

AGENDA
JOINT PLANNING COMMISSION
Marshall City Hall – 323 West Michigan Avenue
Tuesday – October 18, 2022 - 7:00 p.m.

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES – Minutes from September 13, 2022

AUDIENCE PARTICIPATION

Items on the agenda-- Citizens who wish to speak on a matter on the agenda may do so when called upon by the Chairman. Those people addressing the Board are required to give their name and address for the record and shall be limited to speaking for a maximum of five (5) minutes on a given matter. Rebuttals shall be limited to one (1) minute when called upon by the Chairman.

PUBLIC HEARINGS

1. Rezoning Application RZ 22.04 for Parcel #13-16-260-003-00, currently 902 South Kalamazoo Avenue
2. Rezoning Application RZ 22.05 for Parcel #13-16-273-024-01, 15998 West Michigan Avenue

OLD BUSINESS

None

NEW BUSINESS

1. Discuss and give recommendation on Rezoning Application RZ 22.04 for Parcel #13-16-260-003-00, currently 902 South Kalamazoo Avenue, to rezone from Township Zoning Agricultural (AR) to City Zoning of Multi-Family Residential (MFRD)
2. Discuss and give recommendation on Rezoning Application RZ 22.05 for Parcel #13-16-273-024-01, 15998 West Michigan Avenue, to rezone from Township Zoning Highway Service (HS) to City Zoning Regional Commercial (B-4)

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA -- Citizens who wish to address the Board on items not on the agenda may do so at this time. When called upon by the Chairman, please state your name and address for the record. Members of the public shall be limited to speaking for a maximum of two (2) minutes.

REPORTS

ADJOURN

City of Marshall and Marshall Township

Joint Planning Commission Minutes

September 13, 2022 7PM

In a regular session, Tuesday, September 13, 2022 at 7:00 p.m. in the Training Room at Marshall City Hall, 323 W Michigan Ave, the City of Marshall and Marshall Township Joint Planning Commission was called to order by Chair Lyng.

ROLL CALL

Members Present: Chair Lyng, Commissioners Banfield, Burke-Smith, Gresley, Hoffman, and Reed

Members Absent: None

Staff Present: Trisha Nelson, City of Marshall Deputy Treasurer

Eric Zuzga, City of Marshall Director of Community Services

AGENDA

MOTION by Banfield, supported by Reed to accept the agenda for the Tuesday, September 13, 2022 as submitted. On a voice vote; **MOTION CARRIED.**

OFFICERS

MOTION by Burke Smith, supported by Reed to nominate Banfield for chair. On a voice vote; **MOTION CARRIED.**

MINUTES

MOTIONS by Lyng, supported by Gresley, to accept the minutes from the Tuesday, May 12, 2020 as submitted. On a voice vote; **MOTION CARRIED.**

PUBLIC COMMENTS ON AGENDA ITEMS

None

PUBLIC HEARINGS

None

NEW BUSINESS

MOTION by Reed, supported by Lyng to receive Site Plan #JPC22.01 for Family Bible Church at 725 Old Us 27 N. On a voice vote; **MOTION CARRIED.**

MOTION by Reed, supported by Lyng to approve Site Plan #JPC22.01 for Family Bible Church at 725 Old Us 27 N.

The board discussed the site plan with Tom Tarkiewicz, who was responding on behalf of Family Bible Church. The lack of screening on portions of the parking lot was discussed.

MOTION by Lyng, supported by Gresley to waive the screening requirement along the Old US 27 parking lot, but to require it along the F Dr parking lot. On a roll call vote; ayes-Gresley, Hoffman, Lyng; Nays-Reed, Burke Smith, Banfield. **MOTION DENIED.**

MOTION by Reed, supported by Burke Smith to require screening on both the Old 27 and F Dr parking lots. On a roll call vote; ayes-Gresley, Hoffman, Reed, Burke Smith, Banfield; Nays-Lyng. **MOTION CARRIED.**

Nelson stated that she would recommend a friendly amendment to the original approval motion to require a staff approved landscape plan.

MOTION by Reed, supported by Lyng to approve Site Plan #JPC22.01 for Family Bible Church at 725 Old Us 27 N contingent upon a staff approved landscape plan. On a roll call vote; ayes-Gresley, Hoffman, Lyng, Reed, Burke Smith, Banfield; Nays-none. **MOTION CARRIED.**

Discussion was had on the property located at 550 W Hughes. Comments were made on a proposed site plan for the parcel, as well as potential impacts to the area.

MOTION by Burke Smith, supported by Hoffman to set a Public Hearing for October 19, 2022 Zoning Amendment request #JPCRZ22.01 to rezone property coming in to the City on a 425 Land Transfer at 550 W Hughes to MFRD- Multifamily Residential. On a voice vote; **MOTION CARRIED.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

REPORTS

None

ADJOURN

The Joint Planning Commission adjourned at 8:00 p.m.

Submitted by,

Michelle Eubank

PUBLIC NOTICE

The City of Marshall and Marshall Township **Joint Planning Commission** will be holding a meeting on Tuesday, **October 18, 2022** at 7:00 p.m. in the City Council Chambers of City Hall, 323 W. Michigan Avenue, Marshall, MI 49068. The purpose of the meeting will be to consider the following items:

- **Public Hearing for Rezoning Application RZ 22.04 for Parcel #13-16-260-003-00, currently 902 South Kalamazoo Avenue**
- **Public Hearing for Rezoning Application RZ 22.05 for Parcel #13-16-273-024-01, 15998 West Michigan Avenue**

Please visit the city web site for more information or if you have any questions, please contact Eric Zuzga at 269-558-0354 or ezuzga@cityofmarshall.com. Those wishing to comment may do so in person at the meeting or may send written comments to the attention of Eric Zuzga, City of Marshall, 323 W. Michigan Ave., Marshall, Michigan 49068.



TO: Joint Planning Commission Members

FROM: Eric Zuzga, Director of Community Services

DATE: September 13, 2022

SUBJECT: 550 West Hughes Multi-Family Proposed Project

The city has been working with a group of developers on a proposed housing project at 550 West Hughes Street (aka 902 S. Kalamazoo). The City Council approved a PA 425 Transfer agreement with Marshall Township at its August 15, 2022 meeting due to the need for extension of utilities to support the proposed housing project. Due to the transfer of the property by the PA 425 Agreement, the Joint Planning Commission is being asked to review a request for a zoning designation as Multi-Family Residential (MFRD) and provide a recommendation on approval to the City Council.

The following criteria are to be used as a guide in determining whether the rezoning should be recommended for approval:

- A. The proposed zoning district is more appropriate than any other zoning district, or more appropriate than adding the desired use as a special land use in the existing zoning district.

There is no existing zoning district and the use is appropriate to comply with reason for the PA 425 agreement.

- B. The property cannot be reasonably used as zoned.

No zoning district at this time due to being previously zoned by the Township.

- C. The proposed zone change is supported by and consistent with the goals, policies, and future land use map of the adopted City Master Plan. If conditions have changed since the plan was adopted, as determined by the Planning Commission, the consistency with recent development trends in the area shall be considered.

The Marshall community has seen a high demand for new housing to support its existing residents, but also to support projected development and increased employment at the Marshall Mega Site. This need has expanded greatly since the Master Plan was developed and is expected to expand even more in the near future. The Master Plan states that there is a desire to have a mix of housing types for all segments of the population. The city does not

currently have any multi-family housing developments proposed so a definite need is being met by this project.

- D. The proposed zone change is compatible with the established land use pattern, surrounding uses, and surrounding zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values, and is consistent with the needs of the community.

This area of the city has single family, two-family, and multi-family developments. The location of the proposed project will have an impact on traffic and other infrastructure; however, City staff are working with other units of government to address these concerns. The developer intends to leave the majority of the trees on the riverfront and will address storm water impacts on the site. City staff and the South NIA will be working to expand the necessary utilities to the site and ensure that the site is tied in to existing pedestrian networks ensuring a walkable site. The developer is committed to developing an attractive development that provides walking trails along the river, a multi-sport court, playground, and clubhouse. Staff believes that this will be a positive addition to the community.

- E. All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological, and other environmental features.

Staff review has not identified any issues with the features identified in this category. The developers are committed to maintaining the riverfront trees and general aesthetics of the property.

- F. The change would not severely impact traffic, public facilities, utilities, and the natural characteristics of the area, or significantly change population density, and would not compromise the health, safety, and welfare of the city.

The project will increase traffic and expand the city's infrastructure to serve the site. Both the water and sewer plants have the capacity to serve this development. Both departments are reviewing the impact to the existing water and sewer mains. Fire and Police Departments have reviewed the project and have not provided any concerns that would affect the health, safety, or welfare of the city. The city is in discussions with the developer about the possible addition of a dog park to the site.

- G. The rezoning would constitute and create an isolated and unplanned district contrary to the City Master Plan which may grant a special privilege to one landowner not available to others.

There are other multi-family zoned properties in the vicinity.

- H. The change of present district boundaries is consistent in relation to existing uses, and construction on the site will be able to meet the dimensional regulations for the proposed zoning district listed in the schedule of regulations.

There are other multi-family uses/zoning east and north of the proposed site. The conceptual plan meets the dimensional regulations in the MFRD zoning district.

- I. There was a mistake in the original zoning classification, or a change of conditions in the area supporting the proposed rezoning.

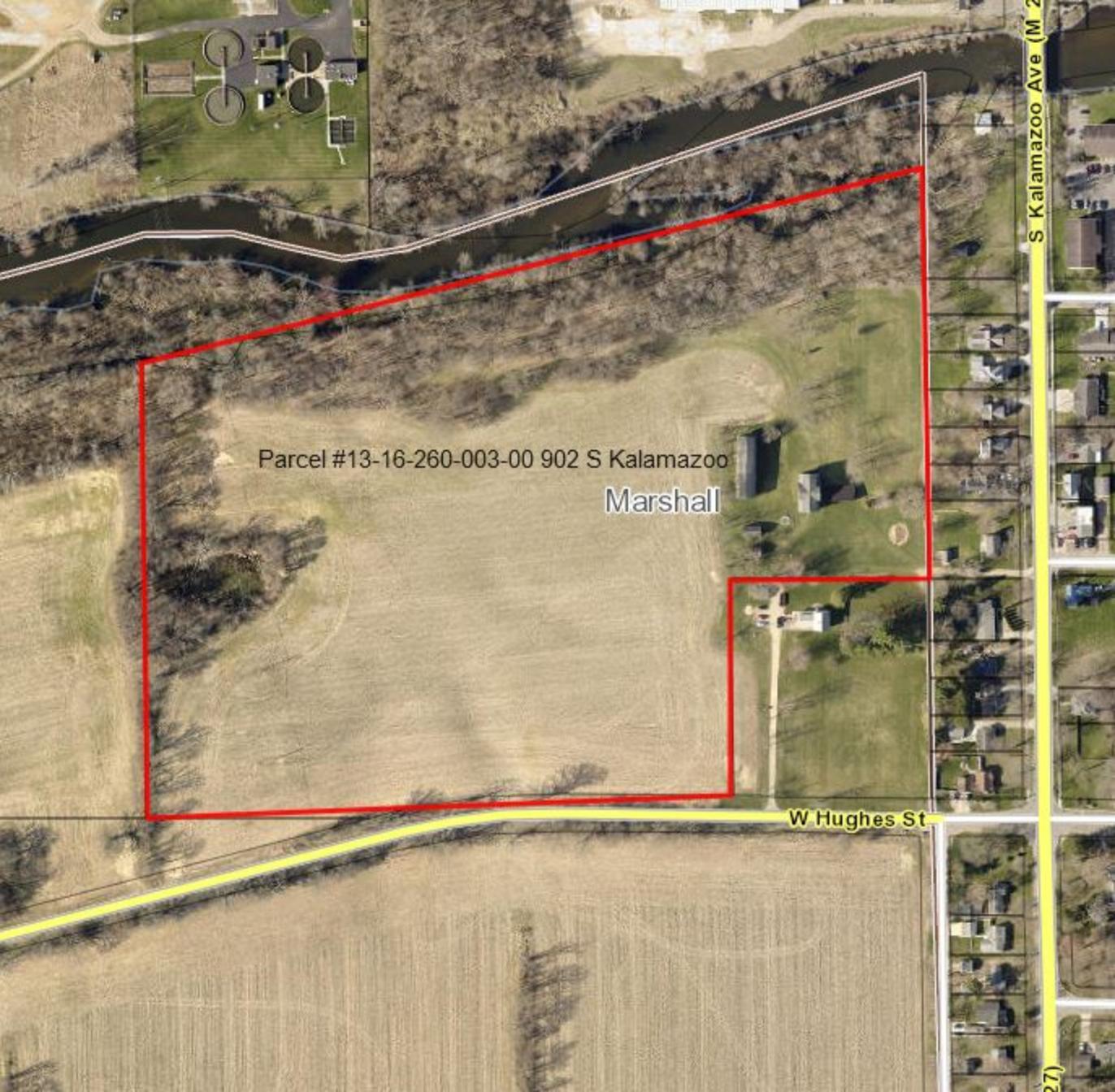
No mistake was made as there is no existing City zoning on the parcel.

- J. Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district

Most of the current property zoned for multi-family developments is already developed. As the City is seeing increased employment, there is a larger need for housing.

Recommendation:

Staff are recommending approval of the rezoning request.



Parcel #13-16-260-003-00 902 S Kalamazoo
Marshall

W Hughes St

S Kalamazoo Ave (M 27)

(27)



ITEM

TO: Joint Planning Commission Members
FROM: Eric Zuzga, Director of Community Services
DATE: October 18, 2022
SUBJECT: 15998 West Michigan Avenue Zoning

The city has been working the owner of the Dairy Queen to assist in the PA 425 land transfer and subsequent zoning processes. The City Council approved a PA 425 Transfer agreement with Marshall Township at one of its meetings in August. The request for the PA 425 was due to the need for water at the renovated facility and closes an “island” that was created in previous PA 425 agreements. The proposed zoning of B-4 is consistent with all of the surrounding properties.

The following criteria are to be used as a guide in determining whether the rezoning should be approved:

- A. The proposed zoning district is more appropriate than any other zoning district, or more appropriate than adding the desired use as a special land use in the existing zoning district.

There is no existing zoning district and the use is appropriate to comply with reason for the 425 agreement. All surrounding properties are zoned B-4.

- B. The property cannot be reasonably used as zoned.

No zoning district at this time due to being previously zoned by the Township.

- C. The proposed zone change is supported by and consistent with the goals, policies, and future land use map of the adopted City Master Plan. If conditions have changed since the plan was adopted, as determined by the Planning Commission, the consistency with recent development trends in the area shall be considered.

The proposed zoning is consistent with the Master Plan and is the same zoning of all surrounding properties.

- D. The proposed zone change is compatible with the established land use pattern, surrounding uses, and surrounding zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values, and is consistent with the needs of the community.

The use has a Dairy Queen with a zoning of B-4 is consistent with the surrounding uses and is compatible with the established land use (former Burger King). The renovated site is an improvement over the former blighted property and has improved that corridor.

- E. All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological, and other environmental features.

Staff review has not identified any issues with the features identified in this category.

- F. The change would not severely impact traffic, public facilities, utilities, and the natural characteristics of the area, or significantly change population density, and would not compromise the health, safety, and welfare of the city.

There is no major impact expected as the site was developed to meet these factors. The water system has enough capacity to service this property without any improvements.

- G. The rezoning would constitute and create an isolated and unplanned district contrary to the City Master Plan which may grant a special privilege to one landowner not available to others.

The proposed zoning removes the only non-B-4 property in that area.

- H. The change of present district boundaries is consistent in relation to existing uses, and construction on the site will be able to meet the dimensional regulations for the proposed zoning district listed in the schedule of regulations.

As stated, the proposed zoning change is consistent with the surrounding uses and the redeveloped site meets all City zoning requirements.

- I. There was a mistake in the original zoning classification, or a change of conditions in the area supporting the proposed rezoning.

No mistake was made as there is no existing City zoning on the parcel.

- J. Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district

This section is not applicable as the site needs a City zoning designation.

Recommendation:

Staff are recommending approval of the rezoning request.

W Michigan Ave (M 96)

Marshall

West Dr (M 227)

W Hanover St

West Dr (M 227)