



CITY OF OWOSSO PLANNING COMMISSION
Regular Meeting
Monday, November 22, 2021 at 6:30 p.m.
AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF AGENDA – November 22, 2021

E. APPROVAL OF MINUTES – September 27, 2021

F. ELECTION OF OFFICERS – *if necessary (due in July 2022)*

G. PUBLIC HEARINGS:

1. Rezoning Request – PREZ 2021-05 JABB MANAGEMENT–108 N Chipman Street

H. SITE PLAN REVIEWS:

I. ITEMS OF BUSINESS:

J. COMMISSIONER/CITIZEN COMMENTS:

K. ADJOURNMENT

Next regular meeting will be on Monday, December 13, 2021 at 6:30 p.m. *Note – earlier in the month due to the holidays*

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and recordings of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours' notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. The City of Owosso website is: www.ci.owosso.mi.us

MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
Monday, September 27, 2021 – 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: Recording Secretary Molly Hier

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

MEMBERS ABSENT: Commissioner Taylor

OTHERS PRESENT: Justin Sprague, CIB Planning
Planning and Building Director Tanya Buckelew

APPROVAL OF AGENDA:

MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER ROBERTSON TO APPROVE THE AGENDA FOR September 27, 2021.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:

MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY SECRETARY FEAR TO APPROVE THE MINUTES FOR THE July 26, 2021 MEETING.

YEAS ALL. MOTION CARRIED.

ELECTION OF OFFICERS:

MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY COMMISSIONER MORRIS TO ELECT WILLIAM WASCHER AS CHAIRMAN, FRANK LIVINGSTON AS VICE-CHAIR AND JANA FEAR AS SECRETARY FOR THE 2021-2022 FISCAL YEAR.

YEAS ALL. MOTION CARRIED.

PUBLIC HEARINGS:

1. Rezoning Request – PREZ 2021-01 SUTTON - 715 S Washington Street
2. Rezoning Request – PREZ 2021-02 SUTTON - 703 S Washington Street
3. Rezoning Request – PREZ 2021-03 SUTTON - 702 S Park Street
4. Rezoning Request – PREZ 2021-04 SUTTON - 801 S Washington Street

Opened the Public Hearing at: 6:35 pm

The following commented:

1. Mr. Sutton (property owner) spoke on plan for redevelopment of the properties listed above.
2. Justin Sprague corrected an error in his letter stating the above properties are a total of 2.3 acres.
3. Commissioner Morris inquired about sizes of units fitting into 715 S. Washington St. (the old church).
4. Secretary Fear inquired about price for units at 715 S. Washington St. Sutton states \$600-\$700.

5. Justin Horvath of 818 S. Washington St. and the SEDP spoke in support of redevelopment.
6. Mr. Sutton advised the facade of church is to be kept the same except minimal repairs where needed.

Closed the Public Hearing at: 6:45 pm

The following review is from Justin Sprague, City Planner with CIB Planning:

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 – While the current future land use map identifies this area as industrial, it is important to highlight what is proposed in the city’s new master plan. The following text describes the intent for this area.

Washington and Monroe Street - Located south of Downtown and Corunna Avenue, this 5.5-acre site is located in a transitional zone between commercial and industrial uses and a residential neighborhood to the south. The site includes multiple parcels including a city-owned property along the railroad corridor and the Former Grace Church, 715 S. Washington (built in 1950). The site is connected to public water/sewer. In the near term, the site provides an opportunity for infill residential. The adaptive reuse of church building for condominium development may be considered, however, the building does not have architectural or historical significance and could be demolished as part of the redevelopment. A desirable future use for the site is single-family attached residential. Infill development should be compatible with the existing neighborhood incorporating front porches/stoops, alley access, parking in the rear, and building heights between 2-3 stories. Existing street trees should be preserved.

It is our belief that this rezoning would significantly improve the neighborhood and would not 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 RM-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 commercial, however the proposed development directly reflects the intent of this area within the Master Plan.

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 – It is our belief that land uses within the RM-1 district are more compatible with this site and its location to the neighborhood to the south than if the site were to be developed as commercial.

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 find that there is high demand for new housing throughout the City of Owosso and surrounding areas.

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.

RECOMMENDATION

Based upon the above comments, we recommend approval of the rezoning request for 715, 703 and 801 S. Washington Street as well as 702 S. Park based on the following items;

- That the request is not in overwhelming conflict with the Master Plan or the Zoning Ordinance;
- The site is compatible with uses in the proposed RM-1 Zoning District;
- The applicant is not rezoning to increase the return on investment of the property;
- That the Planning Commission understands that the proposed use may be more compatible with surrounding land uses;
- Infrastructure to the site is appropriate for the proposed use; and
- The request has not been previously submitted to the City for consideration.

MOTION BY SECRETARY FEAR SUPPORTED BY COMMISSIONER LAW TO APPROVE THE REZONING OF THE FOLLOWING PROPERTIES:

ADDRESS	PARCEL ID NUMBER	APPROVED REZONING
715 S WASHINGTON ST	050-651-032-001-00	RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICT
703 S WASHINGTON ST	050-652-005-001-00	RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICT
702 S PARK	050-652-005-002-00	RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICT
801 S WASHINGTON ST	050-651-037-001-00	RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICT

YEAS: COMMISSIONER JENKINS, LAW, VICE-CHAIR LIVINGSTON, COMMISSIONER MORRIS, ROBERTSON, SECRETARY FEAR AND CHAIRMAN WASCHER

NAYS: NONE

RCV MOTION CARRIED.

OLD BUSINESS: NONE

SITE PLAN REVIEWS

403 STATE ST Marijuana Grow Facility

Approximately 1.40 acres, located on the east side of State Street, south of Lyon Street. Zoned I-1, Light Industrial. Refurbish existing buildings for new marijuana growing facility and will be accessed from both State and Lyon Streets

REVIEW COMMENTS – from Justin Sprague City Planner

1. **Information items.** The site plan meets the informational requirements of the ordinance.
2. **Area and Bulk.** The proposed site was reviewed in accordance with Article 16, Schedule of Regulations, as described in the following table.

	Required	Provided	Comments
Front Yard Building Setback	40 ft.	90 ft.	In compliance
Side Yard Building Setback	50 (abutting residential)	0' & 14' ft.	Not in compliance, but existing non-conforming
Rear Yard Building Setback	50 ft.	80 + ft.	In compliance
Maximum Building Height	40 ft.	19 ft.	In compliance

3. **Building Design & Materials.** The ordinance states that durable building materials which provide an attractive, quality appearance must be utilized. **The applicant will be upgrading siding but matching original siding**
4. **Building Height.** The proposed building complies with the maximum building height.
5. **Mechanical Units.** No new mechanical units are proposed on the plan. **The applicant is proposing to provide screening by planting arborvitae around all exterior mechanical equipment, which is an acceptable option instead of fencing. We would recommend as a condition of approval that all screening landscaping shall be up kept and in good condition, and that fencing could be required as a future option for screening if the landscaping material should not survive or does not provide enough screening.**
6. **Dumpster.** The proposed dumpster meets ordinance requirements.
7. **Parking Lot Requirements.** This requirement has been met.
8. **Landscaping.** The landscaping plan is in compliance with the ordinance.
9. **Buffering.** Per Section 38.389, a buffering wall of durable and high-quality materials is required along the property line separating the industrial district from the residential district. The property has an existing fence and the applicant is proposing an additional row of landscaped screening along the existing fence. **The Planning Commission will need to approve the utilization of existing fence with additional landscaping as an alternative to replacing the fence with a screening wall.**

10. Lighting. Site lighting appears to meet the ordinance standards. **It is noted that all new lighting should be shielded and fixed at 90-degree angles toward the ground, not at a 45 degree or other degree angle from the pole or building.**

11. Other Approvals. The proposed site plan must be reviewed and approved by the appropriate city departments, consultants, and agencies.

RECOMMENDATION

Based upon the above comments, **we recommend approval of the 403 State Street Site Plan, conditioned upon the following:**

1. Submission of a revised site plan that satisfactorily addresses the items in this letter, for administrative review and approval;
2. Use of materials consistent with the ordinance that are acceptable to the Planning Commission;
3. Planning Commission does not approve what was presented in the site plan but instead approves **a white vinyl fence of at least 6 feet in height to the area abutting the residential district.**
4. That all light fixtures are fixed in a 90 degree to the ground, downward facing position; and
5. Review and approval by the appropriate city departments, consultants, and agencies.

Additional Comments:

- Commissioner Law inquired about employee count. Owner stated 15 employees and parking will be in the rear off of State St.
- Architect spoke on design plans. He will also re-submit plans to reflect fence requirement.
- Commissioner Law inquired about delivery frequency/delivery truck type/size. Owner stated deliveries will be from Lynn St and mostly boxed trucks.
- Chairman Wascher confirmed review of drainage plans by engineering. Justin Sprague read aloud drainage review provided by engineering.

MOTION BY COMMISSIONER MORRIS SUPPORTED BY VICE-CHAIR LIVINGSTON TO APPROVE THE SITE PLAN FOR 403 STATE STREET, MEETING THE RECOMMENDATIONS LISTED 1 – 5 AND FURTHER ADMINISTRATIVE REVIEW BY CITY DEPARTMENTS AS NEEDED.

YEAS: COMMISSIONER LAW, VICE-CHAIR LIVINGSTON, COMMISSIONER MORRIS, ROBERTSON, SECRETARY FEAR, COMMISSIONER JENKINS, CHAIRMAN WASCHER

NAYS: NONE

RCV MOTION CARRIED.

ITEMS OF BUSINESS:

1. REVIEW THE NUMBER OF ALLOWED MEDICAL AND ADULT USE MARIHUANA ESTABLISHMENTS

As per the city ordinance for both medical and recreational marihuana, the Planning Commission is to review the number of establishments allowed after 1 year, make any recommendations to council and then every 3 years council will review the current number of facilities in the city.

MOTION BY COMMISSION MORRIS SUPPORTED BY VICE-CHAIR LIVINGSTON TO

RECOMMEND TO CITY COUNCIL TO NOT INCREASE THE NUMBER AND GOING FORWARD EVERY THREE YEARS, THE CITY COUNCIL IS TO REVIEW THE NUMBER OF LOCATIONS IN THE CITY.

YEAS: VICE-CHAIR LIVINGSTON, COMMISSIONER MORRIS, COMMISSIONER ROBERTSON, SECRETARY FEAR, COMMISSIONER JENKINS, LAW AND CHAIRMAN WASCHER

NAY: NONE

RCV MOTION CARRIED.

2. ADULT USE MARIJUANA ORDINANCE – EXCESS GROWERS

The city was contacted by Stash Ventures of 1370 E South Street requesting we add Excess Grow License to the city's recreational marihuana ordinance. A draft amendment is included and a clarification page from MRA. Since this is only for the police power ordinance, the Planning Commission makes a recommendation to City Council to approve and go through the ordinance amendment process.

MOTION BY SECRETARY FEAR SUPPORTED BY COMMISSIONER LAW TO RECOMMEND TO CITY COUNCIL TO ALLOW EXCESS GROW LICENSES IN THE CITY OF OWOSSO AND AMEND CHAPTER 16.6 – ADULT USE MARIHUANA ESTABLISHMENTS LICENSING - POLICE POWER ORDINANCE SEC. 16.6-3. AUTHORIZATION OF FACILITIES AND FEE

(a.) ADD EXCESS MARIHUANA GROWER – UNLIMITED,

(b) SPECIAL LICENSES PROHIBITED – REMOVE EXCESS GROWER LICENSE – PROHIBITED AND

(f) (1) ADD EXCESS MARIHUANA GROWERS.

YEAS: COMMISSIONER MORRIS, ROBERTSON, SECRETARY FEAR, COMMISSIONER JENKINS, LAW, VICE-CHAIR LIVINGSTON AND CHAIRMAN WASCHER

NAYS: NONE

RCV MOTION CARRIED.

PUBLIC COMMENTS AND COMMUNICATIONS: NONE

ADJOURNMENT:

MOTION BY VICE-CHAIR LIVINGSTON SUPPORTED BY SECRETARY FEAR TO ADJOURN AT 7: 45 PM UNTIL THE NEXT MEETING ON OCTOBER 25, 2021.

YEAS ALL, MOTION CARRIED

Janae Fear, Secretary

City of Owosso
Public Hearing Notice

The City of Owosso Planning Commission will conduct the following public hearing at the regular meeting scheduled for Monday, November 22, 2021 for the following topic:

PUBLIC HEARING FOR REZONING:

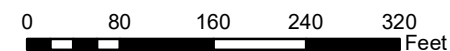
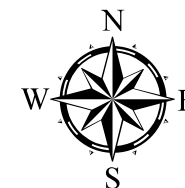
- 1. JABB Management, LLC, 108 N Chipman Street:** The applicant is seeking to rezone the property from B-3 Central Business District to I-1 Light Industrial District. The proposed use of the property is a marihuana cultivation facility. The parcel number is 050-660-017-001-00.

The Planning Commission meeting will begin at 6:30 p.m. in the City of Owosso Council Chambers, 301 W. Main Street. Persons having any questions regarding these matters are urged to attend this meeting or contact the City Planning and Zoning office at (989)-725-0535.

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours' notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. Website address is www.ci.owosso.mi.us

300' Buffer Zone Map

108 N. Chipman St.



PREZ-2021-05
10-18-2021

APPLICATION FOR REZONING

CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, MI 989-725-0535
building@ci.owosso.mi.us

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:

Address: 108 N. Chipman Owosso, MI. 48867

Description: (lot, block or metes and bounds)

Frontage in feet:

Depth in feet:

2. PROPERTY OWNERSHIP:

Name: JABB Management LLC

Address: 115 N. Shiawassee St. Corunna, MI 48817

Phone Number: 248-952-4777

E-mail: adam@woodworthcommercial.com

3. ZONING REQUEST:

Current Zoning: B3 - Cent Bus

Requested Zoning: I1 - IND LT

4. PROPOSED USE OF THE PROPERTY:

Marijuana Cultivation Facility
(Medical + Recreational)

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 Surrounding Properties on Chipman, N. Lyon and Beecher St are All Zoned I1. This Property is a former factory surrounded by a gated chain link fence.

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:

Date: 10/18/2021

- ☐ LEGAL REPRESENTATIVE
☒ OWNER
☐ OPTION TO PURCHASE

1. The applicant must completely fill in the application.

2. Application fee is \$550.00 + \$5.00 per acre.

2.64 x 5

3. Escrow fee is \$1,500

4. Consultant Fees for Planning, Zoning, Engineering & Related Reviews:

- To better enable the City of Owosso to provide the highest quality review services, it retains the assistance of specialized consultants on an as-needed basis.
- To ensure that these services do not negatively impact the City's general fund, the cost of said services is passed on to the applicants in the form of review fees and associated escrow accounts.
- A cash deposit of \$1,500.00 shall be placed with the City of Owosso to retain qualified consultants.
- The City will let the applicants know when additional funds are needed (typically when about 25% is remaining).
- Should there be funds remaining in the account after completion of the project, the balance will be remitted to the depositor.

5. 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.
6. Application must be received by the end of the previous month before Planning Commission meeting. City Council will address the rezoning at the following Council Meeting after Planning Commission makes its recommendations for the rezoning.

<u>2021 Meeting Date</u>	<u>Submittal Deadline</u>	<u>2021 Meeting Date</u>	<u>Submittal Deadline</u>
January 25	December 30	July 26	July 1
February 22	January 29	August 23	July 30
March 22	February 27	September 27	September 2
April 26	April 1	October 25	September 30
May 24	April 30	November 22	October 29
June 28	June 3	December 13	November 19

FOR OFFICIAL USE ONLY

Case #	<u>PREZ2021-05</u>	Planning Commission Hearing Date	<u>11-22-2021</u>
Receipt #	<u>24866</u>	Action Taken	
Date Filed	<u>10-18-2021</u>	City Council Hearing Date	
Description Checked	<u>✓</u>	Action Taken	



P2021-017
1018-2021

APPROVED BY
COUNCIL ON
11/01/2021

Application Fee:
Single - \$225
Multiple - \$225 each +
\$35/resulting lot

APPLICATION TO DIVIDE PLATTED CITY LOTS

The State of Michigan Land Division Act and City of Owosso Subdivision Regulations prohibit the division of platted City lots without prior approval of the City Council.

Step-By-Step Guide

1. Staff will assist the applicant by explaining the parcel split process, provide site information, review the application and inform that a survey may be required
 2. Applicant submits application with fee
 3. Departmental review of application
 4. Staff prepares memo for next City Council meeting
 5. Send notice to applicant with the date of the City Council meeting
 6. City Clerk notifies the Building Department and Assessor of Council approval or denial
 7. Final approval or denial notice sent to applicant
- Requests for parcel splits can only be approved if the request meets the requirements of the Zoning Ordinance. The resulting split cannot create a parcel that does not meet the minimum dimensional requirements for the district (street frontage and parcel area). If there are structures on the parcel they must meet the side yard and/or rear yard setback as applicable.
 - It is the owner's responsibility to verify that there are no issues/objections to the request by any persons, firms, or corporations having a legal or equitable interest in the land. **The City does not conduct a title search for the property.**
 - If the parcel involves a principal residence or homestead it is up to the applicant to notify the City Assessor to update their Homestead Exemption.
 - The applicant is responsible to provide a survey and legal descriptions of the proposed parcels (unless waived by the Zoning Administrator). If buildings or structures are located on a parcel a site plan showing set-backs is required. Requests are reviewed for compliance with the Zoning Ordinance. The Zoning Administrator reserves the right to require additional information necessary to meet the requirements of the Zoning Ordinance.
 - **ALL DELINQUENT TAXES/SPECIAL ASSESSMENTS/LIENS MUST BE PAID ON ANY PARCEL BEFORE THE DESCRIPTION OF THE PARCEL CAN BE CHANGED.**

Applicant Information

Name: JABB MANAGEMENT LLC
Affiliation if Not Owner: _____
Address: 115 N. Shawanee St. COVENNA MI. 48817
Phone: 248-952-4777

Land Division Information

Parcel Address:	Parcel Number:
<u>108 N. Chipman St.</u>	<u>050-660-017-001-00</u>
<u>OWOSSO MI 48867</u>	

Proposed Use

<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Institutional	<input type="checkbox"/> Other
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Describe the division being proposed

We want to remove the portion of the property that touches main st. leaving the rear of the property for a potential rezoning.

Affidavit and Permissions:

- I agree the statements made on this document are true, and if found not to be true, this application and any approvals will be void
- I agree to give permission for officials of the municipality to enter onto property involved in this application for purposes of inspection, to verify that the information provided on the application is correct
- I understand that any approval hereunder only constitutes approval of requested legal descriptions and does not provide, constitute, infer or imply build ability or compliance with any applicable statute, law, building code, deed restriction, or property right
- I agree to comply with the conditions and regulations provided with this parcel division
- I understand that the land division application may take up to 30 days to be processed
- I understand that property tax bills may be issued using the parent parcel(s) and I agree to have the tax bills and other city of Owosso liens charged/billed during this period paid by the appropriate party
- I understand that if property is being conveyed between the parties, requested land division will only take place on city records after recording of deed
- **Divisions require all taxes, special assessments and outstanding invoices be paid in full before the division can be processed**

Applicant Signature

Date

City of Owosso Lot Split Ordinance Sec. 30-5. - Lot division.

The division of a lot in a recorded plat is prohibited, unless approved following application to the city council. The application shall be filed with the city clerk and shall state the reasons for the proposed division. The city council may request review and comment by the city planning commission. The division to be approved by the city council shall have the suitability of the land for building purposes approved by the city zoning administrator, who may require submission of a professionally prepared boundary survey report. No building permit shall be issued, nor any building construction commenced, prior to the city council's approval. No lot in a recorded plat shall be divided into more than four (4) parts, and the resulting lots shall be not less in area than permitted by the city zoning ordinance. The division of a lot resulting in a smaller area than prescribed herein may be permitted but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form. (Ord. No. 456, § 1, 12-19-88)

**ASSESSOR TO ATTACH LOT SPLIT FORM WITH CURRENT AND NEW
DESCRIPTIONS, ASSESSED AND TAXABLE VALUES**



Resulting Parcels from Proposed Land Division for parcel 660-017-001-00



10/19/2021

JABB MANAGEMENT LLC

LOT SPLIT APPLICATION

CURRENT TAX DESCRIPTION

108 N CHIPMAN STREET

050-660-017-001-00

LOTS 1 2 3 16 17 & 18 OF BLK 17 ALSO LOT 2 & 3 OF BLK 16 & THE VACATED PORTION OF STATE ST N OF MAIN ST PART OF A L & B O WILLIAMS ADD EXC COM AT SE COR LOT 2, TH W 154', TH N 11', TH SE'LY TO PT WHICH IS 2.44' N OF SE COR OF SD LOT, TH S TO POB, INCL 1/2 CLSD ALLEY

CALCULATED AREA OF 2.42 ACRES AND FRONTAGE OF 400 FEET

PROPOSED TAX DESCRIPTION LOT SPLITS

Portion fronting on W Main St:

LOT 2 BLK 16 & E ½ ADJ VAC STATE ST; ALSO LOT 3 BLK 17 & W ½ ADJ VAC STATE ST, ALSO S ½ ADJ VAC ALLEY, A L & B O WILLIAMS ADDITION TO THE CITY OF OWOSSO L29/P499; EXC THAT PT LYG WITHIN PCL DESC AS BEG @ SW COR SEC 13 T7N R2E, TH ALG W SEC LN N03°08'32"E 11 FT, TH S86°23'20"E 308 FT, TH S83°12'33"E 198.31 FT, TH S03°36'40"W 33 FT, TH N86°23'20"W 506.09 FT TO W LN SEC 24 T7N R2E, TH N03°43'08"E 33 FT TO POB

CALCULATED AREA OF .435 ACRE AND FRONTAGE OF 154.30 FEET

Portion fronting on N Chipman St:

LOT 3 BLK 16 & LOTS 1, 2, 16, 17, 18 BLK 17, INCL VAC STATE ST ADJ TO SD LOTS 1, 2 BLK 16 & LOT 3 BLK 16, ALSO INCL N ½ VAC ALLEY ADJ TO SD LOTS 2 & 16 BLK 17, A L & B O WILLIAMS ADDITION TO THE CITY OF OWOSSO L29/P499

CALCULATED AREA OF 2.603 ACRES AND FRONTAGE OF 400 FEET

Date for City Council Review:	11-01-2021	Date notice sent to applicant:	10-25-2021
City Council action:	<input checked="" type="checkbox"/> Approved as submitted	<input type="checkbox"/> Denied	<input type="checkbox"/> Approved with attached conditions
Date results sent to applicant:	11-02-2021		

Building Department Checklist

Application Reviewed	<input checked="" type="checkbox"/>
Fee paid	<input checked="" type="checkbox"/>
Return all materials to Building Department	<input checked="" type="checkbox"/>
Send copy of application to applicant with date of Council Meeting	<input checked="" type="checkbox"/>
Prepare memo and submit with original application to Clerk's Office	<input checked="" type="checkbox"/>
After Council approval or denial, notify applicant with copy of completed application	<input checked="" type="checkbox"/>
Notify Assessor of approval or denial	<input checked="" type="checkbox"/>
Scan to BS&A file and file hard copy	<input checked="" type="checkbox"/>
Staff Initials	GSA

10/19/2021 Please Review, Sign, Return to Tanya by 10/25/2021

City of Owosso Division of Platted City Lots Departmental Review

1. Building Official Recommends:		<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial
Comments: All Reviewed Looks to be in order			
Signature: Brad Harris 10/21/2021			
2. Assessor Recommends:		<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial
Comments: New Parcel Number for Lot facing main street will be 050-660-017-006-00 Address for New Parcel will be 1010 W. Main St.			
Signature: Michael Dant 10-20-2021			
3. Treasurer Tax Information:		<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial
County Drain Office Special Assessments: N/A per Cathy Co. Drain		<input type="checkbox"/> Paid	<input type="checkbox"/> Unpaid
County Treasurer's Office Delinquent Taxes: per Sharon @ Co. Treasurer		<input checked="" type="checkbox"/> Paid	<input type="checkbox"/> Unpaid
Special Assessments: N/A		<input type="checkbox"/> Paid	<input type="checkbox"/> Unpaid
Comments:			
Signature: Kenny Jagen 10-21-21			
4. Public Utilities Recommends:		<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial
Comments: SEE ENGINEERING COMMENTS BELOW...			
Signature: Ryan E. Sarchand			
5. Engineering Recommends:		<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial
Comments: There is an existing water main in the closed State St Right-of-Way north of Main St. Any future development on site will need to address the water main. Site has no driveway approach. Any future development will need to install driveway approach on Main St. MDOT Permit will be required			
Signature: Clayton Wehner			
6. Zoning Administrator Recommends:		<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial
Comments:			
Signature: Tanya Spracklen 10-21-2021			



November 16, 2021

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

Subject: REZONING
Location: 108 N Chipman Street
Size of Site: 3 acres
Request: To rezone roughly 3 acres at 108 N Chipman Street from B-3, to I-1 Light Industrial.
Applicant: City of Owosso

Dear Planning Commissioners:

At your request, we have reviewed the above application from the City of Owosso to rezone 3 acres from B-3 Commercial to I-1, Light Industrial. The property is currently being split into two parcels, one with frontage on W. Main and the other with frontage on Chipman. This property was originally zoned industrial and was rezoned to B-3 in the past 5 years. The applicant will keep the B-3 zoning on the parcel fronting along W. Main.

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, 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 along the east side of N. Chipman Street, adjacent to the rail line. The property is identified in the draft master plan as an area for redevelopment but did not specifically state what redevelopment should be. The applicant would like to potentially locate a marijuana growing facility on this property.

EXISTING LAND USE, ZONING AND FUTURE LAND USE

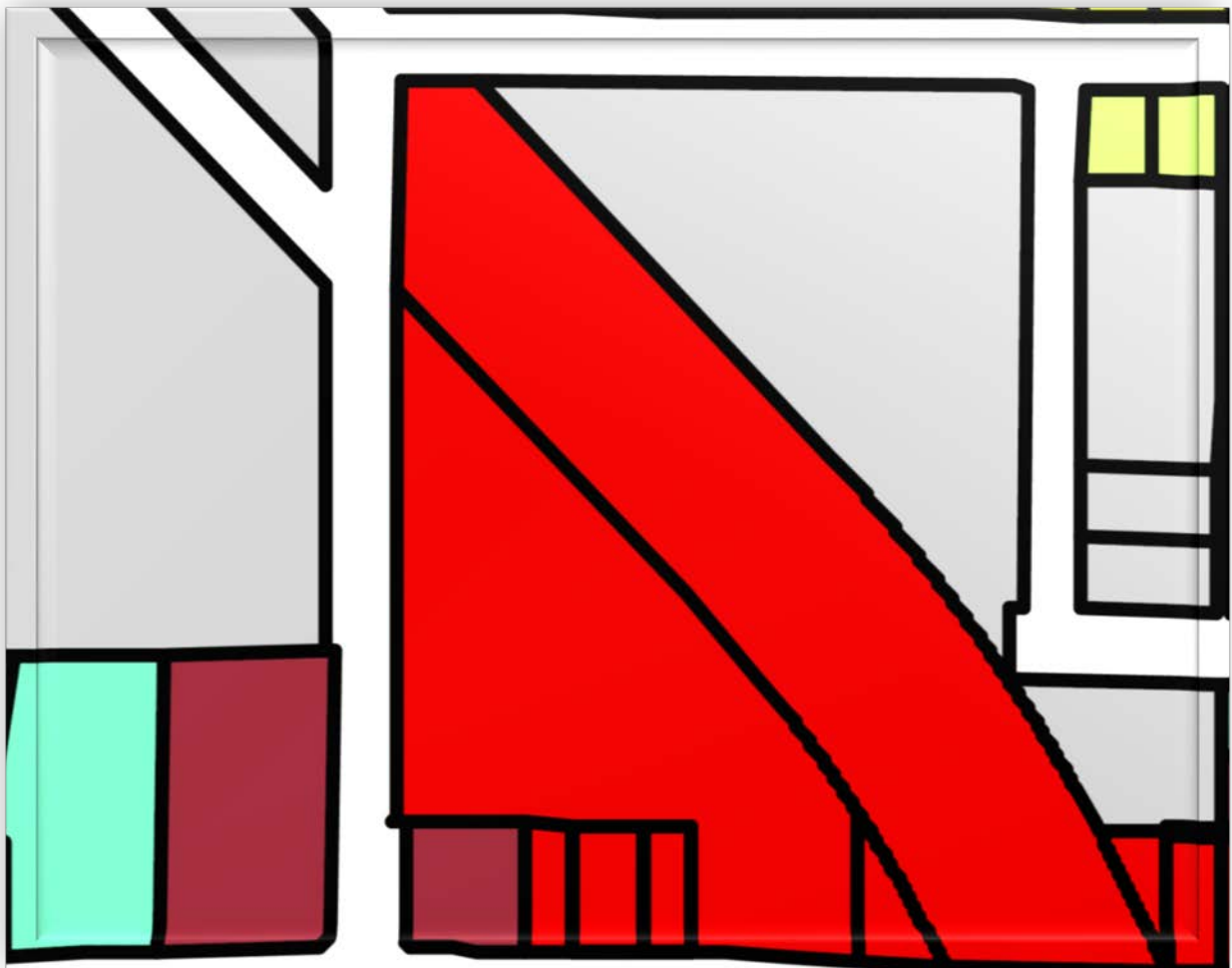
	Existing Land Use	Zoning	Master Plan
Subject Site	Existing 26,000 SF Ind. Building	B-3 Commercial	Commercial
North	Industrial & Commercial	B-3 Commercial	Commercial

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South	Commercial	B-3 Commercial	Commercial
East	Commercial	B-3 Commercial	Commercial
West	Industrial and Commercial	B-4, General Commercial and I-1, Light Industrial	Local business and industrial

***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 – While the current future land use map identifies this area as commercial, this property was previously industrial, and a marijuana grow facility would not be considered too intense for the surrounding commercial uses.

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 commercial.

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 – It is our belief that land uses within the I-1 district are more compatible with this site given former industrial uses on this site and the proximity to the rail line.

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 find that there is high demand for industrial property in Owosso for potential marijuana grow facilities. There is already an approved facility across the street on Hathaway Drive and this site makes sense to revert back to its industrial nature.

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.

RECOMMENDATION

Based upon the above comments, **we recommend approval of the rezoning request for 108 N. Chipman 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 be more compatible with surrounding land uses;
5. Infrastructure to the site is appropriate for the proposed use; and
6. The request has not been previously submitted to the City for consideration.

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

Sincerely,

CIB Planning



Justin Sprague
Vice President