



Cedar Springs Planning Commission Meeting

MINUTES

Tuesday, March 8, 2022

7:00 p.m.

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

1. **Conley** called the Meeting to Order at 7:01pm. The Pledge of Allegiance was recited.

2. ROLL CALL:

Mr. Jerry Hall	<u>Excused</u>
Mr. Matthew Hogg	<u>Present</u>
Mr. Jason Merlington	<u>Absent</u>
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Ms. Shandell Napieralski	<u>Present</u>
Mr. John Nixon	<u>Present</u>
Mr. Clint Conley	<u>Present</u>

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

Andrew Moore (City Planner), Michael Womack (City Manager), and Rebecca Johnson (City Clerk).

4. Motion to approve the minutes of the Regular Meeting February 1, 2022.

Motion by **Hogg** seconded by **Napieralski** to approve the minutes of the Regular Meeting February 1, 2022.

Voice Vote 4-0 Motion Carried.

5. APPROVAL OF AGENDA.

Motion by **Napieralski** seconded by **Hogg** to approve the agenda.

Voice Vote 4-0 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.

Dan Spitzbergen reported that the City has had a rental program that required rentals to register for about 15 years. He suggested that existing multifamily homes that are being currently inspected, be grandfathered in and give the opportunity for any others to come forward within a 60-90 day window without penalty. After that the city may want to develop a policy to then require homes to convert back to single family homes. He also had concern with the city removing the use and devaluing property.

Mandy Green echoed the comments of Dan Spitzbergen. She reported that she has 3 multifamily units that she has received a letter on. She has 40 homes in Greenville that are in a similar situation. She would like to see the homes grandfathered in.

7. CONFLICTS OF INTEREST AND EX-PARTE COMMUNICATION INQUIRY.

None.

8. SCHEDULED PUBLIC HEARINGS.

- a. Public Hearing For A Special Land Use For Calvary Assembly Of God, 54 N. Park Cedar Springs, MI 49319: The Applicant Is Seeking Special Land Use Approval For A Church. Parcel 41-03-30-315-014 Is Zoned R-1 (Residential), The Applicant Requests A Special Land Use Approval In That District For A Church.
 - i. Motion to approve of the Zoning Permit and Special Land Use for the proposed use of the 54 N. Park St. property as a Church
 - ii. Zoning Permit and Special Land Use Application
 - iii. 54 N. Park SLU 300-foot mailing labels and

Conley opened the public hearing at 7:13pm.

Womack reviewed the project. He reported that the required 2 acre minimum cannot be met. He recommended that the Planning Commission table the request and seek the City Attorney's opinion.

Public Comment:

Craig Owens represents Calvary Assembly of God. He shared how his congregation has taken ownership in the community by assisting the community with shoveling sidewalks, painting houses, fixing fences and more. He reported that the church has a proven record of being a good neighbor and that they plan to continue to do at the proposed location. He echoed the comments made by Mr. Womack and welcomed comments from the City Attorney.

Conley closed the public hearing at 7:17pm.

Motion by **Hogg** seconded by **Nixon** to table until we hear from our City Attorney regarding the steps moving forward for the acreage issue.

Voice Vote

4-0

Motion Carried.

- b. Public Hearing For A Special Land Use For Robert Rowland Sr., 38/39 E. Elm St Cedar Springs, MI 49319: The Applicant Is Seeking Special Land Use Approval For An Already Existing 3-dwelling Multifamily Unit . Parcel 41-03-30-308-008 And 41-03-30-308-007 Are Zoned B-2 (Central Business), The Applicant Requests A Special Land Use Approval In That District For A 3-dwelling Multifamily Dwelling.
 - i. Motion to approve of the Zoning Permit and Special Land Use for the continued use of the 38 and 39 Elm St. properties as a 3-unit multi-family home
 - ii. Zoning Permit and Special Land Use Application
 - iii. 38 and 39 Elm St. SLU 300-foot mailing labels
 - iv. Sec. 32-699 Uses- Q and R ordinance

Conley opened the public hearing at 7:20pm.

Public Comment:

Mark Hoskins represented as the seller's real estate agent. He reported that in 1990 there was a fire and the proper permits were pulled for the repairs. He also stated that Fred McIntyre also used the home as a triplex as late as the 1980's.

Sue Wolfe asked for consideration in allowing an existing use to continue and that it should not impact the use of the home because of the sale of the property. She would like to have the home grandfathered in so that the owner can continue to invest the property.

Conley closed the public hearing at 7:24pm.

Conley reported that the commission previously discussed and interpreted that in 32-699 (e3) the home could be permitted by special approval for the limited purpose of permitting the continued residential use of an existing dwelling notwithstanding other provisions. **Womack** reported that this scenario is only permitted in the B2 and B3 district. The commission must determine if the property meets the Special Land Use requirements and meet the minimum legal requirements for rentals. The major concerns of the city are meeting the minimum requirements for sidewalks, parking, driveway, lot size, bedroom size, living area size, on site storage, and requiring the combination of the two parcels. **Robert Rowland** reported that he has owned the property for 32 years and he has never had to provide sheds or parking lots and he doesn't plan on making any changes. **Womack** remarked that it doesn't matter who makes the required changes, but that either the buy or the seller must submit and follow through on the plans to make the required changes.

Motion by **Conley** seconded by **Nixon** to approve of the Special Land Use and Zoning Permit for the continued use of 38/39 Elm Street, a three unit multifamily home based upon our interpretation of 32-699 (e3) and subject to the following conditions:

1. Identify a minimum of six specifically marked parking spaces.
2. Parking area must meet the city's minimum requirements.

3. Driveway must meet the City's minimum requirements.
4. All bedrooms and living areas must meet the minimum IPMC requirements.
5. Both lots must be combined into one lot.
6. There must be 64 square feet per dwelling of outdoor storage provided.

Voice Vote

4-0

Motion Carried.

Consensus of the board agrees that there is no preference on who (buyer or seller) meets the standards of the Special Land Use and that the Zoning Administrator can give final approval and may consult the Planning Commission Chairperson if needed.

9. SITE PLAN REVIEWS.

- A. Site Plan Review Application for White Creek Flats Multi-family development at 14300 White Creek Ave.
 - a. Site Plan
 - b. Apartment Floor Plans and Facades
 - c. Landscaping Plan
 - d. Lighting Plan

Womack reviewed the initial site plan and reported that there may have some outstanding issues that need to be resolved. He reported that the project would be returning at the April meeting. **Wally Bulkowski** is a co-developer of the project and reported that progress is moving forward. **Conley** asked if the extension of Cherry Street would be part of the proposed project. **Womack** reported that there is no current plan for the extension of Cherry Street, but the City has worked on obtaining easements for the extension. He stated that the County has the right of way off of White Creek, which does not incentivize the City to install road way. There have also been discussions with the developer on the private/public use of the proposed road on the west side of White Creek extending eastwards.

10. OTHER BUSINESS.

- A. Proposed Pool Ordinance

Womack reported that the existing pool ordinance is out of date and he will bring it back for review at a future meeting.

- B. Sample Industrial Building Façade Requirements Ordinance
 - a. Current Nonresidential Design Requirements Ordinance

Womack reported that he and Mr. Moore will bring a proposed ordinance for review at a future meeting. He reported that board would like to minimize Commercial building standards, but not remove them for the industrial building standards.

- C. Discussion on zoning parking requirements ordinance
 - a. Current Parking Requirements Ordinance

Womack reported that the board has been working on this for a long time, but has not acted on it yet. He reported that the board wanted to explore a more flexible ordinance. He will bring back a proposed ordinance for a future meeting.

11. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA.

- A. Correspondence
 - a. 2022 Calendar
 - b. Williams and Works executed contract
 - c. List of known two-family and multi-family homes in B2-B3 zoning districts (not including accessory apartments)
- B. Staff Comments.
 - a. City Manager reported that some of these issues have been lingering for some time. He understands that there is not an easy solution. His job is to protect single family homes in the R1 district. He thanked the board for articulating the situation very well.
 - b. City Clerk welcomed Mr. Moore and reported that training season is beginning and she will send training information out to the board when trainings become available.
- C. Planning Commission Members.

Nixon thanked Mr. Conley.

Napieralski thanked Mr. Womack for continually guiding the board through these conversations. She welcomed Mr. Moore. She also thanked the Clerk for all of her hard work as well.

Hogg is thankful for the input from Mr. Womack and Mr. Moore on fixing some of these issues that may have been ignored.

Conley welcomed Mr. Moore. He reported that he cares deeply for creating a great place for people to live and do business. He appreciates the diverse opinions of the board. He looks forward upholding minimum requirements that will attract even more people and businesses to the community. It may be uncomfortable at times, but it is necessary to encourage growth.

12. REPORT OF THE CITY COUNCIL REPRESENTATIVE.

Powell reported that the blood drive would be next Tuesday, March 15th at the library and that anyone interested can sign upon the Versiti website.

13. REPORT OF THE PLANNING CONSULTANT.

Moore reported looking forward to working with the community and reviewed a PowerPoint presentation.

14. ADJOURNMENT.

Conley adjourned the meeting at 8:49pm.

Rebecca Johnson, City Clerk

Clint Conley, Chairperson