

**CITY OF BIG RAPIDS  
PLANNING COMMISSION MINUTES  
September 21, 2016**

Vice-Chairperson Cerdena called the September 21, 2016, regular meeting of the Planning Commission to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Sue Bean, Renato Cerdena, Jennifer Cochran, Paul Jackson, Tim Vogel,

**EXCUSED** John Schmidt

**ABSENT**

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

There were 4 people in the audience.

**APPROVAL OF MINUTES**

**Motion was made by Tim Vogel, seconded by Paul Jackson, to approve the minutes of the August 17, 2016, meeting of the Planning Commission as presented.**

**Motion passed unanimously with all in favor.**

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

None

**PUBLIC HEARINGS**

**Site Plan Review for 502 N State Street to redevelop 6,000 sq. ft. of office space with 31 parking spaces (Gary Gerber/Gerber Construction)**

Vice-Chairperson Cerdena reviewed the Public Hearing procedure for the audience.

**Vice-Chairperson Cerdena opened the Public Hearing for Site Plan Review for 502 N State Street at 6:34 p.m.**

Sweppenheiser introduced the request saying that applicant, Gary Gerber of Gerber Construction, is requesting approval to redevelop 502 N State Street. Two-thirds of the building

will be demolished and one-third will be redeveloped. The plan needs to come before the ZBA to allow for accessible access to the building. Application has been made to request a zero front setback.

The southern portion of the existing structure will be demolished and 6,000 sq. ft. will be rehabbed to provide office space. Parking will be constructed where the demolition will occur.

The property is zoned C-3 and an office is a principal use in the district. The storm water plan has been approved. Application has been made to the ZBA to allow a zero front setback.

Staff recommends approval of the site plan dated September 1, 2016 on the condition that the ZBA grants a setback variance and MDOT has approved the curb reconfiguration on State Street.

### **Applicant Statement**

Gary Gerber of Gerber Construction is requesting approval to redevelop 502 N State Street. Marlies Manning is designing the landscaping. The plan is included. Financing is lined up and the Social Security Administration will have a 5-year lease with a 5-year option. The redevelopment is scheduled to be complete by early next winter.

Gerber stated that he is from Reed City and teaches at FSU. He has been working on finding a spot for the Social Security Administration for a couple of years and believes that this is a good spot. He stated that his company recently worked on Osceola State Bank.

**Those Who Spoke in Favor:** Bill Routley, Mecosta County Commissioner, agrees that this will be a good use of the building and he looks forward to seeing it finished.

**Those Who Spoke in Opposition:** None

**Written or Telephonic Communication Received by Staff:** None

**Vice-Chairperson Cerdena closed the Public Comment portion of the Hearing at 6:40 p.m. and the Planning Commission entered into Fact Finding.**

Vogel asked why the variance was needed and Sweppenheiser explained that an 8 ft. 4 in. canopy is needed for a Handicap Accessible ramp and it would be non-complying with the Zoning Ordinance by 8 feet. MDOT has been contacted for eliminating the curb cut on the northwest end of the property. They are happy to get rid of it.

Bean stated that it looks like a great project and added that the landscaping looks good.

There is a dispute over 7 to 8 feet on the north lot line which would jeopardize the proposed landscaping.

## **MOTION**

**Motion was made by Tim Vogel, seconded by Sue Bean, to approve the site plan dated September 1, 2016, for redevelopment of 502 N State Street on the condition that the ZBA grants a setback variance and MDOT approves the curb cut reconfiguration on State Street.**

**Motion passed with Sue Bean, Renato Cerdena, Jennifer Cochran, Paul Jackson, and Tim Vogel in favor.**

## **Public Hearing: Recommendation of Surplus Property: 1509 Catherine Street**

### **Vice-Chairperson Cerdena opened the Public Hearing for Surplus Property recommendation at 6:45p.m.**

Sweppenheiser reviewed his Position Paper saying there have been several surplus property recommendations recently. The property, 1509 Catherine Street, was acquired from the school district and is adjacent to Northend Riverside Park property. It is an alternate access to the park.

Bill Routley is interested in buying 10 feet of property adjacent to his property at 1491 Catherine as his driveway encroaches on 1509 Catherine.

There is potential for development related to the park on this property. This request is similar to the request of Peg Brennan to purchase only part of a parcel being considered for surplus property designation. The portion Routley is interested in buying would not meet minimum size restrictions for a parcel. When a property is determined to be surplus and is available for sale, there is a bidding process making the property available to anyone. To declare this property surplus to benefit one person is not following the bidding process.

Routley stated that he used to live at 1601 Catherine which is north of 1509 Catherine. He sold it and bought 1491 Catherine which was an eye sore. When it was built in 2006, the required set backs were barely there. There is not enough room for a garage and 2 car driveway. He would like to purchase 10 feet of the property as currently his driveway encroaches on the City owned property by 1 foot. He is not in favor of purchasing the entire parcel.

**Those Who Spoke in Favor:** None

**Those Who Spoke in Opposition:** None

**Written or Telephonic Communications Received by Staff:** None

**Vice-Chairperson Cerdena closed the Public Hearing at 6:57p.m. and the Commission entered into Fact Finding.**

Sweppenheiser said that the lot frontage of 1509 Catherine is 120 feet and it is considered buildable.

Jackson stated he agrees with Mark Gifford's Position Paper (Attached). There is a State Law that governs surplus municipal property that says the sale of which has to include an open bid process. The proposed sale would constitute a closed bid.

A legal size property is a minimum of 75 feet wide and 100 feet deep. The portion proposed to be sold to Routley does not meet this standard.

Sweppenheiser added that a detached garage needs to be located in the back yard.

Vogel asked if property on the other side would be available to purchase. It is owned by Roy Gruenberg and he would not be interested.

The Commission discussed the possible sale of the whole parcel but Routley would not be interested in purchasing the entire property.

This property is not currently included in the Master Plan and it is not included within Northend Riverside Park.

To create a non-conforming parcel that does not meet size requirements is illegal. To sell to a specific buyer does not follow the bid process.

Bean asked about a deeded access. Cochran added that she is concerned about setting a precedent. Bean would like to hear more input from Attorney Williams.

Vogel asked how long the driveway has been there and Routley said since 1959. Bean asked about reverse possession. The Public Schools owned the property before the City.

Vogel agrees with Gifford's Position Paper and it should not be determined as Surplus Property.

Sweppenheiser said that a boundary adjustment is an option, but he is not sure about it. Bean would like to table the request for more input from Williams.

It was suggested that Routley go for a variance to locate the garage 1 foot from the property line. He decided to pursue this option.

## **MOTION**

**Motion was made by Tim Vogel, seconded by Paul Jackson to recommend to the City Commission that the parcel identified as 1509 Catherine should not be determined Surplus Property.**

**Motion passed with Sue Bean, Renato Cerdena, Jennifer Cochran, Paul Jackson and Tim Vogel in favor.**

## **GENERAL BUSINESS**

### **Master Plan Focus Areas**

The Commission discussed the Master Plan Focus Areas. At the last meeting they spoke about Focus Area #2. Vogel asked if this selection is still valid and if it will be included in the new Master Plan. Sweppenheiser stated that we are just doing a Master Plan up-date and not a full blown re-do. The goal is to look at a focus area every 1 1/2 to 2 years. There is no urgency to move forward. He stated that Focus Area #4 has already been completed. It was changed from R-3 to R-P.

Cochran suggested that she couldn't offer an opinion given her current knowledge and suggested a sub-committee be formed to consider Focus Area #2. Sweppenheiser added that the Housing Commission owns both parcels and would like to add the small rectangular parcel. The parcels are currently zoned R/3 and they would like to re-zone them to R/1. The proposed time frame for the Housing Commission to get started on this project would be 1 to 2 years. Sweppenheiser added that their plan is to develop single family housing at market rate as well as affordable rate.

Sweppenheiser suggested that the Commission members should visit the sites to form their opinions. Focus Area #2 matches the goal of the Housing Commission. Focus Area #1 could have a benefit on the surrounding area.

Cerdena asked about the probability of Focus Area 3 as an office or restaurant site.

Sweppenheiser said the City doesn't think much of developing that area due to the smell emitting from the Waste Water Treatment Plant across the river. It is low on the list.

Cochran suggested a drive-around to try to make a determination as to which area they would recommend the City address.

Cerdena wondered how these areas were suggested in the first place.

The Commission discussed possible ways of selecting a Focus Area:

- 1) Get help form experts,
- 2) Get public input (but Public Hearing attendance is generally meager),

- 3) Post on City Website,
- 4) Identify stake holders in each area.
- 5) Ride-around to brain storm – invite Commission and Staff.

### **Adopt-an-Alley**

Cochran reported recent FSU Bulldog Sustainability Alliance (BSA) and FSU Student Government Association (SGA) activities saying that she met with the various representatives who are planning a clean-up on October 15, 2016. They will advertise the event. They intend to involve the community and would like to get the RSO's involved too.

They are also working on setting up a calendar of clean up dates and want to get the word out about their project and report on their progress. She met with the Dean of Student Life and they will be looking into signs that will designate the name of the group responsible for cleaning a particular "adopted" area. They would like this effort to continue (on and off campus) and would like to see Ferris offer information on recycling starting with incoming freshmen. After clean-up efforts, they would like to be able to leave trash bags at the ends of the alleys and have Republic pick them up.

There being no further business, Vice-Chairperson Cerdena closed the Planning Commission meeting at 7:50 p.m. with all in favor.

Respectfully submitted,

Cynthia J. Plautz  
Planning Commission Secretary