



Cedar Springs Planning Commission Meeting

AGENDA

Tuesday, October 2, 2018

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:

Mr. Dale Bray	_____
Mrs. Kathy Bremmer	_____
Mr. Clint Conley, Vice-Chairperson	_____
Mr. Jerry Hall	_____
<hr/>	
Mr. Daniel McGrath	_____
Mr. John Nixon	_____
Mrs. Renee Race	_____
Mr. Craig Owens, Chairperson	_____
3. Recognition of planning officials, engineering or legal representation.
4. Motion to approve the minutes of the Regular Meeting August 21, 2018.
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 if you would like

7. CONFLICTS OF INTEREST AND EX-PARTE COMMUNICATION INQUIRY

8. SCHEDULED PUBLIC HEARINGS.

A.

9. NEW BUSINESS.

A. Updated Cedar Springs Zoning Map (changes since 2007)
a. Proposed Changes

B. Proposed Alternate Format for Planning Ordinances
a. B-2
b. B-3
c. MU

10. OLD BUSINESS.

A.

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

A. Correspondence.
i. Hotel Engineer Report
B. Staff Comments.
i. City Manager
ii. City Clerk
C. Planning Commission Members.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

13. REPORT OF THE PLANNING CONSULTANT.

14. ADJOURNMENT.



Cedar Springs Planning Commission Meeting

MINUTES

Tuesday, August 21st, 2018

6:00 p.m.

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

1. **Owens** called the Meeting to Order at 6pm. The Pledge of Allegiance was recited.

2. ROLL CALL:

Mr. Dale Bray	<u>Excused</u>
Mrs. Kathy Bremmer	<u>Present</u>
Mr. Clint Conley, Vice-Chairperson	<u>Present</u>
Mr. Jerry Hall	<u>Present</u>
<hr/>	
Mr. Daniel McGrath	<u>Present</u>
Mr. John Nixon	<u>Present</u>
Mrs. Renee Race	<u>Present</u>
Mr. Craig Owens, Chairperson	<u>Present</u>

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

Rebecca Johnson (City Clerk)

4. Motion to approve the minutes of the Regular Meeting July 10, 2018 and August 14th, 2018.

Motion by **Conley** supported by **McGrath** to approve the minutes of the Regular Meeting July 10, 2018 as presented and August 14th, 2018 with the correction to commissioner Bremmer comment.

Voice Vote

7-0

Motion Carried.

5. APPROVAL OF AGENDA.

Motion by **Bremmer** supported by **Conley** to approve the agenda as presented.

Voice Vote

7-0

Motion Carried.

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 if you would like.

None.

7. CONFLICTS OF INTEREST AND EX-PARTE COMMUNICATION INQUIRY

Hall reported that he has been working with the hotel company.

8. SCHEDULED PUBLIC HEARINGS.

- A. Lighting Ordinance/Repeal ordinance 157

Public Comment: None

Owens closed the public hearing at 6:04pm.

- B. Lot Frontage Amendments/Parking Lot Setback/Access Management

Public Comment: None

Owens closed the public hearing at 6:05pm

- C. Accessory Building ordinance

Public Comment: None

Owens closed the public hearing at 6:06pm.

9. NEW BUSINESS.

- A. Zoning map

Hall inquired what the parcel at the north end of town is zoned B-3 in an area that is surrounded by B-2. **Owens** inquired if the parcels in the 425 would be included in the updated map.

10. OLD BUSINESS.

- A. Motion to approve the site plan dated August 3, 2018 from Cedar Springs Hospitality, LLC as prepared by Roosien and Associates to construct a 76-unit hotel for property at 14190 White Creek Avenue being Tax Parcel number 41-02-25-300-011 as the site plan meets the site plan approval standards contained in Section 40-52 of the Zoning Ordinance. Approval is granted subject to the following conditions:

Motion by **Hall** supported by **Conley** to approve the site plan dated August 3, 2018 from Cedar Springs Hospitality, LLC as prepared by Roosien and Associates to construct a 76-unit hotel for property at 14190 White Creek Avenue being Tax Parcel number 41-02-25-300-011 as the site plan meets the site plan approval standards contained in Section 40-52 of the Zoning Ordinance. Approval is granted subject to the following conditions: 1) Approval by the City Council under the Development Cooperation Agreement with Solon Township. 2) Approval by the City Council for the future construction of the sidewalk along the White Creek A venue property frontage. 3) Approval of all utilities by the City Engineer. 4) Revise the site plan to provide a striped no parking path within the parking lot so the crosswalks through the landscaped islands are not blocked by parked vehicles. 5) Add a note to the site plan that the parking lot bump out for the south parking lot closest to White Creek Avenue will be extended to the south lot line for a future connection to the parcel to the south and that this access lane connection will be constructed when the parcel to the south is re-developed and approved by the Cedar Springs Planning Commission. 6) The "Future Access Roads" shown on the site plan shall be binding upon the development of the remainder of the property with the final location subject to the approval of the Planning Commission. 7) Three copies of the revised site plan shall be dated, and signed by the Zoning Administrator. One copy of the approved plan shall be retained by the applicant, one shall be retained by the Building Inspector as part of the building permit review process, and one copy shall be kept by the Zoning Administrator.

Voice Vote

7-0

Motion Carried.

B. Motion to recommend to the City Council to adopt Ordinance 210 Lighting Ordinance and repeal of Ordinance 157.

Motion by **Owens** supported by **Bremmer** to recommend to the City Council to adopt Ordinance 210 Lighting Ordinance and repeal of Ordinance 157.

Voice Vote

7-0

Motion Carried.

C. Motion to recommend to the City Council to adopt Ordinance 211 Recommendations of Lot Frontage Amendments/Parking Lot Setback/Access Management

Motion by **Owens** supported by **Conley** to recommend to the City Council to adopt Ordinance 211 Recommendations of Lot Frontage Amendments/Parking Lot Setback/Access Management.

Voice Vote

7-0

Motion Carried.

D. Motion to recommend to the City Council to adopt Accessory Building Ordinance 212

Motion by **Owens** supported by **Bremmer** to recommend to the City Council to adopt Accessory Building Ordinance 212

Voice Vote

7-0

Motion Carried.

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

- A. Correspondence.
- B. Staff Comments.
 - i. City Manager
 - ii. City Clerk thanked the Planning Commission members for their attendance.
- C. Planning Commission Members.

Hall thanked everyone for attending and for all the work on the hotel.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

None.

13. REPORT OF THE PLANNING CONSULTANT.

N/A.

14. ADJOURNMENT.

Motion by **Bremmer** supported by **Race** to adjourn the meeting at 6:20pm.

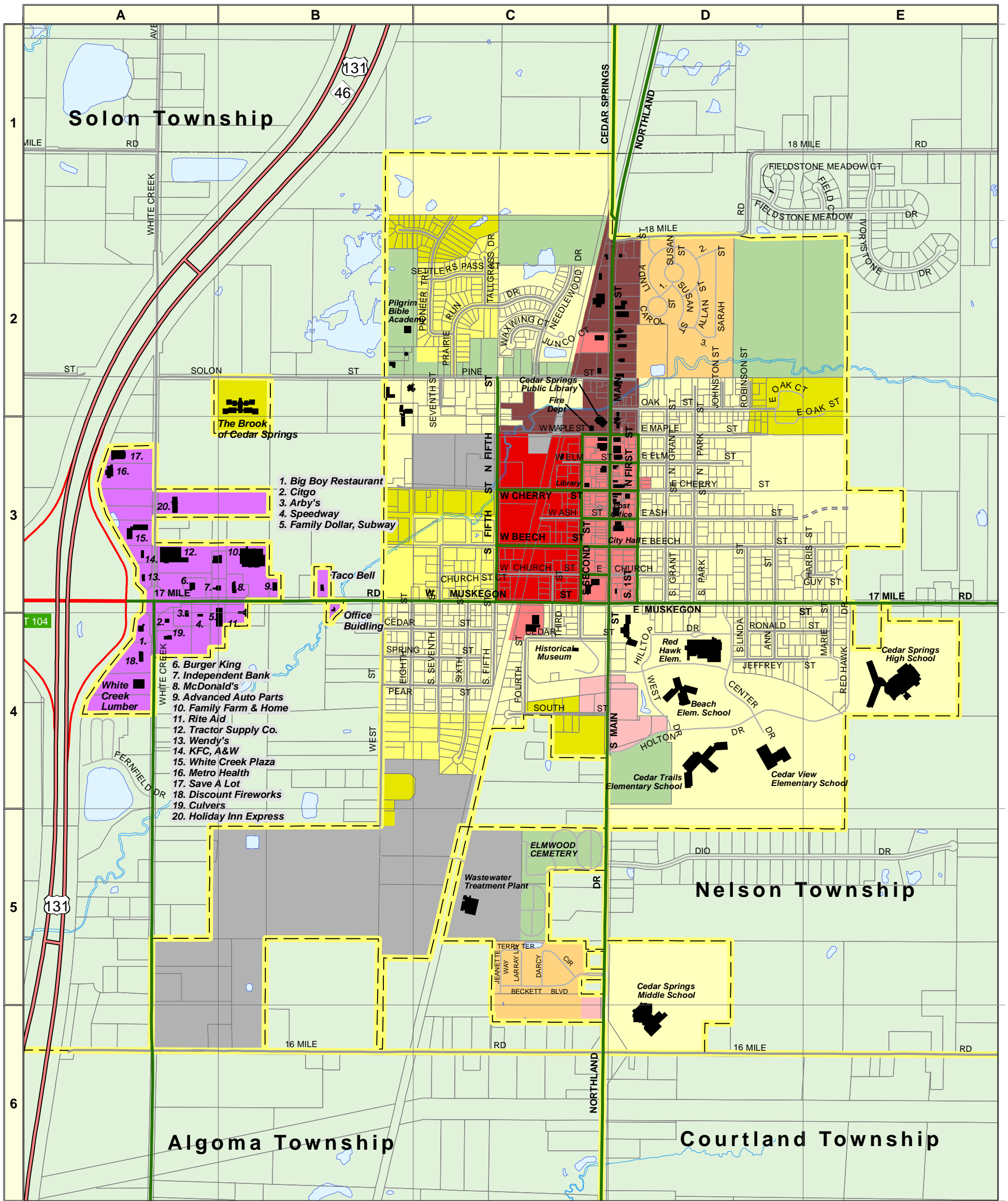
Voice Vote

7-0

Motion Carried.

Rebecca Johnson, City Clerk

Craig Owens, Chairperson



LEGEND

- Major Buildings
- Municipal Boundaries
- Public Land Survey Sections
- Lakes & Ponds
- Rivers & Streams

Street Centerlines

- Freeway
- Freeway Ramp
- Highway
- Primary
- Secondary
- Proposed/Under Const.
- Private
- Alley

ZONING LEGEND

- B-1 Neighborhood Business
- B-2 Central Business District
- B-3 Highway Business District
- HC Highway Commercial
- MU Mixed Use
- I-1 Industrial
- R-1 Single Family Residential
- R-2 Single & Two Family Residential
- R-3 Multiple Family Residential
- R-4 Mobile Home Residential
- R-R Rural Residential

CITY OF CEDAR SPRINGS
KENT COUNTY, MICHIGAN
ZONING MAP

0 450 900 1,800 2,700 3,600 Feet

A copy of the City Zoning Ordinance may be obtained by accessing the City of Cedar Springs web site at <http://www.cityofcedarsprings.org> Click on " Ordinances " at the top of the homepage, then click on the "View Ordinances " link.

(c) 2018 City of Cedar Springs and REGIS.

This map was created using REGIS, the Grand Valley Regional Geographic Information System. This map does not represent a legal document. It is intended to serve as an aid in graphic representation only. Information shown on this map is not warranted for accuracy and should be verified through other means. Any duplication is restricted under copyright laws and the Enhanced Access to Public Records Act, PA 462 of 1996, as amended.



City Manager's Office

I present to the Planning Commission a starting list of parcels that the Planning Commission should discuss and consider recommending for potential zoning changes. For the most part, every proposed change either increases the commercial viability of the parcel in the future or brings that parcel into alignment of the surrounding properties.

1. 115 W MUSKEGON ST NE (dirt lot btwn Muskegon and Church on East side of WPT)
 - a. Currently designated MU-Mixed Use
 - b. Proposed to change to B2 or B3
2. 171 W MUSKEGON ST NE (Nikki and Company Hair Salon)
 - a. Currently designated MU-Mixed Use
 - b. Proposed to change to B2 or B3
3. 261 MAIN ST N NE (White Pine Family Medicine)
 - a. Currently designated B2
 - b. Proposed to change to B3
 - c. This appears to have been a spot zoning at some point, it is otherwise a B2 parcel surrounded by B3
4. 141 W CHERRY ST NE (CS Mfg.)
 - a. Currently designated MU
 - b. Proposed to change to I-1
 - c. It is currently being used as industrial and the master plan suggests keeping it as such into the future
5. 145 W CHERRY ST NE (Gust Cons.)
 - a. Currently designated MU
 - b. Proposed to change to I-1
 - c. It is currently being used as industrial and the master plan suggests keeping it as such into the future
6. 142 W CHERRY ST NE (YOUNG MOTORSPORTS LLC)
 - a. Currently designated MU
 - b. Proposed to change to I-1
 - c. It is currently being used as industrial and the master plan suggests keeping it as such into the future
7. 157 W BEECH ST NE (157 BEECH ST LLC/Northern Light)
 - a. Currently designated MU
 - b. Proposed to change to I-1
 - c. It is currently being used as industrial and the master plan suggests keeping it as such into the future
8. 233 MAIN ST S NE (First Baptist Church)
 - a. Currently designated R1
 - b. Proposed to change to B2 or B3
 - c. Prime Commercial corner if church is ever abandoned or destroyed
 - d. Would allow church larger signage
9. 333 MAIN ST S NE (Former speedway-current municipal parking lot)

- a. Currently designated B1
 - b. Proposed to change to B2 or B3
 - c. Former gas station that would not be permitted again due to zoning
 - d. B1 limits what could be put there, B2 or B3 creates greater development opportunity.
10. 399 MAIN ST S NE and 199 SOUTH ST NE
- a. Currently designated B1
 - b. Proposed to change to B2 or B3
 - c. B1 limits what could be put there, B2 or B3 creates greater development opportunity.
11. 308 MAIN ST S NE (Northern Physical Therapy)
- a. Currently designated B1
 - b. Proposed to change to B2 or B3
 - c. Medical/Rehab facilities not permitted in B1 district
12. 400 MAIN ST S NE (Great Lake Landscape Supply)
- a. Currently designated B1
 - b. Proposed to change to B2 or B3
 - c. Contractor's yard are not a permitted use in B1, B2 or B3
 - d. This property could be put to better commercial use in the future
13. 426 MAIN ST S NE (Green Acres Assisted Living)
- a. Currently designated B1
 - b. Proposed to change to B2 or B3
 - c. B1 limits what could be put there, B2 or B3 creates greater development opportunity if Green Acres were to close.

Sincerely,



Mike Womack City Manager
City of Cedar Springs
66 S Main St, Cedar Springs, MI 49319
(616) 696-1330 x104



MEMORANDUM



TO: Cedar Springs Planning Commission
FROM: Tim Johnson, City Planner
DATE: September 27, 2018
RE: Proposed Uses in B-2, B-3 and Mixed-Use Zones

For our discussion at the October 2, 2018 meeting I am providing you with a new format and list of uses for the B-2, B-3 and Mixed-Use zoning districts. This was requested by the Planning Commission several months ago. The remaining zoning districts will be provided to you in the coming months.

The proposed list was crafted to add contemporary uses and include those uses which actually exist in these zones but which are not listed in the Table of Uses.

Please review this format and list and compare it to the current Table of Uses in the Zoning Ordinance.

B-2
CENTRAL BUSINESS DISTRICT
Permitted & Special Uses

DRAFT 1

For Review by the Cedar Springs Planning Commission

October 2, 2018

New language in Bold; deletions shown with strike through line

SEC. 40-292. - PURPOSE.

This district is intended to concentrate community retail and service activities in a single core area. The creation of this district reflects the city's commitment to strengthening the central business district as an economic center for the city and the neighboring communities.

SEC. 40-293. - USES PERMITTED.

- a) **Generally recognized retail businesses that supply commodities on the premises within a completely enclosed building, such as but not limited to foods, pharmacy, liquor, furniture, clothing, dry goods, appliances or hardware.** ~~Commercial uses over or under 10,000 square feet of gross floor area per 40-579(f) herein.~~
- b) **Personal service establishments that performs services on the premises within a completely enclosed building, such as but not limited to repair shops for electronics, watches, shoes and similar items, tailor shops, print shops, hair and nail salons, barbershops, pet grooming, and photographic studios.**
- c) Professional and business offices.
- d) Banks, credit unions, and other financial institutions, but not including those with drive-through facilities.
- e) Health and fitness establishments, **martial arts and boxing schools.**
- f) **Offices and showrooms of plumbers, electricians, decorators, or other similar trades.**
- g) **Commercial schools including art, music, dance business, professional and trade.**
- h) **Restaurants, coffee shops, bakeries and similar retail food establishments including those with walk up window service** but not including drive-in restaurants and restaurants not permitting dancing, live entertainment, or the consumption of alcoholic beverages on the premises. **Outdoor dining is permitted where such dining does not encroach upon a minimum of five feet of unobstructed sidewalk space adjacent to the curb. Outdoor dining may be separated from the sidewalk only with movable planters, fencing or similar non-fixed barriers, provided they do not exceed a height of 36 inches including plant material. Any outdoor dining activity proposed for a public sidewalk or elsewhere in a road right-of-way must first be approved by the City Council.**
- i) Brew pubs.
- j) Farm market. *Keep this in B-2 Zone?*
- k) Medical, **optical, dental, and veterinary offices** and clinics.

- l) Therapeutic massage.
- m) **Government office buildings and post office.**
- n) **Public and institutional uses such as libraries, museums, civic centers, and auditoriums.**
- o) **Catering establishments**
- p) **Video gaming establishments**
- q) **Dwelling units located above a non-residential use subject to the following requirements except that single-family detached dwelling units and other residential uses existing as of the effective date of this ordinance are exempt from these requirements:**
 - 1) **A dwelling unit shall not be located on the ground floor.**
 - 2) **Each dwelling unit shall contain a minimum of 400 / 600 ?? square feet of floor area.**
 - 3) **One parking space shall be provided for each bedroom within the dwelling unit. These spaces may be provided as follows: On site; In a City of Cedar Springs operated parking lot as may be approved by the City Council or; The off-street space or spaces may be within 300 feet of the dwelling unit served. The 300 feet measurement shall be taken in a straight line from the parking space to the building containing the dwelling unit. Documentation of the required parking spaces shall be provided to the Zoning Administrator prior to issuance of a building permit.**
 - 4) **Direct access to dwelling units shall be provided by a doorway located on the outside of the building, which is separate from the doorway used to access the first-floor use.**
 - 5) **Window air conditioning units shall not project beyond the face of the building for that portion of the building which fronts on a street.**
 - 6) **Prior to establishing an upper story dwelling unit, approval must be obtained from the Zoning Administrator to determine compliance with the requirements of this section.**
 - 7) **A building permit shall be obtained from the City in order to establish a dwelling unit in an upper story. All units shall comply with the requirements of the Americans with Disabilities Act.**
- r) Outdoor display of merchandise subject to Section 40-444(5) herein.
- s) Conversion of existing single-family dwellings to a commercial, office or non- residential use including the enlargement of the existing dwelling shall comply with the following:
 - 1) The proposed use shall be subject to site plan review by the Planning Commission.
 - 2) The primary entrance to the building shall face the street from which the address of the building is derived or be located on the side of the building.
 - 3) The building shall comply with the requirements of the Cedar Springs Building Code.
 - 4) Exterior defects in the building or property such as cracked, chipped or peeling siding or paint, cracked sidewalk, unkempt lawn or landscaping shall be identified as part of the site plan review process and corrected before the building is occupied.

- 5) A walkway shall be provided from the existing or proposed sidewalk within the right-of-way to the primary building entrance.
- 6) Required parking shall be provided on the site or within a City owned parking lot located within 300 feet of the site.
- 7) Retail items offered for sale on the site may be displayed outdoors behind the front lot line but only during business hours of operation.
- t) Municipal, parking lots not directly associated with a principal use.
- u) Fraternal or social club or lodge. ~~Private clubs.~~
- v) Incubator facilities.
- w) Parks, public open spaces, swimming pools and community building.
- x) Accessory uses and structures customarily incidental to the principal use.

SEC. 40-294. - SPECIAL LAND ~~APPROVAL~~ USES.

The following uses may be permitted in the B-2, Central Business District upon authorization as a Special Land Use by the Planning Commission in accordance with the requirements of Article VIII herein.

a) Banks, credit unions, and other financial institutions with drive-through facilities per Section 40-574(e)- (f) herein. *Allow drive-in restaurants and other retail food establishments, dry cleaning pickup stations, pharmacies, or similar personal services.???*

b) Restaurants and other retail food establishments which permit the consumption of alcoholic beverages on the premises, or which permit dancing or live entertainment. *Should this be a Special Land Use or a Permitted Use?? Brew pub's (Cedar Springs Brewery) is a permitted use but otherwise the current rules do not allow a restaurant which serves alcohol in the B-2 Zone although some exist.*

c) Establishments which produce alcoholic beverages primarily for distribution off site and which also engage in one or more of the following as a small percentage of the overall sales of the business and which devote a small portion of the square footage of the building to the following:

- (1) The retail sale of alcoholic beverages produced on site to the general public for consumption on the site and/or on a retail take-out basis including the limited sale of snacks, pre-packaged foods, and non-alcoholic beverages;
- (2) Conducting tours for the general public of the facility;
- (3) The retail sale of items related to the company and its products such as glasses, posters, and clothing.

d) Residential and non-residential planned unit developments per Section 40-576(e) Article IX.

e) Private parking lots not directly associated with a principal use per 40-576(c) herein.

- f) **Indoor** commercial recreation facilities such as theaters, bowling alleys, skating rinks, rock climbing, **ball sports, pool and billiard hall, but excluding firearm and archery ranges per Section 40-574(d) herein.**
- g) Community centers owned and operated by a public or nonprofit agency.
- h) Churches, mosques, synagogues and similar places of religious worship per Section 40-575(b) herein.
- i) Municipal buildings, utility buildings and regulating substations and pressure control stations per Section 40-575(h) herein.
- j) Public garages and automobile repair establishments per Section 40-576(g) herein.
- k) Hotel and motel.**
- l) Gas station/convenience stores with or without restaurants.**
- m) Residential uses that do not have Main Street frontage per Section 40-577(e) herein.
- n) Production of merchandise on the premises, provided that ~~not more than 15 persons are employed on the premises and~~ such production shall not be detrimental either by odor, noise, vibration, or smoke to the nearest occupied dwelling.
- o) Mortuaries and funeral homes per Section 574(g) herein.
- ~~Accessory apartments as part of an office or commercial use per Section 40-573(a) herein.~~
- ~~Boarding houses~~
- ~~Multiple Family Dwellings~~

Current Regulations for Accessory Apartments

Proposed to be replaced by Section 40-293 (q) above

Planning Commission to Discuss which of the requirements below should be kept

- (a) *Accessory apartments.*
 - (1) The accessory apartment shall be a complete housekeeping unit, containing kitchen and bathroom facilities.
 - (2) The accessory apartment and commercial use shall be attached by a common wall, ceiling, or floor and shall be contained within a single building.
 - (3) A minimum of two paved parking spaces shall be provided for each apartment which shall be located on private property or leased from the city and within 100 feet of the premises.
 - (4) The accessory apartment shall be installed or constructed so that the appearance of the building complies with the City's Guidelines and Standards for Facade Improvements (adopted 2006).
 - (5) Exterior doorways constructed to serve the accessory apartment shall be, where possible, located on the side or rear of the building.
 - (6) Stairs servicing an accessory apartment shall be fully enclosed. The use of plywood, sheet metal or other materials not consistent with the character of the building are prohibited.

- (7) A minimum of 30 percent of the front face of the structure shall be windows. Side and rear windows may be required by the planning commission to provide adequate cross ventilation as recommended by the building inspector. A lesser percentage of windows in the front face of the structure may be permitted if the majority opinion of the planning commission (subject to approval of the building inspector) states that in their judgment the proposed reduced area will not have a detrimental impact on the character of the building, its primary commercial use, and adjacent structures and uses in the central business district.
- (8) The accessory apartment unit shall contain not less than the standards established in section 40-408 for required floor area, except that efficiency apartments shall not be permitted.
- (9) The accessory apartment shall be occupied within 12 months of the issuance of the special land use permit.
- (10) Basement apartments are prohibited.
- (11) All private vehicle access drives, alleys and parking spaces shall be paved and properly drained in accordance with city standards.
- (12) The accessory apartment shall have a dishwasher, central air conditioning, clothes washer and clothes dryer.
- (13) The accessory apartment will be provided with trash removal services and a screened onsite dumpster for use by the accessory apartment and other building occupants.

B-3
HIGHWAY BUSINESS DISTRICT
Permitted & Special Uses

DRAFT 1

For Review by the Cedar Springs Planning Commission

October 2, 2018

New language in Bold; deletions shown with strike through line

SEC. 40-340. - PURPOSE.

This district is intended to provide an appropriate location for businesses primarily serving the motoring public. These uses are thus encouraged to locate near major highways and interchange areas where their heavy traffic and other characteristics will not prove detrimental to or incompatible with surrounding areas of the community.

SEC. 40-341. - USES PERMITTED.

- a) Permitted use allowed in the B-2 Zone.
- b) Gas station/convenience stores with or without restaurants.
- c) Banks, credit unions, and other financial institutions with drive-through facilities. *Allow drive-in restaurants and other retail food establishments, dry cleaning pickup stations, pharmacies, or similar personal services.??? This would be a more business friendly approach.*
- d) Restaurants and other retail food establishments which permit the consumption of alcoholic beverages on the premises, or which permit dancing or live entertainment.** *Should this be a Special Land Use or a Permitted Use?? The current rules do not allow a restaurant which serves alcohol in the B-3 Zone.*

SEC. 40-342. - SPECIAL LAND ~~APPROVAL~~ USES.

The following uses may be permitted in the B-3, Highway Business District upon authorization as a Special Land Use by the Planning Commission in accordance with the requirements of Article VIII herein.

- a) Special land uses as permitted in the B-2 zone.**
- b) Open air businesses including, but not limited to: the sale and servicing of motor vehicles, boats, trailers, farm implements, yard decorations, nursery stock, storage buildings, recreational vehicles, lawn and garden equipment, mobile or modular homes, and similar uses per Section 40-576(a) herein**
- c) Retail building supply and equipment stores.
- d) Retail nurseries and garden centers including display of landscaping products such as mulch, woodchips, sod, dirt, and plant material and yard accessories.**
- e) Automobile repair establishments per Section 40-576(g) herein.

- f) Pet boarding facility.
- g) Hospitals, clinics, or rehabilitation facility but not including institutions for mentally challenged, epileptic, drug or alcoholic patients, or correctional institutions of any type.
- h) Mortuaries and funeral homes per 40-574(g) herein.
- i) Outdoor commercial recreation establishments such as miniature golf, go cart tracks, golf driving ranges, batting cages and athletic fields**
- j) Ambulance service establishments.**
- k) Automatic and self-serve vehicle wash facilities.**
- l) Mini-warehouse and self-storage facilities.**

~~Drive in theaters~~

~~Amusement parks.~~

~~Golf course and country clubs.~~

~~Public or private schools or colleges.~~

~~Outdoor storage as either the principal use or accessory to another use.~~

MU
MIXED USE ZONING DISTRICT
Permitted & Special Uses

DRAFT 1

For Review by the Cedar Springs Planning Commission

October 2, 2018

New language in Bold; deletions shown with strike through line

SEC. 40-316. - PURPOSE.

(a) The purpose of the MU, Mixed-Use District is to encourage a diversity of compatible land uses in close proximity to one another. The district is further intended to permit a creative mix of residential, office, commercial, and professional service land uses. Limited light industrial uses are also permitted, but are not intended to become a dominant use in the district. The accommodation of foot traffic is important in this district as is the de-emphasis on vehicular parking. To this end, the district encourages pedestrian oriented design with connections between mixed use developments and the adjacent Central Business District. Housing is intended to be of mixed income and type, accommodating various life stages. Mixed-use, multistory buildings are intended for areas adjacent to the Central Business District.

(b) Site and building design are key components of development. The provisions of this article have been developed to coordinate a mixture of land uses with the intent to:

- (1) Establish and maintain high aesthetic standards;
- (2) Ensure that improvements properly relate to surrounding developments;
- (3) Encourage flexibility in architectural design and building sizes; and
- (4) Encourage pedestrian oriented design by providing separate pedestrian circulation paths where appropriate throughout the district.

(Ord. No. 149, § 1(14.01A), 9-13-2007)

SEC. 40-317. - USES PERMITTED.

- a) Single-family dwellings.
- b) Two-family dwellings.
- c) Home occupations per [Section 40-4](#) herein.
- d) Conversion of existing single-family dwellings to a commercial, office or non- residential use including the enlargement of the existing dwelling shall comply with the following:
 - (1) The proposed use shall be subject to site plan review by the Planning Commission.
 - (2) The primary entrance to the building shall face the street from which the address of the building is derived or be located on the side of the building.
 - (3) The building shall comply with the requirements of the Cedar Springs Building Code.

(4) Exterior defects in the building or property such as cracked, chipped or peeling siding or paint, cracked sidewalk, unkempt lawn or landscaping shall be identified as part of the site plan review process and corrected before the building is occupied.

(5) A walkway shall be provided from the existing or proposed sidewalk within the right-of-way to the primary building entrance.

(6) Required parking shall be provided on the site or within a City owned parking lot located within 300 feet of the site.

(7) Retail items offered for sale on the site may be displayed outdoors behind the front lot line but only during business hours of operation.

- e) Health and fitness facilities.
- f) **Personal service establishments that performs services on the premises within a completely enclosed building, such as but not limited to repair shops for electronics, watches, shoes and similar items, tailor shops, print shops, hair and nail salons, pet grooming, and barbershops.**
- g) **Restaurants, coffee shops, bakeries and similar retail food establishments including those with walk up window service** but not including drive-in restaurants and restaurants not permitting dancing, live entertainment, or the consumption of alcoholic beverages on the premises. **Outdoor dining is permitted where such dining does not encroach upon a minimum of five feet of unobstructed sidewalk space adjacent to the curb. Outdoor dining may be separated from the sidewalk only with movable planters, fencing or similar non-fixed barriers, provided they do not exceed a height of 36 inches including plant material. Any outdoor dining activity proposed for a public sidewalk or elsewhere in a road right-of-way must first be approved by the City Council.**
- ~~h) Restaurant, clubs or other establishments which provide food or drink for consumption on the premises, excluding drive-through restaurants.~~
- ~~i) Restaurants excluding drive-through restaurants and not permitting dancing, live entertainment or the consumption of alcoholic beverages on the premises per Section 40-577(g) herein.~~
- j) Farmers Market **as defined herein.** *See definition below.*
- k) Therapeutic massage.
- l) Medical and dental offices and clinics. *(Currently a Special land use)*
- m) Banks and financial institutions without drive-through facilities.
- n) **Professional and business offices.**
- o) Incubator facilities as defined herein provided all uses within the facility are permitted in the MU Zone.
- p) Establishments for the repair of small engines, appliances and similar equipment.
- q) Repair of motorcycles, snowmobiles, all-terrain vehicles, boats and similar vehicles which are required to be licensed by the State of Michigan
- r) Parks, public open spaces, swimming pools and community building.

SEC. 40-318. - SPECIAL LAND APPROVAL USES.

The following uses may be permitted in the MU, Mixed Use District upon authorization as a Special Land Use by the Planning Commission in accordance with the requirements of Article VIII herein.

- a) **Dwelling units located above a non-residential use subject to the following requirements except that single-family detached dwelling units and other residential uses existing as of the effective date of this ordinance are exempt from these requirements:** ~~Accessory apartments as part of an office or commercial use.~~
 - 1) **A dwelling unit shall not be located on the ground floor.**
 - 2) **Each dwelling unit shall contain a minimum of 400 / 600 ?? square feet of floor area.**
 - 3) **One parking space shall be provided for each bedroom within the dwelling unit. These spaces may be provided as follows: On site; In a City of Cedar Springs operated parking lot as may be approved by the City Council or; The off-street space or spaces may be within 300 feet of the dwelling unit served. The 300 feet measurement shall be taken in a straight line from the parking space to the building containing the dwelling unit. Documentation of the required parking spaces shall be provided to the Zoning Administrator prior to issuance of a building permit.**
 - 4) **Direct access to dwelling units shall be provided by a doorway located on the outside of the building, which is separate from the doorway used to access the first-floor use.**
 - 5) **Window air conditioning units shall not project beyond the face of the building for that portion of the building which fronts on a street.**
 - 6) **Prior to establishing an upper story dwelling unit, approval must be obtained from the Zoning Administrator to determine compliance with the requirements of this section.**
 - 7) **A building permit shall be obtained from the City in order to establish a dwelling unit in an upper story. All units shall comply with the requirements of the Americans with Disabilities Act.**
- a) Bed and breakfast operation per Section 40-575(e) herein.
- b) Multiple-family dwellings. *Limit size to 4, 6, 8, or 12 units in a building?*
- c) Residential and non-residential planned unit developments per Section 40-576(e) Article IX
- d) Townhouse or row houses.
- e) Commercial uses over or under 10,000 square feet of gross floor area per 40-579(f) herein
- f) **Retail businesses not exceeding 10,000 square feet gross floor area conducting business entirely within an enclosed building.**
- g) Parking lots including municipal and private facilities not directly associated with a principal use per Section 40-576(c).
- h) Warehouses selling retail on the premises, provided there is no outside storage or stockpiling and the site does not abut any residential district nor lie within 100 feet of any residential district per Section 578(e) herein.
- i) Brew pubs. *Defined below*
- j) Community centers owned and operated by a public or nonprofit agency.
- k) Assembly buildings including dance pavilions, auditoriums, and private clubs.
- l) Churches, mosques, synagogues per Section 40-575(b) herein.

- m) Municipal buildings, utility buildings and regulating substations and pressure control stations per Section 40-575(h) herein.
- ~~n) Public or private schools or colleges per Section 40-578(b) herein.~~
- o) ~~Trade schools.~~ **Commercial schools including art, music, dance business, professional and trade.**
- p) Production of merchandise on the premises, provided that ~~not more than 15 persons are employed on the premises and~~ such production shall not be detrimental either by odor, noise, vibration, or smoke to the nearest occupied dwelling.
- q) Research establishments, laboratories.
- r) Building contractors such as painters, plumbers, electrical, cement, heating and air conditioning, fencing, and similar uses provided that any materials or equipment kept outside shall be screened from the view of nearby properties and roadways.
- s) New building materials sales and storage, including contractor's showrooms and related storage yards.
- t) Machine shops.
- u) Tool and die establishments
- v) Indoor recreation establishments.
- w) Establishments which produce alcoholic beverages primarily for distribution off site and which also engage in one or more of the following as a small percentage of the overall sales of the business and which devote a small portion of the square footage of the building to the following:
 - (1) The retail sale of alcoholic beverages produced on site to the general public for consumption on the site and/or on a retail take-out basis including the limited sale of snacks, pre-packaged foods, and non-alcoholic beverages;
 - (2) Conducting tours for the general public of the facility;
 - (3) The retail sale of items related to the company and its products such as glasses, posters, and clothing.
- x) Hospitals, clinics, or rehabilitation facility but not including institutions for mentally challenged, epileptic, drug or alcoholic patients, or correctional institutions of any type per Section 40-575(b) herein. *Keep in MU Zone?*
- y) Light industrial uses, provided that warehousing and trucking activities shall only be accessory to production activities and not the primary use activity. *(This term is too vague; some industrial type uses are specifically listed above; suggest deleting this term)*
- ~~z) Outdoor storage, as either the principal use or accessory to another use.~~
- ~~(bb) Mortuaries and funeral homes.~~

Proposed Definitions

Note: The following terms pertaining to Farms are taken from the Farm Market GAAMPs (Generally Accepted Agricultural Management Practices) established by the Michigan Department of Agriculture and Rural Development.

Farm Market: A place, area, or buildings from which farm products produced on a farm are sold. A farm market must also meet one of the following requirements: the square footage devoted to the sale of such farm products must constitute at least 50 percent of the total square footage used to display all of the products offered for retail sale or at least 50 percent of the gross dollars of products sold must be from farm products produced on a farm.

Farm Product: Those plants and animals useful to human beings produced by agriculture and includes, but is not limited to, forages and sod crops, grains and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other aquacultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur, as determined by the Michigan Commission of Agriculture.

Farm: Land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Brew Pub: A restaurant that sells alcoholic beverages brewed on the premises.



August 21, 2018
Project No. 180043

Mr. Michael Womack
City of Cedar Springs
66 South Main Street
Cedar Springs, MI 49319-0310

Re: 14190 White Creek Avenue
New Hotel – 14190 White Creek Avenue
Site Plan Review

Dear Michael:

Fishbeck, Thompson, Carr & Huber, Inc. has reviewed the site plan dated August 3, 2018, for the Cedar Springs Hospitality Group site to be located at 14190 White Creek Avenue as submitted by Roosien & Associates. It is our understanding the site plan will be reviewed at the Planning Commission meeting on August 21, 2018.

The applicant has proposed improvements to the existing vacant lot at the address referenced above. The proposed site work includes the following:

- Construction of an approximately 12,231-square-foot four-story hotel.
- Construction of a 90-space parking lot with a single, two-way drive opening on White Creek Avenue.
- Construction of 4-inch and 6-inch water and fire service.
- Construction of a 6-inch sewer lateral.
- Construction of a detention basin with a restricted release that has an emergency overland flow route to the east part of the property.

Storm Water and Drainage

The current Storm Water Ordinance (SWO) applies to any development site that will alter the storm water drainage characteristics. The existing building and its expansion is located in Storm Zone A. Zone A requires the applicant to maintain water quality control by detaining the first 0.5-inch of runoff for 24 hours, bank erosion control by limiting the release of runoff to 0.05 cfs/acre for a 2-year storm and flood control with detention and infiltration where site conditions permit. A Soils report was provided by the applicant that shows heavy soils that are not conducive to infiltration. However, the developer does show some drainage swales in the parking lot that could promote infiltration if the soils will allow. With the addition of sidewalks through the swales, the applicant should maintain positive drainage. Although some infiltration opportunity is provided, it is not feasible, detention will be required and limit storm water to be released at a rate of 0.13 cfs/acre.

Flood Control Requirements

The applicant has proposed a detention basin with an outlet structure with a 12-inch sewer and an outlet control structure with a total of eighteen 1/2-inch orifices and nine 3/4-inch orifices to restrict flow to the maximum allowed. The applicant has provided calculations that support the sizing of the basin. The swale discharge into the detention pond, which is sized to handle the 25-year storm. In general, the calculations provided are acceptable. The emergency overflow for the basin is overland to the east and not negatively impact the neighboring properties.



Bank Erosion Control Requirements

The SWO requires a rate of release for a 2-year storm event to 0.05 cfs/acre. The applicants approach with eight 1/2-inch orifices and ten 1/2-inch orifices a 1.4 foot higher on the outlet structure to restrict the flow is an acceptable approach.

Water Quality Control Requirements

The SWO requires that sedimentation control be provided within the drainage system. The proposed leaching basin, perforated pipe and retention basin should satisfy this requirement.

Utilities

The applicant proposes a 4-inch and 6-inch fire service tapped off the existing water main within White Creek Avenue. A 6-inch sanitary sewer lateral off an existing sewer within White Creek Avenue is also proposed.

Soil Erosion and Sedimentation Control

Soil Erosion and Sedimentation Control (SESC) measures are not shown on the provided drawings. The applicant will need to obtain a SESC permit from the Kent County Road Commission (KCRC) prior to beginning any earth change activities. The SESC plan should include mulch blanket on any slopes 1 on 3 or steeper.

Conclusion

At this time, we are comfortable recommending approval of the site plan from an engineering standpoint. The applicant will need to obtain the proper approvals from the KCRC for the SESC permit.

If you have any questions or require additional information, please contact me at 616.464.3908 or npdewit@ftch.com.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

A handwritten signature in black ink, appearing to read "N. De Wit", is positioned above the printed name.

Neil P. De Wit, PE

jc2

By email

cc: Mr. Tim Johnson – Main Street Planning Company
Mr. Michael L. Berrevoets, PE – FTCH