

MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
Tuesday, May 26, 2020 – 6:30 P.M.

City Manager Nathan Henne called the meeting to order and announced the meeting would be held as a Virtual Meeting due to the COVID-19 pandemic, under the authority of Executive Order No. 2020-15 of the Office of the Governor of the State of Michigan.

CALL TO ORDER: Chairman Wascher called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Recited

ROLL CALL: City Manager Nathan Henne/Recording Secretary Tanya Buckelew was present but muted

MEMBERS PRESENT: Chairman Wascher, Vice-Chair Livingston, Secretary Fear, Commissioners Law and Taylor

MEMBERS ABSENT: Commissioners Jenkins, Robertson and Yerian

OTHERS PRESENT: Justin Sprague, CIB Planning, Tom Cook and Anna Owens of Bailey Park Homes L3C and Christy Summers of Beckett & Raeder

APPROVAL OF AGENDA:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO APPROVE THE AGENDA FOR May 26, 2020.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO APPROVE THE MINUTES FOR THE February 24, 2020 MEETING.

YEAS ALL. MOTION CARRIED.

PUBLIC HEARINGS:

N Washington Street – Rezoning Request 2.373 acres on the SW corner of N Washington and Wesley Streets, RM-1 Multiple-Family Residential District-Low Rise to RM-1 Multiple Family Residential District-Low Rise with Planned Unit Development (PUD) overlay

Justin Sprague CIB Planners had the following findings:

The applicant is proposing to develop a 14-unit, single-family residential Planned Unit Development that would be permitted under the existing zoning but requires the flexibility that the PUD will be provided to meet certain approval requirements such as setbacks and property coverage requirements. The development will meet the density requirements of the RM-1 district, and the new housing to be constructed will help to relieve the current significant need for new, middle-income housing within the City of Owosso.

Our comments are based on a review of the information submitted by the applicant, a site visit, meetings with the applicant, discussions with the Planning Commission, and conformance to the City's Master Plan and Zoning Ordinance. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, relevant input from the public at the public hearing, additional information provided by the applicant, and your own findings based on ordinance standards as part of your deliberation and recommendation to City Council.

LOCATION AND DESCRIPTION

The subject parcel is located at the south-west intersection of Wesley and Washington. This area is a well-established residential area of the city and is near the Owosso High School and Middle School.

EXISTING LAND USE, ZONING AND FUTURE LAND USE

	Existing Land Use	Zoning	Master Plan
Subject Site	Vacant	RM-2, Multiple Family Residential	Multiple Family Residential
North	Single Family	R-1, One-family residential	Single Family
South	Office	OS-1, Office	Office
East	Single and two-family residential	R-3, Residential (Owosso Twp)	Residential
West	Residential	R-2, Two-Family Residential	Residential

DISCUSSION

In considering any petition for an amendment to the official zoning map, the planning commission and city council shall consider the following criteria in making its findings, recommendations and decision:

1. Consistency with the goals, policies, and future land use map of the City of Owosso Master Plan. If conditions upon which the master plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.

Finding – It is our opinion that this rezoning would not significantly impact the neighborhood, conflict with the overall goals of the Master Plan, or impact the intent of the Zoning Ordinance.

2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.

Finding – This site would be compatible with the host of uses permitted under the RM-1 Zoning Classification.

3. Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one (1) use permitted under the current zoning.

Finding – To our knowledge, no evidence exists showing that the applicant could not receive a reasonable return on investment through developing the property as multiple family. In this case, the applicant would prefer to utilize the flexibility afforded by a PUD to build single-family detached units as opposed to multiple family attached units. Either scenario is consistent with the density limits of the RM-1 district.

4. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

Finding – Since the underlying zoning district is not changing, only the flexibility of the district afforded by the PUD, we do not feel that there will be significant impact to the area based on existing uses. Traffic will increase slightly, and the applicant will be required to develop housing that is aesthetically-pleasing to the neighborhood.

5. The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."

Finding – Currently, water and sewer have not been extended to this site. The city is in process of developing a plan to extend the needed infrastructure to the site, which will be completed prior to any construction occurring on the property.

6. The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.

Finding – Middle-income housing is currently in high demand throughout the city. It has been found that this type of housing is currently the number-one needed type of housing across the state and has been a significant challenge for both communities and employers to address. This project could ease some of that demand for the City of Owosso.

7. The request has not previously been submitted within the past one (1) year, unless conditions have changed, or new information has been provided.

Finding – This application has not been previously before the City.

Standards for PUD zoning district review. The commission shall recommend approval, approval with conditions, or denial, and city council shall approve, approve with conditions, or deny the proposed PUD zoning district based on the following standards:

- A. The use or uses, physical characteristics, design features, or amenities proposed shall have a beneficial effect for the city, in terms of public health, safety, welfare, aesthetics, or convenience, or any combination thereof, on present and potential surrounding land uses. The beneficial effects for the city, which warrant the zoning, include, but are not limited to, features such as:
 - 1. Innovation in land use and variety in design, layout and type of structures that furthers the stated design goals and physical character of adopted land use plans and policies;
 - 2. Economy and efficiency of land use, natural resources, energy, and provision of public services and utilities;
 - 3. Provision of usable open space;
 - 4. Preservation and protection of natural features that exceeds ordinance requirements, especially for those features prioritized in the land development regulations as being of highest concern, or that preserves existing conditions instead of merely providing mitigation;
 - 5. Employment and shopping opportunities particularly suited to the needs of the residents of the city;
 - 6. Expansion of the supply of affordable housing; and
 - 7. The use and reuse of existing sites and buildings that contributes to the desired character and form of an established neighborhood.
 - 8. The reduction, to a significant extent, the nonconformity of a nonconforming use or structure so that the site is rendered nonconforming or less offensive to the character of the neighborhood and the health, safety and general welfare of the vicinity.
- B. This beneficial effect for the city shall be one which could not be achieved under any other zoning classification and shall be one which is not required to be provided under any existing standard, regulation or ordinance of any local, state or federal agency.

Finding – This development would be permitted under the current zoning district, however the density proposed would not work without the approval of several variances for front and side yard setbacks, as well as overall lot coverages. The proposed development under existing zoning would require the developer to build far less units in order to meet the requirements noted above.

C. The use or uses proposed shall not have a detrimental effect on public utilities or surrounding properties.

Finding – The proposed development will not have a detrimental effect on public utilities; however, utilities must still be extended to the site.

- D. The use or uses proposed shall be consistent with the master plan and policies adopted by the city or the applicant shall provide adequate justification for departures from the approved plans and policies.

Finding – We find that the proposed use is consistent with the master plan and PUD zoning classification. Due to the costs related to extending utilities to the site, as well as new sidewalk and other amenities, the applicant will need to maximize density on this site to offset development costs.

- E. If the proposed district allows residential uses, the residential density proposed shall be consistent with the plans and policies adopted by the city.

Finding – Under the current RM-1 zoning, the maximum density permitted would be roughly 21 units per acre. While a formal site plan still needs to be reviewed, the density of the proposed housing development would be 14 total units, 7 units less than what is permitted.

- F. The supplemental regulations shall include analysis and justification sufficient to determine what the purported benefit is, how the special benefit will be provided, and performance standards by which the special benefit will be evaluated.

Finding – The special benefit of utilizing the PUD at this site will be to allow higher density development which is needed to assist with offsetting costs related to development of the site, such as adding infrastructure and bringing water to this area of the city. In order to do this, the project requires the flexibility of the PUD to allow for reduced setbacks as a result of increased density.

- G. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the district shall be provided and, where feasible, the proposal shall encourage and support the use of alternative methods of transportation.

Finding – The proposed development is designed in a way to promote community building and walkability. The applicant is working with the city as well as Owosso Community Schools to receive grant funding from the Safe Routes to School program to extend sidewalk to the development site that will provide a much-needed walking route to the area schools from this site. The site is also within biking distance to many community amenities.

- H. Disturbance of existing natural features, historical features and historically significant architectural features of the district shall be limited to the minimum necessary to allow a reasonable use of the land and the benefit to the community shall be substantially greater than any negative impacts.

Finding – The existing site is predominantly clear of natural features and trees at this time. It is not anticipated that there will be any major disturbances of natural features or artifacts or materials of historic significance.

PUBLIC COMMENTS:

1. Tom Cook and Anna Owens – Bailey Park Homes, L3C – excited to be involved with this project and creating a new neighborhood in Owosso.
2. Christy Summers – Beckett and Raeder – this area has residential and both sides with a church to the north and the Shiawassee RESD to the south. 12' sidewalks, playground. City sidewalks and utilities need to be extended to this area. Also, have been working with Consumers Energy on the utility plan.
3. Justin Sprague - CIB Planning – this is a concept plan for tonight's meeting. If approved by Planning Commission and City Council, they would be required to come back with a full site plan review.

4. City Manager Nathan Henne – working with engineers on a possible plan to extend the utilities. This is a council decision on whether to extend or not and the costs involved. Also looking at other funding sources.
5. Mr. Atkinson of 1414 N Water – concerned regarding the infrastructure in the area, storm sewer/drainage as water does accumulate in area, are the streets adequate for construction traffic.
6. City Manager Nathan Henne – 15” storm sewer line connected with Washington Street. Engineers looking at depth of line to see if adequate. Goal would be improvements to street/curb/gutter but would need to be done after installation of water and sewer.
7. Justin Horvath – SEDP – support of project and is working on additional housing development for the area
8. Mr. Michaels – 110 Wesley – water stays in his yard when there is excessive rain. The pipe/catch basin overflows. Would want to see significant improvements so as not to make the problem worse.
9. Secretary Fear – what is the square foot range of homes? Between 1,100-1,300, 3 bed/2 bath. Additional parking? 1 spot under carport and 1 next to. Timeline? Now would be into next year due to pandemic. Condo bylaws/HOA’s would need to be approved by city.

RECOMMENDATION: Based upon the above comments, we recommend approval of the rezoning request for Bailey Park Homes L3C based on the following items;

1. That the request is not in conflict with the Master Plan or the Zoning Ordinance;
2. The site is compatible with uses in the proposed RM-1 Zoning District;
3. The applicant is not rezoning just to increase the return on investment of the property;
4. That infrastructure to the site is needed and must be added prior to any construction of the proposed use;
5. The request has not been previously submitted to the City for consideration;
6. That the application meets the intent and standards of approval for a PUD district within the City of Owosso; and
7. That site plan approval will be a condition of final PUD approval and is the next step of the PUD development process.

MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE REZONING REQUEST BASED ON THE ABOVE FACTS AND FINDINGS.

RCV ALL YEAS MOTION CARRIED

OLD BUSINESS: NONE

NEW BUSINESS: NONE

PUBLIC COMMENTS AND COMMUNICATIONS:

1. Justin Horvath – SEDP – thanks for approving the rezoning and Josh’s Frogs will be requesting a rezoning at the June meeting.
2. Secretary Fear asked about the master plan. Justin Sprague stated an updated version is coming out this week then they go out for feedback, but would Zoom meetings be appropriate for public comment or wait for COVID19 changes to allow a public meeting be held at city hall.

ADJOURNMENT

MOTION BY COMMISSIONER TAYLOR, SUPPORTED BY SECRETARY FEAR TO ADJOURN AT 7:30 P.M. UNTIL THE NEXT MEETING ON June 22, 2020, which will be a Virtual meeting. YEAS ALL, MOTION CARRIED.

Janae L. Fear, Secretary