

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
REGULAR MEETING  
JANUARY 20, 2016**

Chairperson Schmidt called the January 20, 2016, regular meeting of the Planning Commission to order at 6:32 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Sue Bean, Renato Cerdena, Jennifer Cochran, Jane Johansen, John Schmidt, Tim Vogel

**EXCUSED** Richard Griffin

**ALSO PRESENT** Mark Sweppenheiser, Neighborhood Services Director  
Cindy Plautz, Neighborhood Services

There was 1 person in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Sue Bean, to approve the minutes of the November 18, 2015, Planning Commission with the attached corrections.  
Motion passed unanimously with all in favor.**

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**PUBLIC HEARINGS**

**Recommendation of Surplus Property: 114 N Warren Avenue (City owned parking lot north of the Post Office).**

Chairperson Schmidt reviewed the Public Hearing process for the audience.

Sweppenheiser reviewed the proposed recommendation of surplus property stating that the City Commission has recently referred many parcels to the Planning Commission for review and determination. He added that the 50' by 150' parcel (114 N Warren Avenue #54-17-362-004) is City owned and is zoned RP (Residential Professional). It is primarily used as overflow parking for the Post Office. The parcel does not contain any utilities.

**Chairperson Schmidt opened the Public Hearing at 6:36 p.m.**

Sweppenheiser, as the City's representative for the request, said that a lot of the properties that have been referred for determination are intended for future economic development. He said that the City would like to have a list of available properties for developers who come into town looking for property to develop.

A Position Paper from Assistant City Manager Mark Gifford included the following comments:

- 114 N Warren is not needed or used for any utility purposes.
- The public parking lot serves the businesses immediately adjacent to the property and can be used for overflow parking during a downtown event.
- The most likely use is in support of the Post Office or whatever future use may be undertaken in the building.
- Public Works does not currently have future plans for the property.

Staff recommends the parcel be considered as surplus property.

**Those Who Spoke in Favor of the Request:**

None heard.

**Those Who Spoke in Opposition of the Request:**

None heard.

**Written or Telephonic Communication Received by Staff:**

Sweppenheiser reported that the request was published three times in the PIONEER, but no public comments were received.

**Chairperson Schmidt closed the Public Hearing at 6:40 p.m. and the Commission entered into Fact Finding.**

Bean stated that she understands the concept of having property available for development but this parking lot is used a lot for Post Office business. It is sometimes full. She feels the proposed parcel is small and wondered in what manner it could be used. She asked who owns the other portion of the parking lot.

Sweppenheiser stated that the other portion is owned by the Federal Government and that a 24-foot wide building would be allowed on the proposed site.

Johansen stated that the property is zoned RP and the zone does not allow retail. She is leaning towards not recommending this property for consideration as surplus.

Bean asked who maintains the property and Sweppenheiser said he wasn't certain.

Bean questioned who would maintain the property if it was declared surplus and didn't sell, and Cochran wondered about the value of the property and what could be developed there.

Sweppenheiser said the Chamber could build there but they are not interested in the site. He said it could be office space or residential.

Vogel stated that there is an agreement between the City and the Post Office for use of this property and he wondered why we are pursuing recommendation for surplus property if the Post Office is still using it. He said that the City doesn't maintain the snow. The agreement spelled out who would maintain the property and we need to find and review it to determine what was agreed upon. Vogel believes that there is not enough information to move ahead with a recommendation.

Cerdena wondered about the disposition of the property. If it were declared surplus, would it remain vacant? Sweppenheiser said that a future use for the property has not been identified. If the property is declared surplus it would remain vacant until someone purchased it for development.

Vogel stated that the lots to the north are commercial and this property could be valuable as parking. He would like to review the City/Post Office agreement.

Schmidt stated that currently postal offices are changing and they seem to be smaller. He would like to see the building turned over to the Chamber, but the Post Office needs to be considered. He wondered who proposed this property to be determined surplus, to which Sweppenheiser answered "the City Manager".

Vogel said that if the area is to be redeveloped, the parking lot is critical to the Post Office.

Schmidt noted that during the last request for determination of surplus property, there was a question as to the property being used and maintained by another individual other than the owner over a long period of time and if that would establish adverse possession by State law. He added that the agreement also needs to be considered.

### **Motion**

**Motion was made by Tim Vogel, seconded by Sue Bean, to postpone the Public Hearing for recommendation of Surplus Property at 114 N Warren Avenue (City owned parking lot north of the Post Office) for more information pertaining to the agreement between the City of Big Rapids and the Big Rapids Post Office.**

**Motioned passed with Sue Bean, Renato Cerdena, Jennifer Cochran, Jane Johansen, John Schmidt and Tim Vogel in favor.**

## **GENERAL BUSINESS**

Dumpster Update – Cochran gave a review on the dumpster situation saying that she has been pursuing the involvement of FSU students via an adopt-an-alley program. She has spoken with the FSU Coordinator of Student Activities and explored the Bull Dog Sustainability Alliance. This group is committed to promoting recycling and sustainable practices, and Cochran feels they would be good partners.

She also reported on her “ride-along” with Republic, the City’s garbage disposal company. She thought it was very helpful and gained some insight into the dumpster vs. poly carts controversy and how each is handled by the company.

Cochran also met with some property owners to learn about their concerns and to obtain their input on the issues.

Some of the ways in which this problem could be addressed are through educating the students as to when and where the garbage is picked up, how to dispose of their garbage, encouraging recycling opportunities, getting the students involved in the issue, and paving the alleys.

Audience member Paul DesNoyers, president of the Big Rapids Property Owners Association, commented that property owners don’t automatically get a recycle bin when they choose to use a dumpster instead of poly carts.

Cochran explained that recycle bins are available upon request and there is a charge per unit for the bin.

Sign Regulations- Sweppenheiser presented possible text changes to the sign ordinance (attached). Changes are needed due to current changeable display signage and sign brightness.

The State Street Scoops sign is an issue as it is very bright and is located at an intersection. It has measured 130 nits. The owner has dimmed it considerably.

Sweppenheiser stated that the City Sign Ordinance needs to be reviewed and revamped. Doing this is a complex issue.

Vogel was concerned about what the City can enforce while at the same time not infringe on freedom of speech. The text is the issue, the size and brightness can be changed. He feels we need help from an expert.

Sweppenheiser said that the Ordinance has to be consistent for all signs – time and temperature signs have to comply also. It seems we can always be two steps behind on sign language.

Schmidt agreed that it is not “cut and dried”. He spoke to a sign company and they may be able to help with the issue. They will be here on February 11, 2016. He also agreed that we can’t ignore text. If a display changes too quickly, it becomes “blinking”. Schmidt pointed out that the words *dusk* and *dawn* on number 5 of Sweppenheiser’s handout should be switched. Sweppenheiser commented that it is hard to go against the City Attorney’s opinion.

Sweppenheiser suggested getting all the sign owners together for their comments and start afresh with the sign language. Schmidt disagreed saying the City needs to determine the regulations for new signs and if old signs are changed they would need to conform. Sweppenheiser suggested that someone from this board needs to talk to the City Attorney and Schmidt said he would.

Cochran understands that freedom of expression plays a part in this issue, but there is a responsibility to see that signs do not interfere with driver safety by being distracting. She inquired whether the Michigan Department of Transportation has any regulations regarding this point. She added that at the same time, the sign language needs to represent the needs of the community.

Sweppenheiser stated that the business owners need to be invited to express their opinions.

Schmidt said that he will contact the Michigan Department of Transportation for information and the West Michigan Regional Planning Commission to see if someone can come here to offer some insight. He would also like to ask the professionals, such as outdoor sign experts, for their comments.

Sweppenheiser commented that different sites have different variables such as line of sight, so it is difficult to come up with sign regulations. It’s not a “one size fits all” situation. He expressed that we need to do something. He suggested talking to the City Attorney and contacting Dave Bee of the West Michigan Regional Planning Commission for his suggestions.

Vogel said that Grand Rapids has figured it out for their downtown – a sign can only change every 5 minutes.

### CIP Committee

Schmidt explained the purpose of the CIP Committee and Sweppenheiser added that it is a balancing act involving the budget and projects that need to get done in the next fiscal year. It is helpful to have the City Treasurer sit in on the process.

The Committee will meet the first week of February for a walk through of the proposed projects. Then the Committee will meet with staff to hear the requests and make recommendations. Tim Vogel, Jennifer Cochran and Renato Cerdena volunteered to serve on the Committee.

Training Opportunity

Sweppenheiser handed out Michigan Association of Planning flyers outlining planning and zoning training opportunities. Planning Commission members are free to attend one class and the City will pay for the training.

**Motion was made by Tim Vogel, seconded by Sue Bean, to adjourn the meeting. There being no further business, Chairperson Schmidt adjourned the meeting at 7:45 p.m. with all in favor.**

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary