

**CITY OF BIG RAPIDS
PLANNING COMMISSION MINUTES
MAY 18, 2016**

Acting Chairperson Vogel called the May 18, 2016, regular meeting of the Planning Commission to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

PRESENT Sue Bean, Jennifer Cochran, Paul Jackson, Chris Jane, Tim Vogel

EXCUSED Renato Cerdena, John Schmidt

ABSENT

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

There were 2 people in the audience.

APPROVAL OF MINUTES

Motion was made by Jennifer Cochran, seconded by Sue Bean, to approve the minutes of the April 20, 2016, Planning Commission meeting as presented.

Motion passed unanimously with all in favor.

PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA

None heard.

PUBLIC HEARINGS

Acting Chairperson Vogel outlined the Public Hearing process for the audience.

Recommendation of Surplus Property: 1002 N. Fourth Avenue

Acting Chairperson Vogel opened the Public Hearing at 6:32 p.m.

Sweppenheiser introduced the request by saying that this property has been previously referred to the Planning Commission for Surplus Property determination in 2012. At that time there was a title issue which has since been resolved and the City Commission would like the Planning Commission recommendation again since the title is now clean. The property is zoned R-2 and

is 1.153 acres in size. The property's neighbors may have an interest in the parcel but if it is determined to be surplus property, it would go through a bid process in which the property would go to the highest bidder. There is a possibility that the property could be split into buildable parcels. To be considered buildable it must be 7,500 sq. ft.

Jackson asked if the City is proposing to split the property. Sweppenheiser said it could be a recommendation of the Planning Commission. Bean asked why this issue is back before the Planning Commission as it was determined at the last request for recommendation that the parcel served as a nice buffer between the factory and the residential properties, and Sweppenheiser said it was referred by the City Commission. Jane asked if it is thought that Wolverine would want it for parking and Sweppenheiser said no proposal has been made by Wolverine as yet. The City has also considered splitting the parcel for the purpose of making it available to the property owner to the north (Brennan) so a buffer could be retained.

Those Who Spoke in Favor

At this point, Peg Brennen, 1038 N. Fourth Avenue, had some questions but made it clear that she was not speaking in support. She stated that she was confused as to what the City wanted to accomplish. Sweppenheiser said the issue before the Planning Commission tonight is to determine if the property is surplus – it is not a request to rezone.

Brennen stated that the City Manager was talking about a lot split so that her property line could be squared off giving her a more reasonable lot shape and buffer to the parcel in question. Sweppenheiser again said that that is not what is before the Commission tonight. Brennen asked that if Wolverine wanted the parcel for parking, would it need to be rezoned. Sweppenheiser said yes, unless the City Attorney said otherwise. It does not meet the definition for allowable parking as it must be immediately adjacent or across an alley to the parent property.

Those Who Spoke in Opposition

None

Written or Telephonic Communications Received by Staff

None

Acting Chairperson Vogel closed the Public Hearing at 6:45 p.m. and the Planning Commission entered into Fact Finding.

The Planning Commission was still interested in knowing why this particular property was back before them for recommendation. Sweppenheiser said that at the time it was referred, he didn't remember it was previously referred in 2012. When asked if it was for Wolverine, he said he didn't know but they would probably be interested.

Jane asked about the criteria for making a decision and Sweppenheiser said that there is no set criteria. Vogel added that they are responsible to listen to the comments made by the public and staff to help them make a decision.

Bean noted that staff did not include a recommendation.

Cochran asked what the pros and cons would be if the property was declared surplus. Sweppenheiser answered that currently no taxes are gained by the City, the City has no current use for the property and has no future plans for the property. The Housing Commission could possibly be interested in it. Bean added that it could be made available for purchase by bid. She added that it could be rezoned for parking and again added that previously the Commission decided that it serves as a buffer between industry and residential areas.

Vogel asked if there was public comment at the previous request and Sweppenheiser said that there was a lot. It lacked a reason to be declared surplus but it also had a title issue which has since been resolved. He added that the process for declaring public grounds as surplus must be followed.

The Commission discussed splitting the property and the idea of “squaring off the north end of the property.” To declare a 10-foot section as surplus would not be following the process as that would be benefitting one individual. If the property were to be split, both sections would have to go through the bidding process.

Vogel stated that there is a need to listen to the public and then decide. With no new reason or information to declare the property as surplus, the position to deny still holds. He suggested waiting for a plan and then decide if the property is surplus or not.

Bean agreed and said nothing has changed (no new information) since the last request. She said it seems as if the city is working under the radar to make the property what they want it to be.

Jackson added that currently, the City has no use for the property and in 2012 it was not declared surplus but rather had value as a buffer zone. He wondered why the City hasn't landscaped the area. Sweppenheiser said the area contains mature trees.

There was no input from the residents who live across the street from the property.

MOTION

Motion was made by Sue Bean, seconded by Paul Jackson, to recommend to the City Commission, that based upon there being no new information, 1002 N. Fourth Avenue, Parcel #54-17-11-124-007, shall not be declared surplus property.

Motion passed with Sue Bean, Jennifer Cochran, Paul Jackson, Chris Jane and Tim Vogel in favor.

Bean reiterated that if the City goes forward with declaring this property as surplus, and wants to keep Brennan's interest in mind, it would still go to the bid process and the highest bidder would get the property.

Recommendation of Surplus Property: 119 Second Avenue

Acting Chairperson Vogel opened the Public Hearing at 7:10 P.M.

Sweppenheiser introduced the request by saying that this property was part of the Buy Back the Neighborhood Program. The structure was torn down as it was not in good condition. It is a very small lot – 25' X 122'.

The City is looking at all the City owned property and trying to determine what is not necessary to keep in its ownership. It has determined that it makes no sense to own this parcel. The neighbor mows the property. Perhaps either the Housing Commission, who owns the property to the north or the neighbor to the south will be interested in bidding on it. The City would only receive minimal property taxes on it but there is no reason to keep ownership. The property is zoned R-2 and there are no utilities on it.

Those Who Spoke in Favor of the Recommendation

None

Those Who Spoke in Opposition of the Recommendation

None

Telephonic or Written Communication Received by Staff

None

Acting Chairperson Vogel closed the Public Hearing at 7:15p.m. and the Commission entered into Fact Finding.

Jackson asked if the parcel was buildable. Sweppenheiser said that the Zoning Ordinance does allow a reduction in side yard setbacks to 7.5 feet. The house would have to be very narrow.

If the Housing Commission is interested in buying the parcel they could combine it with their property to the north. The property owner to the south could also add it to his property.

MOTION

Motion was made by Chris Jane, seconded by Jennifer Cochran, to recommend to the City Commission that 119 Second Avenue, Parcel #54-17-11-381-005 be considered as surplus property.

Motion passed with Sue Bean, Jennifer Cochran, Paul Jackson, Chris Jane, and Tim Vogel in favor.

GENERAL BUSINESS

The question arose that if 1002 N Fourth were determined to be surplus property and it were split, would each parcel need to be a legal sized parcel. Sweppenheiser said it can't be split into a non-conforming parcel. One parcel could be re-zoned and the other could stay R-2 and could be used for a buffer.

There being no further business, Acting Chairperson Vogel adjourned the meeting at 7:23 p.m. with all in favor.

Respectfully submitted,

Cynthia J. Plautz
Planning Commission Secretary