

**MINUTES**  
**REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION**  
**Monday, November 22, 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:** Secretary Fear, Commissioners Law, Morris, Robertson, Taylor, Chairman Wascher

**MEMBERS ABSENT:** Commissioner Jenkins, Vice-Chair Livingston

**OTHERS PRESENT:** Planning and Building Director Tanya Buckelew

**APPROVAL OF AGENDA:**

**MOTION BY COMMISSIONER ROBERTSON, SUPPORTED BY COMMISSIONER LAW TO APPROVE THE AGENDA FOR November 22, 2021.**

**YEAS ALL. MOTION CARRIED.**

**APPROVAL OF MINUTES:**

**MOTION BY SECRETARY FEAR SUPPORTED BY COMMISSIONER LAW TO APPROVE THE MINUTES FOR THE September 27, 2021 MEETING.**

**YEAS ALL. MOTION CARRIED.**

**PUBLIC HEARINGS:**

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

Planning & Building Director Tanya Buckelew explained the property was originally zoned industrial but was rezoned to B-3 in 2012 due to being combined with W. Main Street frontage. A lot split was approved at the 11/01/2021 City Council meeting. There is now one lot with frontage on W. Main Street and this lot with frontage on N. Chipman Street. The applicant will keep the B-3 zoning on the parcel fronting along W. Main Street. The applicant is requesting 108 N. Chipman Street be rezoned back to I-1 Light Industrial for the purpose of a marihuana grow facility.

**Opened the Public Hearing at: 6:35 pm**

The following commented:

Eugene and Dee Riley of 1106 Beehler Street objected to the rezoning and use of 108 N. Chipman being used as a marihuana grow facility. Concerned about potential smell and deterioration of property value in the area.

Travis Prince of 1203 W. Main Street objected to the rezoning and use of 108 N. Chipman being used as a marihuana grow facility.

The City received a letter from Julie Wenzlick of 1101 Riverside Drive regarding grow facilities in Owosso and the odor that exists in Chesaning.

Adam Bronson, owner of 108 N. Chipman Street, explained if rezoned to industrial his plans for the building are an allowable use, offered explanation on odor control.

Closed the Public Hearing at: 6:40 pm

Planning & Building Director Tanya Buckelew briefly explained the city ordinance and that outdoor grow is not allowed in the City and strict adherence to odor control is provided for in the ordinance.

Chairman Wascher expressed concern on adding more industrial zones in the City of Owosso, Commissioner Robertson agreed.

Commissioner Law commented in support to this rezoning and wants to see the building occupied.

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

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.

	<b>EXISTING LAND USE</b>	<b>ZONING</b>	<b>MASTER PLAN</b>
Subject Site	Existing 26,000 SF Industrial Building	B-3 Commercial	Commercial
North	Industrial & Commercial	B-3 Commercial	Commercial
South	Commercial	B-3 Commercial	Commercial
East	Commercial	B-3 Commercial	Commercial
West	Industrial & Commercial	B-4 General Commercial and I-1 Light Industrial	Local business and industrial

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.**

- 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.**

- 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.**

- 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.**

- 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.**

**Based upon the above comments, we recommend approval of the rezoning request for 108 N. Chipman 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 I-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 COMMISSIONER LAW SUPPORTED BY SECRETARY FEAR TO APPROVE THE REZONING OF THE FOLLOWING PROPERTY:**

ADDRESS	PARCEL ID NUMBER	APPROVED REZONING
108 N CHIPMAN ST	050-660-017-001-00	I-1 LIGHT INDUSTRIAL DISTRICT

**YEAS: SECRETARY FEAR, COMMISSIONER LAW, COMMISSIONER MORRIS, COMMISSIONER TAYLOR**  
**NAYS: COMMISSIONER ROBERTSON, CHAIRMAN WASCHER**  
**RCV: 4-2 MOTION CARRIED**

**ITEMS OF BUSINESS: NONE**

**COMMISSIONER/CITIZEN COMMENTS: NONE**

**ADJOURNMENT:**

**MOTION BY COMMISSIONER MORRIS SUPPORTED BY SECRETARY FEAR TO ADJOURN AT 7:05 PM UNTIL THE NEXT MEETING ON DECEMBER 13, 2021.**

**YEAS ALL, MOTION CARRIED**

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**Janae Fear, Secretary**