



MEMORANDUM

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

DATE: July 2, 2020

TO: Mayor Eveleth and the Owosso City Council

FROM: Nathan Henne, City Manager

SUBJECT: Rezoning Request for 715 S Washington Street; Parcel 050-651-032-001-00

RECOMMENDATION:

Staff and the Planning Commission recommends setting a public hearing for Monday, August 3, 2020 at 7:30 p.m. to receive citizen comment and consider the rezoning request.

BACKGROUND:

The Planning Commission held a public hearing at its regularly scheduled meeting on June 22, 2020 to hear a petition to rezone parcel 050-651-032-001-00, also known as 715 S Washington Street from R-2 Two-Family Residential District to B-1 Local Business District.

The proposed rezoning would allow for the expansion of a local business – Josh's Frogs – animal breeding facility. This location would not involve retail customers. Traffic would consist of approximately 20 employees.

The Planning Commission, after mailing notices and holding a public hearing, voted to approve the rezoning request at its regular meeting on June 22, 2020.

RESOLUTION NO.

**TO SET A PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 38 ZONING
OF THE CODE OF ORDINANCES
TO REZONE THE PARCEL AT 715 S WASHINGTON STREET AND AMEND THE ZONING MAP**

WHEREAS, the city council of the city of Owosso received a petition from Josh Willard, Josh's Frogs, at the real property identified as 715 S. Washington Street, parcel number 050-651-032-001-00 to rezone the parcel from R-2 Two-Family Residential District to B-1 Local 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 715 S. 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
715 S. Washington Street described as follows:	R-2 Two-Family Residential District	B-1 Local Business District

Parcel number: 050-651-032-001-00
Legal/Tax Description: LOTS 5 6 7 8 9 & 10 (EX N 20' OF LOTS 5 & 6 & ALLEY ABUTTING SD LOTS 5 & 6) BLK 32 A L WILLIAMS ADD

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, August 3, 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.

OFFICIAL NOTICE OF PROPOSED REZONING
VIRTUAL MEETING

City of Owosso is inviting you to a scheduled Planning Commission Zoom meeting on June 22, 2020 at 6:30 pm.

Join Zoom Meeting

<https://us02web.zoom.us/j/82239418627?pwd=a2tPMFZuQWFpMG92OU9Ka0xTbTFIQT09>

Meeting ID: 822 3941 8627

Password: 167256

One tap mobile

+16465588656,,82239418627#,,1#,167256# US (New York)

+13017158592,,82239418627#,,1#,167256# US (Germantown)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 822 3941 8627

Password: 167256

A Public Hearing will be held on a proposal to rezone the property described below. The proposed rezoning would allow for the expansion of a local business – Josh's Frogs – animal breeding facility. This location would not involve retail customers. Traffic would consist of approximately 20 employees.

APPLICANT: #PREZ 2020-02 Joshua Williard, Owner of Josh's Frogs
222 South Elm Street
Owosso, MI 48867

PROPERTY OWNER: West Michigan District Wesleyan Church
715 S Washington Street
Owosso MI, 48867

PROPERTY ADDRESS: 715 S Washington Street

PROPOSED REZONING: FROM: R-2 Two-Family Residential District
TO: B-1 Local Business District

PROPERTY DESCRIPTION: Parcel number: 050-651-032-001-00
Legal/Tax Description: LOTS 5 6 7 8 9 & 10 (EX N 20' OF LOTS 5 & 6 & ALLEY ABUTTING SD LOTS 5 & 6) BLK 32 A L WILLIAMS ADD

LOT SIZE: 1.079 acres Frontage: 178 feet Depth: 264 feet

MEETING INFORMATION: Owosso City Planning Commission regular meeting on Monday, June 22, 2020. This is a Virtual Meeting.

WRITTEN COMMENTS: Written comments may be submitted to the building department office at city hall or by email to building@ci.owosso.mi.us any time prior to the meeting. Further information on this case is on file in the Building Department for your review.

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 the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. Website address is www.ci.owosso.mi.us.

OWOSSO



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:

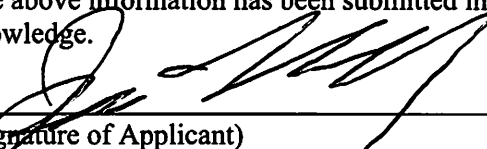
I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 715 S. Washington, Owosso, MI 48867
Description: (lot, block or metes and bounds) Block 32 Lots 5,6,7,8,9,10: Church building and parking Lot
050-651-032-001-00
Frontage in Feet 242' Depth in Feet 263.87' 178 x 264
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number) 1.079
West Michigan District Wesleyan Church, 715 South Washington, Owosso, MI 48867 PH. 616-827-9451
3. ZONING REQUEST Current Zoning R2 Requested Zoning B1
Proposed Use of the Property Animal Breeding Facility

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 business at this location will not involve retail customers. Traffic will be workers (expected 20) and the occasional tour group. No new signage planned except replacing current signage.

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)

222 South Elm, Owosso, MI 48867

(Address)
517-375-3773

(Phone)

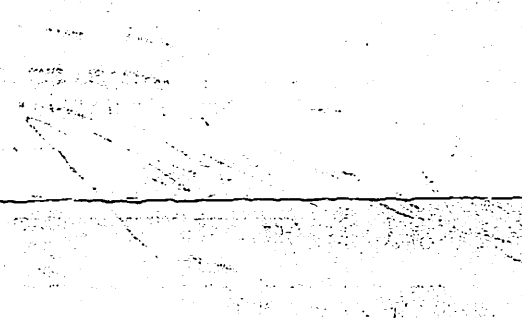
(Signature of Co-Applicant)

___ Legal Representative
___ Owner
___ Option to Purchase

FOR OFFICIAL USE ONLY
Case # PCE 2020-02
Receipt # 511019
Date Filed 5/27/2020
Description Checked ✓

Zoom meeting
Planning Commission Hearing Date 6/22/2020
Action Taken _____
City Council Hearing Date _____
Action Taken _____

Feb 8 1911
P.T.C. 1



200 feet

100 feet

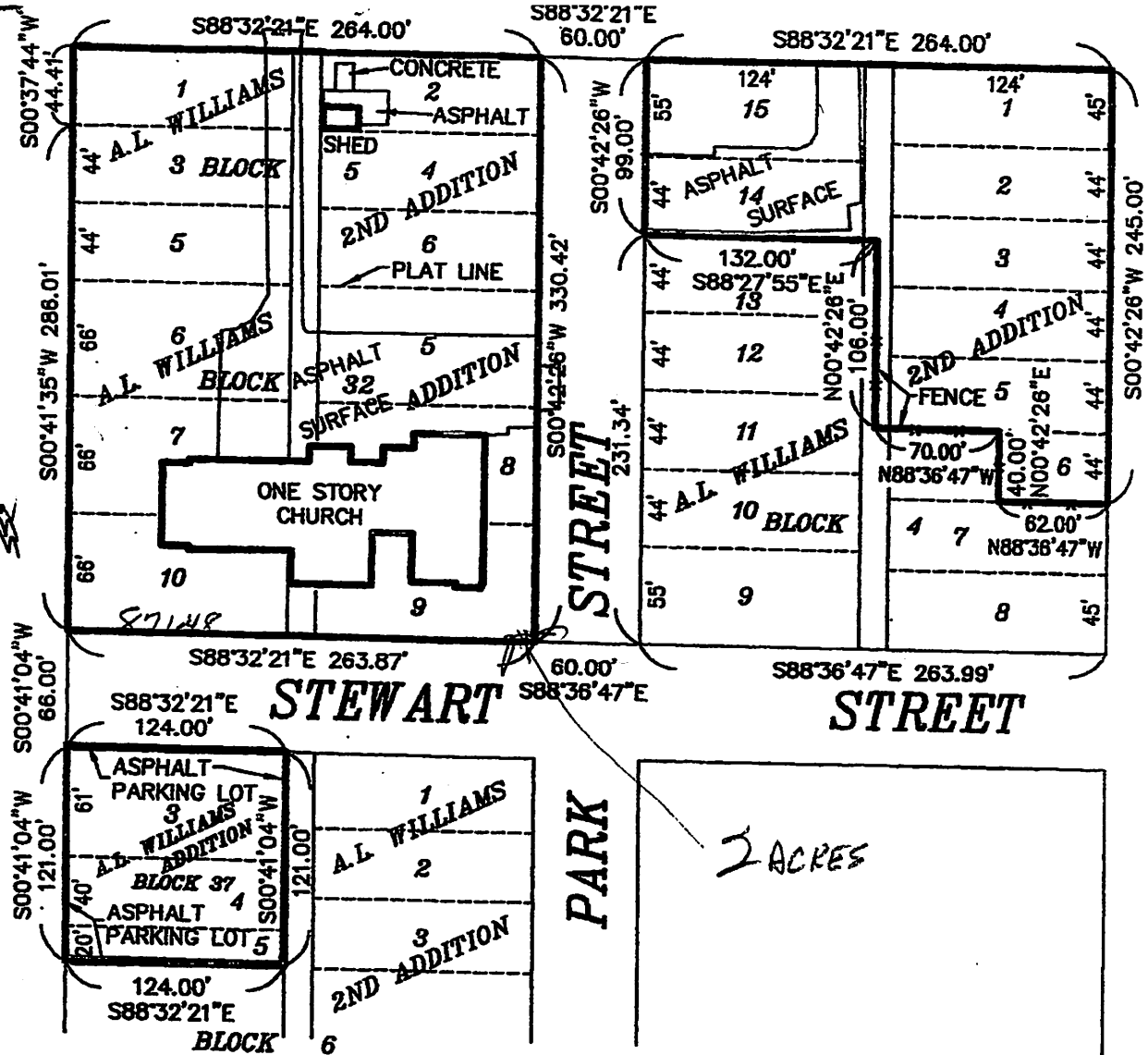
50 feet

100 feet

WASHINGTON STREET

SAGINAW STREET

322



We hereby certify that we have examined the property herein described; that the improvements as shown are entirely within the property lines; and that there are no existing encroachments upon the lands described, other than as shown.

Mark L. VanRaemdonck
 Mark L. VanRaemdonck, PS 24622

43560

LANDMARK SURVEYING
 204 N. SHIAWASSEE ST. PHONE (989) 725-8725
 OWOSSO, MI 48867 FAX (989) 725-2452



June 17, 2020

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

Subject: Rezoning Request
Location: 715 S. Washington at the southeast intersection of S. Washington and Stewart Street
Size of Site: 1.5 acres
Request: To rezone roughly 1.5 acres from R-2, Single-Family Residential to B-1, Local Business District.
Applicant: Josh Willard, Josh's Frogs

Dear Planning Commissioners:

At your request, we have reviewed the above application from Josh Willard, owner of Josh's Frogs to rezone 1.5 acres of the subject property from R-2, Single-Family Residential to B-1, Local Business District. The applicant is proposing to expand his existing business into the vacant church located on the property. Josh's Frogs has been a staple business in the City of Owosso for a number of years, and this site presents the ideal space for growth of this company.

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.

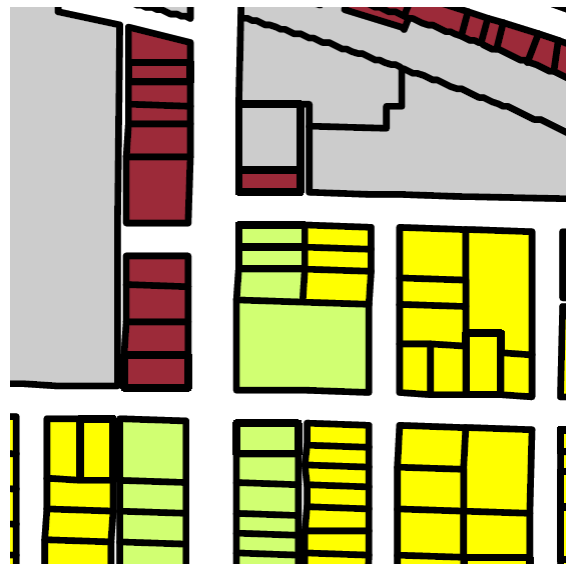
LOCATION AND DESCRIPTION

The subject parcel is located at the located at 715 S. Washington Street at the intersection of Stewart Street. The site is the location of a former church that has been recently vacated.

EXISTING LAND USE, ZONING AND FUTURE LAND USE

	Existing Land Use	Zoning	Master Plan
Subject Site	Vacant Church	R-2, Single Family Residential	Single Family Residential
North	Single Family	R-1 & R-2	Single Family
South	Single Family	R-1 & R-2	Single Family
East	Single Family	R-1 One Family Residential	Residential
West	Commercial	B-4 General Business District	Commercial

***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 B-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 residential. In this case, the applicant will not be changing any of the exterior facility, or existing signage and would keep all business operations confined within the building. The existing parking lot will provide ample parking for the limited number of employees (15-20) that will be located on site.

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 – The B-1 Local Business District is intended to meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. The uses in this district are minimal in intensity and are not intended to be a disruption to existing residential areas. The uses in this district are far more compatible and less intense than the B-4 zoning that is located directly east of this property fronting along S. Washington.

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 – Services to this site are sufficient to meet the needs of the proposed use.

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 – There are very few properties within the city that are zoned B-1, which is the lowest commercial zoning district that still permits the proposed use.

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

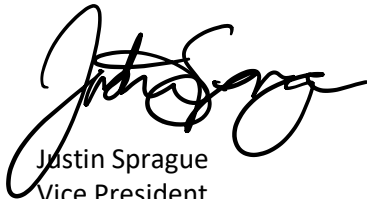
Based upon the above comments, **we recommend approval of the rezoning request for Josh's Frogs to be located at 715 S. Washington Street based on the following items;**

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 B-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 sufficient; and
5. The request has not been previously submitted to the City for consideration;

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