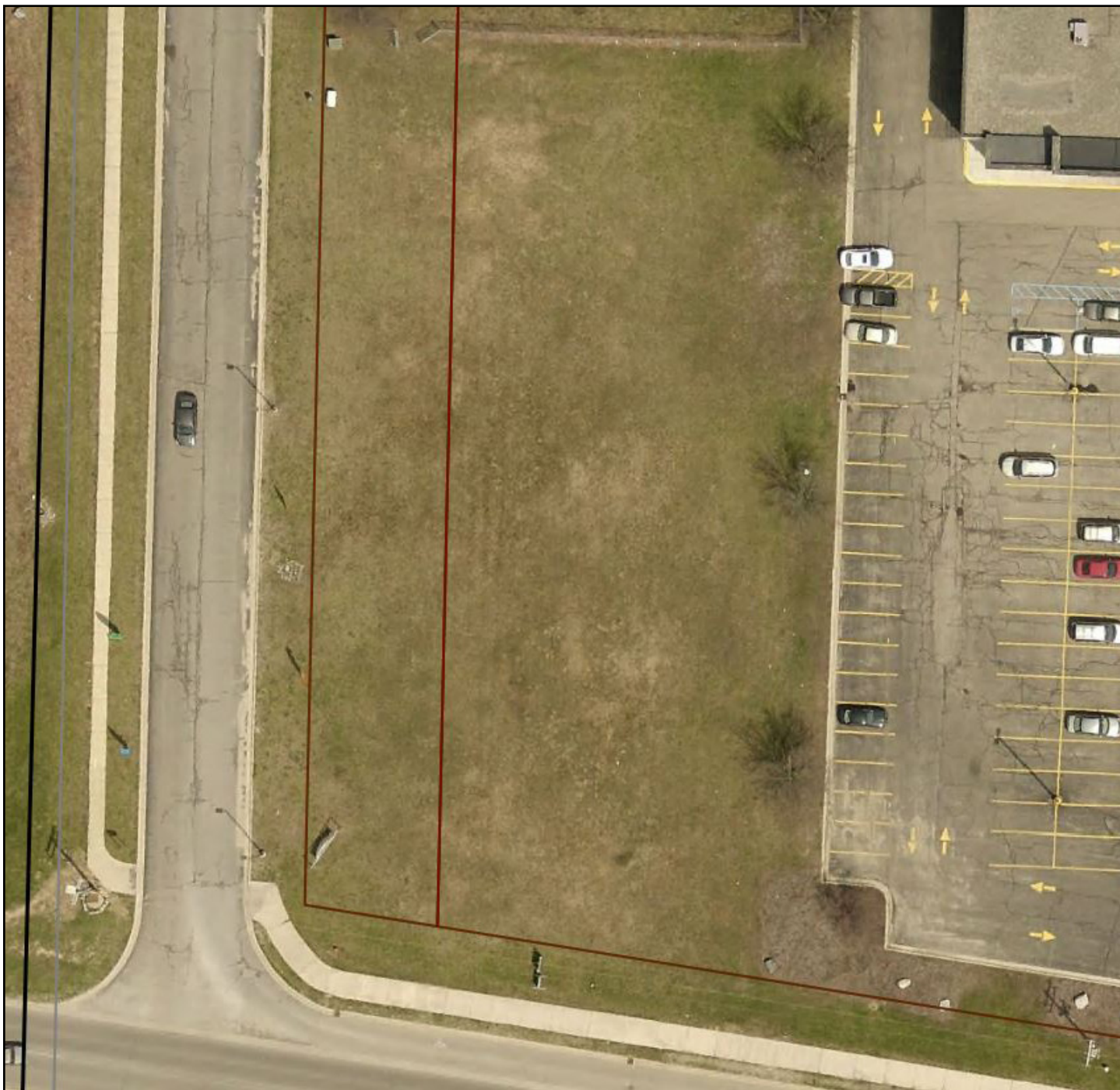
A Table motion is appropriate when more information is needed before reaching a decision regarding the Application and pauses the process until a later date.

“I move to table a decision on the Special Land Use Permit Application for a restaurant at 1294 Perry Avenue (PIN 17-15-300-035) until the March18 meeting of the Planning Commission, because *(list your reason for tabling the decision here)*.”

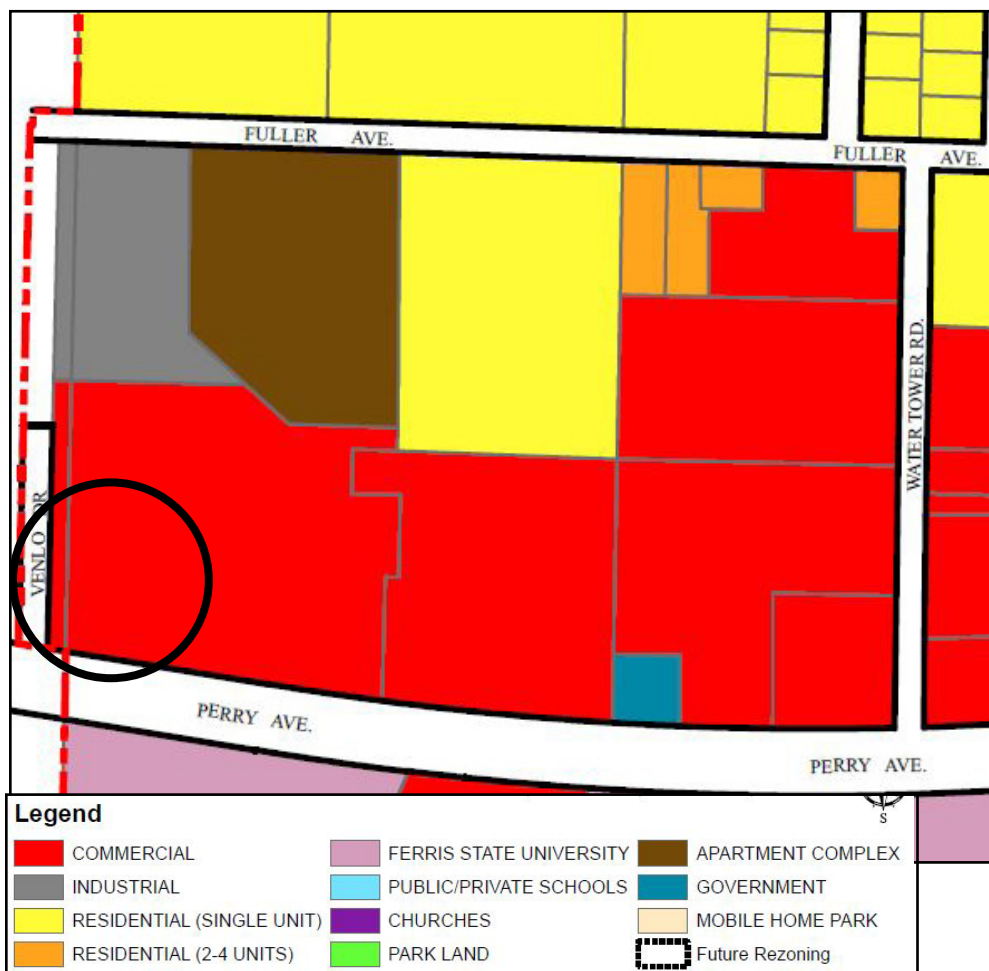
Location Maps



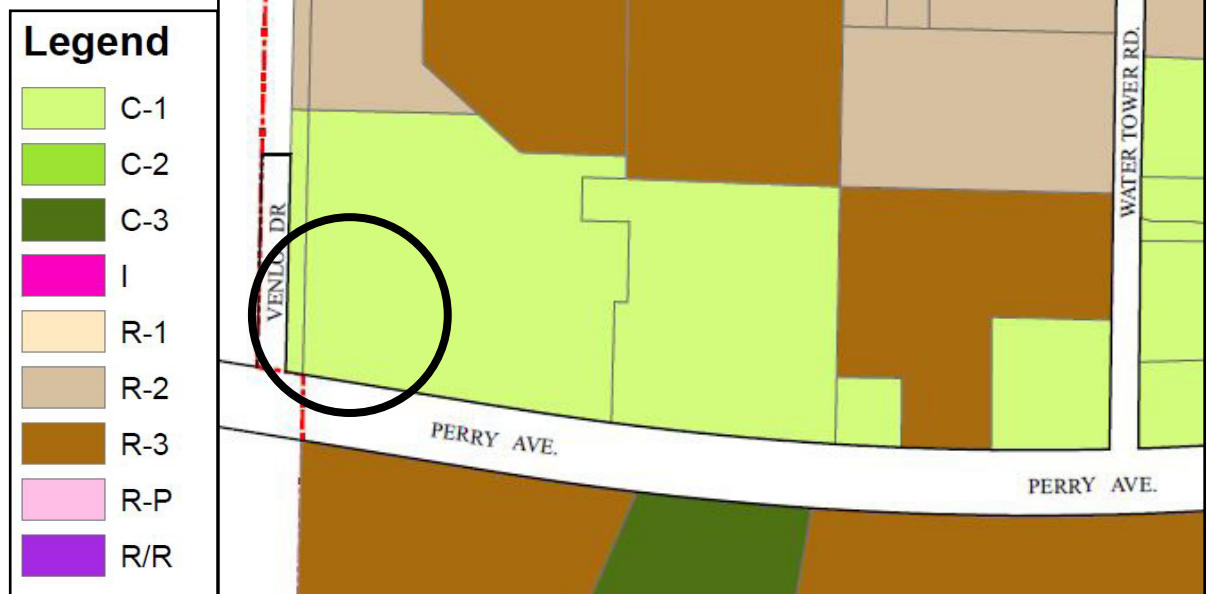
Aerial Imagery



Excerpt from Future Land Use Map



Excerpt from Zoning Map







STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Site Plan Review – 1294 Perry Ave
DATE: February 19, 2020

Introduction

Applicant Ken Knuckles of Development Management Group, LLC is applying for Site Plan Review for an Arby's Restaurant with dine-in and drive-thru options at 1294 Perry Avenue. This 0.96-acre site is zoned C-1 and is located on the west side of Big Rapids on the northeast corner of Perry Avenue and Venlo Drive. Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

History of the Property

This outlot property has been vacant and for sale since the adjacent strip mall at 1254 Perry Avenue was developed in 1992. The owners recently completed a property division/split with the City Assessor's office to create a new parcel for the outlot, separate from the strip mall, where it had previously been included in the same parcel.

Behind the new parcel and to the west of the strip mall is a stormwater retention pond. This pond serves to retain stormwater from the entire strip mall. As part of this project, the Applicant will be making improvements to that retention pond to increase its capacity so that it can also be utilized by the new development.

Site Plan Review Process and Procedure

The Site Plan Review Application was received by the Neighborhood Services Department on January 29, 2020 and was deemed in compliance with Section 9.4. of the Zoning Ordinance which stipulates required Site Plan Review application materials. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on February 4, 2020 and sent to all property owners within 300 ft of the site.

The Site Plans were shared with the Building Inspector, the Deputy Director of Public Safety – Fire Division, and the Public Works Department's Engineering staff for their review.

Building Inspector - Aaron Holsworth, Building Official for Mecosta County, reviewed the plans and determined that they met his standards to move forward.

Public Safety - Deputy Director of Public Safety – Fire Division Steve Schroeder reviewed the site plans and found no issues that would affect fire department safety concerns.

Public Works - Plans were by Engineering Technician Matt Ruelle and Fleis and VandenBrink Engineer Todd Richter. After reviewing the plans for grading and stormwater, they noted a few points they wish to see addressed:

- They would like a copy of the property agreement for the grading and paving work that will be done between the properties to ensure no issues.

- Please provide the inlet capacity of the trench drain at the access drive to Venlo Drive, to assure that it is sufficient to meet the potential demands of water flowing west.
- Verify that the detention pond has a 3:1 slope per the City Ordinance.
- Provide erosion protection at the northeast and southeast corners of the pond or drop the inlet lower to reduce potential erosion.
- The City currently has a watermain easement which runs along the north side of the detention pond. It appears that the plans on Sheet C-300 show work over the easement area. Provide plans which demonstrate that the easement to access the watermain is maintained in a way which does not reduce the stormwater retention capacity.

Zoning – Plans were reviewed by the Neighborhood Services Director as to their standings as regards the Zoning Ordinance. The plans were found to be in compliance with the Zoning Ordinance as regards setbacks, parking, and landscaping.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to insure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.

- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Planning Commissioners are encouraged to review the Application against the Criteria in Section 9.6 to decide if they find it meets or fails to meet them. These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends conditional approval of the Site Plan Review Application for a restaurant at 1294 Perry Avenue (PIN 17-15-300-035), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance, after Public Works concerns are addressed.

In order to address the concerns raised around the stormwater detention pond and watermain easement, the recommended way forward is to approve the plans on the condition that the Public Works concerns are addressed, and revised plans be administratively approved.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Denial, or Approval with Conditions. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application.

“I move that the Site Plan Review Application for an Arby’s restaurant at 1294 Perry Avenue (PIN 17-15-300-035) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Site Plan Review Application for an Arby’s restaurant at 1294 Perry Avenue (PIN 17-15-300-035) because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions.

“I move that the Site Plan Review Application for an Arby’s restaurant at 1294 Perry Avenue (PIN 17-15-300-035) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.**
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here. Could include items like requiring additional permits, **revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities**, or moving features out of the fire lane, among others).*

A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”



City of Big Rapids

Department of Neighborhood Services
Application to the Planning Commission for Zoning Request

Application Date: _____

Applicant Information:

Name: Ken Knuckles (Development Management Group, LLC)	
Address: 4209 Gallatin Pike - Nashville, TN 37216	
Phone Number: (615) 227-5863	Property Zoning: C-1
Request Property Address: 1294 Perry Avenue	
Explanation of Request: Request approval to allow a drive-thru restaurant	

Please check one of the following:

☒ Special Land Use Permit, Please include the following information

1. A legal description of the property.
2. Twelve (12) copies of a site plan meeting the requirements of Section 9.4 of the Big Rapids Zoning Ordinance as amended.
3. A written description of the use.
4. Address use standards set forth in Section 10.3:8.
5. \$200.00 Application Fee

☐ Zoning Amendment Review, Please include the following information:

☐ Zoning Map Amendment (Rezoning)

1. A legal description of the property.
2. A written description of reasons for rezoning and proposed new zoning classification.
3. Address the requirements set forth in Section 14.2:4. (posting of notification).
4. A location map.
5. \$200.00 Application Fee

☐ Text Amendment

1. A written description of proposed changes and reasons why.
2. Proposed new text.
3. Address the requirements set forth in Section 14.2:2.
4. \$200.00 Application Fee



Signature of applicant or property owner



(Date)



**CITY OF BIG RAPIDS
SITE PLAN REVIEW APPLICATION**

APPLICANT NAME: Ken Knuckles (Development Management Group, LLC)

APPLICANT ADDRESS: 4209 Gallatin Pike – Nashville, TN 37216

APPLICANT PHONE: (615) 227-5863 **FAX NUMBER:** ---

PROJECT TITLE: Proposed Arby's Restaurant

PROJECT ADDRESS: 1294 Perry Avenue

SUBJECT PROPERTY OWNER: BD Big Rapids, LLC

LEGAL DESCRIPTION OF PROPERTY: Legal description attached to this application

SUBJECT PROPERTY ZONING: 'C-1' **SITE SIZE (ACRES):** 0.96 AC

LIST ALL REQUIRED STATE AND FEDERAL PERMITS ON SEPARATE SHEET

In compliance with Section 9.4 of the City of Big Rapids Zoning Ordinance, twelve copies of a complete proposed site plan must be submitted to the Department of Neighborhood Services, a minimum of twenty days prior to the Plan Board hearing date. Failure to submit complete plans, a completed application form and filing fee may result in the site plan review hearing being delayed.

SITE PLAN INFORMATION REQUIREMENTS:

TWELVE COPIES (12) of the proposed site plan, drawn on 24" X 36" paper

SCALE OF 1"=20' for sites up to three acres and 1"=100' for sites over three acres

LEGEND including north arrow, scale, date of preparation and name, address and telephone number of individual or firm preparing the plan.

SEAL of professional architect, engineer or surveyor preparing the plan

LOCATION MAP indicating relationship of the site to surrounding land use

LOT LINES together with dimensions, angles and size correlated with the legal description, which is tied to existing monumentation

TOPOGRAPHY of the site in two-foot contour intervals

NATURAL FEATURES such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar items

MAN MADE FEATURES within 100 feet of the site

BUILDING SIZE, height, finish floor and grade line elevations, yard setbacks and square footage.
Front, side and rear elevation drawings of the proposed structures.

FLOOR PLAN of structures showing existing and proposed uses (used to verify gross vs. usable floor areas and principal vs. accessory uses)

STREETS, driveways, sidewalks and other vehicle or pedestrian circulation features upon and adjacent to the site shall be shown

PARKING SPACES, location, size, number, service lanes, delivery and loading areas

CROSS-SECTIONS illustrating construction of drives and parking areas

LANDSCAPING, together with open spaces, screening, fences, walls and proposed alterations of topography or other natural features

SERVICE DEMANDS from the community to support proposed operations on the site

EARTH CHANGE plans required by State law

SITE LIGHTING including location, intensity and orientation

SURFACE WATER DRAINAGE

UTILITY LOCATION and size for sanitary sewer, water, storm sewer, natural gas, electricity, telephone, coaxial cable, fiber optic, etc.

FIRE LANES

OUTDOOR STORAGE

TRASH RECEPTACLES


HAZARDOUS MATERIAL storage facilities, including type, quantity, location and secondary containment provisions

OTHER INFORMATION as required by the Plan Board

DIGITAL COPY submitted in AutoCAD compatible format

SITE PLAN REVIEW FEE \$200

I have read the requirements of submittal and review of a site plan by the City of Big Rapids Plan Board and attest that the provided site plan is complete.


Applicant signature

01/28/20
Date

January 28, 2020

Paula Priebe
Neighborhood Services Director
City of Big Rapids
226 North Michigan Avenue
Big Rapids, MI 49307
(231) 592-4035



**RE: PLANNING COMMISSION SUBMITTAL FOR
SITE PLAN REVIEW AND SPECIAL LAND USE APPROVAL
Proposed Arby's Restaurant
1294 Perry Avenue
Parcel ID #17-15-300-035**

Dear Paula,

On behalf of the property owner, BD Big Rapids, LLC, we are hereby providing the information noted below to support our request for placement on the agenda for the **02/19/20 Planning Commission meeting**. The purpose of our submittal is to request **(1)** Site Plan approval for the proposed Arby's Restaurant, and **(2)** a Special Land Use approval to conditionally allow a restaurant use within the C-1 zoning district. Arby's is a nationally recognized quick service restaurant chain that provides interior seating for dine-in customers as well as drive-thru service which typically accounts for 60% to 70% of the restaurants business. On average most locations operate 7 days per week between 10:00 AM to 10:00 PM and have 8-10 employees onsite per shift.

SITE PLAN REQUEST:

The subject site is currently undeveloped and is located at the northeast corner of Perry Avenue and Venlo Drive with an address of 1294 Perry Avenue. The 0.96 AC parcel was recently created via a plat by Gen3 Investments prior to conveying the land to BD Bid Rapids, LLC. Gen3 Investments also owns the shopping center immediately east of the Arby's parcel. The subject site and surrounding properties are zoned 'C-1'.

The applicant is proposing to a construct a new, 2,313 SF Arby's Restaurant building (43 seats) and all associated site-related improvements. The design includes 33 new parking spaces which exceeds the minimum of 22 spaces required based on the seat count. The design of the drive-thru lane situates the menu board at the 6th car from the window which also exceeds the minimum stacking distance to accommodate 5 vehicles. The proposed layout meets all other zoning-related criteria relating to building setbacks, landscaping and similar requirements.

No direct access from Perry Avenue is proposed. The site will be afforded cross-access with the adjacent shopping center driveways and parking lot, and also proposes a new two-way entrance to Venlo Drive from the rear of the Arby's parcel. The addition of the Venlo Drive access will also help to improve any congestion issues that may be occurring at the Perry Avenue access to the center by routing some of the traffic to Venlo through the rear of the Arby's parcel.

The development intends to meet required stormwater requirements by improving the existing detention basin at the rear of the Arby's parcel. This basin was constructed as part of the development of the original shopping center and, according to discussions with the City Engineer, is now undersized and does not meet the City's current requirements for storage and treatment of stormwater. As part of the planned project the existing basin will be enlarged, deepened and otherwise improved to better meet current design criteria and to allow additional volume to accommodate the stormwater runoff from the Arby's parcel.

SPECIAL LAND USE REQUEST:

As a restaurant with drive-thru service is not a permitted use by right in the C-1 zoning district, the applicant is hereby requesting consideration to approve a Special Land Use that would permit the development of the Arby's project.

Pursuant to the filing instructions for a Special Land Use application, we offer the following responses to the standards noted in Section 10.3.8 of the zoning ordinance:

1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.

While not a use that's permitted by right, a restaurant use at this location shouldn't be considered as being out of character with all of the other retail and restaurant uses that are currently operating in the vicinity of the subject site. This project will not present any unanticipated public health or safety issues.

2. That the conditional use will not be injurious to 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.

As noted above, the subject property is already zoned to be developed commercially which, in most instances, would include a restaurant use. Property values would not be impacted if developed with the proposed restaurant use.

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.

The subject property is zoned 'C-1' and is surrounded by property that is already developed commercially. Allowing a restaurant use at this location would provide no hindrance to future development in the vicinity of the project site.

4. That adequate utilities, access roads, drainage and necessary facilities have been or are being provided.

All necessary improvements are currently at or near the subject property. Through an agreement with the owner of the shopping center the Arby's development will route their sanitary sewer service through their property and will also make improvements to the existing offsite stormwater detention basin that will be shared with Arby's.

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.

No direct access to Perry Avenue is planned for the Arby's project. Access proposed in, out and through the subject property will be provided through shared access with the adjacent shopping center at the front and rear of the property. The only exception to this is the proposed driveway access to Venlo Road which improves circulation through the Arby's site and also provides another point of ingress/egress for the shopping center which should serve to reduce the amount of traffic using their main driveway at Perry Avenue.

6. That the conditional use shall, in all other aspects conform to 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.

The development of the planned improvements as depicted on the plans that have been provided with our submittal do not require any deviations from other zoning-related standards regarding required parking, building setbacks and similar requirements. No variances are being requested at this time. The applicant further acknowledges Article 11 and Section 10.4 as noted above and welcome the opportunity to discuss additional conditions or stipulations that may be recommended by the Planning Commission and City Commission as part of our project approvals.

To support our request for Site Plan and Special Land Use approvals, I am provided you with the following materials:

- ☒ (1) Completed Site Plan Review Application
- ☒ (1) Completed Special Land Use Application
- ☒ (1) Copy of Legal Description for the Subject Parcel
- ☒ (12) Full-size Sets of Civil Plans (including landscaping, site lot lighting, etc.)
- ☒ (12) Full-size Color Sets of Architectural Exhibits (rendered elevations and floor plan)
- ☒ (1) Copy of the Civil Engineer's Stormwater Report
- ☒ (1) \$400 Submittal Fee (\$200/application)
- ☒ (1) Copy of Spec Sheets of Parking Lot Light Poles & Fixtures

We sincerely appreciate the assistance you have provided us to this point, and we look forward to the opportunity to discuss our project with the Planning Commission at their upcoming meeting. Please contact me directly should there be any questions regarding our submission or if any additional information is needed.

Sincerely,

DEVELOPMENT MANAGEMENT GROUP, LLC



Ken Knuckles
Vice President

cc: Jeff Browning, BD Big Rapids, LLC
Michael Zipser

**LEGAL DESCPTIONS FOR PROPOSED LOT SPLIT
PROPOSED ARBY'S RESTAURANT**

Parcel 17-15-300-031 (1298 Perry Avenue)

Owner: Gen3 Investments, LLC

Parcel 17-15-300-001 (1254 Perry Avenue)

Owner: Gen3 Investments, LLC

Parcel A Description

Part of the Southwest 1/4 of Section 15, Town 15 North, Range 10 West, City of Big Rapids, Mecosta County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence S00°31'05"W 569.18 feet along the West line of said Section; thence S88°35'33"E 60.00 feet parallel with the East-West 1/4 of said Section as defined as between the West 1/4 corner and the East 1/4 corner of said Section; thence S00°31'05"W 340.09 feet along the Easterly right-of-way of Venlo Drive to the Point of Beginning; thence S00°31'05"W 262.37 feet; thence S81°32'43"E 152.75 feet along the Northerly right-of-way of Perry Avenue (M-20); thence N01°26'13"E 281.09 feet; thence N88°35'52"W 155.81 feet to the Point of Beginning. Contains 0.96 acres. Subject to easements, restrictions and rights-of-way of record.

Remainder Description

Part of the Southwest 1/4 of Section 15, Town 15 North, Range 10 West, City of Big Rapids, Mecosta County, Michigan, described as: Commencing at the West 1/4 corner of said Section; thence S00°31'05"W 569.18 feet along the West line of said Section; thence S88°35'33"E 60.00 feet parallel with the East-West 1/4 of said Section as defined as between the West 1/4 corner and the East 1/4 corner of said Section to the Point of Beginning; thence S88°35'33"E 429.40 feet; thence S45°35'15"E 108.15 feet; thence S88°35'33"E 270.00 feet; thence S00°17'56"W 54.00 feet; thence S88°35'33"E 488.00 feet; thence S01°08'30"E 437.71 feet; thence S00°17'56"W 154.26 feet; thence Northwesterly 789.25 feet along a 7564.44 foot radius curve to the right, said curve having a central angle of 05°58'41", and a chord bearing N84°32'04"W 788.89 feet along the Northerly right-of-way of Perry Avenue (M-20); thence N81°32'43"W 344.72 feet; thence N01°26'13"E 281.09 feet; thence N88°35'52"W 155.81 feet; thence N00°31'05"E 340.09 feet along the Easterly right-of-way of Venlo Drive to the Point of Beginning. Contains 16.74 acres. Subject to easements, restrictions and rights-of-way of record.



CITY OF BIG RAPIDS

226 North Michigan Avenue
Big Rapids, MI 49307

OFFICIAL NOTICE CITY OF BIG RAPIDS PROPERTY SPLIT/COMBINATION/BOUNDARY ADJUSTMENT

PARENT PARCEL NUMBER(S):

54-17-15-300-001
54-17-15-300-031

NEW CHILD PARCEL NUMBER (S) & ADDRESS:

17-15-300-034 - 1254 Perry Avenue, Big Rapids, MI 49307 9.52 A M/L
(Remainder of 17-15-300-001)

17-15-300-035 - 1294 Perry Avenue, Big Rapids, MI 49307 .096 A M/L
(New Child Parcel for Transfer)

17-15-300-036 - 1298 Perry Avenue, Big Rapids, MI 49307 .310 A M/L
(Remainder of 17-15-300-031)

Please be informed that:

- ☒ **There has been a split/combination of the above referenced parcel(s) and new addresses have been issued** (see above).
- ☐ There has been a boundary adjustment involving the above referenced parcel(s) and new addresses **have not** been issued.
- ☐ There has been an assemblage/combination involving the above referenced parcel(s) and the existing address has been retained.

Provided by: L. Gail Dolbee, Assessor

Date

12/18/19

Distribution:

- ☒ Property Owner
☐ Information Technology Department for Mapping Changes
☐ Mecosta County Equalization
☐ City Zoning Administrator
☐ City Public Works Director
☐ Post Office

The City of Big Rapids is an Equal Opportunity Provider and Employer

City Manager	231-592-4020	City Treasurer	231-592-4010	Neighborhood Services	231-592-4035
Assessing	231-592-4030	DART	231-796-8675	Public Safety	231-527-0005
City Clerk	231-592-4020	Income Tax	231-592-4012	Public Works	231-592-4015
Water Plant	231-796-6231	Wastewater Plant	231-796-8483		

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Capital Improvements Program 2020-2026
DATE: February 19, 2020

Introduction

Every year, the City prepares and adopts a 6-year Capital Improvements Program, as required by the Michigan Planning Enabling Act. Departments make requests for funding of capital projects which are reviewed and prioritized by City staff. Projects for the 2020-2026 fiscal year will make up the capital budget, part of the annual budget, while the projects for later years help the City plan ahead for anticipated expenditures.

The Capital Improvements Program and Process

Preparation of the CIP follows a detailed process laid out by the Michigan Economic Development Corporation. This process began in November 2019 with a schedule and call for project requests. The CIP Policy Group (made up of department heads, superintendents, two Planning Commission representatives, and others) met twice; once to review the policies and procedures used to create the CIP and a second time to score and review project requests. The CIP Administrative Group (made up of the City Manager, City Treasurer, and Neighborhood Services Director) finalized project prioritization and funding recommendations.

Final steps in the CIP process include review and recommendation by the Planning Commission and final review and adoption by the City Commission.

Recommendation

Staff supports a recommendation to approve the 2020-2026 Capital Improvements Program from the Planning Commission to the City Commission.

Action

The Planning Commission needs to make a recommendation to the City Commission regarding the 2020-2026 Capital Improvements Program.

City of Big Rapids

Capital Improvements

Program 2020-2026



Acknowledgements

City Commission

Tom Hogenson, Mayor

Robert Andrews

Jennifer Cochran

Jon Eppley

Lorraine James

Planning Commission

Chris Jane, Chair

Bill Yontz, Vice Chair

Renato Cerdena

Paul Jackson

Karen Simmon

Rory Ruddick

Tim Vogel

Adopted -PENDING

2 March 2020

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Introduction

A Capital Improvements Plan (CIP) is a multi-year planning instrument used to identify needs and financing sources for public infrastructure improvements. The purpose of a CIP is to facilitate the orderly planning of infrastructure improvements; to maintain, preserve, and protect the City of Big Rapids' existing infrastructure system; and to provide for the acquisition or scheduled replacement of equipment to ensure the efficient delivery of services to the community. The CIP is also utilized to ensure that capital improvements are fiscally sound and consistent with the goals and policies of the governing body and the residents of the community.

A comprehensive CIP is an essential tool for the planning and development of the social, physical, and economic wellbeing of the community. The process of creating a CIP is a necessary part of an organized effort to strengthen the quality of public facilities and services; provide a framework for the realization of community goals and objectives; and provide a sound basis on which to build a healthy and vibrant community.

The CIP informs Big Rapids residents and stakeholders on how the municipality plans to address significant capital needs over the next six years. The CIP provides visual representations of the community's needs including maps that detail the timing, sequence, and location of capital projects. The CIP can also influence growth because infrastructure can impact development patterns.

Some of the benefits that the CIP provides for the residents and stakeholders include:

- Optimizing the uses of revenue
- Focusing attention on community goals, needs, and capabilities
- Guiding future growth and development
- Encouraging efficient government
- Improving intergovernmental and regional cooperation
- Helping maintain a sound and stable financial program
- Enhancing opportunities for the participation in federal and/or state grant programs

The projects identified in the CIP represent the community's plan to serve residents and anticipate the needs of a dynamic community. Projects are guided by various development plans and policies established by the City Commission, Planning Commission, and City administration.

Plans and policies include:

- | | |
|--|---|
| • Master Plan Addendum 2018 | • Bicycle and Pedestrian Plan 2012 |
| • Downtown Blueprint Update 2016 | • Goals and Objectives of City Commission |
| • Tax Increment Financing (TIF) Plan | • Administrative Policies |
| • Parks and Recreation Master Plan 2017-2021 | |

Mission Statement

Preparation of the CIP is done under the authority of the Michigan Planning Enabling Act (PA 33 of 2008). The goal of the CIP should be to implement the master plan and to assist in the community's financial planning.

The CIP is dynamic. Each year all projects included within the CIP are reviewed, a call for new projects is made, and adjustments are made to existing projects arising from changes in the amount of funding required, conditions, or time line. A new year of programming is also added each year to replace the year funded in the annual operating budget.

The CIP program should continue to develop over time by adding features to gradually improve quality and sophistication. Greater attention shall be devoted to providing more detailed information about individual project requests, program planning, fiscal analysis, fiscal policies, and developing debt strategy.

CIP and Budget Process

The CIP plays a significant role in the implementation of a master plan by providing the link between planning and budgeting for capital projects. The CIP process precedes the budget process and is used to develop the capital projects portion of the annual budget. Recommending approval of the CIP by the Planning Commission does not mean that they grant final approval of all projects contained within the plan. Rather by recommending approval of the CIP, the Planning Commission acknowledges that these projects represent a reasonable interpretation of the upcoming needs for the community and that projects contained in the first year of the plan are suitable for inclusion in the upcoming budget.

Priority rankings do not necessarily correspond to funding sequence. For example, a road-widening project which is ranked lower than a park project may be funded before the park project because the road project has access to a restricted revenue source, whereas a park project may have to compete for funding from other revenue sources. A project's funding depends upon several factors—not only its merit, but also its location, cost, funding source, and logistics.

The community of Big Rapids should strive to maximize resources by maintaining a balance between operating and capital budgets. A continuous relationship exists between the CIP and the annual budget. A direct link can be seen between the two documents, as there should be in a strategic planning environment. Budget appropriations lapse at the end of the fiscal year as the operating budget is funded with recurring annual revenues such as taxes, licenses, fines, user fees, and interest income.

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.

Process

The process of creating the Capital Improvements Program took place over five months and including staff from every department in the City.

Groups and Roles

The first step in the process was getting the different people and groups necessary to fill vital roles in drafting the Capital Improvements Program. The groups and roles are described below:

Policy Group: reviews the policy, develops the project rating and weighting criteria, rates and weights project applications, reviews funding options, and presents the recommendation to the Administrative Group.

- City Manager
- City Treasurer
- Director of Public Works
- Director of Public Safety
- Deputy Director of Public Safety
- Information Technology Manager
- DART Supervisor
- Superintendent of Water Plant
- Superintendent of Wastewater Plant
- Street Superintendent
- Neighborhood Services Director
- Planning Commission Representatives (2)

Administrative Group: clarifies any issues, finalizes the ratings and brings the CIP draft forward to the Planning Commission.

- City Manager
- City Treasurer
- Neighborhood Services Director

Planning Commission: works with the Policy Group during the plan development, conducts workshops (if necessary), reviews the Policy Group's recommendation, receives public input, and makes recommendations to the City Commission to adopt the plan and consider incorporating funding for the first-year projects into the annual budget.

City Commission: adopts the CIP, uses the CIP as a tool in the adoption of the annual budget in accordance with the governing body goals and objectives.

Residents: encouraged to participate in plan development by working with various boards and commissions at the Planning Commission meetings, and at the City Commission's budget workshops and public hearings. As always, communication is open between residents, City Commissioners, Planning Commissioners, and staff.

Project Analysis and Prioritization

Upon receiving requests from various Departments for capital improvement funding, the Policy Group shall engaged in a process of scoring projects 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 is part of a multi-year funding commitment.
4. Project is part of, or complements, other ongoing projects.
5. Project is part of an approved City plan.

Projects were be scored on a scale from 1-5. Additionally, departments proposing projects will provide an internal department priority ranking out of the number of projects proposed. Average scores and department priorities are included in the final project tables.

After reviewing department priorities and Policy Group scoring, the Administrative Group prioritized projects and recommend projects to the Planning Commission according to 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.

Capital Improvement Approval

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

The Planning Commission reviewed the CIP on February 20, 2019 and unanimously recommended that the City Commission adopt the 2019-2025 Capital Improvement Plan.

The City Commission adopted the Capital Improvement Plan at their regular meeting on March 4, 2019.

Program Funding

The City of Big Rapids has several funding sources for these Capital Improvements projects. This is necessary due to the substantial financial resources required to meet the goals of the Program. Most capital funding sources are earmarked for specific purposes and cannot be transferred from one capital program to another. For example, funds raised by the community for fire protection services must be used for the purposes that were stated when the voters approved the funding. The CIP has to be prepared with some projects as to the amount of money available. The following is a summary of the funding sources for projects included in the CIP.

General Fund

The General Fund is the fund that is responsible for many of the daily operations of the City. The fund has three major revenue sources: property tax, income tax, and state shared revenue. Collectively, these three revenue items are responsible for 88% of General Fund income. Over the last five fiscal years, the revenue collected from these sources has increased a combined 2.27%, although an upsurge in income tax collected is the main reason for the increase. The largest driver of cost in the General Fund is public safety related expenditures which account for roughly 47% of the budget. As a best practice measure, the Government Finance Officers Association (GFOA) recommends retaining a fund balance of two months of operating expenses, which is approximately \$1,400,000 for the City of Big Rapids.

Major and Local Streets

The Michigan Department of Transportation, through Public Act 51, requires each incorporated municipality to submit an annual report to the State Transportation Commission identifying any changes made to the mileage of their street system. Changes to the street system, if they meet the State's specifications, are reflected on the City's Certified Mileage Map. Certified mileage for major and local streets are used to distribute Act 51 revenues to communities. These revenues are derived by taxes imposed directly or indirectly on vehicle fuel sales. The City of Big Rapids currently has 37.90 miles of certified streets, including 14.50 miles of major streets and 23.40 miles of local streets.

Downtown Development Authority

The Downtown Development Authority (DDA) was created in 1985 to correct and prevent deterioration and to promote economic growth within the downtown area. The DDA governing body consists of individuals that were appointed by the City Commission, who also approves the DDA budget. The DDA is funded with a 2.0 mill tax levied on all taxable property within the district. It is also responsible for the promotion and funding of downtown activities, such as the Big Rapids Farmer's Market.

Library Fund

The Library Fund is responsible for the operation and maintenance of the Big Rapids Community Library. The Library is funded from several different sources: 1.0 mill levied by the City of Big Rapids, penal fine distributions, state aid, a 0.2 mill levy from Big Rapids Charter Township, and a subsidy from the City's General Fund. Salaries, fringe benefits, and library materials comprise most of the Library's current budget. In 2014, the City issued bonds in the amount of \$530,000 to renovate the existing facility. The Library Fund is responsible for the debt service associated with this bond issue.

Airport Fund

The Airport Fund is responsible for the operation and maintenance of the Roben Hood Airport. It is funded through fuel sales, rent from hangar leases, mechanic services, and subsidies from the City's General Fund. The main drivers of costs are salaries and fringe benefits for airport staff, fuel purchases, and debt service on the Community Hangar.

Dial-A-Ride Transit Fund

The City's Dial-a-Ride Transit (DART) system has been providing "curb to curb" public transportation service to the Big Rapids community since 1975. DART has provided more than 3.5 million rides, offering safe, dependable, affordable transportation through a shared ride, demand-response public transportation service. Many patrons use DART as their sole source for fulfilling shopping, medical, education, and socializing needs. DART is a key amenity which separates the City of Big Rapids from other regional communities, providing the ability to get anywhere in Big Rapids to all persons. The DART Fund is supported by a number of different sources, including Michigan Department of Transportation (MDOT), federal funding, Ferris State University shuttle service, passenger fares, and the City's General Fund.

Wastewater and Wastewater Replacement

The purpose of the Big Rapids Wastewater Collection System and Treatment Plant is to protect public health and preserve the aquatic environment, thereby enhancing the quality of life for area residents. The wastewater system serves an 11-square mile area, which encompasses three jurisdictions: the City of Big Rapids, Big Rapids Charter Township, and Green Charter Township. Each community owns and operates their own wastewater collection system, including gravity sewers, pumping stations, and force mains. The City of Big Rapids owns and operates the Publicly-Owned Treatment Works (POTW), also known as the Wastewater Treatment Plant (WWTP). The WWTP is funded by user fees collected from the approximately 2,200 customers of the system.

The wastewater collection and treatment system serves a population of approximately 20,000 people. The system has approximately 33 miles of gravity and force sewer mains as well as 15 lift stations. The Wastewater Replacement Fund is supported by annual contributions from each municipality that is connected to the system.

Water and Water Replacement Funds

The City's water system includes the operation and maintenance of the City's Water Treatment Plant, the distribution lines from the plant, and the upkeep of four water towers. The Water Fund's major revenue source is the usage rates collected from roughly 2,200 customers. Each year, rates are reviewed to correctly account for the funds needed to operate and maintain the plant. The Water Fund has three main cost centers: Production, Transmission, and Customer Service, with production accounting for about 45% of the budget. The Water Fund also transfers resources to the Water Replacement Fund for capital projects related to the water system.

The Water Replacement Fund exists to account for the replacement of capital items throughout the water system. It is funded by quarterly transfers from the Water Fund. The City has a goal to deposit \$700,000 per year into this fund to properly maintain the water system.

Motor Pool Fund

The City's Motor Pool is a part of the Department of Public Works (DPW) and maintains a variety of different vehicles and equipment, including 7 Dial-A-Ride buses, 44 pickups and cars, 4 loaders and backhoes with their various attachments, 7 dump trucks with plows, scrapers, and spreaders. The Motor Pool also maintains everything from garbage trucks to chainsaws for use by DPW. In total, the Motor Pool maintains over 240 different pieces of equipment. Maintenance and replacement programs are in place to ensure the safety and utility of all vehicles. The Motor Pool Fund is supported by equipment rental charges to all funds that use the equipment.

Capital Improvements Program

The following tables provide an overview of the 2020-2026 Capital Improvements Program for the City of Big Rapids. Table 1 shows the projected funding availability by the different funding sources for capital improvements.

Table 2 includes all projects, sorted by the Department responsible for the project, then by year and department priority. The Department Priority shows how each department prioritizes the projects they submitted within each funding year. A score between 0 and 5 is given; this is the average score from the scoring process conducted by the Policy Group. Finally, the chart includes the Estimated Cost of the project as well as the Recommended Funding for the 2020/2021 fiscal year, as determined by the Administrative Group and approved by the Planning Commission.

Table 3 through Table 8 break down the projects by the fiscal year in which they will be funded, starting with 2020/2021 and continuing through 2025/2026.

Table 1

City of Big Rapids CIP 2020-2026

Fund Projections							
Fund	Budget Year						Total
	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	
General Fund	\$ 500,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 2,000,000
Major Streets Fund and Local Streets Fund	\$ 550,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 3,050,000
Airport Fund	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 45,000
Library Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DART Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Wastewater Fund and Wastewater Replacement Fund	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000	\$ 2,700,000
Water Fund and Water Replacement Fund	\$ 800,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 4,300,000
Motor Pool Fund	\$ 150,000	\$ 240,000	\$ 315,000	\$ 290,000	\$ 175,000	\$ 200,000	\$ 1,370,000
Total	\$ 2,457,500	\$ 2,197,500	\$ 2,272,500	\$ 2,247,500	\$ 2,132,500	\$ 2,157,500	\$ 13,465,000

Table 2

City of Big Rapids CIP 2020-2026

All Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for
Roben-Hood Airport	100LL Fuel Tank Replacement	20/21	1 of 1	1.75	\$30,000	\$30,000
	New 4 Bay Hangar	21/22	1 of 1	2.00	\$300,000	0
	Taxiway Rehab	22/23	1 of 1	2.50	\$7,900	0
	Construction/Rehab of Parking Lot & Access Drive	23/24	1 of 1	2.25	\$15,350	0
	Runway 9/27 Extension	24/25	1 of 1	2.50	\$55,000	0
BRDPS Building	LED Digital Message Board	20/21	1 of 1	2.00	\$30,000	0
	Gym Equipment	21/22	1 of 1	0.50	\$20,000	0
	BRDPS Parking Lot Repair	22/23	1 of 1	2.25	\$80,000	0
	BRDPS Roof Replacement	23/24	1 of 1	2.25	\$150,000	0
	Energy Efficient Window Blinds	24/25	1 of 1	0.50	\$55,000	0
BRDPS Fire Division	Turnout Gear Replacement	20/21	1 of 2	1.75	\$38,000	\$38,000
	Engine 4 Replacement	20/21	2 of 2	3.00	\$400,000	\$25,000
	SCBA Replacement	21/22	1 of 1	1.50	\$140,000	0
	Fire Hose Replacement	22/23	1 of 1	2.00	\$30,000	0
	Extrication Equipment	23/24	1 of 1	2.25	\$40,000	0
	IT Improvements	25/26	1 of 1	1.00	\$12,000	0
BRDPS Police Division	Speed Guardian Radar Signage	20/21	1 of 1	2.50	\$10,000	\$10,000
	E-Citations	21/22	1 of 1	1.75	\$16,685	0
	Police K-9	22/23	1 of 1	1.50	\$88,993	0
	TruNarc PPS with 5-year Warranty	23/24	1 of 1	1.25	\$16,700	0
	Training Munitions	24/25	1 of 1	0.75	\$23,000	0
	Upgrade/Replace in Car Cameras	25/26	1 of 1	2.00	\$18,000	0
City Hall	Outside Bathrooms Upgrades	20/21	1 of 1	3.00	\$20,000	\$20,000
DDA & Downtown	Downtown Pavilion	20/21	1 of 2	3.33	\$510,750	\$150,000
	Speakers	20/21	2 of 2	1.33	\$33,850	0
Library	Self Checkout RFID System	21/22	1 of 1	1.25	\$36,170	0
Property	Depot Property Purchase	20/21	1 of 1	4.00	\$67,000	\$67,000
Neighborhood Services	Master Plan Update	21/22	1 of 1	3.00	\$30,000	0
	Zoning Ordinance Update	23/24	1 of 1	3.33	\$50,000	0

Table 2

City of Big Rapids CIP 2020-2026
All Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for
Dial A Ride Transit	Facility Break Room and Meeting Room	20/21	1 of 4	1.67	\$61,000	\$61,000
	New Hoist	20/21	2 of 4	2.33	\$17,000	\$17,000
	Air Compressor	20/21	3 of 4	2.33	\$12,000	\$12,000
	Paving of Parking Lot	20/21	4 of 4	1.33	\$105,000	0
Sidewalks	Annual Sidewalk Program	Annual	1 of 1	4.33	\$100,000/yr	\$100,000
Parks	Pool Water Controller	20/21	1 of 4	2.33	\$7,350	\$7,350
	North End Park Parking Lot Improvements	20/21	2 of 4	3.33	\$76,463	\$76,463
	Riverwalk Repair	Annual	3 of 4	3.67	\$10,000	\$10,000
	Fencing for Ball Parks	20/21	4 of 4	2.33	\$8,500	0
	Depot Trail-head Improvements	21/22	1 of 3	3.33	\$291,403	0
	North End Park Restrooms	21/22	2 of 3	3.67	\$150,000	0
	Hemlock Park Redesign	21/22	3 of 3	2.67	\$75,000	0
	Playscape	23/24	1 of 1	3.67	\$165,000	0
	Hemlock Park Shelter Replacement	23/26	1 of 1	3.33	\$89,000/yr	0
Department of Public Works - Sewer	Henderson Street - New Sewer	20/21	1 of 1	3.00	\$225,000	\$225,000
	Clark Street Sewer Lining	21/22	1 of 1	3.33	\$100,000	0
	Bailey Drive Sewer Upgrades	22/23	1 of 2	4.00	\$175,000	0
	Bailey Drive Sewer Lining	22/23	2 of 2	3.67	\$100,000	0
	Dexter, Fuller, Bailey Sewer Lining	23/24	1 of 1	3.33	\$100,000	0
	Escott and Clark Sewer Lining	24/25	1 of 1	3.33	\$100,000	0
	N. Dekrafft Sewer Lining	25/26	1 of 1	3.00	\$100,000	0

Table 2

City of Big Rapids CIP 2020-2026

All Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for
MotorPool	Wing Mower	20/21	1 of 9	2.33	\$50,000	\$50,000
	Police Staff Car	20/21	2 of 9	2.33	\$30,000	0
	1 Ton Grass Rig	20/21	3 of 9	2.33	\$38,000	\$38,000
	Rescue Truck	20/21	4 of 9	2.33	\$50,000	\$50,000
	2 Police Cars	20/21	5 of 9	2.33	\$90,000	\$45,000
	2 Staff Cars	20/21	6 of 9	2.00	\$40,000	0
	Public Safety Ticket Truck	20/21	7 of 9	2.00	\$20,000	0
	Dump Truck	20/21	8 of 9	2.33	\$150,000	0
	Police Car	20/21	9 of 9	2.33	\$45,000	0
	Dump Truck	23/24	1 of 2	2.33	\$150,000	0
	Police Car	23/24	2 of 2	2.33	\$45,000	0
	Dump Truck	24/25	1 of 2	2.33	\$150,000	0
	Maintenance Truck	24/25	2 of 2	2.00	\$50,000	0
	Police Car	25/26	1 of 3	2.33	\$45,000	0
	Blacktop Roller	25/26	2 of 3	2.00	\$60,000	0
	Wood Chipper	25/26	3 of 3	2.00	\$85,000	0
Wastewater Treatment Plant	Sludge Storage Tank Blasting and Coating	20/21	1 of 3	2.50	\$150,000	\$150,000
	West Screw Pump Replacement	20/21	2 of 3	3.50	\$200,000	\$200,000
	East Screw Pump Replacement Fund	20/23	3 of 3	3.50	\$100,000/yr	0
	Final Clarifier Rehabilitation Phase 2	21/22	1 of 2	2.50	\$100,000	0
	Novak Lane Lift Station Replacement	21/22	2 of 2	2.50	\$175,000	0
	Sieve Drum Concentrator and Piping Replacement	22/23	1 of 1	2.00	\$250,000	0
	Vortex Grit Chamber Renovation	23/24	1 of 1	2.00	\$300,000	0
	New Turbo Blowers for Aerobic Digesters	24/25	1 of 1	2.00	\$450,000	0

Table 2

City of Big Rapids CIP 2020-2026
All Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for
DPW - Water Replacement	Lead and Copper Water Service Exploration	20/26	1 of 1	5.00	\$300,000/yr	\$300,000
	Clark Street Watermain Replacement	20/21	2 of 3	4.00	\$100,000	\$100,000
	Birch Alley Watermain Replacement	20/21	3 of 3	2.00	\$100,000	\$100,000
	Vacuum Truck (Exploration)	22/23	1 of 1	2.50	\$400,000	0
Water Treatment Plant	Pave Plant Parking Lot	20/21	1 of 6	1.50	\$26,000	\$26,000
	HVAC Recirculating Pumps	20/21	2 of 6	1.50	\$7,780	\$7,780
	Repaint Exterior of Both Reservoirs	20/21	3 of 6	3.00	\$30,000	\$30,000
	Tank Mixers	20/21	4 of 6	1.00	\$38,240	\$38,240
	HMC Study	20/21	5 of 6	1.00	\$10,000	\$10,000
	Tile Floor at Plant	20/21	6 of 6	0.50	\$10,000	\$10,000
	High Service Pump replacement	20/21	3 of 6	2.50	\$225,000	\$225,000
	LED lighting at WTP	21/22	1 of 6	1.50	\$66,000	0
	6 Heaters for Clarifier rooms at WTP	21/22	2 of 6	1.50	\$13,285	0
	WTP Roof Maintenance	21/22	4 of 6	2.00	\$100,000	0
	New Intermediate Pump #2 VFD	21/22	5 of 6	2.00	\$15,000	0
	Test Filter Media	21/22	6 of 6	1.50	\$15,000	0
	HMC Reservoir	22/23	1 of 3	2.00	\$300,000	0
	HMC Pump	22/23	2 of 3	2.00	\$300,000	0
	Bulk Water Fill Station	22/23	3 of 3	1.00	\$57,300	0
	Repaint Clarifiers	23/24	1 of 1	2.00	\$110,000	0
	Booster Pump at State Street	24/25	1 of 1	3.00	\$80,000	0
	Build New Garage	25/26	1 of 1	1.00	\$20,000	0

Table 2

City of Big Rapids CIP 2020-2026
All Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for
Department of Public Works - Streets	Locust Street Resurfacing	20/21	1 of 14	3.50	\$94,035	\$95,000
	Clark Street - Street Replacement	20/21	2 of 14	4.00	\$111,969	\$112,000
	Henderson Street Paving	20/21	3 of 14	3.00	\$450,000	\$225,000
	Hanchett Drive Mill and Fill	20/21	4 of 14	3.00	\$53,500	\$53,500
	200 Block of S. Michigan Parking Lot and Alley	20/21	5 of 14	3.50	\$61,725	0
	Security Gate at Garage	20/21	6 of 14	1.00	\$15,000	\$15,000
	Birch Alley Paving	20/21	7 of 14	2.00	\$54,000	\$54,000
	State Street Traffic Study	20/21	8 of 14	2.50	\$15,000	0
	200-300 Marion Ave - Street and Watermain	20/21	9 of 14	3.50	\$400,000	0
	East Maple Street Maintenance	20/21	10 of 14	3.00	\$71,571	0
	Division Street Maintenance	20/21	11 of 14	3.00	\$61,483	0
	Car Charging Station (Option 1) - Slow Charge	20/21	12 of 14	1.50	\$26,499	0
	Car Charging Station (Option 2) - Fast Charge	20/21	13 of 14	1.50	\$212,420	0
	Baldwin Street Lights	20/21	14 of 14	2.50	\$89,500/yr	0
	Hanson Street Paving	21/22	1 of 7	3.00	\$450,000	0
	Colburn Avenue - Street and Watermain	21/22	2 of 7	3.50	\$760,000	0
	400-600 Marion Ave - Street and Watermain	21/22	3 of 7	3.50	\$500,000	0
	Darwin Street - Street and Watermain	21/22	4 of 7	3.50	\$362,860	0
	Darwin Street Reconstruct	21/22	5 of 7	3.50	\$293,059	0
	100 Block of N. Michigan Parking Lot and Alley	21/22	6 of 7	3.50	\$85,770	0
	Historical Documents Storage for Engineering	21/22	7 of 7	1.00	\$7,500	0

Table 2

City of Big Rapids CIP 2020-2026
All Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for
Department of Public Works - Streets Continued	Chestnut Street Maintenance	22/23	1 of 6	3.00	\$28,755	0
	Bjornson Street Watermain Replacement	22/23	2 of 6	3.50	\$106,000	0
	Ridgeview Drive Street and Watermain	22/23	3 of 6	4.00	\$235,000	0
	Elm Street Resurfacing	22/23	4 of 6	3.00	\$90,192	0
	Bailey Drive Street and Watermain	22/23	5 of 6	4.00	\$180,000	0
	Dexter Avenue Street and Watermain	22/23	6 of 6	4.00	\$175,000	0
	Northland Drive Street and Watermain	23/24	1 of 3	3.50	\$101,000	0
	Green Street Road and Watermain	23/24	2 of 3	3.50	\$106,000	0
	Spring Street Mill and Fill	23/24	3 of 3	3.50	\$73,000	0
	Hutchinson Street Resurfacing	24/25	1 of 2	3.50	\$23,260	0
	Waterloo Street Replacement	24/25	2 of 2	3.50	\$471,372	0

Table 3

City of Big Rapids CIP 2020-2026
2020-2021 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for 2020/2021
Roben-Hood Airport	100LL Fuel Tank Replacement	20/21	1 of 1	1.75	\$30,000	\$30,000
BRDPS Building	LED Digital Message Board	20/21	1 of 1	2.00	\$30,000	0
BRDPS Fire Division	Turnout Gear Replacement	20/21	1 of 2	1.75	\$38,000	\$38,000
	Engine 4 Replacement	20/21	2 of 2	3.00	\$400,000	\$25,000
BRDPS Police Division	Speed Guardian Radar Signage	20/21	1 of 1	2.50	\$10,000	\$10,000
City Hall	Outside Bathrooms Upgrades	20/21	1 of 1	3.00	\$20,000	\$20,000
DDA & Downtown	Downtown Pavilion	20/21	1 of 2	3.33	\$510,750	\$150,000
	Speakers	20/21	2 of 2	1.33	\$33,850	0
Property	Depot Property Purchase	20/21	1 of 1	4.00	\$67,000	\$67,000
Dial A Ride Transit	Facility Break Room and Meeting Room	20/21	1 of 4	1.67	\$61,000	\$61,000
	New Hoist	20/21	2 of 4	2.33	\$17,000	\$17,000
	Air Compressor	20/21	3 of 4	2.33	\$12,000	\$12,000
	Paving of Parking Lot	20/21	4 of 4	1.33	\$105,000	0
Sidewalks	Annual Sidewalk Program	Annual	1 of 1	4.33	\$100,000	\$100,000
Parks	Pool Water Controller	20/21	1 of 4	2.33	\$7,350	\$7,350
	North End Park Parking Lot Improvements	20/21	2 of 4	3.33	\$76,463	\$76,463
	Riverwalk Repair	Annual	3 of 4	3.67	\$10,000	\$10,000
	Fencing for Ball Parks	20/21	4 of 4	2.33	\$8,500	0
Department of Public Works - Sewer	Henderson Street - New Sewer	20/21	1 of 1	3.00	\$225,000	\$225,000

Table 3

City of Big Rapids CIP 2020-2026
2020-2021 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for 2020/2021
MotorPool	Wing Mower	20/21	1 of 9	2.33	\$50,000	\$50,000
	Police Staff Car	20/21	2 of 9	2.33	\$30,000	0
	1 Ton Grass Rig	20/21	3 of 9	2.33	\$38,000	\$38,000
	Rescue Truck	20/21	4 of 9	2.33	\$50,000	\$50,000
	2 Police Cars	20/21	5 of 9	2.33	\$90,000	\$45,000
	2 Staff Cars	20/21	6 of 9	2.00	\$40,000	0
	Public Safety Ticket Truck	20/21	7 of 9	2.00	\$20,000	0
	Dump Truck	20/21	8 of 9	2.33	\$150,000	0
	Police Car	20/21	9 of 9	2.33	\$45,000	0
Wastewater Treatment Plant	Sludge Storage Tank Blasting and Coating	20/21	1 of 3	2.50	\$150,000	\$150,000
	West Screw Pump Replacement	20/21	2 of 3	3.50	\$200,000	\$200,000
	East Screw Pump Replacement Fund	20/23	3 of 3	3.50	\$100,000	0
DPW - Water Replacement	Lead and Copper Water Service Exploration	20/26	1 of 1	5.00	\$300,000	\$300,000
	Clark Street Watermain Replacement	20/21	2 of 3	4.00	\$100,000	\$100,000
	Birch Alley Watermain Replacement	20/21	3 of 3	2.00	\$100,000	\$100,000
Water Treatment Plant	Pave Plant Parking Lot	20/21	1 of 6	1.50	\$26,000	\$26,000
	HVAC Recirculating Pumps	20/21	2 of 6	1.50	\$7,780	\$7,780
	Repaint Exterior of Both Reservoirs	20/21	3 of 6	3.00	\$30,000	\$30,000
	Tank Mixers	20/21	4 of 6	1.00	\$38,240	\$38,240
	HMC Study	20/21	5 of 6	1.00	\$10,000	\$10,000
	Tile Floor at Plant	20/21	6 of 6	0.50	\$10,000	\$10,000
	High Service Pump replacement	20/21	3 of 6	2.50	\$225,000	\$225,000

Table 3

City of Big Rapids CIP 2020-2026
2020-2021 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost	Recommended Funding for 2020/2021
Department of Public Works - Streets	Locust Street Resurfacing	20/21	1 of 14	3.50	\$94,035	\$95,000
	Clark Street - Street Replacement	20/21	2 of 14	4.00	\$111,969	\$112,000
	Henderson Street Paving	20/21	3 of 14	3.00	\$450,000	\$225,000
	Hanchett Drive Mill and Fill	20/21	4 of 14	3.00	\$53,500	\$53,500
	200 Block of S. Michigan Parking Lot and Alley	20/21	5 of 14	3.50	\$61,725	0
	Security Gate at Garage	20/21	6 of 14	1.00	\$15,000	\$15,000
	Birch Alley Paving	20/21	7 of 14	2.00	\$54,000	\$54,000
	State Street Traffic Study	20/21	8 of 14	2.50	\$15,000	0
	200-300 Marion Ave - Street and Watermain	20/21	9 of 14	3.50	\$400,000	0
	East Maple Street Maintenance	20/21	10 of 14	3.00	\$71,571	0
	Division Street Maintenance	20/21	11 of 14	3.00	\$61,483	0
	Car Charging Station (Option 1) - Slow Charge	20/21	12 of 14	1.50	\$26,499	0
	Car Charging Station (Option 2) - Fast Charge	20/21	13 of 14	1.50	\$212,420	0
	Baldwin Street Lights	20/21	14 of 14	2.50	\$89,500/yr	0
Total					\$5,199,135	\$2,783,333

Table 4

City of Big Rapids CIP 2020-2026
2021-2022 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost
Roben-Hood Airport	New 4 Bay Hangar	21/22	1 of 1	2.00	\$300,000
BRDPS Building	Gym Equipment	21/22	1 of 1	0.50	\$20,000
BRDPS Fire Division	SCBA Replacement	21/22	1 of 1	1.50	\$140,000
BRDPS Police Division	E-Citations	21/22	1 of 1	1.75	\$16,685
Library	Self Checkout RFID System	21/22	1 of 1	1.25	\$36,170
Neighborhood Services	Master Plan Update	21/22	1 of 1	3.00	\$30,000
Sidewalks	Annual Sidewalk Program	Annual	1 of 1	4.33	\$100,000
Parks	Riverwalk Repair	Annual	3 of 4	3.67	\$10,000
	Depot Trail-head Improvements	21/22	1 of 3	3.33	\$291,403
	North End Park Restrooms	21/22	2 of 3	3.67	\$150,000
	Hemlock Park Redesign	21/22	3 of 3	2.67	\$75,000
DPW - Sewer	Clark Street Sewer Lining	21/22	1 of 1	3.33	\$100,000
Wastewater Treatment Plant	Final Clarifier Rehabilitation Phase 2	21/22	1 of 2	2.50	\$100,000
	East Screw Pump Replacement Fund	20/23	3 of 3	3.50	\$100,000
	Novak Lane Lift Station Replacement	21/22	2 of 2	2.50	\$175,000
Water Replacement	Lead and Copper Water Service Exploration	20/26	1 of 1	5.00	\$300,000
Water Treatment Plant	LED lighting at WTP	21/22	1 of 6	1.50	\$66,000
	6 Heaters for Clarifier rooms at WTP	21/22	2 of 6	1.50	\$13,285
	WTP Roof Maintenance	21/22	4 of 6	2.00	\$100,000
	New Intermediate Pump #2 VFD	21/22	5 of 6	2.00	\$15,000
	Test Filter Media	21/22	6 of 6	1.50	\$15,000
Department of Public Works - Streets	Hanson Street Paving	21/22	1 of 7	3.00	\$450,000
	Colburn Avenue - Street and Watermain	21/22	2 of 7	3.50	\$760,000
	400-600 Marion Ave - Street and Watermain	21/22	3 of 7	3.50	\$500,000
	Darwin Street - Street and Watermain	21/22	4 of 7	3.50	\$362,860
	Darwin Street Reconstruct	21/22	5 of 7	3.50	\$293,059
	100 Block of N. Michigan Parking Lot and Alley	21/22	6 of 7	3.50	\$85,770
	Historical Documents Storage for Engineering	21/22	7 of 7	1.00	\$7,500
Total					\$4,612,732

Table 5

City of Big Rapids CIP 2020-2026
2022-2023 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost
Roben-Hood Airport	Taxiway Rehab	22/23	1 of 1	2.50	\$7,900
BRDPS Building	BRDPS Parking Lot Repair	22/23	1 of 1	2.25	\$80,000
BRDPS Fire Division	Fire Hose Replacement	22/23	1 of 1	2.00	\$30,000
BRDPS Police Division	Police K-9	22/23	1 of 1	1.50	\$88,993
Sidewalks	Annual Sidewalk Program	Annual	1 of 1	4.33	\$100,000
Parks	Riverwalk Repair	Annual	3 of 4	3.67	\$10,000
Department of Public Works - Sewer	Bailey Drive Sewer Upgrades	22/23	1 of 2	4.00	\$175,000
	Bailey Drive Sewer Lining	22/23	2 of 2	3.67	\$100,000
Wastewater Treatment Plant	East Screw Pump Replacement Fund	20/23	3 of 3	3.50	\$100,000
	Sieve Drum Concentrator and Piping Replacement	22/23	1 of 1	2.00	\$250,000
DPW - Water Replacement	Lead and Copper Water Service Exploration	20/26	1 of 1	5.00	\$300,000
	Vacuum Truck (Exploration)	22/23	1 of 1	2.50	\$400,000
Water Treatment Plant	HMC Reservoir	22/23	1 of 3	2.00	\$300,000
	HMC Pump	22/23	2 of 3	2.00	\$300,000
	Bulk Water Fill Station	22/23	3 of 3	1.00	\$57,300
Department of Public Works - Streets	Chestnut Street Maintenance	22/23	1 of 6	3.00	\$28,755
	Bjornson Street Watermain Replacement	22/23	2 of 6	3.50	\$106,000
	Ridgeview Drive Street and Watermain	22/23	3 of 6	4.00	\$235,000
	Elm Street Resurfacing	22/23	4 of 6	3.00	\$90,192
	Bailey Drive Street and Watermain	22/23	5 of 6	4.00	\$180,000
	Dexter Avenue Street and Watermain	22/23	6 of 6	4.00	\$175,000
Totals					\$3,114,140

Table 6

City of Big Rapids CIP 2020-2026
2023-2024 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost
Roben-Hood Airport	Construction/Rehab of Parking Lot & Access Drive	23/24	1 of 1	2.25	\$15,350
BRDPS Building	BRDPS Roof Replacement	23/24	1 of 1	2.25	\$150,000
BRDPS Fire Division	Extrication Equipment	23/24	1 of 1	2.25	\$40,000
BRDPS Police Division	TruNarc PPS with 5-year Warranty	23/24	1 of 1	1.25	\$16,700
Neighborhood Services	Zoning Ordinance Update	23/24	1 of 1	3.33	\$50,000
Sidewalks	Annual Sidewalk Program	Annual	1 of 1	4.33	\$100,000
Parks	Riverwalk Repair	Annual	3 of 4	3.67	\$10,000
	Playscape	23/24	1 of 1	3.67	\$165,000
	Hemlock Park Shelter Replacement	23/26	1 of 1	3.33	\$89,000
DPW - Sewer	Dexter, Fuller, Bailey Sewer Lining	23/24	1 of 1	3.33	\$100,000
Motor Pool	Dump Truck	23/24	1 of 2	2.33	\$150,000
	Police Car	23/24	2 of 2	2.33	\$45,000
Wastewater Treatment Plant	Vortex Grit Chamber Renovation	23/24	1 of 1	2.00	\$300,000
DPW - Water Replacement	Lead and Copper Water Service Exploration	20/26	1 of 1	5.00	\$300,000
Water Treatment Plant	Repaint Clarifiers	23/24	1 of 1	2.00	\$110,000
Department of Public Works - Streets	Northland Drive Street and Watermain	23/24	1 of 3	3.50	\$101,000
	Green Street Road and Watermain	23/24	2 of 3	3.50	\$106,000
	Spring Street Mill and Fill	23/24	3 of 3	3.50	\$73,000
Total					\$1,921,050

Table 7

City of Big Rapids CIP 2020-2026
2024-2025 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost
Roben-Hood Airport	Runway 9/27 Extension	24/25	1 of 1	2.50	\$55,000
BRDPS Building	Energy Efficient Window Blinds	24/25	1 of 1	0.50	\$55,000
BRDPS Police Division	Training Munitions	24/25	1 of 1	0.75	\$23,000
Sidewalks	Annual Sidewalk Program	Annual	1 of 1	4.33	\$100,000
Parks	Riverwalk Repair	Annual	3 of 4	3.67	\$10,000
	Hemlock Park Shelter Replacement	23/26	1 of 1	3.33	\$89,000
DPW - Sewer	Escott and Clark Sewer Lining	24/25	1 of 1	3.33	\$100,000
Motor Pool	Dump Truck	24/25	1 of 2	2.33	\$150,000
	Maintenance Truck	24/25	2 of 2	2.00	\$50,000
Wastewater Treatment Plant	New Turbo Blowers for Aerobic Digesters	24/25	1 of 1	2.00	\$450,000
DPW - Water Replacement	Lead and Copper Water Service Exploration	20/26	1 of 1	5.00	\$300,000
Water Treatment Plant	Booster Pump at State Street	24/25	1 of 1	3.00	\$80,000
	Build New Garage	25/26	1 of 1	1.00	\$20,000
DPW - Streets	Hutchinson Street Resurfacing	24/25	1 of 2	3.50	\$23,260
	Waterloo Street Replacement	24/25	2 of 2	3.50	\$471,372
Total					\$1,976,632

Table 8

City of Big Rapids CIP 2020-2026
2025-2026 Projects

Department	Project Title	Funding Year(s)	Department Priority	Average Score	Estimated Cost
BRDPS Fire Division	IT Improvements	25/26	1 of 1	1.00	\$12,000
BRDPS Police Division	Upgrade/Replace in Car Cameras	25/26	1 of 1	2.00	\$18,000
Sidewalks	Annual Sidewalk Program	Annual	1 of 1	4.33	\$100,000
Parks	Riverwalk Repair	Annual	3 of 4	3.67	\$10,000
	Hemlock Park Shelter Replacement	23/26	1 of 1	3.33	\$89,000
DPW - Sewer	N. Dekrafft Sewer Lining	25/26	1 of 1	3.00	\$100,000
Motor Pool	Police Car	25/26	1 of 3	2.33	\$45,000
	Blacktop Roller	25/26	2 of 3	2.00	\$60,000
	Wood Chipper	25/26	3 of 3	2.00	\$85,000
DPW - Water Replacement	Lead and Copper Water Service Exploration	20/26	1 of 1	5.00	\$300,000
Water Treatment Plant	Build New Garage	25/26	1 of 1	1.00	\$20,000
Total					\$839,000

Appendix A – Project Details

All projects included in the Capital Improvements Program were submitted by City departments using the Project Request Form. These forms give more detail about the projects considered when compiling the 2019-2025 Capital Improvements Program for the City of Big Rapids.

Planning Commission

Regular Meeting

Big Rapids City Hall
226 N Michigan Avenue

March 18, 2020
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. February 19, 2019
5. Public Comment
6. Public Hearing
 - a. Site Plan Review for a new parking lot at 1315 Hanchett Drive.
 - b. Site Plan Review for a new parking lot at 801 N State Street
and 112 W Waterloo Street
7. General Business
 - a. Annual Report of Planning
8. Unscheduled Business
9. Adjourn

CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
February 19, 2019
UNAPPROVED MINUTES

Vice Chair Jackson called the February 19, 2020, regular meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Paul Jackson, Rory Ruddick, Karen Simmon, Tim Vogel, Bill Yontz

EXCUSED Renato Cerdena, Chris Jane

ABSENT

ALSO PRESENT Cindy Plautz, Neighborhood Services Coordinator
Paula Priebe, Neighborhood Services Director

There were 14 audience members.

APPROVAL OF MINUTES

Motion was made by Tim Vogel, seconded by Bill Yontz, to approve the minutes of the January 15, 2020, 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

Map Amendment Application to Rezone 520 S Third Avenue from R-3 Residential to C-3 Commercial

Staff Report

Priebe stated that the application for map amendment was made by Michael Vlasich of Mother Nurtures, LLC, to rezone the property from R-3 to C-3 in order for the company to operate a licensed marihuana Provisioning Center. They have submitted a purchase agreement for the property which is contingent on the rezoning.

Priebe contends that this request would not constitute a spot zoning as the Master Plan's Future Land Use Map indicates this parcel as Commercial. Also, the parcel is near Focus Area Three which recommends changing it to allow commercial uses. The area across the road from 520 S Third is zoned C-3 and 520 S third Ave is already developed as a commercial use. A change of zoning classification is unlikely to be a detriment to nearby lands.

Staff recommends approval of the rezoning request.

Vice-Chair Jackson opened the Public Hearing at 7:40 PM.

Applicant Statement

Michael Vlasich, 1602 Cedar Point Drive, Niles, MI 49120, stated that the proposed Marihuana Provisional Center, Mother Natures LLC, would be run by himself and his father. They have an offer to purchase on the property contingent on obtaining licensing.

The property they wish to purchase has been vacant for a while and the proposed use would not be much different than that of the previous dentist office. Parking requirements have been met, no loitering would be permitted, and the building would be secure and under 24 hour video surveillance. They estimate employing 25 to 35 individuals at a fare wage. He feels this business would be a good partner and value to the City. He plans on engaging in community outreach and in the past has been a member of an optimist group and has been involved in the Salvation Army Bell Ringing campaign.

Those Who Spoke in Favor None

Those Who Spoke in Opposition None

Telephonic or Written Correspondence Received by Staff

Ruth Chapman, a representative of Community Health, 500 S Third Ave, stated that she had concerns with the proposed provisioning center and its proximity to the Community Health Center and their clientele.

A phone call from property owners to the south had concerns about the proposed business adversely affecting property values in the area.

A phone call from Shane Fry, the owner of the Sonoco station at 525 S Third Avenue, stated that he would like to see the property occupied.

Applicant Rebuttal

Vlasich stated that the business will not be a concern as this type of business is highly regulated and they are obliged to conform. They will keep normal business hours and will be under video surveillance.

Vice-Chair Jackson closed the Public Hearing at 7:45 PM and the Commission entered into Fact Finding.

Yontz believes that filling a vacant building on the east side is a plus and he is comfortable with the proposed use and zoning change.

Ruddick said he had no issues with the proposed business and zoning change. He feels this location is ideal for this type of business.

Vogel asked the applicant if they have provisioning centers elsewhere to which Vlasick answered, no, this is the first for them. He added that he has other commercial experience as the manager of 60 Shell gas stations. He learned about the medical marihuana concept through a need within his family. There is a need to obtain medical marihuana from State licensed venders. He added that the building is already laid out for this business as it contains individual exam rooms that are private for one on one consultations. Patrons will need medical marihuana cards to make purchases and the business will strictly observe HIPPA regulations.

MOTION

Motion was made by Bill Yontz, seconded by Rory Ruddick, that the Rezoning Application for 520 S Third Avenue from R-3 Residential to C-3 Commercial be recommended to the City Commission for approval as it meets the Standards set forth in Section 14.2:4 of the Zoning Ordinance.

Motion passed unanimously with Paul Jackson, Rory Ruddick, Karen Simmon, Tim Vogel and Bill Yontz in favor.

Public Hearing

Special Land Use Permit Application for 1410 Bjornson Street to Amend the Existing Special Land Use Permit to Operate a Home Occupation with a Part-time Seasonal Employee

Vogel addressed the Commission stating that he has been a long-time colleague and tax client of the applicant and if they feel he would be biased in making a decision, he will recuse himself. He is confident he can make an unbiased decision and the Commission felt the same.

Staff Report

Priebe introduced the request stating that applicant Lorraine James, 1410 Bjornson, runs a bookkeeping and tax service out of her home. She received a Conditional Use Permit to operate a bookkeeping and tax service business at 1410 Bjornson in February of 2012 which also allows a part-time seasonal employee up to 20 hours per week. The applicant would like to increase the number of hours allowed the part time employee to work on premise.

The applicant has addressed the Standards for Conditional Use sufficiently and Staff recommends approval of the Special Land Use Permit.

Vice-Chair Jackson opened the Public Hearing at 6:55.

Applicant Statement

James stated that this is her 44th year in business and 9 years have been at this address. The house sits 300 feet back from the street and there is adequate parking. The extra hours will help with the increase in business and she looks forward to grooming a person to take over the business in the future.

Those Who Spoke in Favor of the Request None

Those Who Spoke in Opposition of the Request None

Telephonic or Written Correspondence Received by Staff

Staff received a phone call from a neighbor wanting more information. Once received, the neighbor stated they had no problem with the request as it would not affect them.

Applicant Rebuttal None

Vice-Chair Jackson closed the Public Hearing at 6:58 PM and the Commission entered into Fact Finding.

The Commission agreed that the applicant meets the Standards for Special Land Use set forth in Section 10.3:8 of the Zoning Ordinance and 10 extra hours per week for a seasonal employee at this address would not pose a problem.

MOTION

Motion was made by Bill Yontz, seconded by Karen Simmon, that the Special Land Use Permit Application to extend the part-time seasonal employee average weekly hours from 20 to 30 hours for the bookkeeping and tax service home occupation at 1410 Bjornson

Street be recommended to the City Commission for approval, because it meets the Standards set in Section 10.3:8 and Section 11.1:11 of the Zoning Ordinance.
Motion passed with Paul Jackson, Rory Ruddick, Karen Simmon, Tim Vogel and Bill Yontz in favor.

Public Hearing

Special Land Use Permit Application for 1294 Perry Avenue to Permit a Restaurant with Drive-thru Service

Staff Report

Priebe stated that Ken Knuckles of Development Management Group, LLC, is applying for a Special Land Use Permit for an Arby's Restaurant at 1294 Perry Street which includes a dine-in area and a drive-up service. The property is currently an empty lot with the B-2 Outlet store to the east and Venlo Drive to the west. It is zoned C-1 Commercial, and the Future Land Use Map indicates it as a Commercial district. A restaurant in the C-1 district requires a Special Use Permit which requires all points of vehicular ingress and egress to be clearly defined and all pedestrian areas on the site to be clearly defined. Priebe stated the applicant has clearly addressed these two regulations. The Applicant has also addressed the Standards for obtaining a Special Land Use Permit noted in Section 10.3:8.

Staff recommends approval of the Special Land Use Permit Application for a restaurant with both eat-in and drive-thru service at 1294 Perry Avenue, as it meets the Standards set forth in Section 10.3:8 and Section 11.1:20 of the Zoning Ordinance.

Vice-Chair Jackson opened the Public Hearing at 7:04 PM

Applicant Statement

Ken Knuckles, 4209 Gallatin Pike, Nashville TN 37216, Development Management Group, LLC, reiterated the request for Special Land Use at 1294 Perry Avenue. He stated the land is zoned C-1 and the use is in line with the surrounding character along Perry. He feels it will not impact property values. Standards for a Special Use Permit in Section 10.3:8 have been addressed and are included along with the application.

Those Who Spoke in Favor of the Request

Sarah Peterson, Manager at Venlo Place Apartments, 1534 S. Venlo Drive, stated it will be great to bring more people to the area and she is excited for the new business. She also expressed a concern of the speed limit in the area being too fast.

Those Who Spoke in Opposition of the Request None heard.

Telephonic or Written Correspondence Received by Staff None

Applicant Rebuttal

Knuckles addressed the speed of the traffic saying that the restaurant will not have direct access to Perry Ave. Ingress and egress will be located off Venlo Drive and through the shopping center parking lot. They will share the shopping center entrance on Perry Ave.

Vice-Chair Jackson closed the Public Hearing at 7:07 PM and the Commission entered into Fact Finding.

Yontz agreed with the speed of the traffic in the area and believes another traffic light would help slow it down.

Ruddick wondered what the owners of the shopping center thought about the development. Knuckles said that they are in favor of it.

Vogel expressed he had no concerns other than the traffic in the area.

Simmons stated she is not thrilled to see another site utilizing the shopping center access and also has concerns about the speed of the traffic in the area.

Jackson had the same traffic concerns as the other Commission members.

MOTION

Motion was made by Karen Simmon, seconded by Bill Yontz that the Special Land Use Permit Application for a restaurant at 1294 Perry Avenue (17-15-300-035) be recommended to the City Commission for approval, because it meets the Standards set in Section 10.3:8 and Section 11.1:20 of the Zoning Ordinance.

Motion passed with Paul Jackson, Rory Ruddick, Keren Simmon, Tim Vogel and Bill Yontz in favor.

Public Hearing

Site Plan Review for an Arby's Restaurant with Drive-thru Service at 1294 Perry Avenue

Staff Report

Applicant Ken Knuckles of Development Management Group, LLC is applying for a Site Plan review for a proposed Arby's restaurant at 1294 Perry Avenue. This piece of property has been

vacant and, until a recent lot split, was part of the adjacent strip mall. The strip mall has a stormwater retention pond of which the applicant will be making improvements in order to handle the extra run off from their development.

Priebe determined that the plan meets zoning requirements. The Site Plan was reviewed by the Mecosta County building official and he determined that the plan meets their requirements. The plan was reviewed by the Deputy Director of Public Safety and he found no issues that would affect fire department safety concerns. The plan was reviewed by the Public Works Engineering Technician and the City's contracted engineer who noted a few items to be addressed:

1. The inlet capacity of the trench drain at the access drive to Venlo Drive needs to be provided to assure it is sufficient to meet the potential demands of the water flowing west.
2. Verify that the retention pond has a 3:1 slope.
3. Provide erosion protection at the northeast and southeast corners of the pond or drop the inlet lower to reduce potential erosion.
4. Provide plans that demonstrate that the easement that runs along the north side of the retention pond to access the watermain is maintained in a way that doesn't reduce the stormwater retention capacity.

Staff recommends conditional approval of the site plan as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance. Approval is to be contingent on Public Works concerns being addressed.

Vice-Chair Jackson opened the Public Hearing at 7:17 PM.

Applicant Ken Knuckles stated that he has reviewed the staff report and is in agreement with all of the concerns. The concerns will be addressed and will be incorporated into the final plan. He stated that a 10-foot-wide accessible path for a service vehicle will be maintained for access to the easement.

Those Who Spoke in Favor of the Request None heard.

Those Who spoke in Opposition of the Request None heard.

Telephonic or Written Correspondence Received by Staff None

Vice-Chair Jackson closed the Public Hearing at 7:17 PM and the Commission entered into Fact Finding.

The following concerns were addressed:

1. The applicant agreed to have their engineer review the need for an industrial pretreatment basin for grease interception. Priebe advised him to talk with our Wastewater Treatment Department's Industrial Pre-Treatment Program Coordinator.
2. The capacity of the sewer to handle waste was addressed and Priebe said no concerns were brought up. The City's engineering consultant is planning to do a study in the next year regarding the water and sewer main capacity.
3. A 2-inch water service is planned and the applicant said it will connect to the main on Perry Ave.
4. Detectable plates - ductile iron or metal plates are preferred over plastic.
5. Sidewalks are not provided on Venlo Drive due to the slope which would not be ADA compliant. There is not enough room for a retaining wall.
6. The lights on the building and in the parking lot are not to disturb Venlo Place residents.
7. One drive through lane is provided as there is not enough room for two and Arby's establishments typically do not provide two lanes.

The applicant will comply with all concerns. They plan construction to begin in mid-April and be complete in 85 days.

MOTION

Motion was made by Rory Ruddick, seconded by Tim Vogel, that the Site Plan Review Application for an Arby's restaurant at 1294 Perry Avenue (17-15-300-035) be approved with conditions as it meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance. The conditions are to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.

Motion passed with Paul Jackson, Rory Ruddick, Karen Simmons, Tim Vogel and Bill Yontz in favor.

GENERAL BUSINESS

Capital Improvement Program

Priebe stated that the 2020 - 2026 Capital Improvement Program has been prepared by staff as required by the Michigan Planning Enabling Act. A detailed process laid out by the Michigan Economic Development Corporation has been followed. The process involves inclusion of projects over multiple years which encourages thoughtful budgeting. Department requests are reviewed and prioritized by staff and compiled for review by the Planning Commission for recommendation to the City Commission.

The Commission members discussed the following:

1. Water and Sewer at Northend Riverside Park has been delayed until FY 21/22 as it is currently cost prohibitive.
2. Vogel said the process has been much improved and the time spent discussing project prioritization for the CIP is now only one hour.
3. As always, the City has limited funds and projects must be rated and prioritized to determine which are most important.
4. As department heads have the most knowledge of their needs, they are asked to score their own projects.
5. Ruddick asked if the fuel tank that is slated for replacement currently leaks. It does not but the inside is pitted and it will eventually leak. It will need to be replaced with a tank that meets current standards.

MOTION

Motion was made by Tim Vogel, seconded by Rory Ruddick, to recommend approval of the 2020/2026 Capital Improvement Program to the City Commission.

Motion passed with Paul Jackson, Rory Ruddick, Karen Simmon, Tim Vogel and Bill Yontz in favor.

UNSCHEDULED BUSINESS

The Commission feels it is important that the traffic speed be addressed on Perry Street as it is not safe. All agree that the speed limit is too high.

MOTION

Motion was made by Bill Yontz, seconded by Tim Vogel, to recommend the City Commission address the speed limit on Perry Street.

Motion passed unanimously with all in favor.

There being no further business, Vice-Chair Jackson adjourned the meeting at 7:54PM with all in favor.

Respectfully submitted,

Cynthia J. Plautz
Planning Commission Secretary

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Site Plan Review – 1315 Hanchett Drive
DATE: March 18, 2020

Introduction

Applicant Big Rapids Products is applying for Site Plan Review for new parking lot at their Employee Resource Center at 1315 Hanchett Drive. This 1.72-acre site is zoned I Industrial and is located on the east side of Big Rapids in the industrial area, across Hanchett Drive from the Big Rapids Products headquarters on Maple St. A Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

History of the Property

Big Rapids Products purchased this property in 2018 and completed an addition and remodeling project in 2019 to develop the existing warehouse into an Employee Resource Center. That project went through Site Plan Review at the April 2019 Planning Commission meeting and was constructed later that year.

At that time, they were not intending to include a parking lot, but rather to continue using the City-owned parking lot on the other side of the building. Now, with the Employee Resource Center open, they have decided additional parking is necessary. The current project is to construct a new parking lot, almost identical to the nearby City lot, on the property at 1315 Hanchett Drive.

Site Plan Review Process and Procedure

The Site Plan Review Application was received by the Neighborhood Services Department on February 26, 2020 and was deemed in compliance with Section 9.4. of the Zoning Ordinance which stipulates required Site Plan Review application materials. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on March 7, 2020 and sent to all property owners within 300 ft of the site.

The Site Plans were shared with the Deputy Director of Public Safety – Fire Division and the Public Works Department’s Engineering staff for their review.

Public Safety - Deputy Director of Public Safety – Fire Division Steve Schroeder reviewed the site plans and found no issues that would affect fire department safety concerns.

Public Works - Plans were by Engineering Technician Matt Ruelle and Fleis and VandenBrink Engineer Todd Richter. After reviewing the plans for grading and stormwater, they were found to be in compliance with the City’s Ordinances.

Zoning – Plans were reviewed by the Neighborhood Services Director as to their standings as regards the Zoning Ordinance. The plans were found to be in compliance with the Zoning Ordinance as regards setbacks, parking, and landscaping.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to insure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Planning Commissioners are encouraged to review the Application against the Criteria in Section 9.6 to decide if they find it meets or fails to meet them. These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends approval of the Site Plan Review Application for a new parking lot at 1315 Hanchett Drive (PIN 17-11-400-016), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Denial, or Approval with Conditions. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application.

“I move that the Site Plan Review Application for a new parking lot at 1315 Hanchett Drive (PIN 17-11-400-016) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Site Plan Review Application for a new parking lot at 1315 Hanchett Drive (PIN 17-11-400-016) because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions.

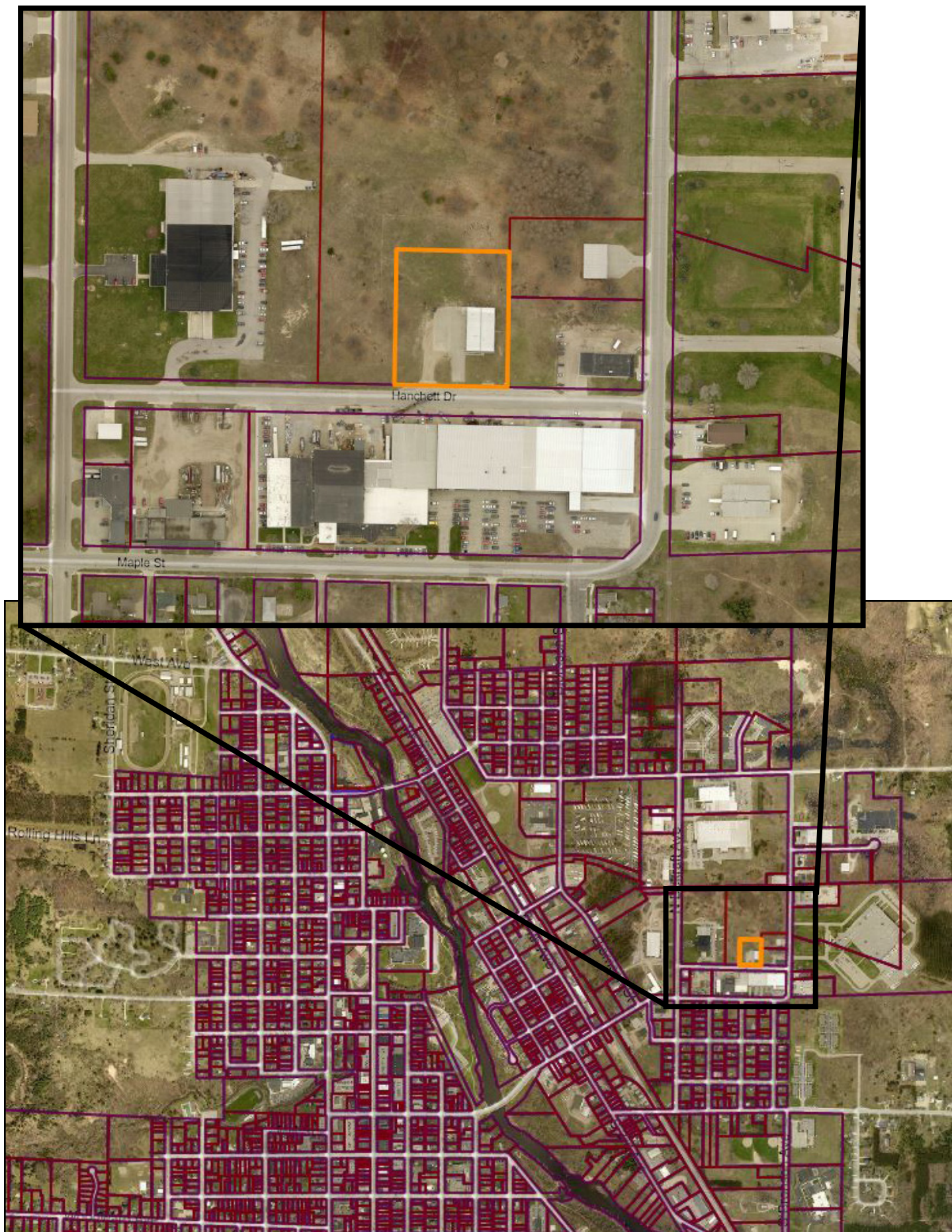
“I move that the Site Plan Review Application for a new parking lot at 1315 Hanchett Drive (PIN 17-11-400-016) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here. Could include items like requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, or moving features out of the fire lane, among others).*

A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”

Location Maps



Aerial Imagery









CITY OF BIG RAPIDS
SITE PLAN REVIEW APPLICATION

APPLICANT NAME: Big Rapids Products

APPLICANT ADDRESS: 1313 Maple st

APPLICANT PHONE NUMBER: 231 796-3593 FAX NUMBER: _____

PROJECT TITLE: Parking lot for employee resource center

PROJECT ADDRESS/LOCATION: 1315 Hanchett Dr.

SUBJECT PROPERTY OWNER: John Chaput

LEGAL DESCRIPTION OF PROPERTY (attach separate sheet)

SUBJECT PROPERTY ZONING: industrial SITE SIZE (ACRES): 1.72

LIST ALL REQUIRED STATE AND FEDERAL PERMITS ON SEPARATE SHEET

In compliance with Section 9.4 of the City of Big Rapids Zoning Ordinance, twelve copies of a complete proposed site plan must be submitted to the Department of Neighborhood Services, a minimum of twenty days prior to the Plan Board hearing date. Failure to submit complete plans, a completed application form and filing fee may result in the site plan review hearing being delayed.

SITE PLAN INFORMATION REQUIREMENTS

TWELVE COPIES (12) of the proposed site plan, drawn on 24" x 36" paper

SCALE OF 1" = 20' for sites up to three acres and **1" = 100'** for sites over three acres

LEGEND including north arrow, scale, date of preparation and name, address and telephone number of individual or firm preparing the plan

SEAL of professional architect, engineer or surveyor preparing the plan

LOCATION MAP indicating relationship of the site to surrounding land use

LOT LINES together with dimensions, angles and size correlated with the legal description, which is tied to existing monumentation

TOPOGRAPHY of the site in two foot contour intervals

NATURAL FEATURES such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar items

MAN MADE FEATURES within 100 feet of the site

BUILDING SIZE, height, finish floor and grade line elevations, yard setbacks and square footage. Front, side and rear elevations drawings of proposed structures.

FLOOR PLAN of structures showing existing and proposed uses (used to verify gross vs. usable floor areas and principal vs. accessory uses).

STREETS, driveways, sidewalks and other vehicle or pedestrian circulation features upon and adjacent to the site shall be shown

PARKING SPACES, location, size and number, service lanes, delivery and loading areas

CROSS SECTIONS illustrating construction of drives and parking areas

LANDSCAPING, together with open spaces, screening, fences, walls and proposed alterations of topography or other natural features.

SERVICE DEMANDS from the community to support proposed operations on the site

EARTH CHANGE plans required by State law

SITE LIGHTING including location, intensity and orientation

SURFACE WATER DRAINAGE

UTILITY LOCATION and size for sanitary sewer, water, storm sewer, natural gas, electricity, telephone, coaxial cable, fiber optic, etc.

FIRE LANES

OUTDOOR STORAGE

TRASH RECEPTACLES

HAZARDOUS MATERIAL storage facilities, including type, quantity, location and secondary containment provisions

OTHER INFORMATION as required by the Plan Board

DIGITAL COPY submitted in an AutoCAD compatible format

SITE PLAN REVIEW FEE \$200

I have read the requirements of submittal and review of a site plan by the City of Big Rapids Plan Board and attest that the provided site plan is complete:


Applicant Signature


Date

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Site Plan Review – 801 N State Street
DATE: March 18, 2020

Introduction

Applicant Nick Piedmonte, on behalf of Fresh Coast Provisioning, is applying for Site Plan Review for new parking lot at 801 N State Street/112 W Waterloo Street. These two lots, when combined, create a 7,500 square foot lot. This 0.173-acre site is zoned C-3 Commercial and is located on the north side of Big Rapids on N. State Street, one block south of Pere Marquette Street. A Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

History of the Property

Fresh Coast Provisioning entered an agreement to purchase the property at 801 N State Street in late 2019, with the intent to use it as a marihuana provisioning center and retailer. However, upon staff review of their application, it was determined that the existing parking would not meet the City Ordinance for off-street parking, as it is in the public right-of-way. They withdrew their application at that time to find a new plan.

In order to address the need for off-street parking, Fresh Coast Provisioning made an agreement to purchase the house on the immediately adjacent lot at 112 W Waterloo Street. The intent was to raze the house and construct a new parking lot to meet the Ordinance requirements. During the design phase of the new parking lot, it was determined that only six spaces will fit, even when fully maximizing the available space. The use of the building requires eight spaces, according to Section 5.2 of the Zoning Ordinance. The Applicants went to the Zoning Board of Appeals in February 2020 and received a Variance to reduce the number of required off-street parking spaces to 6. The current project is to build a new parking lot for the existing building at 801 N State Street on the west side of that lot, when merged with the property at 112 W Waterloo Street.

Site Plan Review Process and Procedure

The Site Plan Review Application was received by the Neighborhood Services Department on March 4, 2020 and was deemed in compliance with Section 9.4. of the Zoning Ordinance which stipulates required Site Plan Review application materials. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on March 7, 2020 and sent to all property owners within 300 ft of the site.

The Site Plans were shared with the Deputy Director of Public Safety – Fire Division and the Public Works Department’s Engineering staff for their review.

Public Safety - Deputy Director of Public Safety – Fire Division Steve Schroeder reviewed the site plans and found no issues that would affect fire department safety concerns.

Public Works - Plans were by Engineering Technician Matt Ruelle and Fleis and VandenBrink Engineer Todd Richter. After reviewing the plans for grading and stormwater, they had one area of concern: drainage as marked on the existing plans flows into the street, not into the retention basin. The grading should be altered to prevent stormwater from leaving the property.

Plans were also reviewed by Public Works Director Heather Bowman and Street Superintendent Jake Walston, regarding the landscape plans, as plantings are intended to go in the public right-of-way due to the building's zero lot line and the limited space on the site. They both approved the tree plantings in the ROW due to the unique nature of the site.

Zoning – Plans were reviewed by the Neighborhood Services Director as to their standings as regards the Zoning Ordinance. The plans were found to be in compliance with the Zoning Ordinance as regards setbacks, parking, and landscaping.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to ensure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.

- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Planning Commissioners are encouraged to review the Application against the Criteria in Section 9.6 to decide if they find it meets or fails to meet them. These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends conditional approval of the Site Plan Review Application for a new parking lot at 801 N State Street (PIN 17-10-278-012), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance.

In order to address the concern raised around the stormwater detention basin and grading, the recommended way forward is to approve the plans on the condition that the Public Works concerns are addressed, that revised plans be submitted and administratively approved.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Denial, or Approval with Conditions. Explanations and sample motions are included below.

In order to address the concerns raised around the stormwater detention pond and watermain easement, the recommended way forward is to approve the plans on the condition that the Public Works concerns are addressed, and revised plans be administratively approved.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application.

“I move that the Site Plan Review Application for a new parking lot at 801 N State Street (PIN 17-10-278-012) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Site Plan Review Application for a new parking lot at 801 N State Street (PIN 17-10-278-012) because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions.

“I move that the Site Plan Review Application for a new parking lot at 801 N State Street (PIN 17-10-278-012) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here. Could include items like requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, or moving features out of the fire lane, among others).*

A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”



Aerial Imagery









**CITY OF BIG RAPIDS
SITE PLAN REVIEW APPLICATION**

APPLICANT NAME: Fresh Coast Provisioning LLC

APPLICANT ADDRESS: 101 M-66 N Charlevoix MI 49720

APPLICANT PHONE NUMBER: 503-754-5762 **FAX NUMBER:** _____

PROJECT TITLE: Recreational Marijuana Retail Establishment

PROJECT ADDRESS/LOCATION: a) 801 N State St. + b) 112 W Waterloo St. Big Rapids MI 49307

SUBJECT PROPERTY OWNER: a) Matthew Smith + b) Richard Healy

LEGAL DESCRIPTION OF PROPERTY (attach separate sheet)

SUBJECT PROPERTY ZONING: C3 **SITE SIZE (ACRES):** a) 0.121 + b)

LIST ALL REQUIRED STATE AND FEDERAL PERMITS ON SEPARATE SHEET

In compliance with Section 9.4 of the City of Big Rapids Zoning Ordinance, twelve copies of a complete proposed site plan must be submitted to the Department of Neighborhood Services, a minimum of twenty days prior to the Plan Board hearing date. Failure to submit complete plans, a completed application form and filing fee may result in the site plan review hearing being delayed.

SITE PLAN INFORMATION REQUIREMENTS

TWELVE COPIES (12) of the proposed site plan, drawn on 24" x 36" paper

SCALE OF 1" = 20' for sites up to three acres and **1" = 100'** for sites over three acres

LEGEND including north arrow, scale, date of preparation and name, address and telephone number of individual or firm preparing the plan

SEAL of professional architect, engineer or surveyor preparing the plan

LOCATION MAP indicating relationship of the site to surrounding land use

LOT LINES together with dimensions, angles and size correlated with the legal description, which is tied to existing monumentation

TOPOGRAPHY of the site in two foot contour intervals

NATURAL FEATURES such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar items

MAN MADE FEATURES within 100 feet of the site

BUILDING SIZE, height, finish floor and grade line elevations, yard setbacks and square footage. Front, side and rear elevations drawings of proposed structures.

FLOOR PLAN of structures showing existing and proposed uses (used to verify gross vs. usable floor areas and principal vs. accessory uses).

STREETS, driveways, sidewalks and other vehicle or pedestrian circulation features upon and adjacent to the site shall be shown

PARKING SPACES, location, size and number, service lanes, delivery and loading areas

CROSS SECTIONS illustrating construction of drives and parking areas

LANDSCAPING, together with open spaces, screening, fences, walls and proposed alterations of topography or other natural features.

SERVICE DEMANDS from the community to support proposed operations on the site

EARTH CHANGE plans required by State law

SITE LIGHTING including location, intensity and orientation

SURFACE WATER DRAINAGE

UTILITY LOCATION and size for sanitary sewer, water, storm sewer, natural gas, electricity, telephone, coaxial cable, fiber optic, etc.

FIRE LANES

OUTDOOR STORAGE

TRASH RECEPTACLES

HAZARDOUS MATERIAL storage facilities, including type, quantity, location and secondary containment provisions

OTHER INFORMATION as required by the Plan Board

DIGITAL COPY submitted in an AutoCAD compatible format

SITE PLAN REVIEW FEE \$200

I have read the requirements of submittal and review of a site plan by the City of Big Rapids Plan Board and attest that the provided site plan is complete:

Nicholas D. Predmonte

Key: 97bcd0ec233e03494cc53d2c7bb54b55

Applicant Signature

03/04/2020

Date

Annual Report of Planning and Zoning 2019

Introduction

The City of Big Rapids Planning Commission analyzes land use policies and offers recommendations on such matters as

- Special Land Use permits,
- Zoning Ordinance Map Amendments,
- Zoning Ordinance Text Amendments, and
- vacations of streets and alleys to the City Commission.

The Planning Commission also reviews Site Plans for development projects to take place within the City boundaries. These actions help to ensure that the City of Big Rapids is and remains a vibrant, resilient community.

The Members of the Planning Commission put in many hours of diligent work over 2019 to ensure a strong, thriving Big Rapids. Staff thanks them for their service to the community.

Purpose of this Report

A Planning Commission Annual Report is prepared for several reasons:

1. It is called for in the Michigan Planning Enabling Act:
“A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.”
2. It increases information sharing between staff, the Planning Commission, the City Commission, and the general public.
3. It allows for anticipation of upcoming issues and priorities, in order to prepare and budget for them, if necessary.
4. It is an opportunity to thank the Commission members for their time and work over the past year, and to recognize the accomplishments of the year.

The City of Big Rapids broadens the scope required by the Michigan Planning Enabling Act to prepare an Annual Report of Planning and Zoning; which also includes the actions of the Zoning Board of Appeals and other relevant actions undertaken over the course of the year.

Planning Commission

The Planning Commission is a board appointed by the City Commission to assist in the administration of the Zoning Ordinance. The duties of the Planning Commission include development and administration of the Zoning Ordinance, consideration of text or map amendments to the Ordinance, requests for conditional use permits, and review of site plans.

Membership

Membership on the Planning Commission changed slightly during 2019. At the beginning of 2019, membership looked like this:

<u>Name:</u>	<u>Term Expiration</u>
John Schmidt (Chair)	2019
Chris Jane (Vice Chair)	2020
Renato Cerdena	2020
Paul Jackson	2019
Rory Ruddick	2021
Tim Vogel	2020
Bill Yontz	2019

After one member's term was up, another member joined. Officer elections also changed the makeup of the board. By the end of 2019, the board looked like this:

<u>Name:</u>	<u>Term Expiration</u>
Chris Jane (Chair)	2020
Paul Jackson (Vice Chair)	2022
Renato Cerdena	2020
Josh Foor	2022
Rory Ruddick	2021
Tim Vogel	2020
Bill Yontz	2022

Meetings

The Planning Commission met 12 times in 2019, including eleven regular meetings and one special meeting. This exceeds the MPEA requirements of at least four meetings annually. The regularly scheduled meeting time was the third Wednesday of each month at 6:30 PM. The Planning Commission meets in the Commission Room at the Big Rapids City Hall. A summary of the Planning Commission meetings of 2019 follows:

January 16, 2019

- Recommendation on the Public Participation Plan
- Discussion of the Hanchett Charrette to take place on January 24, 2019
- Invitation to an upcoming Michigan Association of Planning training event to be held in Big Rapids on the topic of "Managing Risk"

City of Big Rapids - Annual Report of Planning and Zoning 2019

February 20, 2019

- Follow up after the Hanchett Charrette from January 24, 2019
- Recommendation on the 2019-2025 Capital Improvements Program
- Discussion of the draft 2018 Annual Report of Planning
- Discussion of a few upcoming zoning topics:
 - Expanding Child Care as a Principal Use
 - “New Economy-Type Uses”
 - Recreational Marihuana

March 20, 2019

- Public Hearing: Recommendation on Text Amendment to the Zoning Ordinance to add Licensed Group Child Care Home as a Principal Use in the R-P District
- Public Hearing: Recommendation on Text Amendment to the Zoning Ordinance to add Licensed Child Care Center as a Principal Use in the Industrial District
- Presentation of the final 2018 Annual Report of Planning
- Discussion of zoning for “New Economy-Type Uses”
- Update on the redevelopment process for the Hanchett Site

April 1, 2019

- Public Hearing: Review of the Site Plan Review Application to construct an Employee Resource Center at 1315 Hanchett Drive (Big Rapids Products)
- Public Hearing: Review of the Conditional Use Permit Application for a home occupation at 822 Bjornson Street
- Discussion of zoning for “New Economy-Type Uses”
- Discussion of zoning for marihuana businesses

May 15, 2019

- Public Hearing: Review of the Conditional Use Permit application for a change of use at 730 Water Tower Road
- Public Hearing: Review of a Request to Vacate two alleys on Ferris State University property near the corner of Maple and Howard Streets
- Public Hearing: Review of a Text Amendment to the Zoning Ordinance to permit additional business types in the Commercial and Industrial Districts
- Discussion of zoning for marihuana businesses
- Discussion about amending the Planned Unit Development section of the Zoning Ordinance

June 19, 2019 – Joint Meeting with the City Commission

- Update on Redevelopment Ready Communities Program status
- Discussion of Zoning for Marihuana Businesses

City of Big Rapids - Annual Report of Planning and Zoning 2019

July 17, 2019

- Public Hearing: Recommendation on a Text Amendment to the Zoning Ordinance to change from “Conditional Use” to “Special Land Use” terminology
- Review of the draft Zoning Ordinance Amendment for Marihuana Establishments

July 31, 2019 – Special Meeting

- Review of the Draft Zoning Ordinance Amendment for Marihuana Establishments

August 21, 2019

- Public Hearing: Recommendation on a Zoning Map Amendment (Rezoning) Application for 415 N State Street from Restricted Residence District (RR) to Commercial 3 District (C-3)
- Public Hearing: Recommendation on a Text Amendment to the Zoning Ordinance to add regulations for Marihuana Businesses

September 18, 2019

- Site Plan Review for 804 S. State Street, Burger King drive-thru improvements
- Review of the Neighborhood Services Department Fee Schedule
- Annual Organizational Meeting

October 16, 2019

- Public Hearing: Recommendation on a Text Amendment to the Zoning Ordinance to permit Construction Equipment Sales, Service, and Rental in the Industrial District

November 20, 2019

- Public Hearing: Recommendation on a Text Amendment to the Zoning Ordinance to clarify that the setback requirement for marihuana establishments is 500 feet from K-12 schools, public or private, measured in a straight line from property line to property line.
- Discussion of upcoming Zoning Ordinance amendments
 - Rezoning of 906 N State Street (Hanchett Property)
 - Flexible Parking Standards
 - Form Based Code Amendments to C-2 and RR Districts

December 2019 – No Meeting

Trainings

In order to ensure the Planning Commission is prepared and able to conduct their business well, periodic trainings are held. One training was held in 2019. The City of Big Rapids hosted a training put on by the Michigan Association of Planning on the topic of “Managing Risk”. The event was held at City Hall on Wednesday, April 3, 2019. It was open to other communities and was attended by almost 40 people representing five different local municipalities.

Joint Meetings

One joint meeting was held in 2019 between the Planning Commission and the City Commission. It was on June 19, 2019 at 6:30 PM. The agenda focused on discussion of two topics: an update on the City’s progress to date in the MEDC’s Redevelopment Ready Communities program and zoning regulations for marihuana businesses. In addition to the Planning Commission and the City Commission, many members of the public attended to learn about the potential zoning regulations for marihuana businesses and to share their opinions and ideas with the two groups.

Zoning Board of Appeals

The Zoning Board of Appeals (ZBA) is a board appointed by the City Commission. The ZBA has the authority to hear appeals of administrative decisions, to interpret the Zoning Ordinance text and map, and to decide on variance requests.

Membership

<u>Name:</u>	<u>Term Expiration</u>
Paul Jackson (Chair)	2021
Jane Johansen	2020
Robert King	2021
Paul Long	2020
Mark Walton	2020
Dorothy Burch (Alternate)	2019
Joshua Foor (Alternate)	2019

Meetings

The Zoning Board of Appeals met three times in 2019. The regular meeting time is the fourth Thursday of each month at 7:00 PM. The ZBA meets in the Commission Room at the Big Rapids City Hall.

July 25, 2019

- Request for a Class A Nonconforming Use Designation for 304 S. Third Avenue

September 26, 2019

- Request for a Class A Nonconforming Use Designation for 212 S. Third Avenue

October 17, 2019

- Request for a Class A Nonconforming Use Designation for 104 W. Bridge Street

Planning and Zoning Decisions

Zoning Ordinance Amendments

The following amendments were made to the Zoning Ordinance by the City Commission after receiving recommendation from the Planning Commission:

<i>Ord. #</i>	<i>Date Adopted</i>	<i>Brief description of the Ordinance.</i>
• 731-01-19	01/22/19	Ordinance amending the Big Rapids Zoning Ordinance to allow day care centers with conditions in the R-P Zoning District.
• 736-04-01	04/01/19	Ordinance to add licensed group child care home as a principal use in the Residential-Professional District.
• 737-04-01	04/01/19	Ordinance to add licensed child care centers as a principal use in the Industrial District.
• 738-05-19	05/20/19	Ordinance amending the Zoning Ordinance to define and permit new economy-type businesses.
• 745-08-19	08/05/19	Ordinance amending the Zoning Ordinance terminology to change “Conditional Use” to “Special Land Use”.
• 752-10-19	10/07/19	Ordinance amending articles 2, 3, and 11 of the Big Rapids Zoning Ordinance to define and permit certain State-licensed marihuana business facilities and establishments in the C-1, C-2, C-3, and Industrial Districts.
• 753-10-19	10/27/19	Ordinance adding Construction Equipment Sales, Service, and Rental as a permitted use in the Industrial District.
• 754-12-19	12/02/19	Ordinance amending Article 11 Section 1:29(1)(d) to clarify that the setback for marihuana businesses of 500 feet from K-12 schools, public and private, shall be measured in a straight line from property line to property line.

Site Plan Reviews

The Planning Commission conducts Site Plan reviews for new projects which are taking place in Big Rapids. In 2019, the Planning Commission held two Site Plan Reviews.

- Site Plan Review to Construct an Employee Resource Center at 1315 Hanchett Drive (Big Rapids Products) was held on April 17, 2019.
- Site Plan Review for Drive Thru Improvements at Burger King, 801 S. State Street was held on September 18, 2019.

Variances

No variances were discussed or decided during 2019.

Master Plan Review

The City of Big Rapids Master Plan was reviewed by City staff and the Planning Commission. The Action Plan in the 2018 Addendum to the 2009 Master Plan identifies actions for the 7 goals. Status of work on the goals is listed below:

Population:

The City of Big Rapids will work towards creating a steady increase in population by providing a range of opportunities within the City that are important to attracting a diverse population that includes family households, senior citizens, college students, and others.

1. Expand housing opportunities for all types of households. *Progress: Ongoing*
2. Maintain and improve residential areas by enforcing regulations and working with homeowners. *Progress: Ongoing*
3. Promote the City's strengths to attract residents and businesses through advertising. *Progress: Not started*
4. Work with the U.S. Census Bureau to ensure a complete county of residents. *Progress: Ongoing*
5. Maintain a high level of public services. *Progress: Ongoing*
6. Work with local schools to promote the area's schools to potential families. *Progress: Ongoing*
7. Work with surrounding townships to promote area-wide growth and maintain good working relationships. *Progress: Ongoing*

Housing:

The City of Big Rapids will work towards creating a balanced range of housing opportunities that includes well-maintained single-family homes, multiple family units, and other types of housing.

1. Expand housing opportunities for all types of households, utilizing the Master Plan and Zoning Ordinance to encourage quality development and redevelopment. *Progress: Ongoing*
2. Identify capital improvements needed to expand housing opportunities and seek funding for those projects. *Progress: Ongoing*
3. Develop improvements need to expand housing opportunities and seek funding for those improvements. *Progress: Ongoing*
4. Ensure that inadequate maintenance of housing does not detract from neighborhoods by enforcing regulations and responding to concerns. *Progress: Ongoing*
5. Explore the possibility of creating a land bank. *Progress: Not started*
6. Promote small housing developments and encourage development of smaller, more affordable and sustainable housing. *Progress: Ongoing*
7. Determine the feasibility of implementing a variety of incentive programs to encourage property owners to invest in City neighborhoods. *Progress: Ongoing*
8. Encourage sustainable homeownership by providing information to potential and existing homeowners. *Progress: Ongoing*
9. Evaluate the status of the Actions and make necessary adjustments. *Progress: Ongoing*

Transportation

The City of Big Rapids will work towards improving the City's streets through the use of asset management and will strive to reduce the impacts of traffic through the use of asset management and improvements to the transportation network.

1. Implement a transportation asset management program. *Progress: Ongoing*
2. Coordinate transportation improvements with other improvements to minimize repeating maintenance actions and closure of streets. *Progress: Ongoing*
3. Develop an Access Management Plan for the City's and Township's commercial corridors (especially State Street and Perry Avenue). *Progress: Not started*
4. Promote bicycling on trails and bicycle lanes. *Progress: Ongoing*
5. Work with the City's Dial-a-Ride Transit System (DART) to provide an adequate level of public transit. *Progress: Ongoing*
6. Determine the feasibility of an additional bridge across the Muskegon River on the City's south side. *Progress: Not Started*
7. Develop a Capital Improvements Schedule that will identify when to pave all remaining gravel roads within the City and provide sidewalks where beneficial. *Progress: Ongoing*
8. Evaluate the status of the Actions and make necessary adjustments. *Progress: Ongoing*

Downtown

The City of Big Rapids will work towards improving the vitality of the downtown by maintaining and improving public facilities and encouraging merchants, property-owners, and residents to maintain and improve their facilities.

1. Work with the Michigan Economic Development Corporation (MEDC) to maintain and improve the City's Downtown area by participating in programs to improve the Downtown's physical and economic well-being. *Progress: Ongoing*
2. Work with property owners to encourage an improved transition between the downtown and surrounding land uses. Develop a detailed action plan to address this issue. *Progress: Ongoing*
3. Work with downtown business owners to maintain an up-to-date list of issues and to identify the best way to address issues related to infrastructure, streetscape, and vacancies. *Progress: Ongoing*
4. Work with downtown business owners to promote downtown activities, such as the farmer's market, to attract shoppers. *Progress: Ongoing*
5. Work to maintain public facilities in the downtown area to ensure that users of these services frequently visit the business area. *Progress: Ongoing*
6. Evaluate the status of the Actions and make necessary adjustments. *Progress: Ongoing*

Cooperation and Coordination

The City of Big Rapids will strive to work closely with Ferris State University, Big Rapids Township, Green Township, Mecosta County, Big Rapids Public Schools, the State of Michigan, the Federal Government, and others to seek efficient and effective methods to provide public services and up-to-date facilities.

1. Continue to provide water and sewer services to residents and businesses and work with the surrounding townships of Big Rapids and Green to provide an appropriate level of water and sewer capacity to encourage growth in the area. *Progress: Ongoing*
2. Coordinate and host an area Planning Commission meeting and training, inviting the planning bodies of the two townships and Mecosta County. *Progress: Not started*
3. Work with Big Rapids and Green Townships, as well as others, to provide efficient and effective fire and police protection to the area. *Progress: Ongoing*
4. Work with the surrounding townships, Big Rapids Public Schools, Mecosta County, and the State of Michigan to provide an appropriate level of recreational activities for the area's residents by considering the development of a joint recreation plan. *Progress: Not started.*
5. Evaluate the status of the Actions and make necessary adjustments. *Progress: Ongoing*

Public Facilities and Services

The City of Big Rapids will strive to maintain an appropriate level of public facilities and services by improving facilities, planning for the future needs of the community, seeking funding from a variety of sources, and involving the community in the decision-making and budgeting processes.

1. Maintain an up-to-date Capital Improvements Program. *Progress: Complete*
2. Survey residents every three to five years to determine their satisfaction related to public facilities and services. *Progress: Ongoing*
3. Strive to seek outside funding resources to assist in funding public projects and programs. *Progress: Ongoing*
4. Ensure that all public facilities are planned, designed, and constructed to be sustainable. *Progress: Ongoing*
5. Maintain an up-to-date recreation plan. *Progress: Complete*
6. Work with Big Rapids Public Schools, charter/private schools, and the Mecosta-Osceola Intermediate School District to identify future facilities' needs. *Progress: Not started*
7. Evaluate the status of the Actions and make necessary adjustments. *Progress: Ongoing*

Economic Development

The City of Big Rapids will promote an appropriate amount of land and resources to manufacturing, commercial, and other land use categories that provides opportunities for businesses to expand or locate in Big Rapids.

1. Ensure the City has adequate infrastructure in place to meet the needs of existing and new businesses by maintaining an up-to-date Capital Improvements Program. *Progress: Ongoing*
2. Promote jobs in Big Rapids related to programs offered at Ferris State University by determining the feasibility of creating a business incubator centered on skills provided at the University. *Progress: Not started*
3. Ensure the City's industrial park and industrial areas address the needs of existing and potential businesses. *Progress: Ongoing*
4. Work with Mecosta County Development Corporation (MCDC) to help existing businesses expand and to help attract new businesses to the City. *Progress: Ongoing*
5. Work with the Michigan Economic Development Corporation (MEDC) to promote the area to existing employers and potential employers. *Progress: Ongoing*
6. Work with MCDC, MEDC, and others such as the Mecosta County Area Chamber of Commerce and the Michigan State University Extension to diversify the area's economy by promoting the area for value-added agriculture, renewable energy, health sciences, tourism, education, and other employment opportunities. *Progress: Ongoing*
7. Work with the West Michigan Regional Planning Commission to attract funding from the U.S. Economic Development Administration (EDA) and other federal and state agencies. *Progress: Ongoing*
8. Work closely with the Downtown Business Association, the Chamber of Commerce, and business groups to promote commercial and service growth in Big Rapids. *Progress: Ongoing*
9. Work closely with the Convention and Visitor's Bureau to promote Big Rapids as a destination for visitors. *Progress: Ongoing*
10. Continue to improve the downtown and promote it as a destination for visitors and a viable shopping option for residents by following the recommendations of the 2006 "Big Rapids Development Blueprint" and updating the document and process when actions are completed. *Progress: Ongoing*
11. Evaluate the status of the Actions and make necessary adjustments. *Progress: Ongoing*

Other Notable Planning Actions or Topics of Discussion

Redevelopment Ready Communities

The City is continuing to pursue Redevelopment Ready Community certification through the Michigan Economic Development Corporation. This has been an ongoing effort requiring substantial work by the Planning Commission. A few of the key RRC actions accomplished during 2019 were:

- Creating and adopting the City's Public Participation Plan
- Building a tracking system for Board member trainings
- Amending the Zoning Ordinance to permit New Economy-Type Uses

The City has set a goal of achieving certification by the end of 2020.

Form Based Code

The Planning Commission has been engaged in educational efforts to learn about Form Based Codes. As these efforts and discussions of the merits of this type of approach to Zoning continue, the Commission is actively working with a planning consultant firm, SmithGroup, on a Form Based Code-based update to the Zoning Ordinance for the downtown and surrounding areas.

West Michigan Regional Planning Commission

The City is a member of the West Michigan Regional Planning Commission (WMRPC). Three City representatives sit on the Commission, and two on the Comprehensive Economic Development Strategy (CEDS) committee. These groups consist of planning and economic development professionals from a nine-county region. The mission of WMRPC is to assist in planning efforts in community and economic development, provide a regional forum for sharing information and ideas, and promote cooperative solutions to regional issues.

The WMRPC is the designated agency under the U.S. Economic Development Administration (EDA) the prepares and submits the CEDS report, making local community projects eligible to receive EDA grant funding.

Planning Commission

Regular Meeting

May 20, 2020
6:30 P.M.

Remote Meeting, held via Webex conference call
To attend this meeting by phone:
Dial 1-408-418-9388
Access Code: 798 399 217
Password: 72742727

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. March 18, 2020
5. Public Comment
6. Public Hearing
7. General Business
 - a. Site Plan Amendment for 801 N State Street
 - b. Bicycle Parking Regulations
8. Unscheduled Business
9. Adjourn

CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
March 18, 2020
Unapproved

Chair Jane called the March 18, 2020, regular meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Chris Jane, Rory Ruddick, Tim Vogel, Bill Yontz

EXCUSED Renato Cerdena, Karen Simmon

ABSENT Paul Jackson

ALSO PRESENT Paula Priebe, Neighborhood Services Director

There were 7 audience members.

APPROVAL OF MINUTES

Motion was made by Tim Vogel, seconded by Bill Yontz, to approve the minutes of the February 19, 2020, meeting of the Planning Commission as presented, with one change to correct the meeting date in the header.

Motion passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

Public Hearing

Site Plan Review for a new parking lot at 1315 Hanchett Drive.

Staff Report

Priebe stated that Applicant Big Rapids Products is applying for a Site Plan Review for a new parking lot at their Employee Resource Center at 1315 Hanchett Drive. This site is in the Industrial area, across the Hanchett Drive from the Big Rapids Products headquarters on Maple

St. The Planning Commission approved the Site Plan for the Employee Resource Center in April 2019. The plans being reviewed now are to add a new parking lot to the west of the building, identical to the City-owned lot which is immediately to the east of the building.

The plans were reviewed by staff (Zoning Administrator, Public Works Department engineers, the Fire Marshal, and the Building Official) and were found to be in accordance with City Ordinance.

Staff recommends approval of the site plan as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance.

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

Mr. Tom Tacey, Director of the Plant and Engineering at Big Rapids Products, was present to speak on behalf of the Applicant. He stated that they use the City lot to the east. With the addition of the Employee Resource Center for human resources and gathering space for employees, additional parking is needed. The building, lot, and landscaping were designed to match the building on Maple St. Engineering for this project was done by Mid Michigan.

Those Who Spoke in Favor of the Request None heard.

Those Who spoke in Opposition of the Request None heard.

Telephonic or Written Correspondence Received by Staff None

Chair Jane closed the Public Hearing at 6:37 PM and the Commission entered into Fact Finding.

Vogel asked if the landscaping is to be irrigated. Tacey said yes it will be. Vogel also inquired about the use of Arborvitae in the landscaping plan and remarked that there are deer in the area. Tacey said they know about the deer, but the landscaping was designed to match other landscaping nearby.

Motion

Motion was made by Bill Yontz, seconded by Rory Ruddick, that the Site Plan Review Application for a new parking lot at 1315 Hanchett Drive (PIN 17-11-400-016) be approved, because it meets all the Criteria for Review set in Section 9.6 of the Zoning Ordinance.

Motion passed with Chris Jane, Rory Ruddick, Tim Vogel and Bill Yontz in favor. Site Plan Review for a new parking lot at 1315 Hanchett Drive.

Public Hearing

Site Plan Review for a new parking lot at 801 N State Street and 112 W Waterloo Street.

Staff Report

Priebe stated that Applicant Fresh Coast Provisioning is applying for a Site Plan Review for a new parking lot at 801 N State Street and 112 W Waterloo Street. They have a purchase agreement to buy these properties to open a marihuana retailer facility. They plan to raze the house at 112 W Waterloo Street, combine the two parcels into one lot, and construct a 6-space parking lot on the remainder of the lot to the west of the commercial building. The use of the building would require 8 off-street parking spaces, but the Applicants received a Variance from the Zoning Board of Appeals in February 2020 and are only required to provide 6 spaces.

The plans were reviewed by staff (Zoning Administrator, Public Works Department engineers, the Fire Marshal, and the Building Official). With one exception they were found to be in accordance with City Ordinance. The one exception was that the grading on the site be revised to ensure that stormwater capture on the parking lot drain into the retention basin, not into the street.

Staff recommends conditional approval of the site plan as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance, with the condition that revised plans are provided which address the stormwater retention concern are administratively approved by staff.

Chair Jane opened the Public Hearing at 6:42 PM.

Mr. Nick Piedmonte, CEO of Fresh Coast Provisioning, was present to speak on behalf of the Applicant. He stated that Fresh Coast Provisioning is based in Traverse City and is currently in the process of opening several marihuana retailer facilities around northern Michigan. They are very interested in investing in Big Rapids. They acquired an interest in the property at 801 N State Street in August 2019.

After the City adopted Ordinances to opt in for marihuana facilities in late 2019, they submitted an application to get a permit for 801 N State Street. Upon staff review of that application, it was determined that the parking immediately to the south of the building does not meet the Ordinance standards for off-street parking, as that parking is in the City right-of-way and does not meet the size regulations. They withdrew their marihuana facility application at that time to find a solution.

Since then, they have acquired an interest in the property immediate to the west, 112 W Waterloo Street, and developed the plan for the new parking lot. Due to the size constraints, they went to the Zoning Board of Appeals in February to get a non-use variance to reduce the parking requirement to six spaces.

Mr. Dusty Christensen, landscape architect with Mansfield Land Use Consultants, was also present to speak on behalf of the Applicant. The variance notwithstanding, they are striving to fulfill the requirements of the Ordinance. Even after demolishing the house, there is very little room for parking.

They are taking several steps to bring the property into compliance:

- Providing the required screening fence on the west side of the parking lot, along the alley, as the required buffer between a C-3 use and an R-1 use.
- Providing on-site stormwater detention for the additional impervious surface.
- Meeting the landscape requirements by providing frontage trees (in the right-of-way, due to the building being set at a zero lot line) and providing the one parking lot tree.

They hope to work with the Planning Commission on several potential modifications to the presented site plan:

- Remove the curb from the retention pond. It was added to protect the landscape island, but it will interfere with the stormwater draining into the retention pond.
- Change the species of trees provided from Freeman Maple to Gingko biloba, as they have a smaller crown and require less intensive maintenance.
- Remove the buffer fence from the north side of the property, as it is not strictly required, and will create additional space for vandalism.

Those Who Spoke in Favor of the Request

Jana Farrier, 729 N State Street and owner of Grunst Brothers, is in favor but has several concerns she would like addressed:

- Do not include street trees along N. State Street, as she has some that the City is asking her to take out due to their interference with traffic.
- Why is the existing parking not sufficient? Other businesses in town have similar parking; why are they allowed to use it by this property is not?
- Please include the northside fence, to limit patrons parking at Admiral and walking across that area.
- The City should include “No parking here to corner/drive” signs to keep patrons from parking too close to her driveway.

Brandy Davis, Manager of the Admiral gas station at 805 N State Street. She is in favor, but she would also like to see the fence on the north side of 801 N State Street included in the approved plans. She wants to limit the new business’ patrons from parking at her store.

Those Who spoke in Opposition of the Request None heard.

Telephonic or Written Correspondence Received by Staff

Priebe spoke on behalf of one telephone call where a resident expressed concern that a house was being demolished to provide a parking lot. She was not against the new business, but was concerned about the precedent this could set.

Chair Jane closed the Public Hearing at 7:14 PM and the Commission entered into Fact Finding.

Discussion ensued covering the following topics:

- The provided drive between parking spaces is only 20 feet, while the Zoning Ordinance recommends 24 feet. Mr. Christensen stated that the common dimensions are 20-20-20 or 18-24-18, which amount to similar usage.
- If the curb is removed from the detention pond, some type of barrier or marker will be necessary to prevent vehicles from driving into the basin. With the curb removed, that area will provide additional space for snow storage in winter.
- The plans show the required 7 frontage trees. The Planning Commission has the authority to reduce that number. Trees along N State Street are not advised, and the current plans have the trees rather close together. Three trees, all along W Waterloo Street, is the agreed upon recommendation.
- Commissioners agree with the change of tree species from Maple to Gingko.
- Is it possible to keep the existing parking area along W Waterloo Street, but make it diagonal or parallel parking? The Commissioners would like to see that asphalt removed and landscaping installed, as per the Ordinance. The existing parking area does not meet the standards in the Ordinance.
- With the intended marijuana facility use, security and lighting will be important. The Commissioners would like to ensure that all lighting on the site is directional and does not interfere with neighboring properties.

Motion

Motion was made by Tim Vogel, seconded by Bill Yontz, that the Site Plan Review Application for a new parking lot at 801 N State Street (PIN 17-10-278-012) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to ensure compatibility with adjacent uses of land. The following conditions are set:

- 1. The curb surrounding the retention pond on the northwest side of the property be removed.**
- 2. The species of trees provided in the landscaping be Gingko biloba.**
- 3. Only three trees be included, all along W Waterloo Street.**
- 4. The site grading be amended to ensure stormwater drains into the retention basin and not into the street.**

Amended plans should be presented to staff for administrative approval.

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

GENERAL BUSINESS

2019 Annual Report of Planning and Zoning

Priebe stated that the Michigan Planning Enabling Act requires an Annual Report of Planning be prepared each year and presented to the City Commission. The Report summarizes the work of the Planning Commission and the Zoning Board of Appeals over 2019 and examines progress toward the goals of the Master Plan. This Report is presented for information only, no action needs to be taken at this time. The Report will be presented by Staff to the City Commission at their next regular meet.

UNSCHEDULED BUSINESS

There was no unscheduled business.

There being no further business, Chair Jane adjourned the meeting at 7:42PM with all in favor.

Respectfully submitted,

Paula Priebe
Neighborhood Services Director and Acting Planning Commission Secretary

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Site Plan Amendment – 801 N State Street
DATE: May 20, 2020

Introduction

At the March 18, 2020 meeting of the Planning Commission, the Commission conditionally approved the site plan for a new parking lot at 801 N State Street for the Applicant, Fresh Coast Provisioning. Based on the feedback from the meeting and further analysis of the site, the Applicant wishes to make several changes to the site plan beyond those in the conditions of approval. The scope of these alterations rises to the level of requiring an amended Site Plan to be approved by the Planning Commission.

History of the Property

Applicant Nick Piedmonte, on behalf of Fresh Coast Provisioning, is applying for Site Plan Review for new parking lot at 801 N State Street/112 W Waterloo Street. These two lots, when combined, create a 7,500 square foot lot. This 0.173-acre site is zoned C-3 Commercial and is located on the north side of Big Rapids on N. State Street, one block south of Pere Marquette Street. A Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

Fresh Coast Provisioning entered an agreement to purchase the property at 801 N State Street in late 2019, with the intent to use it as a marihuana provisioning center and retailer. In order to address the need for off-street parking, Fresh Coast Provisioning made an agreement to purchase the house on the immediately adjacent lot at 112 W Waterloo Street. The Applicants went to the Zoning Board of Appeals in February 2020 and received a Variance to reduce the number of required off-street parking spaces to 6, from the 8 required by the use. The current project is to build a new parking lot for the existing building at 801 N State Street on the west side of that lot, when merged with the property at 112 W Waterloo Street.

Site Plan Amendment Review

The initial Site Plan Review Application was received by the Neighborhood Services Department on March 4, 2020. The Site Plans were shared with the Deputy Director of Public Safety – Fire Division and the Public Works Department’s Engineering staff for their review. Public Works had a few concerns, which were addressed in the Conditions of Approval granted by the Planning Commission in March 2020.

The following is a list of the changes made from the Initial to the Amended Site Plan.

- Change the retention pond from one basin in the NW corner of the lot to two basins on the S of the lot on either side of the drive. The NW corner will now be the primary snow storage area.
- Move the dumpster from the middle of the lot to the NE corner of the lot alongside the building.
- Keep some of the curb cut and asphalt along Waterloo St to allow for easy loading.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to ensure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Planning Commissioners are encouraged to review the Application against the Criteria in Section 9.6 to decide if they find it meets or fails to meet them. These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends approval of the Site Plan Amendment for alterations to the approved parking lot Site Plan at 801 N State Street (PIN 17-10-278-012), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Denial, or Approval with Conditions. Explanations and sample motions are included below.

In order to address the concerns raised around the stormwater detention pond and watermain easement, the recommended way forward is to approve the plans on the condition that the Public Works concerns are addressed, and revised plans be administratively approved.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application.

“I move that the Site Plan Amendment for a new parking lot at 801 N State Street (PIN 17-10-278-012) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Site Plan Amendment for a new parking lot at 801 N State Street (PIN 17-10-278-012) because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions.

“I move that the Site Plan Amendment for a new parking lot at 801 N State Street (PIN 17-10-278-012) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.

- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here. Could include items like requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, or moving features out of the fire lane, among others).*

A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”

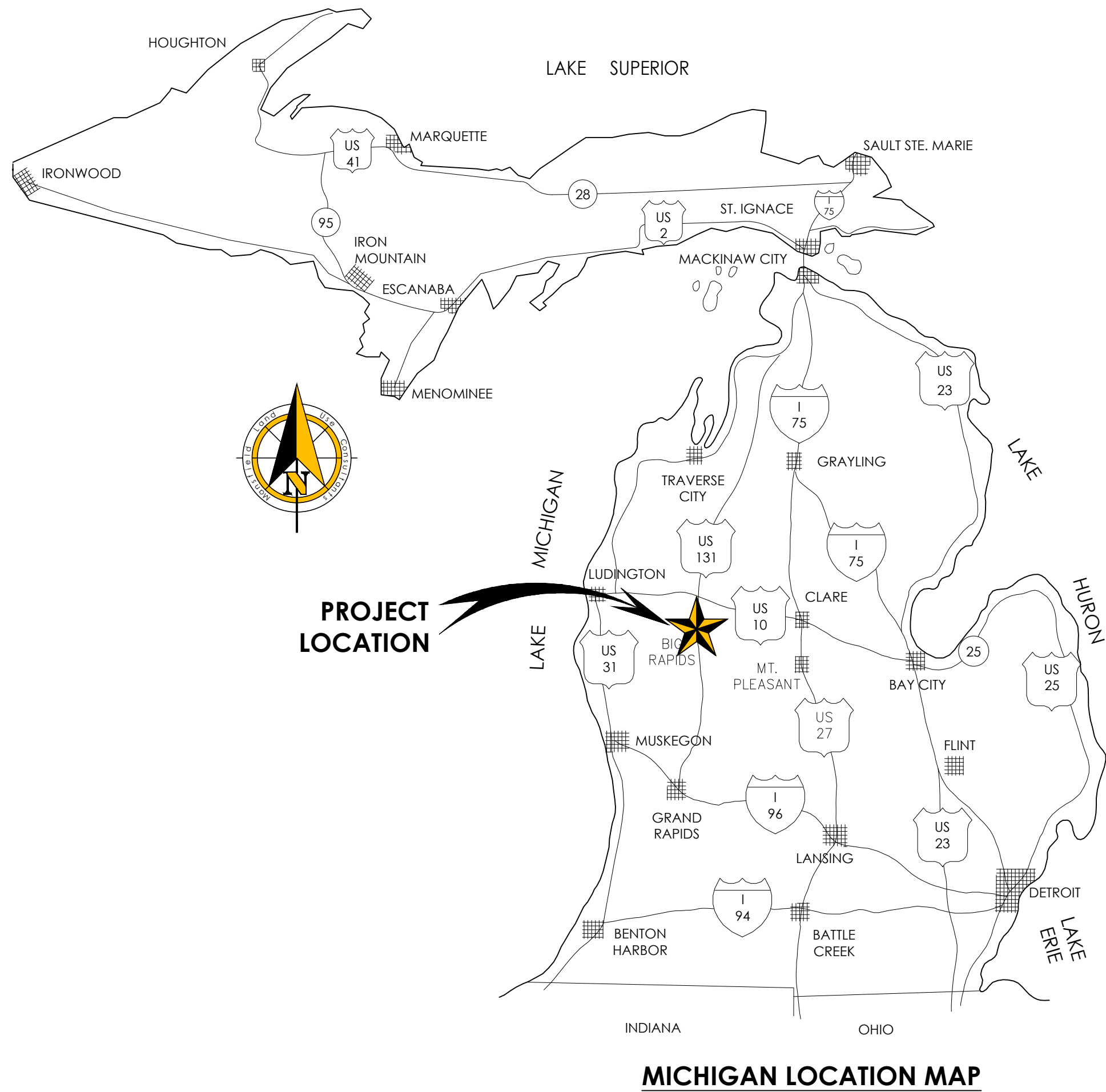


Aerial Imagery

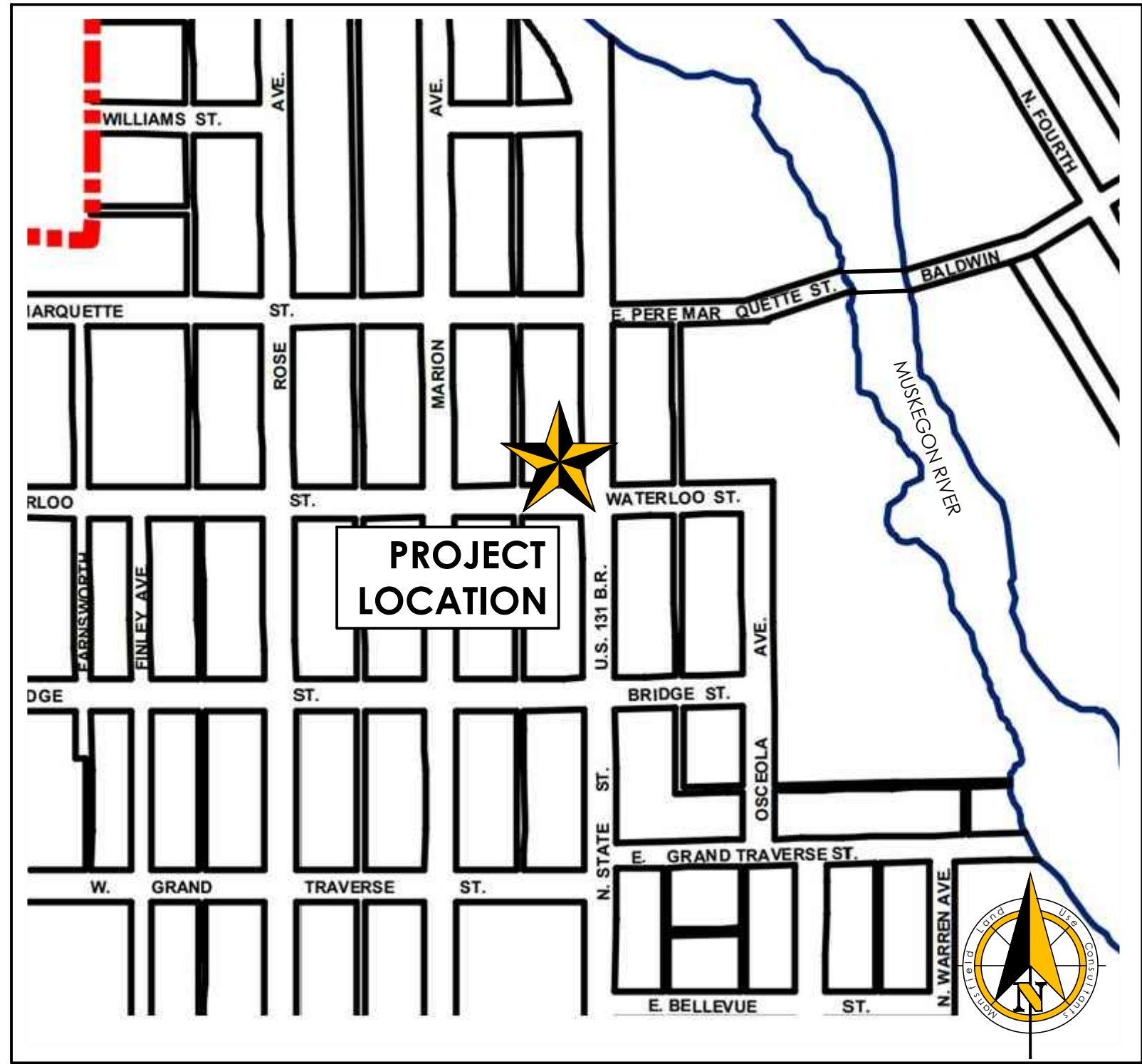








VICINITY MAP



STANDARD PLAN LEGEND		
DESCRIPTION	EXISTING	PROPOSED
GROUND CONTOUR	605	613
SPOT ELEVATION	613.2	613.50
CONTOUR FROM USGS TOPOGRAPHIC MAP		
TOP OF CURB ELEVATION	+ 613.5	613.50
PAVEMENT (OR GUTTER FLOW LINE) ELEVATION	613.0	613.00
DIRECTION OF SURFACE FLOW		
DRAINAGE HIGH POINT		HP.
DRAINAGE LOW POINT		LP.
WATER MAIN		
SANITARY FORCE MAIN		
SANITARY SEWER		
STORM SEWER		
GAS MAIN		
OVERHEAD ELECTRIC		
PROPERTY LINE		
TREE LINE		
PINE LINE		
EDGE OF WETLAND		
EDGE OF WATER		
C/L OR DRAINAGE DITCH OR WATER LINE		
SILT FENCE		
DETENTION BASIN BERM		
MANHOLE (MH)		
CATCH BASIN (CB)		
CLEAN OUT (CO)		
RISER		
GATE VALVE		
FIRE HYDRANT ASSEMBLY		
CURB STOP & BOX		
POLE, POWER OR ELECTRIC		
LIGHT POLE		
SIGN		
BENCH MARK (BM)		
U/G UTILITY SIGN		
GUY ANCHOR		
SOIL EROSION CONTROL MEASURE (MICHIGAN UNIFIED KEYING SYSTEM) P=PERMANENT T=TEMPORARY		
IRON FOUND / IRON SET		
CONCRETE MONUMENT		
GOVERNMENT CORNER		
NAIL FOUND / NAIL SET		
RECORD / MEASURED	(R)	(M)
FENCE		
WOOD STAKE		

PROJECT DATA:

Developer: JMK Investments & Holdings, LLC
Address: 900 E. Front St.
Traverse City, MI 49685
Contact: John Kolarevic
Phone: 231-633-8279
Owner: Matthew & Kendra Smith
Address: 19061 14 Mile Rd.
Big Rapids, MI 49307
Owner: Richard Healy
Address: 12321 190th Ave.
Big Rapids, MI 49307

SITE DATA:

Location: 801 N. State Street & 112 W. Waterloo St.
Tax ID: 17-10-278-012 & 17-10-278-011
Zoning District: C-3
Parcel Area: 0.17 acres, more or less

SETBACKS:

FRONT = 15'
SIDE = N/A
REAR = N/A

PARCEL DESCRIPTIONS:

The East 105 feet of Lot 9, Block 5, French's Addition (Map of the Village of Glen Elm). City of Big Rapids, Mecosta County, Michigan.
and
The West 45 feet of Lot 9, Block 5, French's addition (Map of the Village of Glen Elm). City of Big Rapids, Mecosta County, Michigan.



PLAN INDEX

- C1.0 COVER SHEET
- C1.1 NOTES & DETAILS
- C2.0 EXISTING CONDITIONS & DEMOLITION PLAN
- C3.0 SOIL EROSION & SEDIMENTATION CONTROL PLAN
- C4.0 SITE, DIMENSION, GRADING & UTILITY PLAN
- L1.0 LANDSCAPE PLAN

JMK Investments & Holdings

City of Big Rapids, Mecosta County, Michigan

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P.O. Box 4015
Traverse City, MI 49685
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www.maaeps.com
info@maaeps.com

Mansfield
Land Use Consultants

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JMK Investments & Holdings, LLC
Proposed Building Renovation
COVER SHEET
Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

PX:	dmc
DR:	mm
CD:	dmc
CR:	03.02.20
JOB NO.:	20034
C1.0	

GENERAL CONSTRUCTION NOTES:

1. MISS DIG

FOR PROTECTION OF UNDERGROUND UTILITIES AND IN CONFORMANCE WITH PUBLIC ACT 53, 1974, THE CONTRACTOR SHALL DIAL 811 or 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THIS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE PART OF THE "MISS DIG" ALERT SYSTEM.

2. EXISTING UTILITIES

EXISTING PUBLIC UTILITIES AND UNDERGROUND STRUCTURES SUCH AS PIPE LINES, ELECTRIC CONDUITS, SEWERS AND WATER LINES, ARE SHOWN ON THE PLANS. THE INFORMATION SHOWN IS BELIEVED TO BE REASONABLY CORRECT AND COMPLETE. HOWEVER, NEITHER THE CORRECTNESS NOR THE COMPLETENESS OF SUCH INFORMATION IS GUARANTEED. PRIOR TO THE START OF ANY OPERATIONS IN THE VICINITY OF ANY UTILITIES, THE CONTRACTOR SHALL NOTIFY THE UTILITY COMPANIES AND "MISS DIG" AND REQUEST THAT THEY STAKE OUT THE LOCATIONS OF THE UTILITIES IN QUESTION. COST OF REPAIR FOR ANY DAMAGED UTILITY LINES THAT IS PROPERLY STAKED SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

3. PROTECTING UTILITIES

SPECIAL CARE SHALL BE TAKEN IN EXCAVATING IN THE PROXIMITY OF ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL SECURE ASSISTANCE FROM THE APPROPRIATE UTILITY COMPANY IN LOCATING ITS LINES. THE CONTRACTOR SHALL ALSO: PROVIDE SUPPORT FOR ANY UTILITY WITHIN THE EXCAVATION, PROVIDE PROPER COMPACTION UNDER ANY UNDERMINED UTILITY STRUCTURE AND, IF NECESSARY, INSTALL TEMPORARY SHEETING OR USE A TRENCH BOX TO MINIMIZE THE EXCAVATION. THE CONTRACTOR SHALL PROTECT AND SAVE HARMLESS FROM DAMAGE ALL UTILITIES, WHETHER PRIVATELY OR PUBLICLY OWNED, ABOVE OR BELOW GROUND SURFACE, WHICH MAY BE ENCOUNTERED DURING CONSTRUCTION, AT NO ADDITIONAL COST TO THE OWNER. THE CONTRACTOR SHALL PROVIDE ADEQUATE SUPPORT FOR UTILITY POLES AS NECESSARY.

4. SAFETY

THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS GOVERNING THE FURNISHING AND USE OF SAFEGUARDS, SAFETY DEVICES AND PROTECTION EQUIPMENT. THE CONTRACTOR SHALL TAKE ANY NECESSARY PRECAUTIONS TO PROTECT THE LIFE AND HEALTH OF EMPLOYEES AND THE PUBLIC IN THE PERFORMANCE OF THE WORK.

5. SOIL EROSION & SEDIMENTATION CONTROL

THE CONTRACTOR SHALL PROVIDE TEMPORARY SOIL EROSION CONTROL MEASURES PER P.A. 451 AS AMENDED. THE SOIL EROSION MEASURES SHOWN ARE THE MINIMUM CONTROLS TO BE USED ON THIS PROJECT. THE CONTRACTOR SHALL INSTALL ADDITIONAL TEMPORARY AND PERMANENT SOIL EROSION CONTROL MEASURES TO PROTECT THE DISTURBED AREAS AND ADJACENT PROPERTIES FROM ACCELERATED EROSION AND SEDIMENTATION RESULTING FROM PROJECT CONSTRUCTION, IF DIRECTED BY THE ENGINEER OR SOIL EROSION CONTROL OFFICER. AT NO ADDITIONAL COST TO THE PROJECT. NO EXCAVATION WORK MAY PROCEED UNTIL THE SOIL EROSION AND SEDIMENTATION CONTROL MEASURES ARE IN PLACE. ALL WORK MUST BE IN ACCORDANCE WITH THE APPROVED PERMIT FROM THE SOIL EROSION AND SEDIMENTATION CONTROL OFFICE.

6. PROPERTY CORNERS

EXISTING KNOWN PROPERTY CORNERS ARE IDENTIFIED ON THE PLANS. IF A PROPERTY CORNER IS DISTURBED DURING CONSTRUCTION IT SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE BY A PROFESSIONAL LAND SURVEYOR.

7. SURVEY DATUM

ALL ELEVATIONS ARE BASED ON N.A.V.D., 1988, UNLESS OTHERWISE SPECIFIED.

8. RESTORATION WORK

ALL DISTURBED AREAS SHALL BE TOPSOILED, SEEDED, FERTILIZED AND MULCHED. MULCH BLANKET SHALL BE INSTALLED IN AREAS AS DESIGNATED AND SHALL BE INCIDENTAL TO OTHER ITEMS. ALL EXCESS TOPSOIL WILL REMAIN WITHIN THE PROPERTY OWNER'S AREA. THE CONTRACTOR SHALL REPAIR ALL WASHOUTS AND EROSION DURING THE GUARANTEE PERIOD OF ONE (1) YEAR AT NO ADDITIONAL COST TO THE OWNER.

9. REMOVAL ITEMS

THE CONTRACTOR SHALL RESTORE ALL LAWNS, LANDSCAPE PLANTINGS, SIDEWALKS, COMMERCIAL SIGNS, ETC., AS REQUIRED, UNLESS SPECIFICALLY NOTED FOR REMOVAL ON THE PLANS. ALL SIDEWALKS, DRIVES, CULVERTS, DRAINAGE STRUCTURES, ABOVE GRADE UTILITIES, IRRIGATION SYSTEM, ETC. SHALL BE PROTECTED. ALL SUCH ITEMS DAMAGED OR DESTROYED DURING CONSTRUCTION SHALL BE REMOVED AND REPLACED WITH NEW BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.

10. CONSTRUCTION SIGNAGE & TRAFFIC CONTROL

LOCAL TRAFFIC AND CONSTRUCTION SIGNAGE SHALL BE MAINTAINED AT ALL TIMES TO THE SATISFACTION OF THE OWNER.

11. DUST CONTROL

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTROLLING DUST ON THIS PROJECT THOUGH THE USE OF WATER TRUCKS OR DUST PALLIATIVE. PAYMENT FOR DUST CONTROL SHALL BE INCLUDED IN THE LUMP SUM CONTRACT AND SHALL NOT BE PAID SEPARATELY. DUST SHALL BE CONTINUOUSLY CONTROLLED TO THE SATISFACTION OF THE OWNER.

12. PROTECTIVE FENCE

THE CONTRACTOR IS RESPONSIBLE FOR ALL SITE SECURITY. THE CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN A TEMPORARY PROTECTIVE SNOW FENCE AROUND ALL OPEN TRENCH EXCAVATIONS THAT ARE LEFT OPEN OVERNIGHT OR ANY OTHER UNSAFE AREAS ON SITE THAT REQUIRE PUBLIC PROTECTION.

13. EXCESS MATERIALS

ALL EXCESS MATERIALS SHALL BE DISPOSED OF BY THE CONTRACTOR OFF OF THE SITE UNLESS OTHERWISE NOTED OR APPROVED BY THE OWNER. ALL REMOVALS AND TRANSPORTATION OF THE REMOVED MATERIALS SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND ALL LOCAL, STATE AND FEDERAL LAWS.

14. SAWCUTTING PAVEMENT

SAWCUT EXISTING PAVEMENT FULL DEPTH TO THE LIMITS OF CONSTRUCTION OR AS DIRECTED BY THE ENGINEER. IF THE EDGE IS DAMAGED SUBSEQUENT TO SAWCUTTING, THE EDGE SHALL BE RECUT AT NO ADDITIONAL COST TO THE OWNER.

15. DEWATERING

ANY REQUIRED DEWATERING FOR SITE WORK, INCLUDING THE USE OF STONE OR GRAVEL FOR DEWATERING PURPOSES, WILL NOT BE PAID FOR SEPARATELY BUT SHALL BE INCLUDED IN THE LUMP SUM CONTRACT.

16. UTILITY SEPARATION

MAINTAIN A MINIMUM OF 10" HORIZONTAL SEPARATION AND 1.5' VERTICAL SEPARATION BETWEEN ALL WATER MAINS AND SANITARY/STORM SEWERS. MEASUREMENTS ARE BETWEEN THE CLOSEST POINTS OF EACH PIPE.

17. RECYCLING

THE CONTRACTOR IS ENCOURAGED TO RECYCLE ANY MATERIALS OR PRODUCTS THAT ARE REUSABLE OR CAPABLE OF BEING RECYCLED.

GENERAL GRADING CONSTRUCTION NOTES:

1. QUALITY OF WORK

ALL CONSTRUCTION WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE CURRENT CITY OF BIG RAPIDS CONSTRUCTION STANDARDS AND SPECIFICATIONS.

2. SUBGRADE PREPARATION

THE PRESENCE OF OTHER THAN GRANULAR MATERIALS IN THE SUBGRADE SOIL SHALL REQUIRE A FULL WIDTH, TWELVE INCH, GRANULAR SUB-BASE, M.D.O.T. CLASS II OR EQUIVALENT. PREPARED SUBGRADE WIDTH, DEPTH AND COMPACTION MUST BE REVIEWED AND/OR TESTED PRIOR TO PLACEMENT OF GRAVEL.

3. AGGREGATE BASE MATERIAL

AGGREGATE BASE TO BE USED ON THE PROJECT MUST MEET SPECIFICATION FOR M.D.O.T. 22A AND MUST BE TESTED AND APPROVED PRIOR TO PLACEMENT. AGGREGATE BASE PLACEMENT MUST COMPLY WITH SECTION 3.01 OF THE CURRENT MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION. PREPARED AGGREGATE BASE WIDTH, DEPTH AND COMPACTION MUST BE REVIEWED AND TESTED PRIOR TO THE PLACEMENT OF BITUMINOUS SURFACE.

4. BITUMINOUS PAVEMENT (HMA)

THE CONTRACTOR SHALL GIVE THE OWNER'S REPRESENTATIVE 48 HOURS NOTICE PRIOR TO PLACEMENT OF BITUMINOUS SURFACE. BITUMINOUS PAVING MUST BE PERFORMED IN ACCORDANCE WITH THE CURRENT CITY OF BIG RAPIDS STANDARD SPECIFICATIONS FOR CONSTRUCTION.

5. REMOVAL OF ORGANICS

ALL TREES, STUMPS, BRUSH AND ROOTS THEREOF, SHALL BE ENTIRELY REMOVED FROM WITHIN THE SITE GRADING.

6. SITE GRADING

ALL DISTURBED AREAS SHALL BE TOPSOILED, SEEDED, FERTILIZED AND MULCHED AS SOON AS FEASIBLE. THE CONTRACTOR IS RESPONSIBLE FOR ESTABLISHING GROUND COVER ON ALL AREAS DISTURBED BY CONSTRUCTION.

7. FIELD CHANGES

ANY CHANGES IN SPECIFICATIONS OR CONSTRUCTION METHODS MUST BE REVIEWED AND APPROVED BY THE ENGINEER AND OWNER, AND MUST NOT CONFLICT WITH APPROVED PERMITS.

8. DRAINAGE

EXISTING STORM DRAINAGE SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE TO REPAIR OR REPLACE, AS REQUIRED, ALL DRAINAGE CULVERTS OR STRUCTURES DAMAGED DURING CONSTRUCTION AND SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT. SEE THE PROPOSED GRADING PLAN FOR DETAILS ON CONSTRUCTION ITEMS.

9. ADJUSTMENTS

THE CONTRACTOR SHALL ADJUST ALL UTILITY SURFACE ITEMS TO THE FINISH GRADES PRIOR TO PAVING.

ADDITIONAL SITE PLAN NOTES:

1. OPERATIONS:

PROPOSED OPERATIONS INCLUDE THE RETAIL SALE OF MARIJUANA PRODUCTS. HOURS OF OPERATION WILL BE TYPICAL OF RETAIL OPERATIONS AND WILL NOT CHANGE THE GENERAL CHARACTER OF THE PROPERTY OR VICINITY, AS PREVIOUS RETAIL USES HAVE OCCUPIED THIS PROPERTY IN THE PAST. ALL DELIVERIES WILL BE SCHEDULED OUTSIDE OF THE HOURS OF RETAIL OPERATION IN ORDER TO PREVENT VEHICULAR CONGESTION ON THE SITE AND ENSURE THAT ALL PROPOSED ON-SITE PARKING IS AVAILABLE FOR CUSTOMERS DURING HOURS OF OPERATION. IT IS PROPOSED THAT THE EXISTING ON-SITE COMMERCIAL BUILDING, ALONG WITH EXISTING UTILITY CONNECTIONS BE USED FOR THE PROPOSED RETAIL USE, ELIMINATING NEW IMPACTS ON THE MUNICIPAL UTILITY SYSTEMS. PROPOSED SCREENING AND FENCING ARE INCLUDED ON THE SITE PLANS TO LIMIT POTENTIAL IMPACTS ON SURROUNDING PROPERTIES. IT IS PROPOSED THAT THE EXISTING HOUSE ON SITE BE REMOVED TO PROVIDE SPACE FOR ON-SITE PARKING REQUIRED BY THE ZONING ORDINANCE.

2. BUILDING:

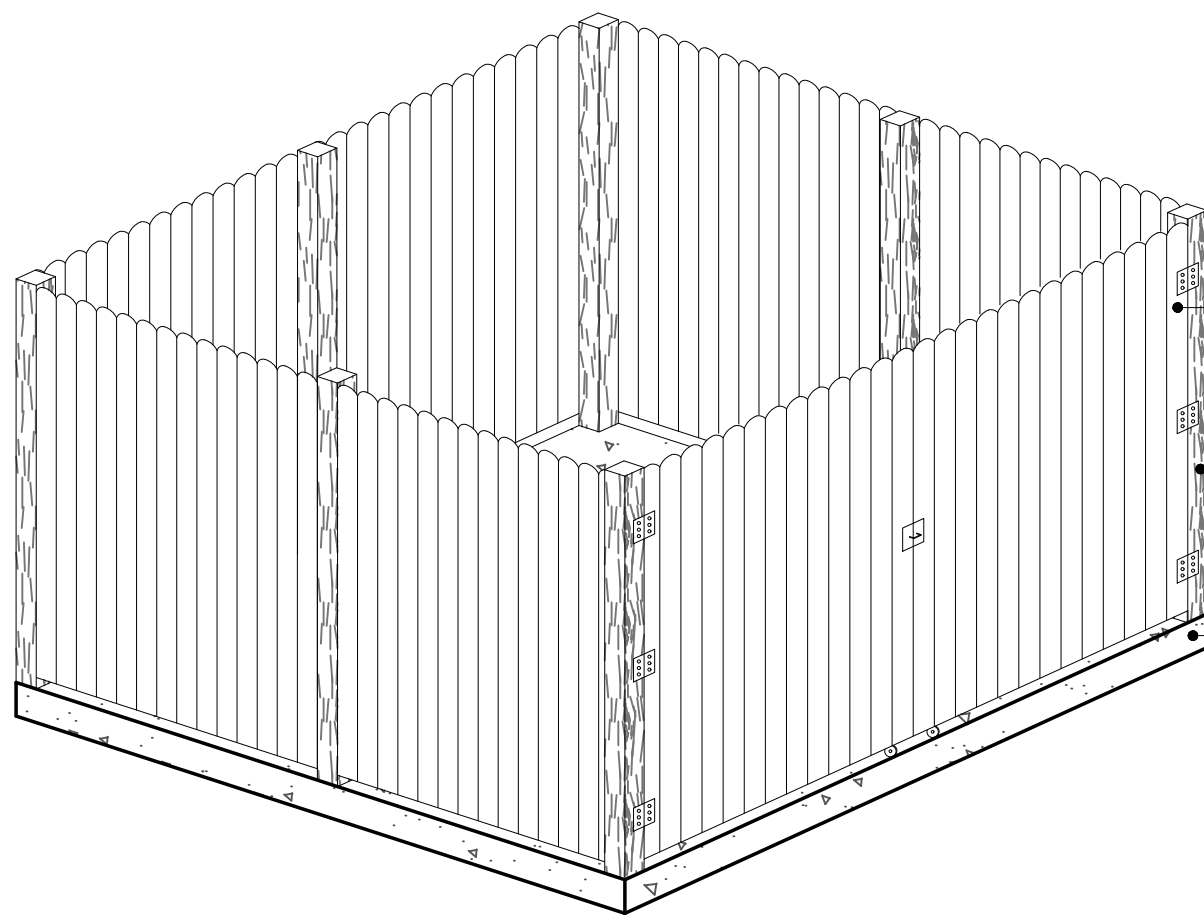
EXISTING EXTERIOR, BUILDING-MOUNTED LIGHTING TO BE MAINTAINED. ALL EXTERIOR LIGHTING WILL COMPLY WITH THE REGULATIONS OF THE ZONING ORDINANCE AND BE DIRECTED AND/OR SHIELDED SO THAT LIGHT IS NOT DIRECTED ONTO ADJACENT PREMISES OR STREET RIGHTS-OF-WAY.

3. DRAINAGE:

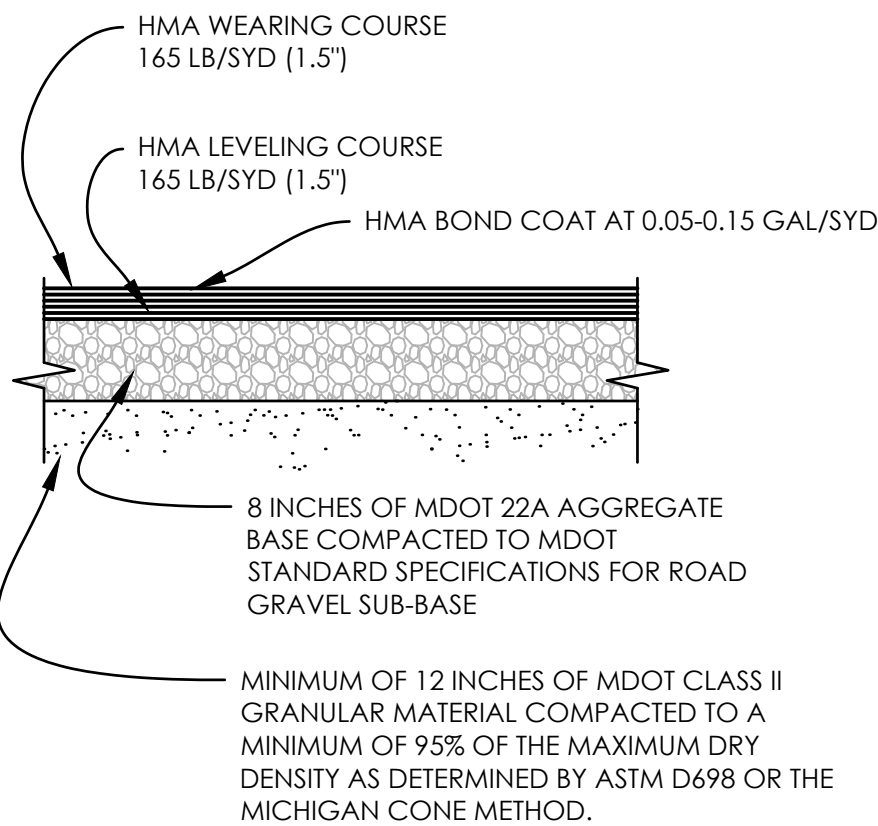
ADEQUATE DRAINAGE FOR THE PROPOSED SITE CHANGES IS PROVIDED. NO ADDITIONAL SURFACE WATER IS DIRECTED TOWARDS ADJACENT PROPERTIES.

4. UTILITIES:

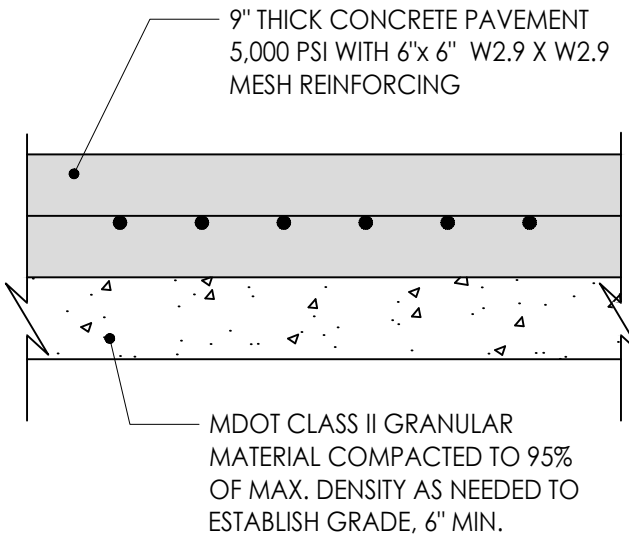
EXISTING MUNICIPAL WATER AND SEWER SERVICE LEADS TO THE EXISTING COMMERCIAL BUILDING WILL BE MAINTAINED AND USED FOR THE PROPOSED USE.



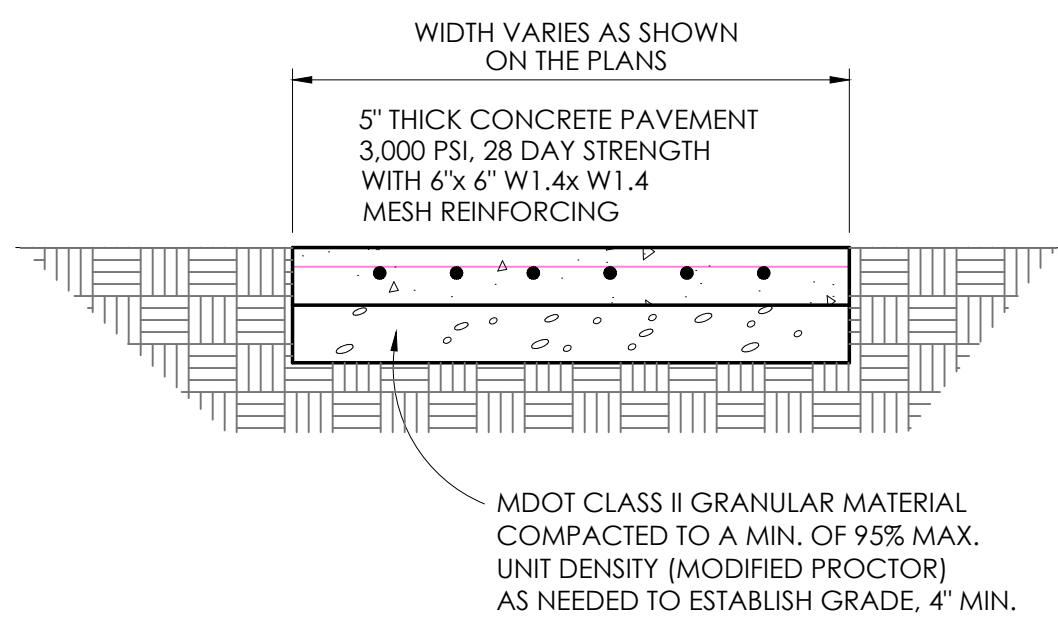
DUMPSTER SCREENING PAD
NO SCALE



PAVING DETAIL - HMA
NO SCALE

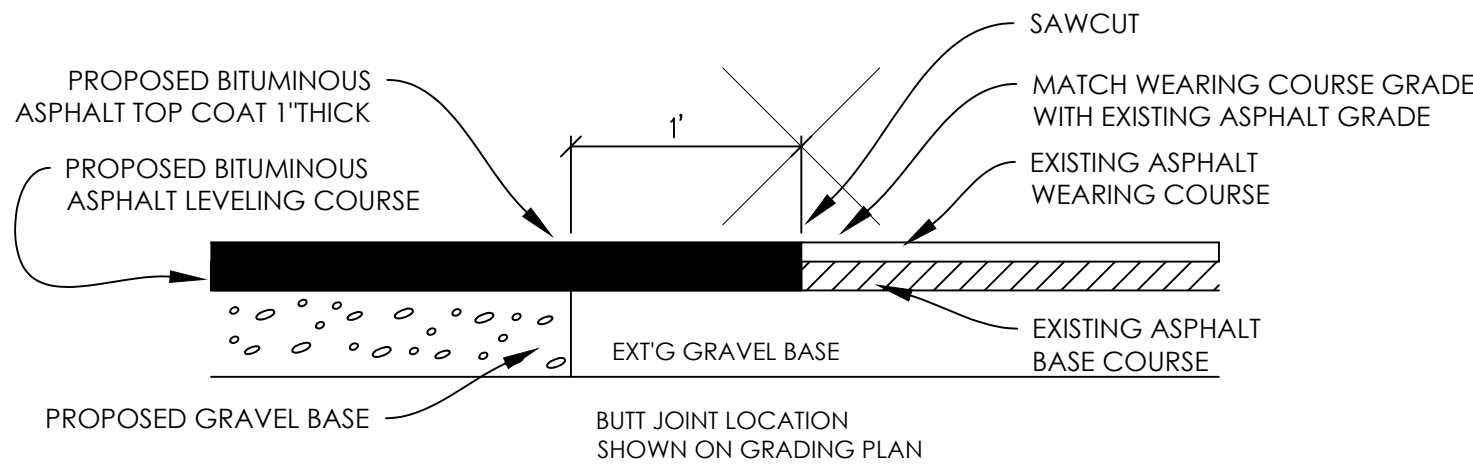


PAVING DETAIL - CONCRETE
NO SCALE

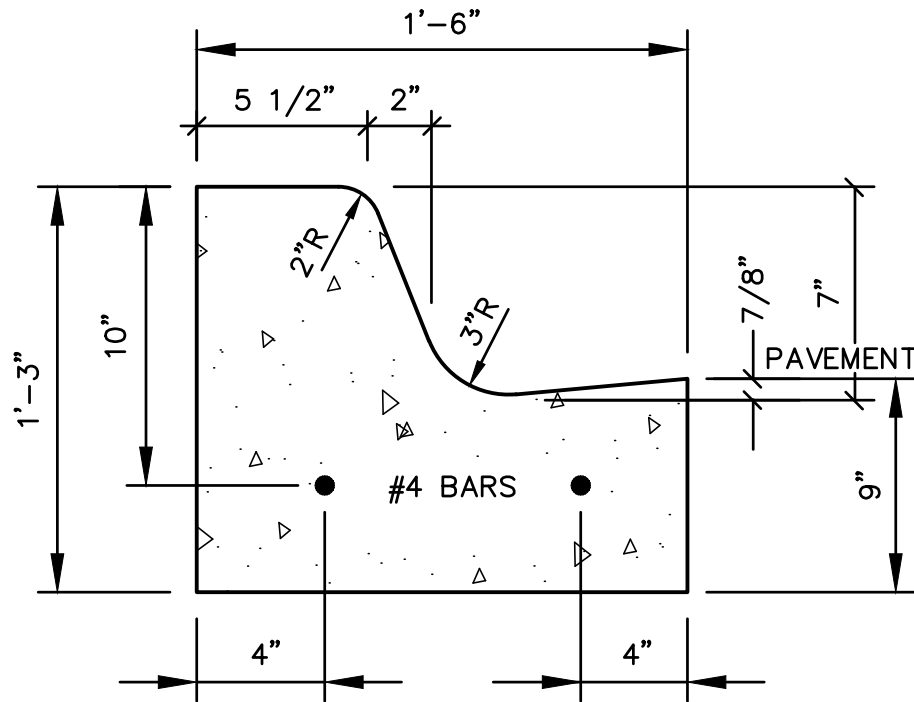


NOTE: EXPANSION JOINTS SHALL BE PLACED AT ALL SPRING POINTS, PERMANENT STRUCTURES, AND AT A SPACING OF NOT MORE THAN 20 FEET. THE SIDEWALK SHALL BE DIVIDED INTO UNIT AREAS OF NOT MORE THAN 36 SQUARE FEET BY MEANS OF CUT JOINTS (WP.J). IN SO FAR AS POSSIBLE, UNIT AREAS SHALL BE PERPENDICULAR AND NOT LESS THAN 16 SQUARE FEET.

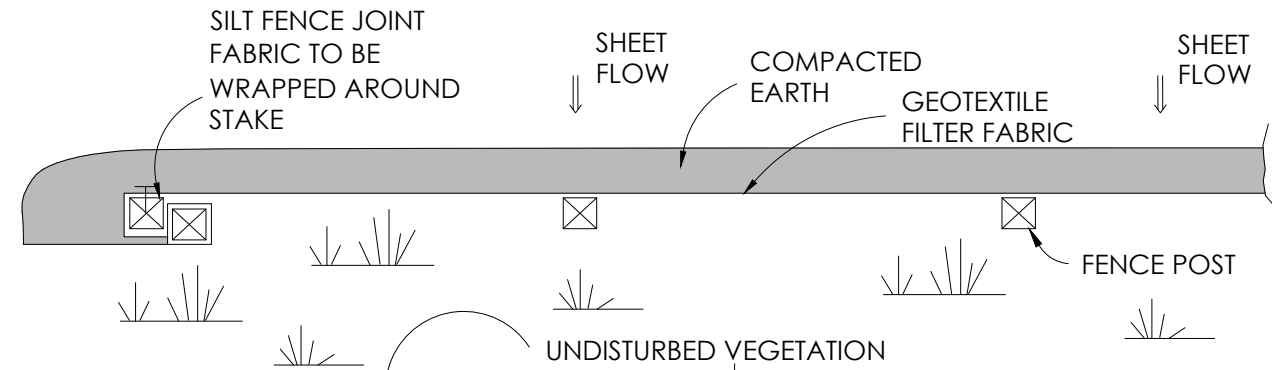
CONCRETE WALK DETAIL
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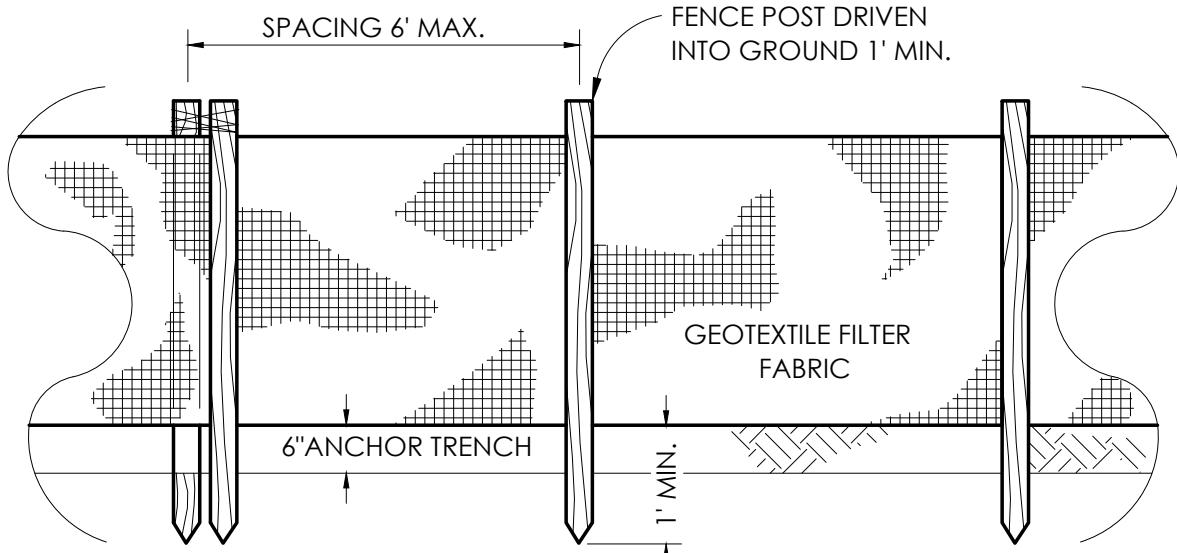
BUTT JOINT DETAIL
NO SCALE



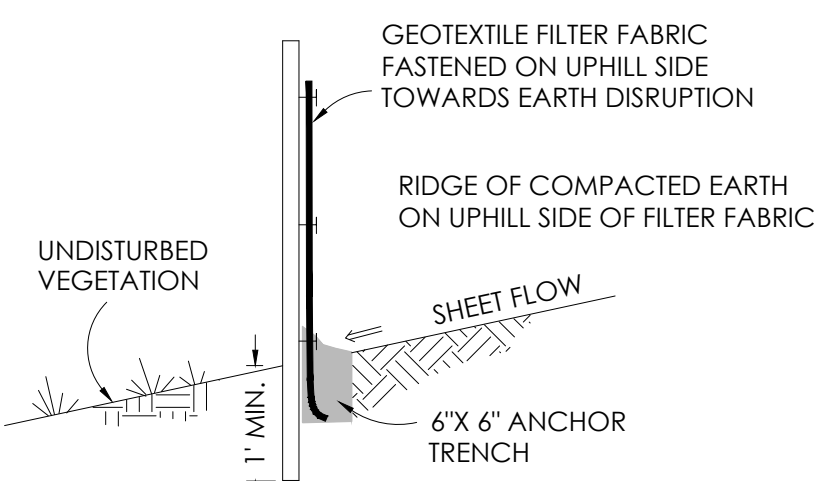
CURB DETAIL
(M.D.O.T. TYPE C2)
NO SCALE



PLAN VIEW

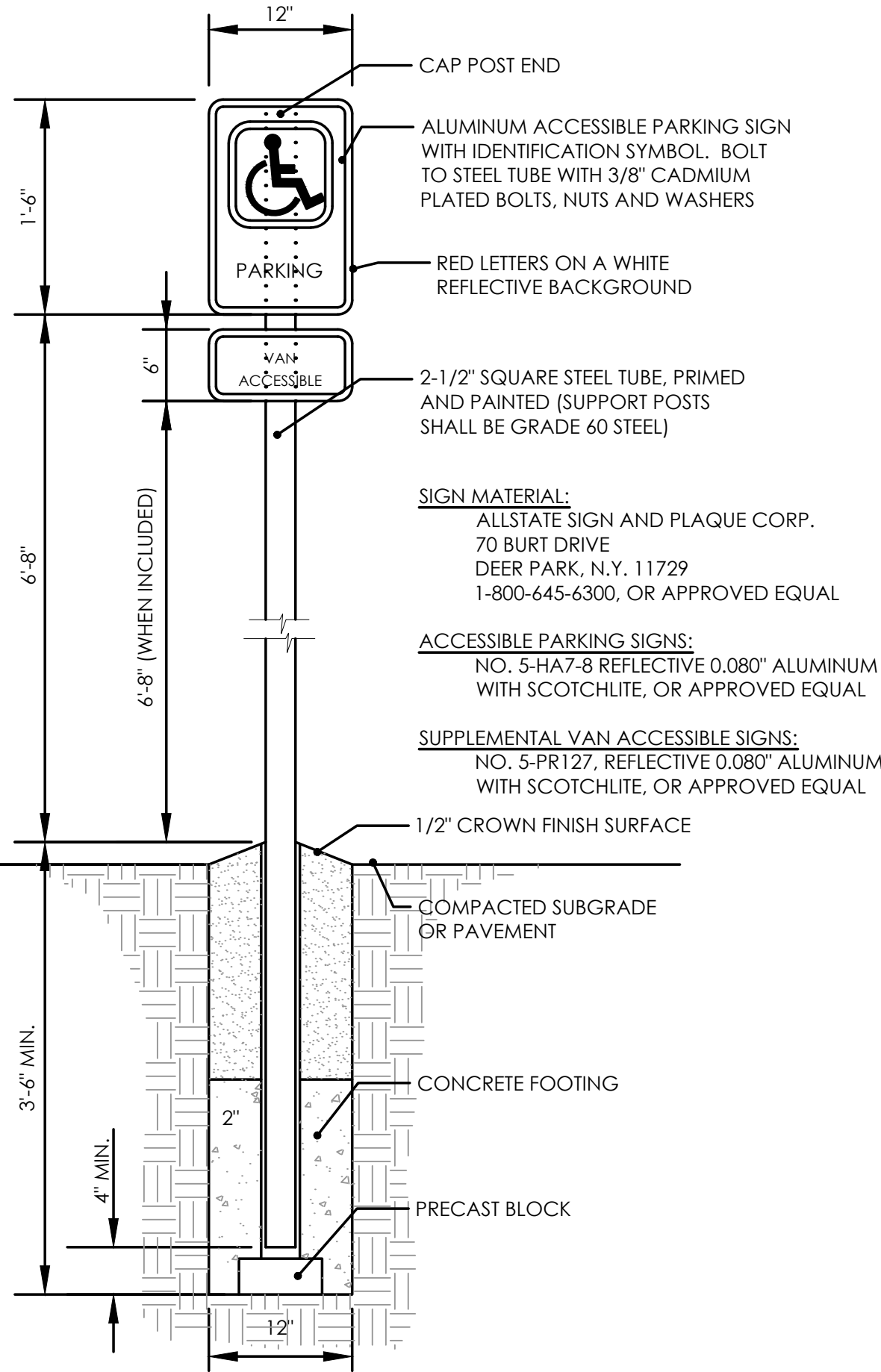


FRONT ELEVATION



SECTION VIEW

SILT FENCE DETAILS
NO SCALE



BARRIER FREE PARKING SIGN DETAIL
NO SCALE

830 Cottageview Dr., Ste. 201
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Mansfield
&
Land Use Consultants

REV#	DATE	DES.	DRN.	CHK.	DEC.
01	03-02-20	dmr	mmr	dmr	Original design
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JMK Investments & Holdings, LLC
Proposed Building Renovation
NOTES & DETAIL SHEET
Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

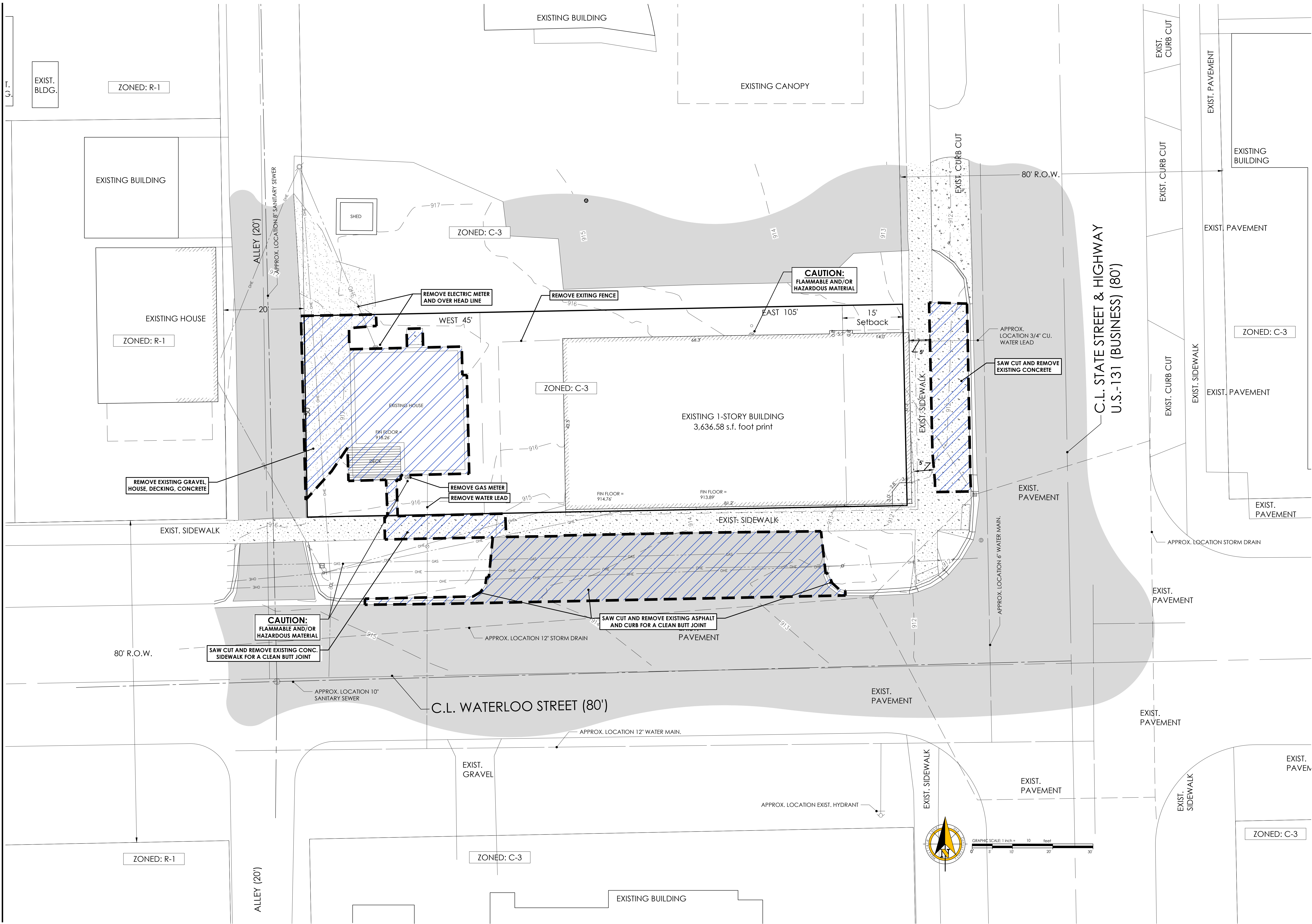
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DR: dmr

FOR NO: 20034

C1.1

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JMK Investments & Holdings, LLC

Proposed Building Renovation
EXISTING CONDITIONS & DEMOLITION PLAN

Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

PM:

dmj

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mmj

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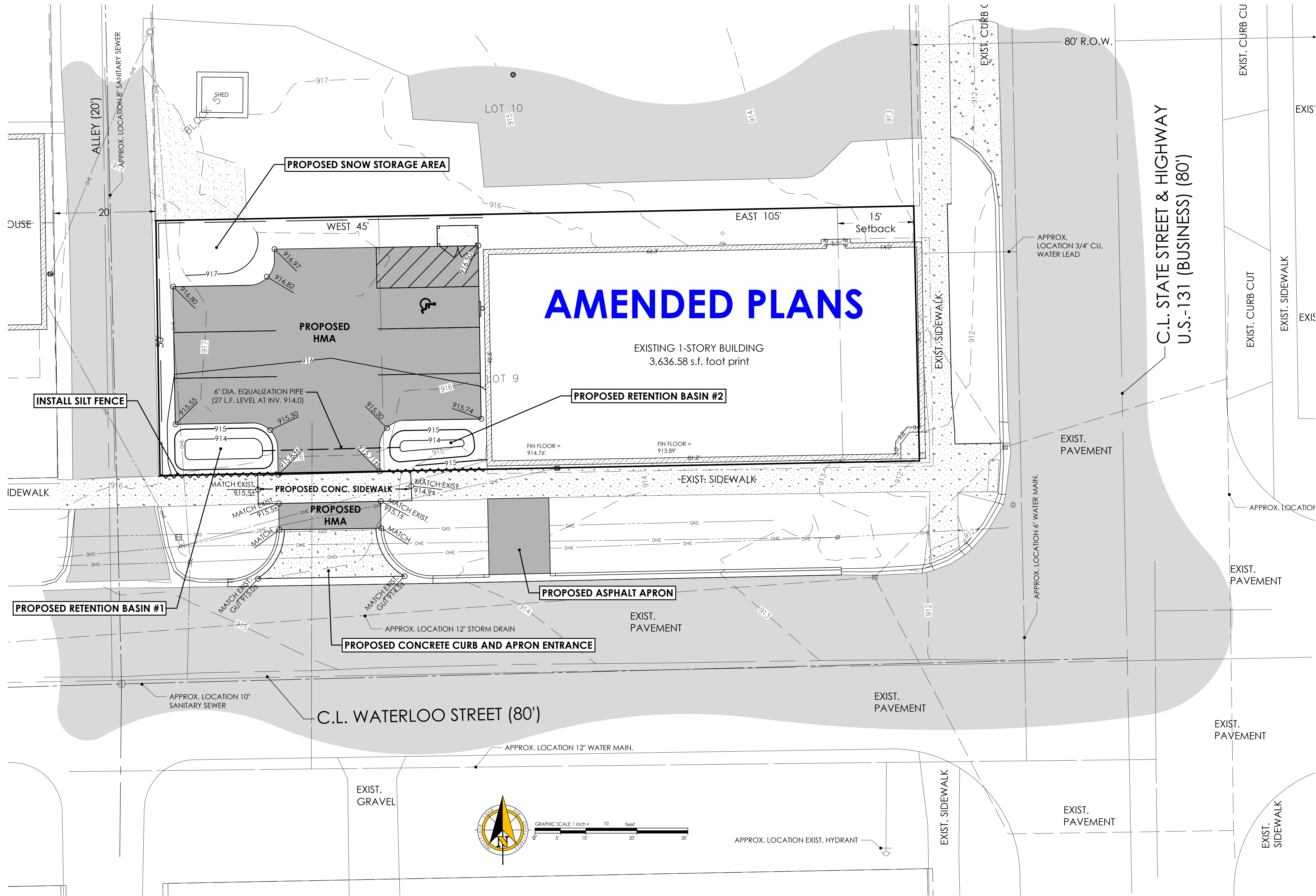
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03.02.20

FOR NO.:

20034

C2.0



NOTES:

1. STORM WATER FROM THE EXISTING COMMERCIAL BUILDING ON SITE IS DIRECTED VIA DIRECT PIPE TO THE CITY STORM WATER SYSTEM.
2. ADDITIONAL STORM WATER GENERATED BY PROPOSED CHANGES ON SITE TO BE DETAINED IN PROPOSED BASINS 1 & 2 (SEE TABLE THIS SHEET)
3. REMOVAL OF EXISTING HOUSE AND PARKING AREAS ON RESIDENTIAL LOT REDUCES EXISTING IMPERVIOUS SURFACE COVERAGE BY 1441.49 S.F.
4. PROPOSED IMPERVIOUS SURFACES (PARKING AREA) ADDS 2143.12 S.F. IMPERVIOUS SURFACE, RESULTING OF AN INCREASE OF 721.63 S.F. IMPERVIOUS SURFACE ON SITE.
5. STORM WATER STORAGE VOLUME REQUIRED TO HOLD 2.5" STORM WATER OVER INCREASED IMPERVIOUS SURFACES ON SITE IS 150 CUBIC FEET (C.F.)
6. STORM WATER STORAGE VOLUME PROVIDED = 152.82 C.F.

BASIN 1 CALCULATIONS		
	Quantity	Unit
Ex. Impervious Surface Removed	1441.49	s.f.
Proposed Impervious Surface	2163.12	s.f.
New Impervious Surface	721.63	s.f.
Required Vol. (2.5" over new impervious)	150	c.f.
Volume Provided	152.82	c.f.

SOILS NOTES:

1. SITE SOILS CONSIST SOLELY OF MECOSTA SANDS (0-4% SLOPE) WITH HIGH TO VERY HIGH INFILTRATION RATES (5.95 - 19.98 INCHES PER HOUR) ACCORDING TO THE USDA SOIL SURVEY FOR THE AREA.

CONSTRUCTION NOTES:

1. SILT FENCE SHALL BE INSTALLED BEFORE THE CONSTRUCTION BEGINS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT DURATION UNTIL PERMANENT VEGETATION IS ESTABLISHED AND THE SITE IS STABILIZED. THE CONTRACTOR MUST REMOVE THE SILT FENCE UPON COMPLETION.
2. ALL STUMPS AND UNDERGROUND ORGANIC MATERIAL SHALL BE COMPLETELY REMOVED WITH AN EXCAVATOR AND HAULED OFF THE SITE.
3. ALL STUMPS, LOGS AND CHIPS SHALL BE HAULED OFF THE SITE. NOTHING SHALL BE BURIED ON SITE.
4. ANY REQUIRED STOCKPILES SHALL BE LOCATED INTERNALLY, AWAY FROM STORM BASINS AND WETLANDS. DORMANT STOCKPILES SHALL BE SEEDED TO PREVENT SEDIMENTATION AND AIRBORNE EROSION.
5. FINAL CONSTRUCTION SHALL MEET THE REQUIREMENTS OF THE APPROVED S.E.S.C. PERMIT.
6. CARE SHOULD BE TAKEN TO PREVENT MATERIAL MOVEMENT INTO ADJACENT STORM BASINS, ROADWAYS OR WETLANDS.
7. SLOPES 3:1 OR STEEPER SHALL BE RESTORED WITH MULCH BLANKET.
8. THE CONTRACTOR SHALL USE WATER OR DUST PALLIATIVE TO CONTROL DUST ON AND ADJACENT TO THE PROJECT SITE BY REGULAR SWEEPING, AS NECESSARY UNTIL THE SITE IS PERMANENTLY STABILIZED.
9. SOIL STOCKPILE LOCATIONS SHALL BE DETERMINED BY THE CONTRACTOR AND SHALL BE LOCATED WHERE THEY ARE NOT SUSCEPTIBLE TO HIGH SURFACE RUNOFF OR AIRBORNE EROSION. LONG-TERM STOCKPILES SHALL BE SEEDED WHEN NOT IN USE IN ORDER TO PREVENT AIRBORNE EROSION AND SEDIMENTATION.

CONSTRUCTION SCHEDULE NARRATIVE:*

- | | | | | | | |
|---|---|---|----|---|---|---|
| • | / | / | TO | / | / | INSTALL TEMPORARY S.E.S.C. MEASURES |
| • | / | / | TO | / | / | SITE CLEARING, GRUBBING & STUMP REMOVAL |
| • | / | / | TO | / | / | SITE REMOVALS |
| • | / | / | TO | / | / | STORM BASIN & PERMANENT S.E.S.C. MEASURES |
| • | / | / | TO | / | / | RESTORATION - STORM BASIN |
| • | / | / | TO | / | / | SITE GRADING |
| • | / | / | TO | / | / | INSTALL CONCRETE CURB & GUTTER |
| • | / | / | TO | / | / | INSTALL 22A ROAD GRAVEL |
| • | / | / | TO | / | / | INSTALL TREES, LANDSCAPING & IRRIGATION |
| • | / | / | TO | / | / | INSTALL HMA PAVEMENT |
| • | / | / | TO | / | / | RESTORATION - SITE |
| • | / | / | TO | / | / | INSTALL SIGNS, FENCES, PAVT MARKINGS, CLEANUP |
| • | / | / | TO | / | / | REMOVE TEMPORARY S.E.S.C MEASURES |

* THE FINAL CONSTRUCTION SCHEDULE IS SUBJECT TO CHANGE BASED ON PERMIT APPROVALS, OWNER & CONTRACTOR SCHEDULES, ETC.

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JMK Investments & Holdings, LLC
Proposed Building Renovation
SOIL EROSION AND SEDIMENTATION CONTROL PLAN
Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

JMK:
dimc

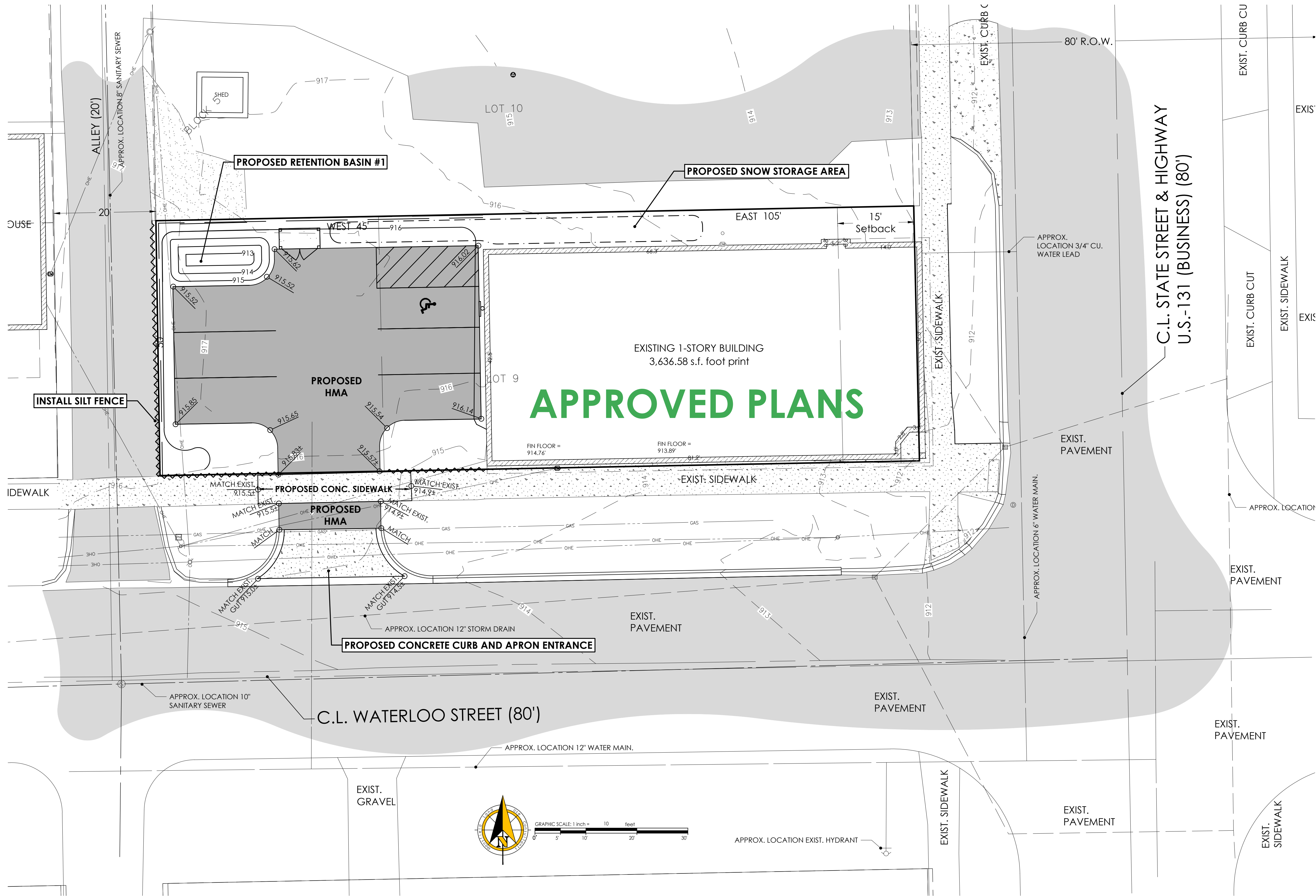
DR: mm

CD: mm

CREATED: 03.02.20

JOB NO.: 20034

C3.0



NOTES:

- STORM WATER FROM THE EXISTING COMMERCIAL BUILDING ON SITE IS DIRECTED VIA DIRECT PIPE TO THE CITY STORM WATER SYSTEM.
- ADDITIONAL STORM WATER GENERATED BY PROPOSED CHANGES ON SITE TO BE DETAINED IN PROPOSED BASIN 1 (SEE TABLE THIS SHEET)
- REMOVAL OF EXISTING HOUSE AND PARKING AREAS ON RESIDENTIAL LOT REDUCES EXISTING IMPERVIOUS SURFACE COVERAGE BY 1441.49 S.F.
- PROPOSED IMPERVIOUS SURFACES (PARKING AREA) ADDS 2143.12 S.F. IMPERVIOUS SURFACE, RESULTING OF AN INCREASE OF 721.63 S.F. IMPERVIOUS SURFACE ON SITE.
- STORM WATER STORAGE VOLUME REQUIRED TO HOLD 2.5" STORM WATER OVER INCREASED IMPERVIOUS SURFACES ON SITE IS 150 CUBIC FEET (C.F.)
- STORM WATER STORAGE VOLUME PROVIDED IN BASIN 1 = 173.23 C.F.

BASIN 1 CALCULATIONS		
	Quantity	Unit
Ex. Impervious Surface Removed	1441.49	s.f.
Proposed Impervious Surface	2163.12	s.f.
New Impervious Surface	721.63	s.f.
Required Vol. (2.5" over new impervious)	150	c.f.
Basin 1 Volume Provided	173.23	c.f.

SOILS NOTES:

- SITE SOILS CONSIST SOLELY OF MECOSTA SANDS (0-4% SLOPE) WITH HIGH TO VERY HIGH INFILTRATION RATES (5.95 - 19.98 INCHES PER HOUR) ACCORDING TO THE USDA SOIL SURVEY FOR THE AREA.

CONSTRUCTION NOTES:

- SILT FENCE SHALL BE INSTALLED BEFORE THE CONSTRUCTION BEGINS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT DURATION UNTIL PERMANENT VEGETATION IS ESTABLISHED AND THE SITE IS STABILIZED. THE CONTRACTOR MUST REMOVE THE SILT FENCE UPON COMPLETION.
- ALL STUMPS AND UNDERGROUND ORGANIC MATERIAL SHALL BE COMPLETELY REMOVED WITH AN EXCAVATOR AND HAULED OFF THE SITE.
- ALL STUMPS, LOGS AND CHIPS SHALL BE HAULED OFF THE SITE. NOTHING SHALL BE BURIED ON SITE.
- ANY REQUIRED STOCKPILES SHALL BE LOCATED INTERNALLY, AWAY FROM STORM BASINS AND WETLANDS. DORMANT STOCKPILES SHALL BE SEEDED TO PREVENT SEDIMENTATION AND AIRBORNE EROSION.
- FINAL CONSTRUCTION SHALL MEET THE REQUIREMENTS OF THE APPROVED S.E.S.C. PERMIT.
- CARE SHOULD BE TAKEN TO PREVENT MATERIAL MOVEMENT INTO ADJACENT STORM BASINS, ROADWAYS OR WETLANDS.
- SLOPES 3:1 OR STEEPER SHALL BE RESTORED WITH MULCH BLANKET.
- THE CONTRACTOR SHALL USE WATER OR DUST PALLIATIVE TO CONTROL DUST ON AND ADJACENT TO THE PROJECT SITE BY REGULAR SWEEPING, AS NECESSARY UNTIL THE SITE IS PERMANENTLY STABILIZED.
- SOIL STOCKPILE LOCATIONS SHALL BE DETERMINED BY THE CONTRACTOR AND SHALL BE LOCATED WHERE THEY ARE NOT SUSCEPTIBLE TO HIGH SURFACE RUNOFF OR AIRBORNE EROSION. LONG-TERM STOCKPILES SHALL BE SEEDED WHEN NOT IN USE IN ORDER TO PREVENT AIRBORNE EROSION AND SEDIMENTATION.

CONSTRUCTION SCHEDULE NARRATIVE:*

- | | | | | | | |
|---|---|---|----|---|---|---|
| • | / | / | TO | / | / | INSTALL TEMPORARY S.E.S.C. MEASURES |
| • | / | / | TO | / | / | SITE CLEARING, GRUBBING & STUMP REMOVAL |
| • | / | / | TO | / | / | SITE REMOVALS |
| • | / | / | TO | / | / | STORM BASIN & PERMANENT S.E.S.C. MEASURES |
| • | / | / | TO | / | / | RESTORATION - STORM BASIN |
| • | / | / | TO | / | / | SITE GRADING |
| • | / | / | TO | / | / | INSTALL CONCRETE CURB & GUTTER |
| • | / | / | TO | / | / | INSTALL 22A ROAD GRAVEL |
| • | / | / | TO | / | / | INSTALL TREES, LANDSCAPING & IRRIGATION |
| • | / | / | TO | / | / | INSTALL HMA PAVEMENT |
| • | / | / | TO | / | / | RESTORATION - SITE |
| • | / | / | TO | / | / | INSTALL SIGNS, FENCES, PAVT MARKINGS, CLEANUP |
| • | / | / | TO | / | / | REMOVE TEMPORARY S.E.S.C MEASURES |

* THE FINAL CONSTRUCTION SCHEDULE IS SUBJECT TO CHANGE BASED ON PERMIT APPROVALS, OWNER & CONTRACTOR SCHEDULES, ETC.

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Mansfield
— or —
Land Use Consultants

REV#	DATE	DES	DEN	CHK	DESC
01	03/02/20	dmc	mmmm	dmc	Original design
02	03/18/20	dmc	mmmm	dmc	Revisions per City discussion
03	03/18/20	dmc	mmmm	dmc	Revisions per Planning Commission Mtg.

Fresh Coast Provisioning, LLC
Proposed Provisioning Center
SOIL EROSION AND SEDIMENTATION CONTROL PLAN
Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

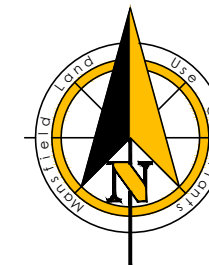
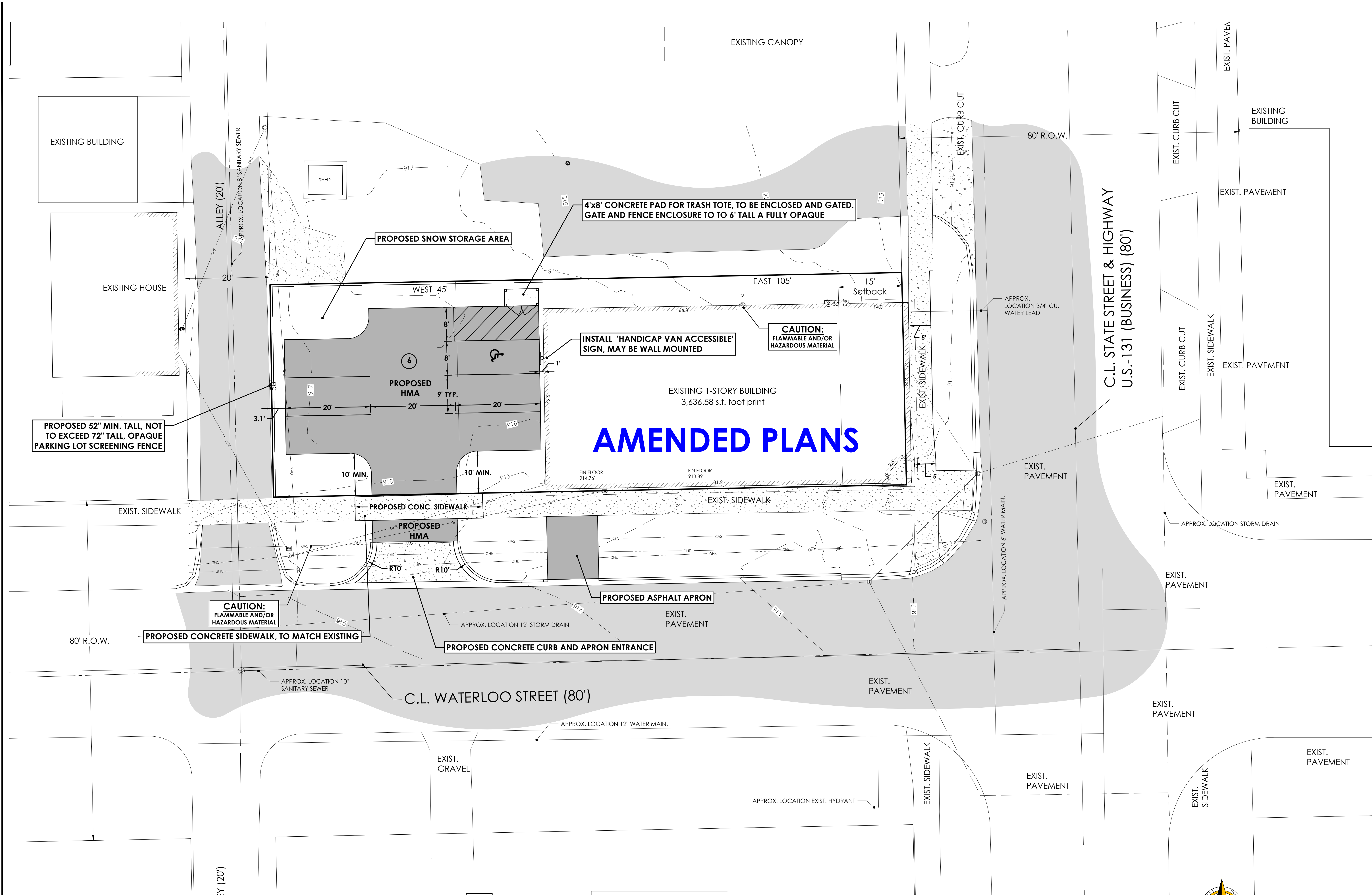
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PLN: dmc

DR: mmmm CDS: dmc CREATED: 03.02.20

JOB NO.: 20034

C3.0



GRAPHIC SCALE: 1 inch = 10 feet

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04	05-11-20	dim	mm	dim	Drainage changes

JMK Investments & Holdings, LLC

Proposed Building Renovation

SITE AND DIMENSION PLAN

Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

PRJ#:

dmc

DR#:

mm

CD#:

dm

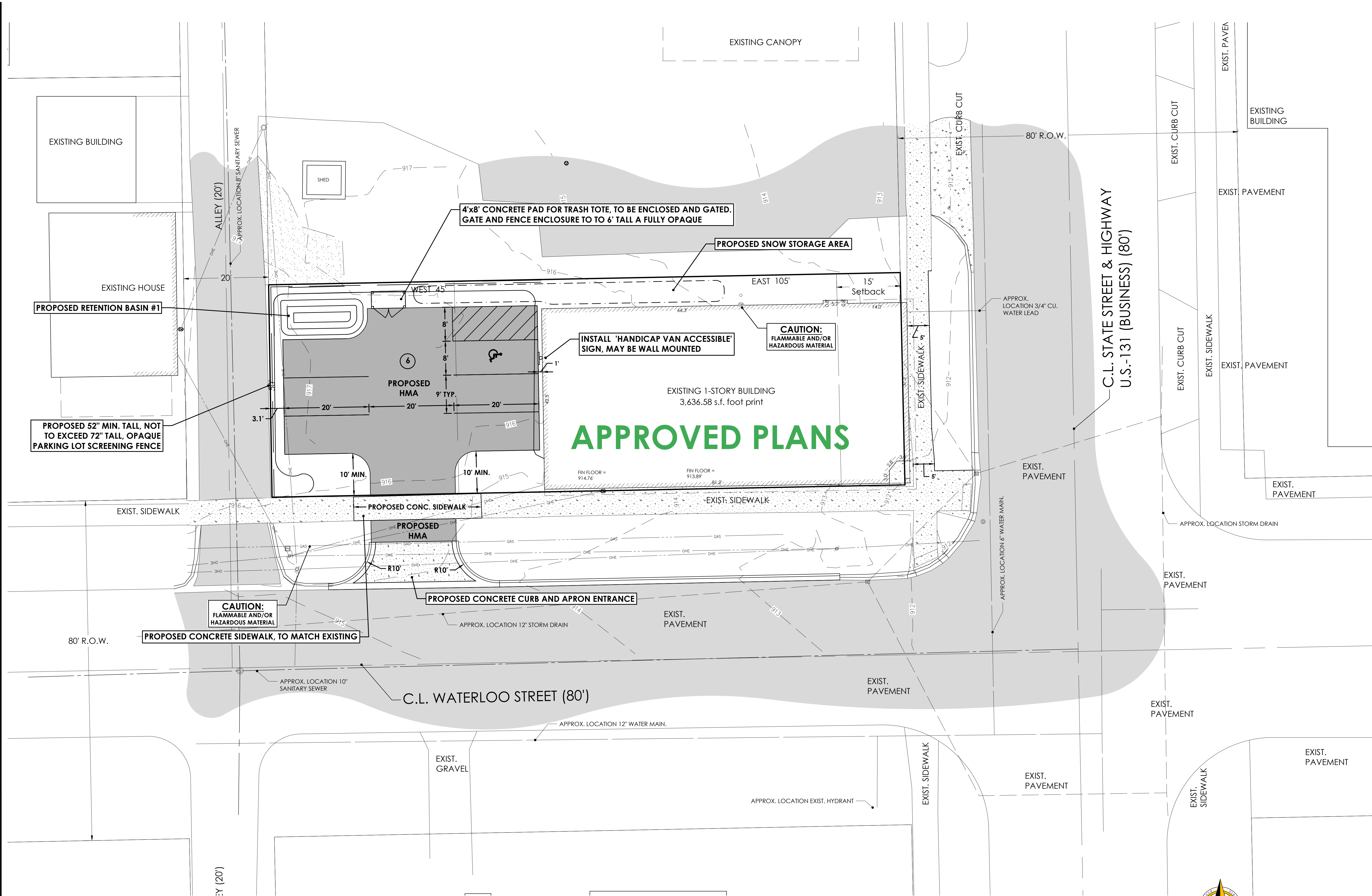
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03.02.20

JOB NO.:

20034

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NOTES:

1. **LOADING ZONE:** ALL DELIVERIES TO BE MADE AFTER BUSINESS HOURS. DELIVERY VEHICLES MAY USE DRIVE LANE IN PARKING LOT FOR LOADING AND UNLOADING. REFERENCE SECTION 5.1.3 OF THE CITY OF BIG RAPIDS ZONING ORDINANCE.
2. **8 PARKING SPACES** REQUIRED BY ZONING ORDINANCE. 6 PARKING SPACES PROVIDED PER APPROVED VARIANCE BY CITY OF BIG RAPIDS ZONING BOARD OF APPEALS.



GRAPHIC SCALE: 1 inch = 10 feet

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Proposed Provisioning Center
SITE AND DIMENSION PLAN
Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

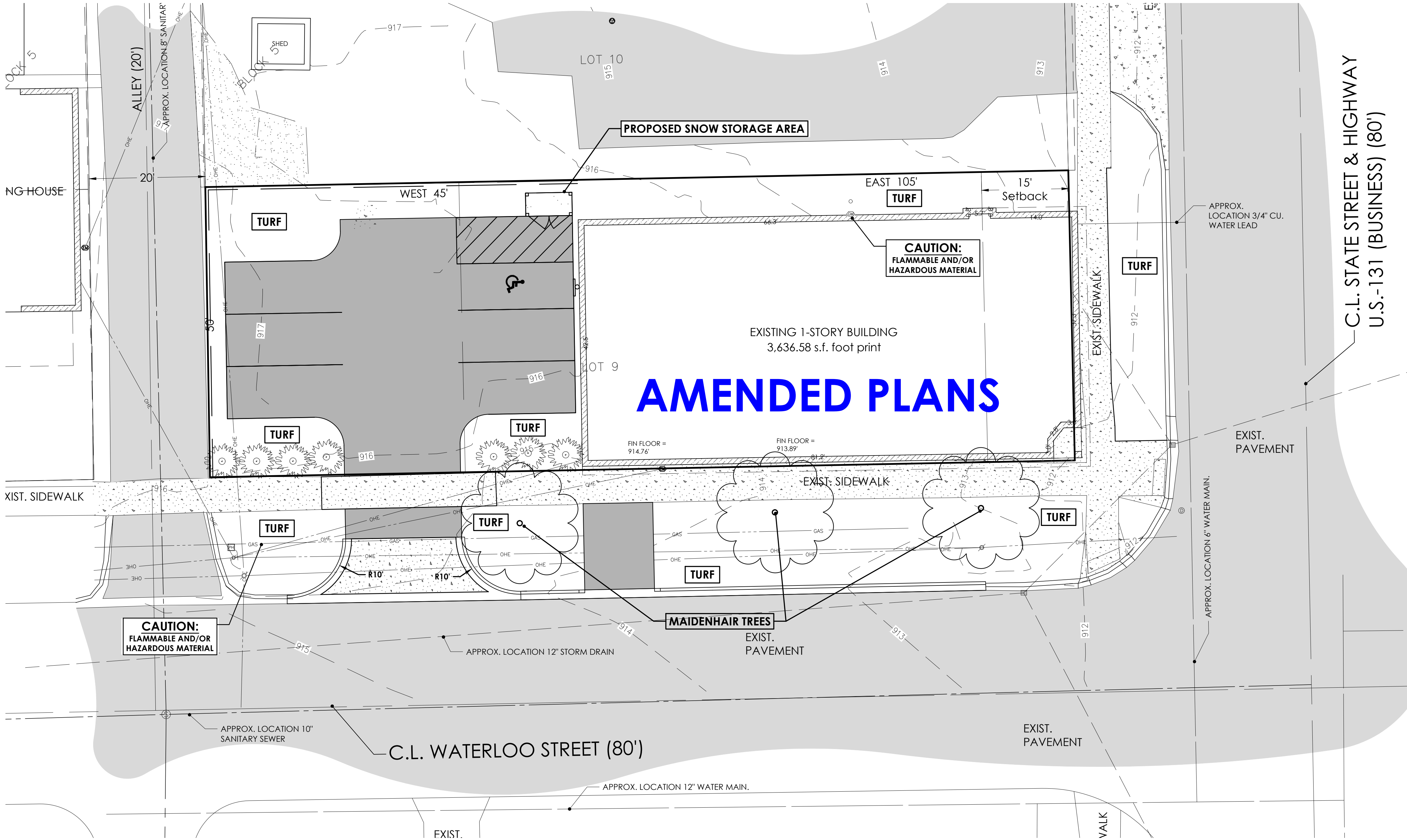
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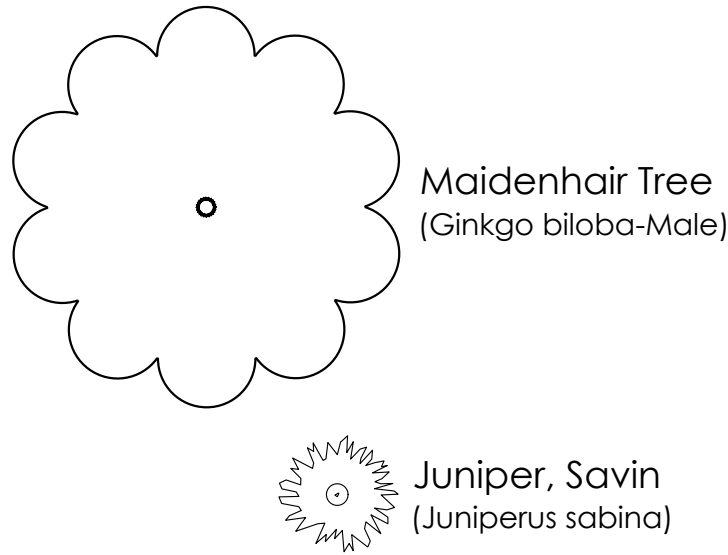
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JOB NO.: 20034

C4.0



LANDSCAPE LEGEND



PLANT LIST

TREES			
common name	botanical name	size	estimated quantity
Maidenhair Tree	Ginkgo biloba (male)	1.75" cal.	3
SHRUBS			
common name	botanical name	size	estimated quantity
Juniper, Savin	Juniperus sabina	5 gallon	7

NOTES:

- (3) Street trees required - per Planning Commission approval.
- (0) Parking lot trees required - per Planning Commission approval.
- Plant screening required between parking lot and public street.

PLANTING NOTES:

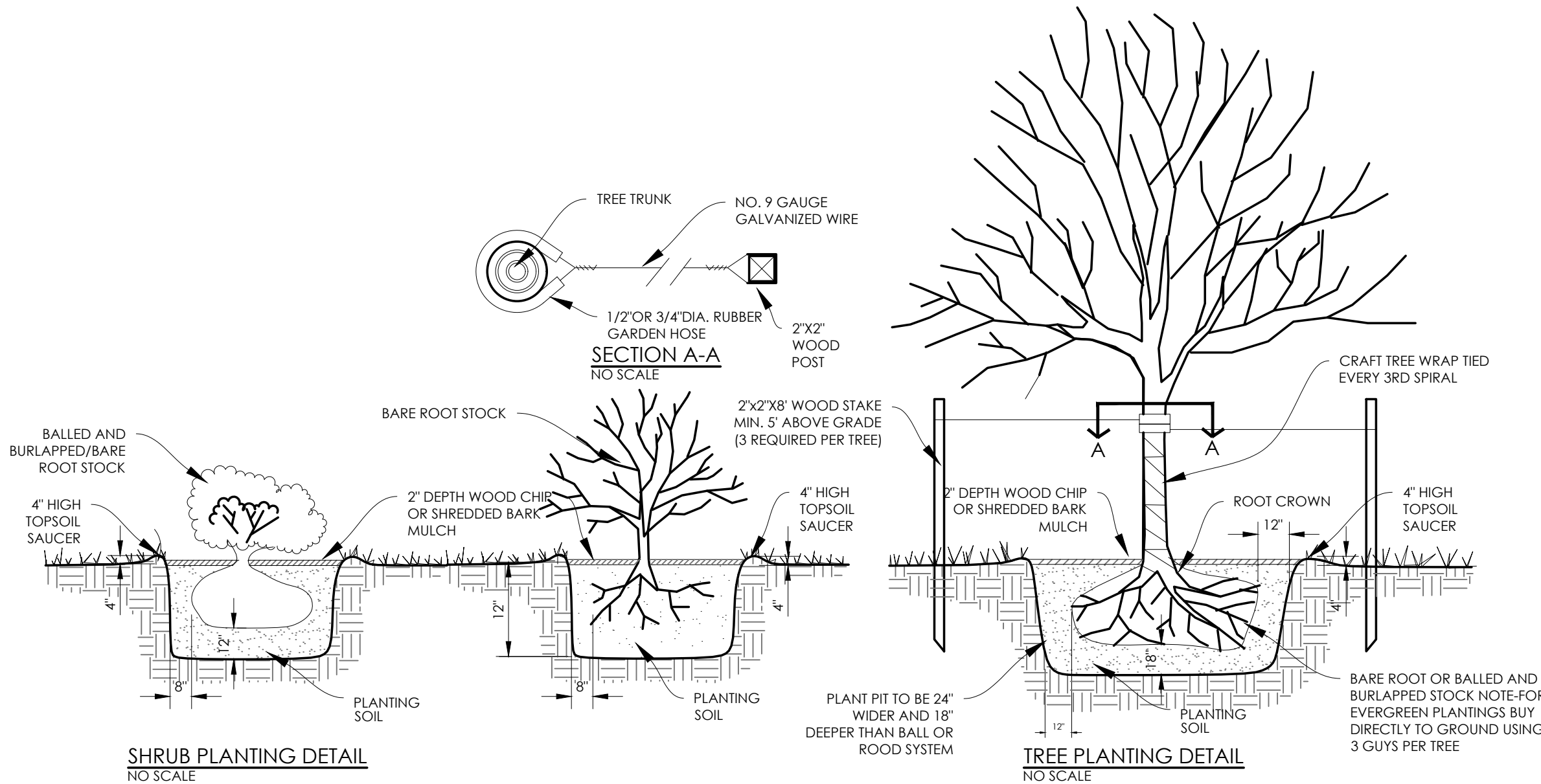
- Clean up and remove from the planting areas weeds and grasses, including roots, and any minor accumulated debris and rubbish before commencing work.
- Remove and dispose of all soil in planting areas that contains any deleterious substance such as oil, plaster, concrete, gasoline, paint, solvents, etc., removing the soil to a minimum depth of six (6) inches or to the level of dryness in the affected areas. The affected soil shall be replaced with native or imported soil as required.
- Finish grading all planting areas to a smooth and even condition, making certain that no water pockets or irregularities remain. Remove and dispose of all foreign materials, clods and rocks over 1 inch in diameter within 3 inches of surface.
- All Plant Materials shall be healthy, well developed representatives of their species of varieties, free from disfigurement with well-developed branch and root systems, and shall be free from all plant diseases and insect infestation.
- All plant substitutions will be subject to the Owner's approval.
- Each plant shall be planted with its proportionate amount of soil amendment and fertilizer. Hand smooth planting area after planting to provide an even, smooth, final finish grade. To avoid drying out, plantings shall be immediately watered after planting until the entire area is soaked to the full depth of each hole unless otherwise noted on the drawing.
- Mulch all planting beds with 3 inches of shredded bark mulch.
- Remove all tags, labels, nursery stakes and ties from all plant material only after the approval of the Owner.
- All plants shall be guaranteed for a period of one year. The guarantee period commences from the time of final acceptance by the Owner. Replace as soon as weather permits, all dead plants not in vigorous condition as noted during the maintenance period. Said plants shall be maintained for a period of 90 calendar days from the replacement date. Plants used for replacements shall be same kind and size as originally planted. They shall be furnished, planted and fertilized as specified and guaranteed.
- All disturbed areas shall be top soiled to a depth of 4", seeded, fertilized and molded mulch blankets shall be used as needed in areas of potential erosion prior to establishment of lawn areas.

IRRIGATION NOTES:

- Landscaping to be irrigated. Installation to be performed by a reputable irrigation contractor.

LANDSCAPING PREPARED BY:

Dustin M. Christensen, LLA
Landscape Architect
No. 3901001527



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JMK Investments & Holdings, LLC

Proposed Building Renovation

LANDSCAPE PLAN

Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

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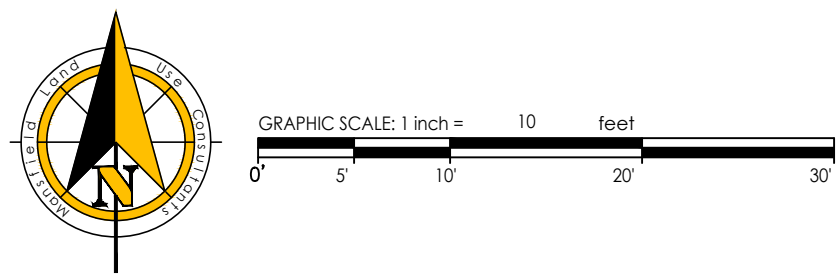
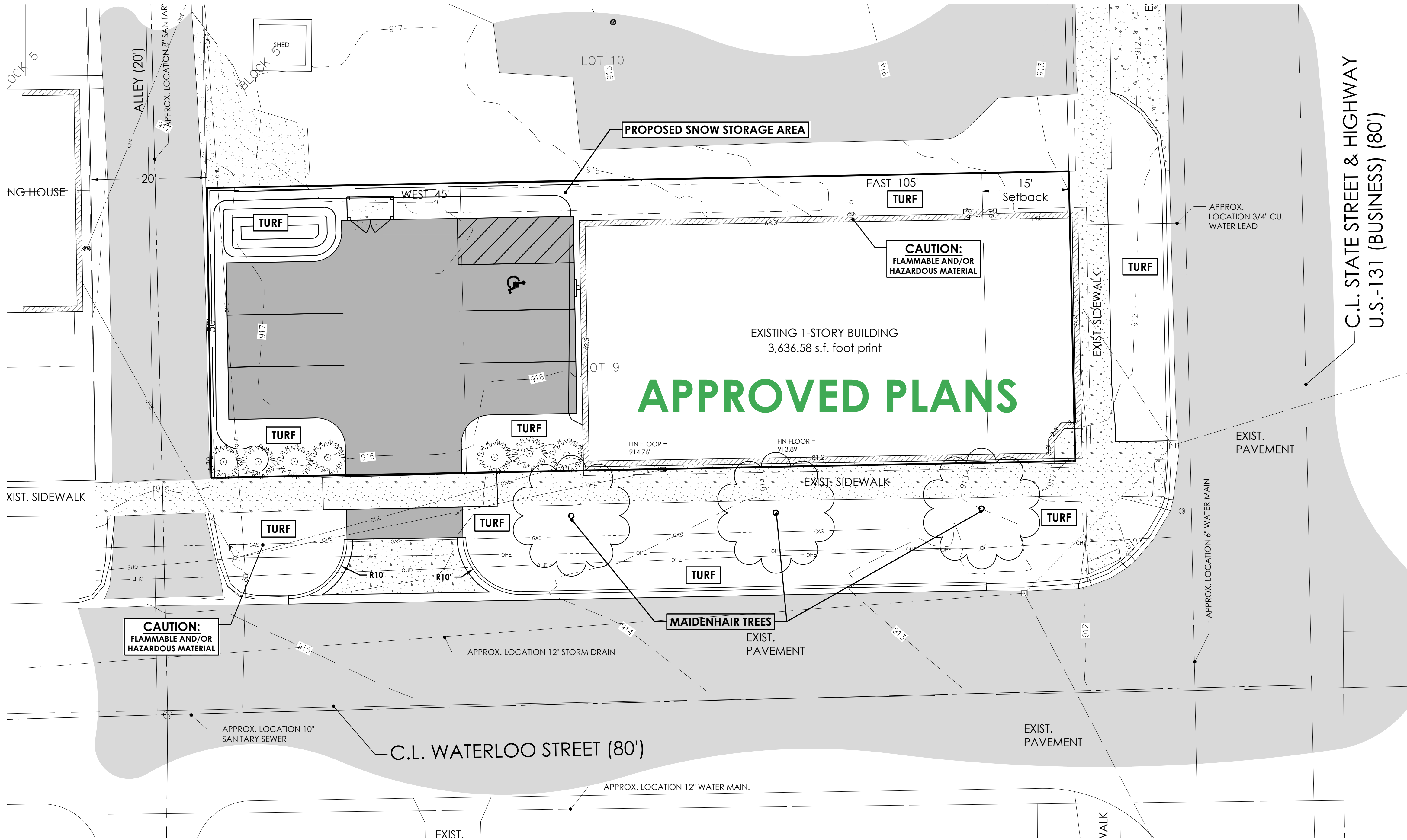
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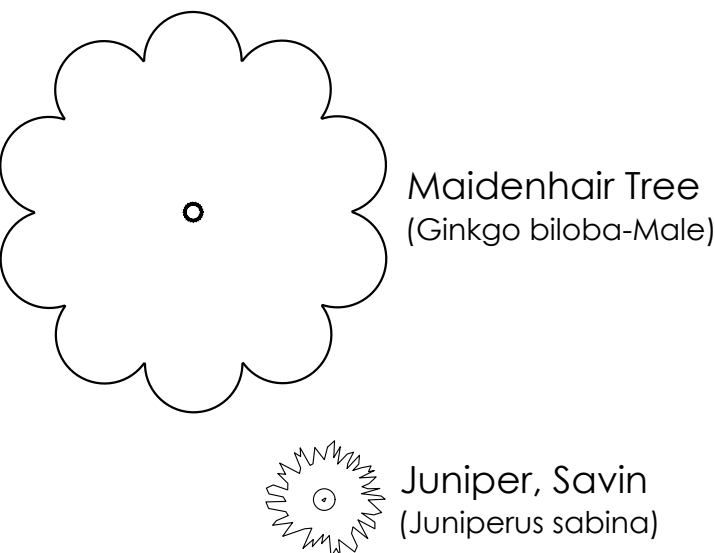
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LANDSCAPE LEGEND



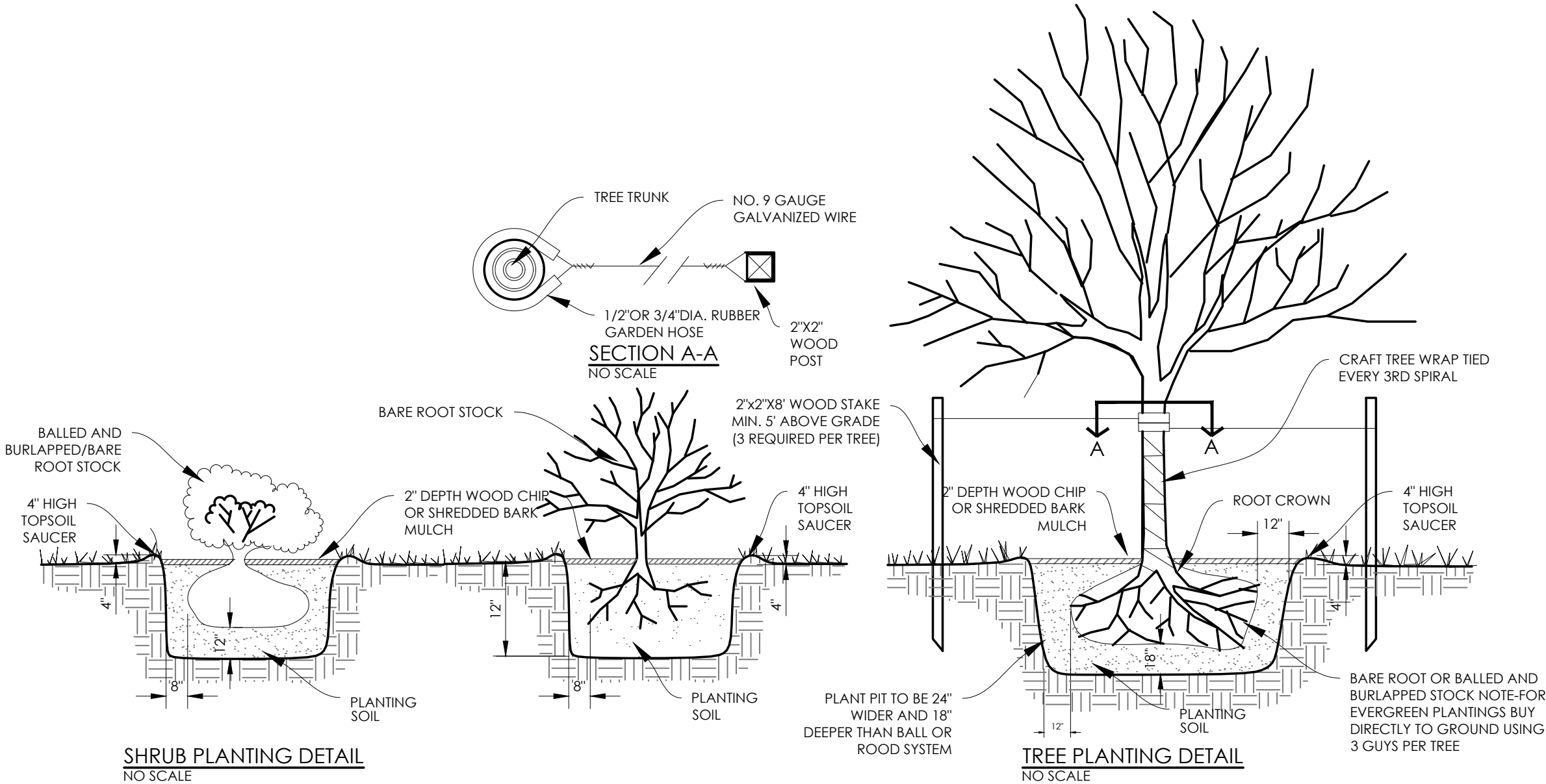
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SHRUBS			
common name	botanical name	size	estimated quantity
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Proposed Provisioning Center

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Section 10, Town 15 North, Range 10 West
City of Big Rapids, Mecosta County, Michigan

PRELIMINARY

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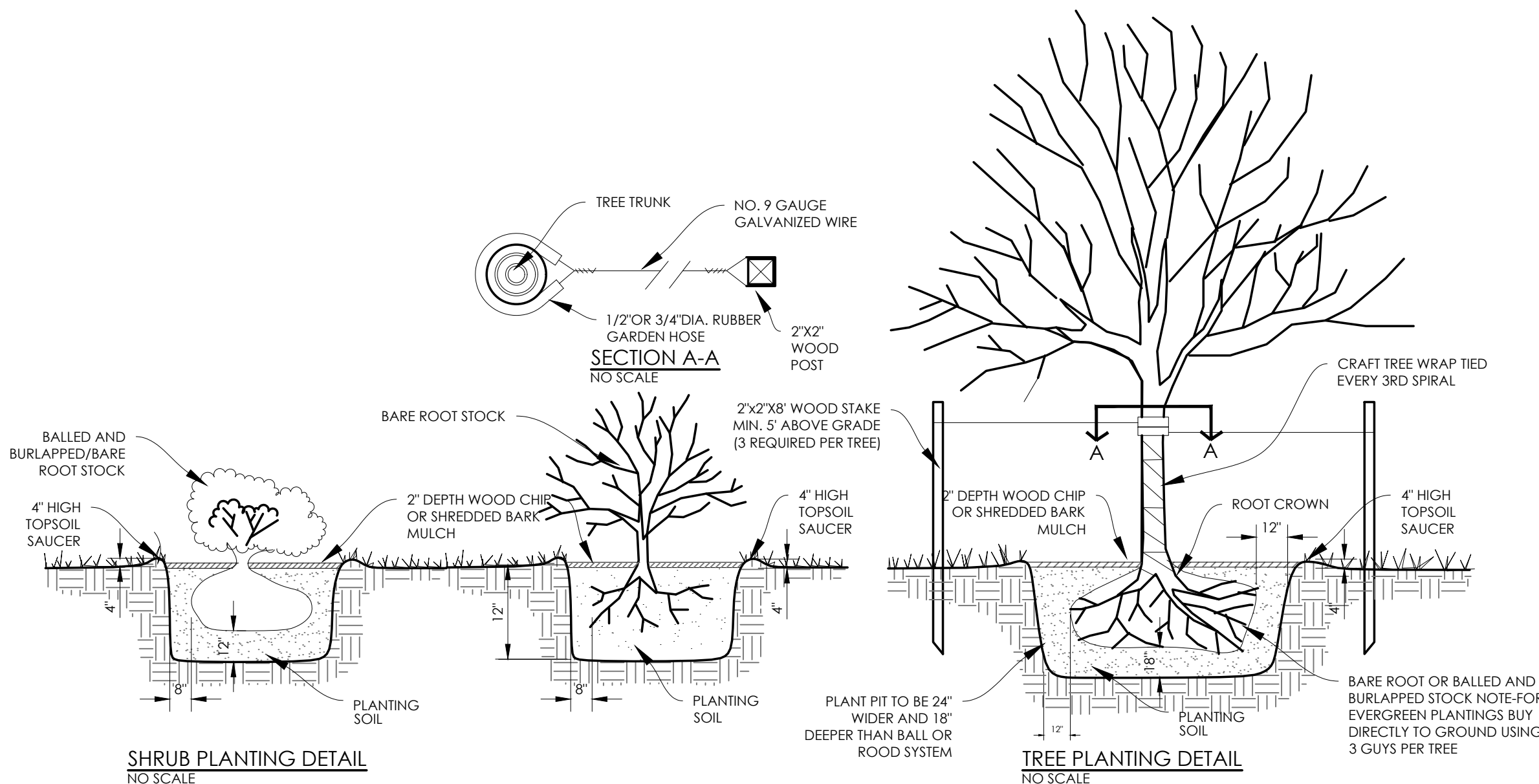
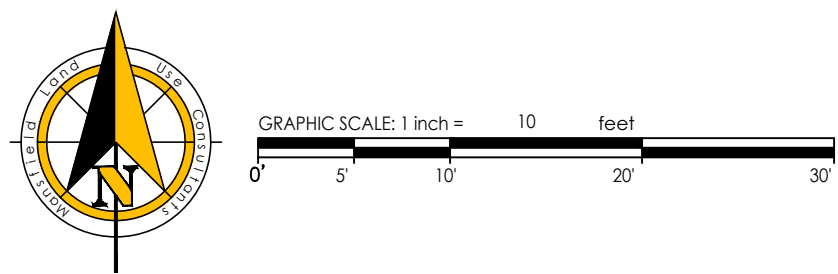
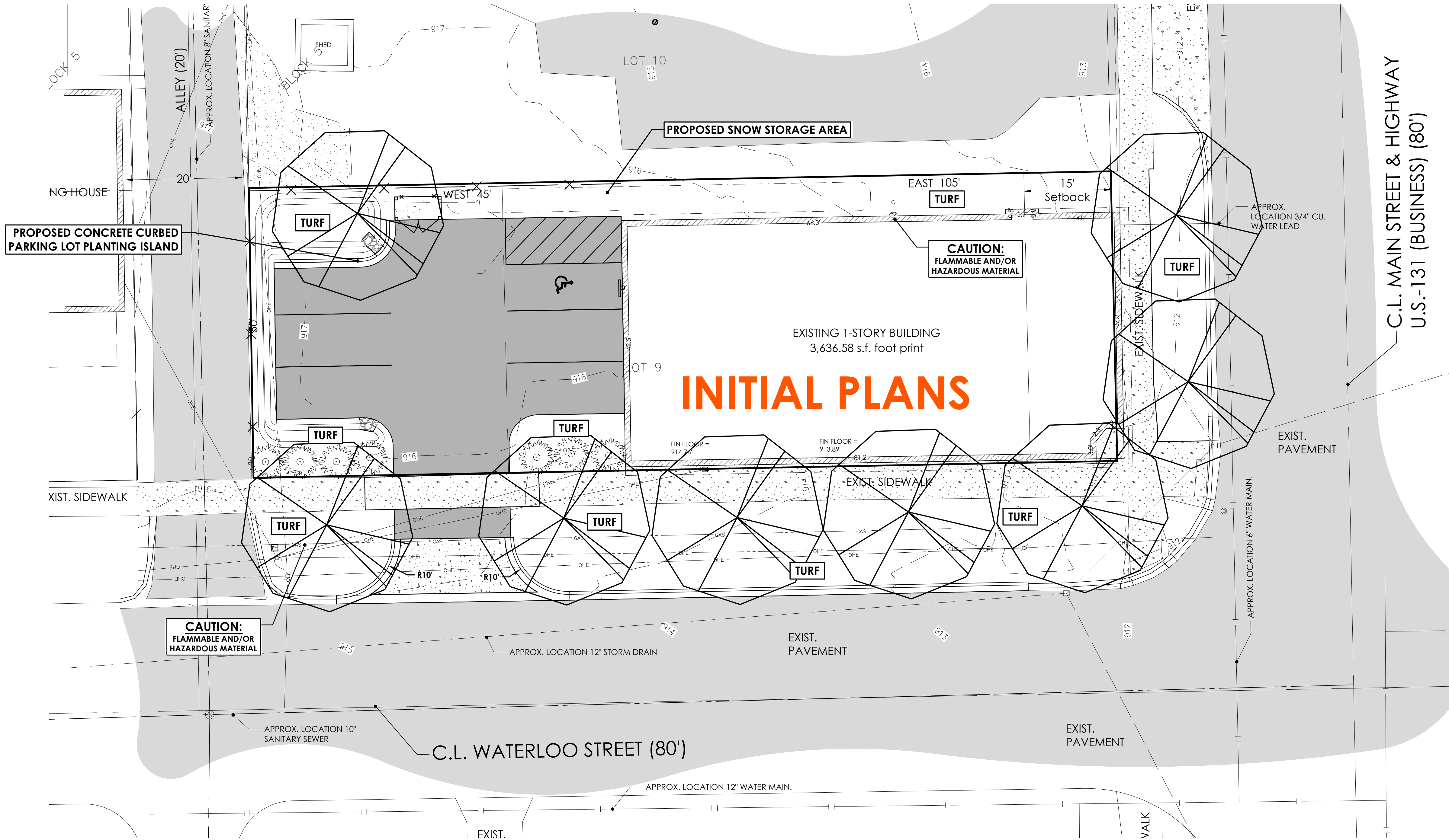
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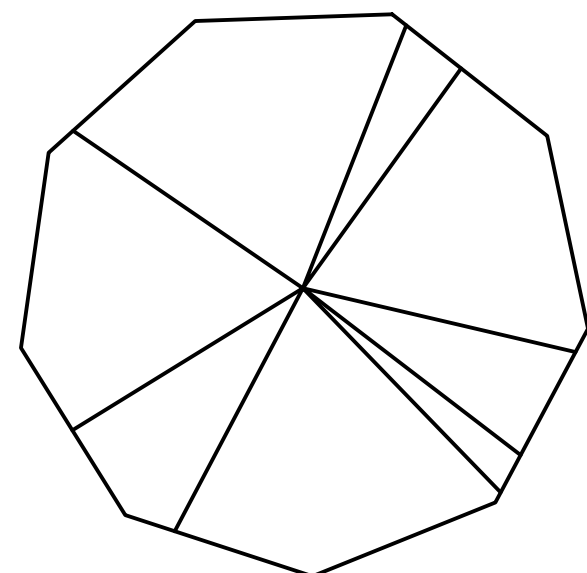
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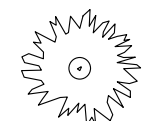
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LANDSCAPE LEGEND



Maple, Freeman
(Acer x freemanii)



Juniper, Savin
(Juniperus sabina)

PLANT LIST

TREES

common name	botanical name	size	estimated quantity
Maple, Freeman	Acer x freemanii	3" B&B	8

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common name	botanical name	size	estimated quantity
Juniper, Savin	Juniperus sabina	5 gallon	7

NOTES:

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JOB NO.: 20034

L1.0

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Zoning Ordinance Amendment to add Bicycle Parking Regulations to Article 5
DATE: May 20, 2020

Introduction

As part of the Zoning Ordinance review that is required in the Redevelopment Ready Communities process, the City did not meet the following requirement: “The Zoning Ordinance includes standards to improve nonmotorized transportation”. The recommendation to remedy this lack is to “incorporate standards to improve non-motorized transportation, such as bicycle parking, traffic calming, pedestrian lighting, and public realm standards”. The City is required to meet at least one of these types to achieve this task toward RRC Certification.

After a discussion at the November Planning Commission meeting, it was suggested to begin by adding bicycle parking regulations to the Zoning Ordinance which would provide regulations for bicycle parking in the City of Big Rapids as well as encourage and incentivize developments to include bicycle parking at their locations.

The Planning Commission reviewed initial recommendations at their regular meeting in January 2020, however the discussion was cut short due to the number of other items on the agenda. The topic is being brought up again for further discussion, in the hope that the draft amendment can be refined further with the goal of taking action at the June 2020 Planning Commission meeting.

Draft Amendment

Staff reviewed bicycle parking ordinances from many communities across Michigan when developing this draft amendment, as well as reviewing recommendations from experts on bicycle facilities. Resources from the Association of Pedestrian and Bicycle Professionals were very useful, especially the “Essentials of Bike Parking” guidebook, which is attached.

The attached Draft Zoning Ordinance Amendment proposes adding a new subsection under Section 5.7 Parking Regulations in All Districts. The proposed subsection 5.7:2 Bicycle Parking includes regulations and recommendations regarding the number of recommended spaces and their location, type, and size. It also provides an incentive to include bicycle parking to offset required off-street parking spaces. This incentive would allow a new development to reduce the required off-street motor vehicle parking spaces by up to 20%, if the removed spaces were replaced by bicycle parking spaces at a ratio of 2:1.

Draft Zoning Ordinance Text Amendment to add Bicycle Parking Regulations to Article 5

Add the new section below to Article 5: Off-Street Parking and Loading

5.7:2 Bicycle Parking

- (1) **Recommended Spaces.** Any development requiring motor vehicle parking spaces is encouraged to provide bicycle parking. Off-street parking areas are recommended to contain at least one (1) bicycle parking space for every number ten (10) spaces provided for motor vehicles, or fraction thereof, with a minimum of two (2) and a maximum of twelve (12) bicycle parking space provided.
- (2) **Location.** Bicycle parking for commercial, multi-family residential, and mixed-uses shall be conveniently located within 50 feet of building entry points and shall not conflict with pedestrian travel. Bicycle parking areas must be visible to the public and have adequate lighting to facilitate nighttime use.
- (3) **Facility Type:** Bicycle parking shall consist of “inverted U” or “post and ring” style racks which meet the Performance Criteria for Bike Parking Racks in the 2nd Edition of the Association of Pedestrian and Bicycle Professionals’ Essentials of Bicycle Parking. The bicycle parking rack must be anchored to the ground and shall allow the bicycle wheel and frame to be locked to the bicycle rack.
- (4) **Facility Size:** Each bicycle parking space shall accommodate a bicycle at least six feet in length and two feet wide. Bicycle racks shall be installed no closer than two feet from a wall or motor vehicle parking space.
- (5) **Maintenance.** The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud, debris, ice and snow.
- (6) **Offset of Required Off-Street Parking Spaces.** The Zoning Administrator may permit a reduction of required motor vehicle parking by up to 20% if two (2) on-site bicycle parking spaces are provided for each motor vehicle parking space removed.

ESSENTIALS OF

BIKE PARKING

Selecting and installing bicycle parking that works



apbp

Association of Pedestrian
and Bicycle Professionals

Expertise for Active
Transportation

Essentials of Bike Parking

Revision 1.0, September 2015

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Acknowledgments

Lead author - Nathan Broom

Contributors - Eric Anderson, Vince Caristo, Ryan Dodge, Jennifer Donlon-Wyant, Sarah Figliozzi, Elco Gauw, Dan Jatres, David Loutzenheiser, Heath Maddox, Brian Patterson, Cara Seiderman



Alta Planning + Design donated their expertise in the design and illustration of this guide. Cat Cheng, lead designer, Jillian Portelance, production designer.

Cover image: Sign D4-3 from *Standard Highway Signs*, 2004 Edition, http://mutcd.fhwa.dot.gov/ser-shs_millennium_eng.htm

Bicycle parking manufacturers and distributors shall not use APBP's logo or imply product endorsement by APBP without express written permission from APBP.

APBP is an association of professionals who plan, implement and advocate for walkable and bicycle-friendly places.

Association of Pedestrian and Bicycle Professionals

bikeparking@apbp.org
www.apbp.org



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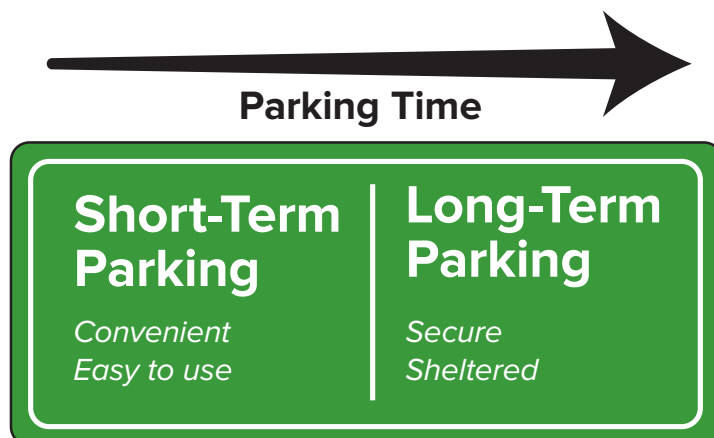
10 PLACEMENT

INTRODUCTION

Among the necessary supports for bicycle transportation, bike parking stands out for being both vital and easy. Still, it requires some attention to get it right. Bike parking may go unused if it's not more appealing to users than the nearest sign post. A minor mistake in installation can make a quality rack unusable. The variety of bicycle sizes, shapes, and attachments continues to increase, and good bike parking should accommodate all types.

The Association of Pedestrian and Bicycle Professionals (APBP) prepared this guide for people planning to purchase or install bike parking fixtures on a limited scale. It is a brief overview of APBP's comprehensive *Bicycle Parking Guidelines* handbook, available at www.apbp.org.

This guide divides bike parking into short-term and long-term installations. These two kinds of parking serve different needs, and the starting point for most bike parking projects is recognizing whether the installation should serve short-term users, long-term users, or both. If users will typically be parking for two hours or longer, they are likely to value security and shelter above the convenience and ease that should characterize short-term parking.



SHORT-TERM PARKING

Effective bike parking for short-term users depends on two main factors: 1) proximity to the destination and 2) ease of use.

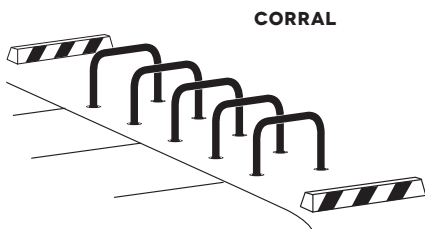
Short-term parking is designed to meet the needs of people visiting businesses and institutions, and others with similar needs—typically lasting up to two hours. Short-term users may be infrequent visitors to a location, so the parking installation needs to be readily visible and self-explanatory.



INVERTED U



POST & RING



CORRAL

SITE PLANNING

Location

Short-term bike parking should be visible from and close to the entrance it serves—50' or less is a good benchmark. Weather-protected parking makes bicycle transportation more viable for daily and year-round use, and it can reduce the motivation for users to bring wet bicycles into buildings. Area lighting is important for any location likely to see use outside of daylight hours.

Security

All racks must be sturdy and well-anchored, but location determines the security of short-term parking as much as any other factor. Users seek out parking that is visible to the public, and they particularly value racks that can be seen from within the destination. Areas with high incidence of bicycle theft may justify specific security features such as specialty racks, tamper-proof mounting techniques, or active surveillance.

Quantity

Many jurisdictions have ordinances governing bike parking quantity. APBP's full *Bicycle Parking Guidelines* offers complete recommendations for the amount and type of parking required in various contexts. In the absence of requirements, it's okay to start small—but bear in mind that perceived demand may be lower than the demand that develops once quality parking appears.

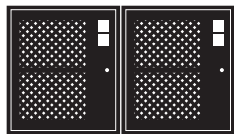
BIKE CORRALS

Some cities with limited sidewalk space and strong bicycle activity place bike parking in on-street "bike corrals" located in the street area adjacent to the curb. Bike corrals can sometimes make use of on-street areas that are unsuitable for auto parking. When replacing a single auto parking space, a corral can generally fit 8 to 12 bicycles. APBP's full *Bicycle Parking Guidelines* provides details about designing and siting bike corrals. ➡ apbp.org

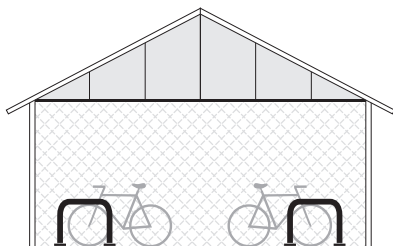
LONG-TERM PARKING

Users of long-term parking generally place high value on security and weather protection. Long-term parking is designed to meet the needs of employees, residents, public transit users, and others with similar needs. These users typically park either at home or at a routine destination such as a workplace. They often leave their bicycles unmonitored for a period of several hours or longer, so they require security and weather protection that let them park without unreasonable concern for loss or damage.

Long-term parking can take a variety of forms, including a room within a residential building or workplace, a secure enclosure within a parking garage, or a cluster of bike lockers at a transit center. Some long-term parking is open to the public—such as a staffed secure enclosure at a transit hub—and some of it is on private property with access limited to employees, residents, or other defined user groups.



BIKE LOCKERS



SHELTERED SECURE ENCLOSURE

SITE PLANNING

Location

Appropriate locations for long-term parking vary with context. Long-term parking users are typically willing to trade a degree of convenience for weather protection and increased security. Long-term installations emphasize physical security above public visibility. Signage may be needed for first-time users.

Security

Security is paramount for quality long-term parking. Access to parked bicycles can be limited individually (as with lockers) or in groups (as with locked bike rooms or other secure enclosures). Options for access control include user-supplied locks, keys, smart cards, and other technologies.

Quantity

Refer to local ordinances or the comprehensive APBP *Bicycle Parking Guidelines* to determine the amount and type of parking required for various contexts.

SPECIAL CONSIDERATIONS FOR LONG-TERM PARKING

In many ways, short-term and long-term parking function similarly and are served by the same guidelines. Some exceptions are noted below.

Density

The competition of uses for high-security and sheltered locations creates particular pressure on long-term parking to fit more bicycles in less space. When parking needs cannot be met with standard racks and spacing recommended in this guide, consider rack systems designed to increase parking density. See the high-density racks table on page 7. Note that increasing density without careful attention to user needs can create parking that excludes people because of age, ability, or bicycle type. This may result in people parking bicycles in other less desirable places or choosing not to bike at all.

Bicycle design variety

Long-term parking facilities should anticipate the presence of a variety of bicycles and accessories, including—depending on context—recumbents, trailers, children's bikes, long-tails, and others. To accommodate trailers and long bikes, a portion of the racks should be on the ground and should have an additional 36" of in-line clearance.

Performance criteria

The bike rack criteria in the next section apply to racks used in any installation, regardless of its purpose. Long-term installations often use lockers and group enclosures not discussed in this guide. Such equipment raises additional considerations that are discussed in detail in APBP's full *Bicycle Parking Guidelines*. ➔ apbp.org

INSTALLATION

Selecting an appropriate installation surface and technique is key to creating bicycle parking that remains secure and attractive over time.

INSTALLATION SURFACE

A sturdy concrete pad is an ideal surface for installing bicycle parking. Other surfaces often encountered include asphalt, pavers, and soft surfaces such as earth or mulch. These surfaces can accommodate in-ground mounting or freestanding bike racks such as inverted-U racks mounted to rails. See APBP's *Bicycle Parking Guidelines* for details. ➡ apbp.org

INSTALLATION FASTENERS

When installing racks on existing concrete, consider the location and select appropriate fasteners. Drill any holes at least three inches from concrete edges or joints. Some locations benefit from security fasteners such as concrete spikes or tamper-resistant nuts on wedge anchors. Asphalt is too soft to hold wedge and spike anchors designed for use in concrete. Installing bike parking on asphalt typically requires freestanding racks and anchor techniques specific to asphalt.

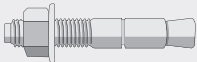
FASTENERS

CONCRETE SPIKE



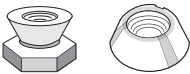
Installs quickly in concrete with a hammer. Tamper-resistant. Removal may damage concrete and/or rack.

CONCRETE WEDGE ANCHOR



Allows for rack removal as needed. Not tamper-resistant, but can accommodate security nuts (below).

SECURITY NUTS



Use with concrete wedge anchors. Security nuts prevent removal with common hand tools.

INSTALLATION TECHNIQUES

When installing racks on existing concrete, choose those with a surface-mount flange and install with a hammer drill according to the specifications of the mounting hardware selected. When pouring a new concrete pad, consider bike parking fixtures designed to be embedded in the concrete. Because replacing or modifying an embedded rack is complicated and costly, this installation technique requires particular attention to location, spacing, rack quantity, and material.



BICYCLE RACK SELECTION

PERFORMANCE CRITERIA FOR BIKE PARKING RACKS

These criteria apply to any rack for short- or long-term use.

CRITERIA	DETAILS
Supports bike upright without putting stress on wheels	The rack should provide two points of contact with the frame—at least 6" apart horizontally. Or, if a rack cradles a bicycle's wheel, it must also support the frame securely at one point or more. The rack's high point should be at least 32".
Accommodates a variety of bicycles and attachments	The racks recommended on page 6 ("racks for all applications") serve nearly all common bike styles and attachments—if installed with proper clearances (see placement section). Avoid designs and spacing that restrict the length, height, or width of bicycles, attachments, or wheels.
Allows locking of frame and at least one wheel with a U-lock	A closed loop of the rack should allow a single U-lock to capture one wheel and a closed section of the bike frame. Rack tubes with a cross section larger than 2" can complicate the use of smaller U-locks.
Provides security and longevity features appropriate for the intended location	Steel and stainless steel are common and appropriate materials for most general-use racks. Use tamper-resistant mounting hardware in vulnerable locations. Rack finish must be appropriate to the location (see materials and coatings section).
Rack use is intuitive	First-time users should recognize the rack as bicycle parking and should be able to use it as intended without the need for written instructions.

RACK STYLES

The majority of manufactured bike racks fall into one of the categories on pages 6-8. Within a given style, there is wide variation among specific racks, resulting in inconsistent usability and durability. APBP recommends testing a rack before committing broadly to it.

RACKS FOR ALL APPLICATIONS

When properly designed and installed, these rack styles typically meet all performance criteria and are appropriate for use in nearly any application.

INVERTED U

also called
staple, loop



Common style appropriate for many uses; two points of ground contact. Can be installed in series on rails to create a free-standing parking area in variable quantities. Available in many variations.

POST & RING



Common style appropriate for many uses; one point of ground contact. Compared to inverted-U racks, these are less prone to unintended perpendicular parking. Products exist for converting unused parking meter posts.

WHEELWELL- SECURE



Includes an element that cradles one wheel. Design and performance vary by manufacturer; typically contains bikes well, which is desirable for long-term parking and in large-scale installations (e.g. campus); accommodates fewer bicycle types and attachments than the two styles above.

This guide analyzes the most common styles of bike racks, but it is not exhaustive. Use the performance criteria on page 5 to evaluate rack styles not mentioned. Custom and artistic racks can contribute to site identity and appearance, but take care that such racks don't emphasize appearance over function or durability.

HIGH-DENSITY RACKS

These rack styles do not meet all performance criteria but may be appropriate in certain constrained situations.

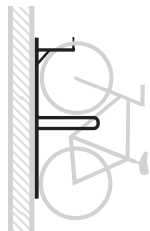
High-density rack systems can maximize the use of limited parking space, but they don't work for all users or bicycles. If installing these racks, reserve additional parking that accommodates bicycles with both wheels on the ground for users who are not able to lift a bicycle or operate a two-tier rack, or for bikes that are not compatible with two-tier or vertical racks.

STAGGERED WHEELWELL- SECURE



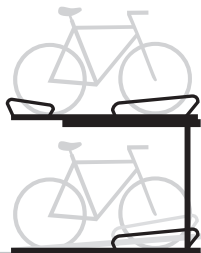
Variation of the wheelwell-secure rack designed to stagger handlebars vertically or horizontally to increase parking density. Reduces usability and limits kinds of bikes accommodated, but contains bikes well and aids in fitting more parking in constrained spaces.

VERTICAL



Typically used for high-density indoor parking. Not accessible to all users or all bikes, but can be used in combination with on-ground parking to increase overall parking density. Creates safety concerns not inherent to on-ground parking.

TWO-TIER



Typically used for high-density indoor parking. Performance varies widely. Models for public use include lift assist for upper-tier parking. Recommend testing before purchasing. Creates safety concerns not inherent to on-ground parking, and requires maintenance for moving parts.

RACKS TO AVOID

Because of performance concerns, APBP recommends selecting other racks instead of these.

WAVE

also called undulating or serpentine



Not intuitive or user-friendly; real-world use of this style often falls short of expectations; supports bike frame at only one location when used as intended.

SCHOOLYARD

also called comb, grid



Does not allow locking of frame and can lead to wheel damage. Inappropriate for most public uses, but useful for temporary attended bike storage at events and in locations with no theft concerns. Sometimes preferred by recreational riders, who may travel without locks and tend to monitor their bikes while parked.

COATHANGER



This style has a top bar that limits the types of bikes it can accommodate.

WHEELWELL



Racks that cradle bicycles with only a wheelwell do not provide suitable security, pose a tripping hazard, and can lead to wheel damage.

BOLLARD



This style typically does not appropriately support a bike's frame at two separate locations.

SPIRAL



Despite possible aesthetic appeal, spiral racks have functional downsides related to access, real-world use, and the need to lift a wheel to park.

SWING ARM SECURED



These racks are intended to capture a bike's frame and both wheels with a pivoting arm. In practice, they accommodate only limited bike types and have moving parts that create unneeded complications.

RACK MATERIALS & COATINGS

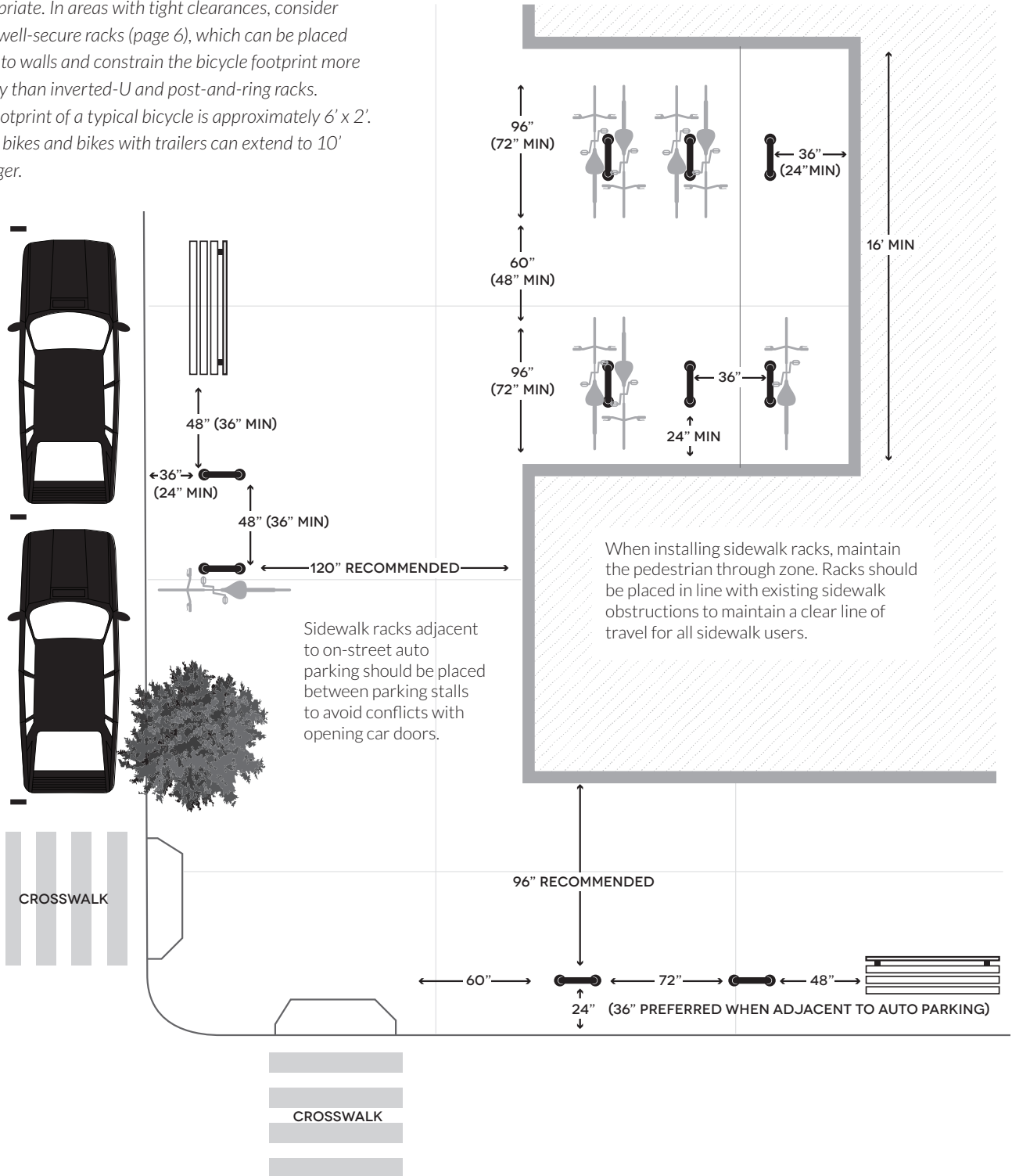
Most bicycle parking racks are made of carbon steel or stainless steel. Carbon steel requires a surface coating to resist rust while appropriate grades of stainless steel need no coating. Not all materials and coatings with the same name perform equally. Square tubing provides a security advantage as round tubing can be cut quietly with a hand-held pipe cutter. Before purchasing racks, talk to suppliers about your particular conditions and choose a material and coating that suit your needs. The following are common choices, depending on local considerations and preferences.

RACK MATERIAL – COATING	RELATIVE PURCHASE COST	DURABILITY	CAUTIONS
Carbon steel - galvanized	Usually lowest	Highly durable and low-maintenance; touch-up, if required, is easy and blends seamlessly	Utilitarian appearance; can be slightly rough to the touch
Carbon steel - powder coat* (TGIC or similar)	Generally marginally higher than galvanized	Poor durability	Requires ongoing maintenance; generally not durable enough for long service exposed to weather; not durable enough for large-scale public installations
Carbon steel - thermoplastic	Intermediate	Good durability	Appearance degrades over time with scratches and wear; not as durable as galvanized or stainless
Stainless steel - no coating needed, but may be machined for appearance	Highest	Low-maintenance and highest durability; most resistant to cutting	Can be a target for theft because of salvage value; maintaining appearance can be difficult in some locations

* When applied to carbon steel, TGIC powder coat should be applied over a zinc-rich primer or galvanization to prevent the spread of rust beneath the surface or at nicks in the finish.

PLACEMENT

The following minimum spacing requirements apply to some common installations of fixtures like inverted-U or post-and-ring racks that park one bicycle roughly centered on each side of the rack. Recommended clearances are given first, with minimums in parentheses where appropriate. In areas with tight clearances, consider wheelwell-secure racks (page 6), which can be placed closer to walls and constrain the bicycle footprint more reliably than inverted-U and post-and-ring racks. The footprint of a typical bicycle is approximately 6' x 2'. Cargo bikes and bikes with trailers can extend to 10' or longer.



Planning Commission

Regular Meeting

Big Rapids City Hall
226 N Michigan Ave

July 15, 2020
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. May 20, 2020
5. Public Comment
6. Public Hearing
 - a. Special Land Use Permit for a Home Occupation at 808 Chestnut St
 - b. Site Plan Review for a second driveway at 730 Water Tower Rd
 - c. Site Plan Review for a new Commercial Building at 702 Perry Ave
 - d. Zoning Ordinance Amendment to add Bicycle Parking Regulations to Article 5
7. General Business
 - a. Nisbett-Fairman Residences – MSHDA Preservation
8. Unscheduled Business
9. Adjourn

CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
May 20, 2020
Unapproved

N.B. This meeting was held remotely via Webex. We were unable to meet in person due to the Stay at Home orders in place and the COVID-19 Crisis.

Chair Jane called the May 20, 2020, regular meeting of the Planning Commission to order at 6:34 p.m.

PLEDGE OF ALLEGIANCE

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

EXCUSED Renato Cerdona

ABSENT none

ALSO PRESENT Paula Priebe, Neighborhood Services Director

There were 2 audience members.

APPROVAL OF MINUTES

Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the March 18, 2020, meeting of the Planning Commission as presented, with no changes.
Motion passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

None.

GENERAL BUSINESS

Site Plan Amendment for the new parking lot at 801 N State Street and 112 W Waterloo Street.

Priebe stated that Applicant Fresh Coast Provisioning applied for a Site Plan Review for a new parking lot at 801 N State Street and 112 W Waterloo Street and had their Site Plan approved at the March 18 meeting of the Planning Commission with conditions. Since that time, the Applicant's have decided to alter the Site Plan in three ways, and these changes necessitate the approval of the Amended Site Plan.

Staff recommends approval of the Amended Site Plan as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance, with the condition that revised plans are provided which address the stormwater retention concern are administratively approved by staff.

Mr. Dusty Christensen, landscape architect with Mansfield Land Use Consultants, spoke on behalf of the Applicant and outlined three proposed modifications to the Site Plan:

- Change from one retention basin on the northwest corner of the lot to two basins on the south of the lot on either side of the drive. The NW corner will now be the primary snow storage area.
- Move the dumpster from the middle of the lot to the northeast corner of the parking lot, alongside the building.
- Keep some of the curb cut and asphalt along Waterloo Street to allow for a loading area from the street into the rear of the building.

He also added one further point for discussion, the possibility of adding one additional parking space, in the area where the retention basin was formerly, on the northwest corner of the parking lot.

No written or telephonic communication was received by staff. There was no public comment on this topic.

Discussion ensued covering the following topics:

- Whether there is sufficient space for the additional parking space. It will be a tight turn around to back out and leave the lot, possibly requiring the vehicle to drive over the accessible parking area.
- The possibility of the Applicants adding bicycle parking spaces to the property. The Applicant's Speaker said they have added bike racks to similar projects in other communities and that it is possible here, but their primary hope is for the 7th parking space.

Motion

Motion was made by Tim Vogel, seconded by Paul Jackson, that the Amended Site Plan Review for the new parking lot at 801 N State Street (PIN 17-10-278-012) be approved. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance.

Further, amended plans showing the lot with the 7th parking space should be presented to staff for administrative approval.

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

Zoning Ordinance Amendment to Add Bicycle Parking Regulations to Article 5

Priebe summarized the staff report, noting the work done on this topic in January 2020 and that it is on the agenda again to continue making progress toward an amendment to the Zoning Ordinance to include bicycle parking regulations. The draft text (see below) was reviewed and discussed.

Draft Zoning Ordinance Text Amendment to add Bicycle Parking Regulations to Article 5 [Add the new section below to Article 5: Off-Street Parking and Loading]

5.7:2 Bicycle Parking

- (1) Recommended Spaces. Any development requiring motor vehicle parking spaces is encouraged to provide bicycle parking. Off-street parking areas are recommended to contain at least one (1) bicycle parking space for every number ten (10) spaces provided for motor vehicles, or fraction thereof, with a minimum of two (2) and a maximum of twelve (12) bicycle parking space provided.
- (2) Location. Bicycle parking for commercial, multi-family residential, and mixed-uses shall be conveniently located within 50 feet of building entry points and shall not conflict with pedestrian travel. Bicycle parking areas must be visible to the public and have adequate lighting to facilitate nighttime use.
- (3) Facility Type: Bicycle parking shall consist of “inverted U” or “post and ring” style racks which meet the Performance Criteria for Bike Parking Racks in the 2nd Edition of the Association of Pedestrian and Bicycle Professionals’ Essentials of Bicycle Parking. The bicycle parking rack must be anchored to the ground and shall allow the bicycle wheel and frame to be locked to the bicycle rack.
- (4) Facility Size: Each bicycle parking space shall accommodate a bicycle at least six feet in length and two feet wide. Bicycle racks shall be installed no closer than two feet from a wall or motor vehicle parking space.
- (5) Maintenance. The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud, debris, ice and snow.

- (6) Offset of Required Off-Street Parking Spaces. The Zoning Administrator may permit a reduction of required motor vehicle parking by up to 20% if two (2) on-site bicycle parking spaces are provided for each motor vehicle parking space removed.

Discussion included the following topics:

- How does this bicycle parking ordinance align or conflict with a bicycle trails/paths ordinance? They are separate, but both necessary to have a safe, thriving cycling community in Big Rapids. The Commission would like to see bike lanes in the future.
- The Draft has many recommendations and few enforceable regulations. This was intentional as a first step in the direction of eventually requiring bicycle parking at all new developments. This strategy was approved by several Planning Commissioners.
- What changes had been made from the January 2020 Draft and why? A few minor alterations to the exact language used, at the recommendation of the City Attorney. Also, the numbers in section 6 were added based on the conversation in January.

UNSCHEDULED BUSINESS

Mr. Vogel announced that this would be his final meeting as a Planning Commission member, as he has completed his third consecutive term and thus must step down. He thanked everyone for their help and their work on behalf of the City.

There being no further business, Chair Jane adjourned the meeting at 7:10PM with all in favor.

Respectfully submitted,

Paula Priebe

Neighborhood Services Director and Acting Planning Commission Secretary

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Special Land Use Permit Application – 808 Chestnut Street
DATE: July 15, 2020

Introduction

Applicant Jennifer Dowell is applying for a Special Land Use Permit for a home occupation at her residence, 808 Chestnut Street. This property is in the southeast side of the City near Riverview School and is in the R-1 Residential District. See the attached Location Map for the location of the property.

Nature of the Home Occupation

The Applicant is proposing to use her residence as the address for her business which will be a nail salon. According to her application (attached), “the salon meets all the safety, sanitation, and location standards of the state, and has already been approved for licensure through LARA Services to be provided by me are manicures and pedicures.”

LARA (the Department of Licensing and Regulatory Affairs) has an online portal to verify licensed professional. According to a search conducted by City staff, Ms. Jennifer Dowell is a licensed manicurist in Mecosta County.

Special Land Use Process and Procedure

The Special Land Use Permit Application was received by the Neighborhood Services Department on June 17, 2020. As no alterations are proposed for the site, no site plan was required of the Applicant.

All Special Land Use Permit Applications require a Public Hearing. Notice was posted in the Big Rapids Pioneer on Friday, July 3, 2020 and sent to all property owners within 300 feet of 808 Chestnut Street. A summary of public comments received by staff will be provided at the meeting.

As stated in Section 10.3:5 of the Zoning Ordinance, following the public hearing, the Planning Commission shall recommend approval, approval with conditions, or denial of the Site plan and special land use permit application to the City Commission. The Planning Commission shall include a statement of findings and conclusions relative to the special land use clearly stating the basis for the decision referencing the standards and conditions for that use. The City Commission reviews the case and the recommendation of the Planning Commission in making the final decision on whether to issue the Special Land Use permit.

Standards for Special Land Uses

Section 10.3:8 of the Zoning Ordinance clearly lays out a series of standards for Conditional Uses, stating as follows:

Standards. No conditional use shall be recommended by the Planning Commission unless such Board shall find:

- (1) That the establishment, maintenance or operation of the special land use will not be detrimental to or endanger the public health, safety or general welfare.
- (2) That the special land use will not be injurious to 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 special land 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 special land 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.

Conditions Specific to Home Occupations

Section 3.4:6 (4) of the Zoning Ordinance has home occupations listed as a Special Land Use, subject to the conditions of Section 11.1:10. This Section states that home occupations may be permitted in the R-1, R-2, and R-3 Residential Districts as a conditional use under the following procedures and conditions:

- (1) No stock in trade may be kept or articles sold or offered for sale in the dwelling except such as are produced by such home occupation.
- (2) No display of goods or signs pertaining to such use are visible from the street and that no persons are employed other than the dwelling occupants.
- (3) The principal structure for which the Special Land Use is requested must be the residence of the applicant. No such home occupation may be conducted in any accessory building.
- (4) No such home occupation shall require interior or exterior alterations, or use of mechanical equipment, not customary for housekeeping.

- (5) The home occupation shall not generate more than ten (10) business related vehicles trips in any one (1) day period.
- (6) Parking for the home occupation shall be accommodated in the driveway or along the curb adjacent to the property.
- (7) No more than twenty-five (25) percent of the floor area of the ground floor of the principal structure may be devoted to the home occupation.
- (8) The home occupation shall not require exterior alterations that change the residential character of the dwelling (this statement shall not be construed so as to prohibit alterations necessary to comply with the Americans With Disabilities Act).
- (9) In no case shall the home occupation be open to the public at times earlier than 7:00 a.m. or later than 9:00 p.m.

The Applicant has addressed these Standards in his own words in her Application (attached).

Recommendation

Staff recommends approval of the Special Land Use Permit Application for a home occupation at 808 Chestnut Street, as it meets the Standards set in Section 10.3:8 and Section 11.1:10 of the Zoning Ordinance.

Action

Three options lay before the Planning Commission regarding Special Land Use Permit Applications: Approval, Approval with Conditions, or Denial. Explanations and sample motions are included below.

Approval and Approval with Conditions

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and sends the Application to the next step in the process where City Commission has final say in approving or denying the request.

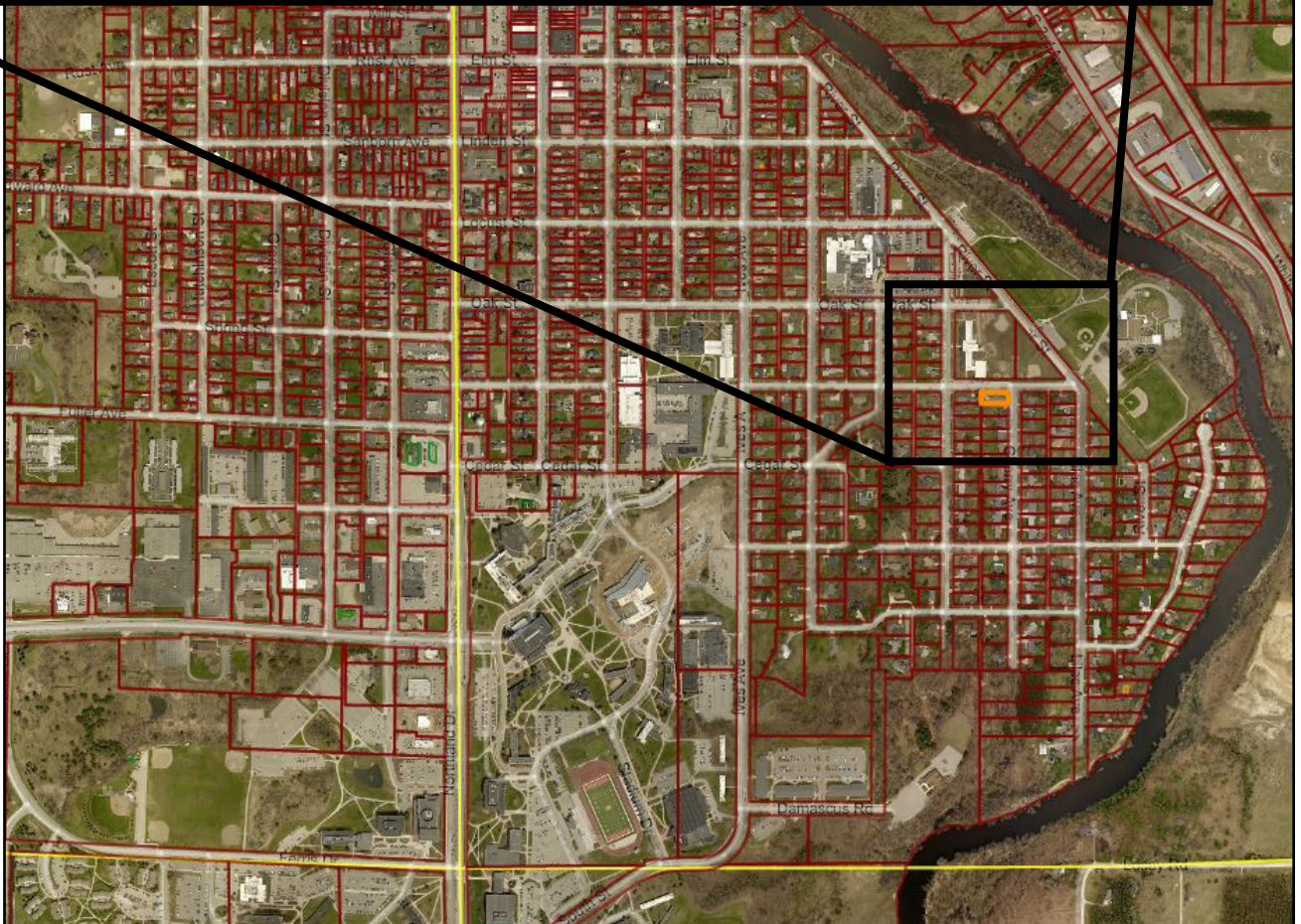
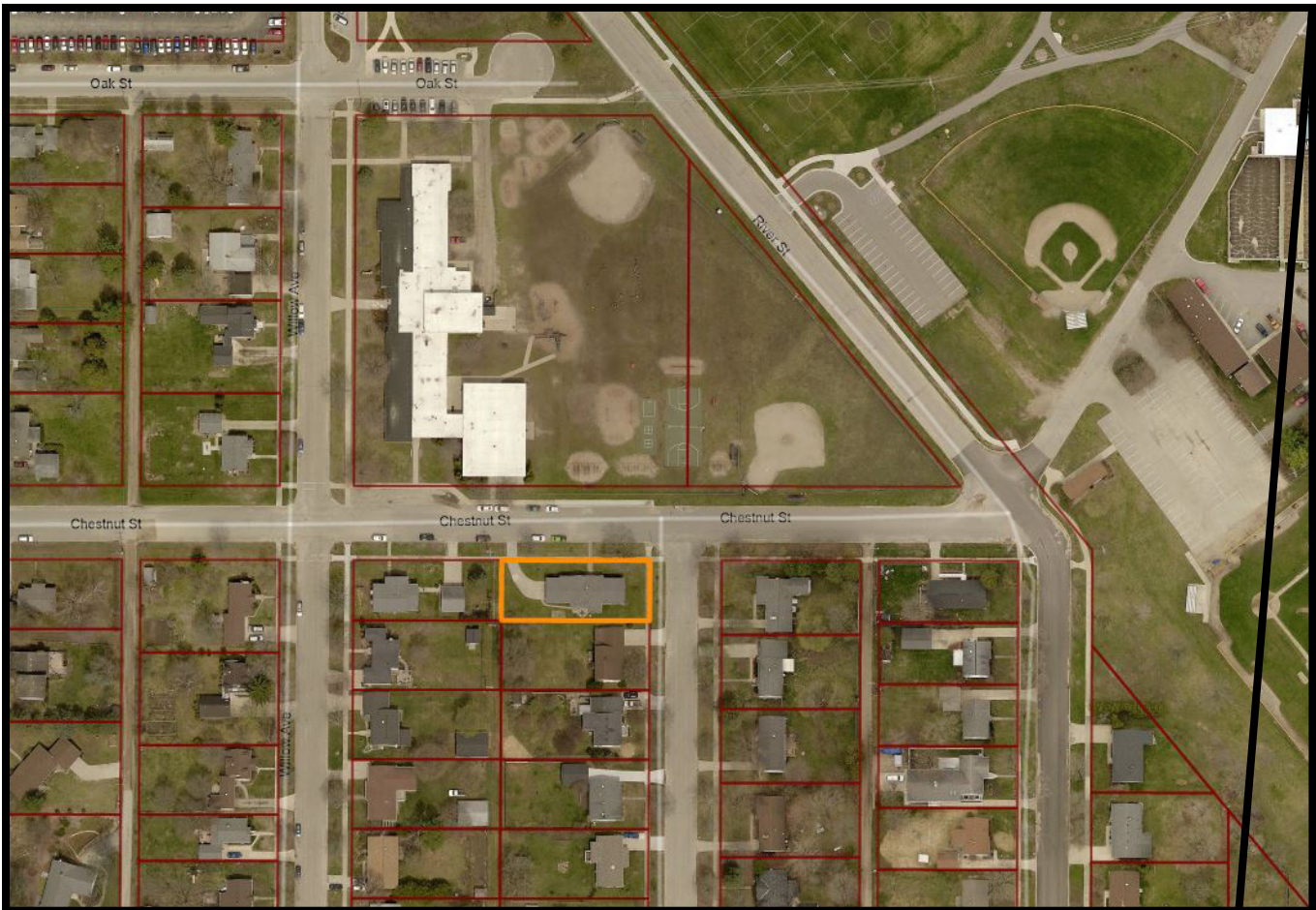
“I move that the Special Land Use Permit Application for a home occupation at 808 Chestnut Street be recommended to the City Commission for approval, because it meets the Standards set in Section 10.3:8 of the Zoning Ordinance. *[If any conditions on approval, list them here.]*”

Denial

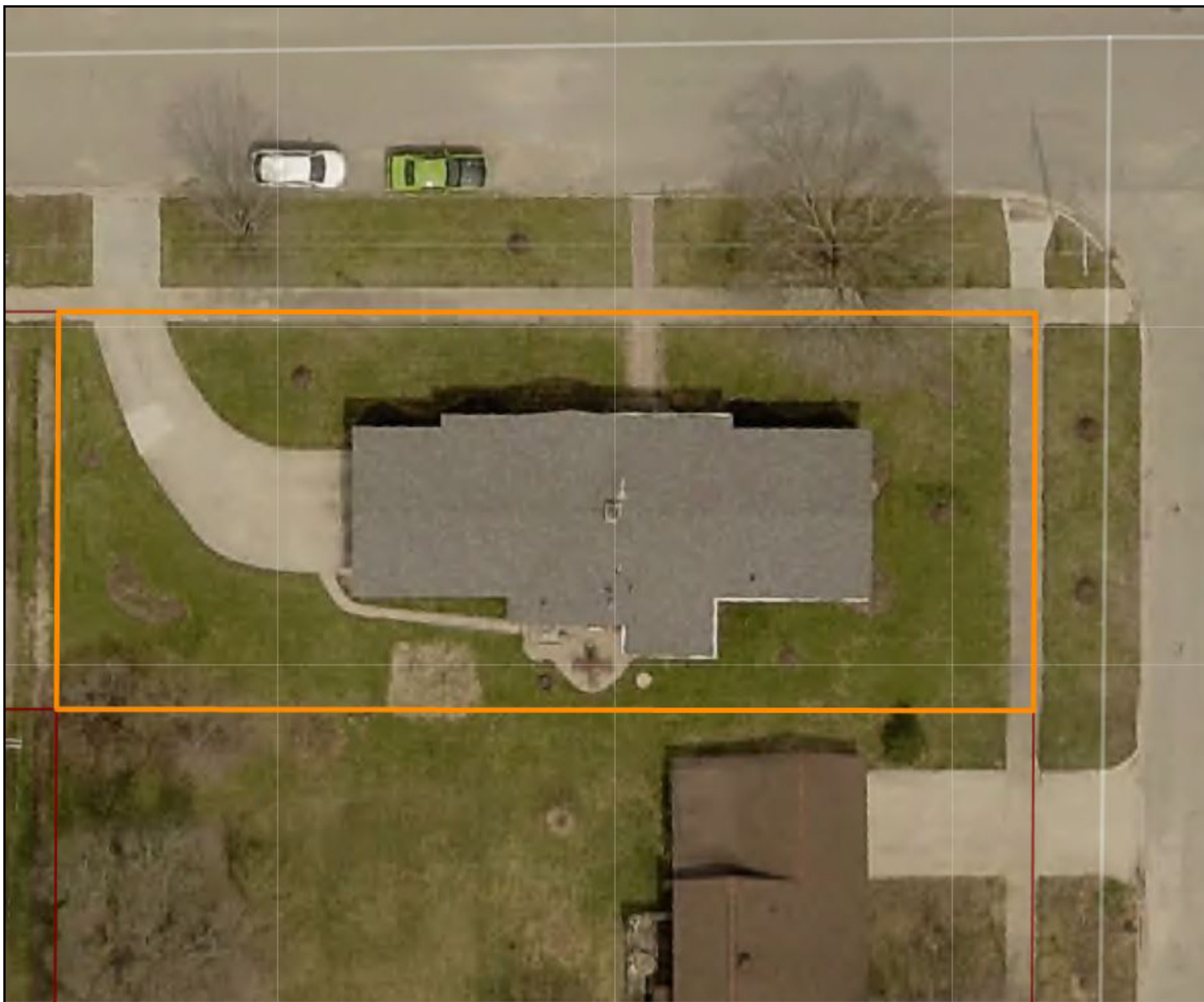
A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Special Land Use Permit Application for a home occupation at 808 Chestnut Street, because it does not meet Standard 10.3:X of the Zoning Ordinance. *(Fill in the X with which number Standard the application does not meet.)*”

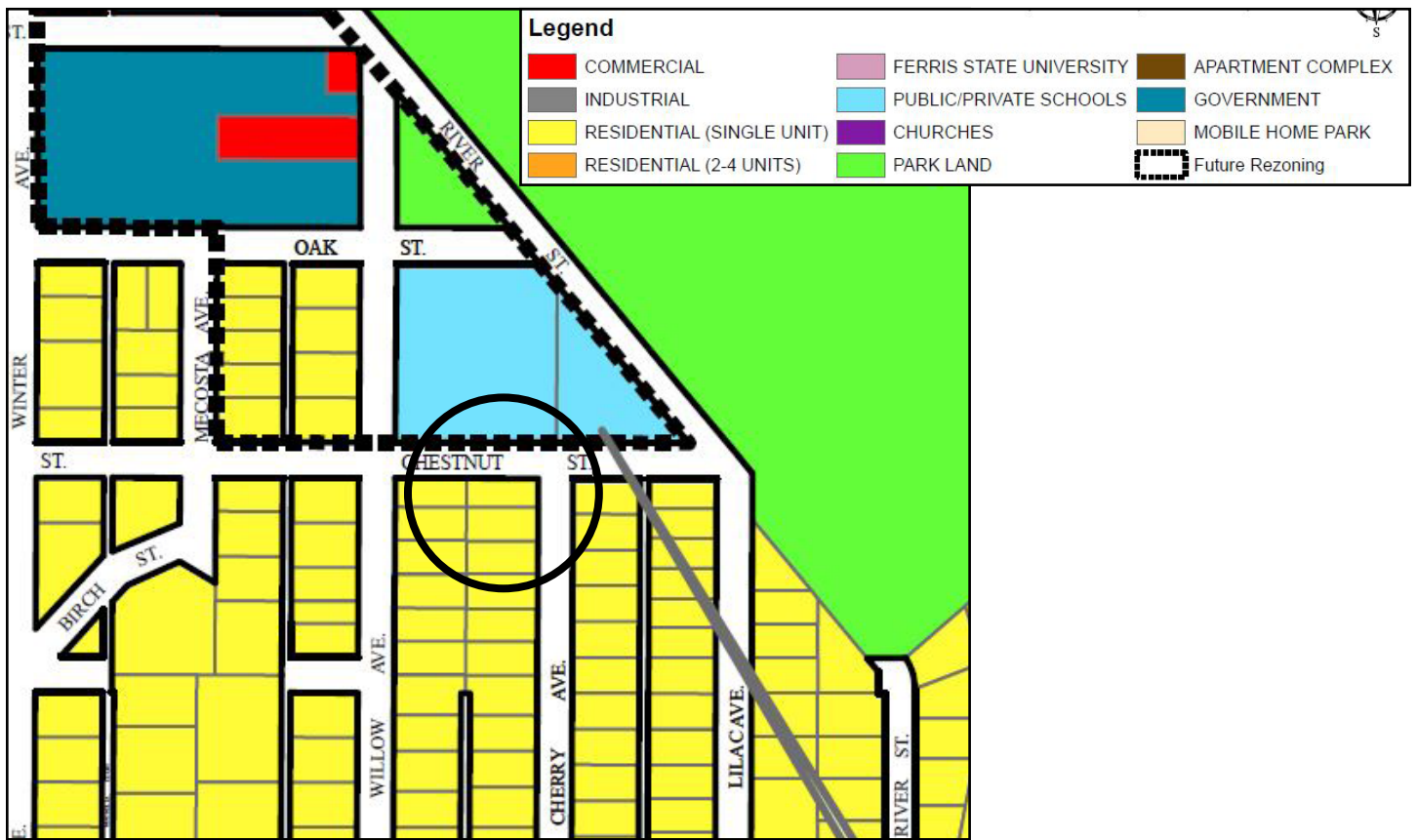
Location Maps



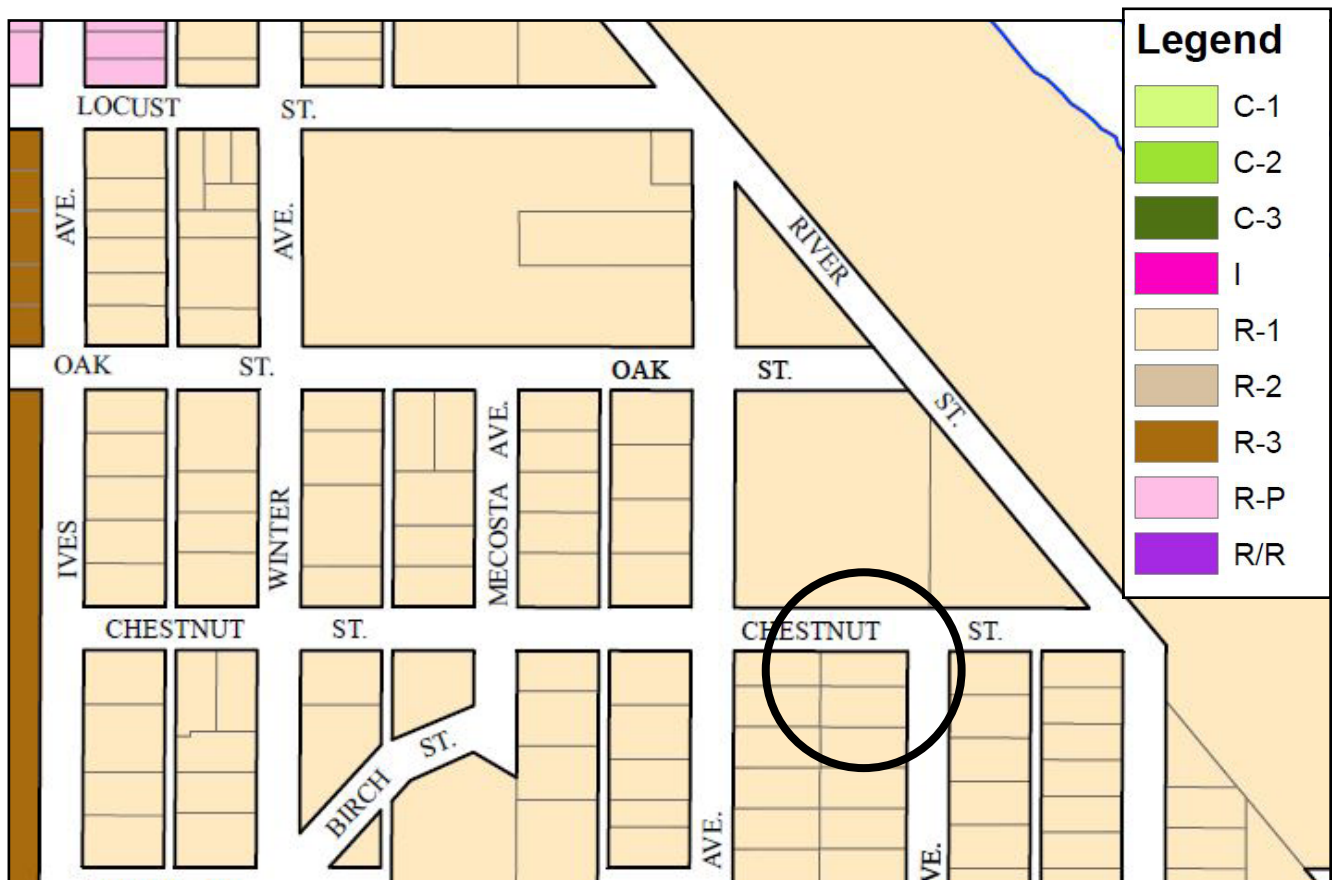
Aerial Imagery



Excerpt from Future Land Use Map



Excerpt from Zoning Map







City of Big Rapids

Department of Neighborhood Services
Application to the Planning Commission for Zoning Request

Application Date: 06/17/2020

Applicant Information:

Name:	Jennifer Dowell
Address:	808 Chestnut St. Big Rapids, MI 49307
Phone Number:	517-581-0956
Property Zoning:	R1
Request Property Address:	808 Chestnut St. Big Rapids, MI 49307
Explanation of Request:	To have an approved Nail Salon in my home.

Please check one of the following:

☒ Special Land Use Permit, Please include the following information

1. A legal description of the property.
2. Twelve (12) copies of a site plan meeting the requirements of Section 9.4 of the Big Rapids Zoning Ordinance as amended.
3. A written description of the use.
4. Address use standards set forth in Section 10.3:8.
5. \$200.00 Application Fee

☐ Zoning Amendment Review, Please include the following information:

☐ Zoning Map Amendment (Rezoning)

1. A legal description of the property.
2. A written description of reasons for rezoning and proposed new zoning classification.
3. Address the requirements set forth in Section 14.2:4. (posting of notification).
4. A location map.
5. \$200.00 Application Fee

☐ Text Amendment

1. A written description of proposed changes and reasons why.
2. Proposed new text.
3. Address the requirements set forth in Section 14.2:2.
4. \$200.00 Application Fee


Signature of applicant or property owner

06/17/2020
(Date)

Description of Property Use

I, Jennifer Dowell, would like to have my home nail salon approved by the City of Big Rapids. I am utilizing a utility room in our home as the space needed for my personal business. There was no modification of the structure of the home to convert this room into the salon. The salon meets all safety, sanitation, and location standards by the state, and has already been approved for licensure through LARA. Services to be provided by me are manicures and pedicures. There will be no goods sold on the premises, and no signage on the property regarding the business.



Use Standards Set Forth in Section 10.3:8

(1) That the establishment, maintenance or operation of the special land use will not be detrimental to or endanger the public health, safety or general welfare.

The maintenance or operation of the salon will in no way be detrimental or endanger the public health, safety, or general welfare of our community or neighbors.

(2) That the special land use will not be injurious to 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.

The salon is completely contained inside of my home. From the outside you would never know that it is there. It will in no way be injurious to the use and enjoyment of other property in the immediate vicinity, and it will not diminish or impair property values in our neighborhood.

(3) That the establishment of the special land use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The salon is completely contained inside of my home. It will not impede the normal and orderly development and improvement of the surrounding properties.

(4) That adequate utilities, access roads, drainage and necessary facilities have been or are being provided.

Being in my home, my salon has access to all utilities. My driveway provides more than enough parking for client parking as well as our personal parking. I only work on one client at a time, so there will never be more than one extra vehicle in our driveway at a time, and no more than 5 coming and going per day. The salon meets all state requirements for facilities in the salon.

(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.

Our driveway has more than enough space to accommodate our own vehicles and those of my clients. I only see one client at a time, and no more than 5 per day coming and going. There will be no need for parking on the street. This will not cause any traffic congestion in my neighborhood.

(6) That the special land use shall conform to the applicable regulations of the district in which it is located, any specific requirements established for that use in Article 11, any conditions of approval, or procedures as specified in Section 10.4.

Article 11.1:10

(1)-My salon will not be selling any goods, only services.

(2)-There will be no signage regarding my business on the property and I am the only person who will be working in the salon on the property.

(3-4)-The salon is located inside my home and did not require any structural changes to our home or property.

(5)-I will not see more than 5 clients per day, so we will remain well under 10 business related vehicle trips per day.

(6)-We have plenty of space in our driveway to accommodate business needs.

(7)-My salon only takes up 120 sq. feet of my home, which is only about 7%.

(8)-My salon requires no exterior alterations to the home residential exterior.

(9)-My salon hours will be as follows:

Monday- Off

Tuesday- 3 p.m.-9 p.m.

Wednesday- 5:30 p.m.-9 p.m.

Thursday- 5:30 p.m.- 9 p.m.

Friday- Off

Saturday- Off

Sunday- 10 a.m.-6 p.m.

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Site Plan Review – 730 Water Tower Road
DATE: July 15, 2020

Introduction

Applicant Kathy Sather on behalf of Baldwin Family Health Care is applying for Site Plan Review for second driveway access at their facility at 730 Water Tower Road. This 2.36-acre site is zoned R-2 Residential and is located on the west side of Big Rapids. A Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

History of the Property

The office building at 730 Water Tower Road was built in 2001 with a Special Land Use Permit to locate in the R-2 District.

In May 2019, a second Special Land Use Permit was approved, for a change of use from office to health care. Both uses are permitted as Special Land Uses in the R-2 District. Since that time, it has been the Big Rapids location of Family Health Care, a community health care center which provides full-service affordable care and has six locations in central Michigan.

Site Plan Review Process and Procedure

The Site Plan Review Application was received by the Neighborhood Services Department on June 25, 2020 and was deemed in compliance with Section 9.4. of the Zoning Ordinance which stipulates required Site Plan Review application materials. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on July 3, 2020 and sent to all property owners within 300 ft of the site.

The Site Plans were shared with the Fire Marshal, the Public Works Department's Engineering staff, and the Zoning Administrator for their review.

Public Safety – Fire Marshal Jeff Hull reviewed the site plans and found no issues that would affect fire department safety concerns.

Public Works - Plans were by Engineering Technician Matt Ruelle. After reviewing the plans for grading and stormwater, they were found to NOT be in compliance with the City's Ordinances. He noted that the site needs additional stormwater control. The new impervious surface, as proposed, drains directly into the street and neighboring properties. This is not permitted by the City's Stormwater Control and Management Ordinance, Chapter 55 of the City Code of Ordinances.

Zoning – Plans were reviewed by the Neighborhood Services Director as to their standings as regards the Zoning Ordinance. The plans were found to be in compliance with the Zoning Ordinance as regards setbacks and landscaping. With regard to Off-Street Parking and Loading, there are two items of note. First, the plans propose removing two parking spaces, however, the lot will continue to have more than the spaces required by the Ordinance. Second, Section 5.6:2

states that “multiple driveway entrances off the street or alley are prohibited” for sites in a residential district. This statement has historically been interpreted to mean one driveway entrance per street or alley. It is the staff position that a second driveway, on the second street due to the corner parcel nature of this property, would not be expressly prohibited.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to ensure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Planning Commissioners are encouraged to review the Application against the Criteria in Section 9.6 to decide if they find it meets or fails to meet them. These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends denial of the Site Plan Review Application for a second driveway at 730 Water Tower Road (PIN 17-15-300-003), as it fails to meet the Criteria for Review found in Section 9.6.6 of the Zoning Ordinance, specifically the requirement to conform to Chapter 55 of the City Code of Ordinances, which is the Stormwater Control and Management Ordinance.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Denial, or Approval with Conditions. Explanations and sample motions are below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application. Sample motion:

“I move that the Site Plan Review Application for a second driveway at 730 Water Tower Road (PIN 17-15-300-003), be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions. Sample motion:

“I move that the Site Plan Review Application for a second driveway at 730 Water Tower Road (PIN 17-15-300-003), be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions [such as requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, among others] here).*

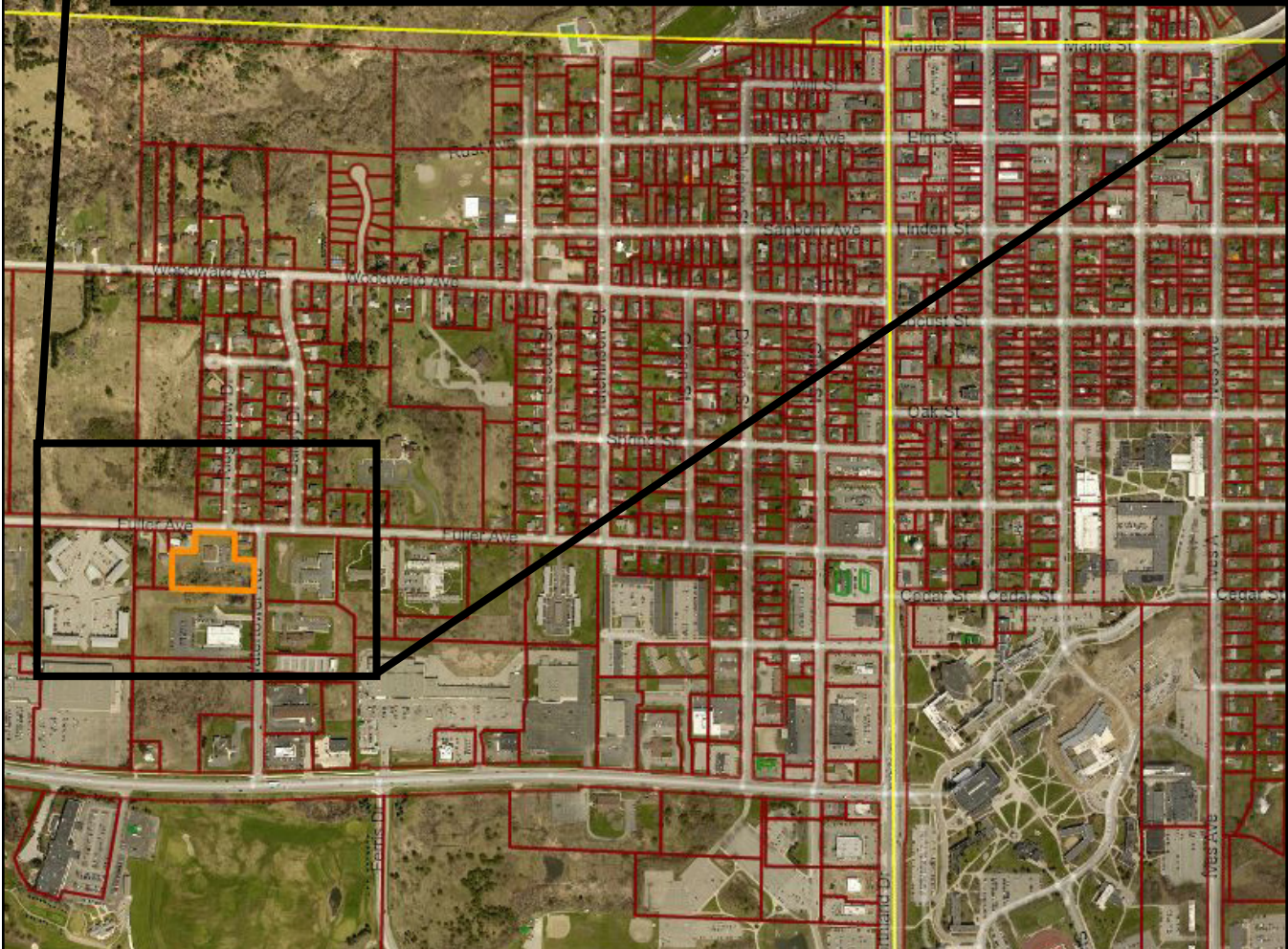
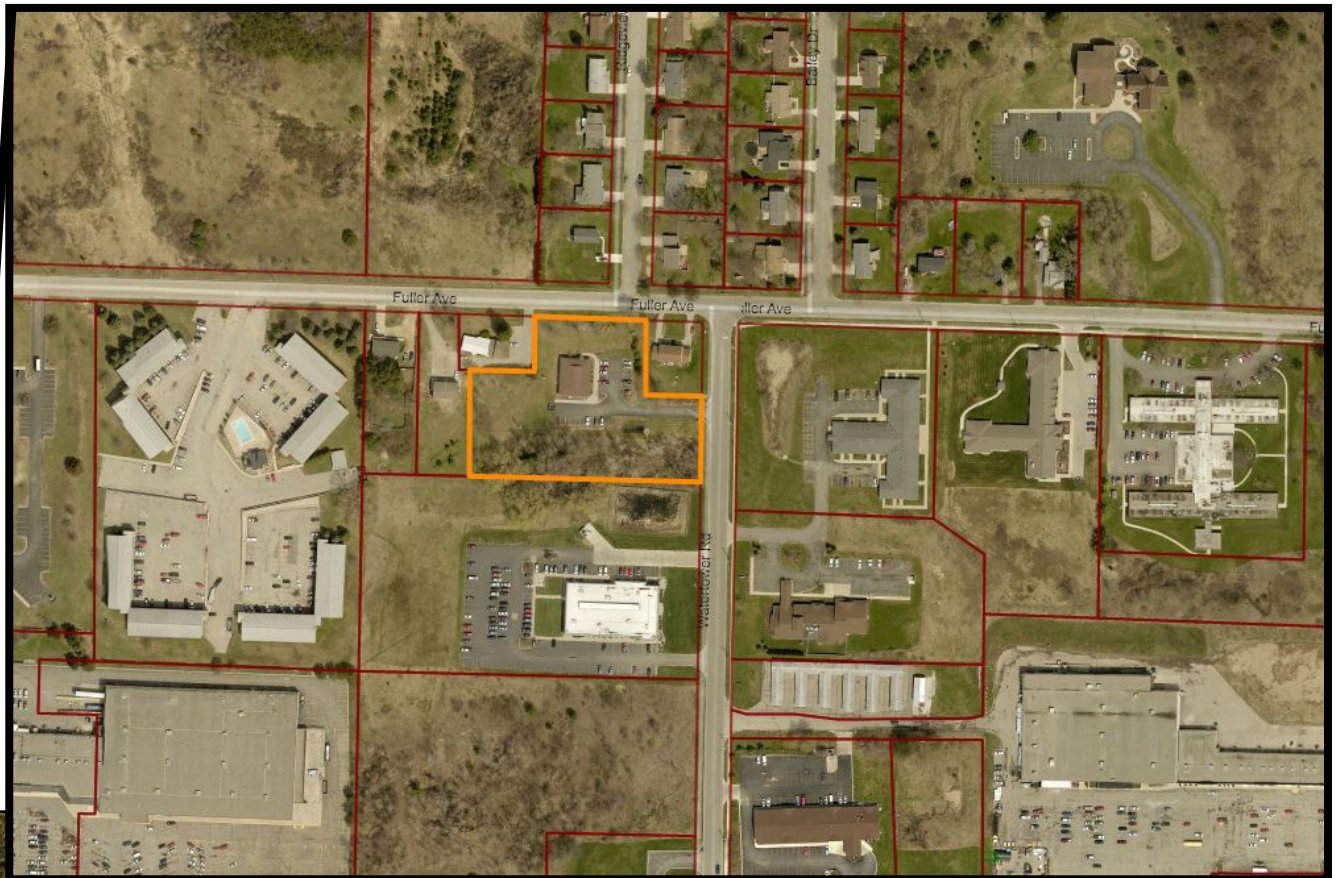
A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process. Sample motion:

“I move to deny the Site Plan Review Application for a second driveway at 730 Water Tower Road (PIN 17-15-300-003), because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

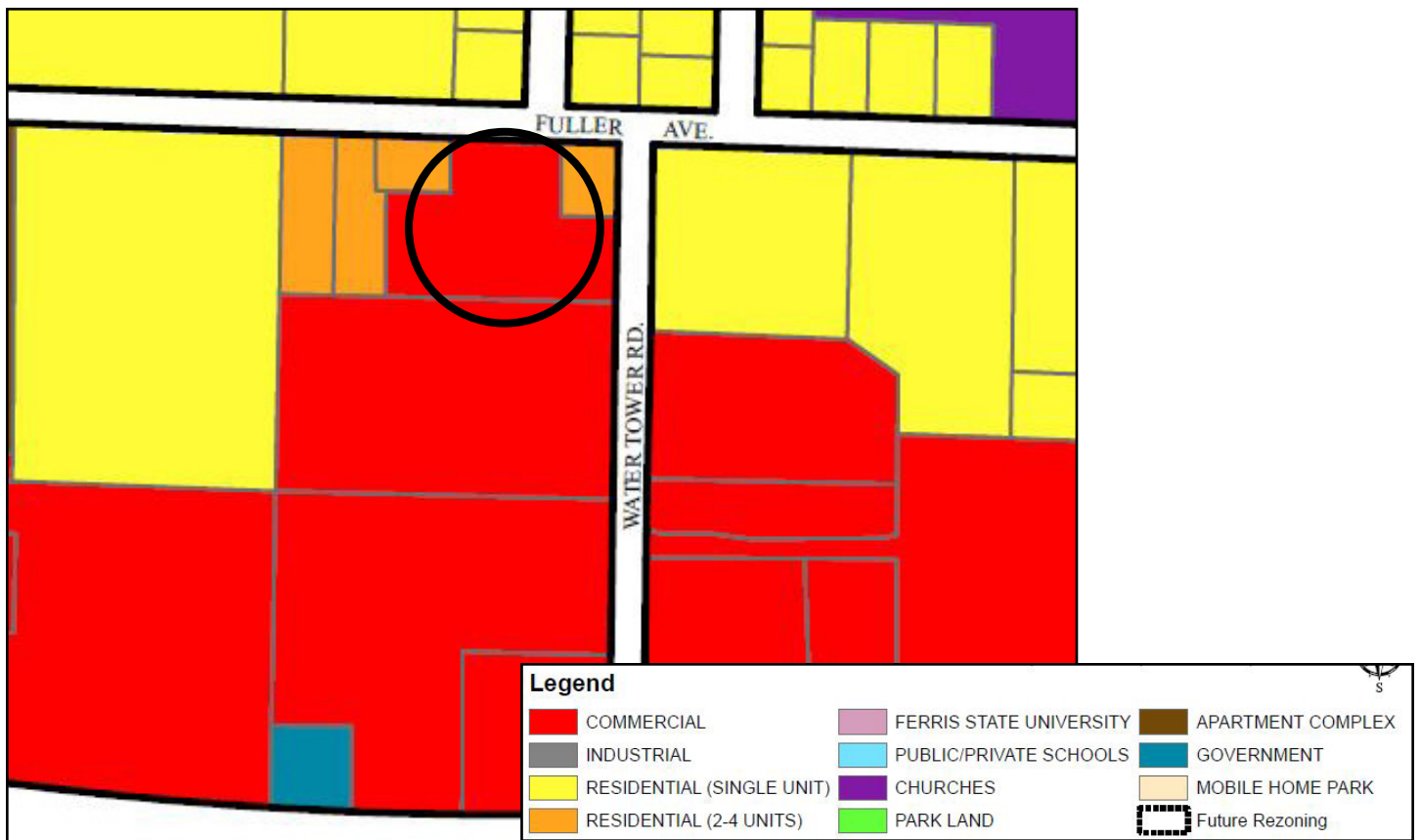
Location Maps



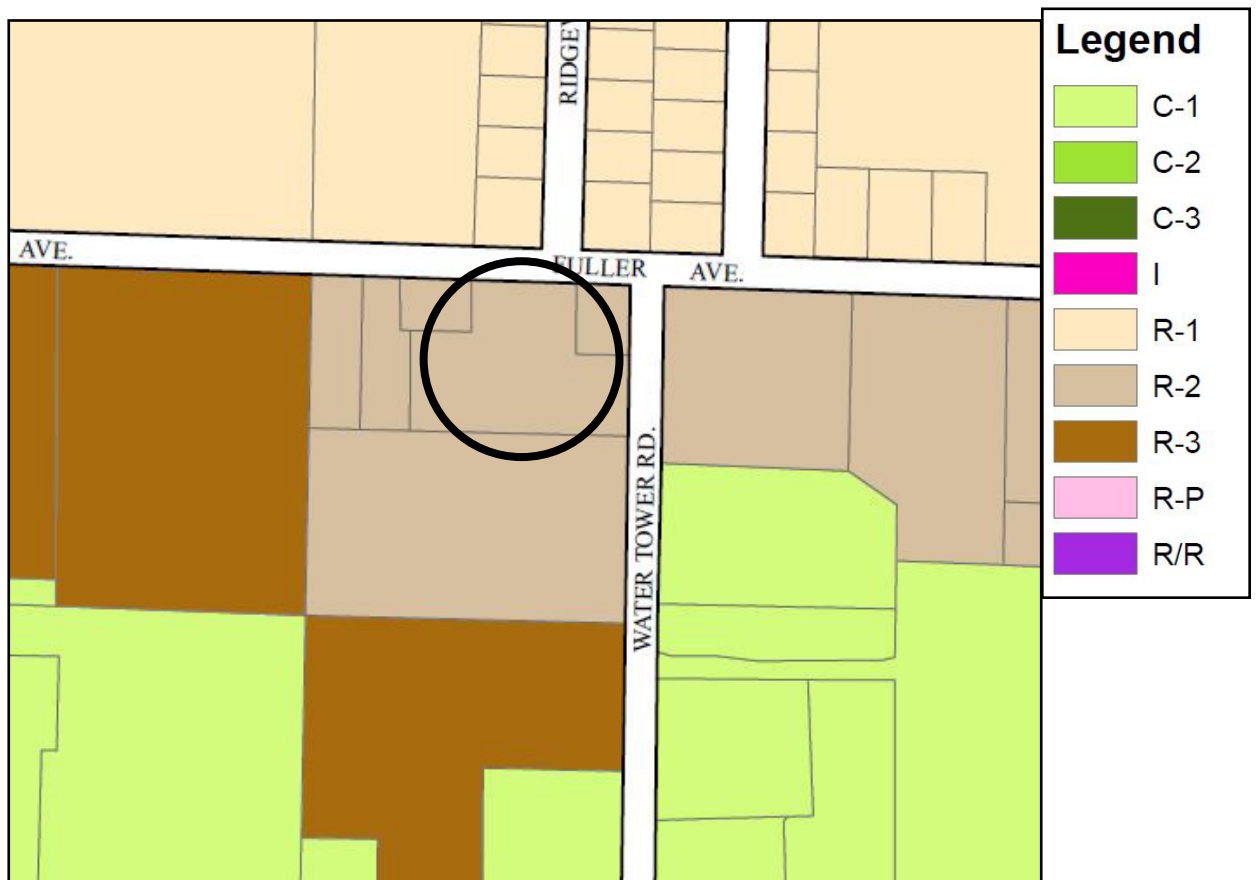
Aerial Imagery



Excerpt from Future Land Use Map



Excerpt from Zoning Map



Driveway off Water Tower Road



Current driveway looking at Water Tower Road



Current parking lot that proposed drive
will be connected to.



View of proposed drive location from
Bailey Dr., across Fuller Ave.





**CITY OF BIG RAPIDS
SITE PLAN REVIEW APPLICATION**

APPLICANT NAME: Paul Gaffke

APPLICANT ADDRESS: 1104 S. Mitchell St., Cadillac, MI. 49601

APPLICANT PHONE NUMBER: 231-779-4002 **FAX NUMBER:** _____

PROJECT TITLE: Additional Driveway for BFHC Clinic, Big Rapids

PROJECT ADDRESS/LOCATION: 730 Water Tower Road

SUBJECT PROPERTY OWNER: Baldwin Family Health Care

LEGAL DESCRIPTION OF PROPERTY (attach separate sheet)

SUBJECT PROPERTY ZONING: R-2 **SITE SIZE (ACRES):** 2.36

LIST ALL REQUIRED STATE AND FEDERAL PERMITS ON SEPARATE SHEET

In compliance with Section 9.4 of the City of Big Rapids Zoning Ordinance, twelve copies of a complete proposed site plan must be submitted to the Department of Neighborhood Services, a minimum of twenty days prior to the Plan Board hearing date. Failure to submit complete plans, a completed application form and filing fee may result in the site plan review hearing being delayed.

SITE PLAN INFORMATION REQUIREMENTS

TWELVE COPIES (12) of the proposed site plan, drawn on 24" x 36" paper

SCALE OF 1" = 20' for sites up to three acres and **1" = 100'** for sites over three acres

LEGEND including north arrow, scale, date of preparation and name, address and telephone number of individual or firm preparing the plan

SEAL of professional architect, engineer or surveyor preparing the plan

LOCATION MAP indicating relationship of the site to surrounding land use

LOT LINES together with dimensions, angles and size correlated with the legal description, which is tied to existing monumentation

TOPOGRAPHY of the site in two foot contour intervals

NATURAL FEATURES such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar items

MAN MADE FEATURES within 100 feet of the site

BUILDING SIZE, height, finish floor and grade line elevations, yard setbacks and square footage. Front, side and rear elevations drawings of proposed structures.

FLOOR PLAN of structures showing existing and proposed uses (used to verify gross vs. usable floor areas and principal vs. accessory uses).

STREETS, driveways, sidewalks and other vehicle or pedestrian circulation features upon and adjacent to the site shall be shown

PARKING SPACES, location, size and number, service lanes, delivery and loading areas

CROSS SECTIONS illustrating construction of drives and parking areas

LANDSCAPING, together with open spaces, screening, fences, walls and proposed alterations of topography or other natural features.

SERVICE DEMANDS from the community to support proposed operations on the site

EARTH CHANGE plans required by State law

SITE LIGHTING including location, intensity and orientation

SURFACE WATER DRAINAGE

UTILITY LOCATION and size for sanitary sewer, water, storm sewer, natural gas, electricity, telephone, coaxial cable, fiber optic, etc.

FIRE LANES

OUTDOOR STORAGE

TRASH RECEPTACLES

HAZARDOUS MATERIAL storage facilities, including type, quantity, location and secondary containment provisions

OTHER INFORMATION as required by the Plan Board

DIGITAL COPY submitted in an AutoCAD compatible format

SITE PLAN REVIEW FEE \$200

I have read the requirements of submittal and review of a site plan by the City of Big Rapids Plan Board and attest that the provided site plan is complete:

Paul Kirk Gaffke

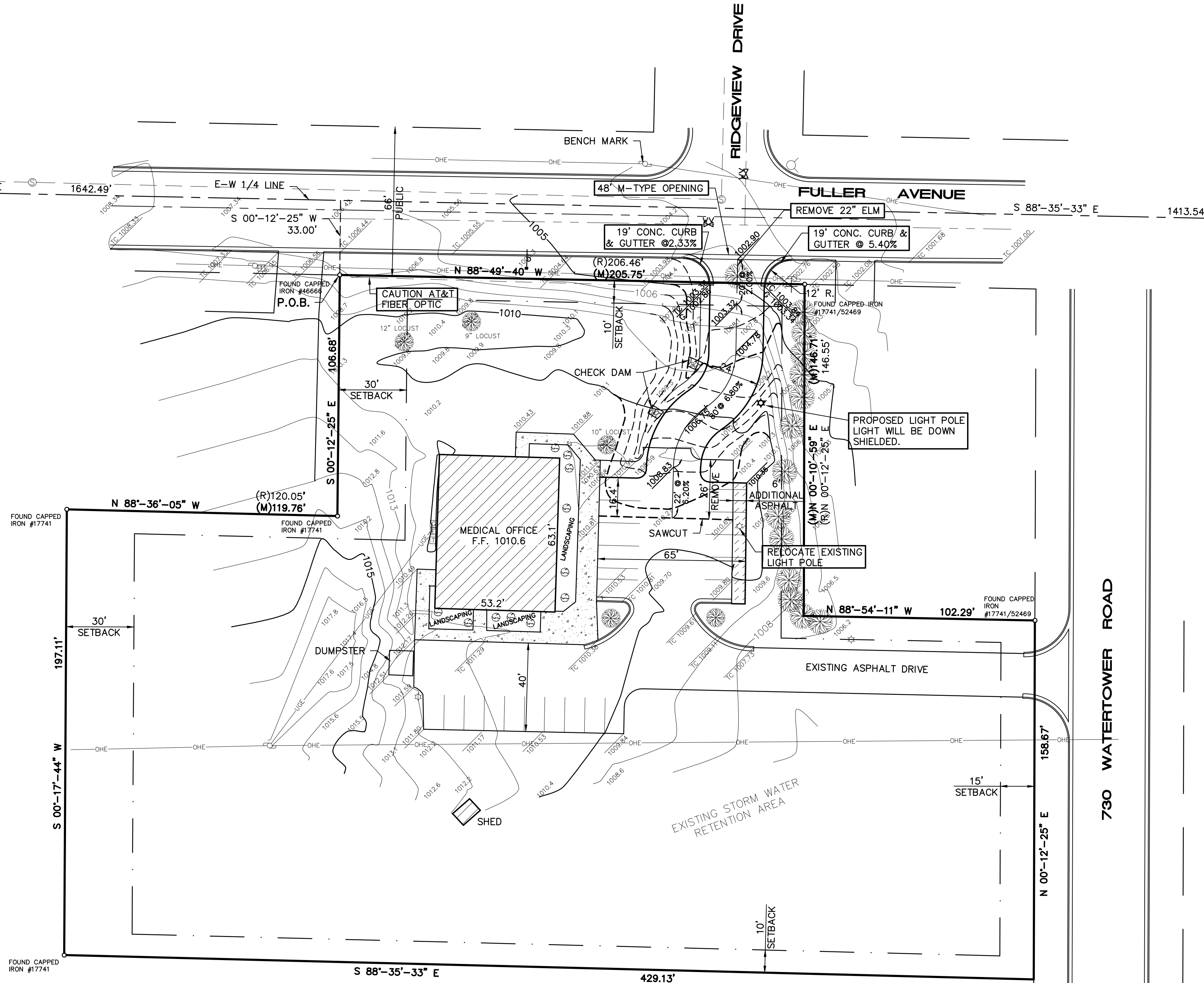
Key: 97bcd0ec233e03494cc53d2c7bb54b55

Applicant Signature

06/26/2020

Date

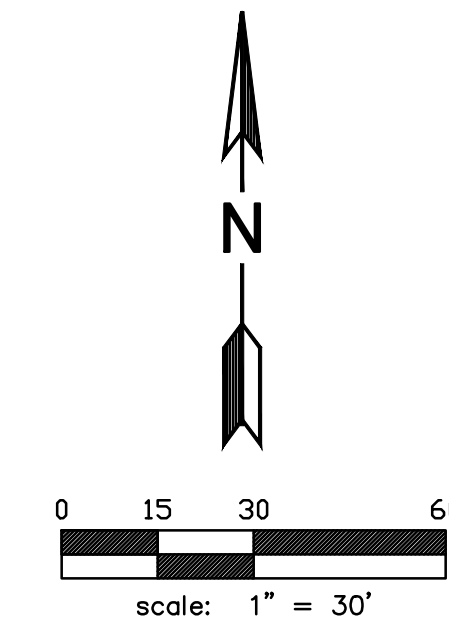
W. 1/4 CORNER, SECTION 15
T.15N.-R.10W., CITY OF BIG RAPIDS
MECOSTA COUNTY, MICHIGAN
FOUND REMONUMENTATION CORNER
RECORDED LIBER 100, PAGE 434



PROPERTY DESCRIPTION:
PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 15, T.15N.-R.10W., CITY OF BIG RAPIDS, MECOSTA COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE W. 1/4 CORNER, BEING N 88°-35'-33" W FROM THE E. 1/4 CORNER OF SECTION 15 AND ALSO BEING N 88°-49'-40" W FROM THE HISTORICAL C. 1/4 OF SECTION 15 AS DOCUMENTED IN LCRC RECORDED LIBER 4, PAGE 29; THENCE S 88°-49'-40" E ALONG THE CENTERLINE OF FULLER STREET, 1642.49 FEET; THENCE S 00°-12'-25" W 33.00 FEET TO THE SOUTH RIGHT OF WAY OF FULLER STREET, 1642.49 FEET; THENCE S 00°-12'-25" W 33.00 FEET TO THE SOUTH RIGHT OF WAY OF FULLER STREET, 1642.49 FEET; THENCE S 00°-17'-44" W, 197.11 FEET; THENCE S 88°-35'-33" E 429.13 FEET TO THE WEST RIGHT OF WAY OF WATER TOWER DRIVE; THENCE N 00°-12'-25" E ALONG SAID WEST RIGHT OF WAY, 158.67 FEET; THENCE N 88°-54'-11" W 102.29 FEET; THENCE N 00°-12'-25" E, 146.55 FEET TO THE SOUTH RIGHT OF WAY OF FULLER STREET; THENCE N 88°-49'-40" W ALONG SAID SOUTH RIGHT OF WAY, 206.46 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 2.36 ACRES

C. 1/4 CORNER, SECTION 15
T.15N.-R.10W., CITY OF BIG RAPIDS
MECOSTA COUNTY, MICHIGAN
FOUND REMONUMENTATION CORNER
RECORDED LIBER 106, PAGE 126



DEVELOPMENT SUMMARY

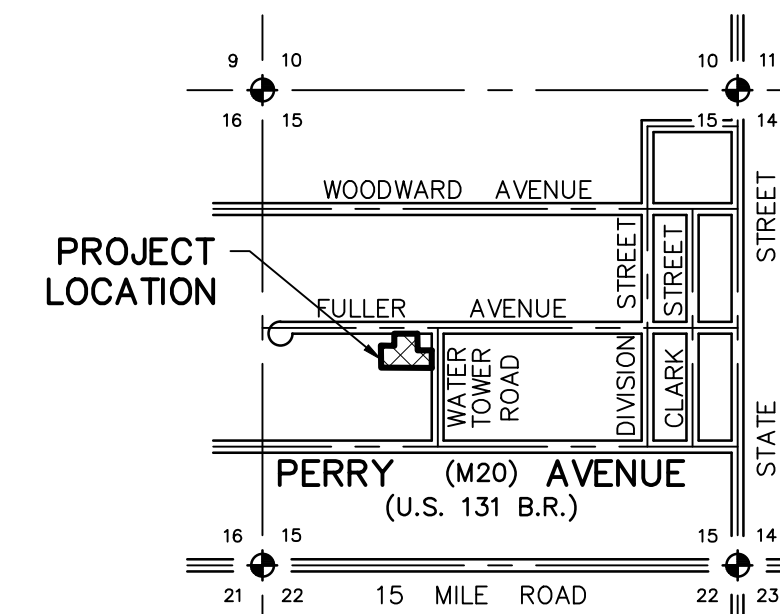
ZONING: R-2
MIN LOT AREA = 7,500 SFT.
MIN LOT WIDTH = 50 FEET
MAX BUILDING HEIGHT 40 FEET
SETBACKS
FRONT YARD 15 FEET
SIDE YARD MIN. 8 FEET
REAR YARD 30 FEET
TOTAL 20 FEET
MAX. LOT COVERAGE 25%

EXISTING LANDSCAPING WILL REMAIN AS IS.
EXISTING BUILDING TO REMAIN AS IS.

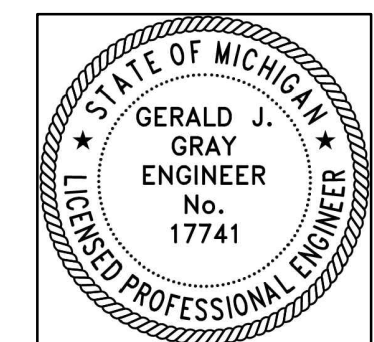
EXISTING PARKING SPACES
STANDARD SPACES 22
HANDICAPPED SPACES 1

PROPOSED PARKING SPACES
STANDARD SPACES 20
HANDICAPPED SPACES 1

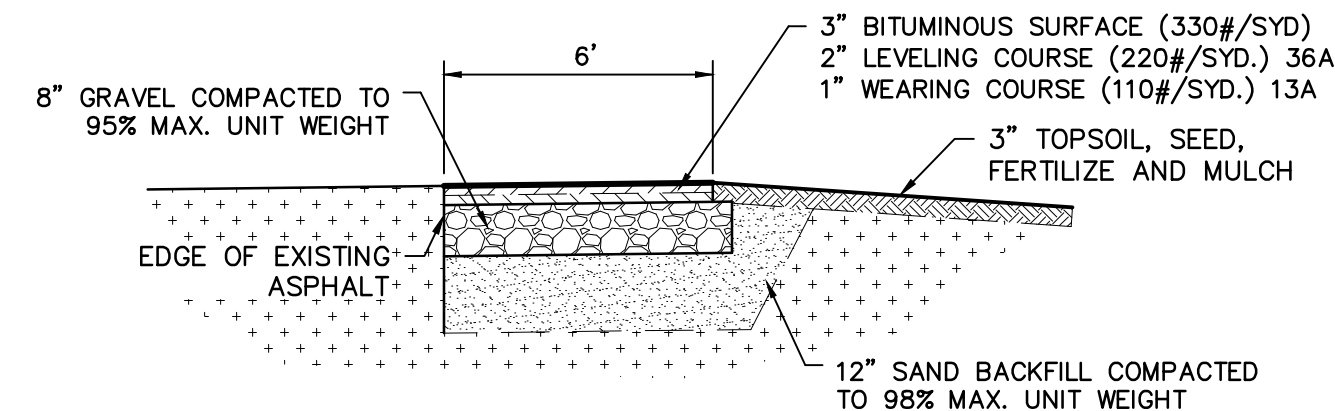
SECTION 15, T.15N.-R.10W.
CITY OF BIG RAPIDS
MECOSTA COUNTY, MICHIGAN



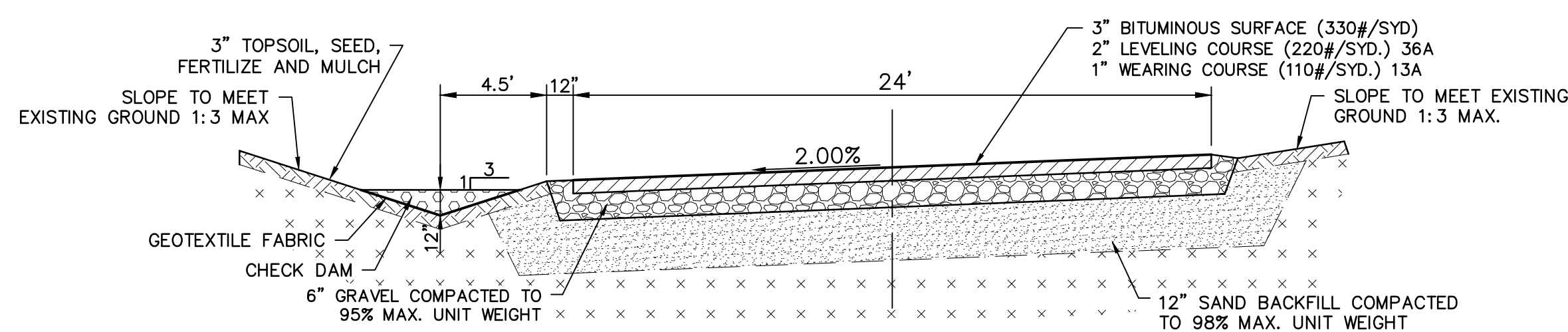
LOCATION SKETCH
(NOT TO SCALE)



BENCH MARK:
NAIL IN POWER POLE NW CORNER FULLER AVENUE AND RIDGEVIEW DRIVE
ELEV. 1003.89

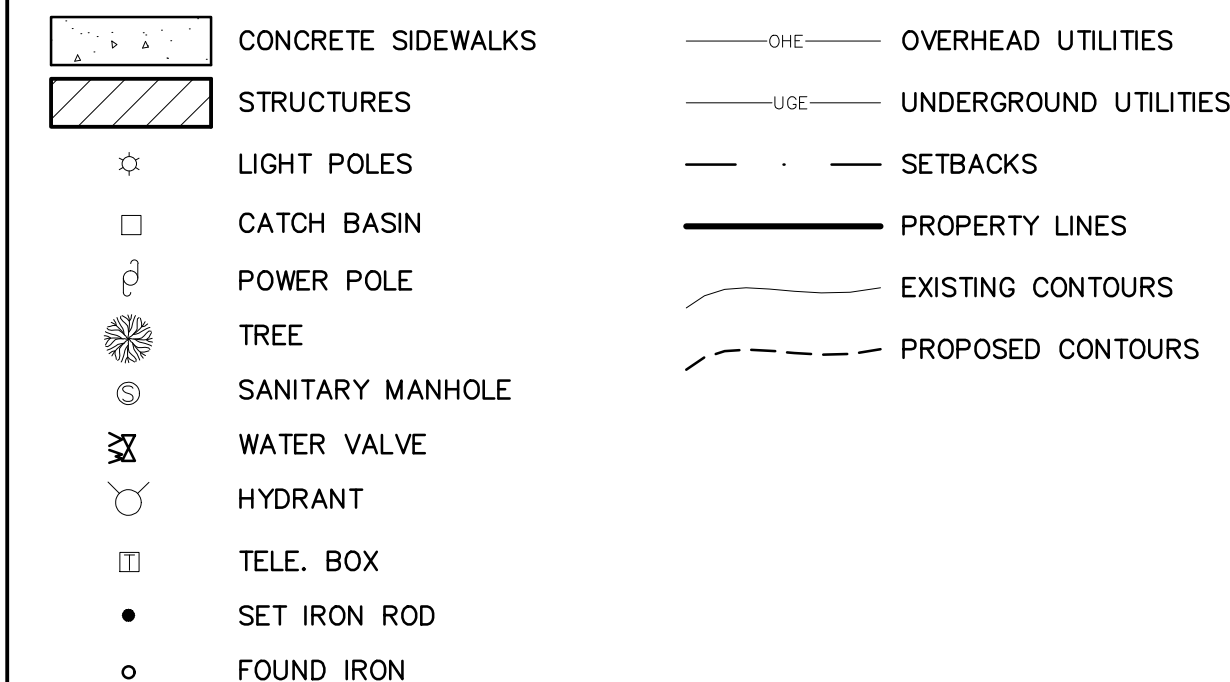


ADDITIONAL PARKING LOT CROSS SECTION

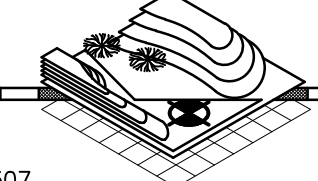


DRIVEWAY CROSS SECTION

LEGEND



MID - MICHIGAN ENGINEERING AND SURVEY CO., INC.



302 S. WARREN AVENUE
BIG RAPIDS, MICHIGAN 49307
PHONE: (231) 796-9291

PHONE: (989) 773-5839
FAX: (989) 772-4404
FAX: (231) 796-4060

**SITE PLAN FOR ADDITIONAL DRIVEWAY
BALDWIN FAMILY HEALTH CARE
1615 MICHIGAN AVENUE
BALDWIN, MICHIGAN 49304
231-745-2743**

SCALE: 1"=30'	REVISED:
DATE: 6/25/2020	DRAWN BY: K.E.I.
JOB NO. 20266	SHEET NO. 1 OF 1

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Site Plan Review – 702 Perry Ave
DATE: July 15, 2020

Introduction

Applicant Kevin McFadden/RAIR Systems is applying for Site Plan Review for new commercial building at 702 Perry Avenue. This 0.34-acre site is zoned C-1 Commercial and is located on the west side of Big Rapids in the Perry Avenue commercial area. The location of 702 Perry Ave is a land-lease in the area of the existing Dunham's Sports parking lot at 706 Perry Ave.. A Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

Site Plan Review Process and Procedure

The Site Plan Review Application was received by the Neighborhood Services Department on June 25, 2020 and was deemed in compliance with Section 9.4. of the Zoning Ordinance which stipulates required Site Plan Review application materials. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on July 3, 2020 and sent to all property owners within 300 ft of the site.

The Site Plans were shared with the Fire Marshal, the Public Works Department's Engineering staff, the Mecosta County Building Official, and the Zoning Administrator for their review.

Public Safety – Fire Marshal Jeff Hull reviewed the site plans and found no issues that would affect fire department safety concerns.

Public Works - Plans were by Engineering Technician Matt Ruelle. After reviewing the plans for grading and stormwater, they were found to be in compliance with the City's Ordinances. Due to the location of the new building going in where a parking lot is currently, the new building will not add additional stormwater to the site.

Building Official – While the Building Official reviews the full Construction Plans later in the development process, he also reviews the Site Plans. He did not see any issues or concerns with the current plans.

Zoning – Plans were reviewed by the Neighborhood Services Director as to their standings as regards the Zoning Ordinance. The plans were found to be in compliance with the Zoning Ordinance as regards setbacks, parking, and landscaping.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to ensure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

Planning Commissioners are encouraged to review the Application against the Criteria in Section 9.6 to decide if they find it meets or fails to meet them. These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends approval of the Site Plan Review Application for a new commercial building at 702 Perry Avenue (PIN 17-15-400-017), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Approval with Conditions, or Denial. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application.

“I move that the Site Plan Review Application for a new commercial building at 702 Perry Avenue (PIN 17-15-400-017) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions.

“I move that the Site Plan Review Application for a new commercial building at 702 Perry Avenue (PIN 17-15-400-017) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here. Could include items like requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, or moving features out of the fire lane, among others).*

A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Site Plan Review Application for a new commercial building at 702 Perry Avenue (PIN 17-15-400-017) because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

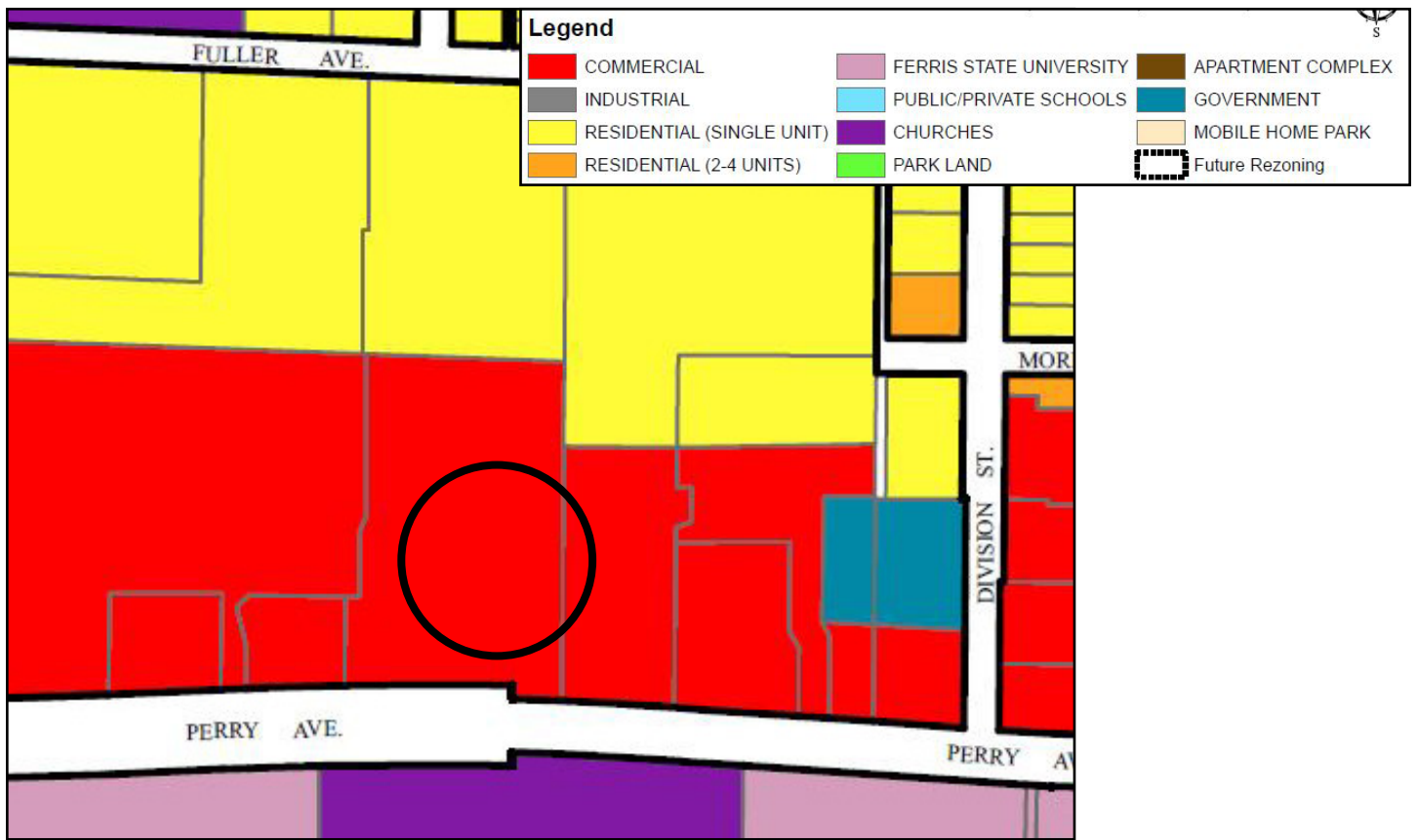
Location Maps



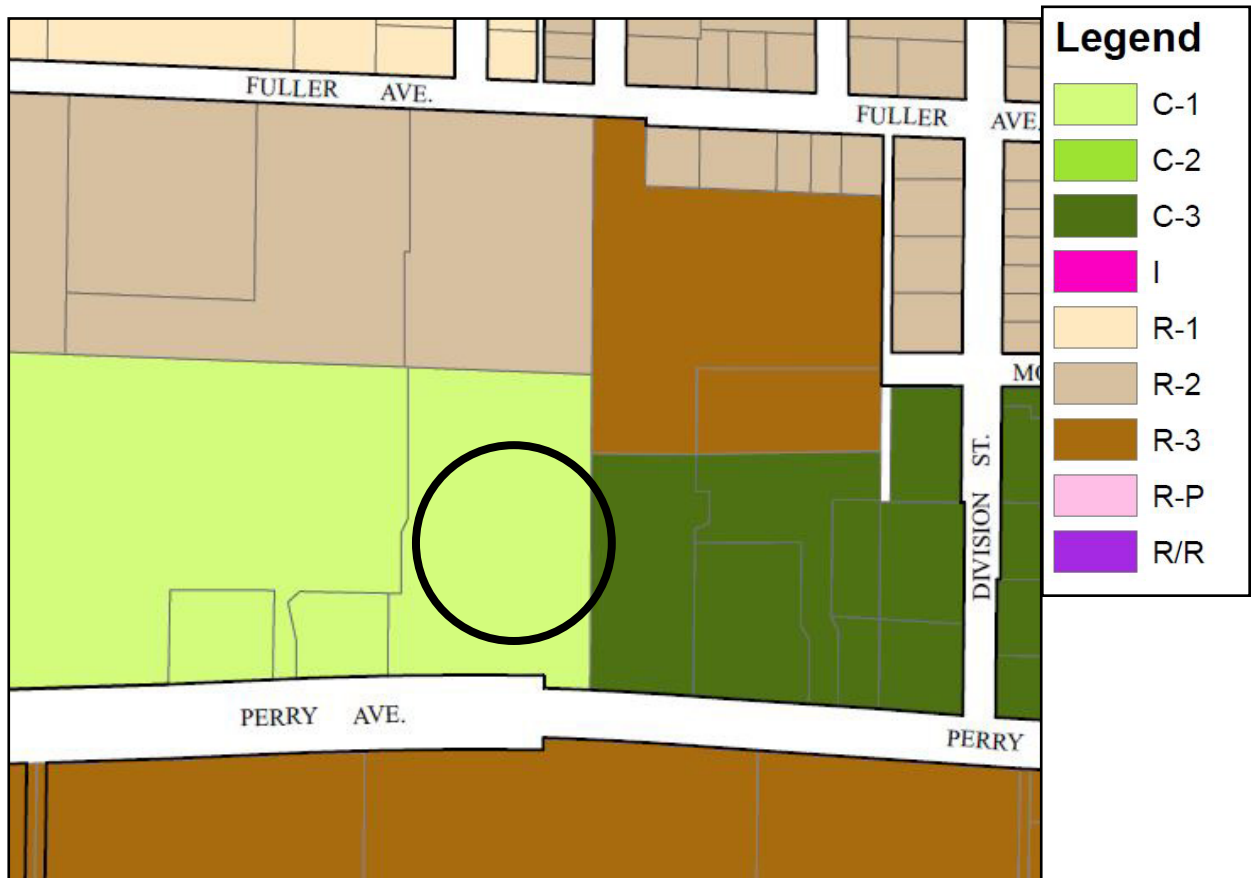
Aerial Imagery



Excerpt from Future Land Use Map



Excerpt from Zoning Map







**CITY OF BIG RAPIDS
SITE PLAN REVIEW APPLICATION**

APPLICANT NAME: KEVIN MCFADDEN

APPLICANT ADDRESS: 2800 PATTERSON AVENUE, SUITE 200, RICHMOND, VA 23221

APPLICANT PHONE NUMBER: 8044190741 **FAX NUMBER:** N/A

PROJECT TITLE: RAIR SYSTEMS BIG RAPIDS

PROJECT ADDRESS/LOCATION: 702 PERRY AVE, BIG RAPIDS, MI 49307

SUBJECT PROPERTY OWNER: FIDC 60 LLC

LEGAL DESCRIPTION OF PROPERTY (attach separate sheet)

SUBJECT PROPERTY ZONING: C-1 **SITE SIZE (ACRES):** .34

LIST ALL REQUIRED STATE AND FEDERAL PERMITS ON SEPARATE SHEET

In compliance with Section 9.4 of the City of Big Rapids Zoning Ordinance, twelve copies of a complete proposed site plan must be submitted to the Department of Neighborhood Services, a minimum of twenty days prior to the Plan Board hearing date. Failure to submit complete plans, a completed application form and filing fee may result in the site plan review hearing being delayed.

SITE PLAN INFORMATION REQUIREMENTS

TWELVE COPIES (12) of the proposed site plan, drawn on 24" x 36" paper

SCALE OF 1" = 20' for sites up to three acres and **1" = 100'** for sites over three acres

LEGEND including north arrow, scale, date of preparation and name, address and telephone number of individual or firm preparing the plan

SEAL of professional architect, engineer or surveyor preparing the plan

LOCATION MAP indicating relationship of the site to surrounding land use

LOT LINES together with dimensions, angles and size correlated with the legal description, which is tied to existing monumentation

TOPOGRAPHY of the site in two foot contour intervals

NATURAL FEATURES such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar items

MAN MADE FEATURES within 100 feet of the site

BUILDING SIZE, height, finish floor and grade line elevations, yard setbacks and square footage. Front, side and rear elevations drawings of proposed structures.

FLOOR PLAN of structures showing existing and proposed uses (used to verify gross vs. usable floor areas and principal vs. accessory uses).

STREETS, driveways, sidewalks and other vehicle or pedestrian circulation features upon and adjacent to the site shall be shown

PARKING SPACES, location, size and number, service lanes, delivery and loading areas

CROSS SECTIONS illustrating construction of drives and parking areas

LANDSCAPING, together with open spaces, screening, fences, walls and proposed alterations of topography or other natural features.

SERVICE DEMANDS from the community to support proposed operations on the site

EARTH CHANGE plans required by State law

SITE LIGHTING including location, intensity and orientation

SURFACE WATER DRAINAGE

UTILITY LOCATION and size for sanitary sewer, water, storm sewer, natural gas, electricity, telephone, coaxial cable, fiber optic, etc.

FIRE LANES

OUTDOOR STORAGE

TRASH RECEPTACLES

HAZARDOUS MATERIAL storage facilities, including type, quantity, location and secondary containment provisions

OTHER INFORMATION as required by the Plan Board

DIGITAL COPY submitted in an AutoCAD compatible format

SITE PLAN REVIEW FEE \$200

I have read the requirements of submittal and review of a site plan by the City of Big Rapids Plan Board and attest that the provided site plan is complete:


eSigned via SeamlessDocs.com
Key: 97bcd0ec233e03494cc53d2c7bb54b55

Applicant Signature

06/25/2020

Date



NORTH AND WEST ELEVATIONS



SOUTH AND EAST ELEVATIONS



PERRY AVENUE STREET VIEW



SOUTH AND WEST ELEVATIONS

C-101
4 of 7

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Zoning Ordinance Amendment – Bicycle Parking Regulations
DATE: July 15, 2020

Introduction

Amending the City’s Zoning Ordinance to “incorporate standards to improve non-motorized transportation, such as bicycle parking, traffic calming, pedestrian lighting, and public realm standards” will help the City move one step closer toward achieving MEDC Redevelopment Ready Communities Certification.

This topic has been before the Planning Commission three times, in November 2019 for an introduction, a draft amendment in January 2020, and a revised draft amendment in May 2020. The revised draft amendment is attached to this report.

Zoning Ordinance Text Amendment Process and Procedure

The Zoning Ordinance Text Amendment Application was initiated by staff. As required by Ordinance, Zoning Ordinance amendments must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on July 3, 2020.

Text Amendments are reviewed first by the Planning Commission after a Public Hearing is held. The Planning Commission makes a recommendation to the City Commission, who will vote on adoption of the Ordinance Amendment.

Standards for Zoning Amendment Review

Section 14.2:4 of the Zoning Ordinance clearly lays out a series of standards for reviewing Zoning Amendments, stating as follows:

The Planning Commission and City Commission shall consider the request for an amendment to the Zoning Ordinance in accordance with the following standards:

- (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.

Planning Commissioners are encouraged to review the proposed Amendment against the standards in Section 14.2:4 to decide if they find it meets or fails to meet them. These standards shall be used to decide the recommendation provided by the Planning Commission.

Recommendation

Staff supports recommending adoption of the Zoning Ordinance Amendment to add bicycle parking regulations to a new Section 5.7:2 of the Zoning Ordinance, as the amendment meets the standards for review found in Section 14.2:4 of the Zoning Ordinance.

Action

Two options lay before the Planning Commission regarding Zoning Ordinance Text Amendment Applications: Recommendation to Adopt or Recommendation to Not Adopt. As the City Commission has the final determination on Ordinance Amendments, the application must be forwarded to them with a recommendation.

Explanations and sample motions are included below.

Recommendation to Adopt

A recommendation of adoption motion is appropriate when the Application meets the Standards of the Zoning Ordinance.

“I move recommend that the Zoning Ordinance Text Amendment to add bicycle parking regulations to a new Section 5.7:2 of the Zoning Ordinance be adopted, because it meets all of the Standards for Review set in Section 14.2:4 of the Zoning Ordinance.”

Recommendation to Not Adopt

A recommendation to not adopt motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance.

“I move to recommend that the Zoning Ordinance Text Amendment Application to add bicycle parking regulations to a new Section 5.7:2 of the Zoning Ordinance not be adopted, because it does not meet the Standards for Review set in Section 14.2:4 of the Zoning Ordinance.” *(Include which number Standards the application does not meet.)*”

Draft Zoning Ordinance Text Amendment to add Bicycle Parking Regulations to Article 5

Add the new section below to Article 5: Off-Street Parking and Loading

5.7:2 Bicycle Parking

- (1) **Recommended Spaces.** Any development requiring motor vehicle parking spaces is encouraged to provide bicycle parking. Off-street parking areas are recommended to contain at least one (1) bicycle parking space for every number ten (10) spaces provided for motor vehicles, or fraction thereof, with a minimum of two (2) and a maximum of twelve (12) bicycle parking space provided.
- (2) **Location.** Bicycle parking for commercial, multi-family residential, and mixed-uses shall be conveniently located within 50 feet of building entry points and shall not conflict with pedestrian travel. Bicycle parking areas must be visible to the public and have adequate lighting to facilitate nighttime use.
- (3) **Facility Type:** Bicycle parking shall consist of “inverted U” or “post and ring” style racks which meet the Performance Criteria for Bike Parking Racks in the 2nd Edition of the Association of Pedestrian and Bicycle Professionals’ Essentials of Bicycle Parking. The bicycle parking rack must be anchored to the ground and shall allow the bicycle wheel and frame to be locked to the bicycle rack.
- (4) **Facility Size:** Each bicycle parking space shall accommodate a bicycle at least six feet in length and two feet wide. Bicycle racks shall be installed no closer than two feet from a wall or motor vehicle parking space.
- (5) **Maintenance.** The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud, debris, ice and snow.
- (6) **Offset of Required Off-Street Parking Spaces.** The Zoning Administrator shall, upon request of the developer, permit a reduction of required motor vehicle parking by up to 20% given that one (1) on-site bicycle parking space, above the recommended spaces and meeting the Ordinance recommendations, is provided for each motor vehicle parking space removed.

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Nisbett and Fairman Building Renovations
DATE: July 15, 2020

Introduction

The Big Rapids Housing Commission owns and operates the Nisbett-Fairman Residences in downtown Big Rapids. These two buildings, originally built in the 1880s, have been remodeled and upgraded, providing commercial tenant spaces on the ground floor and residential apartments for seniors on the upper floors.

Upcoming Renovations and Commission Approval

The Housing Commission is currently in the process of refinancing and remodeling the buildings through a Preservation Grant with the Michigan State Housing Development Authority

As part of this process, the Housing Commission needs two items from the City. The first is a Zoning Verification Letter, which will be provided by the Neighborhood Services Director. The second is a Site Plan Approval letter from the Planning Commission. In the words of the contracted developer the site plan approval should be “a letter from the relevant board or commission of the municipality stating that it has reviewed the proposal, including the level of rehabilitation work to be completed at the site, and that no further plan approvals are necessary.”

As you can see in the attached Scope of Work for the project, all of the work, minus one item, is interior to the building and thus does not fall under the banner of our Site Plan Review. The one exterior item is a sidewalk currently made of brick pavers which is to be replaced with concrete. This type of one-for-one replacement also does not require Site Plan Review.

Recommendation

Staff recommends that the Planning Commission approve the project, as no Site Plan Review is required.

Action

The Planning Commission should direct staff to write a letter on the Commission’s behalf to meet the needs of the grant process.

MSHDA Preservation Scope of Work For:
Nisbett-Fairman Residences

Description of Item	Replacement Items - Quantity?	Planned Additions - Quantity?	Notes
---------------------	----------------------------------	-------------------------------------	-------

SITE SYSTEMS

Surface

Roadways/Parking
Roadways/Parking
Storm Drains
Sidewalks
Fencing
Elevator
Dumpsters & Enclosures
Pool
Site Lighting
Site Lighting
Landscaping
Car Ports
Car Ports - Lighting
Signage

100%		Replace brick pavers and pedestrian alley with concrete
2		Replace flooring/upgrade

Site Distribution Systems

Gas Lines
Sanitary Lines
Cold Water Lines
Electric Distribution
Sanitary Leach fields
Miscellaneous

BUILDING MECHANICAL & ELECTRICAL

Building Mechanical

Compactors
Building Fire Suppression
Building Heating Distribution
Domestic Hot/Cold Water Dist.
Building Sanitary Waste & Vent. Dist.
Building Gas Distribution
Warm Air Furnace
Building Air Conditioning
Domestic Hot Water Generation
Domestic Hot Water Generation
Domestic Hot Water Generation
Sewage Ejectors

80%		A few units have already been replaced

Building Electrical

Building Power Wiring
Emergency Generator
Fire Alarm Systems
Signaling / Communication
Signaling / Communication

2		Replace complete fire alarm system in each building

Pool Filter Equipment

Filter
Pump
Auto Chlorinator
Cover

BUILDING ARCHITECTURE

Structure

Foundation
Framing
Slab
Miscellaneous

Building Exterior

Exterior Common Doors
Exterior Unit Doors
Service Doors
Glass Sliding Doors
Storm Doors
Exterior Walls--1

20%		Replace masonite on Fairman Building - 2 walls

Exterior Walls--2
 Exterior Walls--3
 Trim, Soffit & Fascia
 Exterior Ceilings
 Window Frames--1
 Window Frames--2
 Window Glass
 Storm / Screen Windows
 Unit Balconies/Wood Decks
 Balcony Railings
 Fire Escapes
 Bldg Mounted Lighting

80%		Repair/replace historical window frames, some have already been replaced

Roof Systems

Structure
 Roof Covering--1
 Roof Covering--2
 Roof Covering--3
 Roof Drainage
 Skylights
 Penthouses
 Access Doors & Hatches
 Roof Railings

Halls

Hallway Walls
 Hallway Ceilings
 Hallway Floors
 Hallway Doors
 Hallway Railings
 Hallway Interior Lighting
 Hallway Heating
 Miscellaneous

100%		Repaint all
100%		Replace all common area flooring
100%		Replace all interior lighting with LED

Stairs

Stair Walls and Ceilings
 Stair Floors
 Stair Doors
 Stair Railings

100%		Repaint
100%		Replace all flooring

Lobbies/Mail Facilities

Lobby Walls & Ceilings
 Lobby Floors
 Lobby Floors
 Mail Facilities
 Lobby Local HV

100%		Repaint
100%		Replace

Community Room

Comm. Room Walls/Ceilings
 Comm. Room Floor Covering
 Comm. Cabinets/Countertop
 Comm. Kitchen Appliances
 Comm. Room Furnishings

100%		Repaint
100%		Replace
100%		Replace

Office

Office Walls/Ceilings
 Office Floor Covering
 Office Equipment

100%		Repaint
100%		Replace
100%		Replace

Public Laundry

Laundry Walls/Ceilings
 Laundry Floors
 Laundry Equipment

Public Restrooms

Restroom Walls/Ceilings
 Restroom Floors
 Restroom Fixtures
 Restroom Accessories

100%		Repaint
100%		Replace
100%		Replace with LED

DWELLING UNITS

Living Area Finishes

Unit Hallway Doors
 Unit Interior Doors
 Unit Closet Doors
 Living Area Walls
 Living Area Ceilings
 Living Area Floors

100%		Repaint
100%		Repaint
100%		Replace

Unit Interior Stairs
Blinds

100%		Replace

Kitchens

Kitchen Walls & Ceilings
Kitchen Floors
Kitchen Cabinets & Countertop
Kitchen Cabinets & Countertop
Range
Range
Refrigerator
Refrigerator
Dishwasher
Dishwasher
Rangehood and Vent
Disposal
Disposal

100%		Repaint
100%		Replace
100%		Replace countertops
95%		Replace
95%		Replace
95%		Replace

Bathrooms

Bathroom Walls and Surrounds
Bathroom Ceilings
Bathroom Floors
Bath-tub and Shower
Bathroom Vanity & Sink
Bathroom Vanity & Sink
Toilets
Medicine Cabinets
Accessories
Ventilation & Exhaust

100%		Repaint
100%		Replace
4 units		Replace tub with step thru/walk in shower in bf units
100%		Replace with raised/handicapped toilets

In-Unit Mechanical

Unit Warm Air Furnaces
Unit Warm Air Furnaces
Unit Air Conditioning
Unit Air Conditioning
Unit Radiation

95%		Replace unit air conditioning

In-Unit Electrical

Unit Electrical Panel
Unit Wiring
Lighting
Unit Smoke / Fire Detection
Washer/Dryers

100%		Replace with LED
100%		Replace as part of the fire system
95%		Replace washers and dryers

Approvals:

Matt Bergeon, Asset Management

Date

Maryanne Vukonich, Design

Date

Contractor

Date

Planning Commission

SPECIAL Meeting

Big Rapids City Hall
226 N Michigan Avenue

August 5, 2020
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
5. Public Comment
6. Public Hearing
 - a. Site Plan Review for a new parking lot at 804 Clark St.
7. General Business
8. Unscheduled Business
9. Adjourn

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Site Plan Review – 804 Clark Street
DATE: August 5, 2020

Introduction

Applicant 804 Clark St Investments LLC is applying for Site Plan Review for new parking lot at 804 Clark Street. This 0.417-acre site is made of two parcels (PINs 17-15-435-004 and 17-15-435-010) which are zoned C-3 Commercial and are located on the west side of Big Rapids in the commercial area near the intersection of S State Street and Perry Avenue. A Location Map and several images of the site are attached. See also the set of Site Plans included with the packet.

History of the Property

804 Clark St Investments LLC purchased the property in 2019 to develop the existing building into a marihuana retail store and the vacant lot into a parking lot to support the store. The project received Provisional Approval through the City of Big Rapids' Municipal Marihuana Permit process in early 2020.

The current project is to construct a new parking lot on the southern portion of the property.

Site Plan Review Process and Procedure

The Site Plan Review Application was received by the Neighborhood Services Department on July 16, 2020 and was deemed in compliance with Section 9.4. of the Zoning Ordinance which stipulates required Site Plan Review application materials. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on July 24, 2020 and sent to all property owners within 300 ft of the site.

The Site Plans were shared with the Fire Marshal, the Public Works Department's Engineering staff, and the Zoning Administrator for their review.

Public Safety – Fire Marshal Jeff Hull reviewed the site plans and found no issues that would affect fire department safety concerns.

Public Works - Plans were by Engineering Technician Matt Ruelle and Fleis and VandenBrink Engineer Todd Richter. After reviewing the plans for grading and stormwater, they were found to not be in compliance with the City's Ordinances. The current overflow for the pond is an outlet into the driveway; and excess water would flow into Clark Street and down to Perry Ave. Their recommendation is that the plans should not be approved unless a controlled outlet is provided from the retention pond, and not to use the driveway as the overflow site.

Zoning – Plans were reviewed by the Neighborhood Services Director with regard to the Zoning Ordinance. The plans were found to be in compliance with the Zoning Ordinance as regards setbacks, parking, and lighting. Regarding landscaping, the project has the required number of canopy trees for the parking lot, however it does not demonstration that it meets the greenbelt requirements found in Sections 8.3:3 and 8.6 of the Zoning Ordinance.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to insure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends conditional approval of the Site Plan Review Application for a new parking lot at 804 Clark Street (PIN 17-15-435-004 and 17-15-435-010), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance, provided the project is amended to meet the Stormwater Ordinance and that additional landscaping is included to meet the greenbelt requirements.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Approval with Conditions, or Denial. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application.

“I move that the Site Plan Review Application for a new parking lot at 804 Clark Street (PIN 17-15-435-004 and 17-15-435-010) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions.

“I move that the Site Plan Review Application for a new parking lot at 804 Clark Street (PIN 17-15-435-004 and 17-15-435-010) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here. Could include items like requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, or moving features out of the fire lane, among others).*

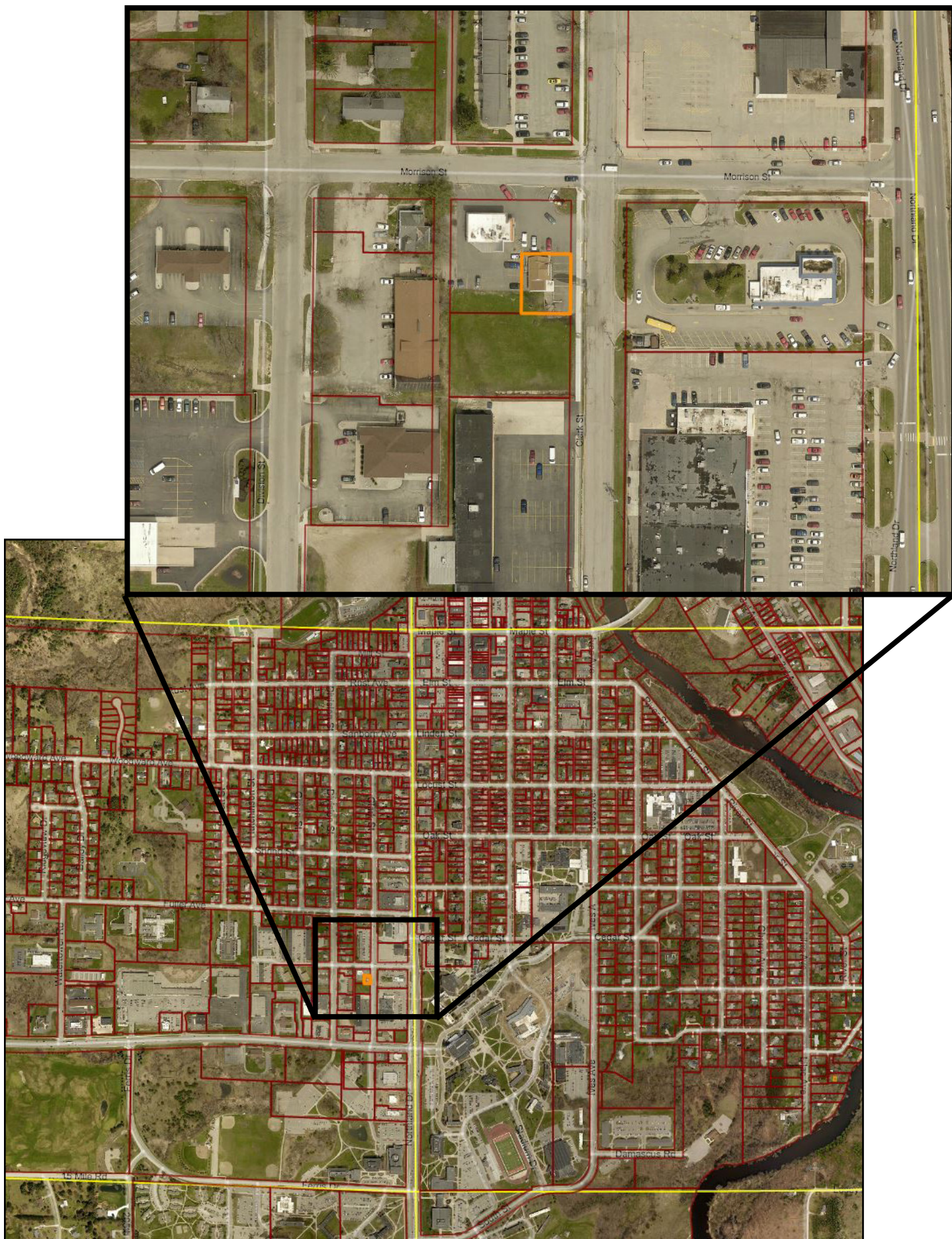
A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Site Plan Review Application for a new parking lot at 804 Clark Street (PIN 17-15-435-004 and 17-15-435-010) because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

Location Maps



Aerial Imagery







**CITY OF BIG RAPIDS
SITE PLAN REVIEW APPLICATION**

APPLICANT NAME: 804 Clark St Investments, LLC

APPLICANT ADDRESS: 35 West Long Lake Road, Bloomfield Hills, MI 48304

APPLICANT PHONE NUMBER: 248-289-1229 **FAX NUMBER:** _____

PROJECT TITLE: Clark Street Provisional Center

PROJECT ADDRESS/LOCATION: 804 Clark Street, Big Rapids, MI

SUBJECT PROPERTY OWNER: 8014 Clark St Investments, LLC

LEGAL DESCRIPTION OF PROPERTY (attach separate sheet)

SUBJECT PROPERTY ZONING: C-3 **SITE SIZE (ACRES):** 0.42

LIST ALL REQUIRED STATE AND FEDERAL PERMITS ON SEPARATE SHEET

In compliance with Section 9.4 of the City of Big Rapids Zoning Ordinance, twelve copies of a complete proposed site plan must be submitted to the Department of Neighborhood Services, a minimum of twenty days prior to the Plan Board hearing date. Failure to submit complete plans, a completed application form and filing fee may result in the site plan review hearing being delayed.

SITE PLAN INFORMATION REQUIREMENTS

TWELVE COPIES (12) of the proposed site plan, drawn on 24" x 36" paper

SCALE OF 1" = 20' for sites up to three acres and **1" = 100'** for sites over three acres

LEGEND including north arrow, scale, date of preparation and name, address and telephone number of individual or firm preparing the plan

SEAL of professional architect, engineer or surveyor preparing the plan

LOCATION MAP indicating relationship of the site to surrounding land use

LOT LINES together with dimensions, angles and size correlated with the legal description, which is tied to existing monumentation

TOPOGRAPHY of the site in two foot contour intervals

NATURAL FEATURES such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar items

MAN MADE FEATURES within 100 feet of the site

BUILDING SIZE, height, finish floor and grade line elevations, yard setbacks and square footage. Front, side and rear elevations drawings of proposed structures.

FLOOR PLAN of structures showing existing and proposed uses (used to verify gross vs. usable floor areas and principal vs. accessory uses).

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PARKING SPACES, location, size and number, service lanes, delivery and loading areas

CROSS SECTIONS illustrating construction of drives and parking areas

LANDSCAPING, together with open spaces, screening, fences, walls and proposed alterations of topography or other natural features.

SERVICE DEMANDS from the community to support proposed operations on the site

EARTH CHANGE plans required by State law

SITE LIGHTING including location, intensity and orientation

SURFACE WATER DRAINAGE

UTILITY LOCATION and size for sanitary sewer, water, storm sewer, natural gas, electricity, telephone, coaxial cable, fiber optic, etc.

FIRE LANES

OUTDOOR STORAGE

TRASH RECEPTACLES

HAZARDOUS MATERIAL storage facilities, including type, quantity, location and secondary containment provisions

OTHER INFORMATION as required by the Plan Board

DIGITAL COPY submitted in an AutoCAD compatible format

SITE PLAN REVIEW FEE \$200

I have read the requirements of submittal and review of a site plan by the City of Big Rapids Plan Board and attest that the provided site plan is complete:

Oudia Abdulnoor

Key: 97bcd0ec233e03494cc53d2c7bb54b55

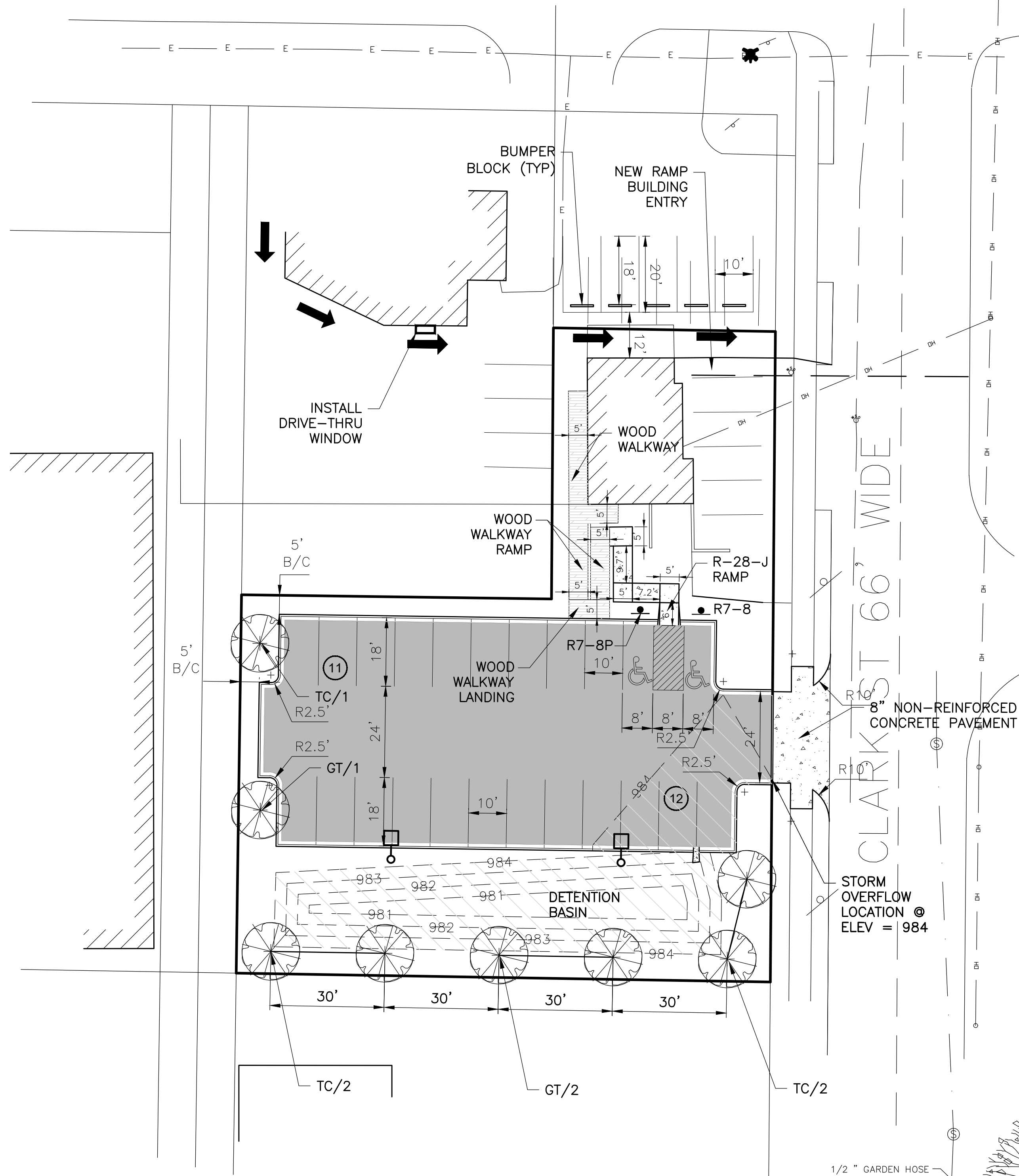
Applicant Signature

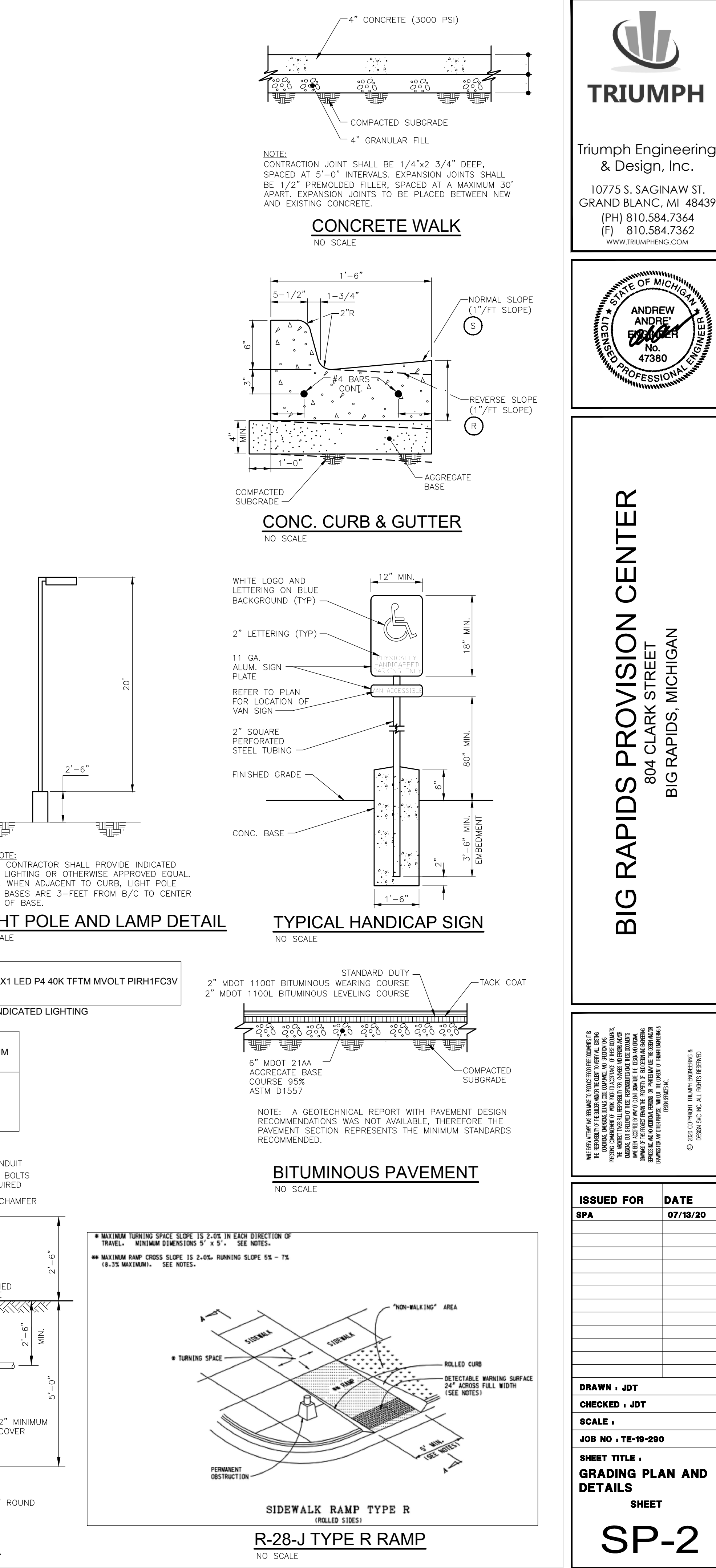
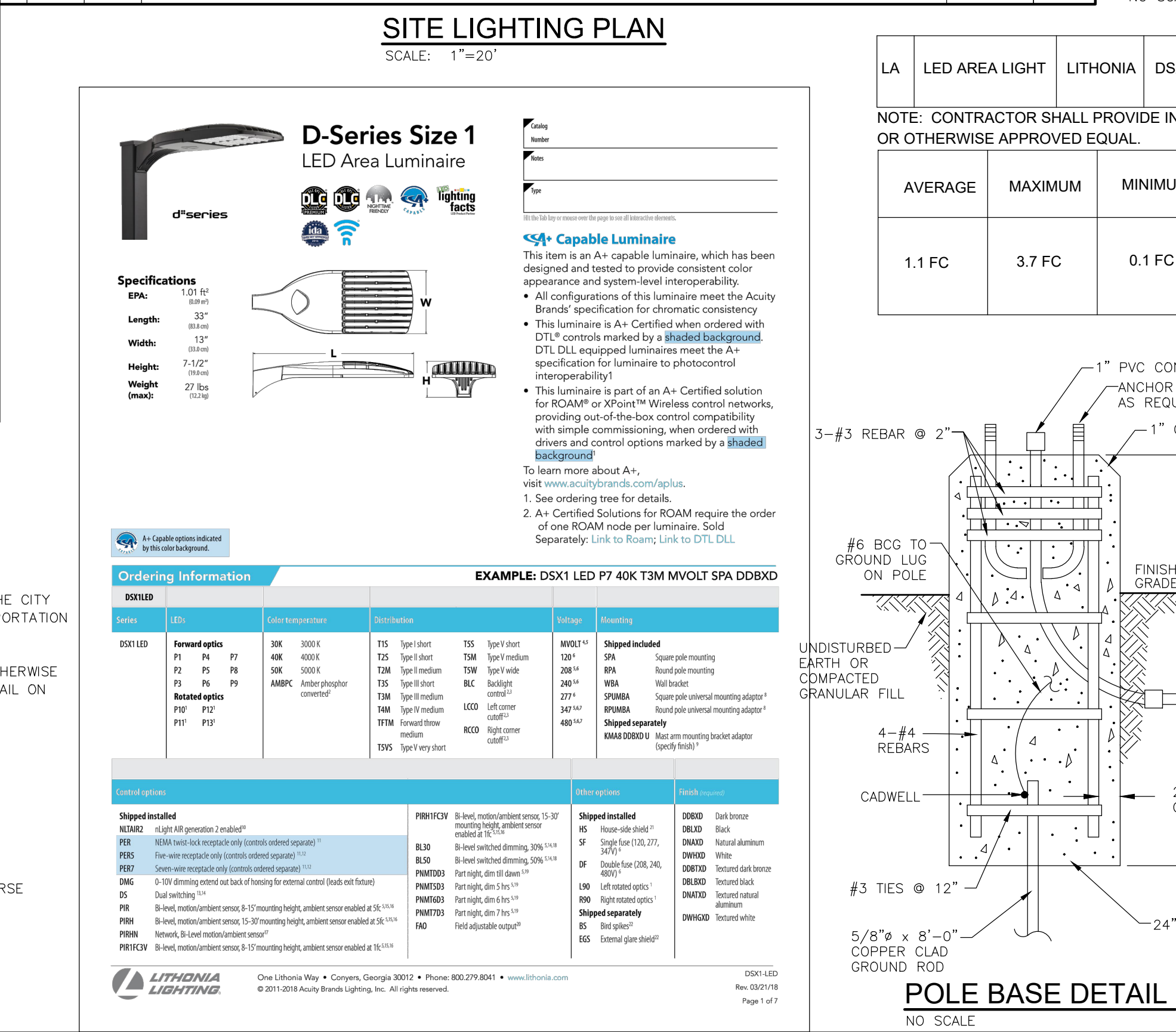
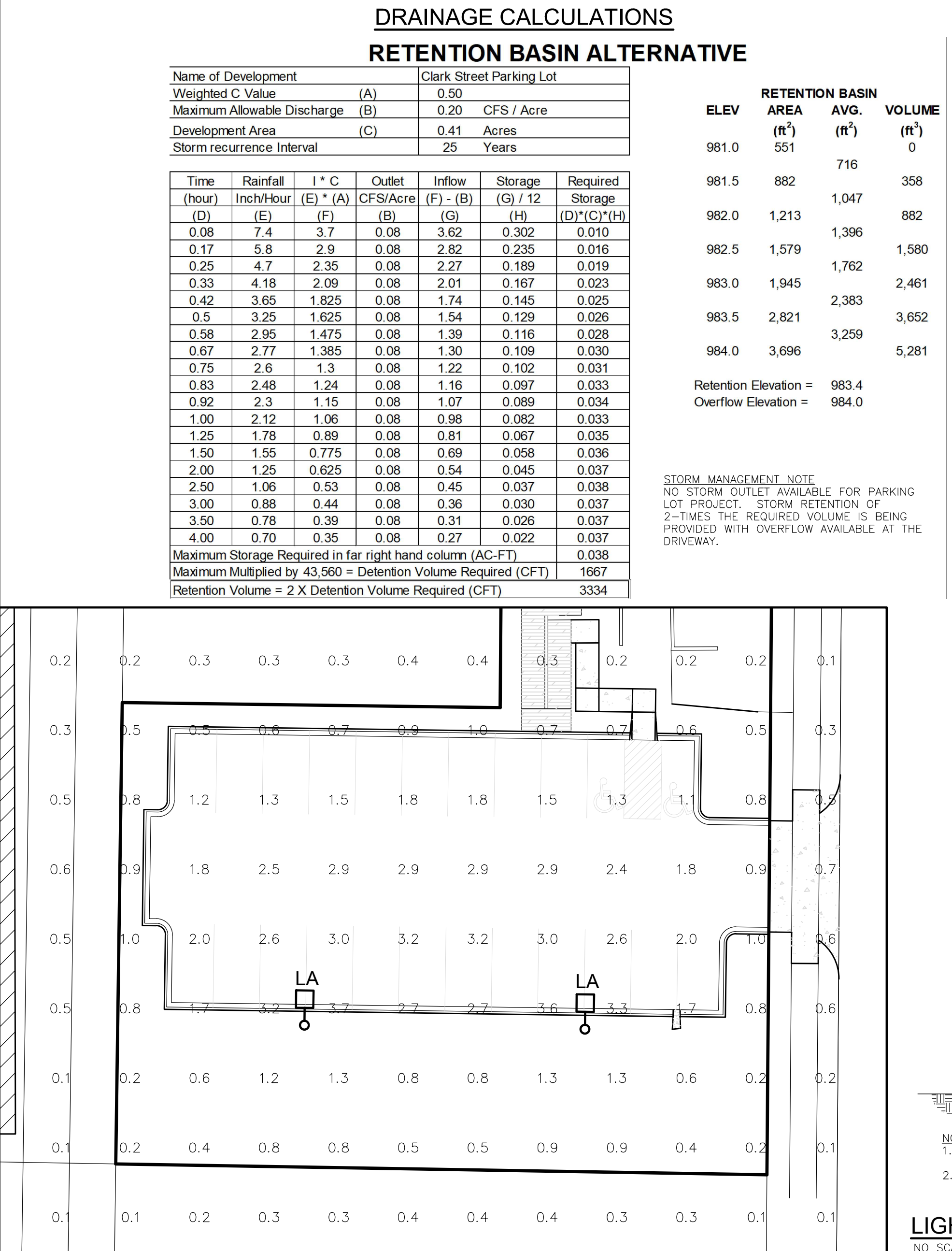
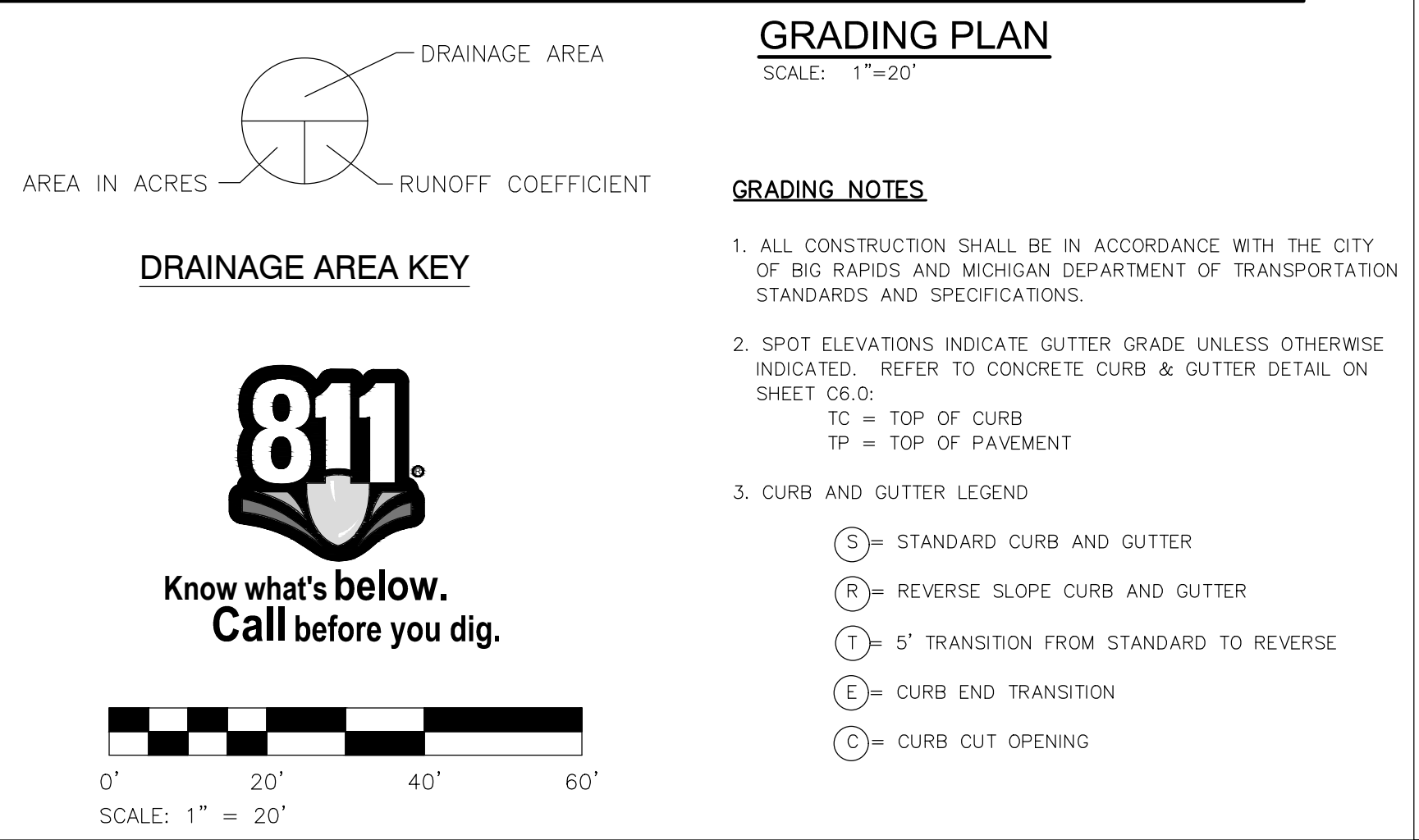
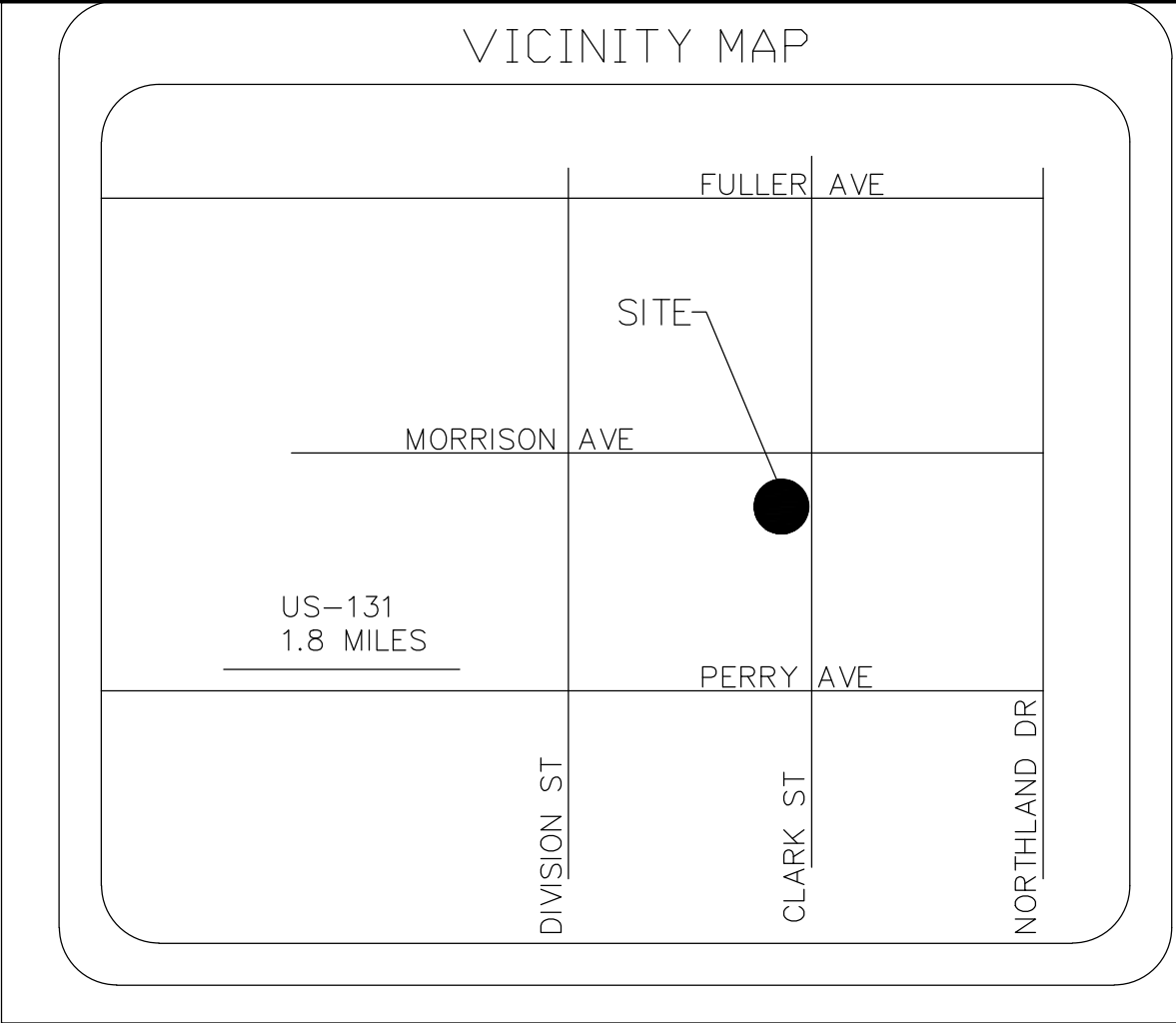
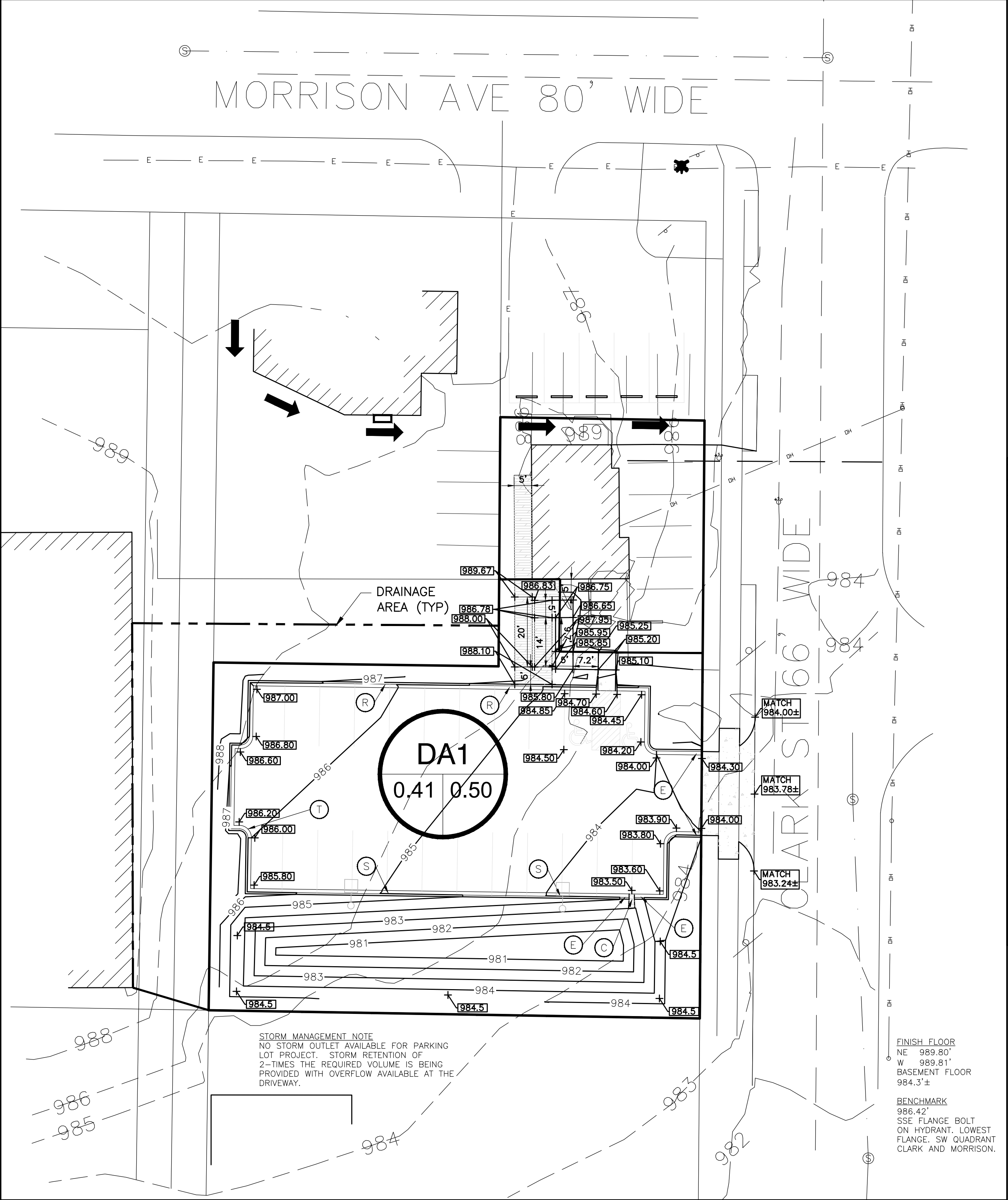
07/16/2020

Date

MORRISON AVE 80' WIDE

MORRISON AVE 80' WIDE





Planning Commission

Regular Meeting

Big Rapids City Hall
226 N Michigan Ave

September 16, 2020
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. July 15, 2020 - Regular Meeting
 - b. August 5, 2020 - Special Meeting
5. Public Comment
6. Public Hearing
7. General Business
 - a. Redevelopment Ready Communities (RRC) – Progress Report
and Next Steps
 - b. Housing Study Report discussion
8. Unscheduled Business
9. Adjourn

CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
July 15 2020
Unapproved

Chair Jane called the July 15, 2020, regular meeting of the Planning Commission to order at 6:34 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Megan Eppley, Paul Jackson, Chris Jane, Rory Ruddick, Karen Simmon, and Bill Yontz

EXCUSED none

ABSENT none

ALSO PRESENT Paula Priebe, Neighborhood Services Director
Tamyra Gillis, City Clerk

There were 4 audience members.

APPROVAL OF MINUTES

Motion was made by Bill Yontz, seconded by Paul Jackson, to approve the minutes of the May 20, 2020, meeting of the Planning Commission as presented, with no changes.
Motion passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

Special Land Use Permit for a Home Occupation at 808 Chestnut Street.

The Public Hearing was opened at 6:32PM.

Priebe stated that Applicant Jennifer Dowell applied for a Special Land Use Permit for a Home Occupation at her home at 808 Chestnut Street. She intends to open a one-chair nail salon in a room in the home. Priebe explained the process and procedure for a Special Land Use Permit and for a Home Occupation in a Residential District.

Staff recommends approval of the Special Land Use Permit Application for a Home Occupation at 808 Chestnut Street, as it meets the Standards set in Section 10.3:8 and Section 11.1:10 of the Zoning Ordinance.

Ms. Jennifer Dowell, the Applicant, spoke about her plans for the nail salon in a single room in her residence. She stated that her intent is to continue her nail business from her home instead of a full salon for two reasons: safety concerns due to the COVID-19 pandemic and a wish to be home more and closer to her two young children. There will be no signs advertising the business; she has a strong clientele and relies solely on word-of-mouth to gain new clients.

No members of the public were present to speak for or against the Application.

Several items of written or telephonic communication were received by staff. Three neighbors called to learn more and expressed they were ok with the business. Staff also received a written petition signed by 15 neighbors expressing their position against the business; the Petition is attached to the minutes. One of the petitions later emailed staff to rescind their signature and said they had no issue with the business.

The Public Hearing was closed at 6:45PM.

The fact finding discussion ensued regarding the following topics:

- Would additional traffic be a concern? Ms. Dowell said she will have one client at a time and that there is adequate parking in her driveway for that individual to park their vehicle.
- The Petition mentioned a deed restriction. Staff explained the details and how the property covered by that restriction did not include 808 Chestnut Street.
- Commissioners asked about precedents. Staff explained the history of home occupations in the R-1 District and the facts of previous approved cases such as one-hair hair salons and a therapist office.

Motion

Motion was made by Bill Yontz, seconded by Karen Simmon, that the Special Land Use Permit Application for a Home Occupation at 808 Chestnut Street (PIN 17-14-259-007) be recommended to the City Commission for approval, because it meets the standards set in Section 10.3:8 of the Zoning Ordinance.

Motion passed with Paul Jackson, Chris Jane, Rory Ruddick, Karen Simmon, Bill Yontz, and Megan Eppley in favor.

Site Plan Amendment for a second driveway at 730 Water Tower Road.

The Public Hearing was opened at 6:50PM.

Priebe stated that Applicant Kathy Sather and Baldwin Family Health Care applied for a Site Plan Review for a second driveway at 730 Water Tower Road. The Applicant received a Special Land Use to operate a health clinic in the R-2 District in 2019 and have since opened their offices. To improve access to the site, they wish to construct a second driveway, providing access to the parking lot off Fuller Avenue.

Priebe provided an overview of the Site Plan and the staff comments. The Public Safety and Zoning Reviews found no concerns. The Public Works review found the plans to not conform to the City's Stormwater Control and Management Ordinance, but rather that stormwater from the new impervious surface would run off the site and onto Fuller Avenue and neighboring properties. Thus, staff recommends denial of the Site Plan Review Application for a second driveway at 730 Water Tower Road (PIN 17-15-300-003), as it fails to meet the Criteria for Review found in Section 9.6.6 of the Zoning Ordinance, specifically the requirement to conform to Chapter 55 of the City Code of Ordinances, which is the Stormwater Control and Management Ordinance.

Ms. Kaye Ingles of Mid-Michigan Engineering, spoke on behalf of the Applicant, acknowledged the stormwater concern, and outlined a proposed modification to the Site Plan which would include one or two 4' diameter leach basins to collect the water on site.

There was no public comment on this topic. No written or telephonic communication was received by staff.

The Public Hearing was closed at 6:56PM.

The fact finding discussion ensued covering the following topics:

- Why doesn't the Applicant connect to the City's stormwater sewer network? The City does not have a stormwater sewer line in Fuller Avenue. The only way for the project to meet the Ordinance is to retain the stormwater on site.
- Concern regarding the lack of public comment. Staff explained the public notices that went out to all property owners within 300' of the site, as well as in the Big Rapids Pioneer Newspaper and at the City Hall building. Several public comments were received when this site received a Special Land Use permit in 2019.

Motion

Motion was made by Bill Yontz, seconded by Paul Jackson, that the Site Plan Review Application for a second driveway at 730 Water Tower Road (PIN 17-15-300-003), be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.

Further, revised, dated site plans and documents showing stormwater retention on site that meets the City's Stormwater Control and Management Ordinance should be presented to staff for administrative approval within 60 days.

Motion passed with Rory Ruddick, Karen Simmon, Bill Yontz, Megan Eppley, Paul Jackson, and Chris Jane in favor.

Site Plan Amendment for a new Commercial Building at 702 Perry Avenue.

The Public Hearing was opened at 7:02PM.

Priebe stated that Applicant Kevin McFadden and RAIR Systems applied for a Site Plan Review for a new commercial building at 702 Perry Avenue. The Applicant has a long-term land lease with the owners of the Dunham's Sports building and intend to construct a new retail building for their marihuana business.

Priebe provided an overview of the Site Plan and the criteria for review of a Site Plan Review Application. On summary of the staff reviews, the Building Official, Public Safety, Public Works, and Zoning Reviews found no concerns. Thus, staff recommends approval of the Site Plan Review Application for a new commercial building at 702 Perry Avenue (PIN 17-15-400-017), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance.

Mr. Patrick Frakes of RAIR Systems, spoke on behalf of the Applicant. He explained that this new almost 4,000 sq. ft. commercial development would be upscale. Their company is in real estate development, with over 1,000 buildings across the country. He also articulated their company philosophy regarding being a marihuana business that is invested in the community and prioritizes education and safety in the consumption of cannabis.

There was no public comment on this topic. Staff received two phone calls about this project from nearby properties; both wanted to know more about the project and said they had no concerns about the new development.

The Public Hearing was closed at 7:15.

The fact finding discussion ensued covering the following topics:

- What would the development timeline be? Mr. Frakes stated that they would hope to begin as soon as all approvals are complete, with a goal of the store being open within 12 months.
- The Commission asked about the company's other marihuana stores around Michigan. Mr. Frakes said that they are expanding into five locations in West Michigan, including Big Rapids and Reed City. They have an aeroponic growing operation in Jackson.

- How much traffic will the shop generate and will it affect the traffic on Perry Avenue. Due to the high volumes of traffic on Perry Avenue, staff found in their review that the additional traffic to this site will not significantly affect traffic on Perry Avenue.
- Commissioners also expressed concern over traffic flows within the larger, multi-parcel parking lot when the new building is developed, but discussed that this valid concern is not pertinent to the approval of this project.

Motion

Motion was made by Bill Yontz, seconded by Rory Ruddick, that the Site Plan Review Application for a new commercial building at 702 Perry Avenue (PIN 17-15-400-017) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.

Motion passed with Karen Simmon, Bill Yontz, Megan Eppley, Paul Jackson, Chris Jane, and Rory Ruddick in favor.

Zoning Ordinance Amendment to Add Bicycle Parking Regulations to Article 5

The Public Hearing was opened at 7:23PM.

Priebe summarized the staff report, noting the work done on this topic in November 2019 as well as January and May 2020 and that after those previous conversations, we have reached the time to amend the Ordinance. The draft text (see below) was reviewed and discussed.

Add the new section below to Article 5: Off-Street Parking and Loading

5.7:2 Bicycle Parking

- (1) Recommended Spaces. Any development requiring motor vehicle parking spaces is encouraged to provide bicycle parking. Off-street parking areas are recommended to contain at least one (1) bicycle parking space for every number ten (10) spaces provided for motor vehicles, or fraction thereof, with a minimum of two (2) and a maximum of twelve (12) bicycle parking space provided.
- (2) Location. Bicycle parking for commercial, multi-family residential, and mixed-uses shall be conveniently located within 50 feet of building entry points and shall not conflict with pedestrian travel. Bicycle parking areas must be visible to the public and have adequate lighting to facilitate nighttime use.
- (3) Facility Type: Bicycle parking shall consist of “inverted U” or “post and ring” style racks which meet the Performance Criteria for Bike Parking Racks in the 2nd Edition of the Association of Pedestrian and Bicycle Professionals’ Essentials of

Bicycle Parking. The bicycle parking rack must be anchored to the ground and shall allow the bicycle wheel and frame to be locked to the bicycle rack.

- (4) Facility Size: Each bicycle parking space shall accommodate a bicycle at least six feet in length and two feet wide. Bicycle racks shall be installed no closer than two feet from a wall or motor vehicle parking space.
- (5) Maintenance. The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud, debris, ice and snow.
- (6) Offset of Required Off-Street Parking Spaces. The Zoning Administrator shall, upon request of the developer, permit a reduction of required motor vehicle parking by up to 20% given that one (1) on-site bicycle parking space, above the recommended spaces and meeting the Ordinance recommendations, is provided for each motor vehicle parking space removed.

There was no public comment on this topic. No written or telephonic communication was received by staff.

The Public Hearing was Closed at 7:30PM.

The fact finding discussion included the following topics:

- Mr. Jackson expressed concern that the Ordinance would not be enforceable due to the language in (1) about recommending and encouraging rather than requiring bicycle parking. This was a topic of conversation in the previous meetings and some Commissions had wanted to take an incremental approach, beginning with recommendations and moving to requirements in a few years. The Commission decided to change the language to requirements.
- Is this an RRC requirement? Staff explained that providing bicycle parking regulations and an provision to offset off-street vehicle parking are both changes recommended by the RRC process.

Motion

Motion was made by Karen Simmon, seconded by Bill Yontz, to recommend that the Zoning Ordinance Text Amendment to add bicycle parking regulations to a new Section 5.7:2 of the Zoning Ordinance be adopted, with the changes noted below, by the City Commission, because it meets all of the Standards for Review set in Section 14.2:4 of the Zoning Ordinance.

*5.7:2 (1) ~~Recommended~~ **Required** Spaces. Any development requiring motor vehicle parking spaces is ~~encouraged~~ **required** to provide bicycle parking.*

The rest of the draft ordinance continues unchanged.

Motion passed with Bill Yontz, Megan Eppley, Paul Jackson, Chris Jane, Rory Ruddick, and Karen Simmon in favor.

GENERAL BUSINESS

Nisbett-Fairman Residences – MSHDA Preservation

This item was taken off the agenda due to a change in requirements from the Housing Commission for project approvals.

UNSCHEDULED BUSINESS

Priebe explained that the City received a Site Plan Review Application for a new parking lot at 804 Clark Street and that the Applicants are requesting a special meeting of the Planning Commission before the next regularly scheduled meeting on August 19, 2020 in order to meet their project timelines. The Applicants are requesting the meeting be held on Wednesday, August 5, 2020. Priebe asked if the Commissioner would be able to attend. With four being able to attend and a quorum being met, the meeting will go forward. Priebe will send out more information about that shortly.

There being no further business, Chair Jane adjourned the meeting at 7:45PM with all in favor.

Respectfully submitted,

Tamyra Gillis
City Clerk and Acting Planning Commission Secretary

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
SPECIAL MEETING**

August 5, 2020

Unapproved

Chair Jane called the August 05, 2020, Special Meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Megan Eppley, Paul Jackson, Chris Jane, Rory Ruddick, Karen Simmon, and Bill Yontz

EXCUSED none

ABSENT none

ALSO PRESENT Paula Priebe, Neighborhood Services Director

There were 3 audience members.

APPROVAL OF MINUTES None

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

Site Plan Review for a New Parking Lot at 804 Clark St

The Public Hearing was opened at 6:32PM.

Priebe stated that Applicant 804 Clark St Investments LLC applied for a Site Plan Review for a new parking lot at 804 Clark St. The Applicant is currently renovating the existing building into a marihuana retail store and intend to develop a new parking lot on the vacant lot to the south to support the use of the building.

Priebe provided an overview of the Site Plan and the staff comments.

- The Public Safety review found no concerns.

- The Zoning review flagged a deficiency in that the landscaping does not meet the Ordinance regarding greenbelt requirements. Enough canopy trees are provided, however additional landscaping will be needed along Clark St.
- The Public Works review found the plans to not conform to the City's Stormwater Control and Management Ordinance as the Detention Basin does not have a controlled outlet and any overflow would run into Clark St.

Thus, staff recommends Approval with Conditions of the Site Plan Review Application for a new parking lot at 804 Clark St (PIN 17-15-435-004 and 17-15-435-010), because with additions of required landscaping and a controlled stormwater outlet the Plans meet the Criteria for Review found in Section 9.6.6 of the Zoning Ordinance.

Mr. Andy Andre, of Triumph Engineering and Design, spoke on behalf of the Applicant. He explained that they will add the additional landscaping along Clark Street. Regarding the stormwater concern, he noted the unique feature of the site in that there is no storm sewer line in Clark St, which limits the ability to include a controlled outlet. As a creative approach to solve this problem, they ensured that the detention basin has more than twice the required volume of storage capacity.

There was one public comment on this topic: Ms. Pat Katy, Manager of Great Lakes Office, the property immediately to the south of 804 Clark St, expressed concern about the stormwater impacts of the parking lot. She noted that water flows to the southeast over the block and has flooded her building in the past. She likes the detention pond but is worried that it is not enough.

Additionally, Staff received one phone call about this project from a City resident, Mr. Ed Deming of 223 S DeKrafft Ave. He was concerned that another marihuana shop was coming to Big Rapids; he did not have any comments about the new parking lot facility.

The Public Hearing was closed at 6:58.

The Fact Finding discussion ensued covering the following topics:

- The City is about to begin a watermain project on Clark St; could the Applicant use this opportunity to run a storm sewer line to Perry Ave and tie into the sewer there? The Perry Ave storm sewer is owned and operated by MDOT and this would require MDOT approval. The timing is also difficult, as the City's project will begin within the month and MDOT approval can take months.
- How will the changes to the Little Caesar's parking lot affect this project? The new Pick Up Window and Lane for Little Caesar's will add another curb cut to Clark St. There was discussion about the adjacent parking at 804 Clark St and whether some should be removed for pedestrian safety concerns. The Applicant said this is possible, although they request that two spaces to the south be retained, as they provide loading space to the basement of the building.
- Why is the lot so big? The Applicant noted that this parking lot will serve both the customers and employees of the new business.

- What additional landscaping does the Zoning review need? Staff explained the greenbelt landscaping requirement and that additional landscaping is required along Clark St, to either side of the drive lane, to screen the parking from the street.

Motion

Motion was made by Bill Yontz, seconded by Paul Jackson, that the Site Plan Review Application for a new parking lot at 804 Clark St (PIN 17-15-435-004 and 17-15-435-010) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to ensure compatibility with adjacent uses of land and to promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need:

- 1. Provide the required greenbelt landscaping along Clark St.*
- 2. Regarding the parking to the east of the building on Clark St, remove all but the southernmost two spaces and replace with greenspace.*

A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.

Motion passed with Paul Jackson, Rory Ruddick, Karen Simmon, Bill Yontz, Megan Eppley, and Chris Jane in favor.

GENERAL BUSINESS None

UNSCHEDULED BUSINESS

Priebe provided an update on last month's Site Plan Review for 730 Water Tower Road. This Site Plan was conditionally approved. Revised site plans were provided to staff, but they did not meet the Ordinance requirements. This Plan has not yet been approved.

Priebe also noted that a new member would be joining the Planning Commission for the regular August meeting, Dr. Kasey Thompson, a faculty member of Ferris State University.

There being no further business, Chair Jane adjourned the meeting at 7:29PM with all in favor.

Respectfully submitted,

Paula Priebe

Neighborhood Services Director and Acting Planning Commission Secretary

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
Emily Szymanski, Planning & Zoning Technician
SUBJECT: Update on Redevelopment Ready Communities Progress
DATE: September 16, 2020

Introduction

In 2017 the City of Big Rapids began the process of becoming “Redevelopment Ready Certified” through the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities program. This is a “voluntary, no-cost certification program designed to promote effective redevelopment strategies through a set of best practices. The program measures and then certifies communities that integrate transparency, predictability and efficiency into their daily development practices. The RRC certification is a formal recognition that your community has a vision for the future – and the fundamental practices in place to get there.”

The MEDC’s website has this to say about why communities should become redevelopment ready:

To be vibrant and competitive, Michigan communities must be ready for development. This involves planning for new investment and reinvestment, identifying assets and opportunities, and focusing limited resources. Certified Redevelopment Ready Communities® attract and retain businesses, offer superior customer service and have a streamlined development approval process making pertinent information available around-the clock for anyone to view.

Report of Findings

After joining the program and sending staff to MEDC Training to learn about the six RRC Best Practices, the first big step in the process is a Self-Evaluation, where City staff looked at current City practices and analyzed how Big Rapids measured up to the Best Practices. RRC staff used that Self Evaluation and their own research to prepare a Report of Findings. Big Rapids received ours in October 2017. This report explains more about the program and provides in depth analysis on the Best Practices the City meets, in working on, and still needs to compete to achieve RRC Certification.

The *attached Evaluation of Best Practices Status – September 2020 chart* compares the City’s Initial status from the Report of Findings with the Updated status as of this month. The table below synthesizes that information into a snapshot of progress made since the Report of Findings. Green means complete, Yellow is in progress, and Red is still to complete.

	October 2017	June 2019	Sept 2020
Green	20	28	229
Yellow	12	6	6
Red	9	7	6
Percent Complete	48%	68%	71%

Way Forward

While progress has been made, there is still a substantial amount of work to be done to achieve RRC Certification. The remaining tasks fall within three categories and are listed below:

1. Zoning Regulations
 - a. Include Form Based Code elements for the Downtown districts.
 - b. Add a second Flexible Parking regulation to the Ordinance for Criteria 2.1.5; we added bicycle parking, but need a second from this list:
 - Reduce or eliminate required parking when on-street parking is available
 - Connections between parking lots.
 - Shared parking agreements.
 - Parking maximums.
 - Parking waivers.
 - Payment in lieu of parking.
 - Reduction in required parking for complementary uses.
2. Redevelopment Ready Sites – Hanchett property + two others
 - a. Note: once we have completed all sections except this one, the RRC Team will assist us to choose redevelopment properties and help us promote them!
3. **Economic Development and Marketing Strategies**

Recently, focus has been given to Best Practice 6.2—Marketing and promotion, which states that this topic, “...evaluates how a community promotes and markets itself. Marketing and branding is an essential tool for promoting a community’s assets and unique attributes”.

Best Practice 6.2 is divided into two sub-sections: (*see attached Best Practice Six info sheet*)

6.2.1: The community has developed a marketing strategy.

- The City has researched other RRC Certified communities in Michigan (Hudsonville, Kalamazoo, Bessemer) to learn best practices and the direction Big Rapids should take when creating the City’s Marketing Strategy.
- Generated a draft (*attached*) Marketing Strategy Summary in accordance to RRC guidelines that is based off the 2020 Strategic Plan.

6.2.2: The community has an updated, user-friendly municipal website.

- All elements required by the RRC certification process are required to be accessible in one place on the City’s website. As items are completed, we have been adding them to the Community Development page of the website. This will be the final element completed, as it cannot be satisfied until all others are finished and posted online.

Input and Questions for Planning Commission

Staff have put together a draft one-page *Marketing Strategies 2020 document* (attached) which is based one of the examples provided by the MEDC's RRC Library.

- Thoughts on current and future Big Rapids statement?
- Any recommended changes

“Big Rapids is a historic small town with a strong sense of community and has a unique intersection between its residents and Ferris State University students. To continue the City’s progress on becoming more of a pedestrian-centered community with a diverse housing market, the 2020 Strategic Plan and its 2024 Vision will guide future development.

Future Big Rapids will be a distinctive community that offers ample opportunities for residents and businesses all while maintaining its small-town charm. The focus will be directed toward development, government, and people. With new sustainable growth, the City will become a livable, attractive community that is focused on connectivity and government services.”

- Table:
 - Is it easy to read?
 - Changes to goals, messages, audience, avenues for communication?
- Other questions:
 - Who should the City work with to improve this document?
 - What responsibility does the City have for marketing?
 - How do we fulfill this responsibility without doubling the efforts made by others in Big Rapids? (CVB, MCDC, etc.)

MEDC Redevelopment Ready Communities: City of Big Rapids

Evaluation of Best Practices Status – September 2020

BP	Description	Initial	Update	Notes on Progress Made
1.1.1	Master Plan			
1.1.2	Downtown Plan			
1.1.3	Corridor Plan	N/A	N/A	
1.1.4	CIP			
1.2.1	Public Participation Plan			Adopted Jan. 2019
1.2.2	Beyond basic public participation			
1.2.3	Share outcomes of public participation			Strategy in Public Particip. Plan
2.1.1	Zoning Ordinance			
2.1.2	Areas of concentrated dev. In ZO			Downtown Form-based Code
2.1.3	Flexible tools in ZO			“New Econ Type Uses” in ZO
2.1.4	ZO allows housing options			
2.1.5	ZO - non-motorized transportation			Bicycle parking, ped lighting, etc.
2.1.6	ZO – flexible parking standards			Parking reductions, max standards
2.1.7	ZO – green infrastructure			
2.1.8	ZO is user friendly			
3.1.1	ZO contains SPR process			
3.1.2	Qualified intake professional			
3.1.3	Offer conceptual SPR meetings			
3.1.4	Strategy for developers to seek input			In Public Participation Plan
3.1.5	Joint department SPRs			
3.1.6	Clear internal staff review policy			
3.1.7	Acts promptly on development requests			
3.1.8	Method to track development projects			
3.1.9	Annual review of SPR procedures			2018 Annual Review conducted
3.2.1	Guide to Development, online			
3.2.2	Annual review of fee schedule			
4.1.1	Expectations of boards/commissions			Updated forms online
4.1.2	Orientation packets to boards/coms			
4.2.1	Dedicated funding for training			
4.2.2	Method to ID training needs, track			Tracking spreadsheet created
4.2.3	Encourage boards to attend training			
4.2.4	Work together between boards			Joint meetings scheduled for 2019
5.1.1	ID 3 redevelopment sites,			Need 2+ more sites
5.1.2	Basic info on 3 sites			Need sites and template
5.1.3	Community vision for 3 sites			Need sites
5.1.4	ID potential resources/incentives			Draft Incentives document
5.1.5	PIP for one site			Hanchett PIP in progress
5.1.6	Market redevelopment sites online			Need sites and PIP to market
6.1.1	Economic development strategy			Work with MCDC on this
6.1.2	Annual review of ED Strategy			Need ED Strategy to review
6.2.1	Formal marketing strategy			Work with CVB? Start from zero?
6.2.2	Update website with all RRC stuff			Continue to add to City website

Start: 20/12/9 of 41; 48% complete

June 2019: 28/6/7 of 41; 68% complete

Sept 2020: 29/6/6 of 41; 71% complete

Certification Goal: June 2021

Best Practice Six: Community prosperity

6.2—MARKETING AND PROMOTION

Best practice 6.2 assesses how a community promotes and markets itself to create community pride and increase investor confidence. It also evaluates the ease of locating pertinent planning, zoning and economic development documents on the community's website.

Community marketing and promotion can take many forms. Communities must develop a positive, promotional strategy through marketing campaigns,

advertising and special events to encourage investment. Marketing campaigns can assist with sharing the established community vision, values and goals.

Developing a brand to promote a consistent identity can position a community for future success. A community's website is an important marketing tool and must be well-designed to provide information to the public and build a positive image.

EVALUATION CRITERIA 6.2.1

The community has developed a marketing strategy.

EXPECTATIONS

- ☐ The marketing strategy identifies opportunities and outlines specific steps to attract businesses, consumers and real estate development to the community.
- ☐ The marketing strategy strives to create or strengthen an image for the community.
- ☐ The marketing strategy identifies approaches to market priority development sites.
- ☐ The community coordinates marketing efforts with local, regional and state partners.

EVALUATION CRITERIA 6.2.2

The community has an updated, user-friendly municipal website.

EXPECTATIONS

- ☐ The community's website is easy to navigate.
- ☐ The community's planning, zoning and development information is grouped together with links to the following:
 - Master plan and amendments
 - Downtown plan
 - Corridor plan
 - Capital improvements plan
 - Zoning ordinance
 - Guide to development
 - Online payment option
 - Partner organizations
 - Board and commission applications
 - Property information packages
 - Economic development strategy

City of Big Rapids
Marketing Strategies 2020 - DRAFT

Big Rapids is a historic small town with a strong sense of community and has a unique intersection between residents and Ferris State University students. To continue the City’s progress on becoming more of a pedestrian-centered community with a diverse housing market, the 2020 Strategic Plan and its 2024 Vision will guide future development.

Future Big Rapids will be a distinctive community that offers ample opportunities for residents and businesses all while maintaining its small-town charm. The focus will be directed toward development, government, and people. With new, sustainable growth, the City will become a livable, attractive community that is focused on connectivity and government services.

GOALS	2020 STRATEGIC PLAN	CORE AUDIENCE	CORE MESSAGES	AVENUES FOR COMMUNICATION	TIME FRAME
Livable Community and Redevelopment Opportunities	<ul style="list-style-type: none"> • Create walkable and bikeable community. • Develop the Depot and Hanchett sites. • Adopt FBC regulations for downtown zoning districts. 	<ul style="list-style-type: none"> • Municipal leadership • Residents, Visitors 	<ul style="list-style-type: none"> • Community is embraced through gatherings and events • Big Rapids is a safe, pedestrian-friendly community. (FBC will help achieve this) 	<ul style="list-style-type: none"> • Newsletter and e-blast • “You’ll love it here” campaign (?) • Social media presence • Online presence includes Development Center and key redevelopment sites 	Ongoing
Attractive to Residents and Businesses	<ul style="list-style-type: none"> • Increase available housing options (missing middle). • Develop renewed vision for rental neighborhoods. • Attract new businesses. 	<ul style="list-style-type: none"> • Residents • Business Owners • Developers 	<ul style="list-style-type: none"> • Re/development is crucial for providing a variety of housing options. • Big Rapids is a good place for your business. 	<ul style="list-style-type: none"> • Missing middle housing advertised on City website • Website page dedicated for why businesses should locate here. • Personal outreach to prospective businesses. 	1-2 Years
Infrastructure (Connected)	<ul style="list-style-type: none"> • Complete streets. • Water and sewer system improvements. • Provide WIFI connection in parks. • Pave last gravel streets. 	<ul style="list-style-type: none"> • Municipal leadership • Developers • Residents, Visitors 	<ul style="list-style-type: none"> • Big Rapids is a well-connected, accessible, walkable and bikeable community. 	<ul style="list-style-type: none"> • Wayfinding will help people navigate between parks & trails and downtown Big Rapids. 	1-2 Years
Government Services (Community Outreach)	<ul style="list-style-type: none"> • Improve communication with the public. • Redevelopment PIPs on City website. • Stronger coordination with other local governments and organizations. 	<ul style="list-style-type: none"> • Municipal leadership • Business Owners • Developers • Residents 	<ul style="list-style-type: none"> • Big Rapids offers a user-friendly website that has important information for residents and developers. • Municipal leadership is well-connected to local governments and organizations. 	<ul style="list-style-type: none"> • Include ways community can get involved on website • Opportunities to connect to local partnerships. 	Ongoing

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Community Development Director
SUBJECT: Housing Market Study – Update
DATE: September 16, 2020

History of the Project

The need to complete a housing study was identified in the 2019 Strategic Plan. Funding for this project was set aside in the 2019-2020 budget. After a Request for Proposals process in October and November 2019, Sharon Woods of Land Use USA was selected as the preferred consultant to undertake this work. They were hired in December 2019 via Resolution No. 19-151.

A Housing Study Steering Committee was put together to work with the Consultant and help guide the process. This group included local elected officials, a local realtor, and representatives from the Housing Commission and major employers such as Ferris State University and Spectrum Health Big Rapids Hospital. This group met twice, first in December 2019 and second in March 2020.

Final Report Presentation

The Steering Committee heard a presentation of the final report at their second meeting in March 2020. This was an opportunity to make a few notes and help refine the document to be as useful as possible for the City.

The Final Report is now available to the public on the City website (link in the sidebar on the Community Development page) and has been provided to City Commissioners for review. The “Narrative Report” summary is provided in this Packet.

Sharon Woods, of Land Use USA, attended the Tuesday, September 8, 2020 meeting of the City Commission, during a Work Session, to give a 10-15 minute presentation summarizing her work and findings. After the presentation, those present engaged in a Q&A session with Sharon and City Staff about the findings of the Study and next steps for how to move the City forward in regard to housing.

Action

No action will be taken on this topic at the September 16 Planning Commission meeting. Staff will give an overview and summary of the document, as the findings presented will be the launching off point for future policy changes and Ordinance amendments. Commissioners are encouraged to review the materials provided and be prepared to engage in discussion about what was learned and how to move forward.

The City of Big Rapids Mecosta County, Michigan Residential Target Market Analysis

September 1, 2020

Final Report

Prepared by:



LandUseUSA
UrbanStrategies

Planning Support:

SMITHGROUP



Photo Courtesy of the City of Big Rapids

Acknowledgements
Residential Target Market Analysis
The City of Big Rapids, Michigan

Introduction – This 2020 Residential Target Market Analysis (TMA) has been commissioned by the City of Big Rapids, located in Mecosta County, Michigan. This narrative focuses on city-wide results, and attached exhibits also provide details for each of five subareas that represent the North, East, Southwest, University, and Southeast neighborhoods. Maps showing the delineation of these neighborhoods are provided in attached Section N.

Contacts – Prospective developers, architects, and lenders are invited to contact LandUseUSA | Urban Strategies directly with any questions regarding the work approach, data sources, methodology, findings, and conclusions. Similarly, city leaders can be contacted directly with any questions regarding its plans or community vision; and its redevelopment process. Questions about the city's master plan, zoning ordinance, and recommended housing typology may also be directed to the city's planning consultant, SmithGroup.

The City of Big Rapids

Mark Gifford, City Manager
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Report Format
Residential Target Market Analysis
The City of Big Rapids, Michigan

Report Format – This narrative report is intentionally designed to be as succinct as possible, and it focuses on key observations and conclusions rather than detailed methodologies, data sources, or analytic approach. Supporting demographics, a real estate analysis, target market profiles, details on 71 nationwide lifestyle clusters, and other market parameters are included among the attachments.

Reading the Exhibits – For readers unfamiliar with the enclosed Infographics, it is recommended that the Table of Contents be reviewed first. Then, the information on each page should be read in this order: main title, graph or chart title, x-axis title and labels, y-axis title and labels, the data shown in the exhibit, the footnote with the data source, and then any summary paragraphs on the page.

Years, Numbers, and Percentages – The years of the data shown in the attached exhibits vary and might include some estimates for the year 2020 and some forecasts for 2025. Depending on each variable, the information might also be reported as actual numbers or as percentages.

Data Correlations – Readers are encouraged to study all of the attached Infographics and strive to draw some conclusions on their own. They are also encouraged to identify direct and indirect relationships between the variables, because many of them are indeed correlated.

For example, renters tend to be younger singles with low-to-moderate incomes, and they are on the move. They also tend to seek attached housing formats (like subdivided houses and lofts) in urban places. In comparison, owners are more likely to be married couples; they have higher household incomes (with two wage earners); and they tend to be relatively settled into traditional houses.

Using the Report – Any number of the enclosed Infographics may be extracted, shuffled, and printed to facilitate meetings and discussions. Developers are also welcome to include a copy of this entire document in loan and/or grant applications. Individual graphs can also be converted into .jpg images, cropped, and inserted into slide presentations. However, we respectfully ask that all extracted Infographics, exhibits, graphs, analytic results, and conclusions be fully credited to LandUseUSA and on behalf of the City of Big Rapids.

Work Approach
Residential Target Market Analysis
The City of Big Rapids, Michigan

The Conclusion – This housing study and market analysis were conducted with a cautious, conservative, and pragmatic view of the City of Big Rapids and its five neighborhoods. We have carefully weighed the evidence and concluded that there is solid and good merit in developing a variety of new housing choices, including some for-sale detached houses, cottages, and accessory dwellings; for-lease urban lofts for students; and other for-lease formats for a diverse mix of other lifestyle clusters moving into and within the city.

Analytic Approach – This housing study has involved quantitative data analysis and the application of empirical models to measure the annual market potential for new-build housing units. The work has also included a conventional supply-demand analysis, real estate analysis, Target Market Analysis (TMA), study of market parameters, and an economic assessment.

Target Market Analysis – The TMA analysis involves a study of lifestyle clusters that are moving into the City of Big Rapids, plus existing households that are moving within the city. Lifestyle cluster data has been used to study movership rates, tenure, and income; and to determine household inclinations to choose for-sale and for-lease units by building size, format, price (value and rent), and size (square feet).

New Builds and Rehabs – This Target Market Analysis and model are based on the known in-migration of new households; plus internal movership among existing households that are moving from one address to another within the city. In-migration alone generates a minimum threshold for the market potential. The two data sets combined (in-migration plus internal movership) collectively represent an aggressive and maximum threshold and market potential.

Caution on the Maximum – Adding internal movers in the market potential is an aggressive approach, and adding any bonuses can amplify the risk. Success with achieving the maximum scenario would depend on the development of new and missing housing formats that are truly unique to the City of Big Rapids; plus aggressive advertisement within the region. It is a bold and riskier approach, so developers are advised to test its limits with caution.

No-Growth Strategies – The analysis of in-migration has not been adjusted for out-migration. It also has not been adjusted downward to assume that all available choices (i.e., vacancies) in the city are absorbed. These types of adjustments could fully offset the market potential and even imply a market surplus. This approach is recommended only for communities that are not interested in growing their total population or number of households.

Michigan's Missing Middle – For additional perspective on statewide trends over the past five years, an article is enclosed near the end of this report (see [Section M](#), attached). It explains the Target Market Analysis methodology, approach, results, and implications from a statewide perspective. Readers interested in learning more about missing middle housing formats are also encouraged to visit the URL at www.MissingMiddleHousing.com

Incremental Development Alliance – Developers interested in small-scale projects and urban infill projects are also encouraged to attend workshops in Michigan conducted by the Incremental Development Alliance. These include a future seminar in South Bend, Indiana (February 24); a workshop in Bay City (February 27); and a lecture in Champaign, Illinois (April 3). A two-day boot-camp is also being organized in the Great Lakes Bay area for May, 2020. Additional information on these events is available online here: www.IncrementalDevelopment.org.

Building Sizes and Formats – This analysis and narrative sometimes refers to building sizes that have been qualitatively translated into building formats – but they are not necessarily the same. For example, a one-unit building could be a cottage, house, or accessory dwelling. Similarly, a three-unit building or “triplex” could be subdivided house, side-by-side townhouses, or stacked lofts over street-front retail.

For the City of Big Rapids, we have allocated the total number of one-unit buildings to both owners and renters. We have assumed that all owners will choose a detached house with a traditional format, if and when they are available. We also recognize that many households (both students and non-students) may be inclined to rent or lease a detached house.

Note: In this study, the market potential among for-sale houses are generally referred to as “detached houses”. The market potential among for-lease houses is unique and may be differentiated as “converted houses” (one unit) and “subdivided houses” (two or more units).

The “Colleges & Cafes” Target Market
Residential Target Market Analysis
The City of Big Rapids, Michigan

On-Campus Students – At least half of all on-campus student populations and most on-campus student households are under-counted by the American Community Survey (ACS), Decennial Census, and Experien Decision Analytics. According to Ferris State University, there were 8,227 students living on its main campus in Big Rapids (see the first page in [Section J](#)). However, the ACS reports only 2,840 city-wide residents living in university group quarters in that same year.

To complicate matters, the survey respondents are also inconsistent in reporting households to the ACS. Depending on the survey respondent, sometimes an entire dormitory building is counted as one household; and other times each dorm within the building is counted (see the detailed list at the bottom of the second page in [Section J](#)). Overall, on-campus student households are grossly under-counted. And as a result, the implied persons per household for the University Neighborhood is skewed and inflated.

Reconciling the reporting methods between both populations and households is challenging if not impossible. Regardless, it is clear that the market potential forecasts for the University Neighborhood (see the seventh page in [Section A-2](#)) are significantly suppressed as a result of the inconsistencies and undercounting of on-campus student households.

Off-Campus Students – Although on-campus students are under-counted by the ACS, off-campus students are fully counted, and most are classified within the “Colleges and Cafes” lifestyle cluster. This lifestyle cluster (or target market) also includes many other households that have close ties or affinities to a college or university. They include university faculty, visiting professors, staff, graduate students, recent alumni, parents of university students (who may or may not be subletting a house to their children and classmates), and the most enthusiastic fans of university sports.

Summary Profile – The attached enclosed exhibits in [Section D-2](#) all focus on lifestyle clusters that are most inclined to be renters; that have high movership rates; are already moving into and within the City of Big Rapids; or they represent bonus target markets. Included is a profile for the “College and University Affiliations” (or “Colleges and Cafes”) target market with a cluster code of O53 (see the fifth page in that same section).

As shown, 83% of this cluster's households are renters and 17% are owners. Based on national averages, the owners tend to have a median household income of about \$40,000 annually, whereas the renters earn only \$19,000 annually. These are medians only, and the actual range may vary considerably.

High Movership Rates – Among the renters, 39% move every year; whereas only 11% of the owners move every year. In other words, a total of 50% move every year ($39\% + 11\% = 50\%$). For perspective, 30% of all renters across the nation move in any given year; whereas only 5% of all owners are on the move (for a total of 35%).

The data is not split out for students and non-students. However, it is reasonably safe to assume that most of the students move every year; whereas the faculty, staff, alumni, and sports enthusiasts are relatively settled and less inclined to move. It is also safe to assume that most of the owners are non-students (although they may be parents of students); and that most of the renters are a combination of students and other transient households like recent alumni and visiting professors.

Preferred Housing Formats – Among all "College & University Affiliation" households (or "Colleges & Cafes") living across the nation, 49% are inclined to choose a detached house; and 11% are inclined to choose a duplex, triplex, or fourplex – and these may include subdivided houses. The remaining 40% are inclined to choose larger building sizes and formats.

The Housing Paradox
Residential Target Market Analysis
The City of Big Rapids, Michigan

The Housing Paradox – The migration of households into Michigan's cities sometimes reveals a housing paradox – it is sometimes difficult to measure the in-migration of target markets when they are not yet moving into our cities. In this study for Big Rapids, the paradox for the City of Big Rapids has been adjusted for by estimating a “bonus” that could be achieved by intercepting households that would otherwise be more inclined to seek housing choices in Big Rapids Township. We also made a similar adjustment or bonus for target markets that seem more inclined to move into other college towns like Mount Pleasant (home of Central Michigan University).

The housing paradox in Big Rapids is most evident when comparing the market potential results between the five neighborhoods. For example, the Southwest Neighborhood has the largest number of off-campus students living in attached lofts and detached houses, and evidenced by the “Colleges and Cafes” lifestyle cluster. In fact, this lifestyle cluster is so prevalent in the Southwest Neighborhood that very few other lifestyle clusters are even evident. Inversely, none of the “Colleges and Cafes” households appear to be living in the East Neighborhood, which is geographically farthest from Ferris State University.

Caution is advised against building new student housing based only on their high movership rates and high levels of in-migration. Instead, the development of new student housing should be designed with the intent of relieving pressure on the existing housing stock, and improving the availability of existing units for the other target markets.

The study of “Colleges and Cafes” in the City of Big Rapids is important for future policy discussions, and it raises a number of questions. For example, should the “Colleges and Cafes” households be distributed more uniformly throughout the city; or should they be concentrated in neighborhoods that are proximate to the university? These and related questions will be vetted during a future Community Meeting that will be scheduled for early spring 2020.

For-Sale Market Potential
Residential Target Market Analysis
The City of Big Rapids, Michigan

Introduction – The following narrative focuses on city-wide results for Big Rapids, and on for-sale detached units first; and then on for-lease detached and attached units. This narrative is also supported by exhibits provided in the attached Section A-1 (Aggressive Scenario); Section A-2 (Conservative Scenario); Section B-1 (Owner Households); and Section B-2 (Renter Households).

Minimum For-Sale Market Potential – Based on the Target Market Analysis and model results, there is a market potential of at least 50 new for-sale houses or cottages in the City of Big Rapids each year. This includes 15 new houses for the “Colleges & Cafes” lifestyle cluster, plus 35 new houses for all of the other target markets (see the first page in attached Section A-2).

Maximum For-Sale Market Potential – For every 50 new buyer households moving into the City of Big Rapids each year, at least 120 existing home owners are also moving from one address to another within the city. In-migration and internal movership collectively generate a market potential of 170 ($50 + 120 = 170$) for-sale units annually (see the first page in attached Section A-1).

However, this does not mean that 170 new houses should be built. To help keep the city's low vacancy rates stable, only 50 new houses should be built and 120 existing houses should be remodeled, rehabbed, or significantly improved for migrating buyers. This is also demonstrated in the summary Table 1, below.

Table 1
The Maximum v. Minimum Scenarios
For-Sale Houses Only
The City of Big Rapids
~ Includes “Colleges and Cafes” ~

Strategies	Market Potential	Based on Migration
Build New Houses	50 households	In-Migration Only (Minimum)
Remodel Existing Houses	<u>120</u> households	Internal Migration Only
New Builds <u>and</u> Remodels	170 households	Total Migration (Maximum)

Developers pursuing new-builds may apply a market share to the minimum scenario with confidence. Developers pursuing rehabs may apply a market share to the maximum scenario, but with a reminder that it also represents the not-to-exceed market threshold.

For-Sale “Bonus” or Upside – There is also a possible “bonus” to the market potential that could add up to ten (10) new-build for-sale houses annually (see the bottom of the third page in [Section B-1](#)). This bonus assumes that land owners and developers are exceptionally successful in attracting home buyers who would otherwise be inclined to move into Big Rapids Township (+5 new detached houses); and into other college towns like Mount Pleasant (+5 new detached houses).

Recommended Formats – Each for-sale unit may be developed as a traditional house designed for one household. Alternatively, it may include an attached or detached accessory dwelling (i.e., a studio or efficiency); or it may be a larger building that has the appearance of a house with an attached “duplex”. Additional accessory dwellings may be detached cottages in back yards or studios above garages.

The property owner (i.e., the home buyer) should occupy the largest unit and may sublet the smaller duplex or accessory dwellings to generate rental income. The accessory dwelling may also be used to provide housing for extended family members, such as a grown child or an aging parent. They should have monthly rents that more than offset the higher mortgage.

The Target Markets – There are eight primary lifestyle clusters or target markets most inclined to buy new-build houses. The largest group is the “Colleges and Cafes” target market (a minimum of 15 new units annually) followed by the “Digital Dependents” (11 new units annually). Some of the smaller targets include the “Infants and Debit Cards” and “Small Town Shallow Pocket” households (the target markets are also shown at the top of the third page in [Section B-1](#)).

Although the “Colleges and Cafes” target market generates the largest share of the market potential among for-sale traditional houses, 83% of these households are actually more inclined to be renters; and 49% are actually more inclined to choose a building that is larger than a duplex. Therefore, the profile for this target market is provided in [Section D-2](#) (renters). The profiles for the other owner target markets are provided in [Section D-1](#).

Price Tolerances – The figures above assume that the price tolerances of new households are met – including those seeking houses with low prices. However, of the 170 new owners migrating into and within the City of Big Rapids each year, only half of them will tolerate prices of \$150,000 or more; and less than 10% of them will tolerate prices of \$200,000 or more (see the first page in [Section B-1](#)). The owner target markets are also listed in [Table 2](#) on the following page.

Table 2
Eight Primary Target Markets
For-Sale Houses, Excluding Accessory Dwellings
The City of Big Rapids
~ Includes "Colleges and Cafes" ~

	Annual Market Potential		Minimum
	Minimum	Maximum	Home Value
L42 Rooted Flower Power	2 units	7 units	\$225,000
N46 True Grit Americans	4 units	14 units	\$175,000
O51 Digital Dependents	11 units	37 units	\$150,000
O53 Colleges & Cafes	15 units	45 units	\$125,000
M45 Infants & Debit Cards	5 units	17 units	\$125,000
Q64 Town Elders	2 units	7 units	\$125,000
S68 Small Town Pockets	5 units	17 units	\$100,000
Q65 Senior Discounts	2 units	7 units	\$100,000
All Other Lifestyle Clusters	<u>4 units</u>	<u>19 units</u>	\$100,000
Total	50 units	170 units	...

Details on the price per square foot and total price are also shown in attached Section B-1 (see the second page in that section). All values are shown for the primary house only, and excluding the additional value of an accessory dwelling. Houses with sublet duplexes or accessory dwellings should have additional price premiums.

Recommended House Sizes – To ensure that the prices are attainably and tolerably priced, the square footages of the main houses should be compact and small. If a new house is built without an attached duplex or accessory dwelling, then it could be as small as 850 square feet but no larger than 1,650 square feet.

The peak price per square foot would be \$150 for new houses (excluding accessory dwellings). Most of the new units should be expected to sell for \$125 to \$150 per square foot. (Note: See also the Real Estate Analysis in Section E-1 attached to this report).

Many of the migrating owners will be disinclined to tolerate new home values above \$150,000. Due to the high and increasing costs of materials and labor, it can be difficult (if not impossible) for developers to build new for-sale houses with such low values.

To manage costs, prospective developers could consider building pre-fabricated homes, duplex patio homes, and cottages to help offset rising labor and material costs. Again, sublet units like duplexes and accessory dwellings would also enable new home buyers to generate rental income that helps offset some of the mortgage.

Caution on Prices – The for-sale prices are intended only as benchmarks and should not be used as the sole basis for planning, locating, building, or developing site-specific projects. Each unique project should be supported by a detailed cost-benefit, profit, and pro forma analyses that carefully considers its location, views, and proximity to city amenities; land configuration and terrain; surrounding land uses; access and walkability; project design and architecture; and related considerations.

For-Lease Market Potential
Residential Target Market Analysis
The City of Big Rapids, Michigan

Introduction – The annual market potential described in the previous section of this report focused on for-sale new-build houses only, with or without attached accessory dwellings or sublet duplexes. This next section focuses on for-lease new-builds in attached formats, including subdivided houses, accessory dwellings, townhomes, and urban lofts.

Minimum For-Lease Market Potential – Based on the number of new renters moving into the City of Big Rapids each year, there is a minimum market potential for 170 new for-lease attached units annually (see the bottom of the first page in Section A-2, attached). In addition, there is a minimum market potential for 155 new detached for-lease units annually. Note: These figures exclude the “Colleges and Cafes” target market households.

Maximum For-Lease Market Potential – In addition to in-migration by new renters, there is an even larger number of existing renters who are moving from one address to another within the City of Big Rapids. This internal movership generates a market potential of 180 attached units annually for all except the “Colleges and Cafes” target markets.

The combination of in-migration and internal migration generates a maximum market potential for 350 attached new for-lease units annually (see the bottom of the first page in Section A-1). A summary of the two scenarios is also shown in Table 3, below.

Table 3
The Maximum v. Minimum Scenarios
For-Lease Attached Lofts and Townhouses
The City of Big Rapids
~ Excludes “Colleges and Cafes” ~

Strategies	Market Potential	Based on Migration
New Lofts, Townhouses	170 households	In-Migration Only (Minimum)
Rehab Existing Rentals	<u>180</u> households	Internal Migration Only
New Builds <u>and</u> Rehabs	350 households	Total Migration (Maximum)

Again, developers pursuing new-builds townhouses and lofts may apply a market share to the minimum scenario with confidence. Developers pursuing rehabs may apply a market share to the maximum scenario, but with a reminder that it also represents a not-to-exceed threshold.

For-Lease “Bonus” or Upside – There is also a possible “bonus” to the market potential that could add up to sixty (60) new-build for-lease units annually (see the bottom of the third page in [Section B-2](#)). Again, this bonus assumes that land owners and developers are exceptionally successful in attracting home buyers who would otherwise be inclined to move into Big Rapids Township (+30 new attached units); and into other college towns like Mount Pleasant (+30 new attached units).

Recommended Formats – Each of the attached for-lease units may be developed as a loft or townhouse intended for one household. The detached units may include a combination of small cottages and accessory dwellings that are added onto traditional houses as suites, behind the houses as small cottages, or added above garages as studios. Again, the property owner (i.e., the home buyer) should occupy the largest unit and may sublet the smaller duplex or accessory dwellings to generate rental income. The duplex or accessory dwelling may also be used to provide housing for extended family members.

The Target Markets – There are ten primary lifestyle clusters or target markets most inclined to lease new-build units, and aside from the “Colleges and Cafes” target market. The largest group is the “Dare to Dream” target market (a minimum of 100 new units annually) followed by the “Family Troopers” (63 new units annually). Other targets include the “Digital Dependents”, “Tough Times”, and “Small Town Shallow Pocket” households (see the top of the third page in [Section B-2](#)).

Price Tolerances – The figures above assume that all price tolerances of new households are met – including those seeking the lowest rents. Among all new renters migrating into and within the City of Big Rapids each year, only 55% will tolerate monthly contract rents of \$700 or more; less than 20% will tolerate rents of \$800 or more; and less than 5% will accept rents of \$900 or more.

For-Lease Contract Rents – The renter target markets for the City of Big Rapids are listed in [Table 4](#) on the next page; and most of them will tolerate moderate to better contract rents. After the “Colleges and Cafes” target market is added to the mix, the implied market potential nearly doubles. However, new-builds for students should be developed only to alleviate market pressures on housing choices for the other target markets.

Note: All the numbers in [Table 4](#) on the next page include the target markets and minimum contract rents for all renters, including those inclined to seek either attached lofts and townhouses, or detached cottages and accessory dwellings. In comparison, the numbers in [Table 3](#) (on page 12) show the market potential for renters seeking lofts and townhouses only, and do not include those seeking detached units.

Table 4
Ten Primary Target Markets
For-Lease Units | Attached and Detached
The City of Big Rapids

	Annual Market Potential		Minimum
	Minimum	Maximum	Contract Rent
K40 Bohemian Groove	12 units	25 units	\$900
M45 Infants, Debit Cards	12 units	25 units	\$850
O51 Digital Dependents	33 units	68 units	\$825
O54 Striving Singles	12 units	25 units	\$800
O55 Family Troopers	63 units	130 units	\$750
R66 Daring to Dream	100 units	206 units	\$700
Q65 Senior Discounts	17 units	35 units	\$650
S68 Small Town Pockets	22 units	45 units	\$600
S70 Tight Money	6 units	12 units	\$550
S71 Tough Times	35 units	72 units	\$500
All Other Lifestyle Clusters	<u>13 units</u>	<u>32 units</u>	.
Subtotal	325 units	675 units	...
S68 Colleges & Cafes	<u>305 units</u>	<u>655 units</u>	\$450
Grand Total	630 units	1,330 units	...

Details on the price per square foot and total price are also shown in attached [Section B-2](#) (see the second page in that section). For-lease cottages and townhouses will have rent premiums over urban lofts. Across all formats, smaller units can also have higher rents on a per square footage basis. For example, a micro loft with just 300 square feet could have a monthly contract rent of \$2.00 per square foot; and a micro cottage (attached to a house or over a garage, for example) could have a rent approaching \$2.50 per square foot.

Another Caution on Prices – The for-lease prices documented in this study are intended only as benchmarks and should not be used as the sole basis for planning, locating, building, or developing site-specific projects. Each unique project should be supported by a detailed cost-benefit, profit, and pro forma analyses that carefully considers its location, views, and proximity to city amenities; land configuration and terrain; surrounding land uses; access and walkability; project design and architecture; and related considerations.

The Housing Mismatch
Residential Target Market Analysis
The City of Big Rapids, Michigan

The Housing Mismatch – A housing “mismatch” can be identified by comparing the annual market potential to available vacancies. Graphs demonstrating the housing mismatch for the City of Big Rapids are attached in [Section A-1](#) and [Section A-2](#). For example, there are 100 renter households migrating into the City of Big Rapids each year (the conservative scenario) and inclined to lease from buildings with 50 or more units. However, there are only 20 reported vacancies among buildings of that size, which suggests a gap of 80 units.

As another example, there are 50 owner households migrating into the city each year and inclined to buy traditional houses. However, there are only 20 reported available vacancies, suggesting a gap of 30 units. For clarification, the “vacancies” include units reported to the American Community Survey as being available for-sale or for lease. They exclude units that are seasonally occupied or where the resident just happens to be elsewhere at the time of the survey.

Stakeholder Engagement Process
Residential Target Market Analysis
The City of Big Rapids, Michigan

Field Work and Stakeholder Interviews – At the earliest stages of work on this housing study and TMA, LandUseUSA facilitated an initial phone conference with the city’s leadership; facilitated an introductory tutorial and focus group session with the project’s steering committee; participated in a joint market tour; and conducted independent field work throughout the community.

Mid-way through the work we also facilitated a phone conference with the city’s leadership and reviewed the interim and draft findings. We have also had discussions with the city’s planning consultants of SmithGroup to review the missing middle housing typology or lexicon, and possible implications of the study results for the city’s master plan and zoning ordinance. We also presented the study findings to the city’s leaders and commissioners during a virtual meeting that took place in early September, 2020.

Future Community Meeting –The last step of public engagement will be the facilitation of a Community Meeting and open house. This event will be coordinated by the city's planning team of SmithGroup, and LandUseUSA will provide a summary of the housing study results, findings, and key recommendations. Stakeholders will be invited to ask questions, share their own market insights, and discuss implications of the study results and possible next-steps.

The planning team of SmithGroup will also work with the city and its leadership, planning commission, and council to facilitate additional discussions about possible implications and next steps; and particularly as they pertain to the city's master plan, zoning, ordinance, design guidelines, strategic plan, and related documents.

Building Typology – The attached Section L includes a residential building typology that has been prepared by SmithGroup. It includes examples of detached houses, duplexes, triplexes, townhouses, attached lofts, cottages, and accessory dwellings. These resources will be presented again at the future Community Meeting.

Additional Exhibits – Stakeholders are encouraged to browse additional sections of Infographics also attached to this report. They include complete profiles of all 71 lifestyle clusters by geography (see Section C-2); target market profiles for owners (Section D-1) and renters (Section D-2); movership rates (Section F); the real estate analysis (Section G); and related market parameters (Section H-1 through Section H-3, and Section J); vacancies (Section I); and economics (Section K).

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End of Final Narrative Report

Planning Commission

Regular Meeting

Big Rapids City Hall
226 N Michigan Ave

October 21, 2020
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. September 16, 2020
5. Public Comment
6. Public Hearing
7. General Business
 - a. Flexible Parking Regulations – Sample Language for Cross Access, Parking Reductions, and Parking Maximums.
 - b. Annual Organizational Meeting
8. Unscheduled Business
9. Adjourn

CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
September 16, 2020
Unapproved

Chair Jane called the September 16, 2020, regular meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Megan Eppley, Paul Jackson, Chris Jane, Rory Ruddick, Karen Simmon, and Bill Yontz

EXCUSED None

ABSENT Kacey Thompson

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

APPROVAL OF MINUTES

Motion was made by Paul Jackson, seconded by Bill Yontz, to approve the minutes of the July 15, 2020 meeting of the Planning Commission as presented, with no changes.
Motion was passed with all in favor.

Motion was made by Bill Yontz, seconded by Karen Simmon, to approve the minutes of the August 05, 2020 meeting of the Planning Commission as presented, with no changes.
Motion was passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

None

GENERAL BUSINESS

Update on Redevelopment Ready Communities

Priebe summarized the staff report, noting the progress of the Redevelopment Ready Communities (RRC) Program and the tasks that remain: Zoning Regulations, Redevelopment Ready Sites, and Economic Development and Marketing Strategies.

Discussion included the following topics:

- The need to add a second Flexible Parking regulation to meet Criteria 2.1.5 for RRC. The Commission requests additional research done in order to better understand the existing language in the Zoning Ordinance and implementation of Flexible Parking regulations in other communities.
- After review of the ‘Marketing Strategies 2020- DRAFT’, the Commission suggested focusing around why residents love living in Big Rapids and how to get the message across. Ideas included working with Pure Michigan, Ferris State University, the Convention and Visitors Bureau (CVB) and creating a marketing sub-committee.

Update on the Housing Market Study

Priebe summarized the Housing Market Study, discussing the current housing market in Big Rapids and the potential for development or redevelopment of what is referred to as Missing Middle Housing—duplexes, fourplexes, townhouses, lofts, etc.

Discussion included the following topics:

- Where would new types of housing go? Potential for redevelopment of vacant homes in disrepair, properties that have multiple parcels of land that they want to sell off, and possible extension of some streets (such as Rust Ave and Mechanic St) to build new housing of a variety of types.
- How to get more types of housing allowed in the City? Amend Zoning Ordinance to allow for more diverse housing options, which will limit the current need for Plan Unit Developments and the lengthy process that follows.
- Accessory Dwelling Units as a feasible option in Big Rapids and how to allow them? Amend the Zoning Ordinance to allow ADU’s such as carriage houses and small apartments.

UNSCHEDULED BUSINESS

Priebe discussed amending the Zoning Ordinance to include manufacturing, storage, and sales of sheds and garages in the Industrial District, based on conversation with a business interested in purchasing a property in Big Rapids.

As the Capital Improvement Program (CIP) process is approaching, Priebe explained the role for Planning Commissioner involvement and asked for 2 or 3 volunteers to join the CIP Policy Group for the 2021-2027 CIP. Members Eppeley, Jane, and Simmon volunteered.

There being no further business, Chair Jane adjourned the meeting at 7:55PM with all in favor.

Respectfully submitted,

Emily Szymanski
Planning & Zoning Technician and Planning Commission Secretary

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
Emily Szymanski, Planning & Zoning Technician
SUBJECT: Flexible Parking Regulations – Sample Language for Cross Access, Parking Reductions, and Parking Maximums.
DATE: October 21, 2020

Introduction

As part of the Zoning Ordinance review that is required in the Redevelopment Ready Communities process, the City did not meet the following requirement: “The Zoning Ordinance includes flexible parking standards”. The recommendation to remedy this deficiency is to include two or more of the recommended flexible parking regulations in our local Ordinance.

EVALUATION CRITERIA 2.1.6

The zoning ordinance includes flexible parking standards.

EXPECTATIONS

- ☐ The ordinance includes regulations for two or more of the following:
- Reduction or elimination of required parking when on-street and public parking is available
 - Connections between parking lots
 - Shared parking agreements
 - Parking maximums
 - Elimination of parking minimums
 - Parking waivers
 - Electric vehicle charging stations
 - Bicycle parking
 - Payment in lieu of parking
 - Reduction of required parking for complementary mixed-uses

Sample Ordinance Language

During a conversation at the September 2020 meeting of the Planning Commission, staff was asked to return with more information and sample ordinance language for several of these alternatives. Based on that discussion and research conducted by staff; explanations, examples, and sample language are provided on the following pages for three of the options.

Way Forward

The Big Rapids Zoning Ordinance currently meets one of the Expectations, with the bicycle parking regulations approved by the City Commission on July 20, 2020. At least one more Flexible Parking Regulation must be included to meet Evaluation Criteria 2.1.6 of the RRC program.

The hope for the October meeting the Planning Commission is to discuss and review the three examples provided, choosing one, two, or all three for inclusion in the Big Rapids Zoning Ordinance. Staff will then prepare for a Public Hearing on those items at the November 18, 2020 Planning Commission meeting.

Cross Access between Parking Lots

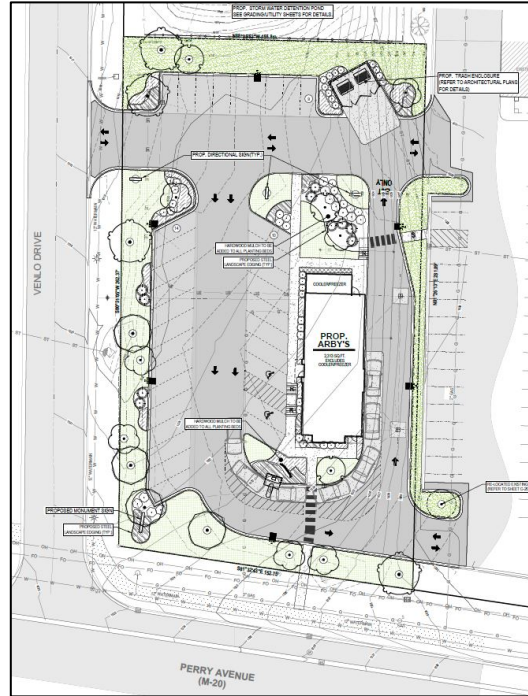
“Cross Access between Parking Lots” requires easements between private parking lots to provide for vehicle access to adjacent parking lots. The intent is to minimize the need for driveways to each facility and thereby decreasing hazards to vehicular traffic.

Relevance to Big Rapids: 1294 Perry Ave.

Example from the City of Highland Park –
Section 1223.07 (3)

Cross Access Between Adjacent Uses

- A. *Internal vehicular circulation areas shall be designed to allow for cross access to adjacent lots with residential, non-residential, or mixed uses.*
- B. *A stub for future cross access shall be provided from the vehicular use area to all adjacent lots. Where cross access is deemed impractical by the Planning Commission or Zoning Administrator during Site Plan Review on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross access may be waived where appropriate bicycle and pedestrian connects are provided between adjacent developments and uses.*
- C. *A cross-access easement shall be recorded with the Wayne County Register of Deeds prior to the issuance of a Building Certificate of Occupancy for the Development.*



Sample Language for Big Rapids

New Section 5.5:11 Cross Access between Adjacent Parking Lots.

- a. Internal vehicular circulation areas are required for all non-residential and mixed uses, to allow for cross access to adjacent parking lots.
- b. A stub for future cross access shall be provided from the vehicular use area to all adjacent lots, unless waived by the Planning Commission during the Site Plan Review process due to impracticality on the basis of topography, the presence of natural features, or vehicular safety factors.
- c. A cross-access easement shall be recorded with the Mecosta County Register of Deeds prior to issuance of a Building Certificate of Occupancy for the development.

Parking Reductions when On-Street Parking is Available

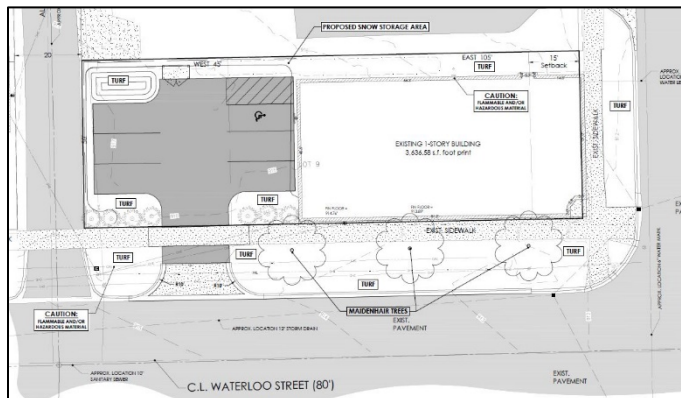
The City of Big Rapids Zoning Ordinance currently requires all off-street parking space requirements to be met by means of private off-street parking lots, with the exception of the Municipal Parking Program in the C-2 District (Section 5.5). The City also has on street parking in most parts of the community, except overnight in the winter months. The intent of “parking reductions when on-street parking is available” is to reduce the amount of paved surface for parking, reduce the cost spent on developing new parking lots, and better utilize the provided on-street parking.

Relevance to Big Rapids: 801 N State St

Example from the City of Highland Park
– Section 1223.05 (3)

On-Street and Business District Parking.

- 1) *The use of on-street parking or publicly-owned business district parking lots or parking structures to meet a portion of the minimum off-street parking requirements shall be permitted, provided the following conditions are met:*
 - a. *Adequate on-street, district lots or parking structures exist within five hundred (500) linear feet of the primary entrance of the main building.*
 - b. *No more than fifty (50) percent of the off-street parking space requirement is met through the use of on-street, district lot, or structured parking.*
 - c. *The intensity of the use and its parking requirements shall not substantially adversely impact the surrounding uses; and*
 - d. *There is no negative impact to existing or planned traffic circulation patterns.*
- 2) *A parking demand study may be required to demonstrate that adequate available spaces exist on-street or in a district lot or parking structure.*



Sample Language for Big Rapids

New Section 5.2:2 Reductions in Parking Space Requirements

- (1) When On-Street Parking is Available. The use of on-street parking to meet a portion of the minimum off-street parking requirements for non-residential and mixed uses shall be permitted, as approved by the Zoning Administrator, provided the following conditions are met:
 - (a) Adequate on-street parking exists within three hundred (300) linear feet of the primary entrance of the main building.
 - (b) No more than forty (40) percent of the off-street parking space requirement is met through the use of on-street parking.
 - (c) The intensity of the use and its parking requirements shall not substantially adversely impact the surrounding uses, and
 - (d) There is no negative impact to existing or planned traffic circulation patterns.
- (2) A parking demand study may be required to demonstrate that adequate available spaces exist on-street.

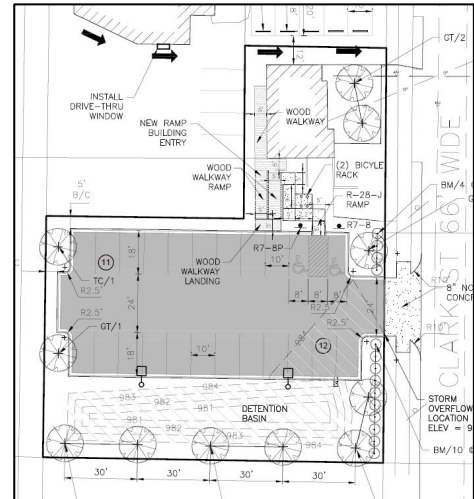
Parking Maximums

The City has established parking minimums which can be found in Section 5.2.1 Table of Parking Space Requirements in the Zoning Ordinance. The numbers on this table show the number of required off-street motor vehicle parking spaces which must be provided for a new use, whether a new build or a use conversion. We do not currently set a cap on the number of parking spaces which can be included above the requirements, which would be called parking maximums. The intent of including “parking maximums” is to minimize excessive areas of pavement and overlarge parking lots.

Relevance to Big Rapids: 804 Clark St

Example from the City of Highland Park – Section 1223.04
(2)

Maximum Parking. To minimize excessive areas of pavement no parking lot shall exceed the required number of parking spaces by more than twenty (20) percent, except as approved by the Zoning Administrator. In granting additional spaces, the Zoning Administrator shall determine that the parking is needed, based on documented evidence of actual use and demand provided by the applicant. All stormwater runoff created as a result of the additional parking area shall be completely retained onsite for any rainfall that is less than or equal to the 25 year, 24 hour rainfall. Stormwater facilities shall be reviewed and approved by the City’s Engineer or designated individual.



Sample Language for Big Rapids

New Section 5.2:2 Parking Space Maximums.

To limit excessive areas of pavement, no parking lot shall exceed the required number of parking spaces by more than fifteen (15) percent, except as approved by the Zoning Administrator. In requesting additional spaces beyond the allowed fifteen percent, the Applicant shall provide a Parking Demand Study with their Site Plan Review application.

N.B. Alternative, “Except as approved by the Planning Commission...”

New Definition

New Section 2.2:91

Parking Demand Study – A study demonstrating the need for parking based on documented evidence of actual use and demand, utilizing the recommendations of the Institute of Traffic Engineers (ITE) and/or the Urban Land Institute (ULI).

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Community Development Director
SUBJECT: Annual Organizational Meeting 2020
DATE: October 21, 2020

Introduction

The Bylaws and Rules of Procedure for the City of Big Rapids Planning Commission call for an annual organizational meeting to be held each September at which time the Commission must do four things:

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

Staff made an error and the Organization Meeting was not on the September meeting Agenda, so it is taking place in October just for 2020, my apologies.

Officers and Duties

There are four offices that need to be decided are Chairperson, Vice Chairperson, Secretary, and Recording Secretary.

- Chairperson – The Chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein.
- Vice Chairperson – The Vice Chairperson, in the absence of the Chairperson shall act in the capacity of the Chairperson. The Vice Chairperson shall succeed to the office of the Chairperson in the event of a vacancy in that office, in which case the Planning Commission shall select a successor to the office of the Vice Chairperson at the earliest possible time.
- Secretary – The Secretary shall oversee the recording of minutes and keeping of records of Planning Commission business.
- Recording Secretary – The Recording Secretary is appointed by the City Manager to take minutes of Planning Commission meetings. This individual need not be a member of the Planning Commission. The previous, appointed Recording Secretary was Cindy Plautz. After Cindy's retirement, the position of Recording Secretary was inherited by Emily Szymanski.

Current Office-holders: Chair = Chris Jane; Vice Chair = Paul Jackson, Secretary = Bill Yontz

Persons elected shall take office immediately following their election and shall hold their office for a term of twelve months. The Chairperson, Vice Chairperson, and Secretary shall not serve more than three consecutive terms.

Review the Budget

The Planning Commission (Plan/Zoning Board) has a budget each year which is part of the larger City Budget, see attached Budget Report. The Plan/Zoning Board budget typically includes three line items:

1. Travel Expenses
2. Training
3. Membership Fees

It is a department goal to provide access to training for Planning Commissioners and Zoning Board of Appeals Members each year. In 2018, consultant Kathleen Duffy provided a specialized training on Form Based Codes. In 2019, the City of Big Rapids hosted a Michigan Association of Planning (MAP) Risk Management training and invited members from area Planning and Zoning boards to attend.

MAP runs a series of trainings each year around the State and their 2021 Schedule will be available in early 2021. Commissioners can attend these training if they wish. We can also host another training in Big Rapids. Workshops available include: Planning and Zoning Essentials; Planning Commissioner Toolkit; Zoning Board of Appeals; Site Plan Review; Capital Improvements Programs; Risk Management; Community Engagement; The Master Planning Process; and Planning for Health.

Schedule of Meetings for 2021

At the annual Organizational Meeting, the Planning Commission “shall adopt a regular schedule of meetings for the next year.” Historically, the City of Big Rapids Planning Commission meets on the third Wednesday of each month at 6:30PM.

If that date/time is maintained, scheduled meetings for 2021 will be as follows:

January 20, 2021
February 17, 2021
March 17, 2021
April 21, 2021
May 19, 2021
June 16, 2021
July 21 2021
August 18, 2021
September 15, 2021
October 20, 2021
November 17, 2021
December 15, 2021

The Planning Commission may change the date and/or time of the meeting schedule by passing a motion to amend the Bylaws with the new date and/or time.

Action

The Planning Commission will be asked to nominate and pass a motion on Officers and the Schedule for 2021 at the meeting. Please consider who best can serve the board in this capacity.

Planning Commission

Regular Meeting

November 18, 2020 at 6:30 P.M.

Zoom Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/88261145472?pwd=M2RtdFNXc0RrY3c2bWJUN0Npa0RHZz09>

Meeting ID: 882 6114 5472

Passcode: 677748

Phone Login - Dial +1 312 626 6799

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. October 21, 2020
5. Public Comment
6. Public Hearing
 - a. Special Land Use Permit for a Marihuana Grower and Processor Facility at 125 Howard St
 - b. Zoning Ordinance Amendment to add Flexible Parking Regulations for Cross Access, Parking Reductions, and Parking Maximums to Article 5
7. General Business
 - a. Zoning Ordinance Review for Marihuana Businesses
 - i. Section 11.1:29(1)(e) – Sign Regulations for Marihuana Businesses
 - ii. Marihuana Businesses in the Downtown District
8. Unscheduled Business
9. Adjourn

CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
October 21, 2020
Unapproved

Chair Jane called the October 21, 2020, regular meeting of the Planning Commission to order at 6:33 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Megan Eppley, Chris Jane, Karen Simmon, Kacey Thompson, and Bill Yontz

EXCUSED None

ABSENT Paul Jackson and Rory Ruddick

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

APPROVAL OF MINUTES

Motion was made by Bill Yontz, seconded by Megan Eppley to approve the minutes of the September 16, 2020 meeting of the Planning Commission as presented, with no changes. Motion was passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

None

GENERAL BUSINESS

Update on Flexible Parking Regulations

Priebe summarized the staff report, which included example language for flexible parking regulations in other communities and what those examples would look like in Big Rapids. As discussed in the September 16, 2020 meeting, at least one more flexible parking option is needed

in order to meet Criteria 2.1.5 for the Redevelopment Ready Communities process. The options have been narrowed down by staff after conversation and include:

- Cross-Access between Parking Lots
- Parking Regulations when On-Street Parking is Available
- Parking Maximums

Discussion included the following topics:

- What are the downsides of parking regulations and what are the benefits? Over-regulating could be an issue. A benefit is fewer parking lots means more space for future business development.
- For Cross-Access, don't developers already decide to implement this on their own? Including Cross-Access in the Zoning Ordinance will encourage more shared access and hopefully free up some traffic congestion from people exiting from multiple driveways.
- For Parking Reductions, what happens if parking becomes a problem in the future or has a higher demand than once thought, how do we remedy this? Add a caveat or lock in a use for a certain time period so that parking doesn't become an issue after a reduction.
- Discussion included whether these implementing these Flexible Parking Regulations in Big Rapids may have unintended drawbacks and how to mitigate them.

It was agreed that staff will prepare a public hearing for the November meeting for all three flexible parking regulations discussed.

Annual Organizational Meeting

The Bylaws and Rules of Procedure for the City of Big Rapids Planning Commission call for an annual organizational meeting to be held each September at which time officers shall be selected for the next year, a Recording Secretary shall be appointed, the Planning Commission budget shall be reviewed, and a meeting schedule for the next year shall be adopted.

The elected officers for next year are as follows:

- Chris Jane as Chairperson
- Megan Eppley as Vice-Chairperson
- Bill Yontz as Secretary

Emily Szymanski was appointed Recording Secretary.

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

A Motion was made by Bill Yontz, seconded by Karen Simmon, to approve elected officers, recording secretary, budget, and schedule as discussed.

UNSCHEDULED BUSINESS

None

There being no further business, Chair Jane adjourned the meeting at 7:37PM with all in favor.

Respectfully submitted,

Emily Szymanski
Planning & Zoning Technician

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Community Development Director
SUBJECT: Special Land Use Permit Application – 125 Howard St
DATE: November 18, 2020

Introduction

Applicant Michigan Pipe Dreams, LLC is applying for a Special Land Use Permit for a Marihuana Grower and Processor Facility in the existing building at 125 Howard Street. This property is on the east side of Big Rapids and is in the I Industrial District. See the attached Location Map for the location of the property.

Nature of the Special Land Use

The Applicant is proposing to use the existing industrial building at 125 Howard Street, with minor alterations, as an Adult-Use marihuana grower facility and an Adult-Use and Medical-Use marihuana processor facility, according to the written description included with their Application. The Applicant has also submitted three Municipal Marihuana Permit Applications with the City of Big Rapids, corresponding to the types listed above.

Special Land Use Process and Procedure

The Special Land Use Permit Application was received by the Community Development Department on October 29, 2020. Though site plans have been included, as only minor alterations are proposed for the site, formal site plan review was not required of the Applicant.

All Special Land Use Permit Applications require a Public Hearing. Notice was posted in the Big Rapids Pioneer on Tuesday, November 3, 2020 and sent to all property owners within 300 feet of 125 Howard Street. A summary of public comments received by staff will be provided at the meeting.

As stated in Section 10.3:5 of the Zoning Ordinance, following the public hearing, the Planning Commission shall recommend approval, approval with conditions, or denial of the Site plan and special land use permit application to the City Commission. The Planning Commission shall include a statement of findings and conclusions relative to the special land use clearly stating the basis for the decision referencing the standards and conditions for that use. The City Commission reviews the case and the recommendation of the Planning Commission in making the final decision on whether to issue the Special Land Use permit.

Standards for Special Land Uses

Section 10.3:8 of the Zoning Ordinance clearly lays out a series of standards for Conditional Uses, stating as follows:

Standards. No conditional use shall be recommended by the Planning Commission unless such Board shall find:

- (1) That the establishment, maintenance or operation of the special land use will not be detrimental to or endanger the public health, safety or general welfare.
- (2) That the special land use will not be injurious to 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 special land 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 special land 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.

Conditions Specific to Industrial-type Marihuana Facilities

Section 3.12:7 (4) of the Zoning Ordinance has industrial-type marihuana facilities listed as a Special Land Use, subject to the conditions of Section 11.1:29. This Section states that industrial-type marihuana facilities may be permitted in the I Industrial District as a special land use under the following procedures and conditions:

- (1) The facility shall provide off-street parking and loading consistent with Article 5 of this Ordinance and shall be considered under Section 5.2 as Manufacturing and Industrial Uses.
- (2) Processes must be conducted in a manner to minimize adverse impacts on the City's wastewater treatment operations. The City's Public Works Department shall review all pertinent information related to wastewater discharges and shall provide any pertinent comments to the Planning Commission.
- (3) All operations shall occur within an enclosed building and no marihuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is

unlawful to store marihuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.

- (4) Applicants must provide a plan for the storage and disposal of marihuana or chemical associated with marihuana cultivation or processing to minimize the risk of theft or harm resulting from chemical exposure.

The Applicant has addressed these Standards in their own words in their Application (attached).

Recommendation

Staff recommends approval of the Special Land Use Permit Application for a home occupation at 125 Howard Street, as it meets the Standards set in Section 10.3:8 and Section 11.1:29 (3) of the Zoning Ordinance.

Action

Three options lay before the Planning Commission regarding Special Land Use Permit Applications: Approval, Approval with Conditions, or Denial. Explanations and sample motions are included below.

Approval and Approval with Conditions

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and sends the Application to the next step in the process where City Commission has final say in approving or denying the request.

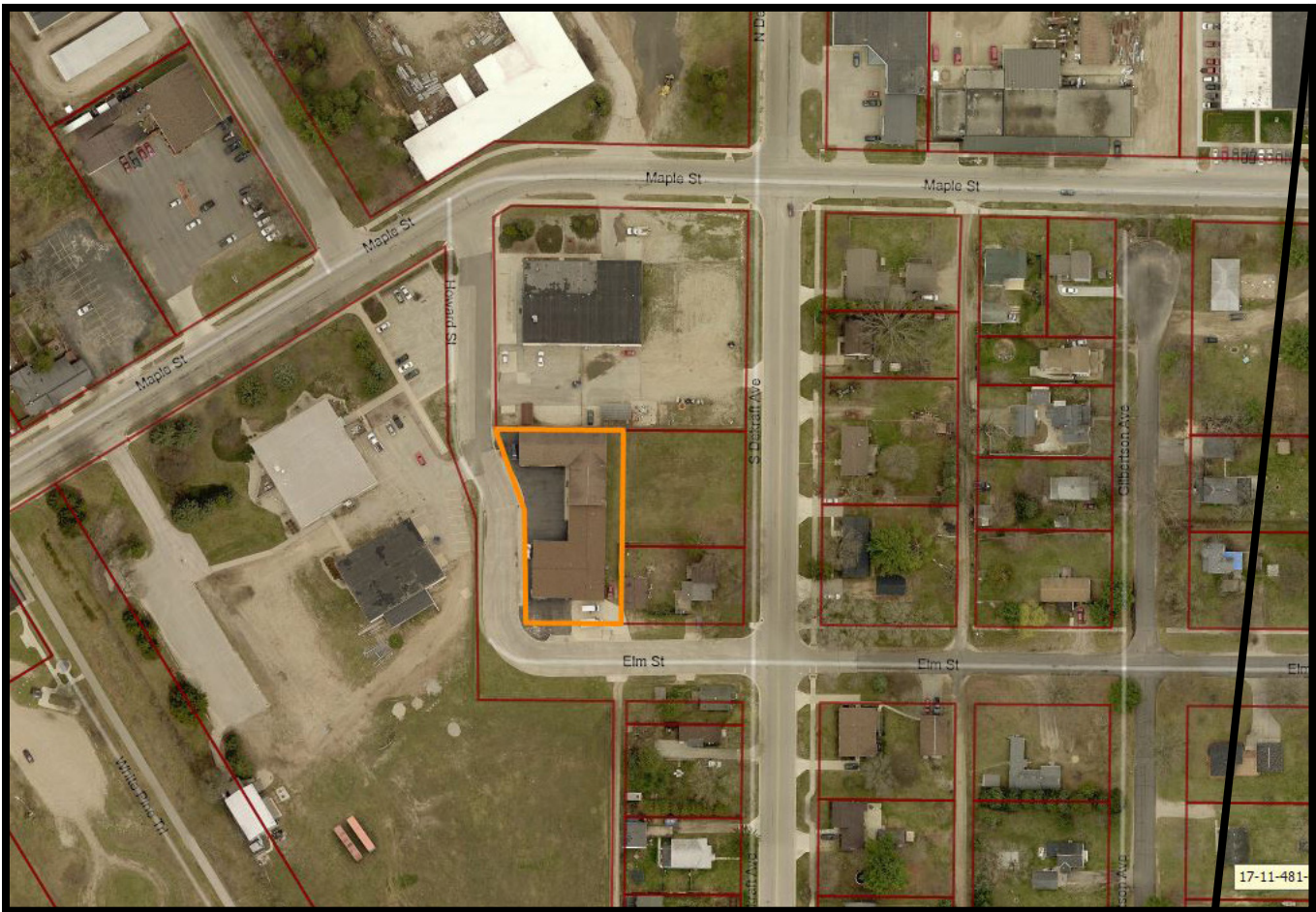
“I move that the Special Land Use Permit Application for a marihuana grower and processor facility at 125 Howard Street be recommended to the City Commission for approval, because it meets the Standards set in Section 10.3:8 and Section 11.1:29 (3) of the Zoning Ordinance. *[If any conditions on approval, list them here.]*”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Special Land Use Permit Application for a marihuana grower and processor facility at 125 Howard Street, because it does not meet Standard 10.3:X/11.1:29(3)(X) of the Zoning Ordinance.
(Fill in the X with which number Standard the application does not meet.)”

Location Maps



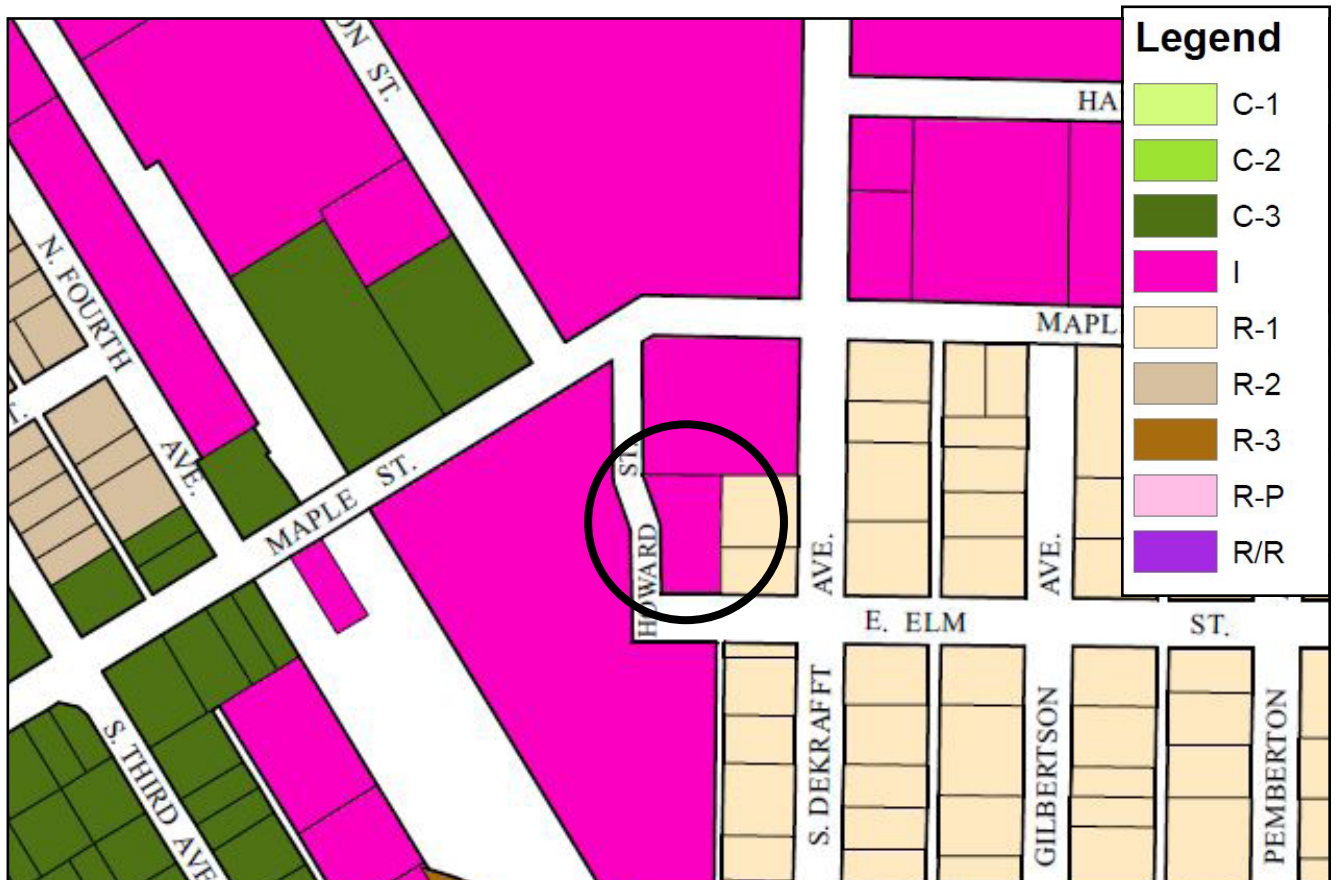
Aerial Imagery



Excerpt from Future Land Use Map



Excerpt from Zoning Map







City of Big Rapids

Department of Community Development Application to the Planning Commission for Zoning Request

Application Date: October 29, 2020

Applicant Information:

Name:	Michigan Pipe Dreams, LLC
Address:	125 Howard st. Big Rapids, MI 49307
Phone Number:	616-540-3048
Property Zoning:	
Request Property Address:	125 Howard st Big Rapids, MI 49307
Explanation of Request:	Applying for special use Permit per City Marihuana ordinance

Please check one of the following:

- ☒ Special Land Use Permit, Please include the following information
1. A legal description of the property.
 2. Twelve (12) copies of a site plan meeting the requirements of Section 9.4 of the Big Rapids Zoning Ordinance as amended.
 3. A written description of the use.
 4. Address use standards set forth in Section 10.3:8.
 5. \$200.00 Application Fee
- ☐ Zoning Amendment Review, Please include the following information:
- ☐ Zoning Map Amendment (Rezoning)
1. A legal description of the property.
 2. A written description of reasons for rezoning and proposed new zoning classification.
 3. Address the requirements set forth in Section 14.2:4. (posting of notification).
 4. A location map.
 5. \$200.00 Application Fee
- ☐ Text Amendment
1. A written description of proposed changes and reasons why.
 2. Proposed new text.
 3. Address the requirements set forth in Section 14.2:2.
 4. \$200.00 Application Fee

eSigned via SeamlessDocs.com
Kimberly A Yob
Key: 10e77fd834513a64a4a1826a176788b

Signature of applicant or property owner

10/29/2020

(Date)

Legal Description

000125 HOWARD STREET: ROBEN'S ADDITION -- LOTS 38 THRU 42 EXC COM AT THE SW COR OF LOT 38, TH N 00 45' W 200 FT ALG THE E LI OF HOWARD ST TO THE NW COR OF LOT 42, TH S 20 01' E 84.87 FT, TH S 00 45' E 120 FT TO THE N LI OF E ELM ST, TH S 89 30' W 28 FT ALG THE N LI OF E ELM ST TO THE POB, TOGETHER WITH THE VAC ALLEY ADJ TO SAID LOTS.

Written description of the use

The property will be used for Adult Use marihuana grow facility and adult use and medical use processing facility.

Standards 10.3:8

- (1) That the establishment, maintenance or operation of the special land use will not be detrimental to or endanger the public health, safety or general welfare.

The operation of this use will be within the current building on the site.

This facility is mandated by the State of Michigan to be equipped with an Odor Control System to remove any unwanted discharge to the atmosphere.

- (2) That the special land use will not be injurious to 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.

Our facility will be visually improved from its current state due to the addition of landscaping materials along Howard and Elm streets. This will add value to the surrounding community by softening its street presence.

- (3) That the establishment of the special land use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Existing building will be maintained and operations will completely be enclosed. Surrounding neighborhoods will not see an increase in activity.

- (4) That adequate utilities, access roads, drainage and necessary facilities have been or are being provided

The existing building is compatible use for the new use and the parking areas will be improved along with proper modifications to maintain the drainage from the parking lot.

- (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.

Ingress and egress will remain as is. Existing traffic patterns will be preserved. The previous use had a retail component thus having a much larger amount of traffic than the use proposed.

- (6) That the special land use shall conform to the applicable regulations of the district in which it is located, any specific requirements established for that use in Article 11, any conditions of approval, or procedures as specified in Section 10.4.

We have submitted the site plan.

Standards 11.1:29 (3)

- (a) The facility shall provide off-street parking and loading consistent with Article 5 of this Ordinance and shall be considered under Section 5.2 as Manufacturing and Industrial Uses.

Off-street parking and loading zone have been provide as required. Refer to attached drawing L1-1 for locations.

- (b) Processes must be conducted in a manner to minimize adverse impacts on the City's wastewater treatment operations. The City's Public Works Department shall review all pertinent information related to wastewater discharges and shall provide any pertinent information to the Planning Commission.

Our cultivation process will begin with clones all tagged into the metric system with barcodes and stored in a monitored and secured environment at all times. cuttings thereafter. Access to the facility will be limited to staff, and electronically tracked via our security system.

Our plants will be fed organic nutrients through an automated watering system which will ensure proper water usage and eliminate "run off". Our "no run off" system will ensure no nutrients or water are wasted or spilled.

We will also use organic pesticides and fungal preventative measures in the vegetative and flowering stages to ensure no environmental issues in the facility or outside from exhaust. Our building materials will be antimicrobial and mold resistant to maintain the proper environment for air quality for staff and our crops.

We have retained cannabis cultivation consultants to ensure our plants and cultivation process are in line with the top rated facilities in the country, and to ensure our final product exceeds the quality standards for state testing.

- (c) All operations shall occur within an enclosed building and no marihuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is unlawful to store marihuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.

Storage for all chemicals are located on the most southern portion of the site and enclosed by a solid screen wall as required by the ordinance. Refer to attached drawing L1-1 for location.

- (d) Applicants must provide a plan for the storage and disposal of marihuana or chemicals associated with marihuana cultivation or processing to minimize the risk of theft or harm resulting from chemical exposure.

Plan included.

Inventory and Record Keeping

PURPOSE	The purpose of this document is to provide a detailed Inventory and Record Keeping plan that aligns with all state and local laws.
SCOPE	<p>The scope of this document will cover the following:</p> <ul style="list-style-type: none"> • Acquiring • Storing • Transporting • Record Keeping • Adherence to State Emergency Rules and Act No.281: <ul style="list-style-type: none"> ○ Rule 29. Plant batches, testing procedures ○ Rule 35. Storage of marihuana product ○ Rule 37. Tracking identification; labeling requirements; general ○ Rule 38. Marihuana plant; tracking requirements ○ Rule 39. Marihuana product sale or transfer; label requirements
Inventory and Recordkeeping Plan	
I. Acquiring Inventory	<p>Michigan Pipe Dreams, LLC plans to acquire inventory through multiple channels.</p> <p>Flower:</p> <ul style="list-style-type: none"> • MPD will use its own cultivated flower product/seeds/clones when applicable in its grow and processing facility. • MPD will purchase from approved wholesalers any additional inventory.
II. Storing	<p>MPD will store inventory in the appropriate manner complying with safety and security standards.</p> <p>Grow, Cultivation and/or Processing Facility:</p> <ul style="list-style-type: none"> • All drying and or curing of inventory will be in a locked badge access-controlled area. • All finished product/inventory will be stored in the appropriate locked manner. It will be stored in a secured safe or vault where only the CEO, COO, and Grow, Processing and/or Cultivation Manager have access. • Only employees who are designated by their role and or job level will be allowed access into these areas. • These areas will be deemed restricted access.
III. Transporting	<p>MPD will follow all guidelines set forth by the state and the state approved Secure Transport Company that MPD chooses to do business with to transport inventory to and from the cultivation center.</p> <p>Please reference Secure Transport Company guidelines (TBD)</p>
IV. Recordkeeping and Inventory Control Procedures and Policies	<p>Recordkeeping and Inventory Control</p> <p>MPD will implement and use METRC and any other Third-Party compatible and needed software for patient verification and inventory control.</p> <p>These systems will be a perpetual, encrypted systems that are required by the state to document the chain of custody of cannabis from seed or acquisition to sale.</p>

	<p>The following are in accordance with MPD policy as well as state law where applicable:</p> <ul style="list-style-type: none"> • The CEO and COO are responsible for oversight of the inventory control system • On a day-to-day basis, employees will track each day's beginning inventory, acquisitions, sales, disbursements, disposal of unusable cannabis and ending inventory • Where an identified reduction in the amount of inventory is not due to documented causes, the CEO or GM will investigate the loss, identify corrective actions and report the findings to appropriate parties including the state if applicable • Where a reduction in inventory is due to suspected criminal activity, the CEO or COO will report that loss and the suspected causes of that loss to appropriate law enforcement and state agencies • Documenting, investigating and reporting significant variances in physical Inventory counts • Documenting, investigating and reporting significant variances between the raw Material and finished product • Conducting quarterly physical inventory counts, which are then reconciled to the perpetual inventory records; <p>MPD will also reconcile and track inventory daily, weekly and monthly.</p>
V. Inventory Discrepancy Procedures	<p>Inventory Discrepancy Procedure</p> <p>If physical inventory does not match the inventory counts recorded outside of a specified tolerance, the COO will be notified and an investigation will be conducted. The incident will be documented in an Incident report that includes the following information:</p> <ul style="list-style-type: none"> • the date; • names of people involved; • a description of the incident; • identification of known or suspected cause; and • corrective action taken. <p>It is imperative that the cause of the discrepancy be determined. All relevant inventory counts will be examined for accuracy, noting any possible failures in any of MPD's policies, procedures, or security.</p> <p>MPD will create a timeline of events and collect evidence where necessary in attempt to understand the relationship of the contributing factors. Once the cause of the problem is determined, corrective actions will be taken to avoid recurrence.</p> <p>Every detail of the incident will be documented and made available with all other records as required by the State or Law Enforcement.</p> <p>If there is internal criminal action found, MPD will work with local and state law enforcement to prosecute the offender.</p>
VI. Adherence to Rule 29. Plant batches, testing procedures	<p>Along with its internal policies and procedures, MPD management will ensure that the following directives within the Rule are followed precisely.</p> <p>Plant Batches, Testing Procedures:</p> <ul style="list-style-type: none"> • MPD's growers shall uniquely identify each immature plant batch in the statewide monitoring system. Each immature plant batch must not consist of more than 100 immature plants. • MPD's growers shall tag each plant that is greater than 8 inches in height or

	<p>more than 8 inches in width with an individual plant tag and record the identification information in the statewide monitoring system.</p> <ul style="list-style-type: none"> • MPD's growers shall delineate or separate the plants as the plants go through different growth stages and ensure that the plant tag is always identified with the plant throughout the growth span so that all plants can be easily identified and inspected pursuant to the act and these rules. A grower shall ensure that identification information is recorded in the statewide monitoring system in accordance with the act, the marihuana tracking act, and these rules. • After a tagged plant is harvested, it is part of a harvest batch so that a sample of the harvest batch can be tested by a safety compliance facility. A grower shall isolate a harvest batch from other plants or batches that has test results pending. A harvest batch must be easily distinguishable from other harvest batches until the batch is broken down into packages. • Before the marihuana product can leave the grower facility, a sample of the harvest batch must be tested by a licensed safety compliance facility as provided in Rule 32, and test results must indicate a passed test result in the statewide monitoring system before the marihuana can be packaged. Marihuana product from harvest batches must not be transferred or sold until tested, packaged, and tagged as required under sub rule (4) of this rule. • After test results show a passed test, the grower shall destroy the individual plant tags and the harvest batch is packaged. Each package must have a package tag attached. A grower shall ensure this information is placed in the statewide monitoring system in accordance with the act, the marihuana tracking act, and these rules. • MPD's growers shall not transfer or sell any marihuana product that has not been packaged with a package tag attached and recorded in the statewide monitoring system in accordance with the act, the marihuana tracking act, and these rules. • After a processor receives or purchases a package in the statewide monitoring system, and the processor proceeds to process the marihuana product in accordance with the scope of a processor license, the act, and these rules, the processor must give the marihuana product a new package tag anytime it changes state or is incorporated into something else. • Once a package is created by a processor of the marihuana product in its final state, the processor shall have the sample tested pursuant to Rule 32. The processor shall not transfer or sell a final package until after test results indicate a passed test. • After a provisioning center receives or purchases marihuana product in the statewide monitoring system, a licensee may sell or transfer marihuana product only to a registered qualifying patient or registered primary caregiver under all of the following conditions: <ul style="list-style-type: none"> ○ The marihuana product has received passing test results in the statewide monitoring system. If the information cannot be confirmed, the marihuana product must be tested by a safety compliance facility and receive passing test results prior to sale or transfer. ○ The marihuana product bears the label required for retail sale under the act and these rules.
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VII. Adherence to Rule 35. Storage of marihuana product	<p>Along with its internal policies, procedures and guidelines, MPD management will ensure that the following directives within the Rule are followed precisely.</p> <p>Storage of Marihuana Product:</p> <ul style="list-style-type: none"> • All inventory of marihuana products must be stored at a marihuana facility in a secured limited access area or restricted access area and identified and tracked consistently with the statewide monitoring system under the act, the marihuana tracking act, or these rules. • All containers used to store marihuana products for transfer or sale between marihuana facilities must be clearly marked, labeled, or tagged, if applicable, and enclosed on all sides in secured containers. The secured containers must be latched or locked in a manner to keep all contents secured within. Each secured container must be identified and tracked in accordance with the act, the marihuana tracking act, and these rules. • All chemicals or solvents must be stored separately from marihuana products and kept in locked storage areas. • A safety compliance facility shall establish an adequate chain of custody and instructions for sample and storage requirements. • A licensee shall ensure that any stock or storage room meets the security requirements of these rules and any other applicable requirements in the act and these rules.
VIII. Adherence to Rule 37. Tracking identification; labelling requirements; general	<p>Along with its internal policies, procedures and guidelines, MPD management will ensure that the following directives within the Rule are followed precisely.</p> <p>Tracking Identification; Labeling Requirements, General:</p> <ul style="list-style-type: none"> • All marihuana product sold or transferred between marihuana facilities must have the tracking identification number that is assigned by the statewide monitoring system affixed, tagged, or labeled and recorded, and any other information required by the department, the act, and these rules. • To ensure access to safe sources of marihuana product the department if alerted in the statewide monitoring system may recall any marihuana products, issue safety warnings, and require a marihuana facility to provide information material or notifications to a registered qualifying patient or registered primary caregiver at the point of sale
IX. Adherence to Rule 38. Marihuana plant; tracking requirements	<p>Along with its internal policies, procedures and guidelines, MPD management will ensure that the following directives within the Rule are followed precisely.</p> <p>Marihuana Plant; Tracking Requirements:</p> <p>Prior to a marihuana plant being sold or transferred, a package tag must be affixed to the plant or plant container and enclosed with a tamper proof seal that has the following information:</p> <ul style="list-style-type: none"> • Business or trade name, licensee number, and RFID package tag assigned by the statewide monitoring system that is visible. • Name of the strain. • Date of harvest if applicable. • Seed strain if applicable. • Universal symbol if applicable.

<p>X. Adherence to Rule 39. Marihuana product sale or transfer; label requirements</p>	<p>Along with its internal policies, procedures and guidelines, MPD management will ensure that the following directives within the Rule are followed precisely.</p> <p>Marihuana Product Sale or Transfer; Label Requirements</p> <p>Prior to marihuana product being sold or transferred to a provisioning center, the container, bag, or product holding the marihuana product must have a label and be sealed with all the following information:</p> <ul style="list-style-type: none"> • The name of the licensee and license number that is the producer, including business or trade name, and tag or source number as assigned by the statewide monitoring system. • The name of the licensee and license number including business or trade name of licensee that packaged the product, if different from the processor of the marihuana product. • The unique identification number for the package or the harvest if applicable. • Date of harvest. • Name of strain. • Net weight in United States customary and metric units. • Concentration of THC or CBD. • Activation time expressed in words or through a pictogram. • Name of the safety compliance facility that performed any test, any associated test batch number, and any test analysis date. • Universal symbol published by the department. • A warning that states all the following: <ul style="list-style-type: none"> ○ "For use by registered qualifying patients only. Keep out of reach of children." ○ "It is illegal to drive a motor vehicle while under the influence of marihuana."
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HAZARDOUS MATERIALS LIST (MSDS DATA)

Name	Amount	Health (NFPA & HMIS)	Flammability (NFPA & HMIS)	Instability (NFPA & HMIS)
Simple Green	1gal	0, 0	0, 0	0, 0
MS. Meyers – Hand Soap	37.5oz	1, 1	0, 0	0, 0
Clorox Green Works - Sanitizing Spray	32oz	0, 0	0, 0	0, 0
ECOS – Pro Toilet Bowl Cleaner	24oz	1, 1	0, 0	0, 0
MS. Meyers – Dish Soap	48oz	1, 1	0, 0	0, 0
Clorox Green Works – Pot and Pan Detergent	1gal	2, 2	0, 0	0, 0
MS. Meyers – Room Freshener Spray	8oz	1, 1	3, 3	0, 0
Detroit Nutrient Company – Worm castings Vermicompost	32oz	0, 0	0, 0	0, 0
Down To Earth – Blood Meal	16oz	0, 0	0, 0	0, 0
Organically Done – Bone Meal Flour	64oz	0, 0	0, 0	0, 0

All chemical and cleaning products used are certified organic and will be used in a manner consistent with delivering a high quality contaminant free finished product. These materials will be stored in a dedicated storage closet. Lockable metal storage cabinets, similar to those used in healthcare facilities will be utilized to store these materials.

Cannabis materials will be stored in a separate secured storage room as described in the security plan above. The Company will utilize a locking safe to store any and all cannabis materials stored on site.

WASTE DISPOSAL PLAN

State rule 333.237 requires marihuana product that is to be destroyed be rendered unusable and unrecognizable through grinding and incorporating with an approved non-consumable solid waste. In this facility, any marijuana product required to be destroyed will be ground up and mixed with cardboard waste. The resulting mixture must be at a minimum of 50% non-marihuana waste and unrecognizable, as required by state law. The resulting mixture will be stored in a secured waste disposal receptacle in a secured room. Upon filling the Company will arrange for the waste to be disposed of at a manned and permitted solid waste landfill. Transfer of the marihuana waste will be done pursuant to the rules of MCL 324.11101-11153, which govern the disposal of hazardous waste.

The Company will keep logs of all product that is destroyed at the facility. Logs and information will be entered into METRC for accurate tracking records and as required by the State. Records will be detailed including name of all facility employees involved in the process.

1. Notify the Design Engineer 48 hours prior to the start of construction.
2. Cut sheets are to be provided for the Design Engineer prior to installation of the utility.
3. Notify "Miss Dig" at 800-482-7171 72 hours prior to any excavations and any other representatives of other utilities.
4. All pipes buried under asphalt or concrete shall be sand back-filled in maximum of 6" lifts and compacted to 95% maximum density.
5. Maintain a minimum of 18" separation between all underground piping.

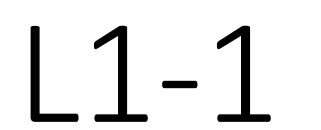
1. To the very best of our knowledge, these plans and specifications comply with applicable building codes.
2. Any variation of these documents are strictly prohibited unless written consent is obtained from Architect.
3. The Architect shall not be responsible for the acts of omissions of the contractor or his subcontractor, agents or employees.
4. Each bidder shall visit the site and familiarize himself with all conditions under which the work is to be performed.
5. All work shall be done in accordance with state, local and all applicable codes.
6. All soils under building must be compacted to 95% or higher. Fill must be clean, free of vegetation and debris. It is recommended that soil test and compaction tests be made by a soil engineer.
7. Assumed soil bearing capacity: 2500 p.s.i.
8. All underground utilities construction shall be in accordance with the standards established by the governing authority having jurisdiction.
9. Walkway accessibility to and in building shall be in accordance with Michigan Construction Code Commission.
10. Handicapped parking and access are subject to the approval of the Building Department. Handicapped parking shall be posted above the grade. All parking spaces shall be traffic striped and equipped with tire stops or curbing, if required by governing agency.
11. Curb breaks, skirts, curbs and sidewalks in the right-of-way to be design and constructed according to the governing authority having jurisdiction.
12. Electrical distribution and transformer location, if any, to be designed by the Consumers Power / Detroit Edison Company. All on- site distribution lines and service to the building to be underground.
13. Drawings and specifications are and shall remain the property of the Architect.

<u>BUILDING AREA</u>		ZONED: 'I'	
GROW AREAS	6,107.5 SF	INDUSTRIAL DISTRICT	
PROCESSING AREA	4,075.5 SF		
TOTAL AREA	10,183 SF	1.	SETBACKS: FRONT 10 FEET REAR 10 FEET SIDE 10 FEET COMBINED
		BUILDING HEIGHT: REQUIRED: 75'-0" MAX EXISTING: 25'-0"	

<u>PARKING REQUIRED</u>		<u>PROVIDED PARKING</u>	
INDUSTRIAL USE:		GROW AND PROCESSING	
1/EMPLOYEE	= 11 SPACES	10 SPACES	
AT LARGEST SHIFT		HANDICAP ACCESSIBLE SPACES	
		1 SPACES	
<u>TOTAL PARKING REQUIRED</u>	<u>= 11 SPACES</u>	<u>TOTAL PARKING PROVIDED</u>	<u>= 11 SPACES</u>

1. EXISTING SITE LIGHTING TO BE WALL MOUNTED EXTERIOR LIGHTING. REFER TO SHEET A3-1 FOR EXTERIOR LIGHTING SPECIFICATIONS AND FOOTCANDLE PLAN.
2. NEW STRIPING FOR ALL PARKING SPACES WITH STANDARD PARKING BLOCKS
3. ALL ENTRY / EXIT DOORS TO HAVE SECURITY LIGHTING CONTROLLED BY MOTION SENSOR.
4. PROVIDE HANDICAP SIGNAGE AT PARKING SPACES. REFER TO SHEET L2-1 FOR DETAIL.
5. REFER TO SHEET L2-1 FOR DUMPSTER ENCLOSURE PLANS, SECTIONS AND DETAILS.
6. REFER TO SHEET L1-2 FOR PLANTING PLAN, L2-1 FOR PLANTING DETAILS.
7. REFER TO SURVEY FOR SITE CONTOUR / TOPOGRAPHY.
8. REFER TO SURVEY FOR ALL EXISTING MAN-MADE FEATURES WITH IN 100 FEET.
9. REFER TO SHEET A2-1 FOR SIGNAGE LOCATION AND SIZE.

A map of the area around 125 Howard St. The map shows a grid of streets. On the left, the Mississippi River is visible. Streets include N 4th Ave, E Madison St, Bjonson St, Maple St, N 3rd Ave, Adams St, 2nd Ave, N Dearborn Ave, Hanchett Dr, 5 Bronson Ave, Maple St, 125 Howard St (marked with a red pin), Elm St, E Linden St, Gilbertson Ave, Rembrandt Ave, and N Bronson Ave.





VISION VANGUARD DESIGN

40 W. Howard Street,
Suite 405, Pontiac, MI 48342
248.203.5937 or www.studio5inc.com

Client
Michigan Pipe Dreams, LLC

125 Howard Street
Big Rapids, MI 49307

Project
Medical Marihuana Grow and
Processing Facility

125 Howard Street
Big Rapids, MI 49307

Drawings Issued
Date By Description
9-25-2020 HK OWNER REVIEW

Designed by:
Drawn by:
Checked by:
Date:

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Title
FLOOR PLANS

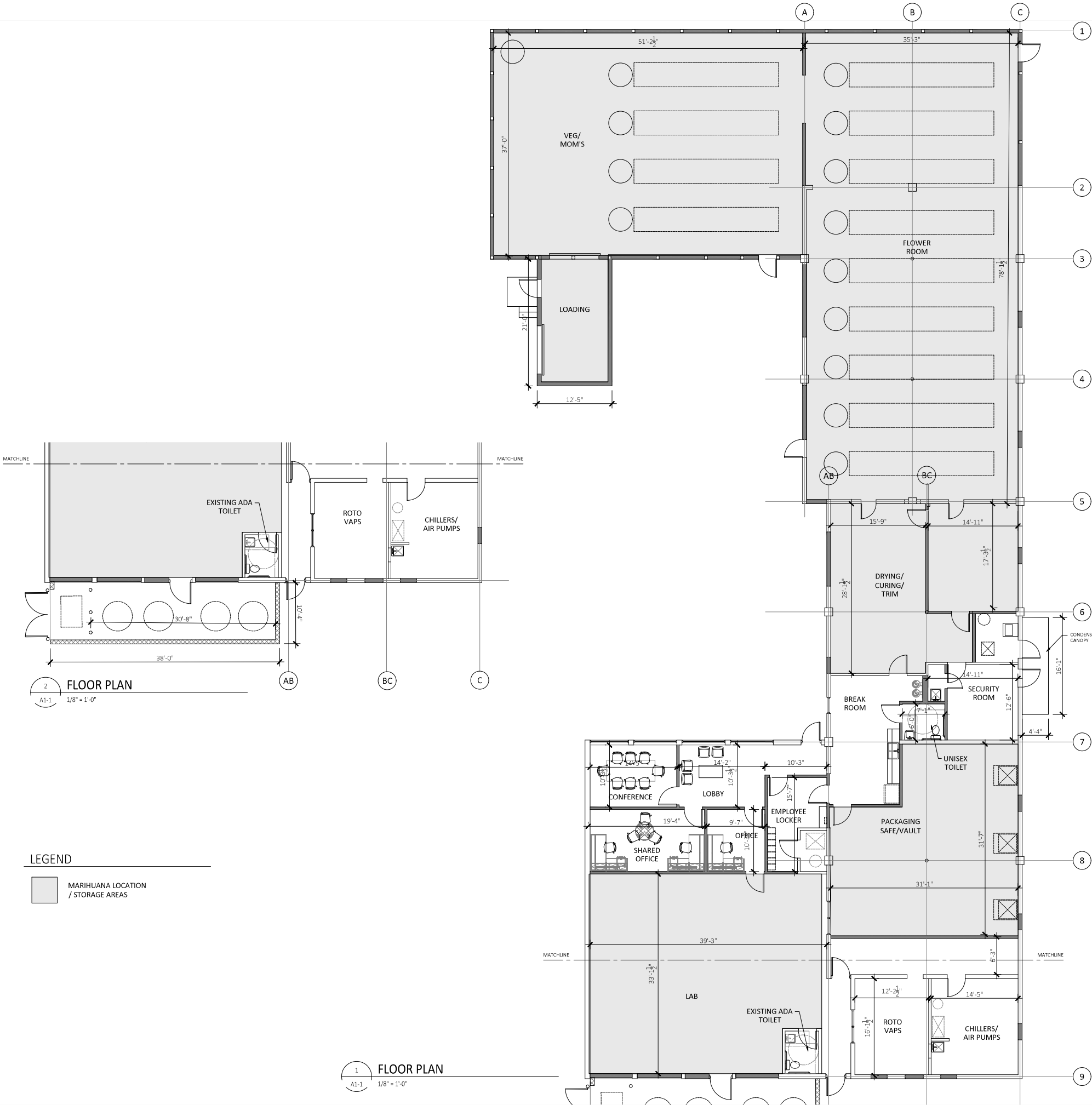


Project Number

407-002

Drawing Number

A1-1



STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Community Development Director
Emily Szymanski, Planning & Zoning Technician
SUBJECT: Zoning Ordinance Amendment to Add Flexible Parking Regulations for Cross Access, Parking Reductions, and Parking Maximums to Article 5.
DATE: November 18, 2020

Introduction

Amending the City's Zoning Ordinance to "incorporate standards to include flexible parking standards" will help the City move one step closer toward achieving MEDC Redevelopment Ready Communities Certification.

This topic has been before the Planning Commission two times, in September 2020 for an introduction, and as a draft amendment in October 2020. The draft amendment language is attached to this report.

Zoning Ordinance Text Amendment Process and Procedure

The Zoning Ordinance Text Amendment Application was initiated by staff. As required by Ordinance, the Zoning Ordinance amendments must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on Tuesday, November 3, 2020.

Text Amendments are reviewed first by the Planning Commission where a Public Hearing is held. The Planning Commission then makes a recommendation to the City Commission, who will vote on adoption of the Ordinance Amendment.

Standards for Zoning Amendment Review

Section 14.2:4 of the Zoning Ordinance clearly lays out a series of standards for reviewing Zoning Amendments, stating as follows:

The Planning Commission and City Commission shall consider the request for an amendment to the Zoning Ordinance in accordance with the following standards:

- (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 land 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 plans, change in relevant conditions, or changes in relevant plan policies.

Planning Commissioners are encouraged to review the proposed Amendment against the standards in Section 14.2:4 to decide if they find it meets or fails to meet them. These standards shall be used to decide the recommendation provided by the Planning Commission.

Recommendation

Staff supports recommending adoption of the Zoning Ordinance Amendment to add bicycle parking regulations to new Sections 2.2:91, 5.2:2, and 5.5:11 of the Zoning Ordinance, as the amendment meets the standards for review found in Section 14.2:4 of the Zoning Ordinance and will further the City's goal of becoming Redevelopment Ready Certified.

Action

Two options lay before the Planning Commission regarding Zoning Ordinance Text Amendment Applications: Recommendation to Adopt or Recommendation to Not Adopt. As the City Commission has the final determination on Ordinance Amendments, the application must be forwarded to them with a recommendation.

Explanations and sample motions are included below.

Recommendation to Adopt

A recommendation of adoption motion is appropriate when the Application meets the Standards of the Zoning Ordinance.

“I move to recommend that the Zoning Ordinance Text Amendment to add flexible parking regulations to new Sections 2.2:91, 5.2:2, and 5.5:11 of the Zoning Ordinance be adopted as presented, as the amendment meets all of the Standards for Review found in Section 14.2:4 of the Zoning Ordinance.”

Recommendation to Not Adopt

A recommendation to not adopt motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance.

“I move to recommend that the Zoning Ordinance Text Amendment to add flexible parking regulations to new Sections 2.2:91, 5.5:2, and 5.5:11 of the Zoning Ordinance not be adopted, because it does not meet the Standards for Review set in Section 14.2:4 of the Zoning Ordinance.” *(Include which number Standards the application does not meet)*

Draft Zoning Ordinance Text Amendment to add Flexible Parking Regulations to Article 5

Add the new Sections below to Articles 2 and 5 of the Zoning Ordinance

- 2.2:91 Parking Demand Study – A study demonstrating the need for parking based on documented evidence of actual use and demand, utilizing the recommendations of the Institute of Traffic Engineers (ITE), the Urban Land Institute (ULI), etc.
- 5.2:2 Parking Space Maximums. To limit excessive areas of pavement, no parking lot shall exceed the required number of parking spaces by more than fifteen (15) percent, except as approved by the Planning Commission. In requesting additional spaces beyond the allowed fifteen percent, the Applicant shall provide a Parking Demand Study with their Site Plan Review application.
- 5.2:3 Reductions in Parking Space Requirements
- (1) When On-Street Parking is Available. The use of on-street parking to meet a portion of the minimum off-street parking requirements for non-residential uses shall be permitted, as approved by the Zoning Administrator, provided the following conditions are met:
 - (a) Adequate on-street parking exists within three hundred (300) linear feet of the primary entrance of the main building.
 - (b) No more than forty (40) percent of the off-street parking space requirement is met using on-street parking.
 - (c) The intensity of the use and its parking requirements shall not substantially adversely impact the surrounding uses, and
 - (d) There is no negative impact to existing or planned traffic circulation patterns.
 - (2) The Zoning Administrator may require the Applicant to provide a parking demand study to demonstrate that adequate available spaces exist which meet the above conditions.
- 5.4:11 Cross Access between Adjacent Parking Lots.
- (1) Internal vehicular circulation areas are required for all non-residential and mixed uses, to allow for cross access to adjacent parking lots.
 - (2) A stub for future cross access shall be provided from the vehicular use area to all adjacent lots, unless waived by the Planning Commission during the Site Plan Review process due to impracticality on the basis of topography, the presence of natural features, or vehicular safety factors.
 - (3) A cross-access easement shall be recorded with the Mecosta County Register of Deeds prior to issuance of a Building Certificate of Occupancy for the development.

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Zoning Ordinance Review for Marihuana Businesses
DATE: November 18, 2020

Introduction

The City Commission adopted Ordinance No. 752-10-19 “Ordinance amending Articles 2, 3, and 11 of the Big Rapids Zoning Ordinance to define and permit certain State licensed marihuana business facilities and establishments in the C-1, C-2, C-3, and Industrial Districts” on October 7, 2019. To date, the City of Big Rapids has three open marihuana retail stores and has received many other applications from similar businesses who hope to open in Big Rapids.

The Zoning Ordinance is a living document. As this new business type has been permitted, several issues and concerns have arisen which necessitate reviewing and possibly amending the Ordinance to refine the regulations. One such amendment has already taken place, when the City Commission adopted Ordinance No. 754-12-19 on December 2, 2019, to clarify that the setback of 500 feet for marihuana businesses shall be measured from property line to property line.

Section 11.1:29(1)(e) - Sign Regulations for Marihuana Businesses

The Zoning Amendment which permits Marihuana Businesses placed more restrictions on signs for marihuana businesses than for general commercial signs. One marihuana business has had issues with this Ordinance due to the location of their building on the property and the traffic on the adjacent street. Staff will discuss the concern at the meeting and lead the Commissioners into a conversation on this aspect of the Ordinance and possible amendments.

Marihuana Businesses in the Downtown District

The City Commission held a Work Session on this topic at their regular meeting on Monday, November 9, 2020. At least two members of the public were concerned about a marihuana business going into 225 S. Michigan Ave and the proximity of that location to the MOISD Transition Center located at 220 S. Michigan Ave. At their meeting on Monday, November 16, 2020, the City Commission will be acting on a resolution which directs the Planning Commission to review the Ordinance in question and consider revising it address the concerns. Staff will provide the Resolution to the Planning Commissioners after the Nov. 16 City Commission meeting.

Way Forward

The discussion tonight is to begin the conversation of reviewing these two aspects of the Ordinance and any others the Planning Commissioners may wish to revisit.

- (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.

11.1:29 Marihuana establishments may be permitted subject to the general and specific conditions below:

- (1) Conditions which apply to all marihuana establishments are listed below:
 - (a) All such establishments shall hold a valid License for the appropriate operation as issued by the State of Michigan.
 - (b) Co-located marihuana establishments and stacked grower licenses may be permitted subject to the regulations of this Ordinance and any applicable rules promulgated by LARA.
 - (c) The Licensee shall have, or shall have applied for, a Municipal License or permit as described in the City Code of Ordinances.
 - (d) No such facility shall be situated within 500 feet of a K-12 school, public or private.
 - (e) Those provisions for signs contained in Article 6 of this Ordinance notwithstanding, signage shall be limited to one sign per establishment, either a wall sign or a freestanding sign, as described below. The sign shall not be digital or internally illuminated.
 - (i) One wall sign affixed to the building containing a marihuana facility is permitted on the front wall of the building and shall not exceed twenty (20) square feet.

- (ii) One freestanding sign located on a lot containing a marihuana facility is permitted. The sign shall not exceed twelve (12) square feet in area nor four feet (4) in height.
 - (f) The use of marihuana is prohibited at all licensed marihuana establishments.
 - (g) No equipment or process shall be used in the facility which creates noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal human sense beyond the property line.
 - (h) The establishment shall be available for reasonable inspection, during business hours, by Code Enforcement Officials or Public Safety Officers to confirm the facility is operating in accordance with all applicable laws, including state law and city ordinances.
 - (i) A property owner shall have no vested rights or nonconforming use rights that would serve as a basis for failing to comply with this ordinance or any amendment of this ordinance.
 - (j) A Zoning Permit or Special Land Use Permit may be issued conditionally, however no operation may commence or continue until the required Municipal License or permit has been issued by the City Clerk and all conditions enumerated in the City Code of Ordinances have been met.
- (2) Marihuana retailers, safety compliance facilities, and microbusinesses may be permitted in the C-1, C-2, and C-3 Commercial Districts subject to the conditions below:
- (a) The facility may only operate between the hours of 9AM to 9PM.
 - (b) The facility shall provide off-street parking and loading consistent with Article 5 of this Ordinance and shall be considered under Section 5.2 as Retail Sales and Rental of Goods, Merchandise, and Equipment.
 - (c) The exterior of the facility must be compatible with surrounding businesses with respect to façade type, ground floor opacity, site layout, etc.
 - (d) The interior of the facility must be arranged in such a way that neither marihuana nor marihuana-infused products are visible from the exterior of the facility.
 - (e) All activities, including all transfers of marihuana, shall be conducted within the building and out of public view. Drive-through, drive-up, or curb-side service facilities are prohibited.

- (3) Marihuana growers, excess growers, processors, safety compliance facilities, and secure transporters may be permitted as a special land use in the Industrial District subject to the conditions below:
 - (a) The facility shall provide off-street parking and loading consistent with Article 5 of this Ordinance and shall be considered under Section 5.2 as Manufacturing and Industrial Uses.
 - (b) Processes must be conducted in a manner to minimize adverse impacts on the City's wastewater treatment operations. The City's Public Works Department shall review all pertinent information related to wastewater discharges and shall provide any pertinent comments on to the Planning Commission.
 - (c) All operations shall occur within an enclosed building and no marihuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is unlawful to store marihuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.
 - (d) Applicants must provide a plan for the storage and disposal of marihuana or chemicals associated with marihuana cultivation or processing to minimize the risk of theft or harm resulting from chemical exposure.

11.1:30 Construction equipment sales, service, and rental may be permitted in the Industrial District under the following conditions:

- (1) Outdoor display and storage of equipment shall conform to the lot, yard, and area requirements of the Industrial District.
- (2) Equipment outdoors may be stored up to 40 feet in height.
- (3) All service activities shall be conducted completely within an enclosed building.
- (4) Interior site circulation shall be planned in such a manner that any trucks, tractors, cranes, or any other large construction related vehicles shall not protrude into any road right of way during ingress or egress from the site.
- (5) Uses shall produce no detectable objectionable dust, fumes, or odors at any property line.

Projecting and suspending signs shall not extend more than five (5) feet from the building.

- 6.5:4 Wall, awning and canopy signs are prohibited on all single-family, two-family and multi-family dwellings and freestanding signs are prohibited for all single-family and two-family dwellings.
- 6.5:5 Two (2) non-illuminated temporary signs per parcel not exceeding six (6) sq. ft. in area and forty-two (42) inches in height set back a minimum of six (6) feet from the front property line. These signs shall not be mounted on, affixed to or suspended from a building. These signs shall be removed within three (3) days after the conclusion of the project, sale or event.
- 6.5:6 No sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m. unless the premises are open for business.

SECTION 6.6 SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS

- 6.6:1 One (1) freestanding sign per parcel with 25-200 ft of street frontage, two (2) per parcel with 201-500 feet of street frontage and three (3) per parcel with 501 ft or more street frontage. The sign has a maximum base area of sixty (60) sq. ft. and sixteen (16) ft in height. The height to the bottom of the sign shall not exceed ten (10) ft in height. If the sign has a dark or opaque background, it is allowed an additional ten (10) sq. ft. in size. Freestanding signs must be setback a minimum of two (2) ft from any property line.
- 6.6:2 Two (2) signs per canopy with a maximum base area of six (6) sq. ft.. An additional six (6) sq. ft. if the sign has a dark or opaque background. The maximum height for the sign is fifteen (15) ft.
- 6.6:3 One (1) projecting or suspending sign per entrance with a maximum base area of ten (10) sq. ft.. An additional six (6) sq. ft. if it has a dark or opaque background. The maximum height for the sign is fifteen (15) ft and the minimum height is eight (8) ft. Projecting and suspending signs shall not extend more than five (5) ft from the building.
- 6.6:4 Wall or awning signs have a maximum area of one and one-half (1.5) sq. ft. times the business frontage. All other wall or awning signs on the building shall be on the basis of the one (1) square foot per lineal foot of building or thirty-five (35) sq. ft. whichever is less. The maximum height for the sign is eighteen (18) ft or one (1) foot below the second floor window trim.
- 6.6:5 Roof Sign. A roof sign must meet the following requirements.
1. The maximum area of a sign is 50 sq. ft.
 2. The sign height must not exceed 4 ft.
 3. The building must be single story.
 4. The sign is not out of character with surrounding structures and signs.

- 6.6:6 One (1) portable sign per business on private property for a maximum of fourteen (14) days. Portable signs have a maximum size of thirty-two (32) sq. ft. A business is only allowed a portable sign for four (4) separate times in one calendar year and two (2) days must elapse between periods. The portable sign must be removed on the date stated and cannot be stored on the property unless covered in the rear yard or in a building.
- 6.6:7 Searchlights, lasers or other high intensity light sources are limited to one (1) per parcel and are only allowed for a maximum of seven (7) days two (2) separate times in one (1) calendar year.
- 6.6:8 Window signs not exceeding twenty-five (25) percent of each window area.
- 6.6:9 One (1) sandwich board sign per business entrance/exit with a maximum of three (3) that does not exceed forty-eight (48) inches in height and 30 inches in width. These signs must be located outside of the main flow of pedestrian traffic and can only be displayed when the premises is open for business.

SECTION 6.7 PROHIBITED SIGNS

No person shall display, erect, use or maintain a sign for which a permit is required and has not been issued, or a:

- 6.7:1 Banner or wind sign larger than eight (8) sq. ft. on private property.
- 6.7:2 Blinking, flashing, intermittent, rotating, revolving or signs with movable parts or signs which give the illusion of movement by means of illumination or otherwise except barber poles less than eight (8) feet in height are allowed.
- 6.7:3 Imitation traffic sign which, by reason of its shape, color, use of lighting, or other factor, is similar in both size and appearance to any official traffic signal or traffic sign or railroad sign or signal in a way that may, in the judgment of the Zoning Administrator, interfere with traffic movement or safety.
- 6.7:4 Motor vehicles with a sign which are parked in a position visible to traffic on a public road or parking area for the primary purpose of displaying the sign to the public.
- 6.7:5 Obsolete sign. Any sign together with its supporting structure which is still standing ninety (90) days or more after the premises have been vacated or the principal use has been discontinued.
- 6.7:6 A roof sign with any portion that projects above the roofline of the building.
- 6.7:7 Sign on public property, without the public property owner's permission.
- 6.7:8 Unsafe sign. Any sign or structure which is structurally unsafe, constitutes a hazard to the public health, welfare and safety or is not kept in a state of

good repair, or any sign which obstructs free access to or egress from a required door, window or fire escape or other required exit way.

6.7:9 Any sign erected or displayed without a permit required by this Ordinance.

6.7:10 Sign that is painted on or attached to trees, which is visible from any public thoroughfare.

SECTION 6.8 SIGNS AUTHORIZED WITHOUT A SIGN PERMIT

Subject to any other applicable requirements and permits, the following are authorized without a sign permit:

6.8:1 Banners or wind signs on public property or within the public right-of-way with the public property owner's permission.

6.8:2 Cornerstones and commemorative tablets identifying a building or building complex that is an integral part of the building.

6.8:3 Private traffic directional sign, two (2) entrance/exit directional signs per driveway, each four square foot or less, and limited to forty-two (42) inches in height. These signs may be illuminated.

6.8:4 Inconspicuous signs.

6.8:5 Official governmental notices and notices posted by governmental officers in the performance of their duties, governmental-owned directional signs, signs to control traffic, identify municipal boundaries, or for other regulatory purposes, to identify streets or to warn of danger; however, identification or bulletin board signs accessory to governmental buildings or other governmental facilities are not exempt from the requirements of this article.

6.8:6 Vehicle mounted signs with a permanent message displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, provided that the primary purpose of such vehicle is not for the display of signs, and provided, further, that such vehicle is parked or stored in an area appropriate to its use as a work vehicle;

6.8:7 Warning signs exclusively devoted to warning the public of dangerous conditions and unusual hazards.

6.8:8 Banners or wind signs on private property that are less than eight (8) sq. ft.. These must be removed when business is closed.

6.8:9 The signs detailed in the following Sections: 6.4:4, 6.5:5, 6.6:5, 6.6:8 and 6.6:9.

6.8:10 Tourist-oriented directional signs provided such signs are otherwise permitted by the Michigan Department of Transportation pursuant to PA 299 of 1996, as amended.

Planning Commission

Regular Meeting

December 16, 2020 at 6:30 P.M.

Zoom Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/89704904857?pwd=cUw4Z3ZaUjNBT1Jkc1J5R01BbXQ4UT09>

Meeting ID: 897 0490 4857

Passcode: 878479

Phone Login – Dial +1 312 626 6799

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
 - a. November 18, 2020
5. Public Comment
6. Special Business
 - a. 906 N. State Street – Purchase Offer Zoning Discussion with
City Commissioners
7. Public Hearing
 - a. Site Plan Review for 418 and 426 S. Michigan Ave – Anna
Howard Shaw Memorial Park Improvements
8. General Business
 - a. Sign Regulations for Marihuana Businesses – Section
11.1:29(1)(e)
 - b. Setback Regulations regulating Marihuana Business Location
Siting
9. Unscheduled Business
10. Adjourn

CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
November 18, 2020
Unapproved

Chair Jane called the November 18, 2020, regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:36 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Megan Eppley, Paul Jackson, Chris Jane, Karen Simmon, and Bill Yontz

EXCUSED Rory Ruddick

ABSENT none

ALSO PRESENT Paula Priebe, Neighborhood Services Director
Emily Szymanski, Planning & Zoning Technician

There were 15 audience members.

APPROVAL OF MINUTES

Motion was made by Paul Jackson, seconded by Bill Yontz to approve the minutes of the October 21, 2020 meeting of the Planning Commission as presented, with no changes. Motion was passed with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard

PUBLIC HEARINGS

Public Hearing 1

Special Land Use Permit for a Marihuana Grower and Processor Facility at 125 Howard St

The Public Hearing was opened at 6:42 PM.

Priebe stated that the Applicant, Michigan Pipe Dreams, applied for a Special Land Use Permit, acting in accordance with Article 10.3:8 and Article 11.1:29 Section 1 and Section 3 of the Zoning Ordinance in order to open both a Marihuana Grower and Processor facility that would be for both Medical-Use and Adult-Use.

Christian Franke of Indianapolis, Indiana spoke on Michigan Pipe Dreams' behalf. Mr. Franke said that he looks forward to working with the Big Rapids community. He gave a brief background of Michigan Pipe Dreams, stating that the company's staff have over 80 years of experience in the marihuana industry, including large grows and processing.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Philip Neitzel of 115 Dekraft Ave expressed his concerns regarding the marihuana facility. Mr. Neitzel concerns were mainly focused on the young children around the facility site and the residential areas surrounding.

Jerry Boman of 302 S Stewart St expressed similar concerns with the site, stating that the surrounding area is residential with many young children. Mr. Boman also voiced his concern with the additional traffic that could arise from having a marihuana facility in the neighborhood.

Telephonic or Written Correspondence Received by Staff:

Szymanski and Priebe received a phone call from Esther Wellman of 202 Dekraft Ave. Ms. Wellman had concerns over the safety of small children in the neighborhood as well as possible marihuana odor and increase in traffic down her street.

In response to the opposition voiced from community members, Mr. Franke addressed some of the concerns:

- For concerns with odor, Mr. Franke stated that the facility will have state-of-the-art odor mitigation equipment, making the facility essentially odorless.
- For the concerns regarding children, Mr. Franke stated that the facility will be grow and processing only, no retail.
- The only traffic to enter and exit the facility are employees or designated delivery drivers licensed by the State of Michigan.
- They will be making safety a priority, following all state laws while implementing high security measures.

Chair Jane closed the Public Hearing at 6:52 PM and the Commission entered into Fact Finding.

Eppley asked for Franke to clarify that the facility would not have any retail by any means. Franke stated that they are not offering retail. Thompson asked about the branding and what it entails. Franke stated that the building façade will remain the same, with no branding of any kind. He also mentioned that since the facility will not be having a retail component, they will not have any large signage on the façade, making the facility as discrete as possible. Simmon asked Priebe to discuss the future land use of the area. Priebe stated that the facility complies with the Zoning Ordinance and future land use. Priebe discussed the Standards stated in both

Article 10.3:8 and 11.1:29 Sections 1 and 3 of the Zoning Ordinance and said the facility complies.

Motion

Motion was made by Bill Yontz, seconded by Paul Jackson, that the Special Land Use Permit for 125 Howard St, be approved because it meets the requirements stated in Article 10.3:8 as well as the additional requirements for Marihuana Facilities in the I Industrial District stated in Section 11.1:29 Section 1 and Section 3 of the Zoning Ordinance.

Motion passed with Bill Yontz, Kacey Thompson, Megan Eppley, and Paul Jackson in favor.

Karen Simmon voted against the motion. Chris Jane abstained.

Public Hearing 2

Zoning Ordinance Amendment to Add Flexible Parking Regulations for Cross Access, Parking Reductions, and Parking Maximums to Article 5 of the Zoning Ordinance.

Staff Report

Priebe summarized the different types of Flexible Parking Regulations, as discussed at two previous Planning Commission meetings. Priebe provided examples in the Big Rapids community, which include Arby's and 801 N State St. Amending the Zoning Ordinance with at least one more flexible parking regulation would achieve at step toward Redevelopment Ready Communities (RRC) certification.

Chair Jane opened the Public Hearing at 7:09 PM.

Those Who spoke in Favor of the Request: None heard.

Those Who spoke in Opposition of the Request: None heard.

Telephonic or Written Correspondence Received by Staff: None heard.

Chair Jane closed the Public Hearing at 7:11 PM.

Discussion included the following topics:

- Commissioner Jackson asked about on-street parking with the Winter Parking Ban in place.
- Priebe stated that the Flexible Parking Regulations are specifically for commercial districts, not residential and the Winter Parking Ban doesn't impact parking in commercial districts due the Ban starting at 2:00 AM and ending at 6:00 AM.

Motion

Motion was made by Bill Yontz, seconded by Karen Simmon, to recommend that the Zoning Ordinance Amendment to Add Flexible Parking Regulations to new Sections 2.2:91, 5.2:2, and 5.5:11 of the Zoning Ordinance be adopted as presented, as the amendment meets all the Standards for Review found in Section 14.2:4 of the Zoning Ordinance.

Motion passed with all in favor.

GENERAL BUSINESS

Zoning Ordinance Review of Sign Regulations for Marihuana Businesses

Priebe reviewed the current Marihuana Ordinances and how the restrictive nature of the Ordinance places a high burden on some businesses. She then introduced Nick and Eric Piedmonte, owners of Fresh Coast Provisioners, and of the new Marihuana Facility, Dunegrass Co. (801 N. State St). Chair Jane asked to hear from the owners to hear what their concerns with the current Ordinances are.

Nick and Eric Piedmonte stated that when deciding on the sign to implement for Dunegrass Co., they faced many challenges due to the strict Sign regulations for Marihuana Facilities. Their main concern is visibility and the fact that they currently cannot having a sign that faces both N. State St and W. Waterloo St.

Tom Amor, owner of Amor Signs, also spoke his concerns, giving a background of his company and his knowledge of projecting signs. Mr. Amor suggested that the City allow projecting signs as a type of wall sign allowed for Marihuana Facilities. He also believes that the freestanding sign restriction should be more lenient for these facilities.

Discussion included the following topics:

- Commissioner Jackson suggested that in this circumstance with visibility being an issue, two signs facing both streets should be allowed. However, instead of allowing the maximum square footage for each sign, the signs should have a maximum combined square footage.
- Chair Jane asked for examples in other communities.
- Staff will research how other communities address signage with Marihuana Facilities and will draft sample language for the next Planning Commission meeting.

Marihuana Businesses in the Downtown District

Priebe stated that the City Commission asked for the Planning Commission to review the number of Marihuana Facilities in the community and discuss if there is a need for a cap or buffer to limit the number of Facilities downtown. Priebe also discussed a few options that other communities have implemented, including such as a Cap on the number of businesses and the need for a Merit Based System; not allowing Marihuana Facilities downtown; and adding buffer zones. Further, she stated that current marihuana applications and businesses will not be affected by changes to the Ordinance, but would impact new businesses hoping to locate downtown.

Voicing his concern, Steve Locke, the Superintendent of MOSID, stated that the MOSID should have been taken into more consideration when creating a buffer for Marihuana Facilities since it is a school for people 18 years of age and older with intellectual disabilities.

Discussion included the following topics:

- Commissioner Jackson agrees with Mr. Locke, stating that there should be a stricter buffer for the downtown, especially since MOSID is located nearby. Mr. Jackson suggested that there should be a buffer that limits two or more shops locating next to one another.
- Commissioner Eppley agrees with Commissioner Jackson, stating that there should be a buffer which prohibits Marihuana Facilities locating in close proximity to one another, just not sure what the buffer should be.
- Commissioner Thompson also believes MOISD should be buffered. Ms. Thompson also asks about the legal perspective of buffering and asks if the City buffers other types of businesses.
- Commissioner Simmon believes there should be a buffer, but suggests the buffer be for the entire Big Rapids community and not just for Downtown.
- Commissioner Yontz asked Priebe a question about the legality of buffering marihuana businesses but no other types of businesses.
- Priebe mentions that since the State allows the City to make their own standards, the City of Big Rapids has chosen to be stricter with marihuana businesses than other businesses and buffering between marihuana businesses is allowed.
- Commissioner Simmon asks Priebe for the total Marihuana Facilities currently open and pending in the community.
- Priebe states that the City has received applications for 16 locations, of which three are open, five have received a Municipal Marihuana Operating Permit two of those five are not open yet), and the rest are in the application process.
- Commissioner Simmon asks Staff for a map of all marihuana businesses in the community.
- Staff will map the total marihuana businesses and how close the downtown marihuana facilities are to the MOISD building for next Planning Commission meeting.

UNSCHEDULED BUSINESS

None heard.

There being no further business, Chair Jane adjourned the meeting at 8:11 PM with all in favor.

Respectfully submitted,

Emily Szymanski
Planning & Zoning Technician and Planning Commission Secretary

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Community Development Director
SUBJECT: Zoning Analysis of Proposal for 906 N. State St
DATE: December 16, 2020

Introduction

The City Manager received a proposal for the purchase of the City-owned property at 906 N. State Street, also known as the Hanchett Property. Staff have provided a brief zoning analysis of the proposed use to assist the City Commissioners in their deliberation on the proposal. The City Commission held a discussion on this topic at their regular meeting on December 7, 2020. Due to their expressed desire to know more about the proposal and to have a further conversation about how the current and possible zoning for this parcel would impact the decision, the conversation will continue at a joint meeting of the Planning Commission and City Commission.

Note: This is the second purchase proposal the City has received for this property. The other was received in November 2019 and was also referred to the Planning Commission for deeper review. The Planning Commission reviewed that proposal (from Mr. Jerry Boman, for use as a marijuana grow facility) at their meetings in November 2019 and the Planning Commission recommended that the City Commission not accept the offer. A revised proposal was reviewed at the January 2020 Planning Commission meeting and also not approved.

Current Proposal Information

The current proposal is from Krist Oil Companies in northern Michigan and is for a gas station and convenience store to be located on the site. Please see the attached Purchase Agreement, site plans, and renderings for more information.

Zoning Analysis

The property at 906 N. State St was rezoned from Industrial District to R-3 Residential District by Ordinance No. 755-01-20 in January 2020. This action brought the zoning of the property in agreement with the stated City vision for the site, as established by a series of public meetings on the issue in 2019. The preferred site concepts included a blend of residential and mixed-use uses.

The R-3 District provides “areas of higher density of residential development than is permitted in the R-1 and R-2 Districts” and permits “multiple-family dwellings and office structures”. Special land uses permitted in the R-3 district include Planned Unit Developments and “two or more multiple-family dwellings on a single lot”. The most likely way to meet the City vision for the property is to the Planned Unit Development process, which provides additional flexibility to a developer than conventional zoning regulations allow.

The proposed use of the property, according to the proposal received, is for a gas station and convenience store. According to the City of Big Rapids Zoning Ordinance, “gasoline service stations” are only permitted in the C-3 District, as stated in Section 3.11:2(3)(i).

It is the staff view that the proposed use of the property as a gas station and convenience store does not meet the zoning of the site. While it is arguably possible that a gas station and convenience store could be included in a Planned Unit Development, the regulations for PUD (found in section 11.1:19 of the Zoning Ordinance) expressly state that residential uses are the primary use, while non-residential uses can be permitted as secondary uses in support of the residential use. The proposed gas station and convenience store use is the only use in the proposal, and thus is the primary use for the site. This is not permitted under the PUD Ordinance.

Rezoning Considerations

The property at 906 N. State was rezoned in early 2020 to R-3 Residential District, to align with the expressed community vision for the site. A summary of that vision can be found in the attached document from Smith Group, the City's consultant on this project. This vision included Guidelines for Redevelopment of the site and three Concepts, all of which include a primary residential component and additional features such as some commercial space, greenspace and pedestrian elements, a gateway to the City from the north, and/or riverfront access.

Rezoning the property to C-3 to align with the zoning needed for the proposed gas station/convenience store use would be possible. Adjacent properties across both E. Pere Marquette St and N. State St. are zoned C-3 Commercial, so it would not be a spot zoning.

The Future Land Use Map has the property marked as Industrial. However, it is also located in Focus Area #8. According to the City's Master Plan, the vision for Focus Area Eight is included below, and does not provide specific direction, but rather states that mixed-use is the goal.

“This focus area, located between State Street and the west side of the Muskegon River recognizes that the area is better suited to emphasizing the river and concentrating manufacturing in a more appropriate area. This change was initiated by the removal of an industrial building, followed by storm-damage to another adjacent manufacturer – as reconstruction of the Baldwin Street Bridge and other street and utility improvements to the area occurred. The City would like to promote the area for mixed use development including a variety of residential and commercial uses. Since mixed-se is a new direction for the City, it is going to look at a variety of options before committing to a final decision.”

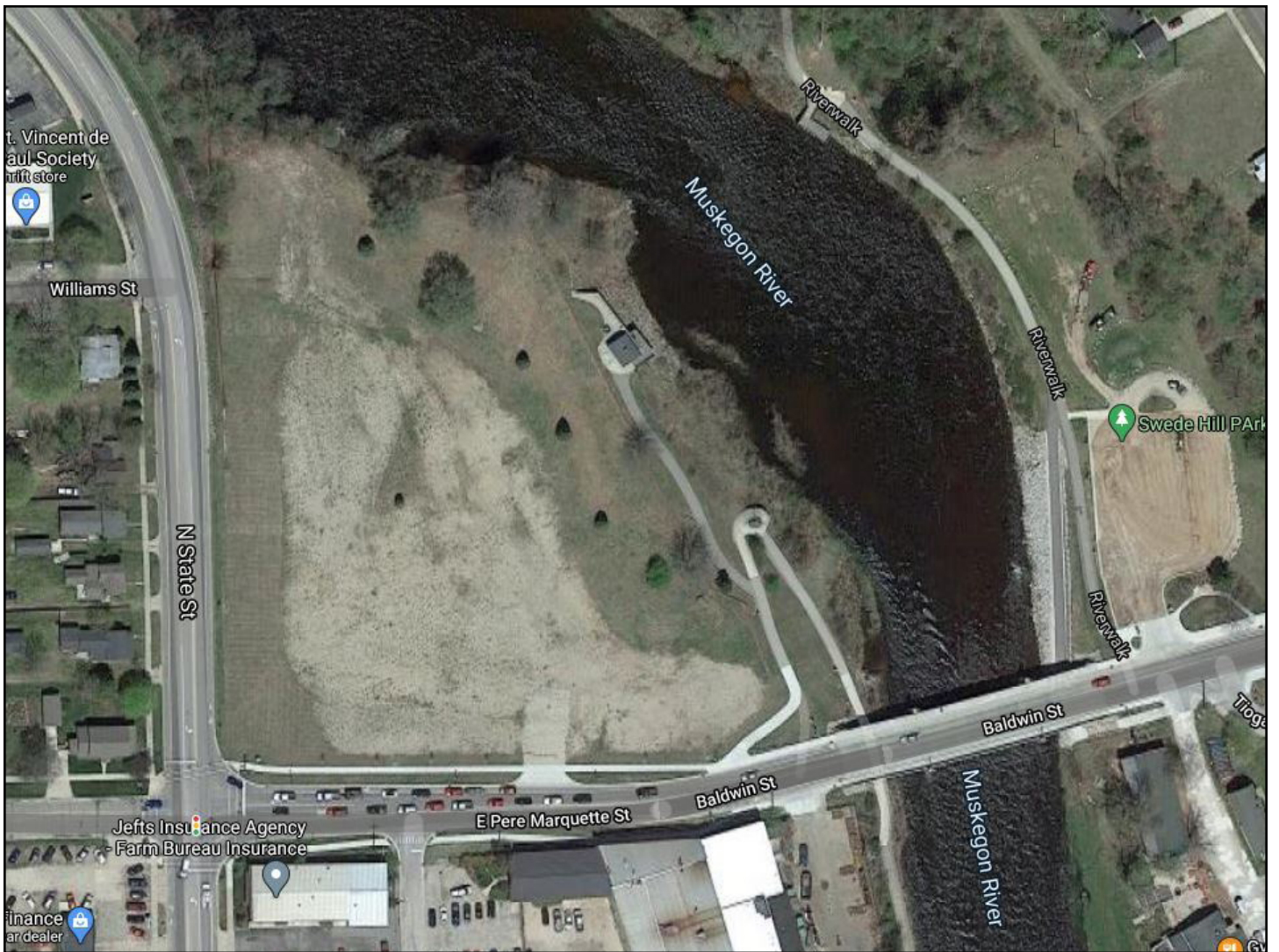
Action

This is an discussion session only; no specific action is required at this time.

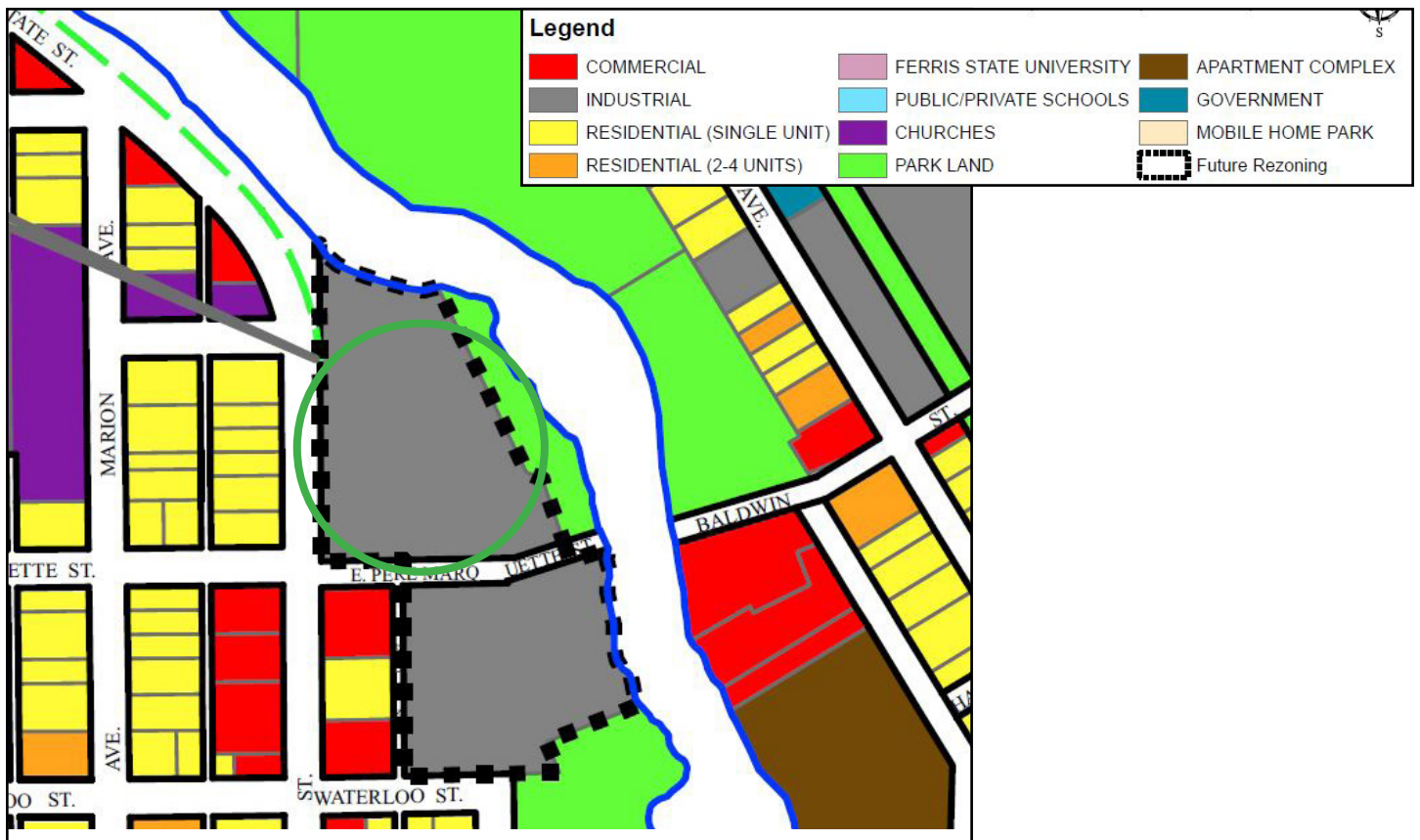
Location Maps



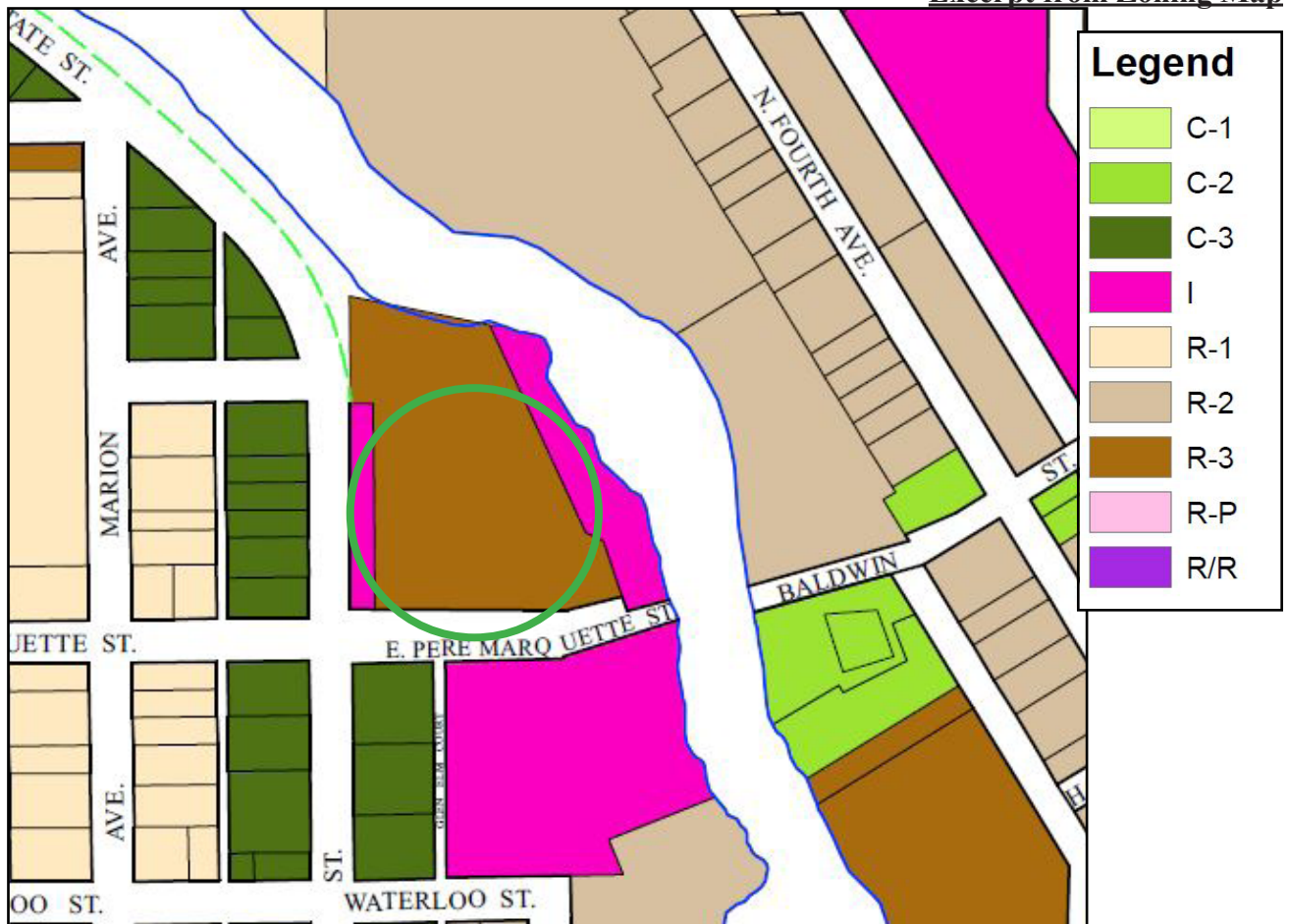
Satellite Imagery



Excerpt from Future Land Use Map



Excerpt from Zoning Map





Disclosure Regarding Real Estate Agency Relationships



Before you disclose confidential information to a real estate licensee regarding a real estate transaction, you should understand what type of Agency relationship you have with that licensee. A real estate transaction is a transaction involving the sale or lease of any legal or equitable interest in real estate consisting of not less than 1 or not more than 4 residential dwelling units or consisting of a building site for a residential unit on either a lot as defined in section 102 of the land division act, 1967 PA 288, MCL 560.102, or a condominium unit as defined in section 4 of the condominium act, 1978 PA 59, MCL 559.104. Michigan law requires real estate licensees who are acting as agents of sellers or buyers of real property to advise the potential sellers or buyers with whom they work of the nature of their agency relationship.

- (1) An agent providing services under any service provision agreement owes, at a minimum, the following **duties** to the client:
 - a. The exercise of reasonable care and skill in representing the client and carrying out the responsibilities of the agency relationship.
 - b. The performance of the terms of the service provision agreement.
 - c. Loyalty to the interest of the client.
 - d. Compliance with the laws, rules, and regulations of this state and any applicable federal statutes or regulations.
 - e. Referral of the client to other licensed professionals for expert advice related to material matters that are not within the expertise of the licensed agent.
 - f. An accounting in a timely manner of all money and property received by the agent in which the client has or may have an interest.
 - g. Confidentiality of all information obtained within the course of the agency relationship, unless disclosed with the client's permission or as provided by law, including the duty not to disclose confidential information to any licensee who is not an agent of the client.
- (2) A real estate broker or real estate salesperson acting pursuant to a service provision agreement shall provide the following **services** to his or her client:
 - a. When the real estate broker or real estate salesperson is representing a seller or lessor, the marketing of the client's property in the manner agreed upon in the service provision agreement.
 - b. Acceptance of delivery and presentation of offers and counteroffers to buy, sell, or lease the client's property or the property the client seeks to purchase or lease.
 - c. Assistance in developing, communicating, negotiating, and presenting offers, counteroffers, and related documents or notices until a purchase or lease agreement is executed by all parties and all contingencies are satisfied or waived.
 - d. After execution of a purchase agreement by all parties, assistance as necessary to complete the transaction under the terms specified in the purchase agreement.
 - e. For a broker or associate broker who is involved at the closing of a real estate or business opportunity transaction, furnishing, or causing to be furnished, to the buyer and seller, a complete and detailed closing statement signed by the broker or associate broker showing each party all receipts and disbursements affecting that party.

SELLER'S AGENTS

A seller's agent, under a listing agreement with the seller, acts solely on behalf of the seller. A seller can authorize a seller's agent to work with subagents, buyer's agents and/or transaction coordinators. A subagent of the seller is one who has agreed to work with the listing agent, and who, like the listing agent, acts solely on behalf of the seller. Seller's agents and their subagents will disclose to the seller known information about the buyer which may be used to the benefit of the seller.

Individual services may be waived by the seller through execution of a limited service agreement. Only those services set forth in paragraph (2) (b), (c), and (d) above may be waived by the execution of a limited service agreement.

BUYER'S AGENTS

A buyer's agent, under a buyer's agency agreement with the buyer, acts solely on behalf of the buyer. A subagent of the buyer is one who has agreed to work with the buyer's agent and who, like the buyer's agent, acts solely on behalf of the buyer. Buyer's agents and their subagents will disclose to the buyer known information about the seller which may be used to benefit the buyer.

Individual services may be waived by the buyer through execution of a limited service agreement. Only those services set forth in paragraph (2) (b), (c), and (d) above may be waived by the execution of a limited service agreement.

DUAL AGENTS

A real estate licensee can be the agent of both the seller and the buyer in a transaction, but only with the knowledge and informed consent, in writing, of both the seller and the buyer.

In such a dual agency situation, the licensee will not be able to disclose all known information to either the seller or the buyer. As a dual agent, the licensee will not be able to provide the full range of fiduciary duties to the seller or the buyer.

The obligations of a dual agent are subject to any specific provisions set forth in any agreement between the dual agent, the seller, and the buyer.

TRANSACTION COORDINATORS

A transaction coordinator is a licensee who is not acting as an agent of either the seller or the buyer, yet is providing services to complete a real estate transaction. The transaction coordinator is not an agent for either party and therefore owes no fiduciary duty to either party.

DESIGNATED AGENCY

A buyer or seller with a designated agency agreement is represented only by agents specifically named in the agreement. Any agents of the firm not named in the agreement do not represent the buyer or seller. The named "designated" agent acts solely on behalf of his or her client and may only share confidential information about the client with the agent's supervisory broker who is also named in the agreement. Other agents in the firm have no duties to the buyer or seller and may act solely on behalf of another party in the transaction.

REAL ESTATE LICENSEE DISCLOSURE - THIS IS NOT A CONTRACT FOR AGENCY SERVICES

I hereby disclose that the agency status I/we have with the buyer and/or seller below is (choose one):

- ☐ Seller's agent or subagent
- ☒ Seller's agent - limited service agreement
- ☐ Buyer's agent or subagent
- ☐ Buyer's agent - limited service agreement
- ☐ Dual agent
- ☐ Transaction Coordinator (A licensee who is not acting as an agent of either the seller or the buyer.)
- ☐ None of the above

AFFILIATED LICENSEE DISCLOSURE (Check one)

☐ Check here if acting as a designated agent. Only the licensee's broker and a named supervisory broker have the same agency relationship as the licensee named below. If the other party in a transaction is represented by an affiliated licensee, then the licensee's broker and all named supervisory brokers shall be considered disclosed consensual dual agents.

☐ Check here if not acting as a designated agent. All affiliated licensees have the same agency relationships as the licensee named below.

Further, this form was provided to the buyer or seller before disclosure of confidential information.

Joe McGlady Licensee	11/23/20 1:16 PM EST CFRD-SYBI-FRGZ-LHK1 Date		
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The undersigned ☐ does ☐ does not have an agency relationship with any other real estate licensee. If an agency relationship exists, the undersigned is represented as a ☐ Buyer ☐ Seller.

ACKNOWLEDGMENT: By signing below, the parties confirm that they have received and read the information on this agency disclosure statement and that this form was provided to them before the disclosure of any confidential information specific to the potential sellers or buyers. **THIS IS NOT A CONTRACT.**

Potential <input checked="" type="checkbox"/> Buyer <input type="checkbox"/> Seller (check one) Date 11-23-20	Potential <input type="checkbox"/> Buyer <input type="checkbox"/> Seller (check one) Date
--	--

EXCLUSIVE BUYER AGENCY CONTRACT (SHORT FORM)

Broker: RE/MAX TOGETHER ("Broker")

Broker's Address: 1411 N STATE ST BIG RAPIDS, MI 49307

Client: Krist Oil Company ("Client")

Client's Address: _____

1. **PURPOSE:** Client has employed the services of Broker as Client's exclusive agent to assist Client in purchasing real estate.
2. Client acknowledges that Broker is not acting as an attorney, tax advisor, surveyor, appraiser, environmental expert or structural or mechanical engineer, and that Client should contact professionals on these matters.
3. **TERM/CANCELLATION:** This Agreement is entered into on this 23 day of NOVEMBER, 20 20. This Agreement shall expire on 06/30/2021. This Agreement may be cancelled only by the mutual consent of the parties in writing.
4. **COMPENSATION:** Broker shall be compensated by the seller or the listing broker.
5. **CONFIDENTIAL INFORMATION:** Broker shall preserve any confidential information obtained during any agency relationship and shall not disclose it to the Client.
6. **CONFLICT OF INTEREST (PURCHASERS):** Client acknowledges that Broker may represent other clients or customers desirous of purchasing property similar to the desired property. Client acknowledges and agrees that Broker may show more than one client or customer the same property, and may prepare offers on the same property for more than one client or customer.
7. **CONFLICT OF INTEREST (SELLERS):** In the event Client elects to make a bona fide offer on real property listed by Broker, Broker shall act as disclosed dual agent of both Client and the owner of the real property listed by Broker pursuant to a written agreement between Broker, Client and the owner of the listed real property.
8. **NON-DISCRIMINATION:** It is agreed by Broker and Client, parties to this Agreement, that as required by law, discrimination because of religion, race, color, national origin, age, sex, disability, familial status, marital status, height or weight by said parties in respect to the purchase of the desired property is prohibited.
9. **ENTIRE AGREEMENT:** This Agreement constitutes the entire agreement between the parties, and any other prior agreements, whether oral or written have been merged and integrated into this agreement.

10. OTHER:

CONTRACT VALID FOR THIS PROPERTY ONLY

- 11. RECEIPT:** Client has read this Agreement and acknowledges receipt of a completed copy of this Agreement.

BROKER:

RE/MAX TOGETHER

Accepted By:

Joe McNally

For:

dotloop verified
11/23/20 1:16 PM EST
OHTQ-UWHX-VDJT-KLR4

CLIENT:

[Signature]

11-23-20

Date:

Date:

Disclaimer This form is provided as a service of the Michigan Association of REALTORS®. Please review both the form and details of the particular transaction to ensure that each section is appropriate for the transaction. The Michigan Association of REALTORS® is not responsible for use or misuse of the form, for misrepresentation, or for warranties in connection with the form.





COMMERCIAL-INDUSTRIAL REAL ESTATE BUY & SELL AGREEMENT



1. **1. Parties.** **City of Big Rapids**
2. hereinafter called the Seller, the undersigned, hereinafter called the Buyer, hereby offers to buy the Property at:
3. **906 N State ST**
(Property Address)
4. located in **Big Rapids**, **Mecosta** County Michigan and
5. legally described as: ☒ (attached as Exhibit "A") ☐ (described as follows):
6.
7.
8. and Tax Code(s): **541711120001**
9. **2. Including** all buildings and permanent improvements and fixtures attached; all privileges, easements and appurtenances
10. pertaining thereto including any right, title and interest of Seller in and to adjacent streets, alleys, rights-of-way, leases, rents,
11. security deposits, licenses and permits with respect to the Property, warranties or guarantees relating to the Property being sold,
12. any personal Property specified herein and the trade name of _____, all of the above referred to as
13. the "Property"; subject to exact determination by survey pursuant to Paragraph 11(b). The following items of personal Property
14. are **INCLUDED** in the sale:
15.
16.
17. All other personal Property and the following additional items are **EXCLUDED** from the sale: _____
18. _____
19. **3. Price.** The purchase price shall be **Two hundred ninety five thousand** Dollars
20. (**\$295000**).
21. **4. The Terms of Purchase** shall be indicated by an "X" below.
22. ☒ **CASH** The full purchase price upon execution and delivery of a warranty deed, not contingent upon Buyer's ability to
23. obtain financing.
24. ☐ **NEW** The full purchase price upon execution and delivery of a warranty deed contingent upon Buyer's ability to
25. **MORTGAGE** obtain a _____ %: _____ mortgage with note interest not exceeding _____ % per
26. annum, which Buyer agrees to apply for within _____ business days after acceptance by Seller and accept
27. promptly if tendered. In the event that the Buyer does not provide evidence of an application for financing within
28. the time provided above, the Seller may terminate this agreement by written notice of termination, which is
29. delivered to the Buyer prior to the time the Buyer provides evidence of an application for financing. Buyer to
30. provide Seller with a written conditional loan commitment by _____. In the event Buyer does not
31. provide the Seller with a written conditional loan commitment within the time provided above, the Seller may
32. terminate this agreement by a written notice of termination, which is delivered to the Buyer prior to the time the
33. Buyer provides the Seller with a written conditional loan commitment. Buyer hereby authorizes their lender to
34. disclose loan status information to REALTOR®/Brokers.
35. ☐ **LAND** \$ _____ upon execution and delivery of Land Contract/Purchase Money Mortgage wherein the
36. **CONTRACT** balance of the purchase price shall be payable in equal monthly installments of \$ _____ or more per
37. **or** month. The first installment shall be due and payable _____ days after date of closing. The monthly
38. ☐ installment will include interest at _____ % per annum. Interest shall commence on date of closing. The
39. **PURCHASE** entire balance shall be payable within _____ months. In addition, Buyer agrees to pay all taxes and
40. **MONEY** insurance ☐ separately when due or ☐ monthly in addition to the above monthly payment.
41. ☐ **OTHER FINANCING** as set forth on the attached Financing Addendum.
42. **5. Earnest Money.** The Buyer hereby deposits \$ _____ in form of _____ with
43. _____ escrowee, receipt of which is hereby acknowledged as earnest money evidencing the
44. Buyer's good faith to be held by said escrowee in trust and to apply on the purchase price. The Buyer agrees to deposit an
45. additional amount of \$ _____ as earnest money on or before _____. If this offer is not accepted, or
46. the title is not marketable, or if the terms of this Agreement are contingent upon the ability to obtain a new mortgage or other
47. contingencies specified herein which cannot be met, said deposit or deposits shall, upon furnishing written proof said
48. contingency cannot be met, be refunded to the Buyer. In the event the Buyer and Seller both claim the earnest money deposit,

Buyer's Initials

Seller's Initials

**COMMERCIAL-INDUSTRIAL REAL ESTATE
BUY & SELL AGREEMENT**

49. the earnest money deposit shall remain in escrowee's trust account until a civil action has determined to whom the deposit must
50. be paid, or until the Buyer and Seller have agreed, in writing, to the disposition of the deposit or the escrowee commences a civil
51. action to interplead the earnest money deposit with the proper court pursuant to Rule 339.22313 (6). In the event the Buyer
52. refuses to complete the sale on the terms herein set forth, after the satisfaction and the waive of all contingencies, the earnest
53. money deposit may be retained by Seller for its benefit and for liquidated damages for nonperformance of this Agreement. In
54. the event the Seller wrongfully refuses to complete the sale on the terms herein set forth, the earnest money deposit shall be
55. immediately refunded to Buyer, and the Buyer may bring an action for specific performance or pursue such other remedy as the
56. Buyer may elect.

57. 6. **Additio**

58. **Contingent on zoning/permit approval and all other due diligence by 6/11/2021.**
59. **Contingent upon approval of acceptable egress from state street.**
60.
61.

62. Included in this Agreement are the following exhibits and/or addenda: _____
63.

64. and the following marked with an "X".

65. ☒ Zoning/Governmental Approval Addendum

☐ Seller's Representations Form

66. ☐ Arbitration Agreement Addendum

☐ Lead-Based Paint Disclosure

67. ☐ Land Division Addendum

☐ Business Opportunity Purchase Agreement

68. 7. **Closing.** The closing of sale shall take place at **Bridge Title** on
69. **6-11-2021** or before, if mutually agreed by the parties (the "Closing Date") or this Agreement shall terminate,
70. unless the Closing Date is changed in writing by Seller and Buyer, or otherwise extended pursuant to this Agreement.

71. 8. **Possession.** The possession of the Property shall be delivered to Buyer in its present condition, ordinary wear and tear excepted,
72. subject to the rights of any tenants in possession, at **CLOSING**.
73. At the time of possession Seller agrees that the real estate and the improvements thereon, if any, shall be in the same condition
74. as they are now, with the exception of ordinary wear and tear.

75. 9. **Real Estate Taxes.** Taxes shall be prorated as of the date of closing this sale, it is assumed that all taxes are based on the calendar
76. year in which they are billed, with the Buyer being responsible for the day of closing. For proration purposes, all tax bills shall
77. be added together, using the last tax bill(s) issued and prorated accordingly, unless there has been a change in the taxable value
78. on the Property, in which case the proration shall be on that basis. If the Seller has paid taxes in advance, the Seller shall be
79. credited by the Buyer at the time of closing for the taxes paid in advance and prorated from the date of closing to end of the
80. calendar year.

81. 10. **Insurance and Risk of Loss.** Seller shall maintain replacement cost (if available) or actual cash value "all risk" insurance on
82. the Property through the Closing Date. Seller's insurance shall be canceled as of the Closing Date and Buyer shall provide its
83. own insurance thereafter. Risk of loss by damage or destruction to the Property prior to the closing shall be borne by Seller. In
84. the event there is any damage or destruction to the Property after the date hereof, which is not fully repaired prior to closing,
85. Buyer, at their option, may either terminate this Agreement or elect to close the transaction, in which event Seller's right to all
86. insurance proceeds not yet applied to repair of the damage or destruction shall be assigned in writing by Seller to Buyer at
87. closing.

88. 11. **Conditions to Closing.** Buyer's obligations under this Agreement are conditioned upon satisfaction of each of the following
89. items which are for the Buyer's benefit and may be waived by Buyer at Buyer's sole discretion.

90. a. **Title Commitment:** A commitment for title insurance (the "Commitment") issued by a reputable title insurance company
91. selected or approved by Buyer (the "Title Company") showing marketable title in Seller's name shall be ordered by ☒ (Seller)
92. ☐ (Buyer) promptly upon acceptance of this Agreement and shall be delivered to Buyer within **30** days after

93. **Acceptance**. At Buyer's request, legible copies of all recorded instruments affecting the
94. Property or recited as exceptions in the Commitment shall also be delivered.

95. b. **Survey.** ☐ No boundary (stake) survey requested; or ☐ Contingent upon a boundary (stake) survey paid for by the ☐ Buyer
96. or ☐ Seller; or ☒ Contingent upon a boundary (stake) survey showing all improvements on the Property paid for by the ☐ Buyer
97. or ☒ Seller. A mortgage report, which shows the location of the major structures on the Property, is not a boundary (stake) survey
98. and if required by the lender, will be paid for by the Buyer. Both Buyer and Seller acknowledge the REALTORS/Brokers

 Buyer's Initials

 Seller's Initials

**COMMERCIAL-INDUSTRIAL REAL ESTATE
BUY & SELL AGREEMENT**

recommend a stake survey to determine the true and accurate boundaries of the Property. Buyer understands and agrees that the REALTORS/Brokers have made no representations as to the location of the improvements and easements on the Property or the boundaries of the Property nor assumed any responsibility for the representations made by the Seller of the location of the improvements and easements on the Property and the boundaries of the Property. When closing occurs, Seller and Buyer shall be deemed to have accepted the location of the improvements and easements on the Property and the boundaries of the Property.

c. Title and Survey Approval: If Buyer has an objection to items disclosed in the Commitment or the survey, Buyer shall make written objections to Seller within 30 days after receipt of both the Commitment and survey. Upon the expiration of such period, any item not objected to by Buyer or subsequently approved by Buyer in writing shall be deemed a permitted exception ("Permitted Exception"). If Buyer makes objections, Seller shall have thirty (30) days from the date the objections are made to cure the same, and the Closing Date shall be extended, if necessary. Seller agrees to utilize its best efforts and reasonable diligence to cure any objections, but only to the extent necessary to convey marketable title. If the objections are not satisfied within the time period, Buyer may either terminate this Agreement and receive a refund of the Earnest Money or waive the unsatisfied objections and close the transaction.

d. Inspections: (Check paragraph (1) and/or (2) or paragraph (3) below) Unless Buyer waives inspections under paragraph (3), Buyer shall have determined that the Property has no unacceptable, adverse environmental or physical condition as provided below.

☐ (1) **Environmental Assessment:** A Phase I environmental site assessment ("Phase I") on the Property shall be ordered promptly upon acceptance of this Agreement at ☐ Seller's, or ☐ Buyer's expense from a reputable, qualified engineer, acceptable to the Buyer. The Phase I shall be conducted in accordance with ASTM standards unless otherwise agreed and may also include at Buyer's option the following:

- (a) an investigation for the presence of asbestos, radon, lead or polychlorinated biphenyls (PCBs) on the Property; and/or
- (b) an investigation to determine if the Property is located in any regulated or protected area under the jurisdiction of the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the Michigan Department of Environmental Quality, the Michigan Department of Natural Resources, the U.S. Fish and Wildlife Service or any other federal, state or local agency.

If Buyer does not make a written objection to any problem(s) revealed in the report within _____ days of _____, the Property shall be deemed to be acceptable. If Buyer determines that the environmental condition is unsatisfactory, Seller shall have a reasonable period of time, not to exceed _____ days, to remediate the condition to Buyer's satisfaction and the Closing Date shall be extended, if necessary. If Seller fails or refuses to remediate, Buyer may either terminate this Agreement and receive a refund of the Earnest Money or waive its objections and close the transaction.

☒ (2) **Physical Inspections:** Promptly upon acceptance of this Agreement, all physical inspections shall be ordered at ☐ Seller's or ☒ Buyer's expense. Inspections shall be made by qualified inspectors or contractors, selected or approved by Buyer, with written reports delivered to Seller and Buyer. Inspections may include but are not limited to the following: heating, cooling, electrical, plumbing, roof, walls, ceilings, floors, foundation, basement, crawl space, water, storm and waste sewer, well/septic, geotechnical, other: any and all. If Buyer, in its reasonable discretion, believes that an inspection report reveals a major defect in or with the Property, Buyer shall report such defect in writing to Seller within 120 days of Acceptance. If Buyer does not make a written objection to any problem(s) revealed in the report(s) within such time period, the Property shall be deemed acceptable to Buyer. Seller shall have a reasonable period of time, not to exceed 60 days, to repair any such major defect to Buyer's reasonable satisfaction and the Closing Date shall be extended, if necessary. If Seller fails or refuses to repair, Buyer may either terminate this Agreement and receive a refund of the Earnest Money or waive its objection and close the transaction.

☐ (3) **Waiver of Inspections:** Buyer has been made aware that independent inspections disclosing the condition of the Property are available, and Buyer has been afforded the opportunity to require such inspections as a condition of this Agreement, however, Buyer waives the right to obtain inspections and relies upon the condition of the Property based upon Buyer's own examination and releases Seller and listing and selling broker(s) from any and all liability relating to any problem, defect or deficiency affecting the Property, which release shall survive the closing.

Buyer and its agents shall have the right to enter upon the Property upon reasonable advance notice and make all inspections provided for herein. Buyer shall restore any damage to the Property resulting from the entry of Buyer or its agents and shall indemnify, defend and hold harmless Seller as to any injury to persons or damage to their Property resulting from the negligence of Buyer or its agents in conducting their activities on the Property.

e. Document Review. Within 30 days from the date hereof, Seller shall provide Buyer with copies of all lease documents, management contracts, service contracts, and all other contracts relating to the operation of the Property. In addition, Seller shall provide NA years' income and expense information for the Property. Buyer shall have NA days to review the documentation set forth in this paragraph and, upon such review, may elect not to purchase the Property by providing written notice to Seller on or before the expiration of that review period, in which event the earnest money deposit shall be returned to Buyer and neither party shall have any further rights or obligations hereunder.



Buyer's Initials



Seller's Initials

**COMMERCIAL-INDUSTRIAL REAL ESTATE
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157. **12. Property Condition.** Buyer has examined this Property and Buyer is satisfied with its present condition, except as may be
158. specified herein. Buyer understands and agrees that Buyer is purchasing the Property in an "AS IS" condition. Buyer
159. understands and agrees that the REALTORS®/Brokers **do not warrant the condition of the Property** nor assume any
160. responsibility for the representations made by the Seller pertaining to the condition of the Property or its use for any particular
161. purpose. It is further understood that no representations or promises have been made to Buyer by the Seller other than those
162. contained in this Agreement or as otherwise made or given by Seller to Buyer in a written representation statement. Buyer and
163. Seller both understand that the REALTORS®/Brokers are not environmental experts. Unless expressly contained in a written
164. instrument signed by the REALTOR®/Broker, the REALTOR®/Broker and REALTOR®/Broker's Salespersons have no
165. knowledge of and make no representations regarding the environmental conditions of the Property, the existence of underground
166. storage tanks at the Property now, or in the past, whether the Property is, has been or may be listed as a site of environmental
167. contamination, or whether any such sites are located in the proximity of the Property. Seller represents and warrants that to the
168. best of their knowledge, there has been no environmentally hazardous material placed, stored, or disposed of on the Property.
169. This representation and warranty shall survive the closing.

170. **13. Prorations and Special Assessments.** Interest on any debt assumed or taken subject to, any rents, all other income and ordinary
171. operating expenses of the Property, including but not limited to, public utility changes, shall be prorated as of the day prior to
172. the Closing Date. Any special assessments applicable to the Property for municipal improvements made to the benefit of the
173. Property prior to the date of acceptance of this Agreement shall be ☐ paid by Seller at or before closing, or ☐ assumed by the
174. Buyer. At closing ☐ Buyer will assume and agree to pay, or ☐ Seller will agree to pay, all special assessments for municipal
175. improvements which are levied after acceptance of this Agreement.

176. **14. Sales Expenses.** All sales expenses are to be paid in cash prior to or at the closing.

177. **a. Seller's Expenses:** Seller shall pay all costs of releasing existing loans and recording the releases, 100 % of any closing
178. fee, preparation of Deed and Vendor's Affidavit, and other expenses stipulated to be paid by Seller under other provisions of this
179. Agreement.

180. **b. Buyer's Expenses:** Buyer shall pay all expenses incident to any new or assumed loan, 100 % of any closing fee, and
181. expenses stipulated to be paid by Buyer under other provisions of this Agreement.

182. **15. Duties of Buyer and Seller at Closing.**

183. **a. At the closing, Seller shall deliver to Buyer, at Seller's sole cost and expense, the following:**

184. (1) A duly executed and acknowledged Warranty Deed conveying marketable title in fee simple to all of the Property, free and
185. clear of any and all liens, encumbrances, conditions, easements, assessments, reservations and restrictions, except Permitted
186. Exception(s);

187. (2) An Owner's Policy of Title Insurance (the "Title Policy") issued by the Title Company in the amount of the purchase price,
188. dated as of closing, insuring Buyer's fee simple title to the Property to be marketable subject only to the Permitted Exception(s),
189. and deleting the standard printed exceptions contained in the usual form of the Title Policy;

190. (3) An executed Vendor's Affidavit, if required, in form acceptable to the Title Company;

191. (4) A Bill of Sale, duly executed by Seller, containing warranties of title, conveying title, free and clear of all liens, to any
192. personal Property specified in Paragraph 2;

193. (5) An assignment, duly executed by Seller, of leases, prepaid rents, security deposits, and trade name, and to the extent
194. assignable, licenses and permits, warranties or guarantees, and to the extent agreed to be assumed by Buyer, all service,
195. maintenance, management or other contracts relating to the ownership or operation of the Property. Such assignment shall
196. include an indemnity from Seller in favor of Buyer with respect to all claims and obligations arising under such leases and
197. contracts prior to the Closing Date. If Buyer does not agree to assume any such contract, then Seller shall deliver evidence of
198. terminations of such contract at closing and shall indemnify Buyer as to all claims and obligations thereunder;

199. (6) A current rent roll duly certified by Seller and any security or tenant deposits, if applicable;

200. (7) A commercially acceptable estoppel certificate executed by all tenants setting forth the fact that there are no agreements not
201. reflected in the lease documents, that there are no defaults or rights of setoff under the leases, and that there has been no advance
202. payment of rent.

203. (8) Evidence of its capacity and authority for the closing of this transaction, including photo identification.

204. (9) Certification establishing that no federal income tax is required to be withheld under the Foreign Investment and Real
205. Property Tax Act, or consent to withhold tax from the proceeds of sale as required, unless it is established that the transaction is
206. exempt;

207. (10) All other executed documents necessary to close this transaction.

 Buyer's Initials

Seller's Initials

**COMMERCIAL-INDUSTRIAL REAL ESTATE
BUY & SELL AGREEMENT**

208. **b. At the closing, Buyer shall perform, at Buyer's sole cost and expense, the following:**

209. (1) Pay the cash portion of the purchase price in the form of a cashier's check or other immediately available
210. funds;
211. (2) Execute any note(s) and mortgage(s) and cause the funds to be made available to the closing agent for disbursement;
212. (3) Provide evidence of its capacity and authority for the closing of this transaction, including photo identification.
213. (4) Provide to Buyer's lender any title policy as required by the holder(s) of the mortgage(s);
214. (5) An assumption agreement by Buyer (which may be included in Seller's assignment pursuant to Paragraph 15. a. (5) above)
215. with respect to leases assigned to Buyer and contracts, if any, which Buyer has agreed to assume. Such assumption agreement
216. shall include an indemnity from Buyer in favor of Seller as to claims and obligations arising under such leases and contracts
217. assumed by Buyer from and after the Closing Date:
218. (6) Execute all other documents necessary to close this transaction.

219. **16. Condemnation.** Seller shall promptly notify Buyer in writing of the commencement of any condemnation proceedings against
220. any portion of the Property. If such condemnation proceedings are commenced, Buyer, at its option, may (1) terminate this
221. Agreement by written notice to Seller within 1 days after Buyer is advised of the commencement of
222. condemnation proceedings, or (2) proceed with the closing, provided however, that Seller's interest in any award shall be at
223. Buyer's election, (a) become the Property of Seller and reduce the purchase price by the same amount or (b) shall become the
224. Property of Buyer and the purchase price shall not be reduced.

225. **17. Miscellaneous.**

226. (a) Any notice required or permitted to be delivered shall be deemed received when personally delivered or when confirmed as
227. received by facsimile, express courier or United States mail (postage prepaid, certified and return receipt requested) addressed
228. to Seller or Buyer or their designee/agent at the address set forth below the signature of each party.
229. (b) This Agreement shall be construed in accordance with the laws of the State of Michigan.
230. (c) Time is of the essence. Time periods specified in this Agreement and any addenda are calendar days and shall expire at
231. midnight of the date stated unless the parties agree otherwise in writing.
232. (d) This Agreement is binding upon and for the benefit of the parties' respective heirs, administrators, executors, legal
233. representatives, successors, and assigns. No assignment of this Agreement shall release a party from liability for its obligations
234. hereunder.
235. (e) In the event any provision of this Buy and Sell Agreement is found to be unlawful, the remaining provisions shall remain
236. in full force and effect.
237. (f) This Agreement constitutes the entire agreement of the parties and cannot be changed except by their written consent.
238. (g) Broker(s) may refer Buyer or Seller to other professionals, service providers or product vendors, including lenders, loan
239. brokers, title insurers, escrow companies, inspectors, surveyors, engineers, consultants, environmental inspectors, and
240. contractors. Broker(s) has no responsibility for the performance of any service provider and/or inspector. Buyer and Seller are
241. free to select providers/inspectors other than those referred or recommended to them by Broker(s).
242. (h) Any party who is the prevailing party against any other party in any legal or equitable proceeding relating to this Agreement
243. shall be entitled to recover court costs and reasonable attorney fees from the non-prevailing party.
244. (i) The parties agree that the offer, any counteroffer, acceptance of any offer or counteroffer and any other written notice or
245. communication in connection with this transaction may be delivered or given by sending or transmitting it by electronic mail
246. or by fax. Any such communication shall be deemed delivered at the time it is sent or transmitted. The parties agree that the
247. electronic signatures and initials shall be deemed to be valid and binding upon the parties as if the original signatures or
248. initials were present in the documents in the handwriting of each party. Seller and Buyer agree that all communications can
249. be made or delivered to listing agent on behalf of the Seller at the fax number and/or the email address indicated on lines 288
250. and 289 and to the Selling Agent on behalf of the Buyer at the fax number and/or the email address indicated on lines 268
251. and 269. Buyer represents and warrants that an electronic mail address has been provided to the Selling Agent from which
252. Buyer may receive electronic mail. Either party shall provide the other with notice of any change of electronic mail addresses.
253. (j) This agreement may be signed in any number of counterparts with the same effect as if the signature of each counterpart
254. were upon the same instrument.
255. (k) Each person executing this Agreement on behalf of a party represents and warrants that he or she has been authorized by
256. all necessary action to execute and deliver this Agreement on behalf of such party.
257.

258. **18. Consult Your Advisors.** Buyer and Seller acknowledge they have been advised that, prior to signing this document, they should
259. seek the advice of an attorney for the legal or tax consequences of this document and the transaction to which it relates. In any
260. real estate transaction, it is recommended that you consult with a professional, such as a civil engineer, environmental engineer,
261. or other person, with experience in evaluating the condition of the Property, including the possible presence of asbestos,
262. hazardous and/or toxic materials and underground storage tanks.

  Buyer's Initials

  Seller's Initials

**COMMERCIAL-INDUSTRIAL REAL ESTATE
BUY & SELL AGREEMENT**

263. 19. **Buyer's Offer.** Unless previously withdrawn by the Buyer, the Seller must accept his offer in writing prior to
264. 1-30-2021 at 12 (☐ a.m., ☒ p.m., ☐ noon, ☐ midnight) or this offer shall terminate.

265. Date: 11/23/2020 Time: ☐ A.M., ☐ P.M. [Signature] Buyer Signature

266. By: [Signature] 616-397-3826 KRIST OIL COMPANY INC Printed
REALTOR® Signature Phone No.

267. For: RE/MAX TOGETHER [Signature] Buyer Signature
Selling Office Phone No.

268. Selling Agent Fax No.: 231-629-8757 Printed

269. Selling Agent Email Address: joemcnallyhomes@gmail.com

270. 20. **Seller's Acceptance:** As owners and Sellers of the Property described herein, the undersigned accepts the above agreement
271. except

272.

273.

274.

275.

276.

277. this _____ day of _____, _____, and agrees to sell in accordance therewith and to pay the Listing
278. Office the brokerage fee for services rendered in this transaction, as stated in the Listing Agreement corresponding to the
279. Property described herein. In the event of an exception, unless previously withdrawn by the Seller, the Buyer must accept
280. this counter-offer in writing prior to _____ at _____ (☐ a.m., ☐ p.m., ☐ noon, ☐ midnight) or this

281. counter-offer shall terminate.

282. Seller understands that consummation of the sale or transfer of the Property described in this agreement shall not
283. relieve the Seller of any liability that Seller may have under the mortgage(s) to which Property is subject, unless
284. otherwise agreed to by the lender or required by law or regulation.

285. Date: _____ Time: _____ ☐ A.M., ☐ P.M. [Signature] Seller Signature

286. By: [Signature] _____ Printed
REALTOR® Signature Phone No.

287. For: [Signature] Seller Signature
Listing Office Phone No.

288. Listing Agent Fax No.: _____ Printed

289. Listing Agent Email Address: _____

290. 21. **Buyer's Receipt of Acceptance.** Receipt is hereby acknowledged by Buyer of the Seller's acceptance of Buyer's agreement.

291. In the event acceptance was subject to certain changes from Buyer's agreement the Buyer agrees to accept said changes, all
292. other terms and conditions remain unchanged.

293. Date: _____ Time: _____ ☐ A.M., ☐ P.M. [Signature] Buyer

294. By: [Signature] [Signature] Buyer
REALTOR® Signature

295. 22. **Seller's Receipt of Acceptance.** Receipt is hereby acknowledged by Seller of the Buyer's acceptance of Seller's counter-offer.

296. Date: _____ Time: _____ ☐ A.M., ☐ P.M. [Signature] Seller

297. By: [Signature] [Signature] Seller
REALTOR® Signature

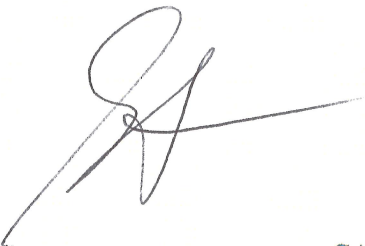
Exhibit "A"

906 N STATE ST, BIG RAPIDS, MICHIGAN
AKA HANCHETT
LEGAL DESCRIPTIONS FOR LISTING
THREE SEPARATE PARCELS BEING SOLD TOGETHER
4.358 ACRES MORE OR LESS

Parcel Number 541711120005 described as:
PART OF THE NW 1/4 OF SEC11 15N R10W, CITY OF BIG RAPIDS, MECOSTA COUNTY,
MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOTS 1 THRU 16, BLK 3, FRENCH'S
ADDITION (ALSO KNOWN AS ZERAH FRENCH & WIFES PLAT OF THE VILLAGE OF GLEN
ELM) AND ALSO THE PLATTED ALLEY IN BLK 3, BETWEEN PERE MARQUETTE (BALDWIN)
AND WILLIAMS ST; EXC THE W 45.00 FT OF LOTS 1 THRU 8 AND ALSO EXC THE S 20.08
FT OF LOTS 8 AND 9 AND THAT PORTION OF THE PLATTED ALLEY THEREOF.

Also includes Parcel Number 541711120004 described as:
BEG AT THE NW COR OF LOT 1, BLK 3 FRENCH'S ADDITION (ALSO KNOWN AS ZERAH
FRENCH & WIFES PLAT OF THE VILLAGE OF GLEN ELM) SAID POINT BEING S 00°25'54" E
934.78 FT AND N 89°34'06" E 38.97 FT FROM THE NW COR OF SAID SEC. TH N 00°10' 54"
W 199.31 FT; TH S 78°13'24" E 265.41 FT (REC AS S 78°24'25" E); TH S 24°37'50" E 162.82
FT; TH N 89°29'49" W 327.06 FT ALG THE N LN OF LOTS 1 AND 16 TO THE E LN OF STATE
ST & POB.

Also includes Parcel Number 541711120003 described as:
LOT I TIOGA WATER POWER ADDITION TO THE CITY OF BIG RAPIDS. EXC COM AT THE
NW COR OF SEC11, TN15 N R10 W, CITY OF BIG RAPIDS, MECOSTA COUNTY, MICHIGAN
AND RUNNING TH S 00°25'54" E ALG THE W LN OF SEC11 1314.79 FT; TH N 89°28'48" E
37.32 FT TO A POINT BEING N 00°25'54" W 20.00 FT FROM THE SW COR OF BLK 3,
FRENCH'S ADDITION (ALSO KNOWN AS ZERAH FRENCH & WIFES PLAT OF THE VILLAGE
OF GLEN ELM); TH CONT S 89°42'02" E 320.27 FT ALG THE N LN OF PERE MARQUETTE
(BALDWIN ST) AS ACQUIRED IN 2015 AND TO THE POB; TH CONT S 89°42'02" E 79.42 FT;
TH N 75°47'58" E 105.39 FT; TH S 18°47'34" E 27.35 FT; TH S 75°43'54" W 142.64 FT ALG
THE N LN OF THE PREVIOUSLY VACATED 25.9 FT OF BLK 3; TH N 14°12'02" W 15.75 FT
ALG SAID N LN; TH N 89°41'57" W 48.15 FT; TH N 00°25'34" W 20.08 FT TO THE POB. AND
ALSO EXC COM AT THE NW COR OF SAID SEC11, AND RUNNING TH S 00°25'54" E ALG
THE W LN OF SEC11 1314.79 FT; TH N 89°28'48" E 37.32 FT; TH S 89°42'02" E 399.69 FT
ALG THE N LN OF PERE MARQUETTE ST (AKA BALDWIN ST) AS ACQUIRED IN 2015; TH N
75°47'58" E 54.17 FT ALG SAID N LN TO THE POB OF THIS DESCRIPTION; TH N 36°55'47"
E 61.79 FT; TH S 18°47'34" E 38.90 FT TO SAID N LN; TH S 75°47'58" W 51.22 FT ALG SAID
N LN TO THE POB. SAID PARCEL CONTAINS 4.358 ACRES M/L



Krist Food Mart
US-31 and Crest Haven Lane
Traverse City, MI
Krist Oil Companies
303 Selden Road
Iron River, MI 49935

SITE PLAN

Attention:

If this scale bar does not
measure 1" then drawing is
not original scale.

[illegible]

Designed By: BCA

Checked By: CAR

Drawn By: BCA

Approved By: CAR

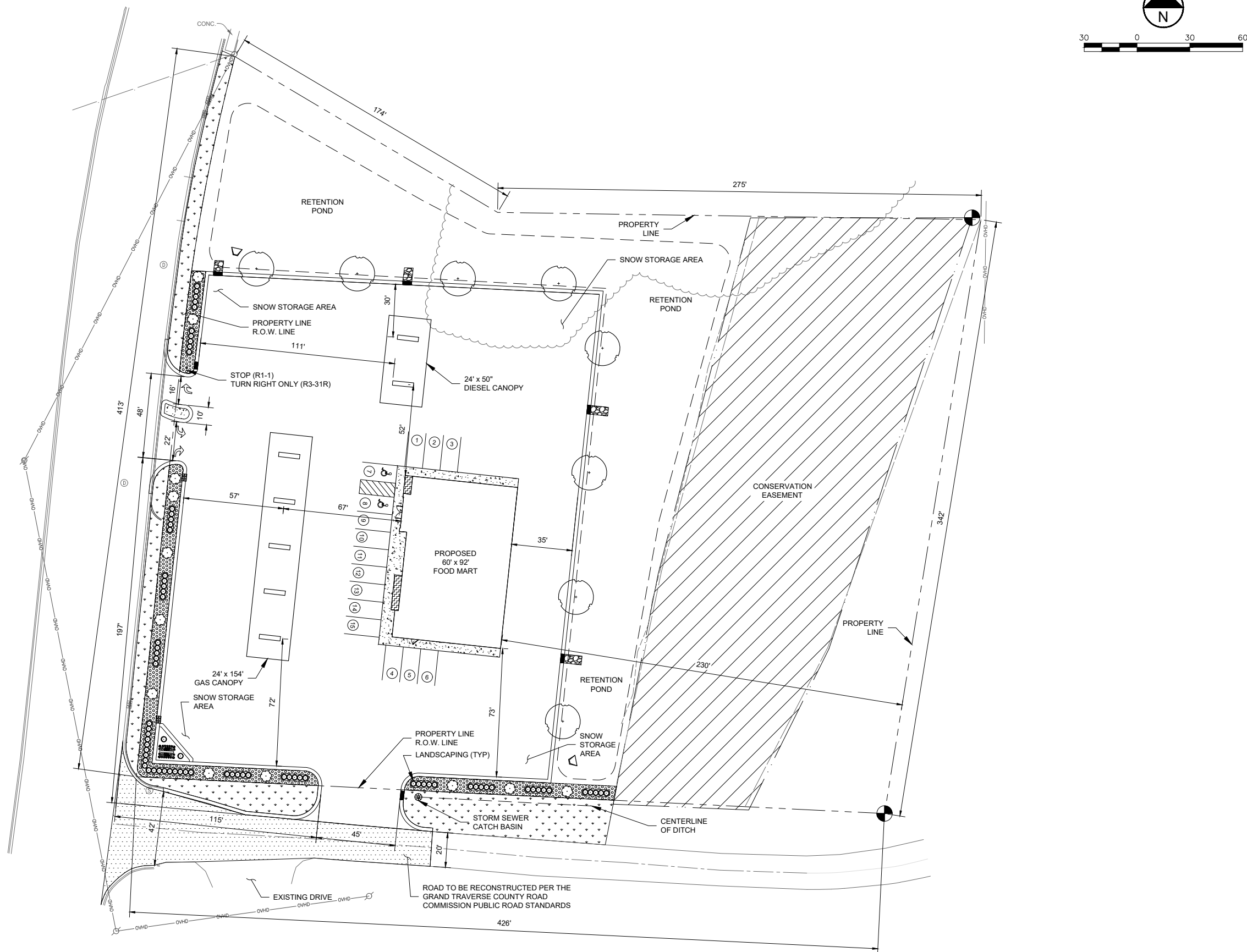
GEI PROJECT: 1509480

DWG. NO.

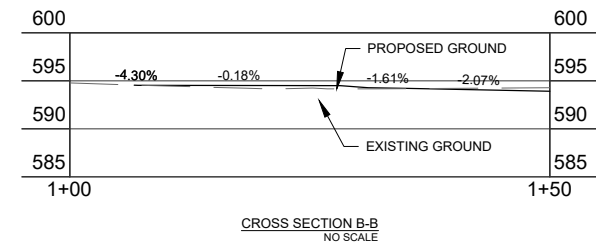
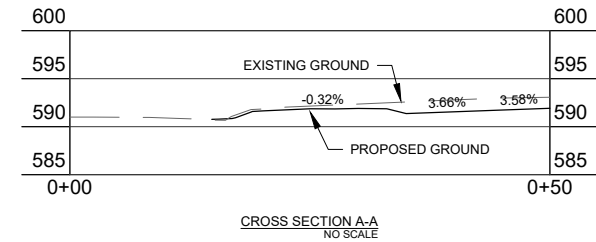
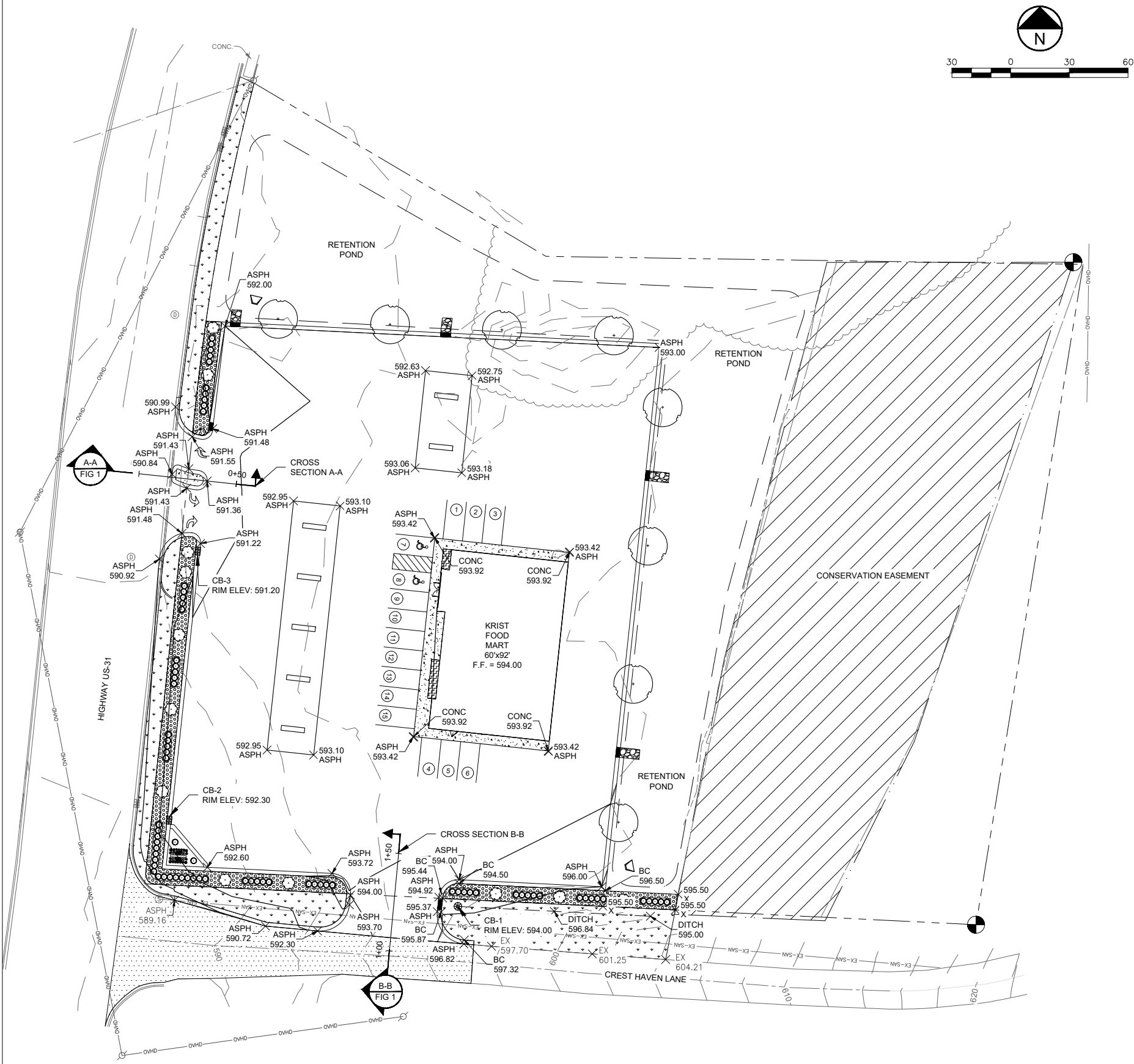
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SHEET

ARCHIVE #



K:\Kris_C01\1509480-Master_Services_Agreement\1010_Township_City\1509480-1010-C-GRADING_PLAN.dwg 10/7/2020 11:50:27 AM ANDERSON, BRAD, GEL:hb



GRADING PLAN

Attention: 1"
If this scale bar does not measure 1" then drawing is not original scale.

RELEASE #	DATE
DESCRIPTION	

Designed By: BCA
Checked By: CAR
Drawn By: BCA
Approved By: CAR

GEI PROJECT: 1509480

DWG. NO.
02-C-04
SHEET
ARCHIVE #





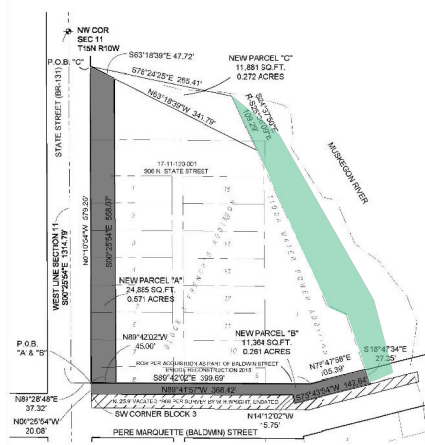


PROPERTY INFORMATION

PRIORITY REDEVELOPMENT SITE

- 117-11-120-001
- 906 N. State Street
- City owned
- Brownfield
- Utilities on site

Parcel



Aerial (2018)



GUIDELINES FOR REDEVELOPMENT

- Serve as a catalyst for the future redevelopment of the focus area
- Provide an attractive northern gateway to the community, particularly along State St.
- Capitalize on views of the Muskegon River and Riverwalk trail
- Provide for public space/ public use component
- Retain (and extend) public access to the Muskegon River
- Prioritize pedestrian connectivity around and through the site
- Screen parking, utilities and loading areas
- Complement the scale and character of the adjacent residential neighborhood
- High quality materials

CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS

- Mixed use site
- Neighborhood commercial retail shops/restaurant near the intersection of State and Pere Marquette
- 2-story apartment/condo flats fronting the river
- Gateway open space
- Expanded riverfront park with gathering areas



CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS



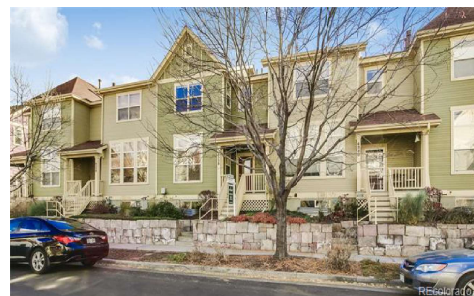
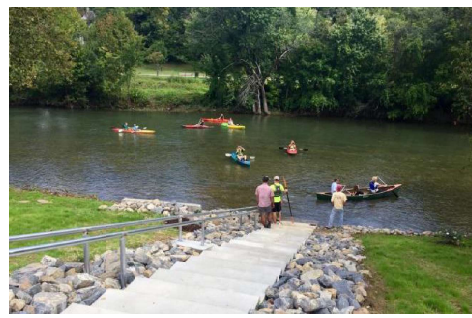
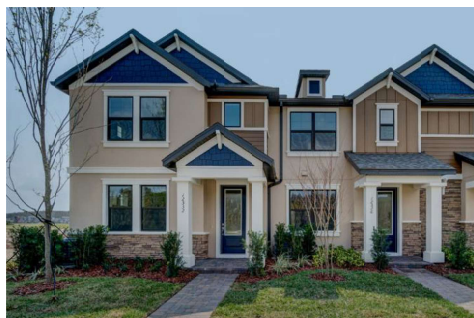
CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS



CONCEPT 1

NEIGHBORHOOD COMMERCIAL AND RIVERFRONT CONDOS



CONCEPT 2

TOWNHOMES IN A PARK SETTING

- Residential development
- 2.5 story townhomes or flats with garages
- Abundant green space and pedestrian circulation
- Design elements include gateway feature, rain garden and pedestrian bridge



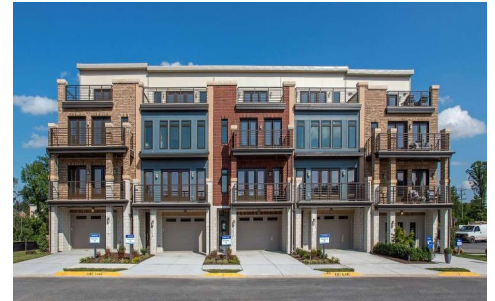
CONCEPT 2

TOWNHOMES IN A PARK SETTING



CONCEPT 2

TOWNHOMES IN A PARK SETTING



CONCEPT 3

RIVERFRONT LOFTS AND DESTINATION MIXED-USE ON THE RIVER

- Mixed-use development and higher density housing
- 3-story lofts with at grade parking
- Or 4-story lofts with parking below grade
- Destination retail/restaurant with views of the river
- Opportunity for lofts above commercial space



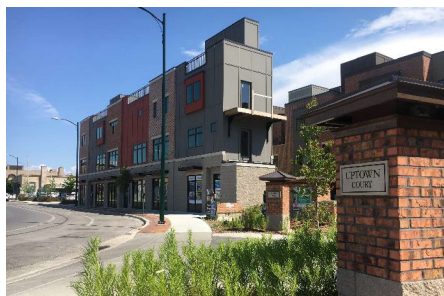
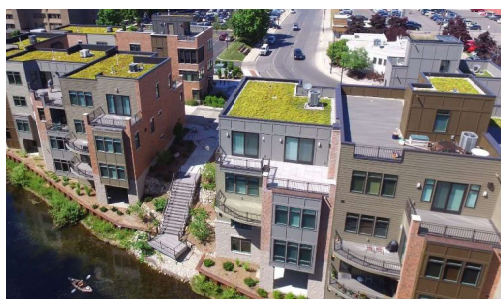
CONCEPT 3

RIVERFRONT LOFTS AND DESTINATION MIXED-USE ON THE RIVER



CONCEPT 3

RIVERFRONT LOFTS AND DESTINATION MIXED-USE ON THE RIVER



STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Community Development Director
SUBJECT: Site Plan Review – 426 and 418 S Michigan Avenue
DATE: December 16, 2020

Introduction

City Staff are bringing forward the Site Plan Review for park improvements at 426 S. Michigan Avenue, the Big Rapids Community Library's Anna Howard Shaw Memorial Park. This 1.315-acre site is made of two parcels (PINs 17-14-152-003 and 17-14-152-003) and includes the Big Rapids Community Library. Both parcels are zoned R-3 Residential and are located on the west side of Big Rapids in the residential area north of Ferris State University, between S. State Street and the Muskegon River. A Location Map is attached. See the attached Site Plans.

History of the Property

This property has been the location of the Big Rapids Community Library and the Anna Howard Shaw Memorial Park for many years. In 2019, the Community Development Department and the City Assessor's Office worked together to split the parcels in a new way, separating the Library from the Park. The park parcel, PIN 17-14-152-004, has the address 418 S. Michigan Ave, though it is often discussed with the Library address, 426 S. Michigan Ave.

Park Improvements Project

The current project is to redevelop and improve the Anna Howard Shaw Memorial Park. The statue area along S. Michigan Ave will remain unchanged. As the Site Plans show, an extended walking path will be added, with benches, lights, and landscaping. The parking area will be changed, to add paved parking off the alley. The key feature will be a new playground area. Both the Library Board and the Parks and Recreation Board have reviewed the Site Plans and example playground equipment.

This project has been in the planning and fundraising stages for many years. The project is expected to cost \$326,300. The Friends of the Big Rapids Community Library have fundraised for the project in the amount of approximately \$50,000 and the City of Big Rapids has committed over \$125,000 toward the project. Additionally, after applying in 2019, in early 2020 the City received a \$150,000 Recreation Passport Grant from the MI DNR to help fund the project. The Grant Application summary is attached to this Staff Report.

Site Plan Review Process and Procedure

The Site Plan Review was brought by the Neighborhood Services Department, working closely with the Big Rapids Community Library, the City Manager, the Public Works Department, and the City's engineering consultant firm Fleis & VandenBrink. As required by Ordinance, Site Plan Reviews must go through a public hearing process. Notice was posted in the Big Rapids Pioneer on December 9, 2020 and sent to all property owners within 300 ft of the site.

Staff review of the Site Plans finds them in compliance with the City's Zoning Ordinance. Note: very little guidance is provided in the Ordinance for evaluating a park of this nature. The park improvements meet the City's Stormwater Ordinance.

Criteria for Review of Site Plan Review Applications

Section 9.6 of the Zoning Ordinance sets criteria for reviewing Site Plan Review applications:

- 9.6:1 That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to ensure the safety and convenience of pedestrian and vehicular movement. With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, the site shall be developed so that access points, general interior traffic circulation, pedestrian circulation, and parking areas are safe and convenient and, insofar as practicable, do not detract from the design of the proposed buildings and existing structures on neighboring properties.
- 9.6:2 All elements of the site plan shall be harmoniously and efficiently organized in relation to the topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- 9.6:3 That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which will result in maximum harmony with adjacent areas.
- 9.6:4 That any adverse effects of the proposed development and activities emanating there from which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback and location of buildings, structures and entryways. All loading and unloading areas and outside storage areas, including areas for the storage of refuse, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- 9.6:5 That the layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood. Physical improvements including sidewalks, drives and parking areas shall be built to adequate standards to minimize premature deterioration. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spill or discharges to the air, surface of the ground, groundwater, streams, drains or wetlands. Secondary containment for above ground storage of hazardous material shall be provided.
- 9.6:6 That all provisions of all local ordinances, including the City Zoning Ordinance, are complied with unless an appropriate variance therefrom has been granted by the Zoning Board of Appeals.

These Criteria shall be used to decide the Action taken by the Planning Commission.

Recommendation

Staff recommends conditional approval of the Site Plan Review Application for park improvements at 418 and 426 S. Michigan Ave (PIN 17-14-152-004 and 17-14-152-003), as it meets the Criteria for Review found in Section 9.6 of the Zoning Ordinance.

Action

Three options lay before the Planning Commission regarding Site Plan Review Applications: Approval, Approval with Conditions, or Denial. Explanations and sample motions are included below.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and approves the Application.

“I move that the Site Plan Review Application for park improvements at 418 and 426 S. Michigan Ave (PIN 17-14-152-004 and 17-14-152-003) be approved, because it meets all of the Criteria for Review set in Section 9.6 of the Zoning Ordinance.”

Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards of the Zoning Ordinance, but the Planning Commissioners believe a few minor conditions or alterations are required. This motion approves the Application contingent upon the listed conditions.

“I move that the Site Plan Review Application for park improvements at 418 and 426 S. Michigan Ave (PIN 17-14-152-004 and 17-14-152-003) be approved with conditions. The Application meets the Criteria for Review set in Section 9.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

“The following conditions are required to address this need: *(list conditions here. Could include items like requiring additional permits, revising plans to show needed changes, demonstrating adequacy of the stormwater detention facilities, or moving features out of the fire lane, among others)*.”

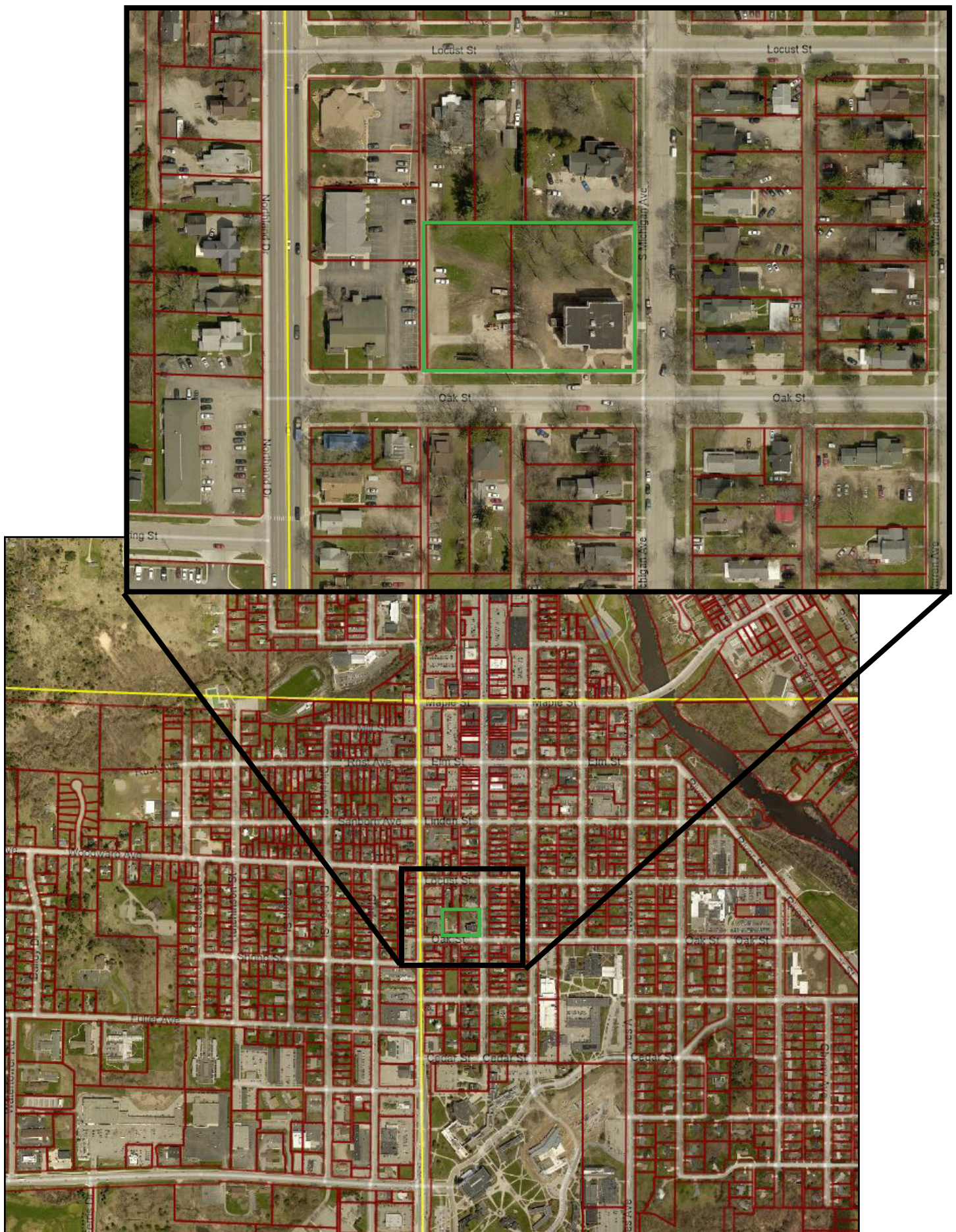
“A revised, dated site plan and documents addressing the above shall be submitted for staff approval within 60 days.”

Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance and ends the application process.

“I move to deny the Site Plan Review Application for park improvements at 418 and 426 S. Michigan Ave (PIN 17-14-152-004 and 17-14-152-003) because it does not meet Criteria 9.6:X of the Zoning Ordinance. *(Fill in the X with which number Criteria the application does not meet.)*”

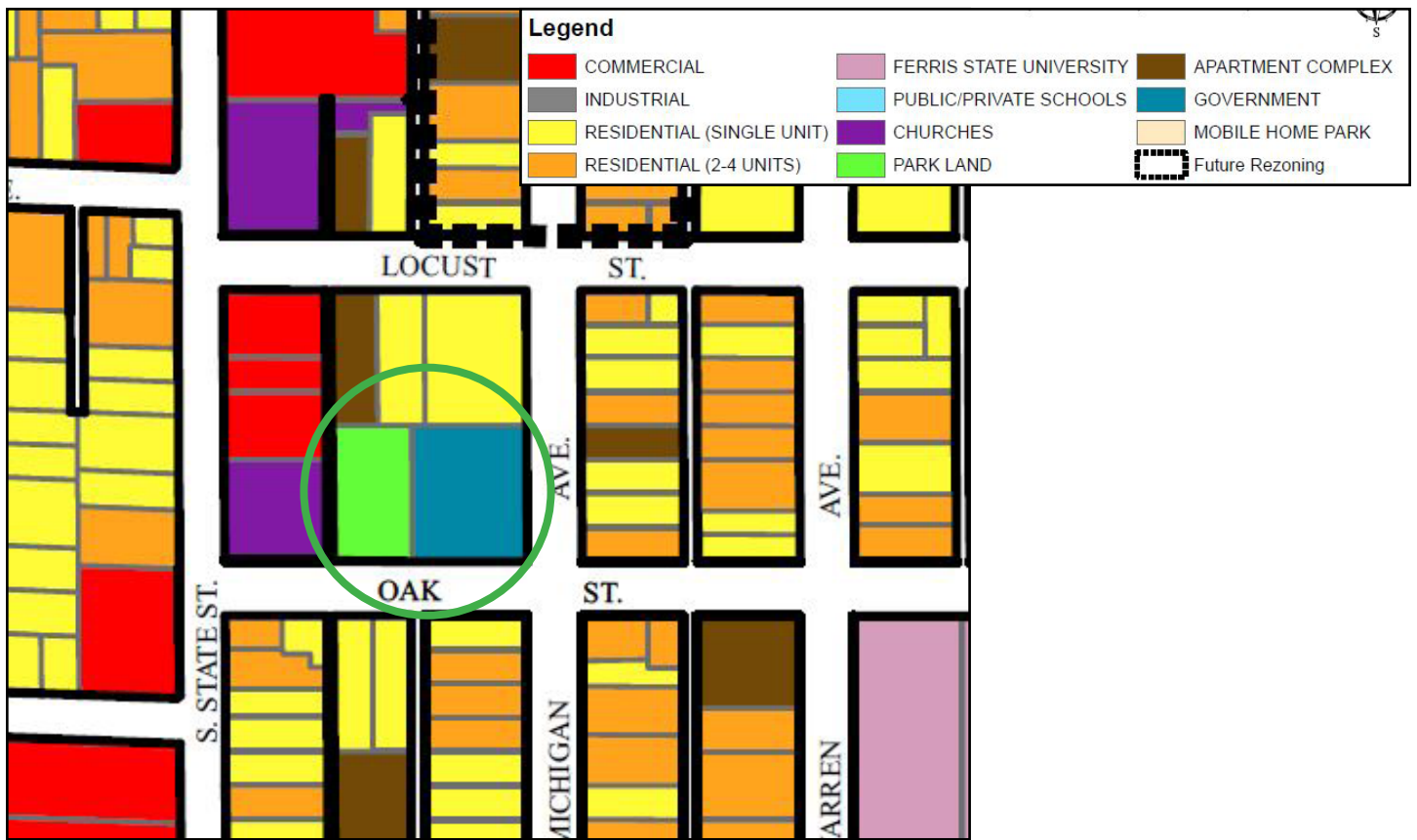
Location Maps



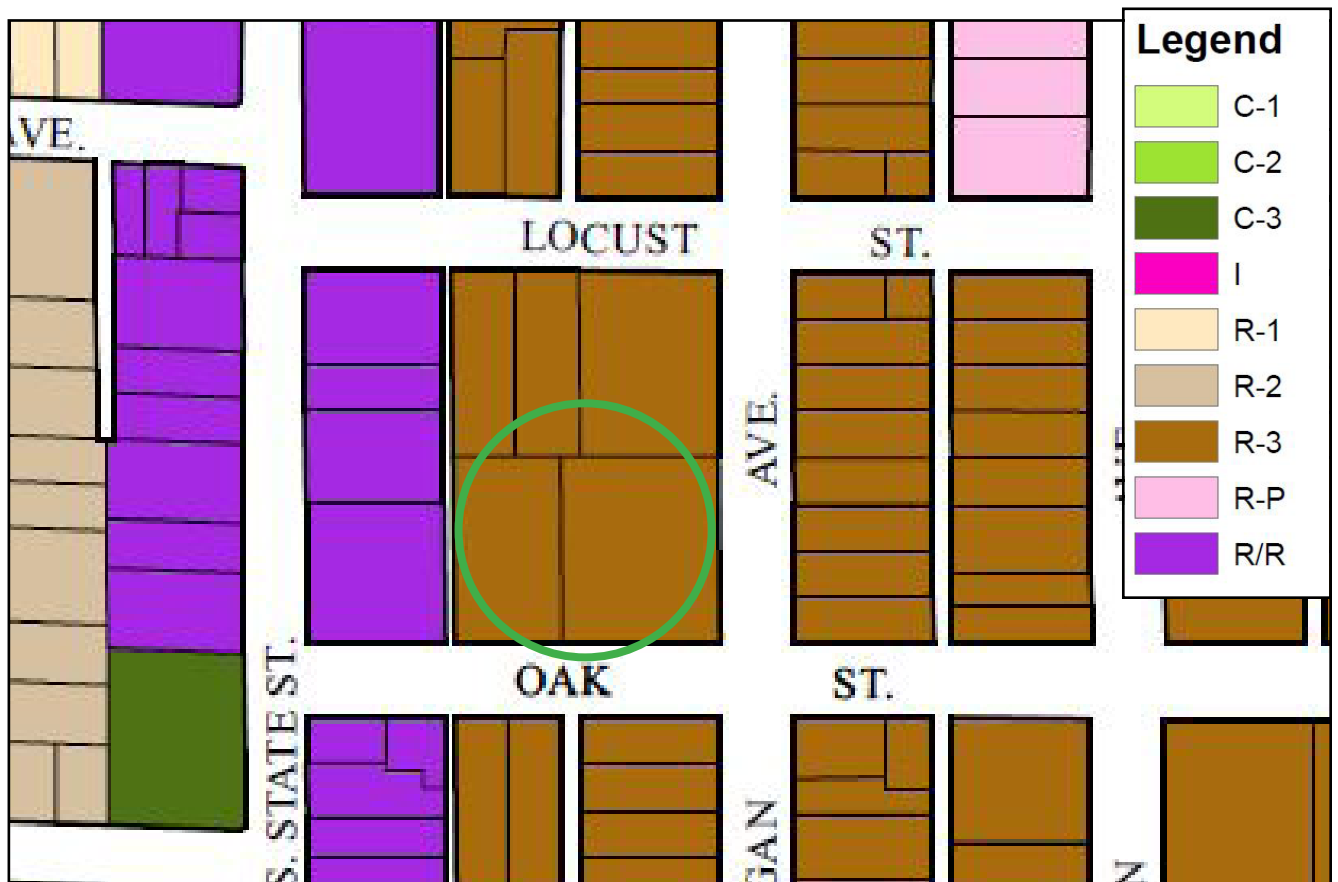
Aerial Imagery

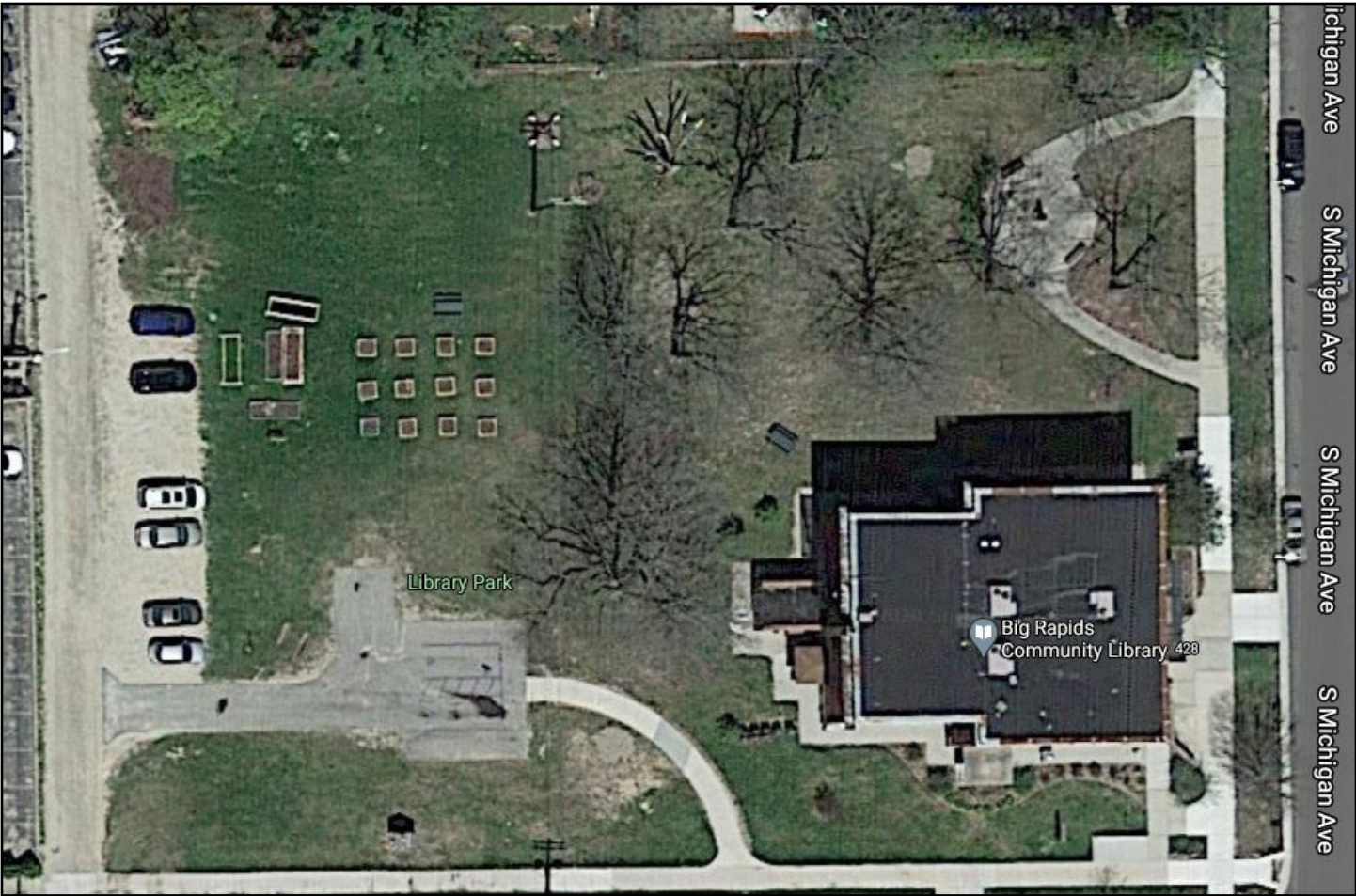


Excerpt from Future Land Use Map



Excerpt from Zoning Map





BM #1 EL. 959.78'
NW COR STATUE BASE, ±70' N OF LIBRARY
(NAVD88 GEOID12 VIA VRS OPUS & GPS OBSV)

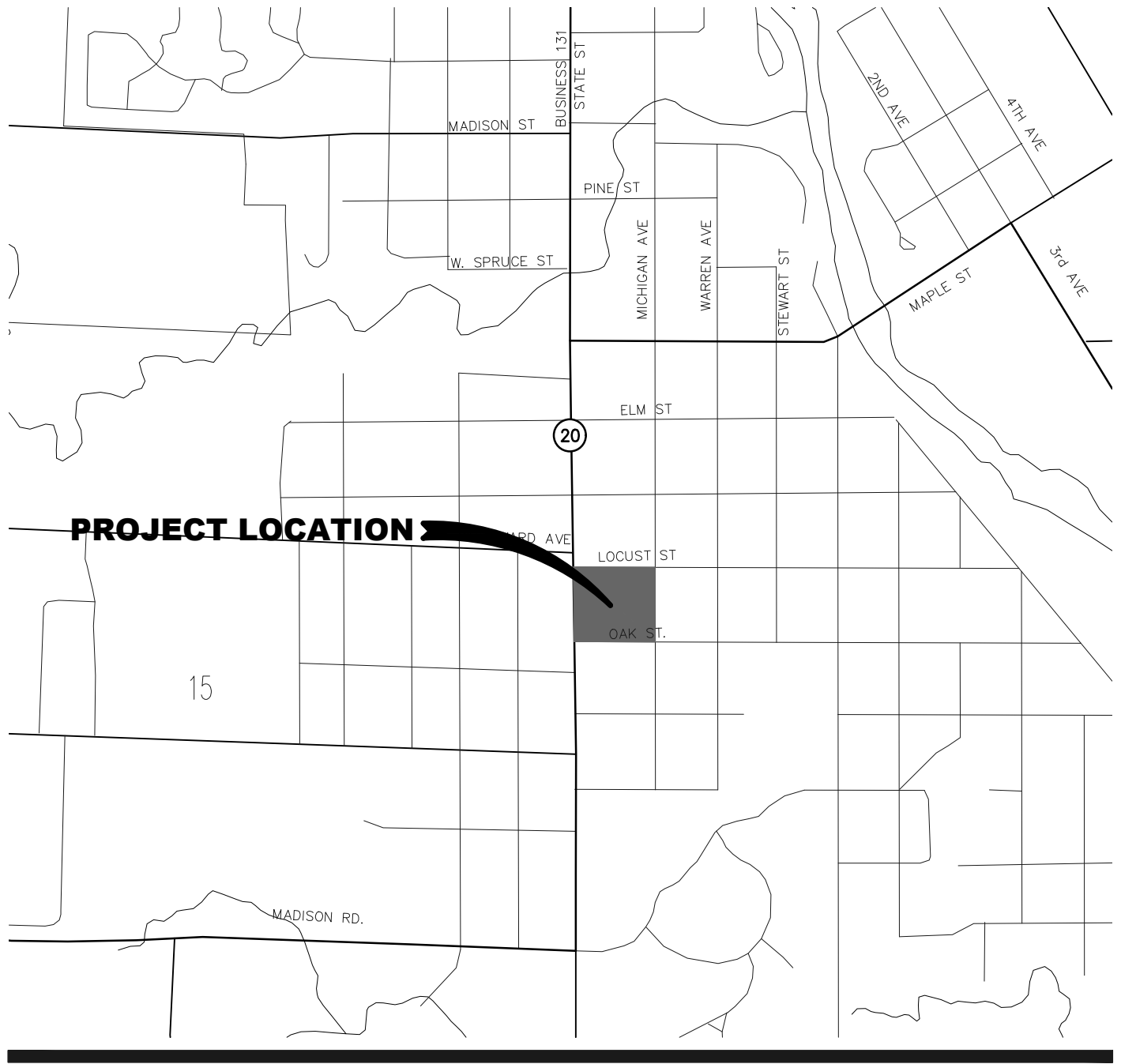
BM #2 EL. 960.15'
SW COR CONC @ DOOR @ SW COR LIBRARY
(NAVD88 GEOID12 VIA VRS OPUS & GPS OBSV)

NOTES:

AT&T UNDERGROUND IS PRESENT, SPECIFIC
LOCATIONS UNKNOWN.



VICINITY MAP

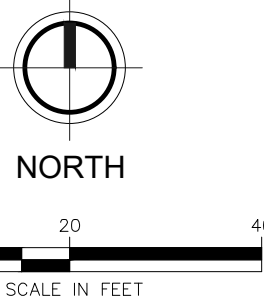
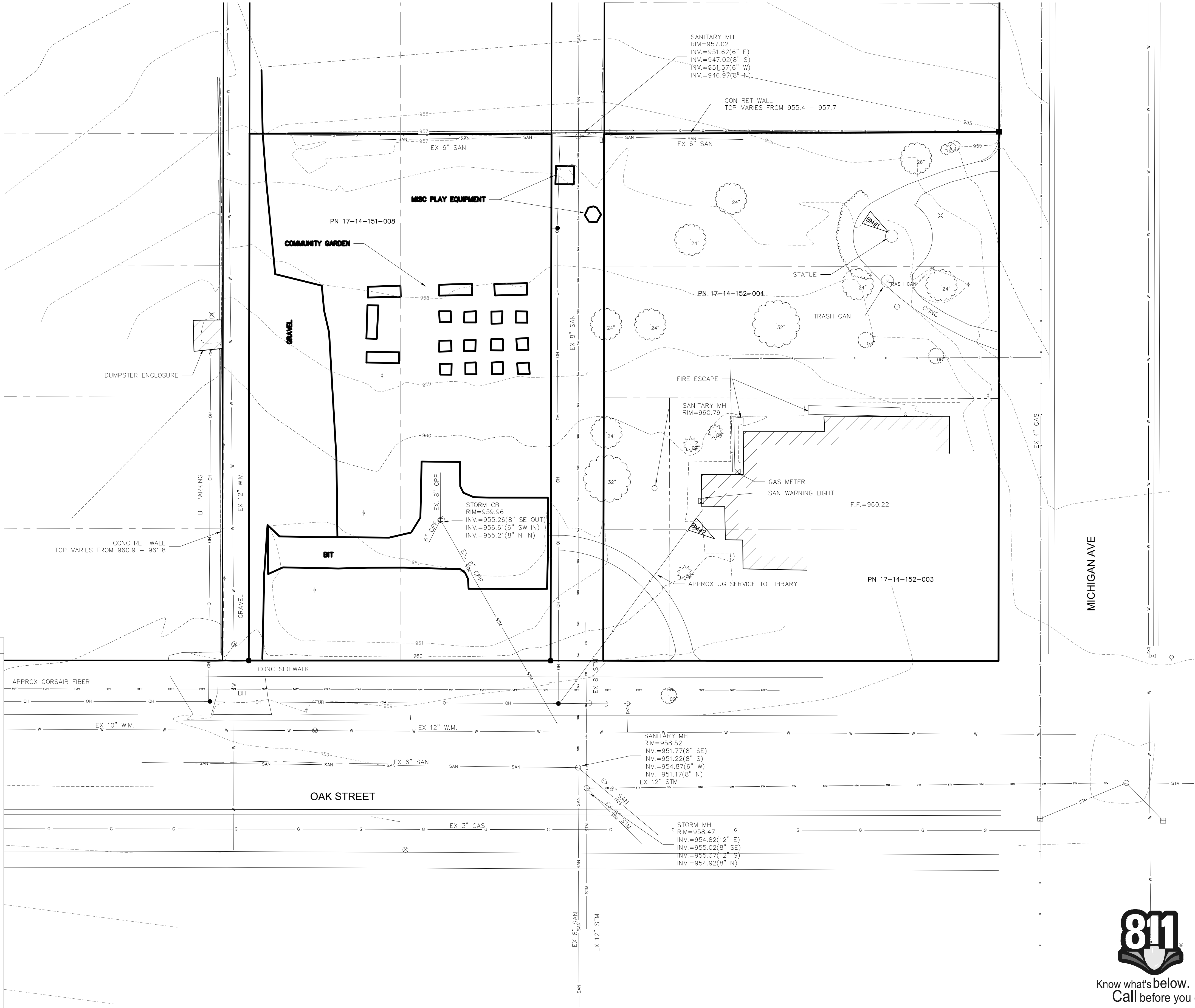


LOCATION MAP

EXISTING FEATURES LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	TREE (DECIDUOUS)		CABLE BOX		SURVEY CONTROL POINT
	BUSH		TELEPHONE RISER		BENCHMARK
	TREE (CONIFEROUS)		TELEPHONE MANHOLE		SECTION CORNER
	DEAD TREE		TELEPHONE HANDHOLE		BOUNDARY LINE
	STUMP		ELECTRICAL RISER		PROPERTY LINE
	MANHOLE		ELECTRICAL MANHOLE		WATERMAIN
	SANITARY CLEANOUT		ELECTRICAL HANDHOLE		SANITARY SEWER
	RD. CATCH BASIN		POWER POLE		STORM SEWER
	SQ. CATCH BASIN		LIGHT POLE		CULVERT (21" AND UNDER)
	FIRE HYDRANT		GUY POLE		CULVERT (24" AND UP)
	WATER VALVE		GUY ANCHOR		CABLE TV
	CURB STOP & BOX		PED CROSSING SIGNAL		TELEPHONE
	WELL		YARD LIGHT		ELECTRIC
	WATER MANHOLE		SIGN		GAS
	WATER METER		MAILBOX		OVERHEAD LINES
	SOIL BORING		FOUND CONC. MONUMENT		GUARDRAIL
	MONITORING WELL		FOUND IRON ROD		FENCE
			SET IRON ROD		WOODLINE
					BUSH/HEDGE ROW

NOTE: ALL ITEMS LISTED ON THE LEGEND MAY
NOT BE PRESENT ON DRAWING.



REVISION:

CITY OF BIG RAPIDS
SECTION 14, TOWN 15 NORTH, RANGE 10 WEST
BIG RAPIDS, MECOSTA COUNTY, MICHIGAN

TOPOGRAPHIC SURVEY

DESIGN TEAM:
JVD, SJD, MRG
CHECK BY:

DRAWING INFORMATION:
843290_Topo
andrew.jiller

NOT FOR
CONSTRUCTION

FEBRUARY 2020
FAY PROJECT NO.
843290



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Grand Rapids, MI 49546
P: 616.977.1000
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DESIGN, BUILD, OPERATE

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Grand Rapids, MI 49546
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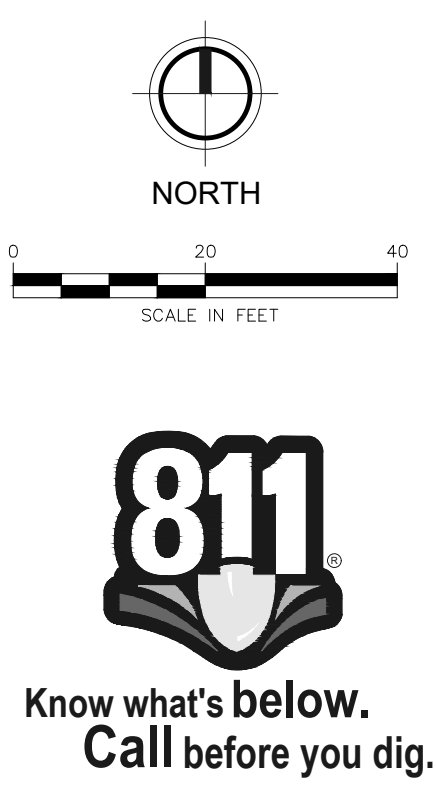
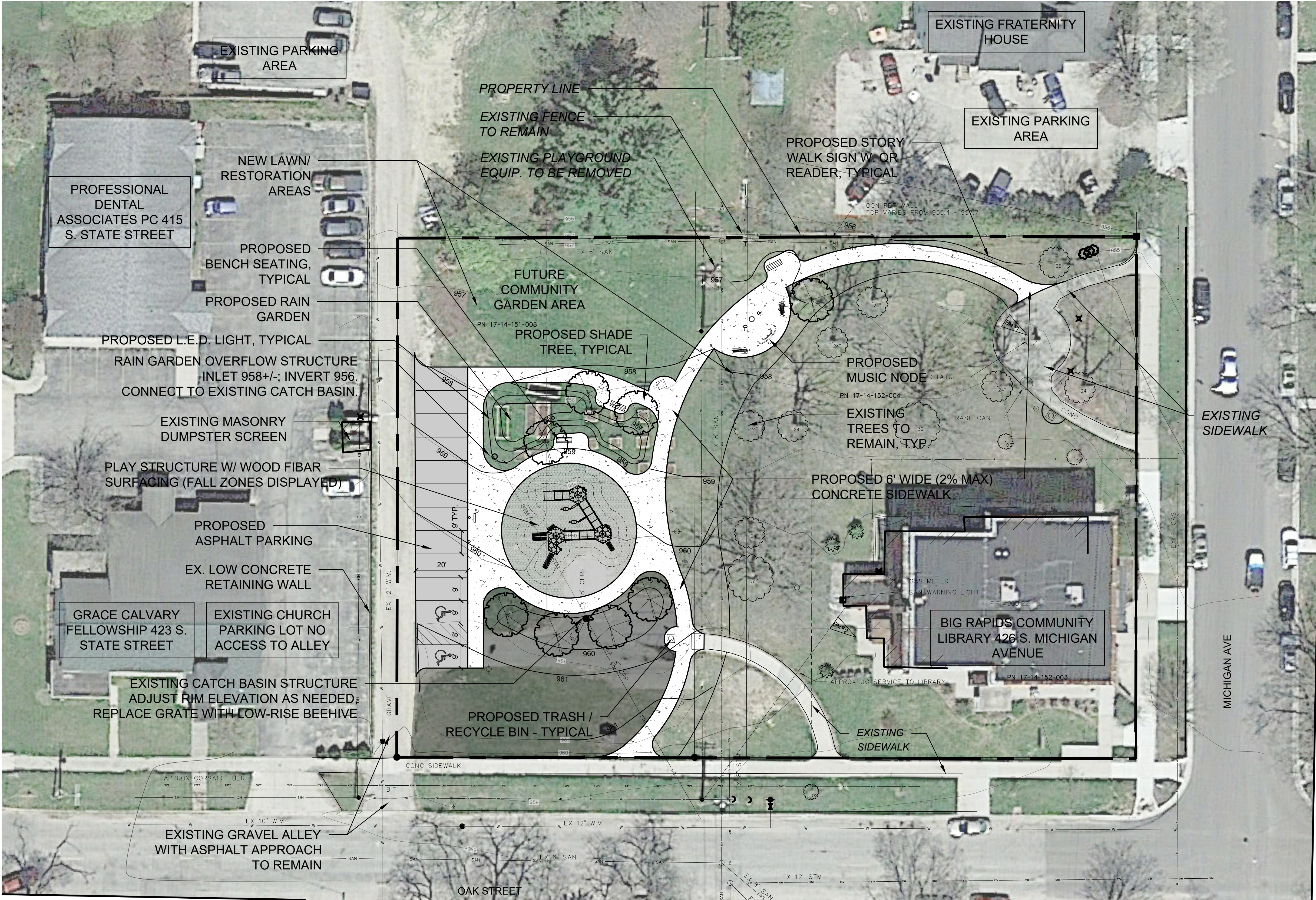
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PARCEL - ZONED R-3 RESIDENTIAL

REQUIRED INTERIOR SIDE YARD SETBACK = 8' MIN.
REQUIRED STREET SIDE YARD SETBACK = 20'
REQUIRED FRONT YARD SETBACK = 25'
REQUIRED REAR YARD SETBACK = 30'

PROPERTY DESCRIPTION

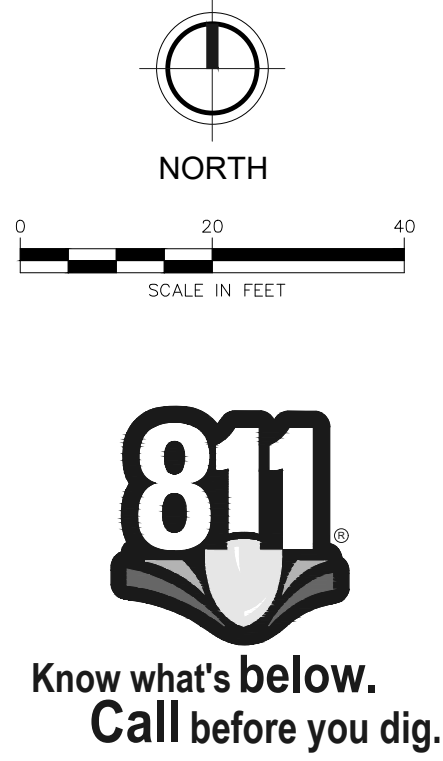
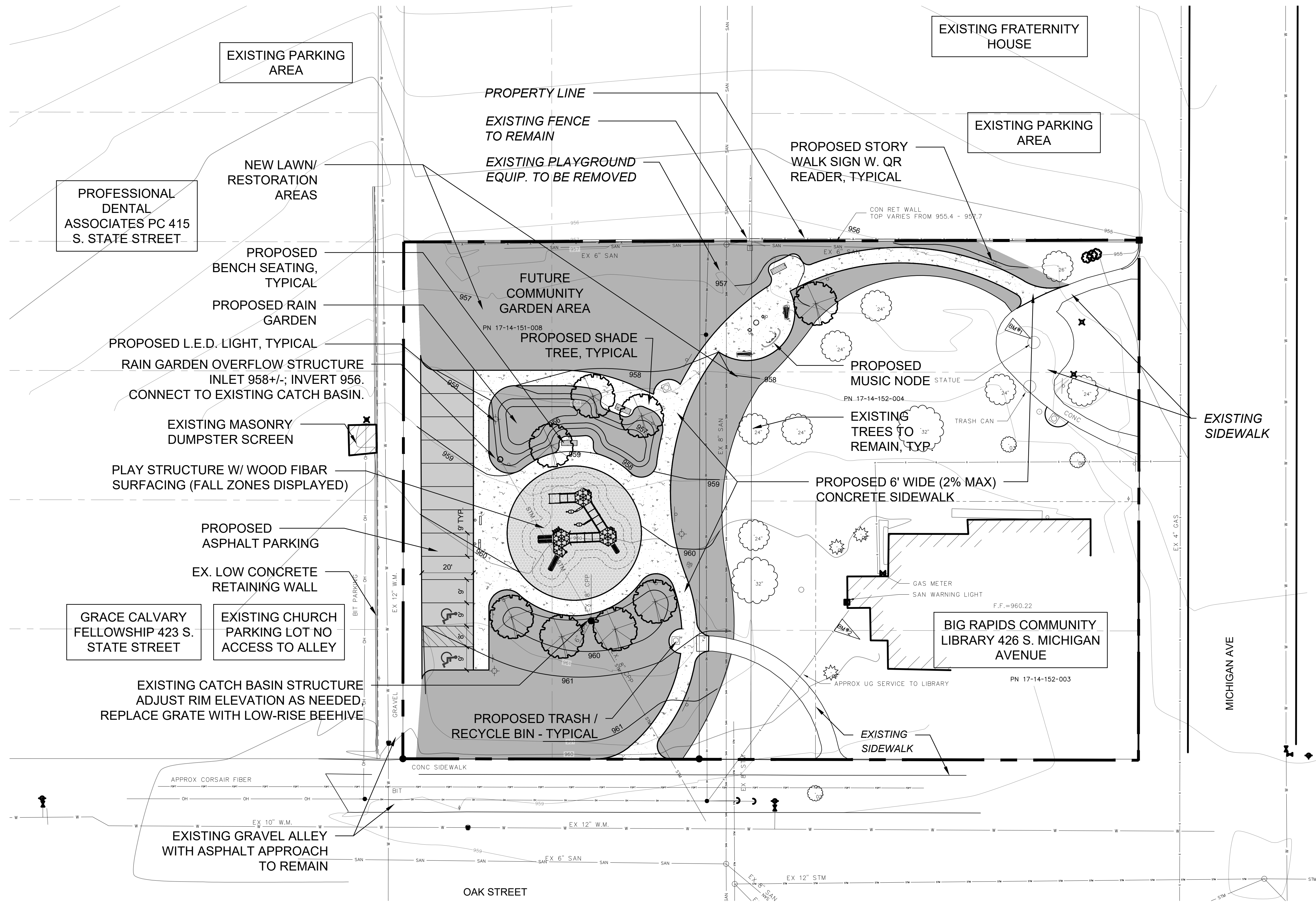
LIBRARY PROPERTY IS TWO PARCELS

PARCEL 17-14-151-008 - WARREN AND BRONSON'S THIRD SUBDIVISION, PLAT #1 -- BLK 34, LOTS 19 & 20

PARCEL 17-14-152-002 - WARREN AND IVES' PLAT (ORIGINAL PLAT) -- BLK 34, LOTS 9,10,11 & 12 TOGETHER WITH THE VAC ALLEY LYING ADJACENT TO LOTS 9,10,11 & 12

LEGEND

- NEW HMA PAVEMENT
- WOOD FIBAR SURFACING IN PLAY AREA
- NEW CONCRETE PAVEMENT
- ELECTRIC CAR CHARGING STATIONS
- PROPOSED SHADE TREE



PARCEL - ZONED R-3 RESIDENTIAL

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PROPERTY DESCRIPTION

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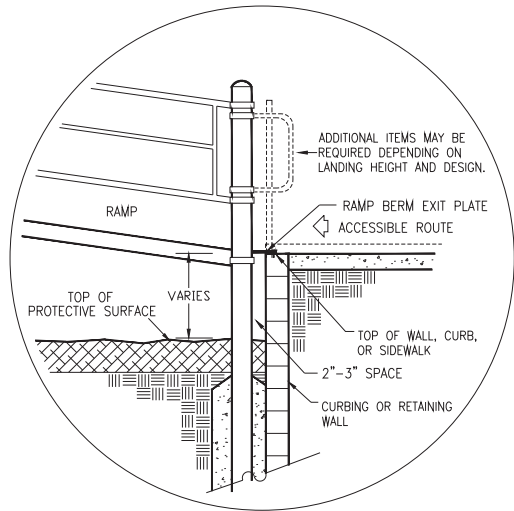
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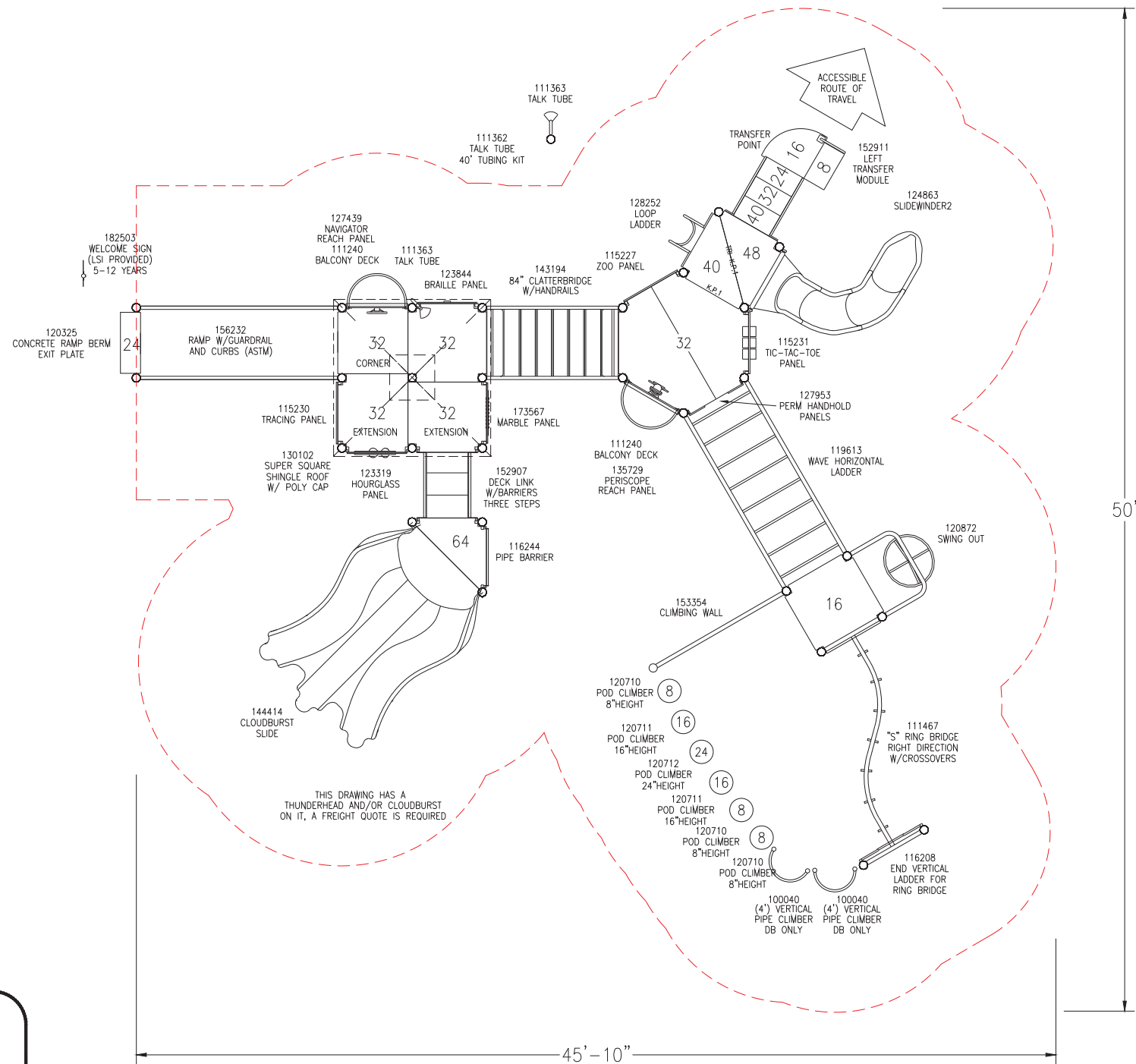
SUGGESTED ELEVATED RAMP BERM EXIT PLATE
24" PLUS DECK TO GRADE/DB INSTALLATION
REFER TO RAMP BERM EXIT PLATE INSTALLATION SHEET
SEE PLAN FOR ELEVATION OF PLATE

PlayBooster®
(5-12 years)

Max Fall Height: 88 inches

TOTAL SQUARE FOOTAGE
1684 SQ.FT.

TOTAL ELEVATED PLAY COMPONENTS	15		
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY RAMP	8	REQUIRED	8
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY TRANSFER	4	REQUIRED	0
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN	8	REQUIRED	0
TOTAL DIFFERENT TYPES OF GROUND LEVEL COMPONENTS	3	REQUIRED	3



landscape
structures



The play components identified on this plan are IPEMA certified. (Unless model number is preceded with *) The use and layout of these components conform to the requirements of ASTM F1487. To verify product certification, visit www.ipema.org

THIS PLAY AREA & PLAY EQUIPMENT IS
DESIGNED FOR AGES 5-12 YEARS
UNLESS OTHERWISE NOTED ON PLAN.

IT IS THE MANUFACTURERS OPINION THAT
THIS PLAY AREA DOES CONFORM TO
THE A.D.A. ACCESSIBILITY STANDARDS,
ASSUMING AN ACCESSIBLE PROTECTIVE
SURFACING IS PROVIDED, AS INDICATED, OR
WITHIN THE ENTIRE USE ZONE.

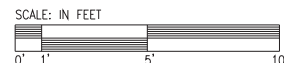
THIS CONCEPTUAL PLAN WAS BASED ON
INFORMATION AVAILABLE TO US. PRIOR TO
CONSTRUCTION, DETAILED SITE INFORMATION
INCLUDING SITE DIMENSIONS, TOPOGRAPHY, EXISTING
UTILITIES, SOIL CONDITIONS, AND DRAINAGE
SOLUTIONS SHOULD BE OBTAINED, EVALUATED, &
UTILIZED IN THE FINAL DESIGN. PLEASE VERIFY ALL
DIMENSIONS OF PLAY AREA, SIZE, ORIENTATION, AND
LOCATION OF ALL EXISTING UTILITIES, EQUIPMENT,
AND SITE FURNISHINGS PRIOR TO ORDERING. SLIDES
SHOULD NOT FACE THE HOT AFTERNOON SUN.

CHOOSE A PROTECTIVE SURFACING MATERIAL THAT
HAS A CRITICAL HEIGHT VALUE TO MEET THE
MAXIMUM FALL HEIGHT FOR THE EQUIPMENT (REF.
ASTM F1487 STANDARD CONSUMER SAFETY
PERFORMANCE SPECIFICATION FOR PLAYGROUND
EQUIPMENT FOR PUBLIC USE, SECTION 8 CURRENT
REVISION). THE SUBSURFACE MUST BE WELL
DRAINED. IF THE SOIL DOES NOT DRAIN NATURALLY
IT MUST BE TILED OR SLOPED 1/8" TO 1/4" PER
FOOT TO A STORM SEWER OR A "FRENCH DRAIN".

DESIGNED BY:

COPYRIGHT: 11/27/19
LANDSCAPE STRUCTURES, INC.
601 7th STREET SOUTH - P.O. BOX 198
DELANO, MINNESOTA 55328
PH: 1-800-328-0035 FAX: 1-763-972-6091

Date	Previous Drawing #	Initials
------	--------------------	----------



Design
1847

Landscape
Structures

SYSTEM TYPE:
Playbooster

DRAWING #:
1847



Interchangeable
storyboards





Option 1 Design for

Library Playground

Big Rapids, MI

Budget cost for equipment delivered and installed **with PIP rubber surfacing**, delivered and installed, crushed gravel sub-base supplied and installed - \$119,000

Budget cost for equipment delivered and installed **with Engineered Wood Fiber (EWF) surfacing** and one layer of felt, delivered and installed - \$84,000

Budget cost for equipment delivered and installed **with Engineered Wood Fiber (EWF) surfacing** and one layer of felt, delivered and installed **as well as a 4" depth of peastone and additional layer of felt**, delivered and installed - \$81,500

Budget cost for (1) Tall Chimes, (1) Vibes, (3) Cabasas (one of each size) and (1) three drum conga drum and (1) two drum conga drum delivered and installed- \$16,500







Concerto



Vibes



Chimes



5 Congas



3 Congas



2 Congas



Large Cabasa



Medium Cabasa



Small Cabasa

Let all kids play in perfect harmony.

The Concerto line of outdoor musical equipment allows children of all abilities to experience the joy and benefits of making music. Designed at a more accessible angle and height, these instruments can be played comfortably by all kids, including those with mobility devices.

Both the Vibes and Chimes are tuned on a diatonic scale, which means that kids can achieve more accurate musical notes and learn to play real songs. Each has good sustain when struck with the attached rubber mallets, immersing children in sensory stimulation from the vibrations. Concerto Cabasas produce a metallic rattle as they spin, ranging in frequency depending upon drum size. Kids will keep the rhythm as others join in on the Congas, which differ in diameter and length to give each one a unique tone.

Concerto installation requirements:

Chimes and Vibes must be installed OUTSIDE of the playground area in regions that follow CSA certification.

This is in order to meet playground compliance since there are several issues with the instruments using mallets that will not meet the guidelines

Weldments

Galvanized 1/8" steel plates; 1-5/16" OD 14-gauge & 1" oval 15-gauge steel tubing – All Components

Plastic Panels

1/2" and 3/4" HDPE (high-density polyethylene) sheets – Cabasas – Vibes

Hardware

18-8 Stainless Steel, Tamper resistant – All Components

Coating

Super durable, electrostatically applied powder coat – All Components

Steel posts

5.00" OD x 11 gage galvanized steel tubing - Bongo post, 3.50" OD x 13 gage galvanized steel tubing – Chimes frame – Vibes post – Cabasas post

Aluminum

6063 Aluminum - Chimes

Congas

ABS plastic

Michigan Recreation Passport Grant Program 2019

Organization: City of Big Rapids

RP19-0092

Version Date: 08/13/2020 07:00:55

Section A: Applicant Site and Project Information: Anna Howard Shaw Memorial Park

*Name of Applicant (Government Unit) City of Big Rapids		*SIGMA VSS CV0047833	*SIGMA Address Code 001	*County Mecosta County
*Name of Authorized Representative Cindy Plautz		*Title Neighborhood Services Coordinator		
*Address 226 North Michigan Ave.		*Telephone (231) 592-4038 Fax (231) 592-4059		
*City Big Rapids	*State MI	*ZIP 49307	*E-mail cplautz@cityofbr.org	
*State House District District 102		*State Senate District District 33	*U.S. Congress District District 4	
*Proposal Title (Not to exceed 60 characters) Anna Howard Shaw Memorial Park Improvements				

***Proposal Description**

Development to renovate the park and provide a safe, desirable and ADA/universally compliant recreational opportunity for the community. The project will replace the outdated playground equipment with a new play structure and musical/play node. Paved parking improvements with 2 Universal Accessible parking spots and a rain garden to collect storm water runoff are also planned. LED lights will be added to improve visibility and to provide safety. A six foot wide universally Accessible (2% slope max) concrete walking path will connect the parking lot, the play structures, the Anna Howard Shaw Statue, and the existing City sidewalks to the Community Library and City streets. Along the pathway we will incorporate interpretive signs which will be geared at children's learning of nature. Park amenities such as benches and a recycle bin and trash cans will be also added.

***Address of Site**

426 S Michigan Ave Michigan/Oak Streets

***City, Village or Township of Site**

Big Rapids

***Zip**

49307-1468

***County in which Site is located**

Mecosta

***Town, Range and Section Numbers of Site Location**

*Letters must be upper-case:
(examples: T02N, R13E, 22)
(Town)T15N (Range)R10W (Section)14*

***Latitude/Longitude at park entrance**

43.693320 -85.482270

***Park Name**

Anna Howard Shaw Memorial Park

Section B: Project Funding and Explanation of Match Sources

SOURCES OF MATCHING FUNDS**PROJECT COST AMOUNTS**

*Grant amount requested (round to the nearest hundred dollars) \$150,000.00

Total Match (Must be at least 25% of total project cost) \$176,300.00

Total Project Cost (Must equal the total estimated cost on Section D1 Project Details page) \$326,300.00

Percentage of match commitment (Must be at least 25% of total project cost) 54%

Value of any Land Repurposed to Recreation as Part of the Project (2xSEV)

a) General Funds or Local Restricted Funds (Applicant's own cash) \$126,300.00

b) Force Account Labor/Materials (Applicant's own paid labor or materials)

c) Federal or State Funds

d) Cash Donations \$50,000.00

You have entered a value for item d). Please list the individual sources and the amounts to be donated below.

SOURCE	AMOUNT
*Big Rapids Community Library	\$50,000.00
Total	\$50,000.00

* Is a letter of intent from each donor included with the application?
☒ Yes ☐ No

e) Donated Labor and/or Materials

Section C: Project Details

* Applicant's current control of the site:

- ✓ Fee Simple
- Lease
- Easement

Project Cost Estimate Table

List the specific development scope items (play equipment, parking lot paving, landscaping) rather than aspects of project execution (materials, labor, equipment, site clearing). Do not include ineligible items such as engineering costs beyond 15% of the subtotal and contingencies. Facilities must be designed to be in compliance with the 2010 Americans with Disabilities Act Standards for Accessible Design.

<u>SCOPE ITEM</u>	<u>DNR ONLY</u> <u>ACCESSIBILITY</u> <u>GUIDELINES</u>	<u>QUANTITY</u>	<u>TOTAL ESTIMATED</u> <u>COST</u>
Paved ADA Parking Space(s)	UD	1	\$20,200.00
Access Pathway 6' wide or more	UD	1	\$35,500.00
Signage	UD	8	\$13,800.00
Play Equipment (including safety surfacing)	ADA	1	\$127,500.00
Lighting	N/A	3	\$26,000.00
Landscaping	N/A	1	\$50,500.00
Rain Garden with Native Plants	N/A	1	\$19,000.00
Recycle Bin(s)	N/A	1	\$1,000.00
Trash Bin(s)	N/A	2	\$2,000.00
Bench(es)	UD	4	\$4,500.00

Other:

Do not list the aspects of project execution, such as labor, construction equipment, contingency or raw materials.

Permit Fees**Subtotal**

\$300,000.00

Engineering (These fees may not exceed 15% of subtotal)

\$26,300.00

Total Estimated Cost (Much equal Total Project Cost amount on Section B page)**\$326,300.00**

1) What is the expected life of the facilities constructed as part of the project?

20 years

(Please note: Program requires commitment of minimum 20 years if no enclosed structure and 40 years with enclosed structure).

2) If you are submitting multiple applications, what is the priority for this application?

1

Section C: Project Details

(1 = highest)

- 3) Is unimpeded access to the project site secured through ownership or easement or lease of term no less than the length of time that control of the project site is secured? No ☒ Yes
- 4) Will the project be used for the viewing of professional or semi-professional arts, athletics or intercollegiate or interscholastic sports? ☒ No Yes
If yes, what percentage of normal operating hours will be used in this capacity? %
- 5) Will fees be charged at the park? ☒ No Yes
If yes, what will be the fees for residents?
What will be the fees for non-residents?
- 6) Has applicant received DNR recreation grant(s) in the past? No ☒ Yes
- 7) Is there an entrance sign identifying the site as a public recreation site open to all users? No ☒ Yes
- 8) Has applicant closed, sold, or transferred any parkland or recreation facilities in the past 5 years? ☒ No Yes
- 9) Does applicant have a "residents only" policy for this park or other parks or recreation facilities? ☒ No Yes

If 'Yes' was selected for any of the questions, please explain here:

The City has received Trust Fund Grants for development of our Riverwalk and in 2016 received a Passport Grant for Renovation of Mitchell Creek Park.

There is a park sign with the hours of operation included on it. City parks are open to all users.

The City of Big Rapids has Fee Simple Ownership of the Park.

Section D: Site Conditions

	<u>NO</u>	<u>YES</u>	<u>UNKNOWN</u>
*1) Does the applicant, landowner, or others have knowledge that any portion of the property is or has been used for industrial purposes, including manufacturing and/or minerals' processing or extraction (sand, gravel, oil, or gas) at this time or in the past?	✓		
*2) Does the applicant, landowner, or others have knowledge that any portion of the property is currently being used or has been used in the past for a gas station, motor vehicle service or repair facility, commercial printing facility, dry cleaners, photo developing lab, junkyard, landfill, waste treatment, storage, processing or recycling or disposal facility?	✓		
*3) Does the applicant, landowner, or others have knowledge that any of the following are or have in the past been stored, discarded, or used on the property – automotive or industrial batteries, pesticides or other chemicals used in agricultural practices, paints, industrial waste, or other chemicals in drums or other containers?	✓		
*4) Does the applicant, landowner, or others have knowledge that fill dirt or other fill material of unknown origin is on this property or has in the past been placed on the property?	✓		
*5) Does the applicant, landowner, or others have knowledge of any evidence of leaks, spills, or stains from a substance other than water at this time or in the past?	✓		
*6) Does the applicant, landowner, or others have knowledge that there are or have in the past been waste disposal pits, lagoons, or ponds on the property?	✓		
*7) Does the applicant, landowner, or others have knowledge that there are at this time or have in the past been registered or unregistered storage tanks on the property?	✓		
*8) Does the applicant, landowner, or others have knowledge that contaminated groundwater lies below the property?	✓		
*9) If there is a water well on the property, does the applicant, landowner, or others have knowledge that contaminants have been identified in the well that exceeded legal standards or has the well been identified as contaminated by a government agency?	✓		
*10) Has the landowner been notified about any current violations of environmental laws pertaining to activities on the property or does applicant,	✓		

Section D: Site Conditions

landowner, or others have knowledge about past violations?

- *11) Has the landowner been notified of any environmental assessments of the property that identified a) the presence of hazardous substances, petroleum products, or contamination; or b) the need for further assessment? ✓
- *12) Does the applicant, landowner, or others have knowledge that any hazardous substances, unidentified waste materials, tires, or automotive or industrial batteries have been dumped above ground, buried, or burned on the property? ✓
- *13) Is the property listed on any federal or state list of contaminated sites, including the site of a leaking underground storage tank? ✓
- *14) Does the applicant, landowner, or others have knowledge that any of the adjoining properties are currently being used or have been used in the past for the purposes listed in the previous questions 1-13? ✓
- *15) Has an environmental assessment been completed for the site? If yes, provide the most current. ✓
- *16) Is this proposed project part of the Iron Belle Trail (Governor's Showcase Trail)? ✓
- *17) Are permits required for the development of the site? If yes, please complete the following table: ✓

TYPE OF PERMIT	PERMITTING AGENCY	EFFORTS TAKEN TO OBTAIN PERMIT OR DETERMINING PERMIT REQUIREMENTS
Soil erosion	Mecosta County Drain Commissioner	Notified of project and will apply before construction

If 'Yes' or 'Unknown' was selected for any of the questions on this page, please explain here:

A permit will be obtained from the Mecosta County Drain Commissioner as a rain garden will be created to detain storm water from the parking lot to help prevent erosion.

- *18) Explain how you plan to address safety considerations and crime prevention in the project area. LED lights at proposed parking lot and park. Lighting at the Library immediately adjacent to the park. Park not located in desolate area. Park sign with hours of operation posted and police will routinely observe area.

Section D: Site Conditions

ADA/Universal 6 ft wide pathways allows safe passage of all users. Play structure surface to be ADA compliant EWF that packs down. Pathways connect to City sidewalks keeping peds. off St. Park is small - line of site is designed to be open. Grounds maintained by City.

- *19) Explain how you will make the public aware of the project as well as the efforts you will use to publicize and promote the project. Include marketing methods that will effectively communicate with person with disabilities.

Park supported by Library that will use it for some programing - advertised for all users. Presentations at Lions, GFWC, Friends of Library. Fundraiser in progress for donations- TV 9&10 and 7&4, website, newspaper, flyers. City Commission & Park & Rec meetings held in which project was discussed. Included in map of City Parks. The City has reached out to Hope Network about the project & collected comments about providing for people with disabilities. Ribbon Cutting will be held when complete.

Application Narrative**1. Need for the Project:**

The City of Big Rapids' 1.03 acre Anna Howard Shaw Memorial Park is in need of renovation. The City has owned the property since 1961 and despite continual maintenance, is in need of renovation to keep it appealing, safe and accessible. Currently the park has a couple pieces of old playground equipment that need to be replaced and a parking lot that needs to be improved. Park amenities such as benches and trash receptacles need to be replaced also. Location of this park is unique as it is located in a residential area adjacent to the Community Library and surrounded by residences. It is an open green space that needs to be preserved as a park for all to enjoy. The park is walking distance to the many residences that surround it. The nearest park to offer playground equipment would be Hemlock Park which is located 9 City blocks to the north. One other City park offers a play structure, but it is located even further on the north edge of Big Rapids (See Att. City Park Map) Being adjacent to the Library, the park has been used for some of its programming which is very convenient as the children do not have to leave the area to enjoy Library programs while being outside to enjoy fresh air and the ability to run and play. A literacy theme will be incorporated in the ADA compliant play equipment and it will make this park unique from other City parks. Musical play nodes will provide sensory stimulation - also unique to this park. The renovation of this park is listed in the Park and Recreation Master Plan (see excerpts) and hits some of its main goals. Renovation is also listed in the FY2019/2020 Capital Improvement Plan (See Attach.) where it is ranked as #1 priority out of 12. With a Median Household Income of \$20,192 (2000 Census) and with 35% of the population below the poverty level, the City strives to offer free, quality park and recreation opportunities for all. A welcoming environment attracts people and patrons to the City which in turn spurs economic prosperity for the City. A flat revenue has affected the City's ability to make improvements and renovations even though they are needed. The Library has an ongoing fundraiser for the renovation of this park but without grant funding the project will have to wait until enough money can be set aside and raised, which could be 5 years or more. We expect the renovation to increase usage of the park as the greater Big Rapids community will benefit from its unique attributes.

2. Site Quality:

The Anna Howard Shaw Memorial Park was previously known as Library Park for its proximity to the Library. The land was deeded to the City in 1961. The City has maintained it as a park, but it has not been renovated for many years. The proposed renovation will insure the park is appealing, safe and accessible for years to come. Currently the park is approximately 1.03 acres of green space with mature trees. There are a couple of pieces of old playground equipment dating back to the 1960's that need to be removed and replaced. A 2-space ADA compliant parking area was put in several years ago when the Library was used as a polling location. The Library is no longer used for voting and the parking spaces take up much of the park area, so they will be removed and replaced with a 12 space parking lot, 2 of which will be van accessible making it Universally Accessible (See Att.) Only one would be required per ADA standards. The parking will be located off the alley for easy access and to allow for more amenities in the park. The proposed Play Structure will be located near the parking and connected with a Universally Compliant 750 ft, 6 ft wide cement pathway with cross-slopes under 2% and running slopes under 5% (See Att.) It will connect with all park amenities and with 4 more access locations to City sidewalks. In an effort to be environmentally conscious, a rain garden of native plants will be incorporated off the parking lot to capture and filter parking lot storm water. The park is accessible to pedestrians, bikers, autos and is served by the City's Dial a Ride bus service that is equipped to serve those who use wheelchairs or who have mobility issues. The parking lot and park will be lit with 3 environmentally friendly LED lights for economical night safety (See Att.) Hours of operation (8Am to 10PM) are incorporated on the park sign near the Shaw statue. Police routinely monitor the park. The park is surrounded

Application Narrative

by residences and the back side of a Church and a Dentist Office located on State St. The community can benefit by the preservation of this green space in a developed area. Playground equipment will have a literacy theme and will be ADA and Universally Compliant. Since the Library uses the park for programming, they have dedicated \$50,000 to the renovation (See Att.) and have advocated for a literacy theme through the play structure, music nodes and 8 interpretive signs to be located along the pathway. The play structure will be ramped and include a transition station, the music node will be easily operational in a seated or standing position. In a Feb 15 conversation with Taylor Logan of Hope Network, he expressed he was excited about these ADA/Universal Accessible features as they routinely use City parks for the people they serve. They especially liked that the musical node would provide sensory stimulation - unique to this park and listed as a Universal feature.

3. Project Quality:

The site was chosen as Anna Howard Shaw Memorial Park needs renovation to make it attractive, safe and accessible. It is an open green space (1.03 acres) with mature trees in the middle of a developed residential area and adjacent to the Library. It contains a statue of Shaw located off Michigan Ave. It is important to preserve this green space for future recreation, play and relaxation. As the trees are mature, we will be planting 8 new trees and freshening the landscaping to ensure a lasting tree canopy and pleasant park experience into the future. Developed in the 1960's, the remaining playground equipment needs to be replaced. This provides an opportunity to replace with new ADA/Universally Accessible play structures. There are only 2 other parks within our system that have play structures. One is 9 blocks away and the other on the north edge of town. One of the proposed play structures will incorporate a ramp and transfer station making it ADA/Universally Accessible (See Att.) Another is a musical node that will easily engage children from a seated or standing position to provide sensory stimulation making this equipment Universally Accessible (See Att.) The surface under the play structure will be compactable Engineered Wood Fiber that according to the U.S. Access Board, if raked weekly, is ADA compliant. All the play equipment will incorporate a literacy theme inspired by the Library and their use of the park for programming. The Library's \$50,000 donation is a testament to their effort of increasing literacy levels through play. There will be 8 brightly colored interpretive signs with a nature theme that are accessible from a seated or standing position located along the pathway. They will engage the user in thinking about their natural surroundings. These elements will make this park a truly unique destination. To provide parking and make room for the play structures, the current 2 space parking area will be moved to the alley and be increased to 12 paved and striped spaces, 2 of which will be Universally Accessible for van parking. The proposed walking path is directly accessible from the parking area to eliminate pedestrian travel through the traffic area. The 6 ft wide, 750 ft long cement pathway will be Universally Accessible with cross slopes under 2% and running slopes under 5%. The path, with no dead ends, will connect all park amenities and City Sidewalks on Michigan and Oak that also lead to the Library. The park will be accessible by foot/car/bicycle & City DART bus which is ADA Accessible. The parking lot and park will be lit with environment friendly LED lights for safety. The park is signed, and park hours are posted. Police patrol the area. A rain garden with native plants will be incorporated to detain storm water runoff from the parking lot, deterring erosion and filtering the water (See Att.) New amenities include trash receptacles, benches and an environmentally friendly recycle bin (See Att.).

4. Applicant History:

The City of Big Rapids recognizes the importance of outdoor recreation and preservation of green space and is proud of its park system. We strive to maintain high standards in keeping the parks safe, accessible, clean

Application Narrative

and in good repair. All City Parks are on a routine maintenance schedule (See Attached) that is included in the City's fiscal year budget (See Attachment). This year's park budget is \$489,800 - \$249,600 is allocated specifically to park maintenance. Park inspections of facilities start in April and continue monthly . Necessary repairs are identified and corrected. Mowing/grounds/trash are taken care of on a weekly basis or as needed. In May, our yearly contract with MOARC to pick up litter downtown, Mitchell Creek and Anna Howard Shaw Parks starts (See Attachment). MOARC is a part of Hope Network which is an organization that provides rehabilitation services to those with an array of disabilities. They are excited about our renovation project as the ADA/Universal compliant features will enhance the park experience to those they serve (see support letter). In a conversation with Project Manager Taylor Logan, he was especially excited about the sensory stimulation provided by our proposed musical node! The park improvements are listed in the 2019-2025 CIP as #1 priority out of 12 (See Excerpt Attached) with \$30,000 committed for improvements. This would be added to the money previously committed for the park parking and Library commitment of \$50,000 (see resolution). It is also listed in the 2017-2021 Park and Rec Master Plan Ch. 5 and 6 (see attachment). The City has successfully administered previous DNR grants in the past and continues to maintain the project areas to a high standard. Parks are available to all without an entrance fee. Please see additional attached maps, illustrations, and support letters.

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Neighborhood Services Director
SUBJECT: Zoning Ordinance Review for Marihuana Business Signs
DATE: December 16, 2020

Introduction

The City Commission adopted Ordinance No. 752-10-19 “Ordinance amending Articles 2, 3, and 11 of the Big Rapids Zoning Ordinance to define and permit certain State licensed marihuana business facilities and establishments in the C-1, C-2, C-3, and Industrial Districts” on October 7, 2019. To date, the City of Big Rapids has four open marihuana retail stores and has received many other applications from similar businesses who hope to open in Big Rapids.

The Zoning Ordinance is a living document. As this new business type has been permitted, several issues and concerns have arisen which necessitate reviewing and possibly amending the Ordinance to refine the regulations. One such amendment has already taken place, when the City Commission adopted Ordinance No. 754-12-19 on December 2, 2019, to clarify that the setback of 500 feet for marihuana businesses shall be measured from property line to property line.

Section 11.1:29(1)(e) - Sign Regulations for Marihuana Businesses

The Zoning Amendment which permits Marihuana Businesses placed more restrictions on signs for marihuana businesses than for general commercial signs. One marihuana business has had issues with this Ordinance due to the location of their building on the property and the traffic on the adjacent street.

The current sign regulations for marihuana businesses Ordinance language is below:

- 11.1:29 (1) (e) Those provisions for signs contained in Article 6 of this Ordinance notwithstanding, signage shall be limited to one sign per establishment, either a wall sign or a freestanding sign, as described below. The sign shall not be digital or internally illuminated.
- (i) One wall sign affixed to the building containing a marihuana facility is permitted on the front wall of the building and shall not exceed twenty (20) square feet.
 - (ii) One freestanding sign located on a lot containing a marihuana facility is permitted. The sign shall not exceed twelve (12) square feet in area nor four (4) feet in height.

When this topic was addressed at the November 18, 2020 Planning Commission meeting, the idea of allowing up to two signs was being considered with discussion regarding how large to make the maximum square footage allowed.

Examples from Other Michigan Communities

The Commissioners also asked for examples of sign regulations for marihuana businesses from other communities in Michigan.

Adrian, MI

Those provisions for signs contained in Article XXX of this ordinance notwithstanding, signage shall be limited to one identification sign, to be affixed flat against the front wall of the facility of size not to exceed eight (8) sq ft. [This regulation applies to all types of marihuana facilities.]

Battle Creek, MI

Signs. Notwithstanding Chapter 1296 Signs, only one sign per street frontage shall be permitted for any state licensed marihuana establishment or facility. Neon lighted signs are prohibited.

Niles, MI

Signage for Medical marihuana facilities shall comply with the requirements of Article 7, and the requirements of this subsection. All signage and advertising for a medical marihuana facility shall comply with all applicable provisions of this Code and the City Zoning Code.

- a) Where there is a conflict between the standards of Article 7 and the following standards, the more restrictive standards shall control.
- b) Only two signs shall be permitted on a parcel containing a medical marihuana facility.
- c) Signs located on lights containing medical marihuana facilities shall not be illuminated. Signs with flashing, oscillating or intermittent lights are prohibited.
- d) One wall sign affixed to a building containing a medical marihuana facility is permitted and shall not exceed 50 square feet.
- e) One pole or monument sign located on a lot containing a medical marihuana facility is permitted and shall not exceed 32 square feet.

Many communities researched regulate signs for marihuana businesses the same as all other commercial signs, with the limitation that the signs may not use “marihuana language” or depict “marihuana or marihuana-related paraphernalia”. Note: Big Rapids has that same restriction on marihuana imagery or language in signs. These communities included Alma, Center Line, Chesaning, Douglas, Kalamazoo, Marquette, and Mt. Pleasant.

Way Forward

The discussion tonight is to begin the conversation of reviewing this aspect of the Ordinance and direct staff on specific language to bring back for a future Public Hearing on the topic.

STAFF REPORT TO THE PLANNING COMMISSION

TO: Planning Commission
FROM: Paula Priebe, Community Development Director
Emily Szymanski, Planning & Zoning Technician
SUBJECT: Zoning Ordinance Amendments for Marihuana Businesses
DATE: December 16, 2020

Introduction

The Planning Commission discussed the need for a cap or buffer for marihuana businesses throughout the City during the November 18, 2020 regular meeting. Commissioners expressed interest in the following: amend the Zoning Ordinance to include a setback between marihuana businesses, amend the Zoning Ordinance to prohibit new marihuana businesses from opening downtown, or amend the Zoning Ordinance to include a buffer for the MOISD building. Staff was asked to research other communities and bring back findings for the December 16, 2020 meeting.

Examples from Other Communities

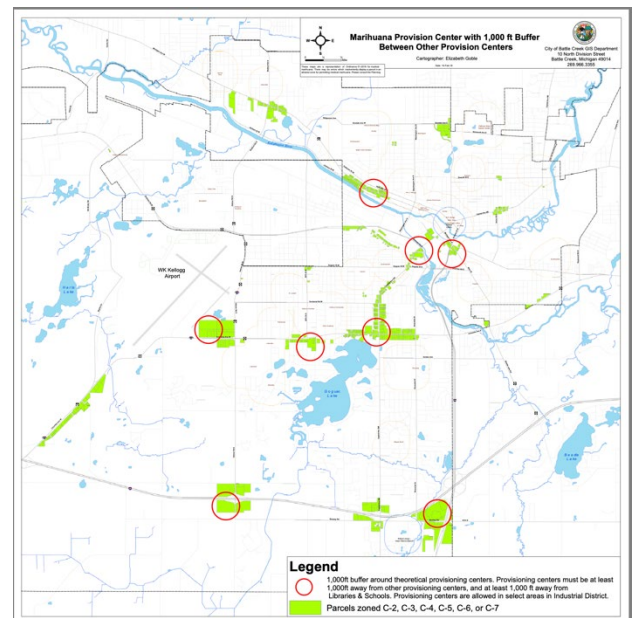
Battle Creek:

Provisioning Center & Retailer (selling) [Applies to Medical & Adult Use]

These businesses are allowed only in the C-2, C-3, C-4, C-5, C-6, and C-7 commercial districts. Provisioning Centers may also be located in I-1 and I-2 industrial districts when co-located on the same property as a grower and processor, or in a building which had a legally operating retail use (any retail) at the date of the effective medical marihuana ordinance. **All provisioning centers and retailers must be located at least 1,000 feet from another provisioning center and retailer; and at least 1,000 feet away from all K-12 schools and libraries.** Depending on the market demand, the available properties for a provisioning center will become developed and eventually reach a maximum.

When multiple applications are submitted within the same buffer:

- The City Clerk shall reject AUME permit marihuana retailer and/or marihuana microbusiness application(s) which selected fewer items in its pick list than a competing AUME permit marihuana retailer and/or marihuana microbusiness application(s) where each was submitted and determined to be complete during the same 24-hour period, defined as falling between 3:00 p.m. and 2:59 p.m. the following business day.



- Competing AUME Retailer and/or Microbusiness Permit Applications" means two or more complete marihuana retailer and/or marihuana microbusiness AUME permit applications submitted for properties located less than 1,000 feet from each other when submitted during the same twenty-four-hour period, defined as falling between 3:00 p.m. to 2:59 p.m. the following business day
- "AUME Permit Retailer and/or Microbusiness Pick List" means a City-generated list of desired property and community attributes including but not limited to energy efficiency, aesthetic improvements, stormwater reduction, etc. for which applicants voluntarily select to incorporate into their AUME permit retailer and/or microbusiness application when located in the C-2 to C-7 zoning districts.

Grand Rapids:

Article 9 of Zoning Ordinance

Separation Distances. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of the parcel used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana facility.

a. The following minimum-distancing regulations shall apply to marihuana provisioning centers other than provisioning centers co-located in an IT-District, pursuant to 5.9.19.E.3.c. A provisioning center shall not be located within:

- i. 1,000 feet of a child care center, or a school;
- ii. 1,000 feet of a publicly owned park or playground;
- iii. 1,000 feet of a religious institution;
- iv. 1,000 feet of a Substance Use Disorder Program licensed by the State of Michigan;
- v. 1,000 feet of a Residential Zone District, as defined in this Chapter, as measured along the primary street frontage on which the use is located;
- vi. 2,000 feet of another provisioning center location; and**
- vii. 1,000 feet of another marihuana facility location, other than a provisioning center.**

b. The marihuana growers, and marihuana provisioning centers co-located in an IT-District pursuant to 5.9.19.E.3.c. A facility shall not be located within:

- i. 1,000 feet of a child care center, or a school;
- ii. 1,000 feet of a publicly owned park or playground;
- iii. 1,000 feet of a religious institution;
- iv. 1,000 feet of a Substance Use Disorder Program licensed by the State of Michigan;
- v. 1,000 feet of a Residential Zone District, as defined in this Chapter, as measured along the primary street frontage on which the use is located; and
- vi. 1,000 feet of another facility location (see 5.9.19.E.3.).**

When multiple applications are submitted within the same buffer:

d. An application seeking Special Land Use approval at a location does not foreclose the filing or consideration of an application for another location located within a minimum distance requirement outlined in this section. However, once Special Land Use approval has been granted to a marihuana facility no other application within the applicable minimum distance requirement shall be considered.

Ypsilanti:

Buffer between other marihuana businesses:

Recreational Marijuana Zoning/Locational Chart		
License/ Facility Type	Zoning District & Use	Distance Requirement*
<i>Recreational Marihuana Retailer</i>	<i>C - Permitted GC - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Marihuana Microbusiness</i>	<i>C - Special GC - Special PMD - Special</i>	1000 ft. buffer from same type; 500 ft. buffer from other types
<i>Designated Consumption Establishment</i>	<i>C - Special GC - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Recreational Marihuana Growing and/or Processing Facility</i>	<i>GC - Special PMD - Special</i>	500 ft. buffer from same or other types**
<i>Marihuana Secure Transporter</i>	<i>GC - Special PMD - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Marihuana Safety Compliance Facility</i>	<i>HHS - Special PMD - Special</i>	500 ft. buffer from same type; No buffer from other types
<i>Excess Marihuana Grower</i>	<i>PMD - Special</i>	No buffer from other types***
NOTES *Distance requirement is distance, lot line to lot line, from marijuana facilities. All marijuana facilities are subject to 1000 ft. distance requirement from schools. **For growing and/or processing facility types, buffering from other types is waived in PMD zoning districts. ***Excess marihuana growers are capped at one (1) per <i>Chapter 8</i> . Chart is based on Zoning Ordinance Text Amendment adopted by City Council on January 21, 2020, effective February 20, 2020. Chart is not a substitute for the ordinance. Please reference <i>Chapter 8 – Adult Use - Recreational Marijuana</i> for regulations regarding caps and permitting.		

Scoring of marihuana business applications:

Each Marihuana Permit Application will be processed through a merit-based review scoring system. A City staffed selection committee will rely on a weighted scoring rubric to evaluate each application. The total possible number of points for an individual application is 190. Once scored, the applications will be ranked highest to lowest with the Highest being the first license

to be issued. The applicant will be required to create a plan that clearly states the criteria listed below and shall be notarized to the truthfulness of the application. No sample plans will be distributed. Once the scoring has taken place, staff will place all applications with personal information (addresses redacted on the city's website for transparency).

Sample Language for Big Rapids

Adding a setback requirement between marihuana businesses:

If the Planning Commission wishes to add a buffer distance between marihuana facilities, staff recommends language such as at below be added to Section 11.1:29 (2):

- “Commercial-type marihuana facilities must be located at least 250 feet from another commercial-type marihuana facility.”

This new language would require any new commercial-type marihuana facility be distanced at least 250 feet (or another distance as the Commission selects), between similar type businesses.

To buffer the MOISD Transition Center while allowing the rest of the C-2:

The Ordinance already has a provision which requires a setback from schools, in Section 11.1:29 (1)(d):

- “No such facility shall be situated within 500 feet of a K-12 school, public or private.”

To amend this Ordinance to also include the MOISD Transition Center, staff recommends altering the language of this provision to include all MOISD school facilities, as below:

- “No such facility shall be situated within 500 feet of a K-12 school, public or private, or any MOISD school.”

If prohibiting new marihuana facility applications for downtown:

The Zoning Ordinance currently permits commercial-type marihuana facilities in the C-2 District. To prohibit them, the Zoning Ordinance would be amended in two places, not to add new language but to remove the existing permissive language.

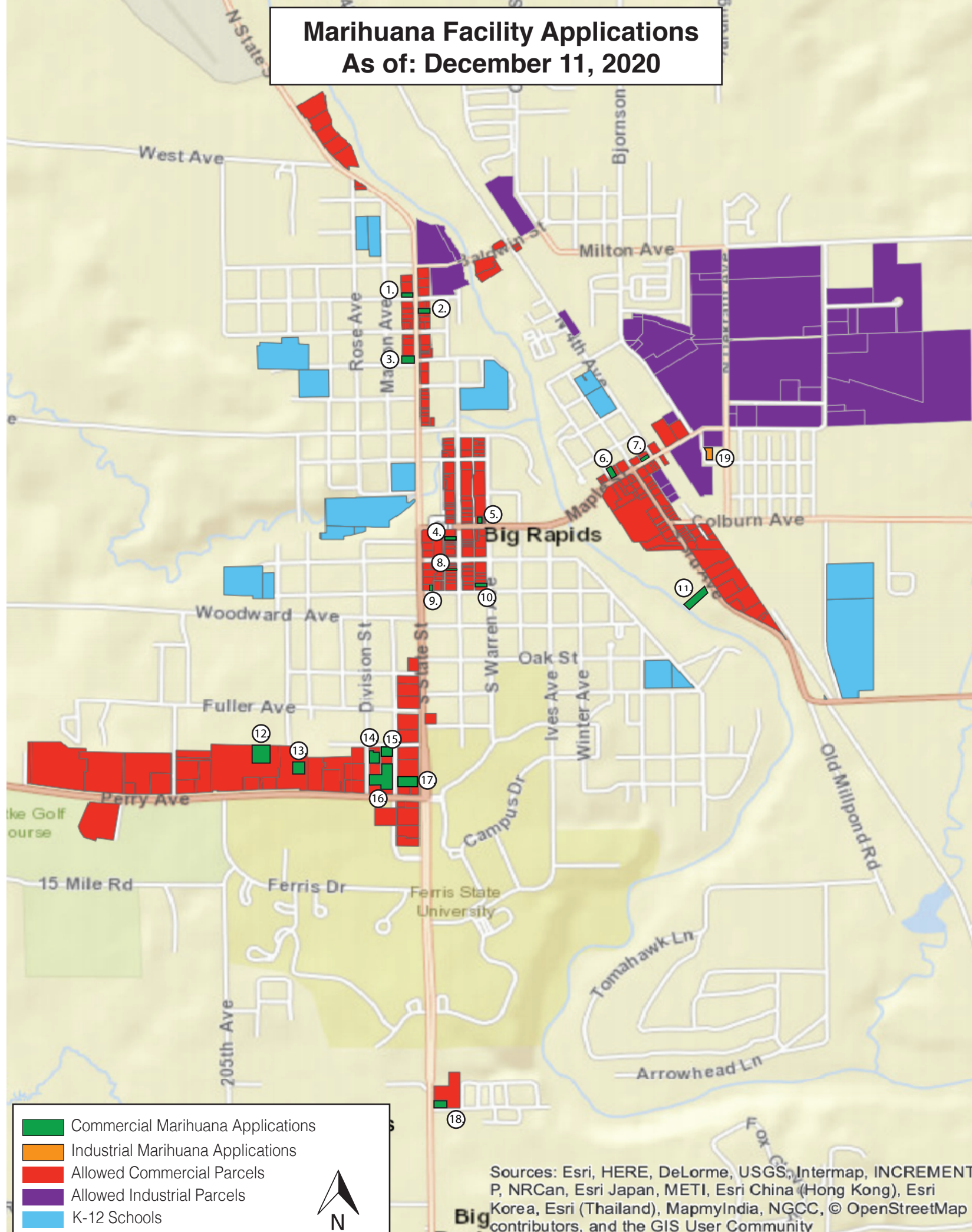
~~3.10:2 (1) (v) Marihuana establishments that are retailers, safety compliance facilities, or microbusinesses, subject to the conditions of Section 11.1:29.~~ (This action would remove marihuana businesses from the list of principal uses in the C-2 District.)

11.1:29 (2) Marihuana retailers, safety compliance facilities, and microbusinesses may be permitted in the C-1, ~~C-2~~, and C-3 Commercial Districts subject to the conditions below:

Marihuana Facility Applications Map

Staff prepared the attached map, which shows all the Marihuana Facility Applications received by the City of Big Rapids and is current as of December 10, 2020.

Marihuana Facility Applications As of: December 11, 2020



Marihuana Commercial-Type Facilities

- 801 N State Street : Dunegrass
- Adult-Use
- 720 N State Street: Green Acres Wellness Center
- Adult-Use
- 603 & 605 N State Street: Agronomod
- Medical, Adult-Use
- 113 S Michigan Ave: Lume Cannibis Co.
- Medical, Adult-Use **MMO Permit, open now**
- 217 Maple Street: The Wellflower
- Medical, Adult-Use **MMO Permit**
- 701 Maple Street: Alluvion
- Medical
- 811 Maple Street: Great Lakes Provisioning Center
- Medical **MMO Permit**
- 208 S Michigan Ave: Lake Life Farms
- Medical, Adult-Use **MMO Permit, open now**
- 115 Linden Street: Michigan Pure Green
- Medical
- 225 S Michigan Avenue: Redbud Roots
- Medical
- 520 S Third Avenue: Mother Nurtures
- Medical **MMO Permit**
- 710 Perry Avenue Unit T: Premiere Provisions
- Medical, Adult-Use **MMO Permit, open now**
- 702 Perry Avenue: RAIR Systems
- Medical, Adult-Use
- 811 Division Street: Joyology
- Medical
- 804 & 810 Clark Street: High Society
- Medical, Adult-Use
- 840 Clark Street: Green Peak Industries, LLC.
- Adult-Use
- 910 S State Street: Kkind
- Medical, Adult-Use **MMO Permit, open now**
- 1709 S State Street: Green Buddha
- Medical, Adult-Use

Marihuana Industrial-Type Facilities

- 125 Howard Street: Michigan Pipe Dreams, LLC.
- Medical, Adult-Use Grow and Process