CITY OF MT. MORRIS PLANNING COMMISSION AGENDA January 21st, 2025 6:30 p.m.

- 1. MEETING CALLED TO ORDER: City Clerk, Spencer Lewis.
- 2. **SWEARING IN OF NEW MEMBERS:** Sara Black, Melissa Neuwirth, and Wayne Walter, terms ending 12/2027
- 3. ELECTION OF CHAIRPERSON AND OATH OF OFFICE
- 4. ELECTION OF VICE CHAIRPERSON AND OATH OF OFFICE
- 5. ELECTION OF SECRETARY AND OATH OF OFFICE
- 6. ROLL CALL
- 7. APPROVAL OF AGENDA
- 8. APPROVAL OF MINUTES: Approval of July 15th, 2024 regular meeting minutes.
- 9. **COMMUNICATIONS:**

None.

- **10. PUBLIC COMMENT:**
- 11. <u>UNFINSHED BUSINESS:</u>
 - a. None
- 12. NEW BUSINESS:
 - a. RESOLUTION 25-01A: 2025 meeting dates
 - b. Public Hearing: A request to rezone 11741 N. Saginaw.
 - c. Action on rezoning request.
- 13. PUBLIC COMMENT:
- 14. UPDATES:
- 15. PLANNING COMMISSION COMMENTS:
- **16. ADJOURNMENT:**

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

CITY OF MT MORRIS PLANNING COMMISSION July 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, and Melissa

Neuwirth.

ABSENT: Andrew Sorensen.

OTHERS: None.

ROLL CALL:

None.

APPROVAL OF AGENDA:

A motion was made by Mayor Sara Dubey, seconded by City Manager/Clerk Spencer Lewis to approve the agenda.

All Ayes.

Motion Carried.

APPROVAL OF MINUTES:

A motion was made by City Manager/Clerk Spencer Lewis, seconded by Mayor Sara Dubey to approve the minutes of the regular meeting held on June 17th, 2024.

All ayes.

Motion carried.

COMMUNICATIONS:

None.

PUBLIC COMMENT:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

a. Public Hearing: 643 Walker St. Conditional Use Permit

A motion was made by City Manager/Clerk Spencer Lewis, seconded by Mayor Sara Dubey to open the public hearing at 6:34 p.m.

All Ayes.

Motion Carried.

A motion was made by City Manager/Clerk Spencer Lewis, seconded by Sara Black to close the public hearing at 6:35 p.m.

All Ayes.

Motion Carried.

Planning Commission July 15th, 2024. Page Two.

b. Action on 643 Walker St. Conditional Use Permit

Chairperson Sara Black briefly explained to Melissa Neuwirth how we normally go through the checklists provided to us by Rowe Engineering, and go step by step through the review process. This specific conditional use permit has come to use before just over 2 years ago, so we have some background information and plans for this conditional use permit.

A motion was made by City Manager/Clerk Spencer Lewis, seconded by Sara Black to approve the conditional use permit application from Star Budz Provisioning Center LLC for the property located at 643 Walker Street based on the following findings of fact:

- The proposed conditional use addresses Standard 1 because the proposed development and site design are in harmony with the surrounding neighborhood and applicable regulations of the C general business zoning district.
- The proposed conditional use addresses Standard 2 because parking area design and proposed vehicular movements will not provide any hazards greater than the rest of the district.
- The proposed conditional use addresses Standard 3 because proposed systems for odor control, lighting, and the hours of operation will eliminate potential nuisances.
- The proposed conditional use addresses Standard 4 because the location of buildings, landscaping, and other features will not discourage other uses or unreasonably affect their value.
- The proposed conditional use addresses Standard 5 because it will not place any excessive demands on public services or facilities.
- The proposed conditional use addresses Standard 6 because it will protect the public health, safety and welfare based on plans submitted by the applicant to meet standards for marijuana facilities.
- The proposed conditional use addresses Standard 7 because it provides adequate site design and features to prevent injury to other property in the neighborhood and will not be detrimental to existing or permitted land uses.

Roll call:	5Ayes	0Nays	1Absent (Sorensen)
			(Solchsen)

Motion Carried.

c. Action on 643 Walker St. Site Plans

A motion was made by City Manager/Clerk Spencer Lewis, seconded by Sara Black to approve the site plan application from Star Budz Provisioning Center LLC for the property located at 643 Walker Street based on the following findings of fact:

- The proposed site plan addresses Standard A because it provides adequate on-site circulation and meets parking design standards contained in the ordinance.
- The proposed site plan addresses Standard B because it provides adequate transition areas and buffers with adjacent land uses, including residentially-zoned properties.
- The proposed site plan addresses Standard C because existing utility services are adequate to serve the needs of the development.
- The proposed site plan addresses Standard D because proposed physical improvements are built to standards that will prevent premature deterioration.
- The proposed site plan addresses Standard E because there will be no hazardous substances stored on site.

Further, in order to ensure compliance with these standards, the following conditions are part of my motion to approve:

• The site plan as built, must also comply with the city sidewalk ordinance.

Planning Commis July 15 th , 2024. Page Three.	sion								
Roll call:	5	_Ayes	0)	_Nays		Sorensei	_Absent	
Motion Carried.							(BOICHSC)	,	
PUBLIC COMM	ENT:								
Mac Irwin, 7370 questioned on if the	Red M	aple Dr. – Mac qu the same property	iestione that wa	ed w is ap	hy Yusef oproved ar	Harrold d	lidn't have sed a coup	a packet? He als le years back?	0
UPDATES:									
None.									
PLANNING CO	MMISS	SION COMMEN	<u>TS:</u>						
Yusef Harrold stat	ed that	hearing that comn	nencem	ent	of the pro	ject will b	e starting	next week is reas	suring.
Mayor Sara Dubey	y stated	that she is excited	l to see	and	hear abou	it the proj	ect movin	g forward.	
ADJOURNMEN With no further bu		the meeting was a	ıdjourne	ed a	t 7:07 p.n	1.			
Spencer Lewis, Ci	ty Cler	k							

CITY OF MT. MORRIS PLANNING COMMISSION **RESOLUTION 25-01A**

WHEREAS: Public Act No. 267 of 1976, Michigan's Open Meeting Act, requires that within ten (10) days of the first meeting of a public body in each calendar year the body must publicly post a list stating the dates, times and places of all it's regular meetings.

NOW THEREFORE BE IT RESOLVED:

That the Planning Commission of the City of Mt. Morris will meet for regularly scheduled Planning meetings on the third (3rd) Monday of each month at 6:30 p.m. in the City Council Chambers, 11649 N. Saginaw Street, Mt. Morris, unless that day conflicts with a holiday.

Specifically, the meeting dates in 2025 shall be:

Tues	day	January 21
Mono	day	February 17
Mone	day	March 17
Mone	day	April 21
Mone	day	May 19
Mone	day	June 16
Mone	day	July 21*
Mone	day	August 18*
Mone	day	September 15
Mone	day	October 20
Mone	day	November 17
ning C	ommission will	meet only if neede

*Plann ed

Moved by Planning Commission member ar Tuesday, January 21, 2025, at 6:30	nd thereafter adopted at a reg	
Yeas	Nays	Absent
Sara Dubey, Mayor	Spencer Le	wis, City Clerk

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

NAME	NAMIN SHANG		
ADDRESS	11741 N.S.	- Aginaw	
PHONE (home)		PHONE (work	
Tax Parcel # of Lot	57-12-526-00	2 Application Fe	e \$ 300.00
Amendment Request (Classification:		
Petition by	qualified voter resident o	f the City of Mt. Morris	(attach petition)
XBy an owner	of interest in the parcel		
By resolutio	on of City Council or Plan	ning Commission (atta	ch resolution)
Current Zoning Classit	fication $C-R$		
Proposed Zoning Clas	sification C	·	
•	Tas Station /	P.O.S.	
110000000000000000000000000000000000000			
Abut do		11.14	1.2024
Applicant's Signature		Date	
Date Notice Publishe	d		1.1.2025
	all owners of property ir all ithin 300' of property in c		12.30.2024
Date notice sent to ac	ljacent township (if withir	n 500' of property line)	
Date of Public Hearin	g by Planning Commissi	on	1.21.2025
Recommendation of F comments)	Planning Commission(att	ach report and public	
Date of First Reading	by City Council		
Date of Second Read	ing by City Council		
Date of City Council F	Public Hearing, if desired	(attach minutes)	
	nmission Meeting If sent or study, attach report(s)	back to Planning	
Approval Attach minutes of both	City Council meetings.	Disapproval	
Date Notice of Adoption	n published in Newspape	er	

Inv.#1680

Shoot for January Meeting. 2025

K This is A rezoning checklist that was used for A different rezoning, but the Actual checklist still applies.

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

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- 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:		
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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.

Findings of Fact

- 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.

Findings in Support

N/A

Findings in Opposition

- 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.

Notes:	
The land use sought is consistent with the public health, safety and welfare of the City of Mt. Morris.	
Findings of Fact	
See findings above related to the purpose of the Mt. Morris Zoning ordinance.	
Findings in Support	
Findings in Opposition	
Notes:	



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.

Findings of Fact

- 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."

Findings in Support

The property owner is proposing new investment in Mt. Morris' Downtown area.

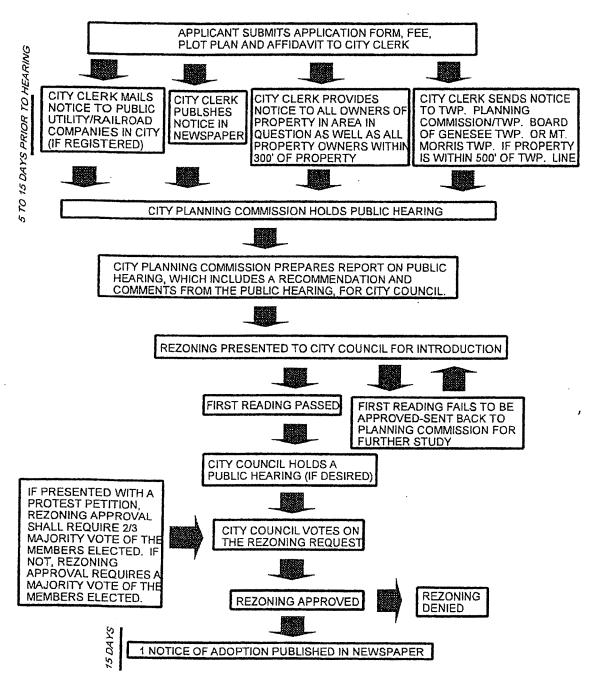
Findings in Opposition

- 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 pedestrianscale services and facilities, which a gas station is not.

Note:		

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REZONING (ZONING MAP AMENDMENT) PROCESS



PARCEL RE-ZONING CHANGE EXHIBIT GRAPHIC SCALE PROPERTY DESCRIPTIONS: PARCEL NUMBER 57-12-528-017, 11725 N SAGINAW ST (IN FEET) 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. 1 inch = 40 ft. 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. MORRIS STREE guestion LOT 339 57-12-526-001 11745 N SAGNAW ST ONED C-R LIOT 152 LOT 346 LOT 344 LOT 342 57-12-528-016 646 W MT MORRIS ST 57-12-525-004 LOT 340 57-12-526-002 11741 N SAGNAW ST ZONED C-R ZONED C-R ONED C LOT 347 LOT 345 LOT 343 17-12-526-003 11735 N SAGNAW ST EX ASPHJ 176,69' (M) 12' PUBLIC ALLEY EX ASPH PAVEMENT 핊 PART OF LOT 154 57-12-528-017 ZONED C-R PROPOSED CHANGE SAGINAW TO "C" ZONING 107.78' (M) PART OF LOT 154 57-12-528-018 11715 N SAGNAW STELLE Z 33 ROAD R/W LINE ZONED C-R EX ASPH PAVEMENT ROADIR/K EX ASPH PAVEMENT PARCEL RE-ZONING CHANGE EXHIBIT FOR: NAMIR SHANGO 11741 SAGINAW STREET MT MORRIS, MI 48458 PHONE: 810.869.6416 SCALE: JOB NO. DATE: 1"=40' 10.20.2020 DRN. BY: 20 - 209J.R.B PAGE: J.P.W. 1 of 1 Fenton Land Surveying & Engineering, Inc 14165 N. FENTON ROAD, SUITE 101A, FENTON, MI 48430 PHONE: 810.354.8115 EMAIL:INFO@FENTONLSE.COM