



Cedar Springs Planning Commission Meeting

MINUTES

Tuesday, September 5th, 2017

7:00 p.m.

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

1. **Owens** called the meeting to order at 7 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Ms. Lisa Atchison,	<u>Present</u>
Mr. Dale Bray	<u>Present</u>
Mrs. Kathy Bremmer	<u>Present</u>
Mr. Clint Conley	<u>Present</u>
Mr. Jerry Hall	<u>Present</u>
Mr. Perry Hopkins	<u>Present</u>
Mr. Mark Laws	<u>Present</u>
Mr. Craig Owens, Chair Person	<u>Present</u>
Mrs. Renee Race	<u>Present</u>

3. Oath of Office

a. Renee Race

Clerk issued the Oath of Office to Renee Race.

4. Recognition of planning officials, engineering or legal representation: Timothy Johnson (City Planner), Michael Womack (City Manager), and Rebecca Newland (City Clerk).

5. Motion to approve the minutes of the Special Meeting August 8th, 2017.

Motion by **Atchison** supported by **Bray** to approve the minutes of the Special meeting August 8th, 2017.

B. Sec. 40-49 (25) and Sec. 40-49(27). – Site plan of the code of ordinances amendment

Motion by **Bremmer** supported by **Bray** to open the public hearing for Sec. 40-49 (25) and Sec. 40-49(27). – Site plan of the code of ordinances amendment at 7:15 p.m.

Voice Vote **9-0** **Motion Carried.**

Womack stated that single family homes are currently exempt from requiring a site plan. This would help the Zoning Administrator to properly get all the information required to check for minimum setbacks.

No public comments.

Motion by **Hopkins** supported by **Bray** to close the public hearing for Sec. 40-49 (25) and Sec. 40-49(27). – Site plan of the code of ordinances amendment at 7:17 p.m.

Voice Vote **9-0** **Motion Carried.**

C. Special Land Use of the K&A Commercial and Industrial Painting, LLC, 84 W. Ash Street Cedar Springs, MI 49319: The applicant is seeking special land use approval for a painting business. The property is zoned MU (Mixed Use), the applicant requests a Special Land Use approval in that district. The parcel number is 41-02-25-480-004.

Motion by **Hall** supported by **Hopkins** to open the public hearing for Special Land Use of the K&A Commercial and Industrial Painting, LLC, 84 W. Ash Street Cedar Springs, MI 49319 at 7:17 p.m.

Voice Vote **9-0** **Motion Carried.**

Johnson stated that he reviewed the sketch plan for the building. He stated that the sketch is not a professional drawing but it could be used as a condition for approval. **Bremmer** confirmed by Johnson that a septic system must be verified.

Karger stated that they will change the light and that he needs to contact the Kent County Health Department to have the septic system verified. He stated that garage is not large enough to load vehicles indoors. He stated that he will comply with painting the markings on the road and will place proper parking signage. At this time he does not plan to have a dumpster because their trash needs do not exceed a standard residential bin that will be stored in the garage.

Motion by **Hopkins** supported by **Hall** to close the public hearing for Special Land Use of the K&A Commercial and Industrial Painting, LLC, 84 W. Ash Street Cedar Springs, MI 49319 at 7:27 p.m.

Voice Vote

9-0

Motion Carried.

- D. Special Land Use of The Microcanner, LLC, 70 North Main Cedar Springs, MI 49319: The applicant is seeking special land use approval for a Microcanning business. The property is zoned B-2 (Central Business District), the applicant requests a Special Land Use approval in that district. The parcel number is 41-03-30-308-003.

Motion by **Bray** supported by **Hopkins** to open the public hearing for Special Land Use of The Microcanner, LLC, 70 North Main Cedar Springs, MI 49319 at 7:27 p.m.

Voice Vote

9-0

Motion Carried.

Johnson reviewed his report. **Bremmer** stated that while it is not a guarantee, but the owner previously discussed the desire to bring retail space to the front of the building.

Josh Veringza stated he is complying with as many of the Planning Commission requests, but because the building has been there for decades it makes it difficult to do comply with some of the current ordinances.

Duane McIntyre the one way already exists at the rear of the building. He also stated that because it is next to a residential that it is going to be very difficult to comply with the green belt requirement.

Sarah Cunningham said that she has seen a colony of bats in the attic and that you may need permission from the state to remove them.

Kurt Mabie stated that the proposed building has housed many different kinds of business in the past. He asked the Planning Commission to consider the vision for the future of Cedar Springs.

Motion by **Bremmer** supported by **Bray** to close the public hearing for Special Land Use of The Microcanner, LLC, 70 North Main Cedar Springs, MI 49319 at 7:39 p.m.

Voice Vote

9-0

Motion Carried.

10. NEW BUSINESS.

A. Keeping of bees ordinance

Womack said that the City Council has requested input from the Planning Commission regarding the ordinance. He said that the Planning Commission would be the commission to issue bee keeping permits. Applicants would need to fill out an application, a notice to the neighbors would be sent, a public hearing would be

set, and the Planning Commission would decide to issue a permit or not based on all of the evidence provided on a case by case basis.

Laws inquired if there was any liability of the Planning Commission issues a bee permit and there was an incident. Bees are to the benefit of the community and he hopes to educate the public. **Hopkins** expressed concerns with some bee keepers replacing the honey that is needed for winter with corn syrup. **Bray** feels that doesn't have enough information on the topic and that it will likely come back to the Planning Commission in one year.

Motion by **Hopkins** supported by **Bremmer** to recommend to the City Council to approve the bee keeping ordinance and place the requirement to leave adequate honey that the hive produced for winter on the bee permit application.

No: Laws, Conley, Bray, Owens
Yes: Hopkins, Hall, Race, Atchison, Bremmer

Roll Call Vote **5-4** **Motion passed.**

11. OLD BUSINESS.

A. Recommendation to the City Council Sec. 40-545. - Specific sign standards. ordinance amendment

Motion by **Hopkins** supported by **Bray** to recommend to the City Council the approval of Sec. 40-545. - Specific sign standards with changes suggested "equal to or less than 100 square feet".

Voice Vote **9-0** **Motion Passed.**

B. Recommendation to the City Council Sec. 40-49 (25) and Sec. 40-49(27). – Site plan of the code of ordinances amendment

Motion by **Hall** supported by **Hopkins** to recommend to the City Council the approval of Sec. 40-49 (25) and Sec. 40-49(27). – Site plan of the code of ordinances amendment.

Voice Vote **9-0** **Motion Passed.**

C. Revised Site Plan and Special Land Use of the K&A Commercial And Industrial Painting, LLC.

Motion by **Owens** supported by **Hopkins** to approve the site plan and request from K & A Commercial and Industrial Painting, LLC, for a Special Land Use permit to establish a painting contractor business at 84 Ash Street being Tax Parcel Number 41-02-25-480-004 contingent on 1) Truck, trailer and equipment loading and repair activities shall only take place outdoors between 6 AM and 8PM 2) The applicant shall provide verification

from the Kent County Health Department that the existing on - site septic system is adequate to serve the proposed use. This verification shall be provided before an occupancy permit is issued.3) The approval is based on the survey/plan dated 7-25-03 prepared by Exxel Engineering and revised by the applicant subject to the following:

- a. Provide a barrier free parking sign and label the location where the sign will be installed
- b. Stripe the parking spaces in front of the building. Each space must be nine feet wide by 18 feet long except that the barrier free must be 13 feet wide.
- c. Illustrate the location of the dumpster.
- d. Note on the plan that the existing mercury vapor light be replaced with a contemporary cut-off fixture that will not exceed 20 feet in height.
- e. Add the date of revision to the site plan.
- f. Two copies of the revised site plan shall be submitted to the Zoning Administrator before an occupancy permit is issued.
- g. The two revised site plans shall be signed and dated by the Secretary of the Planning Commission with one copy provided to the applicant and one retained by the City.

4) Approval is based on the applicant completing the improvements to the building and grounds as described and illustrated on the photographs submitted by the applicant, the application materials labeled Item 1.k and the Checklist of improvements from Ron Karger dated August 9, 2017. These improvements shall be completed by May 31, 2018.

5) The 16 feet wide greenspace along the south lot line as illustrated on the site plan and the existing fence along the south lot line provide an adequate buffer. The greenspace and fence shall be properly maintained.

Voice Vote

9-0

Motion Carried.

D. Revised Site Plan and Special Land Use Of the Microcanner, LLC

Hopkins stated that the setback that already existed would be sufficient and removing the landscaping to replace it wouldn't be beneficial. **Conley** stated that the PUD Standards could waive this requirement, but to be sure what was actually passed.

Motion by **Hopkins** supported by **Hall** to approve the request from Todd Vriesenga, owner of Microcanner, LLC for a Special Land Use permit and site plan to establish a business for the production of merchandise for property at 70 North Main Street being Tax Parcel Number 41-03-30-308-003 as the use described in the application materials meets the Special Land use approval standards contained in Section 40-571 of the Zoning Ordinance. Approval is granted subject to the following conditions: 1) The use shall be conducted completely within the building and according to the business operation practices described in the materials submitted by the applicant. 2)The

business shall not have more than 15 employees. 3) If the business has more than 9 employees additional parking may be provided off site in accordance with the requirements of Section 40-516(e). 4) Approval is based on the applicant completing the improvements to the building and grounds as described and illustrated on the photographs and narrative submitted by the applicant. These improvements shall be completed by May 31, 2018. 5) Approval is based on the applicant complying with the changes to the property and changes to the site plan dated 8-30-17 as listed below:

- a. The site plan shall be revised to show that the first 20 feet from Main Street will be striped for no parking and the barrier free space located beyond the striped area and signed as such.
- b. The access driveway on North Main Street shall be designated on the site plan as one way going east into the site from North Main Street and signs placed to this effect to direct on-site vehicle traffic. The one-way arrow on the drive out to 1st Street shall be removed from the site plan.
- c. The plan shall note that the area designated for the dumpster complies with the dimensions required by Section 40-462.
- d. Note on the plan that the existing mercury vapor light shall be replaced with a contemporary cut-off fixture that will not exceed 20 feet in height.
- e. The site plan shall note the limits of paved areas and the width of the driveway out to 1st Street.
- f. The northern most parking space abutting the rear of the building **shall not** be removed.
- g. Any sign to be erected by the applicant shall comply with this size requirement and the other provisions of the sign requirements including obtaining a separate sign permit.
- h. Add the date of revision to the site plan.
- i. Two copies of the revised site plan shall be submitted to the Zoning Administrator.
- j. The two revised site plans shall be signed and dated by the Secretary of the Planning Commission with one copy provided to the applicant and one retained by the City.
- k. All improvements to the site listed in Item 5a, 5c and 5e shall be completed and all landscaping shall be installed before an occupancy permit is issued unless other arrangements are approved by the Zoning Administrator.
- l. Landscaping may be waived administratively upon staff revision of PUD guidelines.

Voice Vote

9-0

Motion Carried.

E. ZBA Meeting-Variance Request.

- a. The Variance was tabled by the ZBA board because the request was missing necessary information to make a decision.

F. Revised O'Reilly Auto Parts Site Plan Application

G. Update on the Master Plan

Womack said he is working on finalizing the Master Plan.

H. Reed vs. Gilbert proposed sign ordinance amendments

Johnson reviewed his suggestions for the sign ordinance. **Hopkins** suggested that any sign less than 4 square feet is exempt, maximum of 10 signs, and at least 10 feet apart. **Bremmer** questioned the 10 foot setback. **Johnson** will investigate the 10 foot setback and possibly set different setbacks for each district and wanted to move box signs to prohibited signs. He also suggested that moving the clear vision provision to the general provisions. **Hall** suggested adding language that will allow the Zoning Administrator to use his/hers judgement on a case by case basis. **Johnson** will make changes to the dwell time to be changed to the MDOT standard.

12. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

A. Correspondence.

1. Culvers Site Plan for next month's agenda
2. Procedures For Review Of A Sketch Plan (Provided by Mr. Johnson)

B. Staff Comments.

1. City Manager-will be working on making some changes to the sign ordinance for the H-C district. He will bring more information as it becomes available.

B. Planning Commission Members.

Laws welcomed Renee Race to the Planning Commission.

Hall was happy to see members of the community filling the empty Planning Commission Seats.

Hopkins stated that he would like to step down from the Planning Commission.

Conley asked to set the training with the City Planner after the November election.

13. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

Hopkins stated that he forgot to request to discuss Christmas lighting.

14. REPORT OF THE PLANNING CONSULTANT.

Johnson reuse of existing building will be a coming topic because the ordinances do not address some of the problems we have come across and it will be needed as more businesses move into existing buildings

15. ADJOURNMENT.

Motion by **Hall** supported by **Bremer** to adjourn the meeting at 9:20 p.m.

Voice Vote.

9-0

Motion Carried.

Rebecca Newland, City Clerk

Craig Owens, Chairperson