

Council Chamber  
Henry L. Brown Municipal Bldg.  
One Grand Street  
Coldwater, Michigan



April 18, 2022  
5:30 p.m.  
(517) 279-9501  
[www.coldwater.org](http://www.coldwater.org)

## PLANNING COMMISSION MINUTES REGULAR MEETING

### ROLL CALL

Chairman Garn called the meeting to order with the following Commissioners present: Jessika Cole, Councilmember Michael Beckwith, Salwa Alsuraimi, Chris Stevens, Patty DeGroot, Mayor Kramer, Dave Rumsey and Andrew Cameron.

**Members Absent:** None.

**Others present:** Dean Walrack, Shauna Chávez, Katie Higgs, Audrey Tappenden plus two others.

1. Minutes of the Regular Meeting of March 7, 2022.

**Commission Action:** Motion by Commissioner Stevens, seconded Commissioner Cole, to approve and place on file the minutes of the Regular Meeting of March 7, 2022, as presented.

Ayes: 9

Nays: 0

Motion carried.

### PUBLIC COMMENTS (unrelated to items on the agenda)

Audrey Tappenden – Local business El Taco Loco is the recipient for the Match on Main, with the DDA providing sub-grant of \$18,000.

### PUBLIC HEARING

2. RZN 22-01: A proposal to consider rezoning two acres of vacant land currently zoned Coldwater Township GB General Business District to City of Coldwater C-4 General Business District in accordance with Section 7.11 of the City of Coldwater Zoning Ordinance.

Chairman Garn opened the public hearing at 5:33 pm.

A Request from CWBC Properties, LLC to consider rezoning the vacant parcel located on N. Willowbrook Rd. from Coldwater Township GB General Business District to City of Coldwater C-4 General Business District. The property is directly adjacent to 18 acres of land zoned C-4

General Business District and also owned by the applicant. The applicant has received Special Land Use permission to operate a multi-family residential dwelling on the adjacent property and has applied for permission to expand that use onto this parcel. A site plan which includes this property has received administrative approval pending the subsequent award of this Rezoning and Special Land Use permission.

The site is bordered on all sides by commercial uses on all sides. The vacant land to the north is being developed for multi-family residential use and this site is intended to be incorporated into that development.

#### INTENT

Section 3.1.10.A C-4 General Business District: This Zoning District is intended to satisfy the land needs for a wide range of business uses and to cater to the needs of a larger consumer population than is served by the other commercial business districts.

#### STAFF COMMENT

After review, staff notes the following:

1. The Special Land Use Permission was granted by the Coldwater Planning Commission to the original 18 acres of this project on November 15, 2021.
2. The accompanying site plan has received Administrative Approval.
3. The City of Coldwater and Coldwater Township agreed upon a jurisdictional transfer agreement to move this property into the City of Coldwater on April 11, 2022.
4. A rezoning to C-4 General Commercial district will need to be approved by the Coldwater City Council.

#### PUBLIC COMMENT

- None.

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on April 2, 2022 as required by law.

Chairman Garn closed the public hearing at 5:39 pm.

**Commission Action:** Motion by Commissioner Cameron, seconded by Commissioner Cole, to recommend to the Coldwater City Council the request to rezone the property from Coldwater Township GB General Business District to City of Coldwater C-4 General Business District, as presented.

Ayes: 9

Nays: 0

Motion carried.

### **PUBLIC HEARING**

3. SUP22-04 A request from CWBC Properties, LLC to consider a Special Land Use Permit for the construction and operation of a Multi-Family Residential in a C-4 General Business District located at 421 N. Willowbrook Rd., Coldwater, MI.

Chairman Garn opened the public hearing at 5:39 pm.

A special land use permit is required for this project by Section 3.1.10.C of the Zoning Ordinance. Section 6.2 (Special Land Uses chapter) of the Zoning Ordinance states that: "The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code."

CWBC Properties is proposing a 312-unit multi-family residential development on a 20.34 acre site. It will include 10 new three-story buildings, a one-story clubhouse with pool, and eight garages. There will be parking for 551 vehicles. The development will consist of 174 one-bedroom units and 138 two-bedroom units.

This project was reviewed at the November 15, 2021 meeting of the Coldwater Planning Commission and the adjacent 18 acres received Special Land Use permission. The accompanying site plan included this two-acre parcel at that time.

This property was transferred from the jurisdiction of Coldwater Township to the City of Coldwater on April 11, 2022. A rezoning of the property to C-4 General Business District will also be required for this development.

Please find below all existing language from the city's zoning code as it pertains to this application

#### **Section 3.1.10.A C-4 General Business District Purpose and Intent of District**

This Zoning District is intended to satisfy the land needs for a wide range of business uses and to cater to the needs of a larger consumer population than is served by the other commercial business districts.

#### **Section 3.1.8.C C-4 General Business District Special Land Uses**

The following uses may be permitted, but are subject to the provisions and conditions outlined in Section 6.2 (Special Land Uses):

12. Multi-family dwelling as primary use.

#### Section 6.2.D Special Land Uses - Basis of Determination

Discretionary General Standards. The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code:

1. The special land use shall be harmonious with and in accordance with the general objectives, intent and purposes of this Code.
2. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of existing and future land uses on adjacent property and the surrounding area.
3. The special land use shall not change the essential character of the surrounding area.
4. The special land use shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare.
5. The special use shall be required to be served by public sanitary sewer and water supply systems when available or other systems approved by the Health Department, and served adequately by other essential public facilities and services; such as highways, streets, drives, sidewalks, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately all such services. Further the special use shall not place demands on public services and facilities in excess of current capacity.

#### STAFF COMMENT

After review, staff notes the following:

1. The Special Land Use Permission was granted by the Coldwater Planning Commission to the original 18 acres of this project on November 15, 2021.
2. The accompanying site plan has received Administrative Approval.

3. The City of Coldwater and Coldwater Township agreed upon a jurisdictional transfer agreement to move this property into the City of Coldwater on April 11, 2022.
4. A rezoning to C-4 General Commercial district will need to be approved by the Coldwater City Council.

As a Special Use Permission request, the Planning Commission may place additional requirements upon an applicant if they feel it is necessary to preserve the public interest and the interest of nearby properties.

#### **PUBLIC COMMENT**

- None.

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on April 2, 2022 as required by law.

Chairman Garn closed the public hearing at 5:45 pm.

**Commission Action:** Motion by Commissioner Cole, seconded by Councilmember Beckwith, to approve the Special Land Use permission request for Multiple-Family Dwelling to CWBC Properties, LLC, as the proposed use will be bound to all Specific Requirements for Special Land Uses in Section 4.21, and pursuant to the Coldwater City Council's rezoning of this property to C-4 General Business District, plus the following conditions, as presented.

- City Council approval.
- City of Coldwater and Coldwater Board of Public Utilities staff and consultants review and approval of respective site details.
- City of Coldwater Planning & Zoning Administrator's review and approval of landscaping plan.
- Soil Erosion and Sediment Control permits and plans are submitted and approved.
- All required sidewalks must be installed at such time that the City of Coldwater's pedestrian network extends to this site or the Planning Commission deems installation necessary.

Ayes: 9

Nays: 0

Motion carried.

#### **OLD BUSINESS**

- None.

**NEW BUSINESS**

4. Resolution 22-35: 2023 Meeting Dates of the Planning Commission

**Commission Action:** Motion by Commissioner Alsuraimi, seconded by Commissioner DeGroot, to adopt Resolution No. 22-35 (attached in Addendum A), as presented.

Ayes: 9

Nays: 0

Motion carried.

5. Planning Commission By-Laws and Rules of Procedure.

**Commission Action:** None – Discussion only, with an updated version to be brought back to a future meeting.

6. 2021 Annual Report of the Planning & Zoning Administration.

**Commission Action:** None – Presentation only.

**ADJOURNMENT** – Next Meeting Monday, May 2, 2022.

Noting no other business to come before this Commission, Chairman Garn, adjourned the meeting at 6:19 p.m.



Shauna Chávez  
Deputy City Clerk

**CITY OF COLDWATER  
RESOLUTION NO. 22-35**

**A RESOLUTION REGARDING THE 2023 MEETINGS OF THE COLDWATER PLANNING COMMISSION:**

**WHEREAS**, pursuant to Section 5(2) of Act 267 of 1976, the Open Meetings Act, the Coldwater Planning Commission must establish and post notice of its regularly scheduled meetings; and

**WHEREAS**, regular Planning Commission meetings are held at 5:30 p.m. local time on the **first Monday** of each month in the Coldwater City Council Chamber located at One Grand Street, Coldwater, Michigan, unless otherwise stated; and

**WHEREAS**, a regular meeting may be rescheduled or canceled or a special meeting may be called upon eighteen (18) hours posted notice; and

**WHEREAS**, the City of Coldwater will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one week's notice to the City Clerk's office by writing or calling the following: City Clerk, One Grand Street, Michigan 49036, (517) 279-9501; and

**WHEREAS**, questions regarding meetings should be directed to the Planning and Zoning Administrator at One Grand Street, Coldwater, Michigan, (517) 279-6926;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

That the **Coldwater Planning Commission Meetings for 2023** are scheduled for the following dates:

January 2  
February 6  
March 6  
April 17 **3**  
May 1  
June 5  
July 17  
August 7  
September 18  
October 2  
November 20  
December 4

AYES: 9  
NAYS: 0  
ABSENT: 0

Dated: \_\_\_\_\_



Aaron Garn, Chairman

Dated: 4/18/2022