



MEMORANDUM

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

DATE: September 28, 2017

TO: Mayor Eveleth and the Owosso City Council

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

SUBJECT: Set Public Hearing - Rezoning of 912 S. Washington Street

RECOMMENDATION:

The Planning Commission and city staff recommend setting a public hearing for Monday, November 6, 2017 to receive citizen comment regarding the proposal to amend the zoning ordinance for parcel 050-651-039-006-00, 912 S. Washington Street, to rezone the entire parcel to a B-1 Local Business District, which will eliminate multiple zoning designations of R-1 Single Family Residential District, R-2 Two Family Residential, and B-1 Local Business District currently attached to this parcel.

BACKGROUND:

The City is in receipt of a rezoning request from Elite Learning Center, LLC to rezone the parcel located at 912 S. Washington Street which currently has three (3) zoning designations of R-1 Single Family Residential District, R-2 Two Family Residential, and B-1 Local Business District to a single zoning designation of B-1 Local Business District.

The Planning Commission, after mailing notices and holding a public hearing, voted at its regular meeting on September 25, 2017 to rezone the entire parcel to a B-1 Local Business District zoning designation. The parcel is the combination of three lots that were merged into one; however, the zoning designations for each lot were never removed.

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.

**SETTING A PUBLIC HEARING TO
AMEND CHAPTER 38 ZONING OF THE CODE OF ORDINANCES
TO REZONE A PARCEL OF REAL PROPERTY
ON 912 S. WASHINGTON STREET
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from a land owner of real property identified as 912 S. Washington Street, parcel 050-651-039-006-00, LOTS 6 & 7 PART OF LOT 9 BEG 15' W OF SE COR LOT 9 TH E 15' N 30' SW'LY TO POB LOTS 10 11 12 & 13 BLK 39 A L WILLIAMS ADD, INCL VAC N-S ALLEY FROM N LN GUTE ST TO CENTER OF LOTS 9 & 10 to rezone the entire parcel to a B-1 Local Business District, which will eliminate multiple zoning designations of R-1 Single Family Residential District, R-2 Two Family Residential, and B-1 Local Business District currently attached to this parcel; and

WHEREAS, the planning commission published the request, 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 parcel 050-651-039-006-00, 912 S. Washington Street from R-1 Single Family Residential District, R-2 Two Family Residential, and B-1 Local Business District to a single zoning designation of B-1 Local Business District; and

WHEREAS, the item must now be considered by 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 Code of the City of Owosso Sec. 38-27, *Zoning Districts and Map*, reflect the following change to be noted on the official map and filed with the city clerk:

Indicate a zoning classification of B-1 Local Business District for 912 S. Washington Street, parcel 050-651-039-006-00.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, November 6, 2017, 2017 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 as required by the Michigan Zoning Enabling Act, Act 110 of 2006, Article I, Section 103.

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

912 S. Washington Street

September 22, 2017

