



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: April 27, 2016

TO: Mayor Frederick and the Owosso City Council

FROM: Susan Montenegro
Asst. City Manager/Community Development Director

SUBJECT: Set Public Hearing - Rezoning of 1007 S. Washington Street

RECOMMENDATION:

The Planning Commission and city staff recommend amending the zoning ordinance to rezone parcel 050-652-011-013-00, 1007 S. Washington Street from B-1 Local Business District to B-4 General Business District.

BACKGROUND:

The City is in receipt of a rezoning request from Troy Crowe to rezone the parcel located at 1007 S. Washington Street from B-1 Local Business District to B-4 General Business District. Mr. Crowe states his auction business requires a dealer's license to sell vehicles by auction and the current zoning designation does not allow this use.

The Planning Commission, after mailing notices and holding a public hearing, voted at its regular meeting on April 25, 2016 to rezone parcel 050-652-011-013-00, also known as 1007 S. Washington Street. The rezoning request is in line with other uses along this street.

Staff has no objection to the proposed rezoning.

City Code Section 38-555 lists the criteria when considering the rezoning of a property as follows:

Sec. 38-555. Criteria for amendment of the official zoning map.

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

- (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.
- (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."
- (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.
- (7) The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- (8) Other factors deemed appropriate by the planning commission and city council.

FISCAL IMPACTS:

There are no direct fiscal impacts to the City presented by the rezoning.

Document originated by: Susan Montenegro

RESOLUTION NO.

**TO SET A PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 38 ZONING
OF THE CODE OF ORDINANCES
TO REZONE A PORTION OF THE PARCEL AT 1007 S. WASHINGTON STREET
AND AMEND THE ZONING MAP**

WHEREAS, the city council of the city of Owosso received a petition from Crowe Properties, LLC, owner of real property identified as 1007 S. Shiawassee Street, parcel number 050-652-011-013-00, to rezone the parcel from B-1 Local Business District to B-4 General Business District; and

WHEREAS, the planning commission subsequently published the request and mailed notices of the request to surrounding property owners, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the city staff and planning commission recommend, without reservations or conditions, the rezoning of 1007 S. Washington Street, parcel number 050-652-011-013-00, as petitioned; and

WHEREAS, the item must now be considered by the city council and a public hearing by the council is required before any such ordinance amendment can be acted upon.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, *Zoning Districts and Map*, reflect the following change, to be noted on the official map and filed with the city clerk:

Parcel Address	Current Zoning	Amended Zoning
1007 S. Washington Street	B-1, Local Business District	B-4, General Business District
Description		
LOT 14 OF THE PLAT OF WOODARD'S SUBDIVISION OF BLOCK NO. 1 OF A. L. WILLIAMS ADDITION TO THE VILLAGE (NOW CITY) OF OWOSSO, SHIAWASSEE COUNTY		

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, May 16, 2016 at or about 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the city.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

City of Owosso

1007 S. Washington

Legend

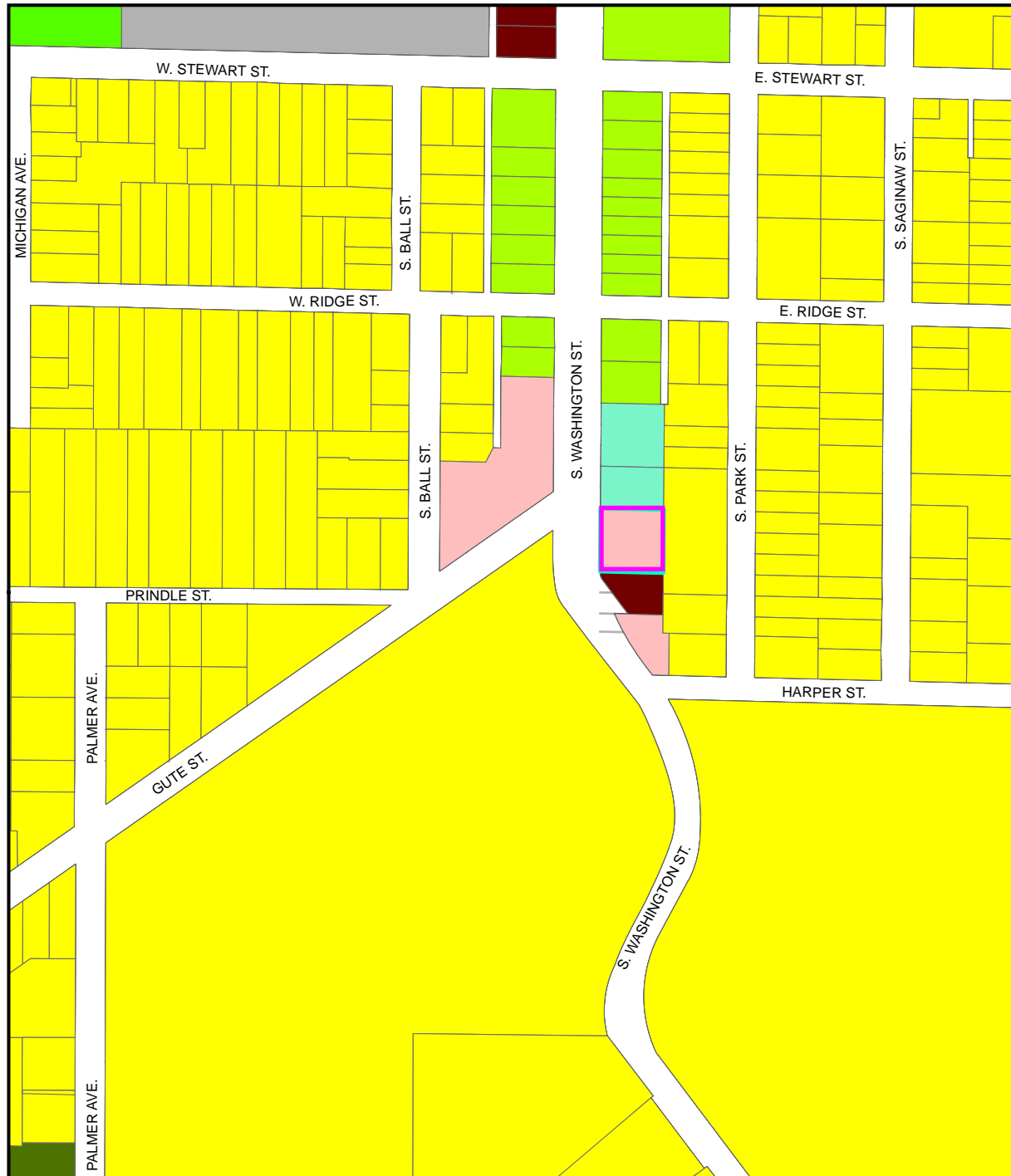
Zoning

<all other values>

Z_PRIMARY

<Null>

- B1
- B2
- B3
- B4
- C-OS
- I1
- I2
- OS1
- P1
- PUD
- R1
- R2
- RM1
- RM2



0 130 260 520 780 1,040 Feet

APPLICATION FOR REZONING

CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

Note to Applicants:

1. In order that this application may be processed, the applicant must completely fill in the application and make a non-refundable payment of Three Hundred Dollars (\$300) to the Treasurer's Office, to cover costs associated with the processing.
2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

TO THE OWOSSO CITY COUNCIL:

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 1007 S. WASHINGTON ST OWOSSO
Description: (lot, block or metes and bounds) LOTS 22, 23, 24, 8, 9, 10, 11, 12, 13
Frontage in Feet 88' Depth in Feet 264'
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)
CROWE PROPERTIES LLC PO BOX 1627 OWOSSO MI 989-666-6339
3. ZONING REQUEST Current Zoning B-1 Requested Zoning B-4
Proposed Use of the Property _____

Indicate why, in your opinion, the requested change is consistent with the Ordinance in prompting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

OUR AUCTION BUSINESS REQUIRES US TO HAVE A DEALERS LICENSE TO SELL VEHICLES BY AUCTION, SO WE NEED TO HAVE THE LICENSE.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

(Signature of Applicant)

(Signature of Co-Applicant)

____ Legal Representative

☒ Owner

____ Option to Purchase

PO BOX 1627 OWOSSO MI

(Address)

989-666-6339

(Phone)

FOR OFFICIAL USE ONLY

Case # _____

Receipt # _____

Date Filed _____

Description Checked _____

Planning Commission Hearing Date _____

Action Taken _____

City Council Hearing Date _____

Action Taken _____