

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



October 3, 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: Dave Rumsey, Andrew Cameron, Jessika Cole, Patty DeGroot, and Mayor Kramer.

### Members Absent:

**Commission Action:** Motion by Commissioner Cole, seconded by Commissioner DeGroot, to excuse the absence of Commissioners Salwa Alsuraimi, Chris Stevens, and Councilmember Michael Beckwith, as presented.

Ayes: 6

Nays: 0

Motion carried.

**Others present:** Dean Walrack, Shauna Chávez; Don Reid, Dave Neitzert, Dan Corwin, Gary Owen, Chuck Wood, and Pete Schwiegeraht, plus one more.

1. Minutes of the Regular Meeting of September 6, 2022.

**Commission Action:** Motion by Commissioner Rumsey, seconded by Commissioner DeGroot, to approve and place on file the minutes of the Regular Meeting of September 6, 2022, with the corrected August meeting date and an email comment from Dave Rumsey (attached in Addendum A), as presented.

Ayes: 6

Nays: 0

Motion carried.

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

- None.

## **PUBLIC HEARING**

Mayor Kramer requested to recuse himself due to a conflict of interest.

**Commission Action:** Motion by Commissioner Cole, seconded by Commissioner Cameron, to allow Mayor Kramer to abstain from the vote on this item, as presented.

Ayes: 5

Nays: 0

Abstain: 1 Mayor Kramer

Motion carried.

Chairman Garn opened the public hearing for SUP22-07 at 5:47 p.m.

2. SUP22-07 Special Land Use- Multi-Family Dwelling in C-2 at 55 N. Hanchett St. (moved to item number 2 in the agenda).

SUP 22-07 A request from DWV Properties, LLC, to consider a Special Land Use Permit petition in accordance with Section 6.2 of the City of Coldwater Zoning Ordinance for the operation of a Multiple-Family Dwelling as a Primary Use for the property located at 55 & 59 N. Hanchett St., Coldwater, MI.

## **PUBLIC COMMENT**

- None.

Dave Neitzert, a representative of the company was on hand to answer commissioners' questions.

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on September 16, 2022, as required by law.

Chairman Garn closed the public hearing for SUP22-07 at 5:58 p.m.

**Commission Action:** Motion by Commissioner Cole, seconded by Commissioner Cameron, to approve the Special Land Use permission request for Multiple-Family Dwelling as a Primary Use to DWV Properties, LLC for the property located at 55 & 59 N. Hanchett St., as presented.

Ayes: 5

Nays: 0

Abstain: 1 Mayor Kramer

Motion carried.

## **PUBLIC HEARING**

Chairman Garn opened the public hearing for RZN22-02 at 6:00 p.m.

3. RZN22-02 Conditional Rezoning- A-1 to A-3 at 95 S. Fremont St. (moved to item 3 in the agenda).

A Request from MVAH Partners and Coldwater Community Schools to consider conditionally rezoning the 9.25-acre property located at 95 South Fremont Street from A-1 One-Family Residential to A-3 Multi-Family Residential. The applicant has a purchase option on the site and authorization from the property owner to seek this rezoning.

## **PUBLIC COMMENT**

- Administrator Walrack received one verbal public comment from Lela Ash in opposition to RZN22-02.
- Dan Corwin, 22 Lilly St., spoke in opposition of RZN22-02.
- Chuck Wood, 225 W Pearl St., spoke in opposition to RZN22-02.
- Gary Owens, 110 Walnut St., spoke in opposition to RZN22-02.

Pete Schwiegeraht, a representative of the company was on hand to answer commissioners' questions.

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on September 16, 2022, as required by law.

Chairman Garn closed the public hearing for RZN22-02 at 6:34 p.m.

**Commission Action:** Motion by Commissioner Cole, seconded by Mayor Kramer, to recommend to City Council to approve the conditional rezoning request with the following conditions listed below, as presented.

- Timeframe: Two years from approval; October/November 2024.
- Housing Units: Maximum 48.
- Structure Height: Maximum one-story.
- Developed Space: Five acres.
- Access Point: S. Fremont St.

- Yard Setbacks: Minimum 50 ft. from residences and 25 ft. from the public park.
- Residents: Senior citizens of 55 years of age or older.
- Site Plan Review: Coldwater Planning Commission.

Ayes: 6

Nays: 0

Motion carried.

\*Commissioner Cole left at 6:50 p.m.

### **OLD BUSINESS**

- None.

### **NEW BUSINESS**

4. Master Plan Review Proposal – Southcentral MI Planning Council.

**Commission Action:** Motion by Commissioner Rumsey, seconded by Commissioner Cameron, to utilize Southcentral MI Planning Council for our Master Plan Review, as presented.

Ayes: 5

Nays: 0

5. Marihuana use prohibition in D-2 Heavy Industrial District – Commissioner Rumsey

**Commission Action:** Motion by Commissioner Rumsey, seconded by Commissioner DeGroot, to request feedback from City Council to remove Adult Use Recreational Marihuana Grow and Retail Establishments from the uses allowed by Special Land Use permission in the D-2 Heavy Industrial District, as presented.

Ayes: 5

Nays: 0

### **COMMUNICATIONS**

6. Approval Letter Site Plan Review SPR22-03
7. Approval Letter Special Land Use Permission SUP22-06

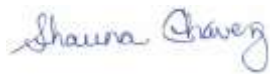
**Administrators Report**

8. Planning & Zoning Administrator Report – October, 2022.

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

**ADJOURNMENT** – Next Meeting Tuesday, November 21, 2022.

Noting no other business to come before this Commission, Chairman Garn, adjourned the meeting at 7:16 p.m.



Shauna Chávez  
Deputy City Clerk

## Planning Commission Minutes

rdavid.rumsey@gmail.com <rdavid.rumsey@gmail.com>

Mon 10/3/2022 11:12 AM

To: Walrack, Dean <dwalrack@coldwater.org>; Chavez, Shauna <schavez@coldwater.org>

Cc: Aaron Garn <aaron.garn@zetaone.com>; Kramer, Thomas <tkramer@coldwater.org>; Beckwith, Michael <mbeckwith@coldwater.org>

Dean & Shauna,

While reviewing the minutes, I did not see any reference to our lengthy discussion of the problem at Luedders Shoe store or dog and cats living downtown.

Since the minutes are the only permanent record of the planning commission meetings, I request the following be placed in the minutes:

After a lengthy discussion regarding the cat situation at Luedders Shoe store, the Tracy Kelley two year old complaint and dogs and cats living in the downtown business district residences, it was determined the planning commission really did not have any avenues to address the situation. It was requested Dean Walrack and potentially Keith Baker meet with Tracy Kelley to discuss the problem and situation. Also, the planning commission requested to be kept abreast of the cat situation at Luedders Shoe store.

Thank you,

Dave Rumsey

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