



MEMORANDUM

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

DATE: June 10, 2020
TO: City Council
FROM: Nathan Henne, City Manager
SUBJECT: Rezoning of N Washington Street

RECOMMENDATION:

The Planning Commission recommends city council conduct first reading and set a public hearing for July 20, 2020 to receive citizen comment regarding request to rezone the parcel commonly known as N. Washington from RM-1 Multiple-Family Residential District-Low Rise to RM-1 Multiple-Family Residential District-Low Rise with Planned Unit Development (PUD) Overlay.

BACKGROUND:

The Planning Commission, after mailing notices and holding a public hearing, voted at its regular meeting on May 26, 2020 to recommend rezoning the aforementioned parcel. Further, staff recommends approval of this petition to rezone property as submitted subject to the ordinance reading and public hearing process.

FISCAL IMPACTS:

Rezoning should not pose any fiscal impacts.

Document originated by: Tanya Buckelew

RESOLUTION NO.

TO SET A PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES TO REZONE THE PARCEL ON THE SW CORNER OF N. WASHINGTON & WESLEY STREETS AND AMEND THE ZONING MAP

WHEREAS, the city council of the city of Owosso received a petition from Bailey Park Homes, L3C, developer of the real property identified as N. Washington Street, parcel number 050-535-000-001-00 to rezone the parcel from RM-1 Multiple-Family Residential District-Low Rise to RM-1 Multiple-Family Residential District-Low Rise with Planned Unit Development (PUD) Overlay; 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 N. Washington Street 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
N. Washington Street, described as follows:	RM-1 Multiple-Family Residential District-Low Rise	RM-1 Multiple-Family Residential District-Low Rise with Planned Unit Development (PUD) Overlay
Parcel number: 050-535-000-001-00		
COM 358' N & 33' W OF INTER S LN SEC 12 & C/L N WASH ST TH W 231' N 6' W 133.7' N 279' E 364.21' S 284' TO POB PART OF SE 1/4 SE 1/4 SEC 12 T7N R2E		

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, July 20, 2020 at 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.

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 SW corner of Washington and Wesley
 Description: (lot, block or metes and bounds) see attached
[Redacted]
 Frontage in Feet 364.21 Depth in Feet 284.90
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)
Jerry S Voight, Trustee; 25 Outerbridge Cir, Hilton Head, SC 29926; 843-681-2286
3. ZONING REQUEST Current Zoning RM-1 Requested Zoning RM-1 with PUD overlay
 Proposed Use of the Property residential neighborhood

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:

The rezoning will allow for the creation of a new neighborhood with traditional Owosso characteristics: pedestrian access, housing for a range of families, green spaces, and a playground.

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

[Signature]
 (Signature of Applicant)
[Signature]
 (Signature of Co-Applicant)

815 Lakeside, Owosso, MI 48867
 (Address)
989-277-3953
 (Phone)

- Legal Representative
- Owner
- Option to Purchase

FOR OFFICIAL USE ONLY
 Case # PUD 2020-001
 Receipt # 508268
 Date Filed 4-15-2020
 Description Checked _____

Planning Commission Hearing Date 5/26/2020
 Action Taken _____
 City Council Hearing Date _____
 Action Taken _____

Jerry Voight
Carolyn Voight
25 Outerbridge Circle
Hilton Head SC 29926

March 12, 2020

To Whom It May Concern:

We have been working with Thomas Cook and Anna Owens and their company Bailey Park Homes L3C, to develop our vacant property on North Washington Street in the City of Owosso (Parcel 050-535-000-001-00), listed owner Jerry S. Voight, Trustee.

We grant permission for them to proceed with rezoning the property and seeking appropriate approvals from the City of Owosso. We support their development proposal. We also anticipate donating the property to a local land bank to facilitate the development of the property.

Thank you.



Jerry Voight

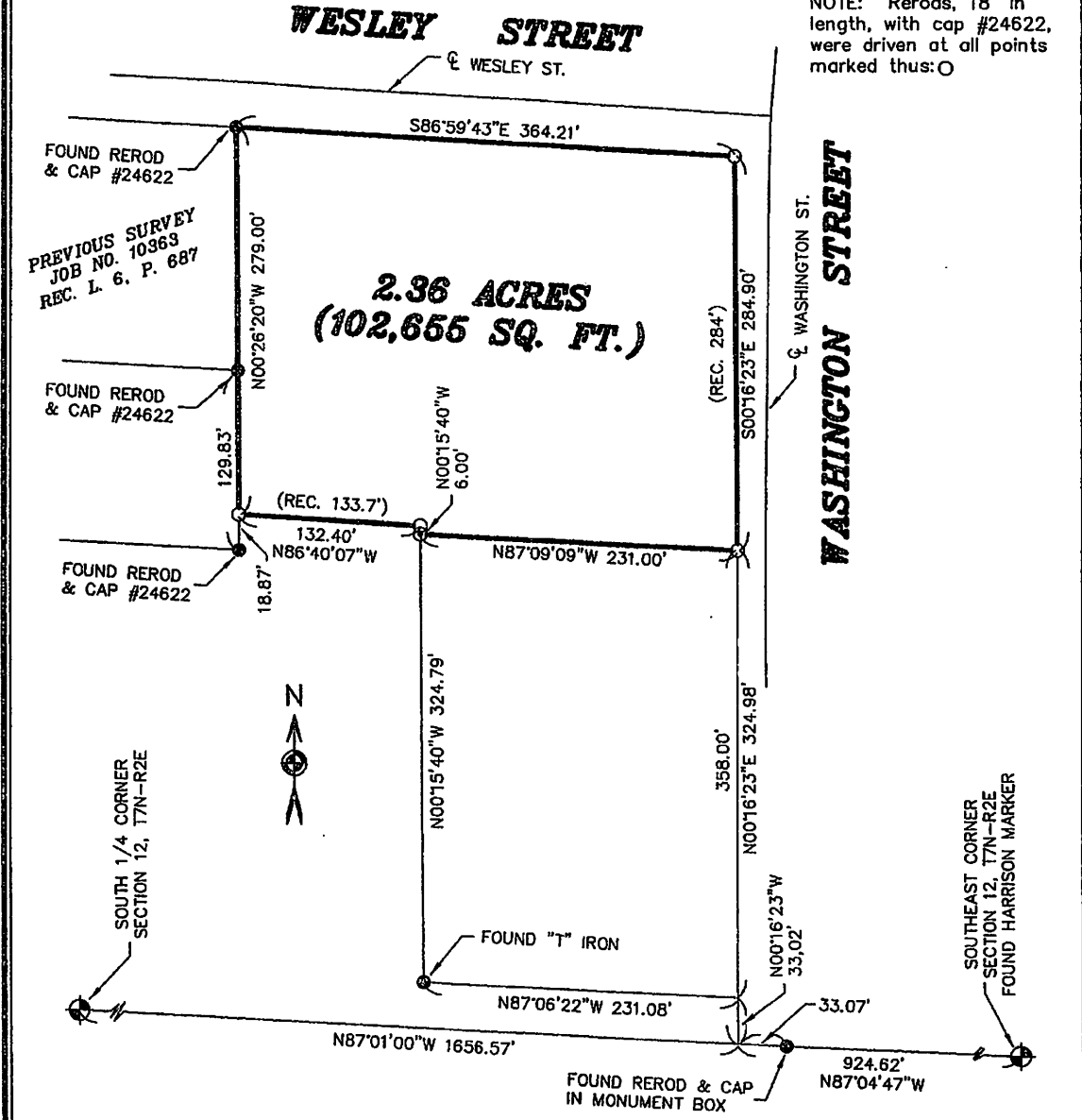


Carol Voight

CERTIFICATE OF LAND SURVEY

DESCRIPTION (AS PROVIDED): Commencing 358 feet North and 33 feet West of the intersection of the South line of Section 12 and the centerline of North Washington Street; thence West 231 feet; thence North 6 feet; thence West 133.7 feet; thence North 279 feet; thence East 364.21 feet; thence South 284 feet to the point of beginning, part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 12, T7N-R2E.

NOTE: Rods, 18" in length, with cap #24622, were driven at all points marked thus: O



CLIENT: Bailey Park Homes, L3C	Section 12, T7N-R2E, Owosso Township, Shiawassee County, Michigan	
DATE: March 18, 2020		
SCALE: 1" = 100' JOB NO. 27516		

I hereby certify that I have surveyed and mapped the land above platted and/or described on 03/11/2020 and that the relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying, and that the requirements of Michigan PA 132, MCL 54.213 have been met.

<p>LANDMARK SURVEYING</p>	<p>204 N. SHIAWASSEE ST. OWOSSO, MI 48867 (989) 725-8725 (810) 659-1053 FAX (989) 725-2452 landmark@michonline.net</p>	<p>MARK L. VANRAEMDONCK PROFESSIONAL SURVEYOR No. 132 Mark L. VanRaemdonck, MBLS, PS 24622</p>
----------------------------------	--	--

Washington Park Smart Homes Development Development Program

The proposed development is the creation of a new neighborhood with traditional Owosso characteristics: housing for a range of families, pedestrian accessibility, green spaces, and recreation opportunities for children. Using innovative design and construction techniques, the project would provide attainable market rate homeownership opportunities at a lower price than other new construction homes in the area, while preserving Owosso's neighborhood qualities.

Located on the north side of one of the community's established residential areas, Washington Park would provide ready access for residents to downtown Owosso. The sense of neighborhood would be enhanced by front porches and an orientation of the homes to a common walkway and courtyard. Sidewalks and a pedestrian-aware design would help strengthen relationships in the new neighborhood and connect it to existing ones.

Initial consultation has been held with the Owosso Public Schools and the City of Owosso to facilitate Safe Routes to Schools programs and infrastructure to complement the project. The proximity of two preschool programs, along with an onsite community playground, will also make Washington Park a supportive residential development for families with young children.

Washington Park has been designed with sustainability as a guiding principle. The purposeful, compact placement of the residential units on the site provides a more efficient use of the land compared to traditional single-family developments, while maintaining the character of the surrounding neighborhoods. Being planned as a cohesive residential development allows for responsible onsite stormwater management. The offsite construction of the residential units in a controlled environment helps to eliminate waste from the building process and reduce costs, which in turn allows for the incorporation of energy efficient features and durable building materials. The integrated pedestrian elements support non-motorized transportation, reducing the number of vehicular trips necessary, a benefit to both health and the environment. Moreover, the overall site design fosters a strong sense of community, building upon what makes Owosso such a great place to call home.

Washington Park Smart Homes Development

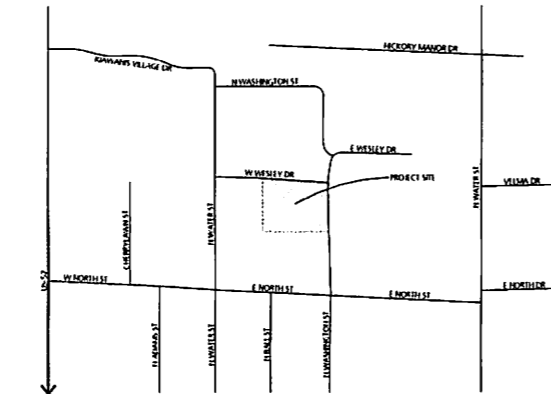
Owosso, MI 48867

Date Issued: April 9, 2020

Issued For: Re-zoning Submission

SHEET INDEX

C1.01	Cover Sheet
C2.01	Boundary Survey
C3.01	Existing Conditions Plan
C4.01	Proposed Site Plan
C5.01	Proposed Utilities Plan
C5.01	Proposed Color Rendering
C5.02	Proposed Character Images



Location Map

NTS

Landscape Architect / Engineer

B R & O
Beckett & Raeder

*Landscape Architecture
Planning, Engineering and
Environmental Services*

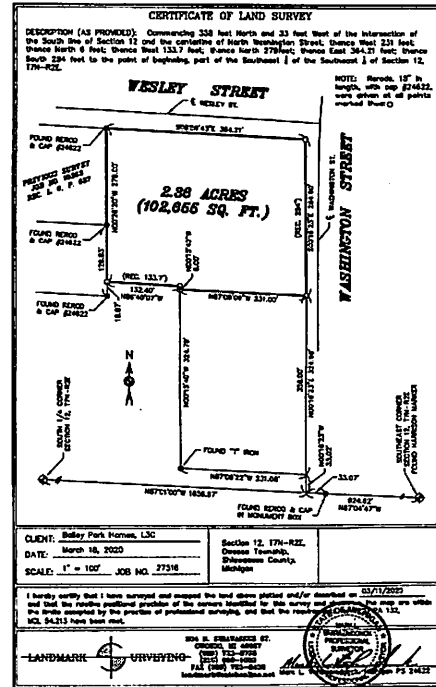
Beckett & Raeder, Inc.
575 West William, Suite 1021
Ann Arbor, MI 48103

734.663.8222 ph
734.663.6799 fx

Surveyor



Developer: Bailey Park Homes L3C



Washington Park
 Smart Homes Development
 Owosso, MI

Boundary Survey

Drawn	by
03/18/2020	Resurvey Submittal

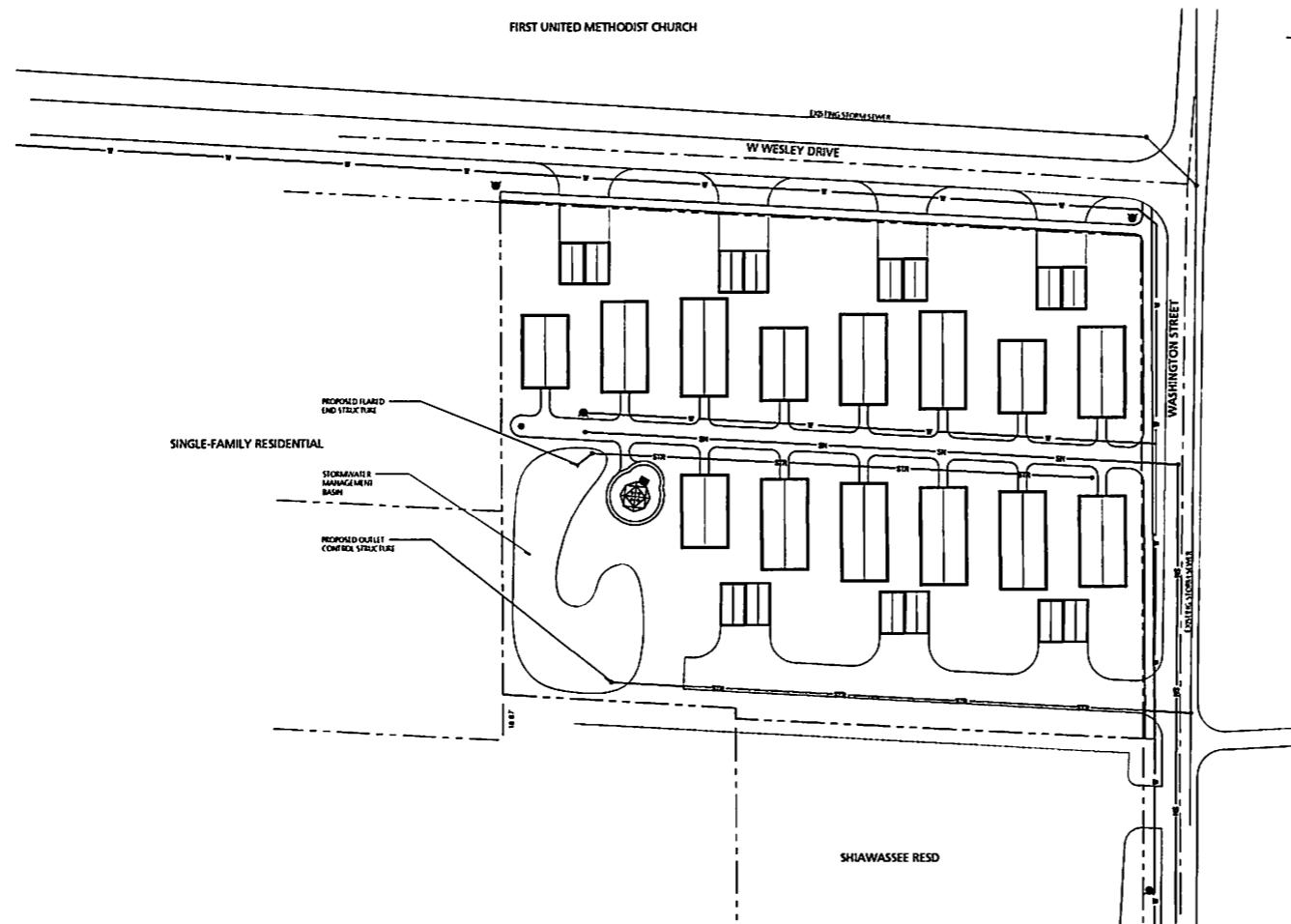
As Shown

Drawn	EC
Checked	CD
Approved	CS

Notes

C1.01





UTILITIES PLAN LEGEND

- EXISTING STORM SEWER
- EXISTING OFF-SET STORM STRUCTURE
- PROPOSED STORM SEWER
- PROPOSED OUTLET CONTROL STRUCTURE
- PROPOSED FLARED END STRUCTURE
- PROPOSED WATER SEWER
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY MANHOLE
- ⊕ PROPOSED FIRE HYDRANT

B E O
Beckett & Raeder
 Landscape Architecture
 Planning & Engineering

Beckett & Raeder, Inc.
 175 West Jackson, Suite 131
 Ann Arbor, MI 48103
 734.663.2622 ext
 734.663.1876 fax

Washington Park
 Smart Homes Development
 Owosso, MI

Proposed Utilities Plan

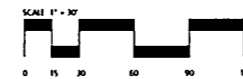
Client: Inset:
 DR: Revising:

1" = 30'

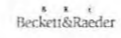
Drawn:
 Checked:
 Approved:

200904

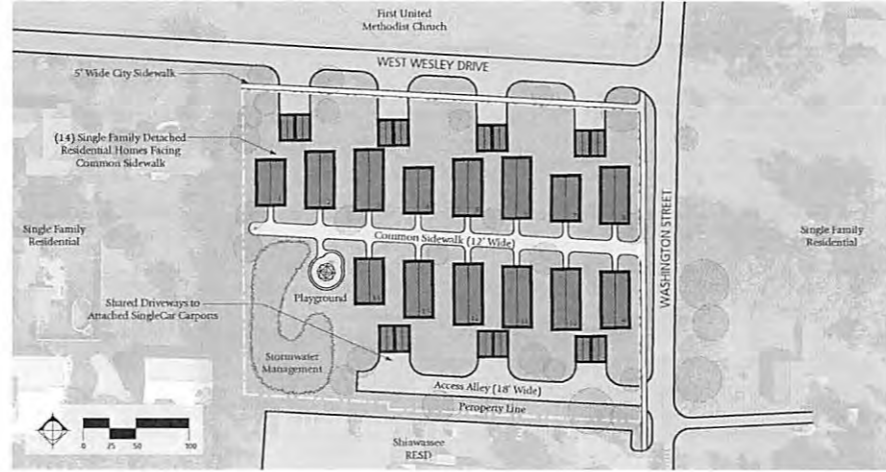
C4.01



Washington Park Smart Homes Development
 Bailey Park Homes
 Owosso, Michigan



April 2020



Washington Park Smart Homes Development
 Owosso, MI

Proposed Color Rendering

Date	Revised For
04/09/2020	Re-zoning Submission

As Shown

Drawn	JC
Checked	CD
Approved	CS

202014



May 7, 2020

Planning Commission
City of Owosso
301 W. Main Street
Owosso, Michigan 48867

Subject: PUD REZONING
Location: South-west intersection of N. Washington and W. Wesley Dr.
Size of Site: 2.36 acres
Request: To rezone roughly 2.36 acres from M-1, Multiple-Family Residential to M-1, Multiple-Family Residential with PUD Overlay.
Applicant: Bailey Park Homes L3C, designed by Beckett & Raeder

Dear Planning Commissioners:

At your request, we have reviewed the above application from Bailey Park Homes to rezone 2.36 acres of the subject property from M-1, Multiple-Family Residential to M-1, Multiple-Family Residential with PUD Overlay. 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 provided to meet certain approval requirements such as setbacks and property coverage requirements. The development will meet the density requirements of the M-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

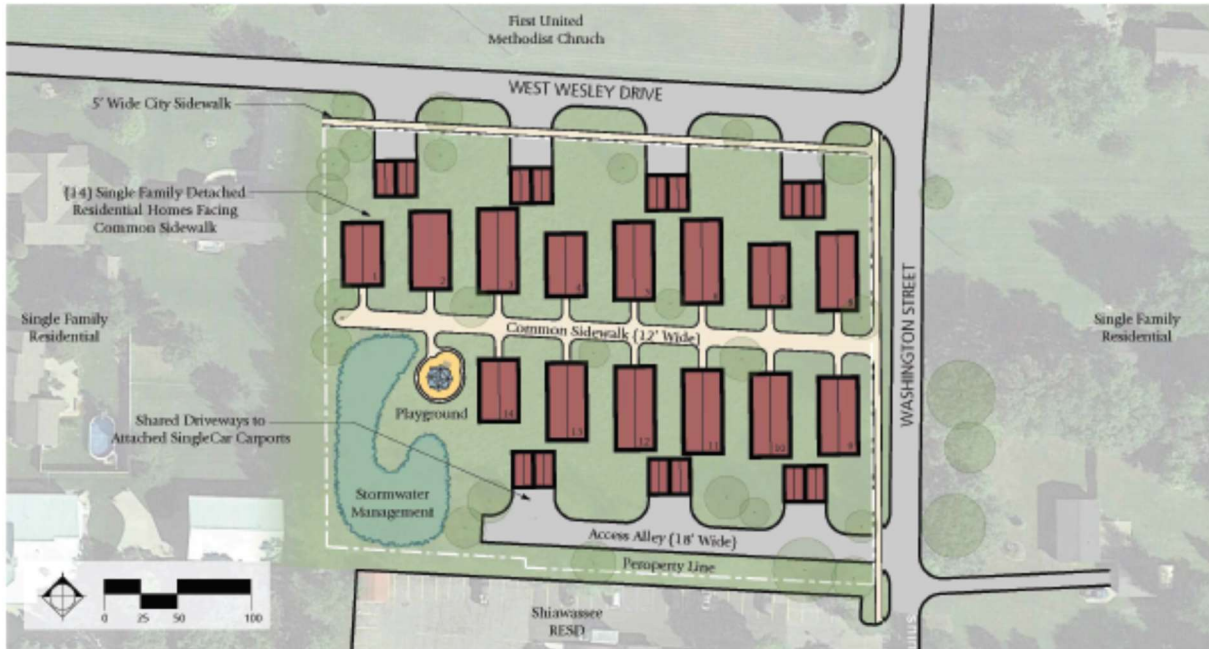
The subject parcel is located at the located at the south-west intersection of Wesley and Washington. This area is a well-established residential area of the city and is near the Owosso High School and Middle School.

Washington Park Smart Homes Development

Bailey Park Homes
 Owosso, Michigan



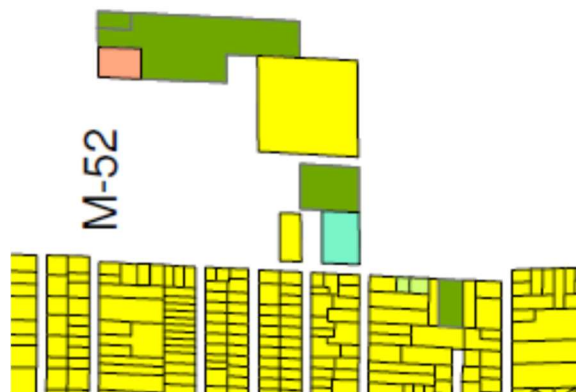
April 2020



*proposed site development concept

EXISTING LAND USE, ZONING AND FUTURE LAND USE

	Existing Land Use	Zoning	Master Plan
Subject Site	Vacant	M-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



*The map below is the existing zoning map for the City of Owosso

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 M-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 M-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 M-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.

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 M-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.

We look forward to discussing this with you at your May Planning Commission meeting. If you have any further questions, please contact us at 810-734-0000.

Sincerely,

CIB Planning

Justin Sprague
Vice President



Shiawassee GIS

powered by
FetchGIS 



Map Publication:
06/10/2020 11:56 AM

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. X County expresses no warranty for the information displayed on this map document.