



Cedar Springs Planning Commission Meeting

MINUTES

Tuesday, October 01, 2019

7:00 p.m.

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

1. **C. Owens** called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

City Clerk issued the Oath of office to Ashley Watson (2019-2021)

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>
Mr. Daniel McGrath	<u>Excused</u>
Mr. John Nixon	<u>Present</u>
Mr. Harrison Owens	<u>Present</u>
Mr. Ashley Watson	<u>Present</u>
Mr. Craig Owens, Chairperson	<u>Present</u>

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

T. Johnson (City Planner), Womack (City Manager) and R. Johnson (City Clerk)

4. Motion to approve the minutes of the Regular Meeting August 13, 2019.

Motion by **Bremmer** seconded by **H. Owens** to approve the minutes of the Regular Meeting August 13, 2019 with the correction from H. Owens to C. Owens in the Planning Commission Members Comments.

Voice Vote.

7-0

Motion Carried.

5. APPROVAL OF AGENDA.

Motion by **H. Owens** seconded by **Hall** 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.

Sue Norton & Amy Matteson requested the Planning Commission to permit an additional business to be housed in the North Kent Senior Citizens Association building.

7. CONFLICTS OF INTEREST AND EX-PARTE COMMUNICATION INQUIRY

None.

8. SCHEDULED PUBLIC HEARINGS.

A. 228 N Main St. O'Dowd Landscaping Special Land Use

C. Owens opened the public hearing at 7:14 p.m.

T. Johnson reviewed his report.

Public Comments: None.

C. Owens closed the public hearing at 7:19 p.m.

B. Proposed Zoning Map Changes
a. RR to R-1

C. Owens opened the public hearing at 7:19 p.m.

Womack reported that the Planning Commission has been reviewing the zoning map that is 12 years old. He remarked that part of the zoning map review is the proposal to eliminate the RR zoning district. The proposal would change the parcels to R-1 zoning district. The current uses for the RR zoning district are no longer common uses including farming, airports, radio towers, and mineral extraction. The proposal is to change those parcels to the R-1 designation. R-1 is the next least restrictive zoning that fits the area. **T. Johnson** reported that the current uses that are permitted in the RR zone can continue until it is no longer used. The property would be considered non-conforming. Property could still be sold or transferred, but once a non-conforming use stops it cannot be restarted.

Public Comments: **Greg & Elizabeth Adelman** questioned if the property could be used to have a personal greenhouse and what are the tax implementations of the proposed rezoning. **Womack** reported that a personal greenhouse that conforms to the accessory use ordinance would be permitted and the Assessor has informed him that the tax value is based on the current use of the property and that the tax value should not change based on the rezoning. **Ken Colter** wanted to confirm that the farm he owns can

continue to be a farmed and that tax wise the taxes will remain the same. He may consider to development at a later date. **Nathan Peasley** at 201 Pine Street, inquired why his property was not included in the notice, but the property to the West and East were. **Womack** reported that the 2007 map indicates that 201 Pine Street is already zoned R-1. **Scott and Sandy Robinson** reported that the property will be lady birded to his sister and he wanted to make sure that his sister could still farm the property.

C. Owens closed the public hearing at 7:33 p.m.

9. NEW BUSINESS.

- A. 141 South Main St. land split options
 - a. 2009 141 South Main Site Plan Documents
 - b. RESOLUTION NO. 2009 – 49 SLU approval for 141 South Main
 - c. Sec. 40-577

Womack reported that Mr. Truesdale has had difficulty in selling the property. About 10-12 years ago, the Planning Commission granted him a special land use to put 2 primary uses on one piece of property. Mr. Truesdale is now requesting to split the property. Primary issue with the request is that any single-family residential home in the B-2 district must meet the R-1 zoning requirements. Mr. Womack is of the opinion that the split would be altering the dwelling. **T. Johnson** reviewed his report dated October 1, 2019. He remarked that this is a judgment call by the Zoning Administrator to determine if adjusting the lot line is altering the existing dwelling. **Womack** reported that while it is likely going to be his decision to make, he is asking for any general advice and historical information from the board. **Bremmer** reported that the request could just muddy the waters because the business and the residence share the same furnace and water heater. **Womack** suggested that Mr. Truesdale sold the house as an office space to the business or operate the home as rental housing. **Bremmer** and **C. Owens** agree that if the lot line is altered then the dwelling is being altered. **H. Owen** remarked that he thought that splitting the lot would create more issues and that splitting it would likely be a mistake.

10. OLD BUSINESS.

- A. Special Land Use & Site Plan for O'Dowd LLC located at 228 N. Main St. (41-03-30-151-029)
 - a. O'Dowd updated information
 - b. City Planner 8-13-19 Report
 - c. City Planner 9-26-19 Report
 - d. Zoning Application (sketch plan)
 - e. Special Land Use Application
 - f. Public Hearing Notice.

The Planning Commission requested the following revisions: Put the removal of the barbed wire on the site plan, note on the site plan landscaping for the parking spaces that do not meet the 10 foot setback, revise the site plan to show existing trees and bushes on N. Main Street, irrigation is not required, note on the site plan that the waste container will be stored inside the building and resubmit the special land use request with the proper addresses and legal descriptions identified.

T. Johnson noted for the record the current application is unable to be processed because the application as submitted does not accurately reflect what the applicant is requesting.

Voice Vote

7-0

Motion Carried.

Rebecca Johnson, City Clerk

Craig Owens, Chairperson