



**Cedar Springs Planning Commission Meeting**

**AGENDA**

**Tuesday, August 9, 2016**

**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. Clint 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. Motion to approve the minutes of the Regular Meeting of July 7, 2016.

5. APPROVAL OF AGENDA.

6. 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.*

7. SCHEDULED PUBLIC HEARINGS.

8. NEW BUSINESS.

- A. Discussion-CS Manufacturing-Parking Lot at 292 W. Cherry
- B. CBDT donation of 8 acres
  - a. Motion to recommend acquiring the 8 acres from the CBDT.

- b. Motion to recommend that a new Phase 1 study be conducted to prior to accepting donation of CBDT's 8 acres OR
- c. Motion to recommend that the CBDT's 8 acres be acquired and then conduct a Phase 1 study. OR
- d. Motion to recommend that no Phase 1 study be conducted in light of the 2 year old Phase 1 study in the City's possession regarding the 8 acres.
- e. Motion to recommend that a Baseline Environmental Assessment be conducted within 45 days following acquisition of the property.
- f. Motion to recommend preparing documentation of Due Care Compliance regarding existing contamination of property.

9. OLD BUSINESS.

- A. Master Plan-undergoing minor revisions
- B. Prairie Run North-likely ready for September agenda
- C. Bigby Coffee-working with Planner and City Manager

10. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

- A. Correspondence.
- B. Staff Comments.
  - 1. City Manager.
- C. Planning Commission Members.

11. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

12. REPORT OF THE PLANNING CONSULTANT.

13. ADJOURNMENT.

## MEMORANDUM

DATE: August 1, 2016  
TO: Planning Commission  
FROM: Michael Womack, City Manager  
SUBJECT: **Community Building Development Team Donation of Eight Acres**

On July 13, 2016 the Community Building Development Team submitted a letter to the City Council regarding the donation of 8 acres of the CBDT owned property to the City of Cedar Springs for public use. The purpose is to secure donations and grants that are given to develop property owned by a public entity.

The Ordinance Sec. 18-160 states,

*The planning commission shall review and make a recommendation to the city council regarding all lands to be offered for streets, highways, alleys, utilities or other public purposes or uses, before any dedication is accepted by the city council.*

Attached are the letter of donation from the CBDT, and a map of the eight acres to be donated. Also, I met with Casey Smith from SME who did the Phase I and Phase II Environmental Assessments of the property.

It is Mr. Smith's opinion that the City of Cedar Springs should conduct a new Phase 1 study to protect itself from contamination liability. He also suggested a Baseline Environmental Assessment within 45 days following acquisition of the property. His estimate for the Phase 1 work was \$2300 and \$2800 for the BEA from his firm. Other firms may be able to do the work cheaper. We do currently have a 2 year old Phase 1 and Phase 2 that does indicate that the site is contaminated but I do not have any information regarding extent or cost to clean up the site for use.

The City could conduct a new Phase 1 study prior to acquiring the property; this is the safest course of action for liability protection moving forward but could cause a delay. The City could also choose to acquire the property and conduct the Phase 1 and BEA following acquisition based on the knowledge we have from the previous Phase 1 study. The City could also choose to acquire the property and not conduct the Phase 1 study due to the previous study, this is also the riskiest option. The Baseline Environmental Assessment should be conducted within 45 days of property acquisition and then disclosed to the MDEQ within 6 months of ownership.

I have contacted the CBDT President to ask if the CBDT would be willing to pay for the Phase 1 and/or BEA but do not have an answer at this time.

## Community Building Development Team

*The Vision of the Community Building Team is to retain the small-town Character of Cedar Springs, incorporate natural features, link neighborhoods, and people, enhance characteristics that already define our community and make it easy for families, you organizations, and all community members to gather, celebrate, and serve each other.*

received 5:00 P.M.  
7-13-16



July 12, 2016

Dear City Council Members,

We want to thank you again for your continued efforts in making our city and community the best it can be and for collaborating with area organizations in a team philosophy.

The Community Building Development Team (CBDT) Board met earlier today. As you know, the CBDT along with City Councilors and other community organizations, are working hard to identify and obtain donations and grants from as many sources as possible so that all phases of the proposed "Heart of Cedar Springs" can be completed. One potential source is the Department of Natural Resources (DNR) which has a yearly Recreational Grant up to approximately \$300,000. The CBDT is planning to hire a consultant to assist in this application process. However, one of the requirements for application due by April 1, 2017, is for the property to be owned by a public entity. Therefore, the CBDT would like all of the approximate eight acres of the currently CBDT owned property to be donated to the City of Cedar Springs for public use. Once there is a deed of all properties in the City's name, the grant application can be submitted. There are many steps involved with the grant application and property ownership is one of the first.

Upon council's approval of accepting the donation of this land, the CBDT would then ask for your consideration to attach an addendum to the current Development Agreement between the CBDT and City to include the land being donated. This will allow the CBDT to continue its work.

Since there is a series of timely requirements involved in the grant application process, we would ask the City Council to have the First Reading/Consideration at your July 2016 meeting and hopefully move on to final approval in August or September.

Also, as you know, it is critical for the City's Master Plan and Recreation Plan, both currently being updated, to clearly identify all phases of the "Heart of Cedar Springs" in order to achieve the maximum amount of points toward the DNR grant. The Planning Commission will need to incorporate all elements into the Master Plan. Your city appointed representatives serving on the Cedar Springs Area Parks and Recreation (CSAPR) Board will need to incorporate all elements of the "Heart of Cedar Springs" into the Recreation Plan which, we believe the city then adopts as the City's Recreation Plan. If you could discuss this with your CSAPR representatives, it would be most appreciated. If the CBDT can be of assistance in any way to insure this is accomplished by December 31, 2016, please let us know.

We look forward to hearing back from you regarding the proposed acquisition of land, amending the Development Agreement, Master Plan, and Recreation Plan.

Sincerely, Kurt Mabie, CBDT President



EMBRACING THE PAST  
BUILDING THE FUTURE

**H/C**  
**HUBBELL, KORN & CLARK, INC.**  
 CONSULTING ARCHITECTS & ENGINEERS  
 2015 11th Street N, Cedar Rapids, IA 52402  
 Phone: 319.244.4444  
 Fax: 319.244.4444  
 www.hkc.com

Sec. 18-160. - Land dedications.

- (a) The planning commission shall review and make a recommendation to the city council regarding all lands to be offered to the city for streets, highways, alleys, utilities or other public purposes or uses, before any dedication is accepted by the city council.
- (b) Prior to the dedication of any lands for streets, highways, alleys or other public purposes or uses, the city, in its discretion, may inspect and/or perform testing or require that the city's engineer inspect and perform testing to ensure that any improvements are built in accordance with this section and other applicable rules, regulations, orders, and directives of governmental entities and agencies of competent jurisdiction and are otherwise acceptable to the city.

*(Code 1994, § 70-92; Ord. No. 59, § 16, 7-14-1988; Ord. No. 111, § 2, 8-9-2001)*

## 5.0 CONCLUSIONS

VOCs, PAHs, and lead were measured at concentrations greater than one or more Part 201 residential criteria in the soil and/or groundwater samples. The property is a “facility” as defined by Part 201.

We recommend the prospective property owner conduct a Baseline Environmental Assessment (BEA) within 45 days of the earlier of ownership, lease, or occupancy, documenting the soil and groundwater conditions at the time of purchase. The BEA report needs to be disclosed to the MDEQ within 6 months of the earlier of ownership, lease, or occupancy. The purpose of the BEA is to establish the means to distinguish a new release from pre-existing contamination so the new owner or operator is not held liable for responding to releases caused by others.

We also recommend preparing documentation of due care compliance. Section 20107a of Part 201 specifically requires that owners and operators of a “facility” take due care measures to ensure that existing contamination on a property does not cause unacceptable risks and is not exacerbated. Owners and operators must maintain documentation that due care needs have been evaluated and any response actions that are needed have been taken. Due care requirements are not related to the owner or operator’s liability for the contaminants; they apply to non-labile parties and liable parties alike. The due care requirements were designed so contaminated properties could be safely redeveloped.

The conclusions in this report are based on visual observations and chemical results from samples collected from the area of investigation only. If additional surface, subsurface, or chemical data become available after the date of issue of this report, the conclusions contained in this report may require modification after SME has reviewed the additional information. This review by SME of additional information would be conducted upon receipt of a request from the client.

In the process of obtaining information in preparation of this report, procedures were followed that represent reasonable practices and principles in a manner consistent with that level of care and skill ordinarily exercised by members of this profession currently practicing under similar conditions.

**Report prepared by: Casey E. Smith**

**Report reviewed by: Daniel R. Cassidy, CPG**



## Zoning Permit

Applicant: CS Manufacturing Is Applicant Owner?  Yes  No

Daytime Phone Number: (616) 446-3521  Cell  Home  Business

Property Address: 292 W. Cherry

Parcel Number: 41-22-25-453-002

Zoning District: I-1

Proposed Change or Use (i.e. install fence, erect sign, construct garage):

Parking lot on existing sand fill

Cedar Springs Zoning Ordinance Section 40-446 (a) states: "The placement of a fence shall be approved by the Zoning Administrator. Applications for zoning approval which propose fences or walls on property lines shall include a land survey. The zoning administrator may require the property to be staked based on the land survey prior to issuing zoning approval."

Applicant's Signature: J.R. Mabe

City Employee Receiving Application: \_\_\_\_\_

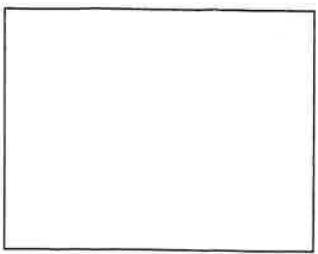
Zoning Permit Authorization:  Yes  No Date:  / /

Zoning Administrator's Signature: \_\_\_\_\_

Date sent to Building Inspector (required before a building permit will be issued):  / /

- |           |                                                                            |         |
|-----------|----------------------------------------------------------------------------|---------|
| Fee Paid: | <input type="checkbox"/> Sign Permit (Sandwich Board only)                 | \$25.00 |
|           | <input type="checkbox"/> Small Accessory Structures (Fences, Walls, Sheds) | \$ 5.00 |
|           | <input type="checkbox"/> Single Family                                     | \$10.00 |
|           | <input type="checkbox"/> Multi-Family                                      | \$25.00 |
|           | <input type="checkbox"/> Commercial                                        | \$25.00 |
|           | <input type="checkbox"/> Industrial                                        | \$35.00 |

12 inches of gravel sand  
 6 inches gravel  
 3 inches blacktop.



Register Imprint



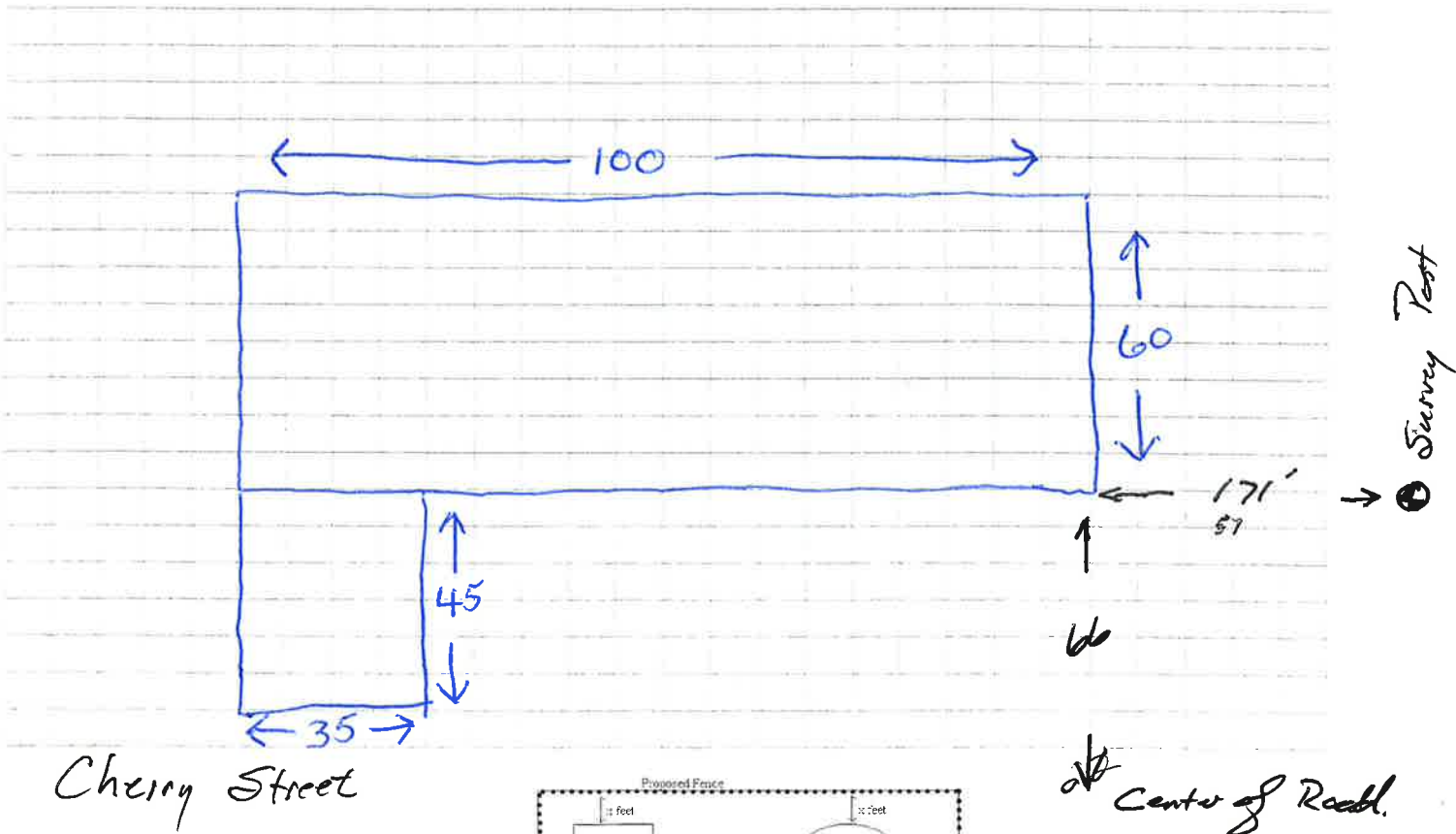
# City of Cedar Springs Zoning Permit - Property Sketch

- A complete and accurate drawing is required for all permits.
- Applicant may attach drawing or use scale below.
- Zoning Permits for signs must include dimensional drawings with location of sign. A separate sign permit is also required.
- Permits for fences on property lines must include a survey - City Ordinance 40-446 (a.)

Address: \_\_\_\_\_ Parcel #: 41- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**Please show and label:**

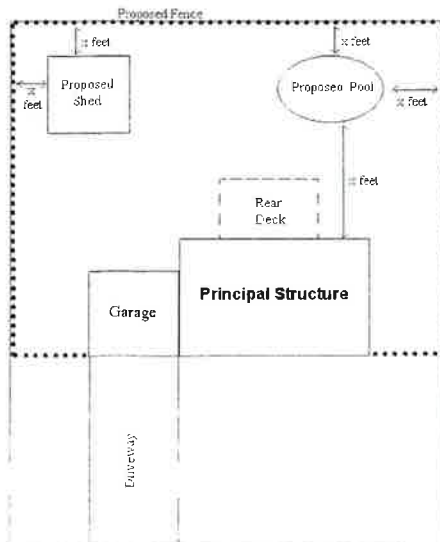
- |                                                                             |                    |
|-----------------------------------------------------------------------------|--------------------|
| • Property lines                                                            | • Easements        |
| • All setbacks (from front, side and rear property lines)                   | • Electrical Lines |
| • All structures                                                            | • Fences & Gates   |
| • Approximate edge of any <u>wetlands</u> or <u>streams</u> on the property | • Pools            |
| • County drains or water bodies on the property                             | • Streets          |
| • Driveways                                                                 |                    |



Cherry Street

Center of Road

Example of Complete Property Sketch:



N

areas to prevent motor vehicle conflicts with abutting landscape areas, sidewalks, streets, buildings or adjoining property.

- (7) The minimum parking space dimensions shall be nine feet by 18 feet and parking lot design shall be in accordance with the following minimum standards:

Parking Pattern (in degrees)	Stall Width (in feet)	Stall Length (in feet)	Aisle Width (in feet)	Two Tiers of Parking Plus Aisle (in feet)
45	9	<u>18</u>	12	53
60	9	<u>18</u>	<u>18</u>	58
90	9	<u>18</u>	<u>24</u>	60

- (8) Residential driveways may not be wider than the equivalent of 40 percent of the property width, measured at its widest point. For curvilinear or circular driveways, the term "width" means the width of the travel lane, measured at a line perpendicular to the travel lane.

(Ord. No. 53-A, § 5.03, 8-16-1982; Ord. of 6-12-1991, § 1(5.03(C)(1)); Ord. No. 156, § 1(5.03), 7-9-2009)

## Sec. 40-513. - Application and design.

- (a) Permit application required; contents. Any application for a permit to construct a building or parking area, or for a certificate of occupancy for a change in the use of land or a building shall include a site plan drawn to scale and fully dimensioned, showing the proposed design of the parking area and loading facilities to be provided in compliance with the provisions of this article.
- (b) Determination of required parking facilities. The planning commission shall determine the minimum number of spaces required for accessory off-street parking by applying the parking area design standards, the schedule of parking requirements for the various use, and any other applicable provisions of this chapter. Where the computation results in a fractional space, it shall be counted as one additional space required. The planning commission may allow waivers from the parking surface, drainage, setback and location requirements of this article where it finds that due to the nature of the particular use, said requirements will not be adequate to provide sufficient parking or where the strict application of the requirements will result in an excess amount of parking related to the particular use.
- (c) Parking area design standards.
  - (1) Except as otherwise provided for, all parking spaces, shall be hard surfaced with a pavement having an asphalt or concrete binder.
  - (2) Except as otherwise provided for, all parking facilities shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area; and shall be completely constructed prior to a certificate of occupancy being issued. The planning commission may allow use of gravel or other suitable material in place of a hard-surfaced pavement provided parking facilities for any succeeding use must comply with this subsection.
  - (3) All illumination shall be deflected away from adjoining residential districts and no source of illumination shall be more than 20 feet above the parking lot surface.
  - (4) Parking lots shall be setback a minimum 20 feet from the front property line and ten feet from any side property line. Where a required nonresidential parking lot abuts a residential district, no vehicle shall be parked within 30 feet of the residential boundary and a ten-foot greenbelt shall be provided along the residential boundary.
  - (5) All nonresidential parking lots shall have direct access to a public street, and adequate ingress and egress shall be provided by means of limited and clearly defined drives.
  - (6) A raised or rolled concrete curb at least six inches in height shall be installed with the construction of all driveways, parking lots, access lanes and other vehicle maneuvering



**Minutes of the Regular Meeting of the  
Cedar Springs Planning Commission**

**Tuesday, July 5, 2016  
7:00 p.m.**

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

1. The Meeting was Called to Order by Chairperson **Craig Owens** at 7:00 p.m. The Pledge of Allegiance was recited.

2. <u>ROLL CALL:</u>	Ms. Lisa Atchison	Excused
	Mr. Dale Bray	Present
	Mrs. Kathy Bremmer	Present
	Mr. Clint Conley	Present
	Ms. Sherri Foster	Present
	Mr. Jerry Hall	Present
	Mr. Perry Hopkins	Present
	Mr. Mark Laws	Excused
	Mr. Craig Owens, Chairperson	Present

3. City Planner **Carmine Avantini** was recognized as being in attendance.

4. **Motion by Hopkins, supported by Bray, to approve the minutes of the June 7, 2016 Regular Meeting.**

**VOTE: 8 – 0, Motion Carried.**

5. **Motion by Hopkins, supported by Bray, to approve the agenda.**

**VOTE: 8 – 0, Motion Carried.**

6. Public Comments

**Duane McIntyre** gave an update on the library construction project stating that Nugent Builders had been selected as the contractor. A ground breaking ceremony was scheduled for July 9, 2016 at 5:00PM.

7. There were no scheduled public hearings.

8. NEW BUSINESS.

- A. Motion to consider the site plan for Rockford Ambulance, 14122 White Creek Avenue.

**Motion by Owens, supported by Hall, to approve the permitted use in a highway district to Rockford Ambulance.**

**VOTE: 8 – 0, Motion Carried.**

1. Motion to approve the site plan for Rockford Ambulance.

**Motion by Conley, supported by Hall, to approve the site plan review for Rockford Ambulance.**

**VOTE: 8 – 0, Motion Carried.**

9. OLD BUSINESS.

- A. Master Plan Discussion

**Avantini** stated that he would make changes to the plan and it would be distributed for public comment and after the comment period a public hearing would be scheduled. He will e-mail changes to members.

**Motion by Hopkins, supported by Bremmer to approve distribution of the Master Plan.**

10. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

- A. There was no correspondence.

- B. Staff Comments.

1. City Manager- At the next meeting a new Interim City Clerk will be here to take minutes and a new City manager will be present.

- C. Planning Commission Members:

**Hopkins** talked about Christmas in July sidewalk sales.

**Foster** thanked Barb for her service.

11. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

**Hall** talked about the library groundbreaking ceremony.

12. REPORT OF THE PLANNING CONSULTANT.

**Avantini** thanked Barb for her help.

13. **Motion by Bremmer, supported by Hopkins, to adjourn.**

**VOTE: 8 – 0, Motion Carried.**

The meeting adjourned at 7:47 p.m.

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Deb Brunett, Deputy City Clerk

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Craig Owens, Chairperson