



Cedar Springs Planning Commission Meeting

MINUTES

Tuesday, March 03, 2020

7:00 p.m.

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

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

2. ROLL CALL:

| | |
|--------------------|----------------|
| Mr. Dale Bray | <u>Present</u> |
| Mrs. Kathy Bremmer | <u>Present</u> |
| Mr. Clint Conley | <u>Present</u> |
| Mr. Jerry Hall | <u>Excused</u> |
| Mr. Daniel McGrath | <u>Excused</u> |
| Mr. John Nixon | <u>Present</u> |
| Mr. Craig Owens | <u>Present</u> |
| Mr. Harrison Owens | <u>Present</u> |
| Mr. Ashley Watson | <u>Present</u> |

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

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

4. Motion to approve the minutes of the Regular Meeting February 04, 2020.

Motion by **Watson** seconded by **Bremmer** to approve the minutes of the Regular Meeting February 04, 2020.

Voice Vote 7-0

Motion Carried.

5. APPROVAL OF AGENDA.

Motion by **C. Owens** seconded by **Watson** 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.

None.

8. SCHEDULED PUBLIC HEARINGS.

A. 112 W. Muskegon, Request to rezone from R1 to B3

C. Owens opened the public hearing at 7:03pm.

Womack outlined that 112 W. Muskegon was originally residential and home has been torn down. The property does not meet the lot size requirements to be rezoned but that it might possibly become a parking lot area adjacent to Rowland's current and could be combined to become B3.

Jim Rowland stated they have worked to clean up the blight and since his business property has been rezoned and currently considering combining the properties. Plans for that lot have not yet been decided.

Mark Laws appreciates what the Rowland's have done for the community and for everyone for serving on the committee.

C. Owens closed the public hearing at 7:07 p.m.

9. NEW BUSINESS.

A. Motion to recommend to City Council to **approve or deny** 112 W. Muskegon rezoning request from R1 to B3.

Motion by **Bremmer**, seconded by **Nixon** recommend to City Council to approve 112 W. Muskegon rezoning request from R1 to B3

Voice Vote 7-0

Motion Carried.

B. Truesdale Request

i. Tim Johnson Memo September 11, 2019

ii. Tim Johnson Change of Use Report 2-23-2020

- iii. Tim Johnson Letter 2-4-2020
- iv. Tim Johnson Letter 2-24-2020
- v. Street Parking Plan
- vi. Split Denial
- vii. Sec. 36-95 Parking in Parkway ordinance
- viii. 141 South Main aerial view

C. Owens reviewed the history on this property and the change of use on the property only, not the split. **T. Johnson** outlined that there are two buildings on the 141 S. Main property and how that occurred. If there is a change of use for existing commercial use, parking must be addressed and a site plan must be approved. Previously, no onsite parking was required for the previous business, as it utilized the on street parking on Church St. The Truesdale's would like to lease to a clinic, Transition Counseling Services. Off street parking for the use would require (3) client and one (1) employee parking spaces for each practitioner. **Bremmer** thought that decisions made now could cause more problems in the future. **T. Johnson** stated the Truesdale's are only changing one commercial use to another commercial use for that business property. He agreed that land splits generally cause a problem. If they apply for a split and it is approved, it would not come before the Planning Commission again.

Public Comment:

Sue Ellen Pabst Her current business is in Greenville and looking to expand into Cedar Springs. Pabst has (6) six people contracted to work out this location, with the potential for (10) ten. Letter from VFW has granted permission for (6-8) six to eight parking spots, (23) twenty-three existing spaces on Beech Street, and the Methodist Church might also provide more spaces for use. Clinicians would not be parking onsite. Those spaces would be reserved for clients only. Not all clinicians would be working at the same time, as they each hold different hours.

Betty Truesdale stated the City gave permission to build home and business on the lot. **Bob Truesdale** stated that the utilities were metered separate, water would require a manifold. They have an offer on the house with a complete understanding of the unique situation.

Womack stated a map of the proposed parking spots have not been provided and recommended the Truesdale's obtain a planner of their choosing to address these requirements.

C. Owens tabled the discussion to later date.

C. Wood Burner Ordinance Sec. 16-45-discussion regarding repeal recommendation

Womack stated that the City Council requested the Planning Commissions input to help determine if wood burners should be permitted in the City Limits. Most burners are now smaller, quieter, less smoke. The board thought that if a wood burner could meet the existing standards than it should be permitted.

D. Discussion on building design standards

- i. Sec. 40-319 MU design standards
- ii. Sec. 40-463 Nonresidential design requirements

Womack stated that some guidelines should be drafted as currently there is no specificity. **C. Owens** felt that flexibility should be applied.

10. OLD BUSINESS.

- A. 4288 17 Mile Rd Site Plan-O'Reilly Site Plan
 - i. Elevations
 - ii. Revised Site Plan 2-25-2020
 - iii. Photometrics Plan
 - iv. City Planner Memo 2-25-2020

T. Johnson reviewed his report. **Jordan Annex** they would be willing to pave to the west, but that there was no benefit to O'Reilly to pave to the east. He requested to have O'Reilly grant an easement to on O'Reilly property if development to the east happens.

Motion by **C. Owens** seconded by **Bremmer** to approve the site plan set sealed and dated February 24, 2020, a landscape plan dated February 19, 2020, a photometric plan sealed and dated 2-25-20 and building elevation drawings submitted by 6S Development, LLC for the construction of an O'Reilly Auto Parts store at 4288 17 Mile Road, Parcel 41- 02-36-100-080, as the plan meets the Standards for Site Plan Approval contained in Section 40-52 and the applicable requirements of the Cedar Springs Zoning Ordinance. Approval is granted subject to the following conditions:

1. The site plan must comply with the requirements of the City Engineer.
2. Three copies of the revised site plan shall be submitted to the City Zoning Administrator for final review and for signature per Section 40-S 1(c).
3. The applicant shall provide an easement agreement to the City allowing use by the public of the sidewalk which is located on the applicant's property.
4. The applicant shall agree to construct and keep open the access lane to the west property line and maintain an easement to the east property line. To ensure that this connection can be implemented when the adjacent parcel develops, the applicant shall also record a document agreeing to allow for vehicular connection to the adjacent property and to keep the access easement open at all times.
5. The easement agreements in Conditions 4 and 5 shall be approved by the City and recorded before an occupancy perm it is issued for the O'Reilly Auto Parts building
6. Approval is subject to this parcel being brought into the City of Cedar Springs via the Development Cooperation Agreement with Solon Township.
7. Subject to approval from EGLE for the detention pond.
8. Approval is contingent to a revised Site Plan showing the driveway going all the way to west property line.

Voice Vote 7-0

Motion Carried.

- B. White Pine Trail Overlay
 - i. B-2 Uses

C. Owens conducted discussion regarding what types of businesses to permit in the White Pine Trail Overlay.

Uses to permit:

- 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, clothing or, dry goods.
- b) Personal service establishments that performs services on the premises within a completely enclosed building, such as but not limited to repair shops and photographic studios.
- h) Restaurants, coffee shops, bakeries, taverns and similar retail food establishments including those with walk up window service and those which allow dancing, live entertainment, or the consumption of alcoholic beverages on the premises but not including such establishments with drive through facilities. Outdoor dining is permitted in accordance with Sections 40-465 and Section 470 herein. 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.
- i) Brew pubs,
- j) Farmers Market per Chapter 24 of the Code of Ordinances of Cedar Springs.
- m) Public and institutional uses such as libraries, museums, civic centers, and auditoriums.
- o) Video gaming establishments
- q) Outdoor display of merchandise subject to Section 40-444(5) herein.
- s) Municipal parking lots not directly associated with a principal use
- v) Parks, public open spaces, swimming pools and community building.
- w) Accessory uses and structures customarily incidental to the principal use.

Uses to permit by Special Land Use

- d) 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.
- e) Community centers owned and operated by a public or nonprofit agency.
- g) Municipal buildings, utility buildings and regulating substations and pressure control stations per Section 40-575(h) herein.
- o) Production of merchandise on the premises, provided that-such production shall not be detrimental either by odor, noise, vibration, or smoke to the nearest occupied dwelling.

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

A. Correspondence

- i. 1-30-2020 O'Reilly Engineer Report
- ii. 1-30-2020 O'Reilly City Planner Report
- iii. O'Reilly Handout provided at the 2-4-2020 Planning Commission Meeting
- iv. 2-4-2020 Kevin Green Letter
- v. 2-3-2020 Sue & Tim Wolfe Letter
- vi. Revised 4288 17 Mile Site Plan 2-4-2020
- vii.20 East Church Approval Letter
 - i. 20 East Church Facade

B. Staff Comments.

- i.City Manager
- None.

ii. City Clerk
None

C. Planning Commission Members.

Nixon asked for clarification on the site plan for O'Reilly, if the drainage was addressed. Does all the antifreeze and such go into the ground. **T. Johnson** responded that it was a requirement of EGLE.

C. Owens Thanked everyone and appreciated the input.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

None.

13. REPORT OF THE PLANNING CONSULTANT.

None.

14. ADJOURNMENT.

Watson motion, **H. Owens** seconded to Adjourn 8:45pm

Voice Vote 7-0

Motion Carried.

Shandell Napieralski, Deputy City Clerk

Craig Owens, Chairperson