

**CITY OF MT. MORRIS
PLANNING COMMISSION AGENDA
June 17th, 2024
6:30 p.m.**

- 1. MEETING CALLED TO ORDER:** Chairperson Sara Black.
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES:** Approval of April 15th, 2024 regular meeting minutes.
- 5. COMMUNICATIONS:**
None.
- 6. PUBLIC COMMENT:**
- 7. UNFINISHED BUSINESS:**
 - a. None
- 8. NEW BUSINESS:**
 - a. **Public Hearing: A request to rezone 11725 N. Saginaw.**
 - b. **Action on rezoning request.**
- 9. PUBLIC COMMENT:**
- 10. UPDATES:**
- 11. PLANNING COMMISSION COMMENTS:**
- 12. ADJOURNMENT:**

**PLEASE BE COURTEOUS TO OTHERS
SILENCE ALL CELL PHONES & OTHER DEVICES PRIOR TO THE MEETING**

**CITY OF MT MORRIS
PLANNING COMMISSION
April 15th, 2024**

At 6:30 p.m., Chairperson Sara Black called the Planning Commission Meeting to Order.

PRESENT: Sara Black, Yusef Harrold, City Manager/Clerk Spencer Lewis, Mayor Sara Dubey, Andrew Sorensen, and Eric Calcut.

ABSENT: Melissa Neuwirth.

OTHERS: None.

ROLL CALL:

None.

APPROVAL OF AGENDA:

A motion was made by Mayor Sara Dubey, seconded by Yusef Harrold to approve the agenda.

All Ayes.

Motion Carried.

APPROVAL OF MINUTES:

A motion was made by City Manager/Clerk Spencer Lewis, seconded by Eric Calcut to approve the minutes of the regular meeting held on February 19th, 2024.

All ayes.

Motion carried.

COMMUNICATIONS:

City Manager/Clerk Spencer Lewis stated that Nate Shango did stop in and pay for a rezoning for the old hotel building next to Valley Liquor, and that it should be scheduled to happen at the June meeting.

PUBLIC COMMENT:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

a. Public Hearing: Ordinance 2024-01: Amending the zoning ordinance (Appendix D) by the addition of definitions, repealing section 3.20, and amending section 3.21.

A motion was made by Eric Calcut, seconded by City Manager/Clerk Spencer Lewis to open the public hearing at 6:36 p.m.

All Ayes.

Motion Carried.

A motion was made by City Manager/Clerk Spencer Lewis, seconded by Eric Calcut to close the public hearing at 6:37 p.m.

All Ayes.

Motion Carried.

b. Action on Ordinance 2024-01.

A motion was made by Sara Black, and seconded by Mayor Sara Dubey to recommend to city council to approve the ordinance, following the Clerk discussing the numbering of the sections with the City Attorney.

Roll call: ___ 6 ___ Ayes ___ 0 ___ Nays ___ 1 ___ Absent
(Neuwirth)

Motion Carried.

PUBLIC COMMENT:

None.

UPDATES:

None.

PLANNING COMMISSION COMMENTS:

None.

ADJOURNMENT:

With no further business, the meeting was adjourned at **6:50 p.m.**

Spencer Lewis, City Clerk

CITY OF MT. MORRIS
ZONING ORDINANCE MAP AMENDMENT (REZONING)
APPLICATION

NAME Nate Shango
ADDRESS 11741 N. Saginaw St. Mt. Morris, MI 48458
PHONE (home) _____ PHONE (work) 810.869.6416
Tax Parcel # of Lot 57-12-528-017 Application Fee \$ 300.00

Amendment Request Classification:

_____ Petition by qualified voter resident of the City of Mt. Morris (attach petition)

X By an owner of interest in the parcel

_____ By resolution of City Council or Planning Commission (attach resolution)

Current Zoning Classification C-R

Proposed Zoning Classification C

Proposed Use GAS STATION / Canopy on site See Attached Sketch

Nate Shango
Applicant's Signature

4-3-2024
Date

Date Notice Published

5.29.2024

Date Notice mailed to all owners of property in area in question and all property owners within 300' of property in question

5.23.2024

Date notice sent to adjacent township (if within 500' of property line)

N/A

Date of Public Hearing by Planning Commission

6.17.2024

Recommendation of Planning Commission(attach report and public comments)

Date of First Reading by City Council

Date of Second Reading by City Council

Date of City Council Public Hearing, if desired (attach minutes)

Date of Planning Commission Meeting If sent back to Planning Commission for further study, attach report(s)

Approval _____

Disapproval _____

Attach minutes of both City Council meetings.

Date Notice of Adoption published in Newspaper _____

shoot for june meeting.

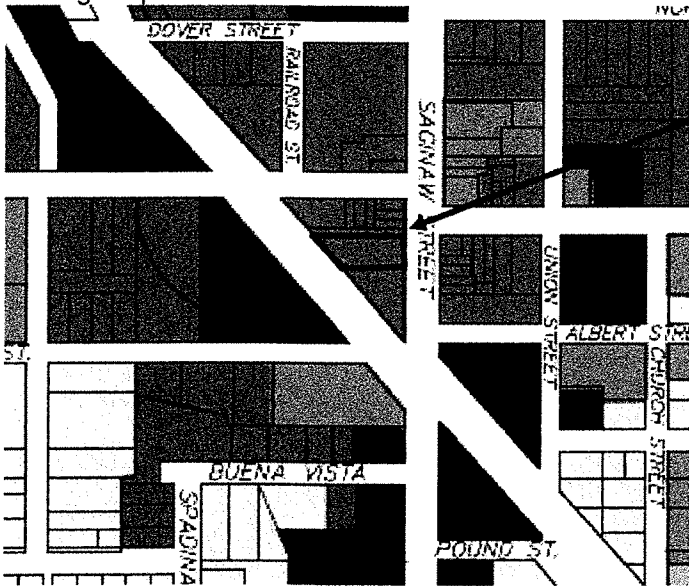
City of Mt. Morris Rezoning Request Checklist Nate Shango, 11725 N. Saginaw

About Zoning and Future Land Use Maps

Consistency with the map - The zoning district map is intended to illustrate one possible arrangement of land uses based on the plan's locational criteria, not the only one. The fact that a particular parcel is identified in the future land use classification that corresponds to a certain zoning ordinance is a good indication that the proposed zoning complies with the plan, but it should not be the only consideration; other plan goals or policies may be relevant that aren't necessarily displayed in the future land use map.

The subject parcel is question, 11725 N. Saginaw (57-12-528-017), is shown on the Future Land Use Map as within the City's Commercial-Retail future land use category, which corresponds with the Commercial-Retail (C-R) zoning district. Excerpts from each map are provided below.

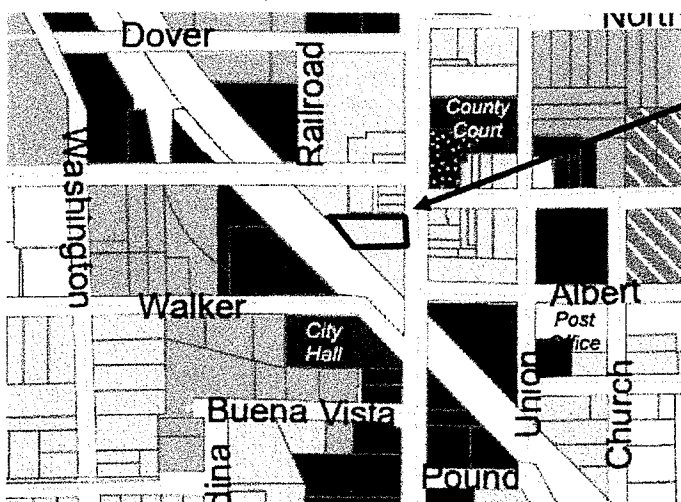
Zoning Map



Subject Property

- SINGLE FAMILY PUD (R-1)
- SINGLE FAMILY - MEDIUM DENSITY (R-2)
- SINGLE FAMILY - HIGH DENSITY (R-3)
- MOBILE HOME PARK (RC)
- MULTIPLE FAMILY (RB)
- OFFICE (O)
- COMMERCIAL - RETAIL (C-R)
- GENERAL BUSINESS (C)
- INDUSTRIAL (I)

Future Land Use Map



Subject Property

- Commercial - Retail
- General Business
- Industrial
- Mobile Home Park
- Multiple Family
- Office
- Single Family - High Density
- Single Family - Medium Density
- Large Lot Flex Uses
- Corridor Transition Uses

Information on Site Plan			
<i>Current Zoning:</i>	C-R	<i>Soil Suitability:</i>	n/a
<i>Proposed Zoning:</i>	C	<i>Steep Slopes:</i>	n/a
<i>Current Use:</i>	Vacant	<i>Floodplain:</i>	n/a
<i>Proposed Use:</i>	Gas Station	<i>Wetland:</i>	n/a
<i>Surrounding Land Uses:</i>	Vacant parking lot, convenience store, barbershop, and general retail	<i>Sewer Availability :</i>	Yes
<i>Parcel Size:</i>	.3 acres; ~13,000 square feet.	<i>Water Availability:</i>	Yes
<i>Classification of Roadway it is located off of:</i>	Major Street		

Rezoning Checklist		Yes	No
The use requested shall be consistent with and promote the intent and purpose of this ordinance.			
Findings of Fact:			
<ol style="list-style-type: none"> 1. The fundamental purpose of the City of Mt. Morris Zoning Ordinance is to protect the public health, safety and welfare. 2. The proposed use as a gas station is not an allowable use by-right or by special land use in the C-R District, in which the property currently resides. 3. Gas stations, by their very nature are intensive uses that attract a significant amount of vehicle traffic, and do not support an environment that is conducive to pedestrian use and traditional downtowns. 			
Findings in Support			
The site is currently vacant, and the addition of a new business will benefit the city.			
Findings in Opposition			
Rezoning to C General Commercial to allow more automobile-centric uses is likely to increase the potential for pedestrian-vehicle conflicts in the primary block of Mt. Morris' current downtown area. The use is contrary to the ordinance's purpose for protecting public health, safety, and welfare.			
Notes:			

<p>The proposed use will ensure that the land use or activity shall be compatible with adjacent land uses, the natural environment, and the capabilities of public services affected by the proposed land use.</p>		
<p>Findings of Fact</p> <ol style="list-style-type: none"> 1. The site plan provided does not include any landscaping or buffering features to limit impacts of vehicles or a more intensive commercial use on surrounding properties. 2. No gas stations currently existing in the C-R zoning district. 3. Gas stations require the use of underground storage tanks, which present significant environmental hazards if unattended, or upon abandonment. 		
<p>Findings in Support</p> <p>N/A</p>		
<p>Findings in Opposition</p> <ol style="list-style-type: none"> 1. Adjacent land uses are primarily retail and office-related in nature. 2. The city's master plan clearly states goals to enhance pedestrian safety and encourage revitalization of the downtown area. 3. The proposed use is contrary to these goals. Further, significant portions of the city are currently zoned to allow for this use in areas that are more automobile-oriented and do not have the same potential for pedestrian conflicts. 		
<p>Notes:</p>		
<p>The land use sought is consistent with the public health, safety and welfare of the City of Mt. Morris.</p>		
<p>Findings of Fact</p> <p>See findings above related to the purpose of the Mt. Morris Zoning ordinance.</p>		
<p>Findings in Support</p>		
<p>Findings in Opposition</p>		
<p>Notes:</p>		

<p>The purpose use is consistent with the City Master Plan or a determination that the plan is not applicable due to a mistake in the plan, changes in relevant conditions or changes in the relevant plan policies.</p>		
<p>Findings of Fact</p> <ol style="list-style-type: none"> 1. The Master Plan identifies the property as a Commercial-Retail future land use designation. 2. Objective 1.a. of the Master Plan states, "Preserve the small-town character and pedestrian-scale services and facilities in order to further support the long-term economic viability of the downtown area by encouraging state, federal, and private sector involvement." 		
<p>Findings in Support</p> <p>The property owner is proposing new investment in Mt. Morris' Downtown area.</p>		
<p>Findings in Opposition</p> <ol style="list-style-type: none"> 1. The Commercial-Retail future land use designation focuses on pedestrian-oriented and traditional downtown uses, not automobile-centric uses. 2. Objectives related to downtown investment prioritize small-town character and pedestrian-scale services and facilities, which a gas station is not. 		
<p>Note:</p>		

Paul Zumbach

From: Doug Piggott <DPiggott@rowepsc.com>
Sent: Friday, October 30, 2020 1:59 PM
To: Paul Zumbach
Subject: Re: Re-Zoning

Paul:

I apologize for not responding earlier.

A property owner always has a right to request a rezoning, even if the request appears inconsistent with the Master Plan.

You may want to make sure they are aware of your concern and of course, you are not required to act on the request until the application is incomplete. But you need to let them know what additional information they are missing.

Once a complete application is submitted, a Planning Commission public hearing should be scheduled. I know the city has been having a problem getting a quorum together, so you may need to get assurances or appoint new members in order to ensure a quorum. A notice in the newspaper and to all of the residents and property owners within 300' must be published/sent at least 15 days prior to the hearing.

You may wish to have an analysis of the request prepared to be provided to the Planning Commission and applicant. We can help with that if you would like.

After the public hearing the Planning Commission votes on a recommendation on the request to the City Council. It then goes to City Council along with a copy of the public hearing minutes for a final decision.

Let me know if you have any questions.

Doug Piggott

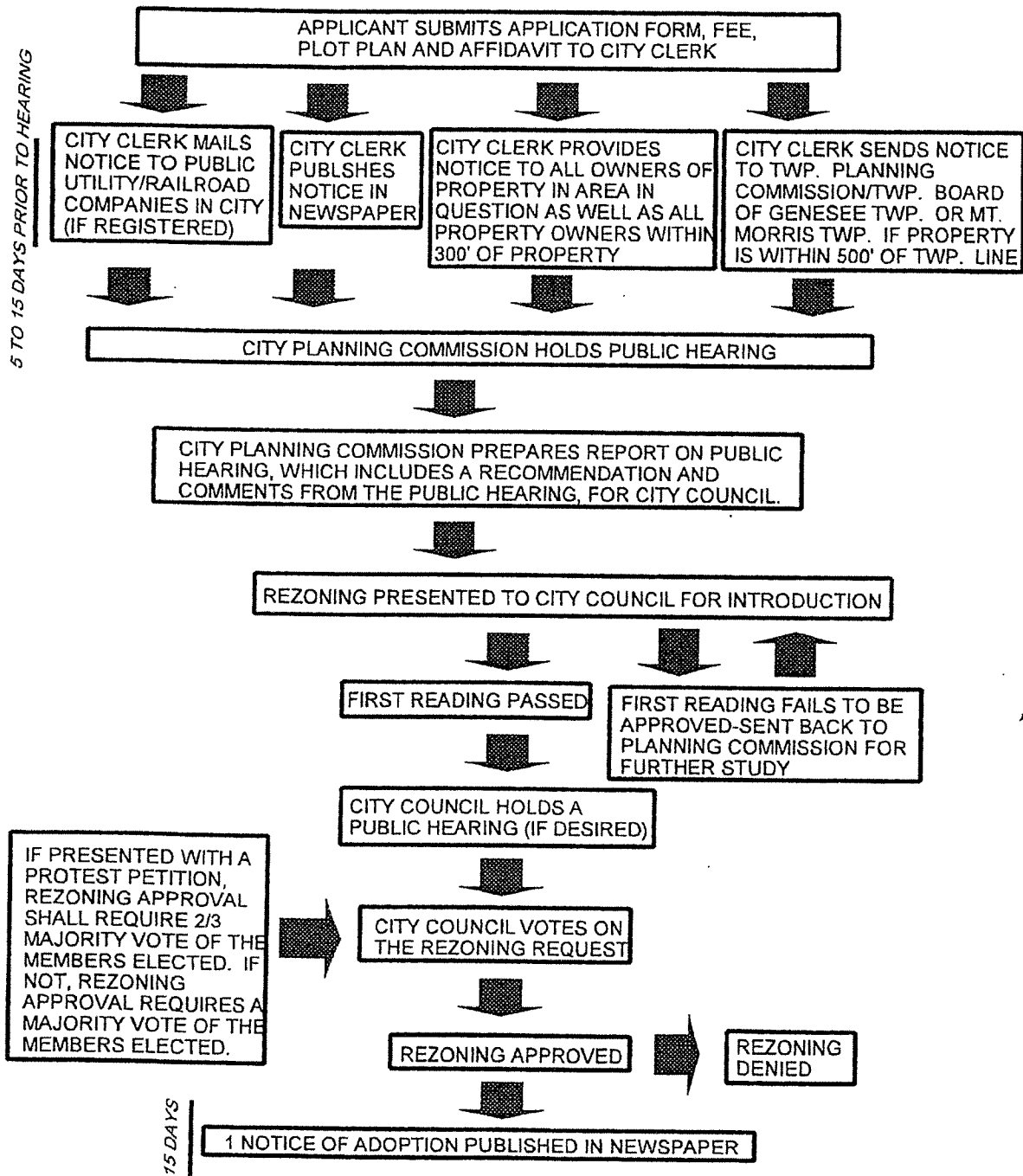
From: Paul Zumbach <dpw@cityofmtmorris.org>
Sent: Tuesday, October 27, 2020 7:52 AM
To: Doug Piggott <DPiggott@rowepsc.com>
Subject: Re-Zoning

Good Morning Doug

I have received an zoning application for a Gasoline Station in a zoning district "CR", which does not allow gas stations. The applicant has provide a drawing (incomplete) that indicates that they would like to re-zone the parcel in question to " C ". Vicki and I have discussed the request and we are not 100% on how to proceed. I think we should avoid spot zoning a single parcel. Please let me know how to proceed. Please give me a call if you have any questions.

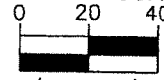
Paul Zumbach
City of Mt. Morris

REZONING (ZONING MAP AMENDMENT) PROCESS



PARCEL RE-ZONING CHANGE EXHIBIT

GRAPHIC SCALE



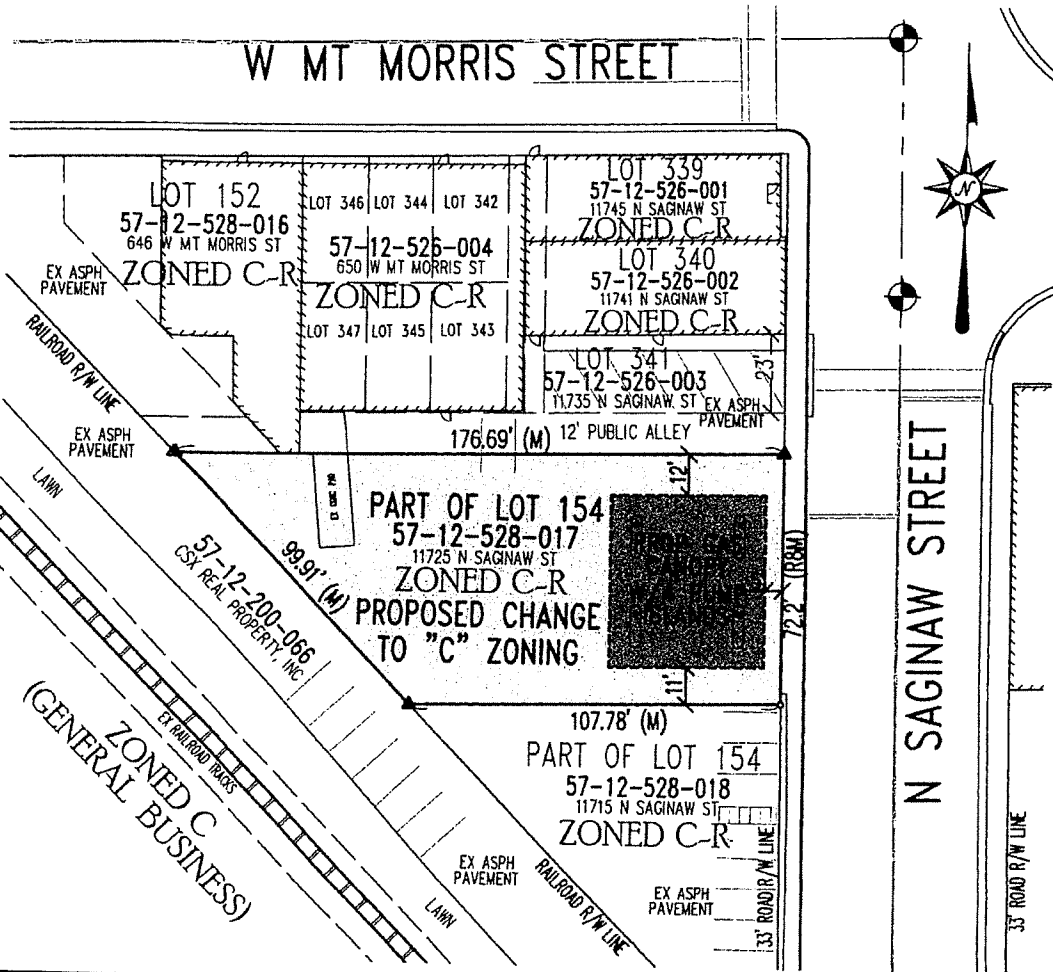
(IN FEET)
1 inch = 40 ft.

PROPERTY DESCRIPTIONS:

PARCEL NUMBER 57-12-528-017, 11725 N SAGINAW ST
NORTH 72.70 FEET OF LOT 154, OF "FREDERICK WALKER ADDITION TO
THE VILLAGE OF MT. MORRIS", ACCORDING TO THE PLAT THEREOF
RECORDED IN LIBER 14, PAGE 19 OF PLATS, GENESEE COUNTY RECORDS.

ZONING INFORMATION:

1. ACCORDING TO THE CURRENT CITY OF MT MORRIS ZONING ORDINANCE THIS PROPERTY IS CURRENTLY ZONED C-R (GENERAL COMMERCIAL RETAIL DISTRICT) WHICH DOES NOT ALLOW FOR GAS STATIONS.
2. THE PROPOSED ZONING REQUEST CHANGE IS FOR PARCEL NO. 57-12-528-017 FROM "C-R" (COMMERCIAL-RETAIL) TO "C" (GENERAL BUSINESS) IN ORDER TO ACCOMMODATE THE PROPOSED FUEL CANOPY AND GAS PUMPS AFTER DEMOLITION OF THE OLD HOTEL BUILDING.



PARCEL RE-ZONING CHANGE EXHIBIT FOR:
NAMIR SHANGO
 11741 SAGINAW STREET
 MT MORRIS, MI 48458
 PHONE: 810.869.6416

SCALE: 1"=40'	JOB NO. 20-209	DATE: 10.20.2020	REVISION:
DRN. BY: J.R.B.		APPR BY: J.P.W.	PAGE: 1 of 1

F&E Fenton Land Surveying & Engineering, Inc
 14165 N. FENTON ROAD, SUITE 101A, FENTON, MI 48430
 PHONE: 810.354.8115 EMAIL:INFO@FENTONLSE.COM