

MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
Monday, February 24, 2020 – 6:30 P.M.

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

PLEDGE OF ALLEGIANCE: Recited

ROLL CALL: Tanya Buckelew

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

MEMBERS ABSENT: Commissioner Yerian

OTHERS PRESENT: Justin Sprague, CIB Planning, Gary Burke and Phil Hathaway, Friends of the Shiawassee River, Carrie Hoag, Owner of Trebor Industries

APPROVAL OF AGENDA:
MOTION BY COMMISSIONER LAW, SUPPORTED BY VICE-CHAIR LIVINGSTON TO APPROVE THE AGENDA FOR February 24, 2020.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO APPROVE THE MINUTES FOR THE January 27, 2020 MEETING.

YEAS ALL. MOTION CARRIED.

PUBLIC HEARINGS:

425 and 429 Hamblin – Rezoning Request .7 acres at 425 and 429 Hamblin from R-2, Two-Family Residential to I-1, Light Industrial - Owner Carrie Hoag, Trebor Industries

The two properties requested to be rezoned would be combined into one single parcel with a parcel located at 434 E. Howard Street where the principal light industrial business is located. The parcel identification numbers are as follows; 050-430-000-003-00, 050-430-000-002-00, 050-680-004-006-00.

Justin Sprague CIB Planners had the following findings:

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 – While the predominant land use to the east and south of the subject parcels remain residential, there are commercial uses nearby as well as industrial uses immediately adjacent to the north of these parcels. The applicant has indicated that they will not be expanding the industrial operations on this site and would be utilizing the site for additional storage purposes, specifically a storage shed already on site. It is our belief that this rezoning would not significantly impact the neighborhood, nor be in conflict with the overall goals of the Master Plan, nor 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 I-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 residential. In this case, the applicant would prefer to utilize the properties as a means to provide additional storage in association with the existing business already in the I-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 – Based on information from the applicant, we do not believe that there would be significant impact on surrounding property values if the properties are utilized in the way the applicant has stated. That is not to say that there couldn't be a significant impact in the future if these properties were ever developed for a higher intensity use beyond storage for the existing business. The Planning Commission will have to discuss the possibility of future development that would not be consistent with the surrounding land uses.

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 – There should be no issues with existing infrastructure being able to accommodate and service this site.

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 – We do not see an overwhelming demand for this use in relation to the amount of land already zoned I-1. This is not a situation of a new business looking to rezone property as an ideal site for their business. This is a case where a property owner currently owns all the parcels and would like to combine them to serve the business without a split-zone situation on their property.

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.

Based upon the above comments, CIB Planning recommends approval of the rezoning request for 425 and 429 Hamblin based on the following items;

1. That the request is not in overwhelming conflict with the Master Plan or the Zoning Ordinance;
2. The site is compatible with uses in the proposed I-1 Zoning District;
3. The applicant is not rezoning to increase the return on investment of the property;
4. That the Planning Commission understands that the proposed use may not be incompatible with surrounding land uses, but other uses in the I-1 district may be;
5. Infrastructure to the site is appropriate for the proposed use;
6. That the existing property owner owns all applicable parcels and would like to combine them into one contiguously zoned lot; and
7. The request has not been previously submitted to the City for consideration.

Residents that spoke during the Public Hearing:

1. Robert Shepard of 418 Hamblin called in to the Building Department that he is against the rezoning. If the lots were ever filled in, it would cause water issues as there is always standing water. Trebor is a mess and needs a fence around all of it.
2. Brian Heath of 426 Hamblin does not want to see the bins piled up from his front yard
3. Darlene Shepard of 418 Hamblin stated if the lots were used for additional storage, it would mean more of a vision block. Also related to the flooding issue.
4. Darlene Heath of 426 Hamblin does not want to see more of a storage mess
5. Cassandra Boulis of 423 Hamblin is concerned with flooding issues and does not want to see more bins

Owner of Trebor Industries, Carrie Hoag, explained her reasoning for the rezoning request. She stated her business lot is about 4' higher than the 2 lots and has no intentions of developing them. Once she removes the house on 425 Hamblin, she just wants to be able to keep the storage shed sitting on that lot. Ms. Hoag presented pictures to the board of her property and neighboring properties. These pictures will be given to the Code Enforcement Department.

Commissioner Robertson asked Ms. Hoag why she bought these lots. Ms. Hoag replied she bought on the city auction in order to clean up the neighborhood and the drug house.

Public Hearing closed

Further discussion regarding:

A recommendation to Council to not allow storage on these 2 lots, shed only
Special use to keep the shed as opposed to rezoning
Combination of the lots but keep the split zoning, would allow her to keep the shed

MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY COMMISSIONER LAW TO NOT APPROVE THE REZONING REQUEST DUE TO CONCERNS OF EXTENDING LIGHT INDUSTRIAL INTO A RESIDENTIAL AREA – SPOT ZONING.

AS AN ALTERNATIVE THE PLANNING COMMISSION IS RECOMMENDING THE FOLLOWING TO THE CITY COUNCIL:

1. **RECOMMENDS THE COMBINING OF THE LOTS WITH THE SPLIT ZONING.**
2. **ONLY THE SHED WOULD BE ALLOWED TO REMAIN ON THE VACANT LOT.**
3. **NO INDUSTRIAL STORAGE WOULD BE ALLOWED ON THE VACANT LOTS AS THEY WILL REMAIN ZONED AS RESIDENTIAL.**

RCV ALL YEAS MOTION CARRIED

OLD BUSINESS: NONE

NEW BUSINESS: NONE

PUBLIC COMMENTS AND COMMUNICATIONS:

1. Gary Burke and Phil Hathaway of Friends of the Shiawassee River discussed working on more trails and improve access to the downtown area from the river. Mr. Hathaway stated he would like to see the Planning Commission explore the idea of the city being a river town.
2. **2019 Planning Commission Annual Report per 125.319 (2) of the Michigan Planning Enabling Act 33 of 2008**

MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO ACCEPT THE 2019 PLANNING COMMISSION ANNUAL REPORT AND RECOMMEND SENDING TO COUNCIL.

YEAS ALL. MOTION CARRIED

ADJOURNMENT

MOTION BY COMMISSIONER TAYLOR, SUPPORTED BY COMMISSIONER ROBERTSON TO ADJOURN AT 7:35 P.M. UNTIL THE NEXT MEETING ON March 23, 2020.

YEAS ALL, MOTION CARRIED.

Janae L. Fear, Secretary

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