



Cedar Springs Planning Commission Meeting

SPECIAL MEETING AGENDA

Monday, October 19, 2015

7:00 p.m.

**Cedar Springs City Hall
66 S. Main St.
Cedar Springs, Michigan**

1. Call the Meeting to Order. Pledge of Allegiance.

2. ROLL CALL:

Ms. Lisa Atchison	_____
Mr. Dale Bray	_____
Mrs. Kathy Bremmer	_____
Mr. Clinton Conley	_____
Ms. Sherri Foster	_____
Mr. Jerry Hall	_____
Mr. Perry Hopkins	_____
Mr. Mark Laws	_____
Mr. Craig Owens	_____

3. Recognition of planning officials, engineering or legal representation.

4. APPROVAL OF AGENDA.

5. PUBLIC COMMENTS.

Those citizens wishing to speak on agenda and non-agenda items will be allowed a maximum of four minutes each to address their concerns. This is the only time during the meeting that citizens are allowed to address the Planning Commission. Please state your name and address for the record.

6. SCHEDULED PUBLIC HEARINGS.

A. Motion to open a public hearing on a Special Land Use as requested by Brent and Trish Davenport for property located at 270 West St.

1. Staff Comments.
2. Public Comments.
3. Motion to close the Public Hearing.

7. NEW BUSINESS.

A. Motion to approve a Special Land Use for property located at 270 West St.

8. OLD BUSINESS.

A. Update on rezoning of City property and portion of former Johnson property to accommodate the Community Building Development Team.

1. Timeline.

2. PUD Lanuage.

9. ADJOURNMENT.



Special Land Use Approval Permit

Applicant Name: Brent and Trish Davenport

Address: 14625 Cedar Springs Ave Cedar Springs

Phone No.: (616) 240-4394 Home Work Cell

Address of property: 270 West Street Cedar Springs MI 49319

Parcel No: 41-02-36-205-002 Zoning Classification: R-1

Owner of Property: Brent and Trish Davenport

Address and Phone No. if different from above: _____

Description of proposed special use (attach additional sheet/s, if necessary) :

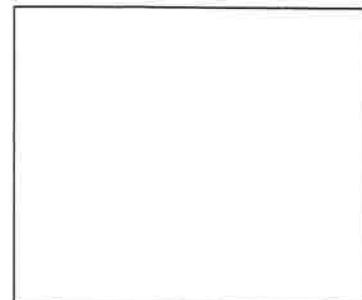
Faithful Little Butterflies Childcare center, with
Preschool and Young Fives classes.

The following is required for all Special Approval Requests:

1. The application form, completed in full, including a statement that Section 40-571 of the City's Zoning Ordinance can be complied with.
2. A complete site plan as specified in Section 40-51 of the City's Zoning Ordinance (see attached sheets.)
3. \$200.00 Fee.

The Zoning Administrator reserves the right to **not** officially accept this application until total review is accomplished and all required information is submitted. The date of the public hearing will be established by the administrator upon acceptance of a completed application.

Applicant Signature Trish Davenport Date: 9/22/15



FOR CITY USE

Planning Commission Hearing Date: Oct. 19, 2015

Date Public Notice Published: Oct 1, 2015

Date 300 feet notification letters sent: Oct. 6, 2015

Does the proposed use meet the following standards and is the use of the proposed site:

1. Designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change essential character of the area in which it is proposed. Yes No
2. Served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities or schools. Yes No
3. Not creating excessive additional requirements at public cost for public facilities and services. Yes No
4. Not involving uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive productions of traffic, noise, smoke fumes, glare or odors. Yes No
5. Consistent with the intent and purpose of the zoning district in which it is proposed to locate such use. Yes No

Planning Commission Approval: Yes No

Conditions: Yes No

If yes, list the conditions: _____

Date applicant informed of decision: _____



Faithful Little Butterflies Inc.
Childcare, Preschool, & Young Fives
270 West Street
Cedar Springs MI 49319
Trish Davenport
616 918 6395

Total child use square footage is 3250. There are currently 20 parking spaces. The proposed site shall meet all state licensing rules for childcare centers. The proposed site meets all of the following as outlined in section 40-571 of the city's special land use standards:

1. Will not change the character of the area.

- The building is a single level, ranch style building that blends well in the surrounding residential community.

2. Be served adequately by essential public facilities and services.

- This facility is positioned on the intersection of two paved streets where there is ready access for all essential public facilities and services.

3. Will not create excessive additional requirements at public cost for public facilities and services.

- There are no known additional requirements that would add to public cost at this time.

4. Will not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by excessive traffic, noise, smoke fumes, glare or odors.

- This is a childcare facility providing for the safety and welfare of the children in its care. There will be no use of any processes, materials, equipment, or any other item or action that would be detrimental to the children or any persons.

5. Will be consistent with the intent and purpose of the zoning district in which it is proposed to locate such use.

- As a childcare facility, the use is consistent with the residential area in which it is located and will operate.

Additional Footnotes for Special Land Use (SLU) Requirements:

- 1. The use shall be registered with the city clerk's office and shall continually have on file with the city documentation of a valid license as required by the state.**
 - Upon approval from the Cedar Springs City Counsel, and subsequent licensure by the State of Michigan, Faithful Little Butterflies will register with the City Clerk and will provide a copy of State Licensing.
- 2. Since the state law preempts in this area, the facility shall be brought into compliance with all state construction and fire codes pursuant to State Licensing Rules R400.1831—R400.1835. Documentation of such compliance with state requirements shall be provided.**
 - Faithful Little Butterflies will be in compliance with all state construction and fire codes with state licensing rules. Fire alarms, smoke detectors, and emergency back-up lighting has been installed and all required inspections have been or will be completed prior to obtaining licensing by the State of Michigan.
- 3. The site shall comply with the sign provisions of article VII of this chapter, signs.**
 - Company sign will comply as outlined in article VII
- 4. Off-street parking shall be provided for the maximum number of employees on-site at any one time.**
 - Ten spots are provided for staff at any one time, which will accommodate this requirement.
- 5. The building shall have an appearance which is non-intrusive and consistent in color, materials, roofline, and architecture with the single-family or multiple-family residential district in which it is located, as determined by the planning commission.**
 - The building is a single level, ranch style building that blends well in the surrounding residential community.
- 6. Documentation of sufficient indoor classroom, crib, or play area meeting state requirements shall be provided. Documentation of approved areas, as licensed by the state, shall be provided.**

- Faith Little Butterflies will comply with any and all state requirements as needed for licensing and will provide copies of the same to the City Counsel.

7. There shall be sufficient outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a four-foot tall fence, provided that no fenced outdoor play area shall be located in a front yard.

- All outdoor play area shall meet state licensing regulations. There are two outside fenced in areas for children to play in, one with a four-foot fence and the other with a six-foot fence. Both play areas are at the rear of the building away from the street providing additional safety.

8. There shall be sufficient drop-off parking spaces to allow maneuvers without creating a hazard to traffic flow.

- There are ten drop-off/pick-up parking spaces available at any one time for parents that allow for vehicles to be completely off the streets. This will avoid any hazard to traffic flow. Parent drop-offs are staggered between 5am and 9am, and parent pick-ups are staggered between 3pm and 8pm, with no more than 10 vehicles at a time.

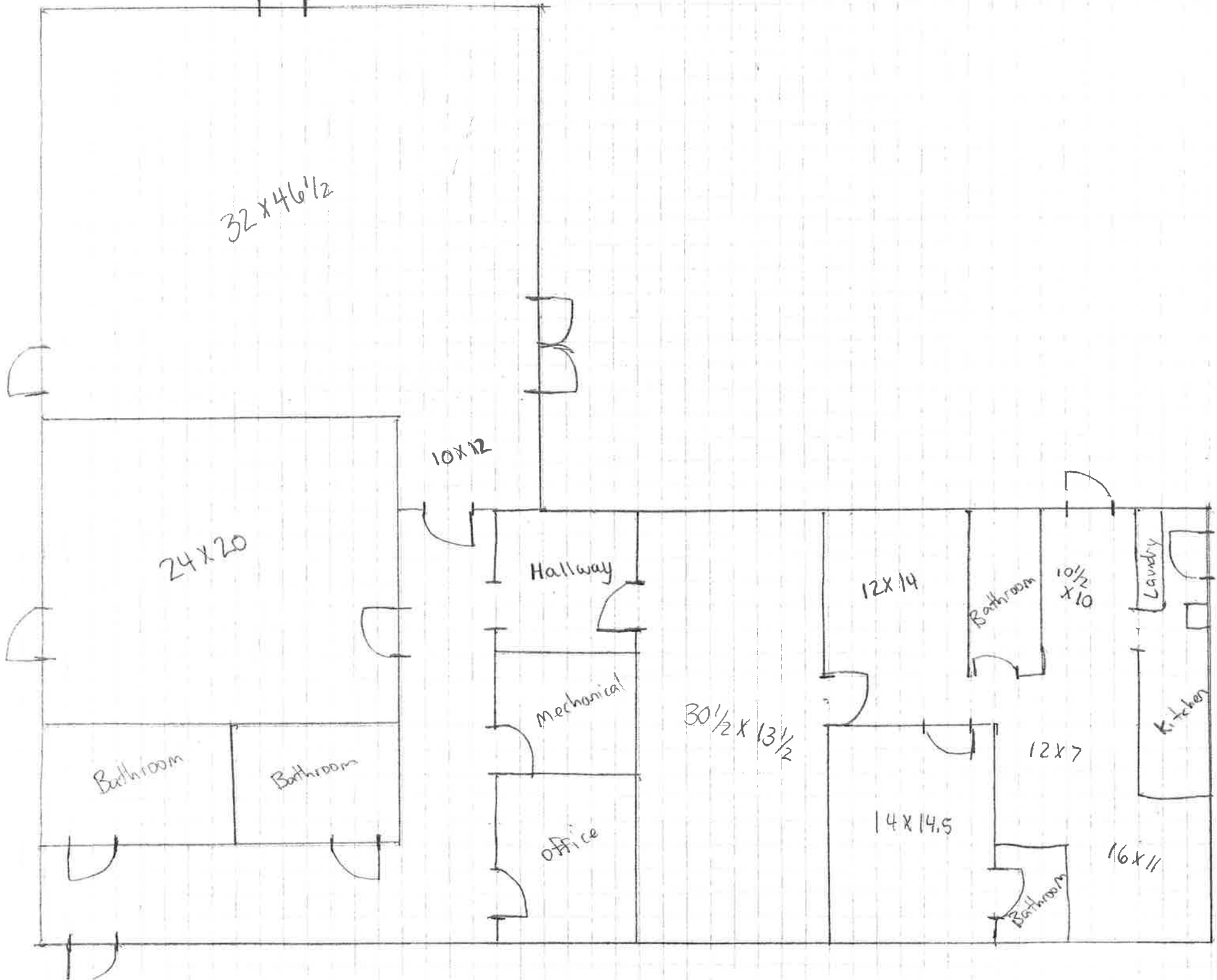
9. The facility shall operate not more than 16 hours per day.

- Faithful Little Butterflies will not be open more than 16 hours per a day. We will be open from 5am-9pm Monday through Friday.



270 West St

Google





Special Meeting of the
Cedar Springs Planning Commission

Monday, October 19, 2015

7:00 p.m.

Cedar Springs City Hall
66 S. Main St.
Cedar Springs, Michigan

A Public Hearing will be held regarding a Special Land Use as requested by Brent and Trish Davenport for property located at 270 West Street.

The applicants wish to operate a child care center which is only permitted in a R-1 District with a Special Land Use.

Please plan on attending the meeting if you wish to make comment. If you are unable to attend the meeting; but wish to have your comments heard, you may put them in writing and send them to: Cedar Springs Planning Commission, 66 S. Main St., Cedar Springs, Michigan 49319.

Linda Christensen
City Clerk
616.696.1330
Dated: October 1, 2015



October 6, 2015

Dear Property Owner:

The Cedar Springs Planning Commission will meet Monday, October 19, 2015 at 7:00 p.m. at Cedar Springs City Hall located at 66 S. Main Street, Cedar Springs, Michigan.

At that meeting a public hearing will be held regarding a Special Land Use as requested by Brent and Trish Davenport for property located at 270 West Street in the City of Cedar Springs. The applicants wish to operate a child care center at the site which is only permitted in a R-1 District with a Special Land Use Permit. You are receiving this letter because your property is located within 300 feet of the parcel in question.

Please plan on attending the public hearing if you wish to make comment on the proposal. If you are unable to attend the public hearing; but wish to have your comments become a part of the official record of the meeting; please call the office of the City Clerk at 616.696.1330 X 103 and I will be happy to forward your comments to the Planning Commission. You may also put your comments in writing addressed to the Cedar Springs Planning Commission, 66 S. Main St., P.O. Box 310, Cedar Springs, MI 49319.

Should you have any additional questions, please feel free to contact me and I will do my best to address your concerns or questions. I can be reached during normal business hours Monday through Friday at 616.696.1330 X 103 or by email at clerk@cityofcedarsprings.org.

Sincerely,

Linda Christensen

Linda Christensen
City Clerk



410236205002
BAAR GERALD L & PATSY A
FAMILY TRUST
270 WEST ST NE
CEDAR SPRINGS MI 49319

410236100046
MALLARD CONSTRUCTION SERVICES
LLC
9430 MYERS LAKE AVE NE
ROCKFORD MI 49341

410236100046
RESIDENT/OCCUPANT
13839 WEST ST NE
CEDAR SPRINGS MI 49319

410236209009
TINDALL DORIS J TRUST
361 8TH ST NE
CEDAR SPRINGS MI 49319

410236210004
VANDENHOUT ALMA C
310 S 8TH ST NE
CEDAR SPRINGS MI 49319

410236210004
RESIDENT/OCCUPANT
310 8TH ST NE
CEDAR SPRINGS MI 49319

410236205017
BAAR GERALD L & PATSY A
FAMILY TRUST
270 S WEST ST
CEDAR SPRINGS MI 49319

410236205017
RESIDENT/OCCUPANT
260 WEST ST NE
CEDAR SPRINGS MI 49319

410236100053
BURLEY NATHAN V
13915 WEST ST NE
CEDAR SPRINGS MI 49319

410236210002
TIETHOFF ARTHUR D
390 8TH ST NE
CEDAR SPRINGS MI 49319

410236206010
HAGERMAN PAMELA J
339 CEDAR ST NE
CEDAR SPRINGS MI 49319-9496

410236100045
PREMIER HOLDINGS LLC
2355 18 MILE RD NE
CEDAR SPRINGS MI 49319

410236100045
RESIDENT/OCCUPANT
13889 WEST ST NE
CEDAR SPRINGS MI 49319

410236209006
ASHBURN LARRY E & LILIBETH L
340 WEST ST NE
CEDAR SPRINGS MI 49319

410236205014
BORDEAUX DEAN &
JAQUAYS RAHNDA
380 CEDAR ST NE
CEDAR SPRINGS MI 49319

410236201009
POWERS MICHAEL J
373 CEDAR ST NE
CEDAR SPRINGS MI 49319

410236201012
KING PHYLLIS & WINTER BONNIE
221 S 8TH ST PO BOX 517
CEDAR SPRINGS MI 49319-0517

410236201012
RESIDENT/OCCUPANT
221 8TH ST NE
CEDAR SPRINGS MI 49319

410236209005
AMBLER JAMES O
314 WEST ST NE
CEDAR SPRINGS MI 49319

410236205016
CITY OF CEDAR SPRINGS-VACANT
LAND
PO BOX 310
CEDAR SPRINGS MI 49319

410236205016
RESIDENT/OCCUPANT
390 CEDAR ST NE
CEDAR SPRINGS MI 49319

410236201010
DRAKE MOLLIE & VANDERBOS LAURA
388 W MUSKEGON ST NE
CEDAR SPRINGS MI 49319

410236201010
RESIDENT/OCCUPANT
388 MUSKEGON ST NE
CEDAR SPRINGS MI 49319

410236206012
DENHOF AMANDA
296 8TH ST NE
CEDAR SPRINGS MI 49319

410236100054
BURLEY EUGENE L
13975 WEST ST NE
CEDAR SPRINGS MI 49319

410236209011
CEDAR HOLDING COMPANY LLC
1440 13 MILE RD NE
SPARTA MI 49345

410236209011
RESIDENT/OCCUPANT
369 PEAR ST NE
CEDAR SPRINGS MI 49319

410236209010
MARDON PROPERTIES LLC
7800 JERICHO
ROCKFORD MI 49341

410236209010
RESIDENT/OCCUPANT
364 SPRING ST NE
CEDAR SPRINGS MI 49319

410236205010
TOMLINSON MATTHEW & ROSELYN
295 8TH ST NE
CEDAR SPRINGS MI 49319

410236205015
RUSSELL AGNES M
255 S 8TH ST NE PO BOX 391
CEDAR SPRINGS MI 49319-0391

410236205015
RESIDENT/OCCUPANT
255 8TH ST NE
CEDAR SPRINGS MI 49319

410236206011
HILYER DONALD R
276 S 8TH ST NE
CEDAR SPRINGS MI 49319

410236206011
RESIDENT/OCCUPANT
270 8TH ST NE
CEDAR SPRINGS MI 49319

410236100025
TEUSINK JOHN T
PO BOX 250
CEDAR SPRINGS MI 49319

410236100025
RESIDENT/OCCUPANT
4350 17 MILE RD NE
CEDAR SPRINGS MI 49319

410236201011
VANZANTEN DIRK
265 SPRINGS ST
CEDAR SPRINGS MI 49319

410236201011
RESIDENT/OCCUPANT
380 MUSKEGON ST NE
CEDAR SPRINGS MI 49319

410236205008
JOHNSON BRIAN L
363 SPRING ST NE
CEDAR SPRINGS MI 49319



CIB PLANNING

Community Image Builders

October 16, 2015

City of Cedar Springs
PO Box 310
66 S. Main Street
Cedar Springs, MI 49319

Attention: Mr. Thad Taylor, City Manager

Subject: **Special Land Use Review, Davenport Child Care Center**, 270 West Street, located at the northeast corner of West and Spring Streets, zoned R-1, Single Family Residential.

Dear Planning Commissioners:

We have reviewed the above request to allow a child care center to occupy an existing property at 270 West Street. Proposed is the use of an existing dance studio building with associated parking, which is located on-site, and two (2) outdoor play areas. The subject site is zoned R-1, Single Family Residential District, where a "Child care center or day-care center (more than 6 children less than 24 hours per day)" is a special land use in this district.

The opinions in this report are based on a review of the application submitted by the applicant and conformance to City plans and ordinance standards. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, additional information provided by the applicant, input provided during the public hearing, and your own findings based on ordinance standards as part of your deliberation.

GENERAL SPECIAL LAND USE REQUIREMENTS

According to *Section 40-571(1), Special land use standards*, of the zoning ordinance, any special land use must adhere to all of the following general standards listed in the Zoning Ordinance:

- a. *Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.*

17195 Silver Parkway, #309
Fenton, MI 48430

Phone: 810-335-3800
Email: avantini@cibplanning.com

The subject property has been utilized as a dance studio for many years and although the day time activity will be greater, night time activity should decrease. In addition, the building and site are constructed to accommodate a large number of children and one time. As a result, the day care center should not change the essential nature of the area.

- b. *Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.*

All existing city services are available to this site.

- c. *Not create excessive additional requirements at public cost for public facilities and services.*

The project should not create excessive additional requirements for public facilities and services.

- d. *Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.*

Although there will be peak drop-off and pick-up times, they should be spread out enough that traffic will not be problematic for the area. Adequate parking is provided on-site and the center will have to remain in compliance with all state licensing requirements. The proposed child care center should therefore not create an excessive amount of traffic, noise, smoke, etc.

- e. *Be consistent with the intent and purpose of the zoning district in which it is proposed to locate such use.*

The subject property is located in the R-1, Single Family Residential District which is “intended to provide for a sound and stable residential environment with its neighborhood-related utilities, facilities, and services. Through this district, relatively low density urban development will be permitted.” A child care center can be considered a low-density urban development/neighborhood-related facility and will provide occupancy of a commercial structure, while maintaining the residential character of the area.

SPECIFIC SPECIAL USE REQUIREMENTS

In addition to the general standards for special land use review, *Section 40-458(footnotes)* of the Zoning Ordinance includes specific conditions that apply to *Child Care Facilities*. We have reviewed these conditions as follows:

- (1) *The use shall be registered with the city clerk's office and shall continually have on file with the city documentation of a valid license as required by the state.*

Must remain in compliance.

- (2) Since the state law preempts in this area, the facility shall be brought into compliance with all state construction and fire codes pursuant to State Licensing Rules R400.1831—R400.1835. Documentation of such compliance with state requirements shall be provided.*

Must remain in compliance.

- (3) The site shall comply with the sign provisions of article VII of this chapter, signs.*

Potentially in compliance with submission of a sign permit request.

- (4) Off-street parking shall be provided for the maximum number of employees on-site at any one time.*

Ten (10) parking spots are provided for staff and will be in compliance.

- (5) The building shall have an appearance which is non-intrusive and consistent in color, materials, roof-line, and architecture with the single-family or multiple-family residential district in which it is located, as determined by the planning commission.*

The building is existing and fits into the surrounding residential neighborhood. In compliance.

- (6) Documentation of sufficient indoor classroom, crib, or play area meeting state requirements shall be provided. Documentation of approved areas, as licensed by the state, shall be provided.*

A floor plan has been submitted indicating use of the space and a copy of the state license must be submitted to the City. Potentially in compliance.

- (7) There shall be sufficient outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a four-foot tall fence, provided that no fenced outdoor play area shall be located in a front yard.*

Two (2) fenced outdoor play areas area provided in the rear yard and will have to meet state requirements. Potentially in compliance.

- (8) There shall be sufficient drop-off parking spaces to allow maneuvers without creating a hazard to traffic flow.*

On-site parking spaces are provided for child drop-offs. In compliance.

(9) The facility shall operate not more than 16 hours per day.

The center will not be open more than 16 hours per day. In compliance.

RECOMMENDATION

Based upon the above discussion, **we recommend that the special land use for the Davenport (Faithful Little Butterflies) Child Care Center be approved, conditioned upon continued compliance with the above conditions and submission of a valid license issued by the state.**

Sincerely,

CIB PLANNING

A handwritten signature in cursive script that reads "Carmine P. Avantini".

Carmine P. Avantini, AICP

Action	Responsible Party*	Initiation Date	Proposed Completion Date*	Miscellaneous
<p>Rezone a portion of City property to B-3 (to match current zoning on remainder and, potentially, the CS Manufacturing parcel that is to be donated to the CBDT):</p> <p>A. After application received, notice of public hearing published/mailed (15 days)</p> <p>B. PC public hearing</p> <p>C. PC recommendation to CC</p> <p>D. CC first reading</p> <p>E. CC second reading and adoption</p>	<p>Application to be prepared and submitted by City</p>	<p>Application to be filed with City by October 20, 2015</p> <p>Publication of notice for public hearing no later than October 25, 2015</p>	<p>November 10, 2015 PC public hearing</p> <p>November 12, 2015 first reading by CC</p> <p>December 10, 2015 second reading by CC</p>	<p>Need legal description prepared for portions to be rezoned, both City parcel and, potentially, the CS Manufacturing parcel</p> <p>Presumes City will prepare rezoning application(s)</p> <p>Need to determine if property that is not yet owned by City is to be included in rezoning or wait until later</p> <p>Long term will develop and adopt Community Use zoning district for this property (and others)</p>
<p>PUD Approval for entire site:</p> <p>A. Pre-application conference with PC</p> <p>B. After application received, notice</p>	<p>Applications to be prepared and submitted by City following consultations with CBDT and Library</p>	<p>Pre-application materials to be submitted to City for PC agenda packets by November 5, 2015</p> <p>Application materials for</p>	<p>Pre-application conference with PC to be held on November 10, 2105</p> <p>PC Public hearing by PC to</p>	<p>Need to confirm that no special land use will be required for library</p> <p>Presumes that City and</p>

of public hearing published/mailed (15 days)		PUD to be submitted to City for PC agenda packets by November 12, 2015	be held on December 1, 2015	CBDT/Library party will prepare PUD applications
C. PC public hearing				
D. PC recommendation to CC		Publication of notice for public hearing no later than November 15, 2015	December 10, 2015 decision by CC	A development agreement will need to be worked out between the City and CBDT as part of PUD approval process
E. CC adoption	* Assumes full cooperation by all parties		* Assumes special meetings not scheduled/held	

Note: The above timeline is **very aggressive** and is dependent upon each of the parties having surveys, legal descriptions, application materials, etc. prepared and ready to go in final form by the deadlines that apply.