

**MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS - OWOSSO CITY HALL
TUESDAY MAY 26, 2015, 7:00 P.M.**

CALL MEETING TO ORDER: Chairman Wascher called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: was recited by all present.

ROLL CALL: Roll Call was taken by Recording Secretary Denice Grace.

MEMBERS PRESENT: Chairman William Wascher, Commissioner Mike O'Leary, Vice-Chairperson Frank Livingston, Commissioners Brent Smith, Janae Fear, Craig Weaver, and David Bandkau.

MEMBERS ABSENT: None.

OTHERS PRESENT: Todd Stuve, P.E. Engineering Department Assistant Director, Exxel Engineering, Inc.; Peter Oleszczuk, Midwest V,LLC; Sue Montenegro, Assistant City Manager

APPROVAL OF AGENDA:
MOTION BY VICE-CHAIRPERSON LIVINGSTON, SUPPORTED BY COMMISSIONER WEAVER TO APPROVE THE AGENDA FOR MAY 26, 2015.
YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY COMMISSIONER BANDKAU, SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE MINUTES FOR THE MARCH 23, 2015 MEETING.;
YEAS ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum.
2. PC minutes march 23, 2015 April 27, 2015.
3. Industrial zoning language.
4. Rezoning application packet for 210 S. Shiawassee.

Commissioner/Public Comments:
No public comments. Chairperson Wascher welcomed Janae Fear as a new commissioner.

PUBLIC HEARINGS:

1. Rezoning of 210 S. Shiawassee- Dollar General Site -
Todd Stuve, Project Engineer, provided details for the proposed site of a new Dollar General store on south M-52. It is comprised of four (4) platted lots, seven (7) tax properties, and five (5) rental properties. The seven parcels are currently zoned I-1 and Todd asked to have them rezoned to B-1 local business district. One of the renters on the property –

Shirley Chalker - 502 Genesee, is on disability and is worried that she won't be able to find housing in her price range and asked the board to vote no.

Bev Ivey - 508 Genesee, wants to know when she will have to move. She states that her landlord has not told her anything. She has kids and dogs that will take time to move.

Commissioner O'Leary asked if all the properties are combined into one parcel. Mr. Stuve says there are seven separate parcels. Commissioner O'Leary expressed concern about splitting up the parcels for

rezoning which in the future could open them up for seven different uses if Dollar General does not happen.

Commissioner Taylor asked how many people will be displaced. Mr. Stuve says five homes would be demoed and will affect the families living in them.

Commissioner Bandkau says timeline for construction could start as soon as the fourth Monday in June. The current Dollar General lease expires in 2016. The Henry family owns the property. No demolition is planned for the immediate future but might start before winter and would not be completed until spring 2016. Rentals are month to month. Mr. Stuve thinks there may be six houses, not five as previously stated. One parcel is an empty lot. Mr. Stuve also stated official notices were sent to property dwellers. Construction may begin as soon as November of this year. Commissioner Bandkau stated B-1 zoning is the most restrictive of the business zones. Commissioner Bandkau thinks B-4 zoning makes more sense with the presence of the intersections and the heavy traffic generated in that area. Bandkau also stated Dollar General is a general merchandise store not a box store.

Commissioner Fear asked if the area was already designated in the city's master plan. Commissioner Weaver stated that Dollar General makes all of their stores uniform in appearance. They do not own their current building and would be leasing the new building too. Commissioner Fear sees it as a natural progression, Commissioner Weaver agreed. Commissioner Fear asked if they had a preliminary site plan. Mr. Stuve said yes but that they will be coming back to the next meeting for site plan approval as the current one is preliminary. Mr. Stuve did show the preliminary site plan and shows that parking will be behind the new building. Mr. Stuve and his firm will be meeting with M-DOT.

MOTION BY COMMISSIONER BANDKAU, SUPPORTED BY COMMISSIONER WEAVER THAT THE OWOSSO PLANNING COMMISSION HEREBY APPROVES THE APPLICATION TO REZONE THE FOLLOWING ADDRESSES TO THE B-1 ZONING: 202. S. SHIAWASSEE, 206 S. SHIAWASSEE, 210 S. SHIAWASSEE, 214 S. SHIAWASSEE, 511 CLINTON, 502 GENESEE AND 508 GENESEE. YEAS ALL. MOTION CARRIED.

BUSINESS ITEMS:

1. M-71 rezoning

Ms. Montenegro brought up a potential zoning change at 405 S. Washington from B-4 to I-1 to match other railway zoning. Discussion continued whether rail yard or railways should be I-1 or I-2 zoning. Commissioner Weaver suggested planning commission finish its current set of property rezoning before tackling railway/rail yards. Commissioner O'Leary asked if the planning commission has jurisdiction to rezone railways or rail yards and also wants to finish up the rezoning along the M-71 Corridor. Commissioner Bandkau stated some of the area is abandoned rail lines/tracks.

MOTION BY COMMISSIONER BANDKAU, SUPPORTED BY COMMISSIONER SMITH TO APPROVE THE FOLLOWING ZONING CHANGES ALONG THE M-71 CORRIDOR:

Parcel Address	Parcel Number	Current Zoning	Proposed Zoning
424Maple	050-710-000-001-00	R-2	R-1
416 Maple	050-710-000-003-00	R-2	R-1
637 Corunna Ave	050-710-000-002-00	R-2	R-1
633 Corunna Ave	050-542-000-019-00	R-2	R-1

*706 Corunna Ave	050-542-000-032-00	RM-1	B-4
625 Huron	050-542-000-022-00	I-2	I-1
460 E. Howard	050-680-003-004-00	R-2	I-1
452 E. Howard	050-680-003-003-00	R-2	I-1
446 E. Howard	050-680-003-002-00	R-2	I-1
440 E. Howard	050-680-003-001-00	R-2	I-1
429 E. Howard	050-680-002-002-00	R-2	I-2
Division Street	050-680-001-001-00	R-1	I-2
401 E. Howard	050-680-002-003-00	I-2	I-2
330 Howard	050-651-018-001-00	I-2	I-1
514 Division	050-651-018-003-00	I-2	I-1
515 S. Saginaw	050-651-018-004-00	I-2	I-1
509 S. Saginaw	050-651-018-002-00	I-2	I-1
514 Saginaw	050-651-019-004-00	I-2	B-4
510 S. Saginaw	050-651-019-002-00	I-2	B-4
515 S. Park	050-651-019-001-00	I-2	B-4
517 S. Park	050-651-019-009-00	I-2	B-4
S Park St	050-651-019-003-00	I-2	B-4
E. Howard	050-651-000-004-00	I-2	I-1
S. Washington	050-651-000-005-00	I-2	I-1

YEAS ALL. MOTION CARRIED.

2. Industrial rezoning language

Ms. Montenegro sent the revised language for section 38-312 to Gregg Jones of TiAL Products to review to ensure the language would not inhibit foundry use. The intent is to have more restrictive use language for heavier industrial uses without having to create a new industrial district.

MOTION BY COMMISSIONER BANDKAU, SUPPORTED BY VICE-CHAIRPERSON LIVINGSTON THAT THE OWOSSO PLANNING COMMISSION HEREBY APPROVE THE CHANGES TO THE ZONING LANGUAGE IN SECTION 38-312 OF THE CITY OF OWOSSO CODE OF ORDINANCES:

ARTICLE XIV. - I-2 GENERAL INDUSTRIAL DISTRICTS

Sec. 38-311. - Intent.

General industrial districts are designed primarily for manufacturing, assembling, and fabrication activities including large scale or specialized industrial operations, whose external physical effects will be felt to some degree by surrounding districts. The I-2 districts are so structured as to permit the manufacturing, processing and composing of semi-finished or finished products from raw materials as well as from previously prepared material.

(Code 1977, § 5.62)

Sec. 38-312. - Principal uses permitted.

In an I-2 district, no building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses unless otherwise provided in this chapter:

- (1) Any principal use first permitted in an I-1 district;
- ~~(2) Grain elevators;~~
- (2) **Onsite** heating and electric power generating plants, ~~and all necessary uses using conventional fuels or renewable resources;~~
- (3) Gasoline or petroleum storage;
- (4) Railroad yards;
- (5) Any of the following production or manufacturing uses (not including storage of finished products) provided that they are located not less than eight hundred (800) feet distant from any residential district and not less than three hundred (300) feet distant from any other district:
 - ~~a. Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant;~~
 - ~~b. Blast furnace, steel furnace, blooming or rolling mill;~~
 - ~~c. Manufacture of corrosive acid or alkali, cement, lime, gypsum or plaster of Paris;~~
 - ~~d. Petroleum or other inflammable liquids, production or refining;~~
 - ~~e. Smelting of copper, iron or zinc ore;~~
 - f.
 - a. Junkyards, provided such are entirely enclosed within a building or within an eight (8) foot obscuring wall and provided further that one property line abuts a railroad right-of-way.
- (6) Foundry operations within a closed building.**
- (7) Any other use which shall be determined by the council after recommendation from the planning commission, to be of the same general character as the above permitted uses in this section. The council may impose any required setbacks and/or performance standards so as to insure public health, safety and general welfare;

- (8) Accessory buildings and uses customarily incident to any of the above permitted uses.

Additional uses allowed by special use permit:

- (1) Grain elevators;
- (2) Any of the following production or manufacturing uses (not including storage of finished products) provided that they are located not less than eight hundred (800) feet distant from any residential district and not less than three hundred (300) feet distant from any other district:
 - a. Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant;
 - b. Blast furnace, steel furnace, blooming or rolling mill;
 - c. Manufacture of corrosive acid or alkali, cement, lime, gypsum or plaster of Paris;
 - d. Petroleum or other inflammable liquids, production or refining;
 - e. Smelting of copper, iron or zinc ore;

(Code 1977, § 5.63)

Sec. 38-313. - Area and bulk requirements.

See article XVI, schedule of regulations, limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements for I-2 districts.

(Code 1977, § 5.64)

Sec. 38-314. - General provisions.

See article XVII, general provisions, for requirements governing off-street parking, signs, walls and other provisions for I-2 districts.

(Code 1977, § 5.65)

Secs. 38-315—38-330. - Reserved.

YEAS ALL. MOTION CARRIED.

ITEMS OF DISCUSSION:

1. Election of new board secretary-

Commissioner Kurtz has resigned and was the commission secretary. Commissioner Weaver graciously agreed to fill the vacant position until July of this year.

COMMISSIONER/PUBLIC COMMENTS:

No public comments were made at this time. Commissioner Taylor stated plans for the existing dollar general store building are unknown. Commissioner Livingston is glad that the Dollar General is not a box store. Commissioner Fear wondered about addressing properties to the south of new Dollar General store. Commissioner Weave suggested looking at those properties in the future.

ADJURNMENT:

**MOTION BY COMMISSIONER BANDKAU, SUPPORTED BY COMMISSIONER TAYLOR TO
ADJOURN AT 7:45 P.M. UNTIL THE NEXT MEETING ON JUNE 22, 2015.
YEAS ALL. MOTION CARRIED.**