

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
January 20, 2021**

Chair Jane called the January 20, 2021, regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:31 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Megan Eppley, Kasey Thompson, Chris Jane, Karen Simmon, Bill Yontz, and Paul Jackson

**EXCUSED** None

**ABSENT** None

**ALSO PRESENT** Paula Priebe, Neighborhood Services Director  
Emily Szymanski, Planning & Zoning Technician

There were 20 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Paul Jackson, seconded by Karen Simmon, to approve the minutes of the December 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

**SPECIAL BUSINESS** None

**PUBLIC HEARINGS** None

**GENERAL BUSINESS**

Public Forum discussion about potential amendments to the Zoning Ordinance regulations for marihuana businesses

Priebe summarized the Staff Report discussing three potential amendment areas: having a setback between other marihuana businesses, amending the sign ordinance for marihuana businesses, and marihuana businesses in the downtown. Priebe also summarized the informational sheet that was created to help guide the public for discussion. Chair Jane welcomed and thanked the public for attending, stating that the Planning Commission wanted to hold a Public Forum to receive feedback from the community and the marihuana businesses

The Public Forum began at 6:40 PM.

Mike Vlasich of Mother Nurtures shared his concerns regarding the limited signage that is permitted, especially since the location of the business poses visibility issues that could potentially create a driving hazard, due to customers slowing down to find the business.

Kenneth Bryant of Premiere Provisions stated that since the City has a restrictive sign ordinance for marihuana businesses, they chose the one allowed wall sign, but would like to have another sign on the pylon, showing that Premiere Provisions is located in Sattler Square. Without having the second sign, it is difficult for customers to locate their business, since it is located behind Advance Auto Parts.

Samantha Gray of Lume first thanked the Big Rapids community for showing the company great hospitality. She also mentioned that she believes adding distance between marihuana businesses, especially in the downtown, would be beneficial.

Chyna Blu of The Wellflower, stated that she also believes that there should be distance between other marihuana businesses to help those businesses thrive, but also to encourage diversity of commercial businesses.

David Kotler of Lake Life Farms stated that there is a value of having different types of businesses, and while he believes in equality opportunity, he supports the City's efforts of having these discussions.

With no other comments from the public, Chair Jane opened the discussion for Planning Commissioners. Discussion included the following topics:

Marihuana businesses in the downtown district –

- Buffering versus eliminating the C-2 District altogether. Pure competition method could work in the C-1 and C-3 Districts because of the different needs, but maybe the downtown area should be treated differently? Buffering in the downtown would leave very few locations allowed for additional marihuana businesses in this district.
- Instead of treating the downtown differently, maybe a more holistic approach of a setback regulation which applied for the entire City would work better. Pure competition might be problematic, so the buffer would help lessen this.

Setback around the MOISD Transition Center –

- If MOISD is included in the 500ft buffer, that would eliminate most of the south side of downtown.
- The concern from the MOISD is that their students, who are between 18 and 26 years of age and facing developmental difficulties, would be near the marihuana businesses downtown given their circumstances.
- Buffer the MOISD differently than K-12 schools, perhaps with 250ft instead of 500ft?

Sign Ordinance for Marihuana Businesses –

- Amending the Zoning Ordinance to have one uniform sign ordinance for all commercial businesses is the ultimate goal. As this will take a significant effort and time commitment, it is recommended to amend the Sign regulations for marihuana businesses at this time.
- The current sign regulations for marihuana businesses is too restrictive. It was intended to be conservative, because of the many unknowns with this new business type. Staff and Commissioners believe these very tight restrictions are no longer necessary.
- Referencing the Possible Sign Regulations for Marihuana Businesses (see packet), six of the seven Commissioners prefer either the ‘more permissive’ or ‘liberal’ option from the list. To have these businesses succeed, they need to have the signage opportunities as equal to those of other types of commercial businesses as reasonable.

Staff will bring back three different setback distance variation maps for the next Planning Commission meeting. Staff will also draft more sample language and reach out to similar communities and ask for any feedback relating to marihuana business setbacks in their jurisdictions and the impacts of related ordinances.

### **UNSCHEDULED BUSINESS**

None heard.

**There being no further business, Chair Jane adjourned the meeting at 8:05 PM with all in favor.**

Respectfully submitted,

Emily Szymanski

Planning & Zoning Technician and Planning Commission Secretary

**CITY OF BIG RAPIDS**  
**PLANNING COMMISSION MINUTES**  
**February 17, 2021**  
*Unapproved*

Chair Jane called the February 17, 2021, regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:32 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Megan Eppley, Kasey Thompson, Chris Jane, Karen Simmon and Bill Yontz

**EXCUSED** Paul Jackson

**ABSENT** None

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

There were 2 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Bill Yontz seconded by Rory Ruddick to approve the minutes of the January 20, 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**

Staff received telephonic communication from Ms. Ivonne Ittner of 709 Novak Lane. She is concerned with the number of marihuana businesses within the community and the public's perception regarding these businesses.

**PUBLIC HEARINGS** None

**GENERAL BUSINESS**

**2021-2027 Capital Improvements Program**

Priebe summarized the Staff Report discussing the Capital Improvements Program (CIP). The CIP helps to link planning with budgeting and helps to implement City plans such as the Master Plan and the Parks and Rec Plan. The major projects for 2021-2022 receive the most focus

during the CIP process and help form the capital budget of the City's upcoming fiscal budget. Priebe discussed several projects from different departments included in the 2021-2027 CIP.

**Motion was made by Megan Eppley seconded by Karen Simmon to recommend approval of the City of Big Rapids Capital Improvements Program 2021-2027 as presented to the City Commission.**

**Motion passed with all in favor.**

### Zoning Ordinance Amendments for Marihuana Businesses Regulations

#### **Marihuana Zoning Discussions with other Michigan Communities**

Szymanski summarized the Staff Report and the discussions she had with the following Michigan communities: Battle Creek, Portage, Coldwater, and Adrian. Both Battle Creek and Portage implemented a 1,000 ft setback between marihuana businesses. To implement a buffer, a community is required to implement a criteria list that is used for when a buffer has two or more competing interests. Battle Creek's criteria list is focused on improved aesthetics, the environment, and accessibility. Battle Creek has only had two competing interests for the same buffer one time. Instead of a criteria list, Portage chose to hold a lottery for all competing interests and the winner got the location. Coldwater originally chose to implement a 1,000 ft buffer between marihuana businesses. However, when the City received multiple applications, the Planning Commission wanted to avoid any legal issues and chose to amend the Zoning Ordinance to eliminate the buffer between marihuana businesses. Adrian does not currently have a buffer between marihuana businesses and a buffer hasn't been discussed in depth by the Planning Commission due to potential legal issues buffers create. Szymanski then asked the communities about their sign regulations. Portage, Coldwater, and Adrian regulate signs for marihuana businesses the same as any other commercial businesses. Battle Creek has a more conservative sign ordinance, allowing a maximum of two signs per street frontage.

The Planning Commission discussed the following topics:

- Instead of a buffer, what about having a cap for marihuana businesses as a whole?
- If a buffer is implemented and a marihuana business closes, a new marihuana business would not be allowed to locate there because of the buffer. Could this create legal issues?
- Adding buffers could create legal issues, so keep the buffers around schools, but don't add a buffer between marihuana businesses.
- A lot of the concerns are regarding the downtown, could including the MOISD building in the K-12 school buffer solve the downtown concerns?
- What is the main issue? Is the issue the number of businesses, the perception, or the MOISD building?

#### **Sign Regulations for Marihuana Businesses**

Priebe summarized the Staff Report, reviewing the marihuana menu of options from the January 20, 2021 meeting. After narrowing the options down since the last meeting, two options were

summarized: more permissive and liberal. Staff recommends the more permissive option to allow marihuana businesses more signage to help with visibility concerns but also allows the Planning Commission to review the current sign ordinance for all commercial businesses.

Discussion included the following topics:

- Having one sign ordinance for all commercial businesses is the goal, but for now, the more permissive option would allow more flexibility for marihuana businesses while the Planning Commission works through amending the sign ordinance.
- All businesses need to be treated the same regardless of the products they sell.
- Outside of the regular Planning Commission meetings, having a sub-committee to work on the sign ordinance will help move this process along.
- After the sign ordinance is amended, signs for marihuana businesses would be regulated like other commercial businesses.

Staff will prepare the public hearing for both the setback requirement for the MOISD building as well as the amendment to the Sign Ordinance for marihuana businesses. A special meeting will be held on March 10, 2021, to hold the public hearing.

#### Annual Report of Planning and Zoning

Priebe summarized the Staff Report, discussing the hard work the Planning Commission has done throughout the year. There were four ordinance amendments, several site plan reviews, and one variance this year.

#### Training Opportunities through MAP

Priebe summarized the Staff Report, asking Planning Commissioners if they would like to attend any of the offered trainings. Chris Jane, Megan Eppley, Kasey Thompson, Rory Ruddick, and Karen Simmon will attend the Planning and Zoning Essentials course.

### **UNSCHEDULED BUSINESS**

#### Sign Regulations Review Subcommittee

Chris Jane, Karen Simmon, and Rory Ruddick volunteered to be on the sign sub-committee working alongside City staff.

**There being no further business, Chair Jane adjourned the meeting at 7:58 PM with all in favor.**

Respectfully submitted,

Emily Szymanski

Planning & Zoning Technician and Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
March 17, 2021**

Chair Jane called the March 17, 2021, regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:40 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Megan Eppley, Kasey Thompson, Chris Jane, and Karen Simmon

**EXCUSED**

**ABSENT** Rory Ruddick and Paul Jackson

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

There were 2 audience members.

Planning Commissioners took a moment of silence to remember Bill Yontz, a fellow Commissioner and engaged Big Rapids resident, who recently passed away. Thank you for your service to our country and our community Bill, you will be truly missed.

**APPROVAL OF MINUTES**

**Motion was made by Kasey Thompson seconded by Karen Simmon to approve the minutes of the March 10, 2021 special 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**

**Review of City Code of Ordinances Section 91.03 Chickens Permitted**

Priebe summarized the Staff Report, stating that a Big Rapids resident, Mrs. Ashley Singh, voiced her concern to the City Commission regarding the conservative number of chickens allowed per parcel during the March 1, 2021 meeting. The City Commission asked the Planning Commission to review and discuss Section 91.03 Chickens Permitted from the City Code of

Ordinances and make a recommendation to the City Commission. Currently, up to three chickens are allowed per parcel with conditions. Priebe summarized the chicken ordinances from five other Michigan communities, and discussed the option to increase the number of chickens based on parcel size. Staff prepared examples that show coop location based on parcel size as well as a menu of sample language for the potential text amendment.

Discussion included the following topics:

- How many chicken permits have been issued? Seventeen total permits with two canceled and with two expired and no longer owning chickens.
- How did the number of chickens come about when the City initially approved chickens in the City in 2017? Staff researched other Michigan communities that allow chickens and wrote the ordinance based off guidance from them.
- Including the concern from Mrs. Singh, three other residents have asked to have more than three chickens in the past two years.
- Chair Jane asked if Mrs. Singh would like share why she would like to have more chickens. She stated that chickens are flock animals, and it can be difficult to reintroduce new chickens into an established flock. With her research, she found that it is best to have more chickens than fewer, especially since some chickens may be taken by predators.
- Has the Community Development Department received any complaints regarding chickens? In over two years, staff has received one complaint regarding a property having four chickens instead of three.
- Does the Planning Commission prefer to increase the number of chickens allowed as a whole? Or increase the number of chickens based on parcel size? Increasing the number of chickens based on parcel size seems like a logical approach.
- Based on other communities and the research done, increasing the number from three to five for parcels smaller than 14,500 sq ft and from three to ten for parcels at least 14,500 sq ft seems like the best option.
- If the increased number of chickens causes nuisance issues, that would be a violation of other City Ordinances and City Staff can address the issue at that point.
- The current conditions would continue with the potential amendment.

### **Motion**

**Motion was made by Megan Eppley, seconded by Kasey Thompson, to recommend that the City Commission amend the City Code of Ordinances Section 91.03 Chickens Permitted with the following changes:**

**Up to five chickens may be kept per residential parcel less than 14,500 sq. ft. and up to ten chickens may be kept per residential parcel over 14,500 sq. ft. under the following conditions and limitations: (No change to the current conditions and limitations).**

**Motion passed with all in favor.**



### RRC 2.0 Update

Priebe summarized the Staff Report, noting the changes that the MEDC had made regarding the Redevelopment Ready Communities program. The new format changes some of the items needed for certification and adds a second level. The program now includes an Essentials level and a Certified level. Big Rapids has one major item and four smaller items left to complete to achieve the Essentials level. After Essentials is complete, staff will continue to work toward the Certified Level over the next two years.

### **UNSCHEDULED BUSINESS**

#### Update from the March 15, 2021 City Commission Meeting

The City Commission has chosen to table the Zoning Ordinance text amendment that would include the MOISD school into the 500 ft setback but will be discussing it further in the upcoming meetings. The City Commission has approved the Zoning Ordinance text amendment to allow marihuana businesses up to three signs.

**There being no further business, Chair Jane adjourned the meeting at 7:24 PM with all in favor.**

Respectfully submitted,

Emily Szymanski

Planning & Zoning Technician and Planning Commission Secretary

**CITY OF BIG RAPIDS**  
**PLANNING COMMISSION MINUTES**  
*Special Meeting*  
**March 10, 2021**

Chair Jane called the March 10, 2021 special meeting of the Planning Commission, held remotely via Zoom, to order at 6:31 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Megan Eppley, Kasey Thompson, Chris Jane, Karen Simmon and Paul Jackson

**EXCUSED** Bill Yontz

**ABSENT** None

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

There were 4 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Paul Jackson seconded by Karen Simmon to approve the minutes of the February 17, 2021 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 regarding Zoning Ordinance Amendments for Marihuana Businesses Regulations**

**Staff Report**

Priebe stated that the Planning Commission has been diligently working on potential amendments to marihuana ordinances for the past several months. After considering several options, at the February 17, 2021 regular meeting, two amendments were purposed to move forward. One amendment would be to Section 11.1:29 1(d) which would add any MOISD school facility to the current school setback regulations in place. The second amendment purposed would permit marihuana businesses to have up to three signs (wall signs not to exceed 30 square

feet per wall sign, one freestanding sign, or one projecting sign permitted). Illuminated signs are permitted, digital signs are prohibited.

The Public Hearing was opened at 6:37 PM.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Jerry Boman of 302 S Stewart St expressed concerns regarding the MOISD building being included in the setback regulations for schools. Mr. Boman has been renovating the second story of his building at 120 S Michigan Ave in hopes of leasing the renovated space to a commercial marihuana business. If the MOISD building is included in the 500 ft setback for schools, 120 S Michigan Ave would be within the setback.

In response to the concerns stated, Staff recommended that Mr. Boman attend the March 15, 2021 City Commission meeting to express his concerns. Staff also offered to meet with Mr. Boman to further discuss any questions or concerns.

### **Motion**

**Motion was made by Rory Ruddick, seconded by Paul Jackson, to recommend that the Zoning Ordinance text amendment to Section 11.1:29 for Marihuana Establishment Regulations be adopted as presented, as the amendment meets all the Standards for Review found in Section 12.2:4 of the Zoning Ordinance.**

**Motion passed with all in favor.**

**GENERAL BUSINESS**      None

**UNSCHEDULED BUSINESS**      The Commission discussed moving back to in person meetings at City Hall. All are in favor, but would like to see a Zoom option for those who are unable or feel uncomfortable attending in person.

**There being no further business, Chair Jane adjourned the meeting at 6:51 PM with all in favor.**

Respectfully submitted,

Emily Szymanski  
Planning & Zoning Technician and Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
May 19, 2021**

Chair Jane called the May 19, 2021 regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Megan Eppley, Kasey Thompson, Chris Jane, Karen Simmon, Rory Ruddick, Sarah Montgomery, and Jacob Buse

**EXCUSED** None

**ABSENT** None

**ALSO PRESENT**

There were 2 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Karen Simmon, seconded by Jacob Buse, to approve the minutes of the April 21, 2021 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**

**Zoning Ordinance Amendment to Section 8.4 Fence and Wall Standards when Buffering is Not Required**

The Public Hearing was opened at 6:33 PM

**Staff Report**

Priebe summarized the Staff Report, stating that City staff have experienced instances where an applicant wishes to use chicken wire or other types of woven wire to construct a fence, and due to the term “woven wire” staff has had to approve this type of material. This issue was discussed at the April 21, 2021 Planning Commission meeting where Commissioners stated that they

would like to see the language amended to prohibit woven wire and to also include a new Section regarding the maintenance of fences in City limits.

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 received

Chair Jane closed the Public Hearing at 6:39 PM and the Commission entered into Fact Finding.

Jane asked how is a fence determined to be 45% solid? Priebe stated that split rail or picket fences that have openings whereas privacy fences are completely solid. In the front or side-street yards, fences cannot be taller than 4 feet and must be no more that 45% solid to keep the friendly neighborhood environment. Jane asked how would the City enforce retaining original appearance? Priebe stated that fence maintenance would be part of the City's routine Code Enforcement program. Buse asked if someone had a garden and wanted to have the garden enclosed with chicken wire, would this amendment prohibit them from being able to do so? Priebe stated that the City currently does not require permits for seasonal or garden fences or the more temporary fencing, so this amendment would not impact those.

### **Motion**

**Motion was made by Karen Simmon, seconded by Megan Eppley to recommend that the Zoning Ordinance Text Amendment to Section 8.4:2 for Fence and Wall Standards when Buffering is Not Required be adopted as presented, as the amendment meets all of the Standards for Review found in Section 14.2:4 of the Zoning Ordinance.**

**Motion passed with Jacob Buse, Kasey Thompson, Megan Eppley, Chris Jane, Sarah Montgomery, Rory Ruddick, and Karen Simmon in favor.**

### **GENERAL BUSINESS**

#### **Discussion of Zoning Ordinance Amendments to C-2 and R-R Districts—and Reintroduction to Form-Based Code**

##### **Staff Report**

Priebe summarized the Staff Report, stating that part of obtaining the Essentials certification though the Redevelopment Ready Communities (RRC) program is adding a section in the City's Zoning Ordinance dedicated to Concentrated Development within the downtown. To meet this Best Practice, mixed-use buildings need to be allowed by-right in areas of concentrated development, and two elements of concentrated development (build-to lines, open store fronts, outdoor dining, etc.) are required. After conducting an analysis of the City's Zoning Ordinance, RRC staff provided City staff with a report of findings, stating that downtown Big Rapids needs to allow more mixed-use and include more elements that help to build the downtown

environment and not just build downtown uses. To address this issue, RRC staff recommended the City implement form-based Code regulations within the downtown.

Discussion ensued over the following topics:

- The City has been working with Kathleen Duffy from SmithGroup, a planning and land-use consulting firm, to help develop the form-based code for the C-2 and R-R Districts. To work through this process, staff purposed the following options:
  1. For the next several months, time will be set aside during every full-group Planning Commission meeting to work on the code as a group.
  2. City staff and volunteers from the Planning Commission will form a sub-committee and attend additional meetings as a smaller group and bring back the discussion during regular Planning Commission meetings.
  3. Hold a special meeting of the Planning Commission and have Kathleen Duffy walk Commissioners through the process of developing a form-based code. After the initial meeting, a sub-committee could be formed if necessary.
- In response to the three options provided, all commissioners agreed that the third option seems to be the best option.

Staff will reach out to Kathleen Duffy to schedule a meeting time and date for the special Planning Commission meeting.

### **UNSCHEDULED BUSINESS**

#### **RRC Tasks – Training Strategy**

Szymanski stated that in order to receive the “Essentials” certification from RRC, the City needs to develop a training strategy for development-related boards. Part of the strategy will entail a short survey for development-related boards (City Commission, Planning Commission, Zoning Board of Appeals, and Downtown Development Authority) to submit back to staff.

#### **Memorial Ceremony to be Held for Bill Yontz**

On June 26, 2021 at 12:00 PM, there will be a memorial service for Bill Yontz, beloved veteran, and involved Big Rapids resident. The service will be held at AMVETS.

**There being no further business, Chair Jane adjourned the meeting at 7:41 PM with all in favor.**

Respectfully submitted,

Emily Szymanski

Planning & Zoning Technician and Planning Commission Secretary

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
April 21, 2021**

Chair Jane called the April 21, 2021 regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:31 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Megan Eppley, Kasey Thompson, Chris Jane, Karen Simmon, and Jacob Buse

**EXCUSED** Paul Jackson

**ABSENT** None

**ALSO PRESENT** Mark Gifford, City Manager  
Paula Priebe, Community Development Director  
Emily Szymanski, Planning & Zoning Technician  
Cody Wyman, Public Works Engineering Technician

There were 6 audience members.

The newest member of the Planning Commission, Jacob Buse, introduced himself and looks forward to serving the public as a Planning Commissioner.

**APPROVAL OF MINUTES**

**Motion was made by Megan Eppley, seconded by Kasey Thompson to approve the minutes of the March 17, 2021 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**

**Site Plan Review for a Road Extension to the West End of Rust Avenue**

**Staff Report**

Priebe summarized the Staff Report, stating the road extension project would take place on the west end of Rust Avenue in City limits. The project was brought forward by City Staff and the property is City-owned. Rust Avenue would be extended, and three new residential lots would be

subdivided out of the City parcel and sold for residential development. Everything down the slope and toward the creek would remain park property. Currently, there are no prospective buyers for the residential lots, however, future development would have to meet R-1 District regulations. Several trees would have to be removed in order for construction of the road extension and cul-de-sac, however, the City would plant new trees in the City's right-of-way to offset tree loss. Staff reviewed the plan and found that it meets the City's Ordinance. Priebe directed project specific questions toward Mark Gifford and Cody Wyman.

Discussion ensued over the following topics:

- Simmon asked if the lot is currently designated as park land. Priebe stated from a zoning perspective, parks are a principle use in the R-1 District. The lot is developable and there are no deed restrictions that limit development.
- Mr. Gifford stated that the City purchased the first 40 acres of the property with the help from a MDNR grant. The project was intended and has been in mind since the initial purchase. The City since purchased more property to the north with City funds. The only portion that the City can develop is the 3 acres included in this project.

The Public Hearing was opened at 6:51.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Craig Randle of 602 Rust Ave expressed concerns regarding his existing irrigation system that runs along the run. He also stated that him and his family are used to a quiet area without any disruptions happening around his home. He also shared his concerns regarding the ballpark attracting traffic in the summertime so much so that visitors end up parking on the lawn. He would like to know if the City would plant greenery or implement screening to help keep privacy.

Chad and Sarah Montgomery of 121 Escott Street expressed concerns with the fact that currently, they have a nice view looking out on the open field and with three houses, that would take away their view. Chad also stated his belief that new development would decrease their property values. If the project moves forward, what restrictions would be in place and would there be any height restrictions to the developed homes? Would the City provide trees or fencing to help maintain privacy? When the lots go to market, could the effected homeowners get first pick on purchasing the lots?

Telephonic or Written Correspondence Received by Staff:

Staff received comment from two neighbors of the property in question. One asking how to attend the meeting and the other asking for more information about the project but had no comments or concerns.



### Applicant Rebuttal:

In response to the concerns stated, Mr. Gifford stated that the height restrictions of the future homes are an interesting idea, and staff would look into pursuing. The City would consider screening and would also pay for the irrigation system to be moved or restored. The City would work to alleviate any concerns from the neighbors.

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

Eppley stated that there is a need for housing options and if there is a way to make this project happen with some conditions, that would be ideal. Ruddick said that part of living in the City is having close neighbors, but he is open to approving the project with conditions to help address the neighbors' concerns. Thompson stated that she is in favor of approving the project, but with conditions that best meet the needs of the neighbors directly impacted with this growth. She thanked the public for stating their concerns and being apart of this discussion. Simmon asked who would be responsible for the upkeep of the privacy screening. Buse is in favor of approving the project with conditions.

### Motion

**Motion was made by Megan Eppley, seconded by Kacey Thompson, that the Site Plan Application for the road extension of Rust Avenue at 610 Rust Avenue Vacated 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 required to address this need:**

- **Provide landscape screening to the far east edge of the easternmost lot, and**
- **Work with immediate neighbors at 602 Rust Ave to ensure the irrigation system is moved.**

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

**Motion passed with all in favor.**

### GENERAL BUSINESS

#### **Discussion on Whether to Designate the City-Owned Property W. Madison Street as a Surplus Property**

Priebe stated that the City owns the lot that is west of the Highland View Cemetery just outside of City limits. The City purchased the property with general fund dollars in 1974 with plans to keep the lot for future expansion of the cemetery. All City-owned property not currently used for City purposes can be designated as surplus property. Surplus property designation is

recommended by the Planning Commission and approved by the City Commission. After being designated as surplus, the City would look to sell the property for other uses. The property in question has been considered in the past as surplus property, but the City Commission was not sure about the future plans for the lot. Priebe stated that if the Planning Commission would like to go through the surplus property designation process, staff will prepare the Public Hearing for a future meeting.

Commissioners discussed the following items:

- Thompson asked why the property is being brought up again if it had been quiet for some time? Priebe stated that the City has a history of reviewing properties that were not designated surplus properties in the past. The property in question is not in City limits, so it is a unique case and one that might need to be reconsidered.
- Simmon stated that several years ago, the Planning Commission passed a vote to declare the property as surplus and the City Commission denied the designation, so is there any relevant history that would help Commissioners decide? Mr. Gifford stated there was an idea that the lot could be a connector between Clay Cliffs over to the airport and a new recreation complex. Since that time, the City has decided that a recreation complex will not be moving forward.
- Eppley stated that at some point, the cemetery will need to expand, and the property could be used for that expansion. Priebe stated that the City has owned the property for over 50 years and has not been needed yet. The current cemetery has unused space designated for expansions. The Cemetery Board and the Township would be consulted before any decisions were made
- Ruddick stated that since the City has no jurisdiction over the property other than ownership, he sees no reason for the City to keep the property.

The Planning Commission decided to explore the topic in more detail. Staff will reach out to other groups mentioned and prepare to hold a Public Hearing at a future meeting.

### **Discussion of Fencing Materials Allowed in the Landscape Standards Article of the Zoning Ordinance**

Szymanski summarized the Staff Report stating that the current Fence Standards in the Landscape Standards Article of the Zoning Ordinance includes the term “woven wire”. This has led staff to approve fences constructed out of chicken wire or other woven wire types. Staff has brought this issue to the Planning Commission to receive thoughts and feedback and how the Commission would like to move forward.

Discussion ensued over the following topics:

- Eppley asked if an amended ordinance would apply to new fences only or if existing ordinances would have to comply as well. Priebe stated that zoning does not apply

retroactively. If a maintenance section were added, staff could enforce both new and existing fences and ensure fences are being maintained.

- If someone had a chicken wire fence but wanted to install a new fence, would they be able to use chicken wire again? No, the new fence must meet the current standards.
- Ruddick stated that he believes that chicken wire is more of a rural fencing type and should not be used for a property's primary fence.
- Jane would be open to clarifying the language in the Ordinance to prohibit poorly constructed fences.

Staff will prepare the text amendment for the next meeting.

### **UNSCHEDULED BUSINESS**

#### **Public Hearing for Marihuana Business Setbacks**

The City Commission is holding a Public Hearing on May 17, 2021 regarding removing the C-2 District from the City's Marihuana Ordinance. At the June 7 meeting, after the Public Hearing in May, the City Commission will consider a vote on the two options—adding a setback between the MOISD building or take the C-2 District out of the districts that allow marihuana businesses—when both options are legally allowed to be enacted.

**There being no further business, Chair Jane adjourned the meeting at 7:52 PM with all in favor.**

Respectfully submitted,

Emily Szymanski  
Planning & Zoning Technician and Planning Commission Secretary

**CITY OF BIG RAPIDS**  
**PLANNING COMMISSION MINUTES**  
**July 21, 2021**

Chair Jane called the July 21, 2021, regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:31 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Megan Eppley, Kasey Thompson, Chris Jane, Karen Simmon, Rory Ruddick, Sarah Montgomery, and Jacob Buse

**EXCUSED** None

**ABSENT** None

**ALSO PRESENT** Paula Priebe, Community Development Director  
Emily Szymanski, Planning & Zoning Technician  
Kasey Wright, Planning Intern  
Kathleen Duffy, SmithGroup  
Joe McNally, City Realtor

There were 3 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Karen Simmon seconded by Jacob Buse to approve the minutes of the June 16, 2021, 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**

**Zoning Analysis of Updated Proposal for 906 N State St.**

**Staff Report**

Priebe summarized the Staff Report, stating that the City Relator, Joe McNally, received a proposal for the purchase of the City-owned property at 906 N State Street. Krist Oil submitted

the proposal, intending to develop the property for use as a gas station and convenience store. This is the third purchase proposal the City has received for this property and is Krist Oil's second attempt after the first proposal was not approved.

Joe McNally, realtor for both the City and Krist Oil, stated that the primary difference between the current proposal and the previous proposal from December 2020, is that this one is not for the full site, but rather for an area in the corner of the lot along N State St and Baldwin St. Mr. McNally continued by saying that

Discussion ensued over the following topics:

- Eppley stated that there are several other properties already zoned C-3 Commercial to redevelop so she is unsure why this has been brought up again. McNally stated that the north side of town has a need for a gas station. He continued by saying Krist Oil is ready to purchase the property and bring money into the city, it just depends on if the city wants to continue waiting for residential development.
- Thompson said that if accommodations were made for larger trucks, the entire dynamic of the space would change, giving the property an industrial feel. McNally stated that the lot is significantly below the road grade so larger trucks logistically could not access the lot.
- Ruddick stated that if the purchase agreement were to be accepted, real estate developers would not build around the gas station because there would not be enough space for both housing and parking.
- Buse confirmed that the community's vision for the parcel is to see more housing development to meet the needs of the community. Jane stated that after the housing charette and housing study, it was evident that the city needs more 'missing middle' housing.

### **Motion**

**Motion was made by Megan Eppley, seconded by Karen Simmon, to recommend that the City Commission not accept the updated proposal from Krist Oil Company to purchase 906 N State Street for use as a gas station and convenience store.**

**Motion passed with all in favor.**

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### **Continued Discussion of Form-Based Code Amendments to C-2 and R-R Districts with Kathleen Duffy of SmithGroup**

#### **Staff Report**

Priebe stated that after the May 19, 2021, Planning Commission meeting, planning commissioners decided that the best way to work toward necessary zoning amendments in order to meet RRC Best Practice 2.3 – Concentrated Development, was to meet with Ms. Kathleen Duffy, consultant from SmithGroup. Priebe welcomed Ms. Duffy to the meeting.

Ms. Duffy said that with the City's vision for the C-2 Commercial and R-R Residential Districts, amending the current zoning ordinance to allow form-based code elements will help achieve community goals. Ms. Duffy then summarized what a form-based is and potential changes that form-based code allows for.

Discussion ensued over the following topics:

- Ruddick asked if the AMC property was sold, what would happen to the existing parking lot? Duffy stated that the parking lot is considered a 'missing tooth' in the downtown and would be a prime location for redevelopment to fill the downtown.
- Duffy stated that several Redevelopment Ready Communities are looking to sell their city-owned parking lots to developers because excess parking is a great opportunity to redevelop. Michigan Avenue is being treated differently than the rest of the C-2 Commercial District because of the traditional downtown environment.
- The strip mall at 210 N Michigan is prime example of how a space could completely change if the parking was located in the rear and the businesses fronted Michigan Avenue.
- Priebe discussed the way forward with two options: the Planning Commission works on the amendments as a whole during each meeting for the next several months, or two planning commissioners could join a committee with staff and work on the changes during weekly meetings.

Staff will work on the use table, draft language, and required definitions over the next few weeks. In the next few months, staff will ask commissioners for their feedback and finalize all of the details. A Public Hearing will then be held at a future meeting.

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## **UNSCHEDULED BUSINESS**

### **Parks and Recreation Survey**

Szymanski introduced the Parks and Recreation 5-Year Plan and the community survey. Survey results will help drive the Action Program of the Plan and input is truly appreciated. To complete the survey please visit: <https://cityofbr.seamlessdocs.com/f/ParkRecSurvey>

### **Introduction of Kasey Wright, Planning Intern**

Priebe introduced Kasey Wright, the Planning Intern working in the Community Development Department. Kasey will be working alongside staff until September, and we are happy to have him all the way from San Marcos, Texas. Welcome Kasey!

**There being no further business, Chair Jane adjourned the meeting at 7:45 PM with all in favor**

Respectfully submitted,

Emily Szymanski

Planning & Zoning Technician and Planning Commission Secretary

- (2) The purposed 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 purposed land use.**
- (3) The land use sought is consistent with the public health, safety, and welfare of the City of Big Rapids.**

**Motion passed with Jacob Buse, Megan Eppley, Chris Jane, Sarah Montgomery, Rory Ruddick, and Karen Simmon in favor.**

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### **Easement for the Ives Drain at 917 Ives Ave**

The Public Hearing was opened at 7:27 PM

#### Staff Report

The Mecosta County Drain Commissioner, Karla Miller, is requesting an easement from the City as part of the Ives drain project that is ongoing. The project has been approved, however, to build out the drain, Mecosta County would have to obtain a legal easement from City of Big Rapids to move forward. Both the Community Development and Public Works Departments have reviewed the easement and did not find any issues.

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 received

Chair Jane closed the Public Hearing at 7:33 PM and the Commission entered into Fact Finding.

Ruddick asked if the County plans on installing an underground line or if they are wanting to maintain what is existing? Priebe stated that Ms. Karla Miller will be attending the June 21, 2021, City Commission meeting to answer any specific questions. The Planning Commission is making a recommendation to approve or deny the easement to use City property to access the drain.

#### Motion

**Motion was made by Jacob Buse seconded by Rory Ruddick to recommend that the City Commission approve the attached easement at the Ives drain at parcel number 54-117-14-300-006 with street address 917 Ives Ave because it meets the standards in the Zoning Ordinance for making recommendations authorized by the Ordinance.**

**Motion passed with Megan Eppley, Karen Simmon, Chris Jane, Rory Ruddick, Jacob Buse, and Sarah Montgomery in favor.**

**GENERAL BUSINESS**        None

**UNSCHEDULED BUSINESS**   None

**There being no further business, Chair Jane adjourned the meeting at 7:37 PM with all in favor.**

Respectfully submitted,

Emily Szymanski  
Planning & Zoning Technician and Planning Commission Secretary



Public Comments for Public Hearing on the Zoning Ordinance Map Amendment to rezone 415 N State St, 421 N State St, and 105 W Bellevue St from R-R Restricted Residential to C-3 Commercial.

A summary of the Telephonic Comments Received:

- Ms. Betty Johansen of 425 Marion Ave - Against
  - This is not the best location for a gas station, she is concerned about increased traffic to the neighborhood on N. State St, and she doesn't want another gas station in Big Rapids.
- Ms. Lynn Anderson of 319 S Michigan Ave – Against
  - The location is too close to residential properties for a gas station.
- Ms. Blanche Johnson of 212 W. Madison St – Against
  - She does not want to see a gas station in the neighborhood.
- Ms. Gabrielle Bays of 514 Marion Ave – Against
  - Deny the rezoning. The current gas stations and convenience stores in Big Rapids are located close enough to this area and we don't need more.
- Ms. Mary Ristoff of 505 Marion Ave – Against
  - We need more housing not more commercial property. Also, there are many students from CCA and BRPS that walk nearby; the increased traffic would be a safety hazard to the children.

A summary of the Written Comments Received:

- Staff received 12 emails or letters on this topic. They are attached for review.

## Paula Priebe

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**From:** Randy J Stein <RandyStein@ferris.edu>  
**Sent:** Wednesday, June 16, 2021 5:01 PM  
**To:** Paula Priebe  
**Cc:** Cheryl Stein  
**Subject:** [External Sender] Comments re potential Krist Food Mart proposal

City of Big Rapids Planning Commission:

My wife and I are strongly opposed to the possible Krist Food Mart on North State Street. This is a quasi-residential area, for which there is already a combination of residential/commercial properties. The letter sent says that the proposal will provide fuel and convenience for the immediate area. A quarter-mile to the north there is already a convenience-type business, and approximately one-half mile to the south there are two others. All of these are on State Street.

Since there are already three of these type businesses within a one-mile stretch on State Street, we see no justification for a fourth, and strongly oppose this proposal. Also, we do not want all of the extra lighting that would be turned on most of the night almost right across from our residence.

We vote 'no' on this proposal.

Randy and Cheryl Stein  
440 N. State Street  
Big Rapids, MI. 49307

Sent from [Mail](#) for Windows 10

## **SAVE OUR NEIGHBORHOOD!!**

### What this is about:

The properties at 415 N State Street, 421 N State Street and 105 W Bellevue are being sold with the purpose of tearing them down and building a gas station and convenience center. This will require a change in zoning from R-R Restricted Residential to C-3 Commercial.

### Why this is wrong:

This neighborhood has recovered from having empty run down houses to one that has been successfully rehabilitated. It is now a family/child friendly neighborhood and should remain residentially zoned.

Small businesses in our neighborhood leave a small footprint and are welcome additions but a large gas station will change the character of this place.

We will have tankers delivering fuel at night, loud noises, bright lights and fuel odors. There will be alley traffic and litter. Back yards won't be a pleasant place to enjoy with your family anymore.

We do not need a gas station or convenience store. We have Admiral and Grunsts Brothers for those needs.

The Big Rapids City Commission declined this project on the Hanchett property and we need their support now.

There are other options for this project that will not destroy homes and this vital neighborhood.

What you can do:

The hearing for rezoning is June 16, 2021 at 6:30 pm via zoom. At the June 16 meeting, the Planning Commission will review the Application, hold a Public Hearing, and recommend approval or denial of this project to the City Commission, who has final approval. If you would like the Commission to hear your thoughts on the project, you can attend the meeting on zoom or present your statements to Paula Priebe by phone (231.592.4035), letter, or email (ppriebe@cityofbr.org) and she will present them on your behalf. The zoom link will be updated on the city website approximately June 10<sup>th</sup>.

The full Amendment language and a link to attend the meeting are available at City Hall or at cityofbr.org on the Community Development page.

Gary Raffel  
429 Marion

Big Rapids Planning Commission,

I'm writing to **object** to the Proposal to rezone 415 N State St., 421 N State St., and 105 W Bellevue St. from R-R Restricted Residential to C-3 Commercial.

My family and I just bought our very first home here in Big Rapids. We closed on our new house, located on 406 Marion Ave. on May 25<sup>th</sup>, 2021. This proposed rezoning to put in a convenience store/ gas station would lower all property values within a .5-1-mile radius, as well as lower the chances of the resale of our home to an FHA home buyer because "Federal Housing Administration (FHA) insured mortgages are not available for properties located within 300 feet of tanks capable of storing 1,000 gallons or more of gasoline or other flammable-explosive materials." (Source:

<https://ceds.org/gasstation/>) We were living at 421 North State Street for the last year renting while we saved up to buy our dream home. When we realized how family friendly and safe our neighborhood was we fell in love with the area, as we just started our family late last year with the birth of our first child. Bringing in a new convenience store/ gas station will most certainly increase the traffic for Bellevue, Madison, and Marion Ave as well and more than likely the alley we would inevitably share with the gas station as well. This would turn this neighborhood into one where it wouldn't be as safe for children to play in their back yards or ride their bikes down the street anymore. With the increased traffic, as well as the sale of alcohol, at this establishment could make our neighborhood one that families would most certainly avoid living nearby. Not to mention the lights that will most definitely peer into our neighboring homes as well as the noise pollution that comes along with living near a gas station. Our health is also something that could diminish when living this close to a gas station. "A number of compounds injurious to human health are released from gas stations during vehicle fueling and from underground storage tank vents. These compounds include benzene, toluene, ethyl benzene, and xylene (BTEX). Measures to reliably resolve these adverse health effects are not employed at new gas stations. Benzene is the gasoline constituent most harmful to human health. Adverse health effects of benzene include nausea, cancer, anemia, increased susceptibility to infections, and low birth weight. According to the World Health Organization Guidelines for Indoor Air Quality there is no safe level for benzene. The following research documents the extent of benzene releases from gas stations as well as adverse health effects:

A 1993 study published by the Canadian petroleum industry found average benzene concentrations of 146 and 461 parts per billion (ppb) at the gas station property boundary in summer and winter, respectively.

A 2001 study noted median ambient benzene levels of 1.9 ppb in houses up to 328 feet from a service

station.

A 2003-2004 study conducted in France documented a significant relationship between childhood leukemia and living near a gas station.

A 2010 study conducted in Spain documented elevated air pollution within 100 meters (328 feet) of a gas station.

In 2012, Brazilian researchers found that air quality was significantly degraded up to 150 meters (492 feet) from gas stations.” (source: <https://ceds.org/gasstation/>)

We have other conveniently placed convenience stores as well as gas stations we do not need one this close to our family friendly neighborhood. It would surely diminish what we are all collectively doing to make this neighborhood the wonderful family friendly environment it is. Please take into consideration the families that would share the alley with this gas station/convenience store and think what this would mean for letting our kids play outside in the back yard that touches this alley.

Thank you for your time and consideration:

Joseph & Brooke Verville

## Paula Priebe

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**From:** Elizabeth Phillion <ephillion@yahoo.com>  
**Sent:** Friday, June 11, 2021 5:13 PM  
**To:** Paula Priebe  
**Subject:** [External Sender] zoning 415 n state street

**Follow Up Flag:** FollowUp  
**Flag Status:** Flagged

Hello Paula,

My name is Elizabeth Hohne. I currently live at 415N state street and myself and my husband and the rest of the neighborhood is not happy with what is going on with the matter of re-zoning that area.

We just moved into our home and are trying to raise a family, as well as the rest of the neighborhood.

There are plenty of other places in this town that would benefit from their proposed plan.

1. South of town.

That area has been without "life" so to speak for years.

It would benefit greatly from this plan as well as bring more business to that area.

With there only being a party store on the south side, residents are either going to south admiral or Marathon and or Rodney for their gas needs.

2. It would cause other business to open in that strip mall and open up more jobs and greater possibilities for future growth.

3. We would still have a home to live in., 4. Our neighborhood could continue to grow and thrive as it is trying to do.

Thank you for your time and if you would please represent this at the meeting 2021 on June 16th that would be greatly appreciated.

if you need to contact me you may do so at 231-679-7930 Thank you again.

Elizabeth Hohne

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## Paula Priebe

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**From:** Jacqueline K Holman <JacquelineHolman@ferris.edu>  
**Sent:** Friday, June 4, 2021 6:22 AM  
**To:** Paula Priebe  
**Subject:** [External Sender] Proposed Zoning Map Amendment

**Follow Up Flag:** FollowUp  
**Flag Status:** Flagged

Good Morning, Paula,

I have just been made aware of the upcoming proposed zoning map amendment meeting on June 16. The property in question is directly next to my home, and I am vehemently opposed to the proposed rezoning, which will negatively impact my family's health, safety, and overall quality of life. Will you please direct me to the Big Rapids zoning ordinance? I have not had much luck finding it online. I'd be happy to pick up a printed copy if there is not a digital version.

Best,  
Jacqueline

Jacqueline Holman  
Stewardship and Donor Relations Coordinator  
Ferris State University  
231-591-3875 | [jacquelineholman@ferris.edu](mailto:jacquelineholman@ferris.edu)

**FERRIS STATE UNIVERSITY**

THE FERRIS FOUNDATION



To: The City of Big Rapids Planning Commission

From: Jane Johansen, 117 S. Stewart, Big Rapids

Past 10 year member of the Planning Commission

Hi, I am writing in **opposition** of the re zoning of 415 N. State, 421 N. State, and 105 W. Bellevue.

#1. I don't believe we need another gas station, we have two to the south on State Street and one to the north on State Street. Basically, there is NO NEED for a gas station/convenience in this area.

2. If food or beverages are needed , we have Grunst with all types of beverages and snacks etc. We also have the Red Fox Market not too far away, and a restaurant next door.

#3. There is also the environmental hazard of having underground tanks.....definitely not needed in a residential area.

\$4. I ask all planning commission members to put themselves in the shoes of the neighborhood home owners, especially the ones that will be immediately adjacent to this proposed gas station. Think how this would impact your life. Think about the new family that just purchased 430 Marion and now to find out they will share a property line.....I know I would be very upset to find that out.

#5. I am always opposed to tearing down perfectly good homes or buildings, unless there is a safety reason etc. We learned that lessons back in the 70's when we lost a lot of beautiful structures due to "progress"

#6 In regards to 14.2:4.....I don't believe it meets either #2 or #3.....

(2)I don't believe it's compatible with adjacent land uses, as most are homes, or business that are in homes, and are low impact. These blend well with the neighborhood. A gas station is not compatible with the adjacent properties. This would also be spot zoning, something the city has been hesitant to do for good

reasons. North and south of this proposed re zoning are properties that are zoned RR, the commercial properties are on the east side of State and that's where they should stay.

(3) This is not consistent with the public health, safety and welfare for the neighborhood. Remember your health and welfare is also your mental well being. So when something like this comes in your backyard it can be very stressful and it ruins your enjoyment of your backyard and ruins your quality of life. Especially after coming out of the state wide lock down, people need to be able to enjoy their properties and not have to deal with a gas station..... As a gas station/convenience store will bring traffic, noise and a lot of lights. There is no good way to lesson that impact. A fence and some landscaping will not do the job. Homes and trees do buffer this neighborhood from State Street and all the traffic it has. And from experience, no matter what they say they will do with the lighting, it still is a problem and affects your quality of life. This station will have a lot of lights, especially if they are on all night long.....So I again ask the planning commission to think hard on this one.....please vote to not re zone, thank you

Jane Johansen

Paula,

After working in Big Rapids and commuting for over a decade, we decided to make the City of Big Rapids our home. When we bought our house at 114 W. Bellevue St., we liked that it was a quiet, residential neighborhood with little traffic. If approved, the proposed plan to rezone along N. State St. and W. Bellevue St. for a gas station and convenience store will destroy the character of the neighborhood that we specifically sought. The increased traffic this is bound to bring on our road plus the increased noise at all hours is not appropriate for a residential neighborhood. If we wanted to live across the street from a gas station, we would have bought a house across the street from a gas station.

We attended the planning commission's forum to allow the BR Lunch box to operate in our neighborhood and did not make any complaints after hearing their statements that they would largely be catering and have few tables for customers to dine in. This however has not been the case. There are cars parked out in front of our house every day and often the street has several cars parked around the business on the streets between the hours of 10 a.m. and 2 p.m. If we had known how much traffic the business would have brought through our street, we would have been against them moving in.

When the Charter school's traffic was altered, it further increased traffic on our street, as an increased number of people have found it incredibly difficult to turn onto or cross State St. anywhere closer to the school after dropping off or picking up their children. The school traffic puts a large strain on traffic flow on N. State St., with long waits, backed up southbound traffic extending north of W. Bellevue St., and frequent accidents in the area during the drop off and pick up times. The City's 2018 Master Plan addendum acknowledges that State St. is a key congestion area for the city, and it has not improved. Adding a highly trafficked business in this area will only continue to make the ongoing issues worse.

Regarding the specific points in the application made by Krist Oil Company, Inc., we offer these thoughts for your consideration.

## **Point 2**

The justification in the application that this will bring fuel and convenience store amenities to people in our area that are not available for 0.4 miles is irrelevant. There are already fuel and convenience store amenities within walking distance of our area. We have walked to them in the past with no issue. Google Maps shows five gas stations with convenience stores within one mile of us, and another three within two miles. Increasing the walkability of our neighborhood with more well-maintained sidewalks would be a better way to compliment the existing businesses and neighborhoods.

We would rather see existing commercial zoned areas updated and brought out of their dilapidated state than to see Residential areas turned into Commercial under the guise of accessibility.

**Point 3**

Krist Oil claims the Food Mart and fuel service station will not create an adverse effect on public health or welfare. We would argue that the increased noise, air, and light pollution that it will create would do just the opposite. These forms of pollution have been widely studied and found to be a detriment to the health of citizens. There is also evidence that property values decline when they are in close proximity to gas stations, so it would be detrimental to the surrounding neighborhood.

'Not creating an adverse effect' is not an adequate bar to hold potential commercial entities to. Will they actually benefit our community? Another gas station with a convenience store will not create a substantial increase in job opportunities for our residents and will likely offer low wages. This does not offer much assistance to the city in its Master Plan goal for economic development. It also will not offer any additional products or services that our residents cannot easily obtain elsewhere in the city.

**Point 4**

The City's Master Plan shows a preference for expanding commercial uses adjacent to existing commercial areas and developing new commercial areas. The properties proposed to be rezoned are adjacent to residential properties, not commercial properties. The east side of N. State St. in the area is indeed zoned as commercial, and if Krist Oil had been interested in the old equipment rental building (recently purchased by a plumbing company) across the street from the property they are seeking, we would have found the request more favorable. At that location, it would not be increasing traffic on a residential road, and traffic moving northbound on N. State St. is rarely backed up like the southbound traffic. I don't believe that city residents are expecting that 'developing new commercial areas' would require that their residential neighborhoods become those new commercial areas.

The City's Master Plan also lists housing as a top issue from the public participation phase of the planning process. Expanding housing opportunities is an action, but this proposal would reduce existing housing opportunities.

The proposal does not seem to serve the long-term goals of the City of Big Rapids, nor does it serve to benefit us as residents. We hope that our opinion is helpful in making your determination on this proposal, and that you find that the Krist Oil proposal is not in the best interest for our community. We enjoy our neighborhood as it is and hope to continue to do so long into the future.

We sincerely thank you and the Planning Commission for considering our opinion on this proposal.

Lee and Stacey Weaver  
114 W. Bellevue St.  
Big Rapids, MI 49307

## Paula Priebe

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**From:** Kelly Buckley <buckleykelly@gmail.com>  
**Sent:** Saturday, June 12, 2021 8:49 PM  
**To:** Paula Priebe  
**Subject:** [External Sender] Rezoning state street

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

To Whom it May Concern,

I am sending a statement of objection to the rezoning of the area on state.street by krist oil. I so not think or feel we need a gas station there we have one 2 blocks away which is in great need of repair and multiple more down the road. We are a small city not Grand Rapids! Families live over there and it is not needed unless you're going to make it into a real grocery store not another convince store. That is within 5 miles north and south of the area... 19 miles has one and there is one down by ferris. If the commission denied the request for the corner lot down the road on E Pere Marquette to a gas company, then this should also be denied. It also has the potential to run Grunts and the Admiral out. Our city is not big enough that we need another convince store gas station. We do not need then to tear down houses for it. This is a family residential area. I live on W GrandTraverse. As a citizen, taxpayer, and voter I firmly object to allowing this rezoning to happen. I hope my voice is heard and shared. Thank you for your time.

Kelly Buckley  
Resident of Big Rapids  
212 W Grand Traverse St, Big Rapids, MI 49307

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## Paula Priebe

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**From:** Marlies Manning <manningdesignla@gmail.com>  
**Sent:** Saturday, June 12, 2021 1:35 PM  
**To:** Paula Priebe  
**Subject:** [External Sender] Rezoning

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hi Paula,

I reviewed the information on the City's website regarding the Krist Oil rezoning request. I don't believe that punching a hole in the middle of a residentially zoned block would benefit the city, much less that neighborhood. Tearing down another older home will just further destroy the character of our town. In spite of their offer to create a landscape buffer, I can't imagine a less attractive development than a five-pump gas station (and two-pump diesel).

I hope you do not recommend this rezoning request.

Sincerely,

Marlies Manning

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June 15, 2021

To the Zoning Commission, City Commission and City Manager,

I am writing to express my strong objection to the proposed change in zoning from R-R Restricted Residential to C-3 Commercial in the 400 block of N State Street for the purpose of building a gas station and convenience store.

I have lived on my property for over twenty years and have seen this neighborhood recover from having empty run down houses to one that has been successfully rehabilitated. It is now a family/child friendly neighborhood and should remain residentially zoned. The City of Big Rapids actually rehabbed one of these homes.

Small businesses in our neighborhood leave a small footprint and are welcome additions but a large gas station will change the character of this place.

We will have tankers delivering fuel at night, loud noises, bright lights and fuel fumes. There will be alley traffic and litter. Back yards won't be a pleasant place to enjoy with family anymore.

We **do not need** a gas station or convenience store. We have Admiral and Grunsts Brothers for those needs.


The Big Rapids City Commission declined this very project on the Hanchett property and we need their support now. One of the reasons for rejecting this Hanchett location was that it did not include housing. Tearing down multiple occupied buildings on N State St would be inconsistent with the Commission's prior decision.

There are other options for this project that will not destroy homes and this vital neighborhood. The Save-A-Lot store area is already commercial and the gas station could provide service to the areas of Golfview and the Bluffs.

I believe "community development" should be based on creating and supporting vibrant neighborhoods, not commercial enterprises and tax bases. It would be a travesty to see North State Street become another Perry Avenue.

It is understandable but unfortunate that the meeting will be held by Zoom. This is not a friendly format for many people who may want to express their opinion. I have been verbally guaranteed by Ms. Priebe that phone calls, emails and letters delivered to her will be shared at the zoning meeting.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Fleming". The ink is dark and the signature is fluid, with a long, sweeping underline.

Pamela Fleming  
405 Marion Ave  
Big Rapids  
231.872.9199



## Paula Priebe

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**From:** Brazier, Tyrone B CIV DLA INFO OPERATIONS (USA) <Tyrone.Brazier@dla.mil>  
**Sent:** Tuesday, June 15, 2021 9:23 AM  
**To:** Paula Priebe  
**Cc:** tybrazier1@charter.net  
**Subject:** [External Sender] 415 N State Street and 421 N State Street and 105 Bellevue

Good morning Paula,

I am the homeowner at 113 West Madison.

Just wanted to make sure to send an email pertaining to the rezoning of R-R Restricted Residential properties to Commercial, I just wanted to make sure that you were aware to represent the homeowners in the area that appreciate the quiet and serene characteristics of the neighborhood and would love to maintain that effort. A gas station and party store will only bring in more problems like traffic noise and loitering and also it would not be very environmentally friendly. We do not need another eyesores in the community, so please present this objection to the change in behalf of me and my family and home owners in the area.

Thank you

Tyrone B. Brazier  
J62BK  
Senior IT Project Manager  
Defense Logistics Agency  
Comm: 231-598-0050  
Tyrone.Brazier@DLA.Mil

## Paula Priebe

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**From:** Jane Williams <janethemom@yahoo.com>  
**Sent:** Wednesday, June 16, 2021 3:30 PM  
**To:** Paula Priebe  
**Subject:** [External Sender] Rezoning application for Krist Oil Company, Inc.

To the Planning Commission, City Commission and City Manager:

I received the Notice of a Request to rezone property in my neighborhood for the purpose of building a Krist Food Mart and gas station. **I am strongly opposed to this change!**

I have lived in this neighborhood for approximately 37 years.  
During this time my husband and I have raised 8 children.  
Our family has enjoyed the friendship and comradery of our neighbors due to the nature of the neighborhood. I truly believe a food mart and gas station would change the character of the neighborhood in an adverse way, replacing a restaurant in a house with a much more intense commercial use complete with high motor vehicle traffic, bright lights, tankers, and more noise right next to conventional R-1 zoned single family housing.

A food mart and gas station are not needed in our neighborhood. We have Grunst Brothers and Admiral a few blocks away.

If the current zoning is correct, why change it for a new business? If the current zoning is wrong, why didn't the Planning Commission already take steps to change it?  
The commercial use proposed by Krist should be located in a zoning district where that use is permitted, just like any other business.  
Rezoning to allow commercial development should not be the normal course of development at the expense of existing housing stock.

The request to put the Krist Food Mart and Gas station on the Hanchett site was rejected by the City. I find it ironic that the Hanchett site was denied because of the lack of housing, yet the Krist Company would be tearing down residential housing if this project is allowed and improved.

I strongly encourage the Planning Commission to reject the Krist request to rezone the property.

Very truly yours,

Jane M. Williams  
423 Marion Avenue  
231-349-5569

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
August 18, 2021**

Chair Jane called the August 18, 2021, regular meeting of the Planning Commission, held remotely via Zoom, to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Karen Simmon, Kasey Thompson, Megan Eppley, Chris Jane, Rory Ruddick, Sarah Montgomery, and Jacob Buse

**EXCUSED** None

**ABSENT** None

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

There were 3 audience members.

**APPROVAL OF MINUTES**

**Motion was made by Karen Simmon seconded by Jacob Buse to approve the minutes of the July 21, 2021, 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**

**Determination of Surplus Property: City-Owned Property on W. Madison Street, Parcel 54-05-010-006-000.**

The Public Hearing was opened at 6:38 PM

**Staff Report**

Priebe summarized the Staff Report introducing the city-owned property on W. Madison Street, to the west of Highlandview Cemetery and located in Big Rapids Township. Between 2012 and 2016, the city evaluated all unused city-owned properties to determine if they were surplus and

should be sold or if they had a future public use that made them worth keeping. During this time, this property was one of nineteen evaluated. The property was referred to the Planning Commission by the City Commission in October 2012. At that time, the Planning Commission made a recommendation to the City Commission to declare the property as surplus. However, in March 2013 the City Commission at the time decided not to declare the property surplus in case of future cemetery expansion. Since then, there have not been any plans for the property. The Planning Commission held an initial discussion for this property during the April 2021 meeting. After a discussion, the Planning Commission decided to move forward with a Public Hearing. Staff has reached out to the Big Rapids Township Board of Supervisors and the Cemetery Board of Trustees for their opinions regarding future plans for the property. Both groups have said that they are not interested in the property for future cemetery expansion.

Those Who Spoke in Favor of the Request: None heard

Those Who Spoke in Opposition of the Request:

Tom Anderson of 20720 Madison Avenue stated that he bought the property in 1984 and was one of the community members involved with the 1992 Detachment in which the cemetery and numerous other properties left the City of Big Rapids and joined Big Rapids Township. The agreement was that the City of Big Rapids and Big Rapids Township would share the cost of maintenance. Mr. Anderson stated that at the time of the Detachment in 1992, the plan was to use the lot for cemetery expansion, so he's disappointed to learn that this may not be the case. He suggested that the adjacent property owners should be the first ones to get an opportunity to purchase the property.

Andrew White of 20746 Madison Avenue stated that his main concern for the sale of the property is that a major development occurs in his backyard. He also asked that adjacent property owners get offered the property if it were to be for sale.

Doug Zentz of 20616 Madison Avenue stated that he has been mowing the property's lawn for over 17 years and mentioned a State Statue regarding tending public land and possibly being eligible to apply for ownership. Mr. Zentz stated that he also feels like he has been lied to because a cemetery employee told him in 2007 that the property in question was owned by the cemetery. He also asked that the City have a professional survey conducted before listing the property for sale because he believes the maps shown tonight are incorrect.

Telephonic or Written Correspondence Received by Staff: None received

Chair Jane closed the Public Hearing at 6:51 PM and the Commission entered into Fact Finding.

- Eppley confirmed that the Planning Commission is not determining the use of the property. Priebe stated that the Planning Commission's task is to make a recommendation to the City Commission as to whether the property is surplus. Surplus property is property that the city owns that does not have a public use. The City Commission will

make the final declaration with the advice from the City Attorney and the Planning Commission.

- Simmon asked if city staff asked if the Parks and Recreation Board has been included in determining future use for this property. Priebe stated that the Parks and Recreation Board was not consulted because since the property is in Big Rapids Township and thus the City does not have jurisdiction over the property.
- Jane asked about future cemetery expansion if the property sold. Priebe stated that she has reached out to both the Cemetery Board of Trustees and the Big Rapids Township Board of Supervisors and both expressed no interest in purchasing the property.
- Montgomery stated that the property should be designated as conservation property. If that were the case, the property would become tax free but also leave the opportunity for future trails.
- Thompson stated that the purpose of this first meeting is to determine whether the property should be declared as surplus and not about future development of the property. By definition, the property seems to be surplus. Future planning seems like the second step.
- Buse asked if the Planning Commission made a recommendation to declare the property surplus and the City Commission agrees, would future plans on how to handle the property come back to the Planning Commission? Priebe stated that the Planning Commission could make recommendations for next steps with their recommendation on surplus property. If declared surplus, the property is unlikely to return to the Planning Commission for further review.

### **Motion**

**Motion was made by Megan Eppley seconded by Jacob Buse to recommend to the City Commission that the City-owned property located west of Highlandview Cemetery (Parcel 54-05-010-006-000) be declared surplus property with the intention to sell it for private use with the following conditions:**

- A. The property in question be professionally surveyed.**
- B. The property be offered to the adjacent property owners to purchase then offered to the Big Rapids Township and the Cemetery, before being publicly listed for sale.**

**Motion passed with Jacob Buse, Megan Eppley, Sarah Montgomery, Rory Ruddick, Karen Thompson, Chris Jane, and Karen Simmon in favor.**

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### **GENERAL BUSINESS**

None

### **UNSCHEDULED BUSINESS**

#### **Extension of a State of Emergency Due to COVID-19**

The City Commission's previous declaration of a state of emergency was set to expire at the end of August 2021 but as been extended until December 31, 2021. The Planning Commission is

able to hold in-person meetings if the Commissioners wish, however virtual meetings via ZOOM are still an option.

Staff will reach out to the Planning Commission before the next meeting to see if the Commission would like an in-person meeting or if a virtual meeting would be the best option following updated COVID-19 policies.

**There being no further business, Chair Jane adjourned the meeting at 7:20 PM with all in favor.**

Respectfully submitted,

Emily Szymanski  
Planning & Zoning Technician and Planning Commission Secretary