



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

MEETING NOTICE

FOR FURTHER INFORMATION CONTACT:

Grant E. Bauman, AICP
R2PC Principal Planner
(517) 768-6711
gbauman@co.jackson.mi.us

DATE: March 9, 2017
TIME: 6:00 p.m.
PLACE: 5th Floor Commission Chambers
Jackson County Tower Building
120 W. Michigan Avenue
Jackson, Michigan 49201

MEETING AGENDA

1. Call to order and pledge of allegiance
2. Public comment [*3 MINUTE LIMIT*]
3. Approval of minutes
Approval of the February 9, 2017, meeting minutes [*ACTION*] 3
4. Approval of agenda
Approval of the March 9, 2017, meeting agenda [*ACTION*]
5. Request(s) for review, comment, and recommendation
 - a. Consideration of township zoning amendment(s)
 - (1) CZ #17-09 – Blackman Township rezoning [*ACTION*]..... 5
 - (2) CZ #17-10 – Napoleon Township rezoning [*ACTION*]..... 12
 - b. Consideration of master plan(s) - *None*
 - c. Farmland and Open Space Preservation Program (PA116) application(s) - *None*
6. Other business
 - a. Unfinished business - *None*
 - b. New business – *None*
7. Public comment [*2 MINUTE LIMIT*]
8. Commissioner comment
9. Adjournment

www.co.jackson.mi.us/county_planning_commission

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Jackson County Planning Commission

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MEETING MINUTES

February 9, 2017

Jackson County Tower Building • Jackson, Michigan

Members Present: Timothy Burns, At Large; Roger Gaede, Environment; Nancy Hawley, At Large; Ted Hilleary, Education; Jennifer Morris, At Large; John Polaczyk, Jackson County Board of Commissioners; Jared Vickers, At Large; and Jim Videto, Agriculture

Members Absent: Amy Torres, Industry and Economics

Liaisons Present: Grant Bauman, R2PC Principal Planner

Others Present: None

Item 1. **Call to Order and Pledge of Allegiance.** The meeting was called to order at 6:00 p.m. by Secretary Morris. Those in attendance rose and joined in the Pledge of Allegiance.

Item 2. **Public Comment.** There was no public comment.

Item 3. **Approval of Minutes.** A motion was made by Commissioner Polaczyk, and seconded by Commissioner Hilleary, to **approve** the minutes of the January 12, 2017, meeting as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** A motion was made by Commissioner Videto, and seconded by Commissioner Gaede, to **approve** the February 9, 2017, agenda as presented. *The motion was approved unanimously.*

Item 5. **Request(s) for Review, Comment, and Recommendation**

a. **Consideration of Township Zoning Amendment(s).**

(1) **CZ #17-07 – Text Amendments, Summit Township**

Staff summarized its report regarding proposed text amendments concerning chickens, temporary or seasonal uses, off-street parking area design and construction, and the amendment of an approved site plan. Staff advised County Planning Commissioners to recommend approval with comments of the text amendments (see the staff report).

Commissioner Gaede questioned the 100-foot setback for covered chicken enclosures from residential structures on adjacent properties. Commissioner Morris recommended the pavement of all driveway aprons in order to prevent the transfer of dirt and mud onto township streets. Commissioner Morris also recommended that curbing be required on off-street parking areas rather than wheel stops or curbing. Wheel stops are subject to damage and displacement due to snow plowing. The consensus of the Planning Commission was to concur with both of Commissioner Morris' recommendations.

A motion was made by Commissioner Hilleary, and seconded by Commissioner Vickers, to recommend **approval with comments** of staff and planning commissioners. *The motion was approved unanimously.*

(2) **CZ #17-08 – Text Amendments, Henrietta Township**

Staff summarized its report regarding proposed text amendments concerning adult and child foster care and child care facilities as well as mobile homes in the mobile home park district (MHP-1). Staff advised County Planning Commissioners to recommend approval with comments of the text amendments (see the staff report).

Commissioner Polaczyk was concerned with not allowing older mobile homes to be placed in a mobile home park if they are well-maintained. Commissioner Morris was concerned with the legality of the government placing an age limit on mobile homes. The consensus of the Planning Commission was to recommend that the Township get a legal opinion on its ability to place an age limit on mobile homes.

A motion was made by Commissioner Polaczyk, and seconded by Commissioner Vickers, to recommend **approval with comments** of staff and planning commissioners. *The motion was approved unanimously.*

Commissioner Hawley abstained from the vote because she serves on the Henrietta Township Planning Commission.

- b. **Consideration of Master Plan(s).** None.
- c. **Farmland & Open Space Preservation Program (PA 116) application(s).** None.

Item 6. **Other Business**

- a. **Unfinished Business.** None.
- b. **New Business.**
 - (1) **Jackson County Conservation District Tree and Native Plant Sales.** Staff alerted Planning Commissioners about the 2017 Spring Tree Sale and Native Plant Sale to be held by the Jackson County Conservation District.
 - (2) **Public Invited to Share Ideas on Proposed Water Trail for the Upper Grand River.** Staff alerted Planning Commissioners about the February 15th public meeting on the draft *Upper Grand River Water Trail Development Plan*. The meeting will take place in the Blackman Township Hall from 6:00-7:30 pm.

Item 7. **Public Comment.** There was no public comment.

Item 8. **Commissioner Comment.**

Commissioner Hawley stated that townships were not represented on a countywide ad hoc committee regarding emergency radios and that a mic fee may be charged to the townships despite the \$1.50 surcharge on phone bills. Commissioner Polaczyk replied that there were open meetings to which the townships were invited and that the mic fee was addressed early in the process and should not have been a surprise to the townships.

Item 9. **Adjournment.** The meeting was adjourned by Secretary Morris at 7:12 p.m.

Respectfully submitted by:
Grant Bauman, Recording Secretary



Jackson County Planning Commission

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120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #17-09

To: County Planning Commissioners
From: Grant E. Bauman, AICP
Date: March 9, 2017

Proposal: The rezoning of property from Agricultural (AG-1) to General Commercial (C-2) in Section 5 (T2S-R1W) of Blackman Township

Purpose

The applicant wants to rezone the subject property to C-2 (General Commercial) pursuant to a purchase and sale agreement for a retail establishment.¹

Location and Size of the Property

The subject property (ID# 000-08-05-351-001-00) is 3.047 acres and fronts Clinton Road (M-50) and Rives Junction Road. The property is located in Section 5 (T2S-R1W) of the Township (see Figure 1).

Land Use and Zoning

Current Land Use – The subject property currently contains a residence. More homes are located to the north on the east side of Rives Junction Road. The property directly to the east contains a wetland with a residence fronting on Clinton Road (M-50). Homes are located on the southeast side of the intersection of Rives Junction Road and M-50. Vacant land for sale is located on the southwest side of that intersection. A commercial plaza is located on the west side of Rives Junction Road, directly across from the subject property.

Future Land Use – The future land use map in the *Blackman Charter Township Master Plan* places the intersection of Clinton Road (M-50) and Rives Junction Road, including the subject property, in an area recommended for Local Commercial uses (see Figure 2). The surrounding area is recommended for Low Density Residential uses. The countywide future land use map in the Jackson Community Comprehensive Plan places the intersection and its surrounding in an area recommended for Agricultural uses (see Figure 3).

Current Zoning – The current zoning of the subject property is AG-1 (Agricultural). The properties to the west and southwest are zoned C-2 (General Commercial). Properties to the north, east, and south are zoned AG-1 (see Figure 4).

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal sewer service appears to be available to the subject property, according to the *Blackman Charter Township Master Plan*.² However, municipal water service is not available.

¹ Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

² See Maps A16 and A17 of the *Blackman Charter Township Master Plan*, respectively.

Public Road/Street Access – Clinton Road (M-50) is an arterial roadway, and Rives Junction Road north of M-50 is a collector, according to the *Blackman Charter Township Master Plan*.³

Environmental Constraints – The subject property is not located in a floodplain according to the *Blackman Charter Township Master Plan*. However, it appears that it is partially located in a moderate groundwater recharge area and an area of hydric soils. It also appears to be adjacent to areas of wetlands and productive agricultural soils.⁴

Analysis and Recommendation

Township Planning Commission Recommendation – The Blackman Township Planning Commission recommends **approval** of the proposed rezoning to C-2 (see the Zoning Amendment Form and other background information).

Staff Analysis – Blackman Township’s Zoning Plan contains the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**
No. The Master Plan places the subject property in an area recommended for Local Commercial uses.
2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**
Yes. Properties zoned C-2 (General Commercial) are already located on the west side of Rives Junction Road and an existing shopping center is located directly across the road from the subject property.
3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**
No. The proposed C-2 zoning should have no greater impact on the available sewer service than the adjacent shopping center.
4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**
Yes. The proposed rezoning will simply extend existing C-2 uses eastward at the intersection of Rives Junction Road and Clinton Road (M-50).

The Local Commercial area recommended around the intersection of Rives Junction Road and Clinton Road (M-50)—on the Land Use Map in the *Blackman Charter Township Master Plan*—should be changed to an area recommended for General Commercial uses.

Staff Recommendation – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the rezoning of the subject property to C-2 (General Commercial). The Township should consider the adjustments to the future land use map suggested in the preceding paragraph of this report.

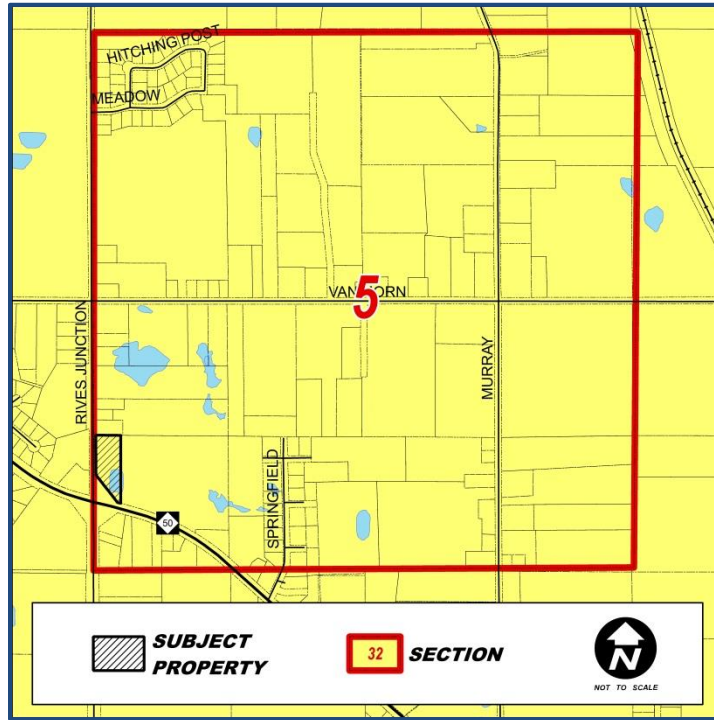
Suggested Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

³ See Map A13 of the *Blackman Charter Township Master Plan*.

⁴ See Maps A7, A4, A6, A12, and A5 of the *Blackman Charter Township Master Plan*, respectively.

**Figure 1
Location**



**Figure 2
Municipal Future Land Use**

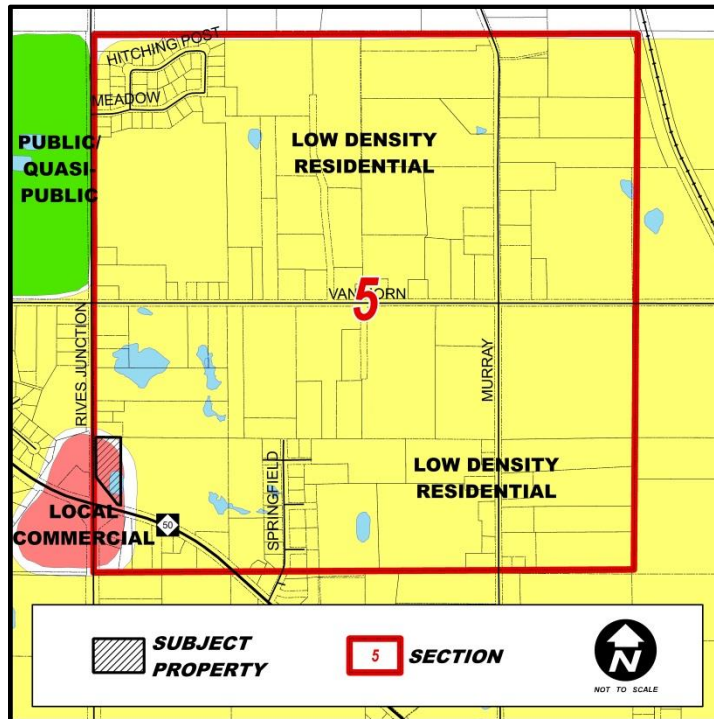


Figure 3
Countywide Future Land Use

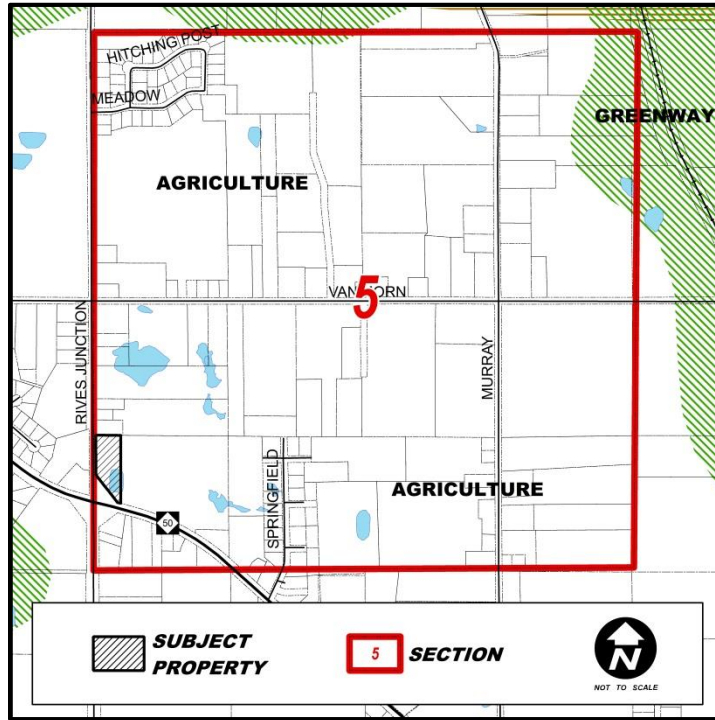
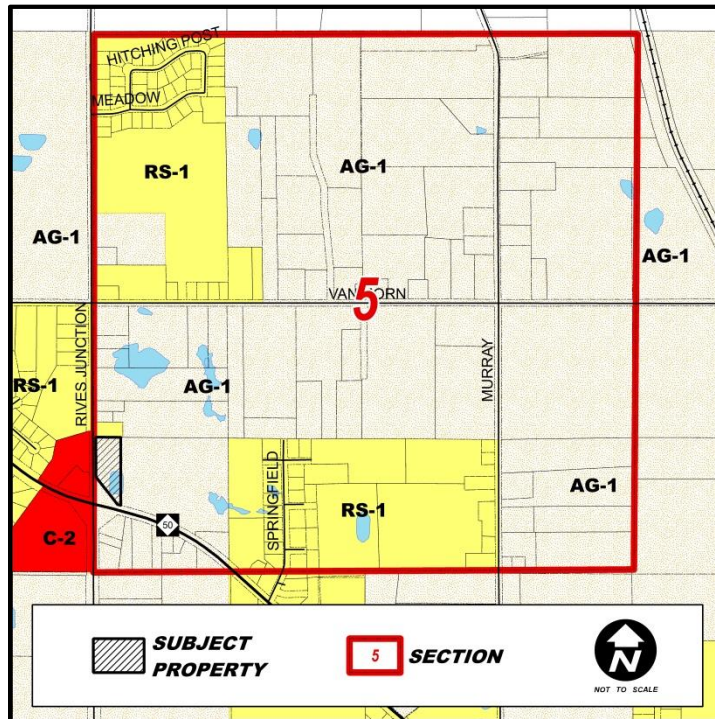
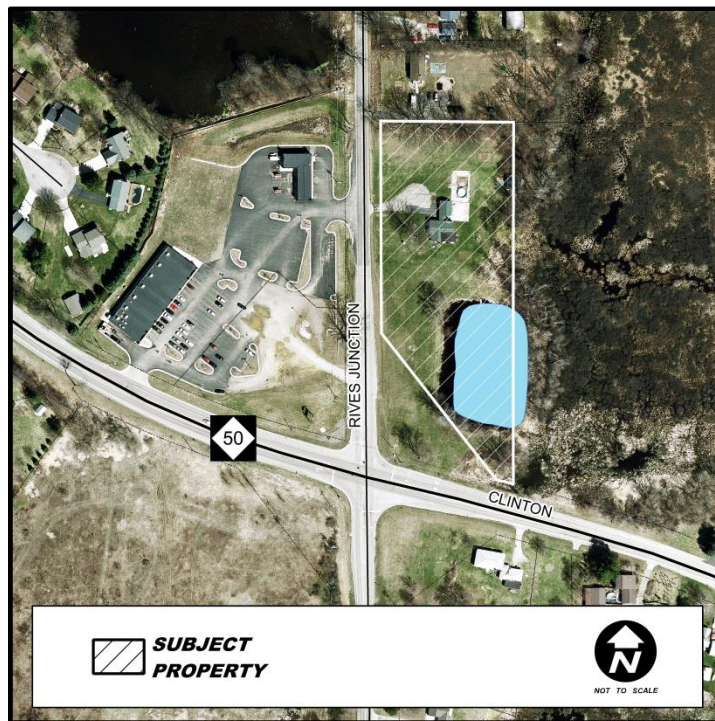
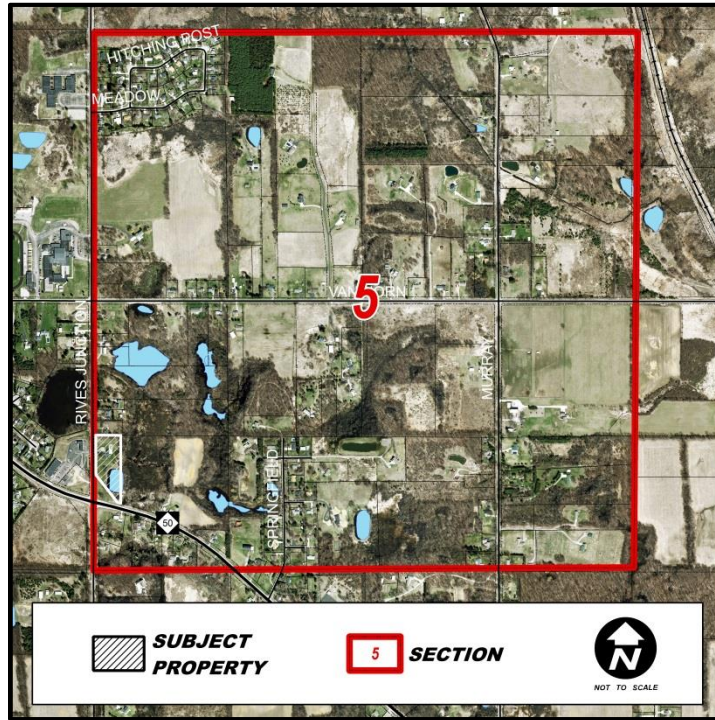


Figure 4
Municipal Zoning



Figures 5a & 5b
Aerial Photos



ZONING AMENDMENT FORM



**JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)**

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/ survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE BLACKMAN CHARTER TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

000-08-05-351-001-00 4 ACERS

1. The above described property has a proposed zoning change FROM AGRICULTURAL AG-1 ZONE TO General Commercial District (C-2) ZONE.
2. PURPOSE OF PROPOSED CHANGE: RETAIL

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) _____

C. PUBLIC HEARING on the above amendment was held on: month 02 day 7 year 2017

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month _____ day _____ year _____

(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: _____

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to () APPROVE or () DISAPPROVE.

_____ () Chair or () Secretary ____/____/____ (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:

- () Recommends APPROVAL of the zoning change
- () Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- () Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- () Takes NO ACTION.

_____ () Chair or () Secretary ____/____/____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

Township Clerk

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: BLACKMAN CHARTER TWP. Township Case #: 1468

Township official we may contact: DAN GOUGH Phone #: (517) 812 - 1962

Applicant: JAMES & TRACY PETTY (MIDWEST V, LLC.) Phone #: (616) 842 - 2030

Rezoning Request: From: Agricultural District (AG-1) To: General Commercial District (C-2)

Property Location: Section(s): 05 Quarter Section(s): NW NE SW SE

Legal Description and/or Survey Map/Tax Map (please attach) Yes No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): 4 ACERS

Please attach location map Yes No

What is the existing use of the site? RESIDENTIAL

What is the proposed use of the site? LOCAL COMMERCIAL

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: RESIDENTIAL South: AGRICULTURAL/ RESIDENTIAL USE

East: AGRICULTURAL/RESIDENTIAL West: COMMERCIAL/SCHOOL

What are the surrounding Zoning Districts?

North: SUBURBAN RESIDENTIAL (RS-1) South: AGRICULTURAL (AG-1)

East: AGRICULTURAL (AG-1) West: AGRICULTURAL/RESIDENTIAL ()

What is the suggested use of the site on the Township's Land Use Plan map? LOCAL COMMERCIAL

Is municipal water currently available? Yes No Will it be made available? Yes No If yes, when? _____

Is municipal sewer currently available? Yes No Will it be made available? Yes No If yes, when? _____

Does the site have access to a public street or road? Yes No If yes, name RIVES JUNCTION RD. & CLINTON RD.

Are there any known environmental constraints on the site? Yes No

Wetland(s) Floodplain(s) Brownfield(s) Soil(s)

Other (please specify) _____

Please attach the minutes of the Planning Commission.

Yes, the minutes are attached. No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

Yes, copies of documentation are attached. No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

Yes, public comments are attached. No, public comments are not attached.

Please include any additional information or comments as an attachment.

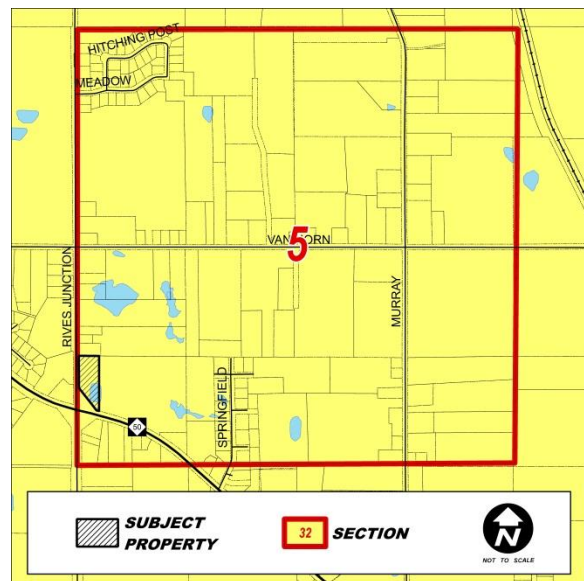
Region 2 Planning Commission

Serving Hillsdale, Jackson and Lenawee Counties

MEMORANDUM

To: Blackman Charter Township Planning Commission
From: Grant E. Bauman, AICP
Principal Planner
Date: February 7, 2017
Subject: **Case #1468 Rezoning
Recommendation**

**Figure 1
Location**



Location. The subject property (ID# 000-08-05-351-001-00) is bordered by Rives Junction Road to the west and Clinton Road (M-50) to the south in Section 5 (T2S,R1W) of the Township (see Figure 1).

Request. The applicant wants the property rezoned to C-2 (General Commercial) pursuant to a purchase and sale agreement.¹

Applicant. James and Tracy Petty are the owners of the subject property and Midwest V, LLC is the applicant (please see the attached background information).

Staff Findings

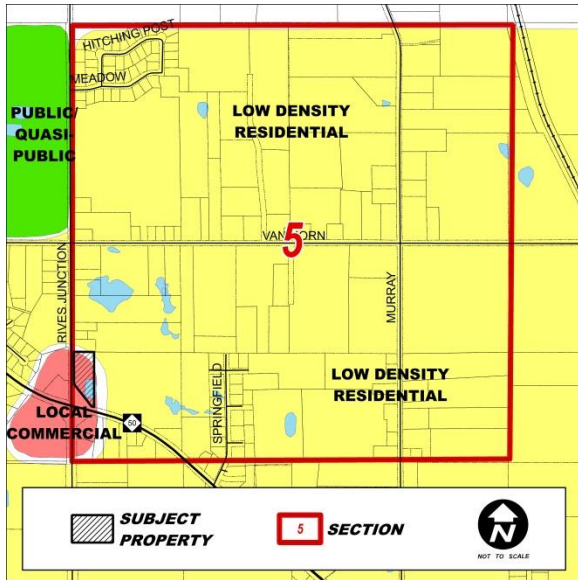
Land Use and Zoning

Existing Land Use – The subject property currently contains a residence. More homes are located to the north on the east side of Rives Junction Road. The property directly to the east contains a wetland with a residence fronting on Clinton Road (M-50). Homes are located on the southeast side of the intersection of Rives Junction Road and M-50. Vacant land for sale is located on the southwest side of that intersection. A commercial plaza is located on the west side of Rives Junction Road, directly across from the subject property.

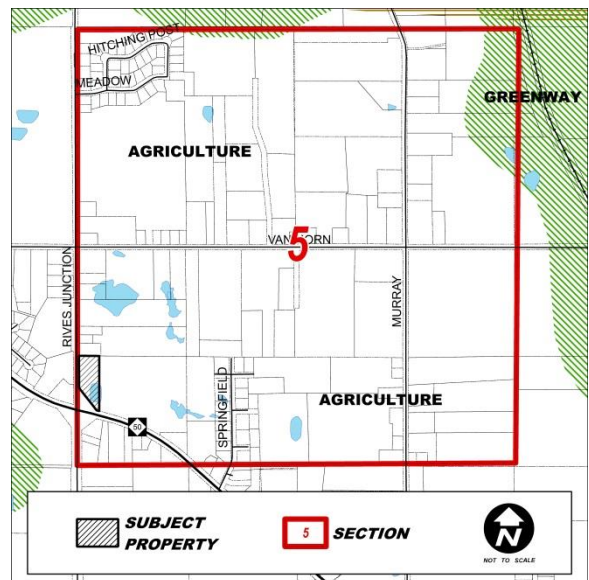
Future Land Use – The future land use map in the *Blackman Charter Township Master Plan* places the intersection of Clinton Road (M-50) and Rives Junction Road, including the subject property, in an area recommended for Local Commercial uses (see Figure 2). The surrounding area is recommended for Low Density Residential uses. The countywide future land use map in the *Jackson Community Comprehensive Plan* places the intersection and its surrounding in an area recommended for Agricultural uses (see Figure 3).

¹ Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

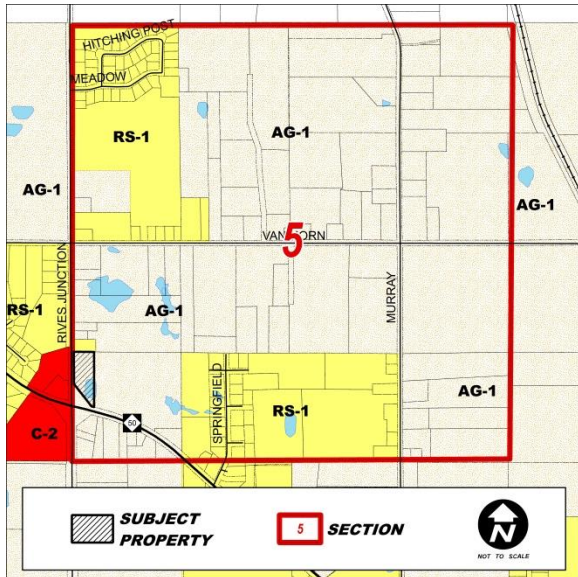
**Figure 2
Township Future Land Use**



**Figure 3
Countywide Future Land Use**



**Figure 4
Current Zoning**



Current Zoning – The current zoning of the subject property is AG-1 (Agricultural). The properties to the west and southwest are zoned C-2 (General Commercial). Properties to the north, east, and south are zoned AG-1 (see Figure 4).

Proposed Zoning – The applicant wants to rezone the subject property to C-2 (General Commercial).

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal sewer service appears to be available to the subject property, according to the *Blackman Charter Township Master Plan*.² However, Municipal water service is not available.

Public Road/Street Access – Clinton Road (M-50) is an arterial roadway, and Rives Junction Road north of M-50 is a collector, according to the *Blackman Charter Township Master Plan*.³

Environmental Constraints – The subject property is not located in a floodplain according to the *Blackman Charter Township Master Plan*. However, it appears that it is partially located in a moderate groundwater recharge area and an area of hydric soils. It also appears to be adjacent to areas of wetlands and productive agricultural soils.⁴

² See Maps A16 and A17 of the *Blackman Charter Township Master Plan*, respectively.

³ See Map A13 of the *Blackman Charter Township Master Plan*.

⁴ See Maps A7, A4, A6, A12, and A5 of the *Blackman Charter Township Master Plan*, respectively.

Analysis of Findings and Recommendation

Blackman Township's Zoning Plan contains the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

No. The Master Plan places the subject property in an area recommended for Local Commercial (C-1) uses.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

Yes. Properties zoned General Commercial (C-2) are already located on the west side of Rives Junction Road and an existing shopping center is located directly across the road from the subject property.

3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

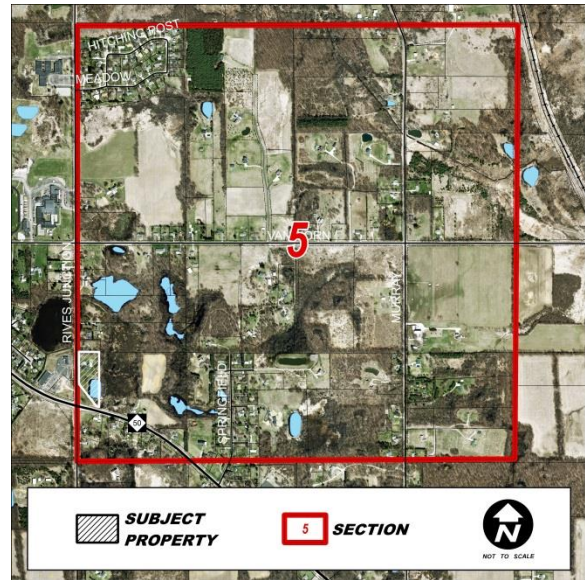
No. The proposed C-2 zoning should have no greater impact on the available sewer service than the adjacent shopping center.

4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

Yes. The proposed rezoning will simply extend existing General Commercial (C-2) uses eastward at the intersection of Rives Junction Road and Clinton Road (M-50).

Staff Recommendation – Based upon this analysis, staff advises the Blackman Charter Township Planning Commission to recommend **APPROVAL** of the rezoning of the subject property to General Commercial (C-2). *However, the Local Commercial area recommended around the intersection of Rives Junction Road and Clinton Road (M-50)—on the Land Use Map in the Blackman Charter Township Master Plan—should be changed to an area recommended for General Commercial uses.*

Figure 6
Aerial Photograph



MINUTES
BLACKMAN CHARTER TOWNSHIP
PLANNING COMMISSION
1990 W. PARNALL RD.
TUESDAY FEBRUARY 7, 2017
6:00PM

Members Present: Decker, Bachus, Best, Williams
Members Absent: Gorney

Sign-in list of names present: In file.

APPROVAL OF THE DECEMBER 20, 2016 MINUTES

Motion by: **Best** supported by: **Bachus** to approve Minutes for the Planning Commission Meeting held 12/20/16. **Roll Call: Ayes 4, Nays 0. Motion Carried.**

CASE# 1467 – CONDITIONAL USE PERMIT: Educational Services in Zoning District RU-1

Parcel # 000-08-33-138-003-00. 816 & 818 Winifred St.

Requested by: Dr. Brent R. Smith and Arbor Hills Psychological Services.

Motion by: **Bachus**, supported by: **Best** to recommend approval of the conditional use permit, contingent upon final sale/purchase of the property, hours of operation to be 8a-8p M-F and 8a-4p weekends, parking of vehicles on paved portions only (no street parking), and site plan review required for any exterior additions to the property.

Roll Call: Ayes 4, Nays 0. Motion Carried.

CASE# 1468 – ZONE CHANGE: 6217 Rives Junction Rd.

Parcel #000-08-05-351-001-00. Change from Agricultural (AG-1) to General Commercial (C-2). Requested by: James & Tracy Petty. Midwest V, LLC (buyer).

Motion by: **Best**, supported by: **Decker** to recommend approval of the zone change from AG-1 to C-2, as recommended by Region 2 Planning. Pends review by Jackson County Planning Commission.

Roll Call: Ayes 4, Nays 0. Motion Carried.

CONDITIONAL REZONING ORDINANCE: Motion by: **Williams**, supported by: **Decker** to recommend the Supervisor provide the Twp. Attorney with a copy of the MTA model ordinance on Conditional Rezoning for his review, with the intent of implementing it into our zoning ordinance.

Roll Call: Ayes 4, Nays 0. Motion Carried.

PUBLIC COMMENT: None

TRUSTEE REPORT: At the 1/17/17 Board of Trustees meeting, the Twp. Board approved the first read of the amended parking ordinance language and the rezoning of the Les Stanford property (case #1465).

ZBA REPORT: None.

ADJOURNMENT: Meeting adjourned at 7:05 pm.



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #17-10

To: County Planning Commissioners
From: Grant E. Bauman, AICP
Date: March 9, 2017

Proposal: The rezoning of property from General Commercial (GC) to Light Industrial (LI) in Section 36 (T3S-R1E) of Napoleon Township

Purpose

The applicant wants to rezone the property to LI (Light Industrial) in order to allow for the “research and development of prototype machines” for the auto industry.¹

Location and Size of the Property

The subject property (ID# 000-14-36-101-002-14) is 6.89 acres and fronts on Brooklyn Road (M-50) and Napoleon Road. The subject property is located in Section 36 (T3S-R1E) of the Township (see Figure 1).

Land Use and Zoning

Current Land Use – A vacant building/former grocery store is located on the subject property. Storage units are located on the property to the north and an airport is located on the properties to the east (see the background information). Vacant property is located to the south and commercial property is located to the west.

Future Land Use – The future land use map in the *Napoleon Township Master Plan* places the subject property at the edges of areas recommended for Commercial (south) and Light Industrial (north) uses (see Figure 2). The countywide future land use map in the *Jackson Community Comprehensive Plan* places the subject property in the midst of an area recommended for Industrial uses (see Figure 3).

Current Zoning – The current zoning of the subject property is GC (General Commercial). The properties to the north and east are zoned LI (Light Industrial). The property to the south is zoned GC and properties to the west are zoned GC and LI (see Figure 4).

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal water and sewer services are available to the subject property (see the Rezoning Worksheet Form).

Public Road/Street Access – Brooklyn Road (M-50), a state highway, provides direct access to the subject as does Napoleon Road, a paved county primary road.

¹ Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

Environmental Constraints – There are no known environmental constraints on the subject property according to the Township (see the Rezoning Worksheet Form). However, a pond is located directly to the west of the property.

Analysis and Recommendation

Township Planning Commission Recommendation – The Napoleon Township Planning Commission recommends **approval** of the proposed rezoning to LI (see the Zoning Amendment Form and other background information).

Staff Analysis – Napoleon Township’s Zoning Plan contains the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

Yes. The Master Plan places the northern portion of the subject property in an area recommended for LI (Limited Industrial) uses. However, it should be pointed out that the southern portion of the property is located in an area recommended for Commercial uses.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

Yes. Properties zoned LI already surround the subject property to the north, east, and northwest. A self-storage facility and an airport are adjacent to the property to the north and east, respectively.

3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

No. The subject property is adjacent to a state highway and paved county primary road. The proposed LI zoning should not adversely impact public water and sewer services.

4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

Yes. Napoleon Airport—allowed as a conditional use in the AG (Agricultural), LI, and GI (General Industrial) districts—is located to the east of the subject property. Lock and Key Storage, LLC—a self-storage facility allowed as a conditional use in the GC (General Commercial), LI and GI districts—is located to the north of the property.

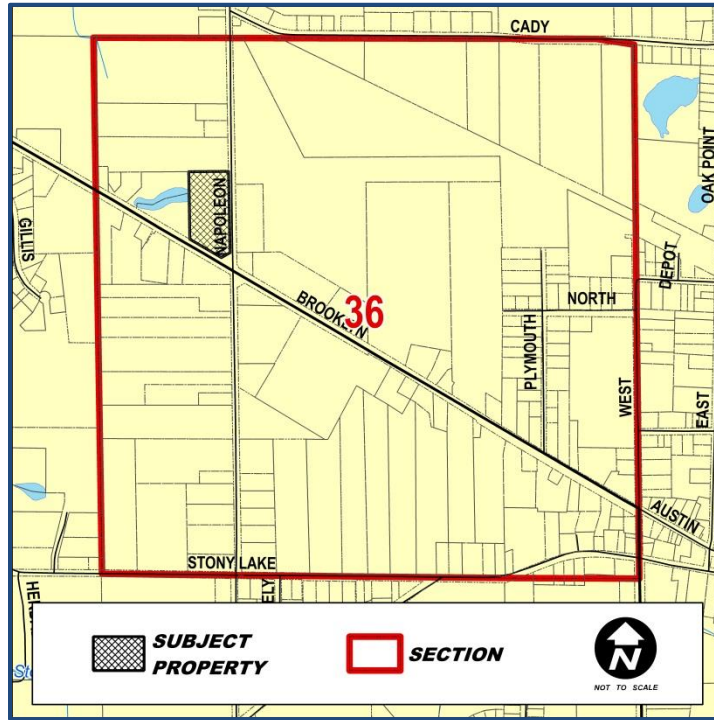
The Township should consider adjusting the future land use map in the vicinity of the intersection of Brooklyn Road (M-50) and Napoleon Road to recognize the Light Industrial zoning/uses currently located in the general area when the next edition of the *Napoleon Township Master Plan* is prepared. The Township should also consider adjusting the Light Industrial zoning boundaries in the general vicinity of the proposed rezoning to fully cover properties used for Light Industrial uses.

Suggested Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

Staff Recommendation – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the rezoning of the subject property to Limited Industrial (LI). The Township should consider the adjustments to the future land use and zoning maps suggested in the preceding paragraph of this report.

**Figure 1
Location**



**Figure 2
Municipal Future Land Use**

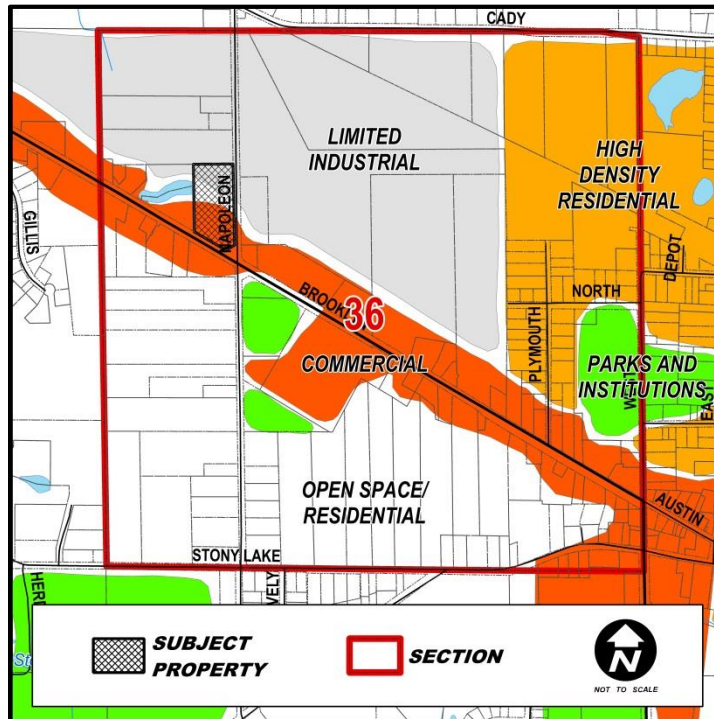


Figure 3
Countywide Future Land Use

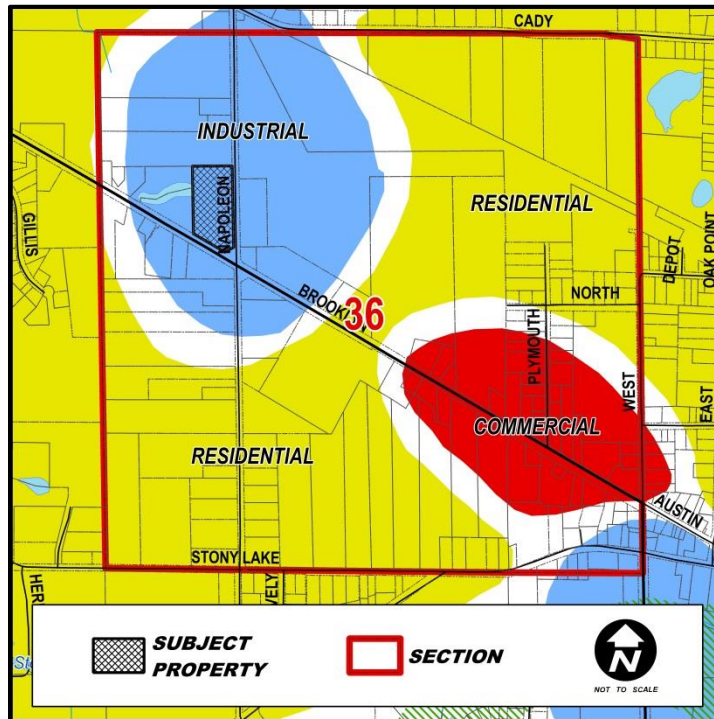
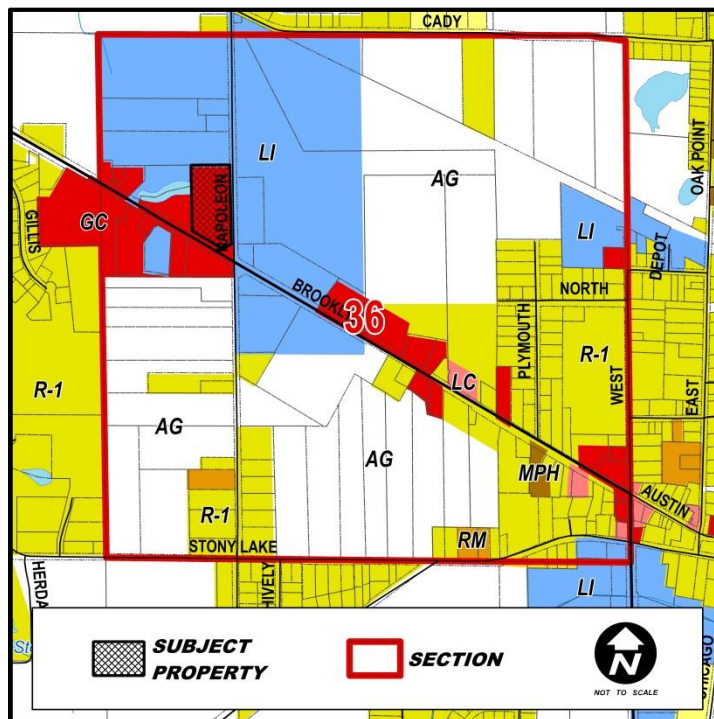
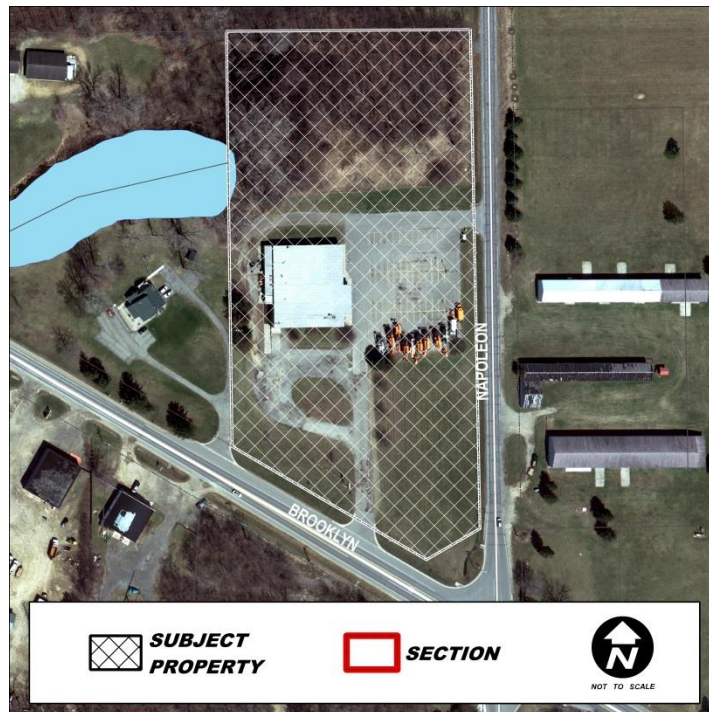
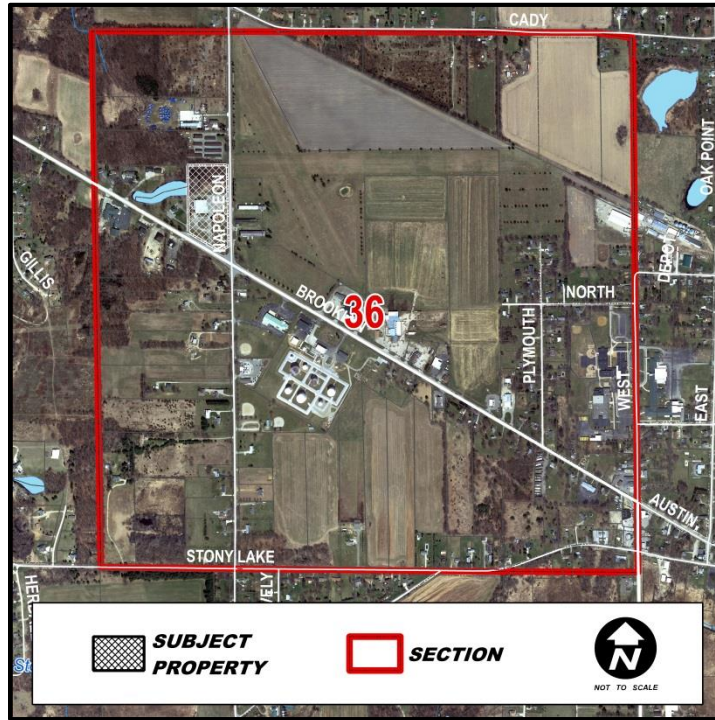


Figure 4
Municipal Zoning



Figures 5a & 5b
Aerial Photos



ZONING AMENDMENT FORM



**JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)**

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Napoleon TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

7880 Napoleon Rd.-Parcel ID 000-14-36-101-002-14, 6.89 acres, Section 36

1. The above described property has a proposed zoning change FROM General Commercial (GC) ZONE TO Light Industrial (LI) ZONE.

2. PURPOSE OF PROPOSED CHANGE:

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

C. **PUBLIC HEARING** on the above amendment was held on: month February day 23 year 2017

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month February day 7 year 2017

(Notice must be provided at least fifteen days prior to the public hearing.)

E. **THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: Exponent

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to (X) APPROVE or () DISAPPROVE.

Julie Wilson *Julie Wilson*, Recording Secretary 2 / 23 / 17 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:

- () Recommends APPROVAL of the zoning change
- () Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- () Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- () Takes NO ACTION.

_____ () Chair or () Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

Township Clerk

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Napoleon Township Case #: 17-02-0001

Township official we may contact: John Worden Phone #: (517) 536 - 8694

Applicant: Charles Smith Phone #: (517) 320 - 936

Rezoning Request: From: _____ (_____) To: _____ (_____)

Property Location: Section(s): 36 Quarter Section(s): NW NE SW SE

Legal Description and/or Survey Map/Tax Map (please attach) Yes No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): 6.89 acres

Please attach location map Yes No

What is the existing use of the site? vacant building former grocery store

What is the proposed use of the site? research and development of prototype machines

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: Storage Units South: Vacant Commercial

East: Airport West: Commercial

What are the surrounding Zoning Districts?

North: Light Industrial (LI) South: General Commercial (GC)

East: Light Industrial (LI) West: Light Industrial & General Commercial (GC)

What is the suggested use of the site on the Township's Land Use Plan map? _____

Is municipal water currently available? Yes No Will it be made available? Yes No If yes, when? _____

Is municipal sewer currently available? Yes No Will it be made available? Yes No If yes, when? _____

Does the site have access to a public street or road? Yes No If yes, name Napoleon Rd. & Brooklyn Rd.

Are there any known environmental constraints on the site? Yes No

Wetland(s) Floodplain(s) Brownfield(s) Soil(s)

Other (please specify) _____

Please attach the minutes of the Planning Commission.

Yes, the minutes are attached. No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

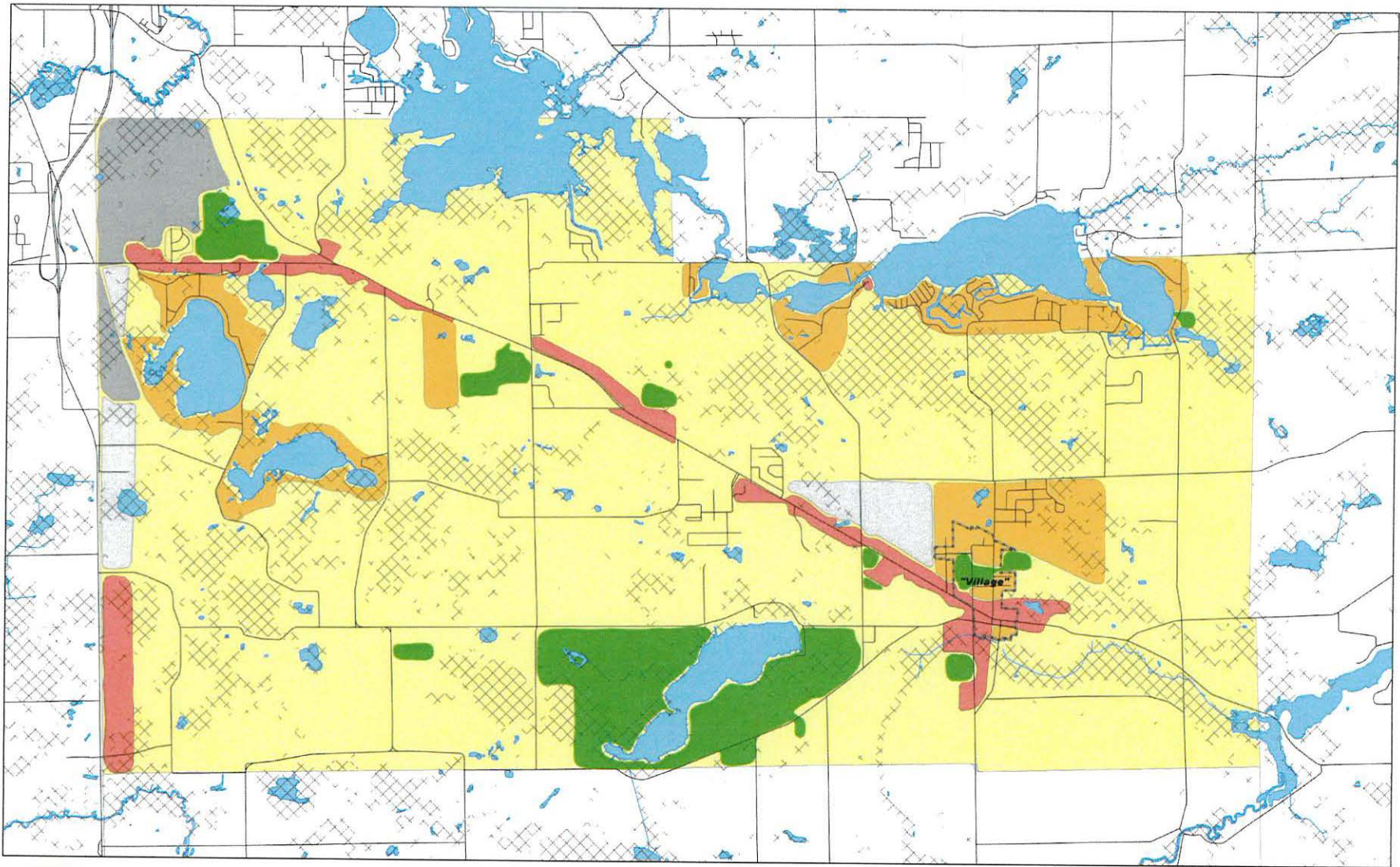
Yes, copies of documentation are attached. No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

Yes, public comments are attached. No, public comments are not attached.

Map 15

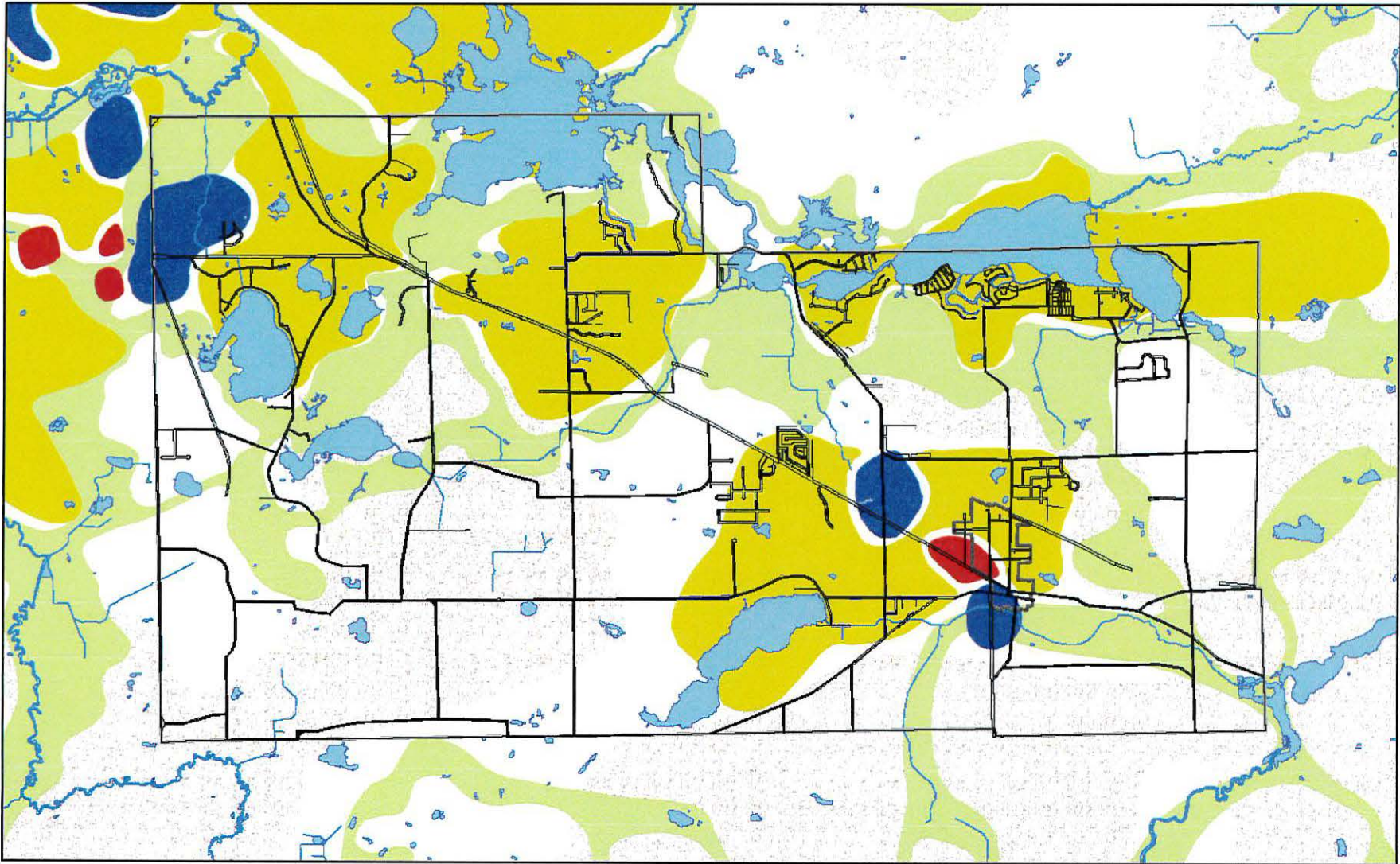
Future Land Use Plan



- | | | |
|---------------------------------|----------------------|--------------------|
| Open Space/Residential | Commercial | Limited Industrial |
| High-Density Residential | Parks & Institutions | General Industrial |
| Environmentally Sensitive Areas | | |

Map 14

Countywide Future Land Use



- | | | | |
|---|---------------------------|---|-------------|
|  | AGRICULTURAL/OPEN SPACE |  | RESIDENTIAL |
|  | AGRICULTURAL PRESERVATION |  | COMMERCIAL |
|  | GREENWAYS |  | INDUSTRIAL |

THE ABOVE CATEGORIES REFLECT THE LAND USES FOR NAPOLEON TOWNSHIP RECOMMENDED BY THE JACKSON COMMUNITY COMPREHENSIVE PLAN." THEY ARE A COMPOSITE OF THE "AGRICULTURAL PRESERVATION AREAS," "GREENWAYS PLAN," AND "LAND USE PLAN" MAPS CONTAINED IN THAT DOCUMENT.



7880 Napoleon Rd



7880 Napoleon Rd

© 2016 Google

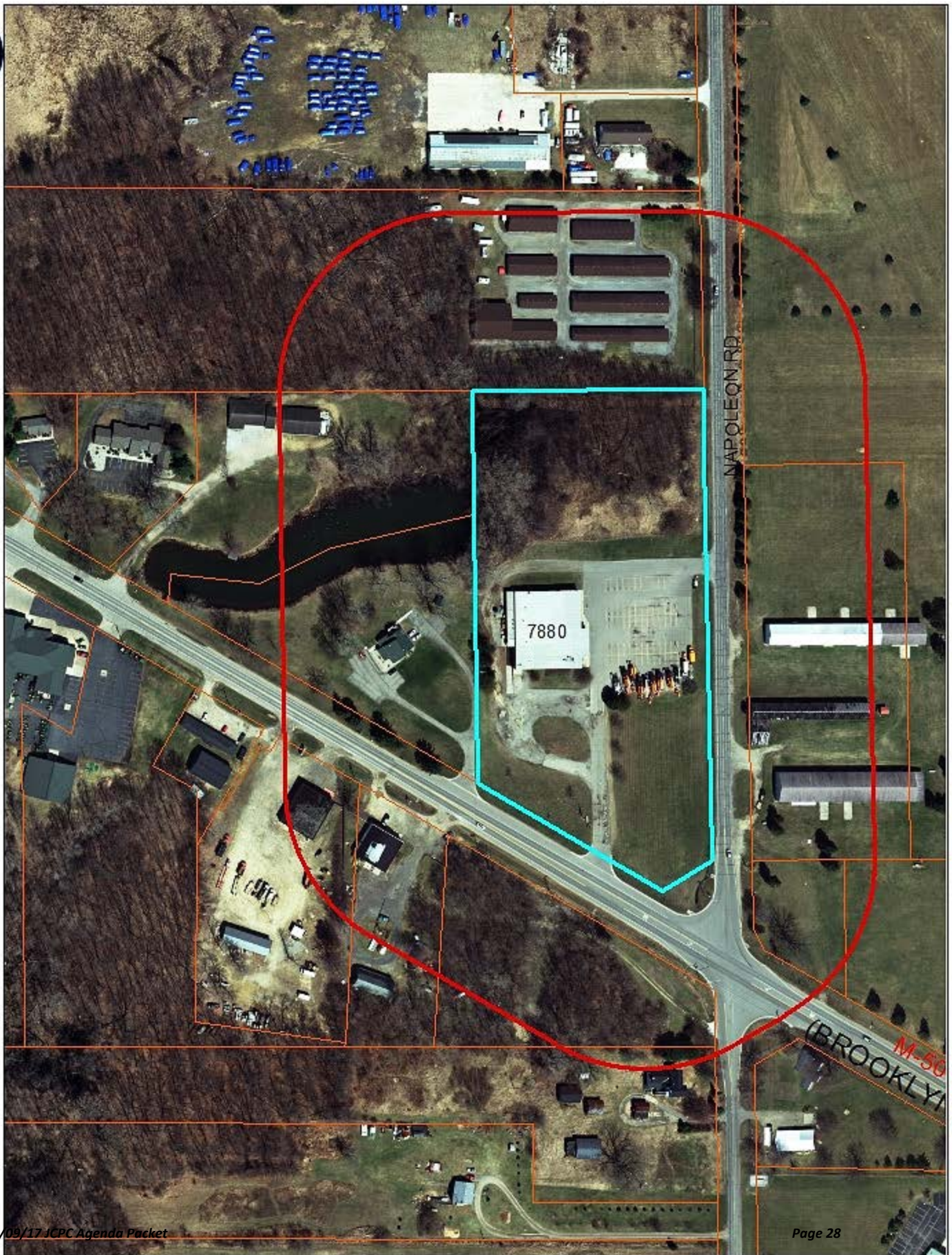
Google

Imagery Date: 10/13/2016 42°10'12.84" N 84°15'51.58" W elev 967 ft eye alt

Case#17-02-0001-7880 Napoleon Rd. Charles Smith
Rezoning from General Commercial to Light Industrial



Case#17-02-0001-7880 Napoleon Rd. Charles Smith
Rezoning from General Commercial to Light Industrial



Minutes of the Meeting of the
Napoleon Planning Commission
February 23, 2017

Call to Order: 6:14 pm

Commission Members Present: Doug Lammers Eric Maes
Julie Wilson, Secretary Scott Miles

Minutes of December 22, 2016 Meeting: Motion by Lammers and supported by Miles to approve the meeting minutes. All Ayes. Motion passed.

Election of Officers: Motion by Lammers and supported by Miles to elect Maes at Chairperson. Maes accepted. All Ayes. Motion passed. Motion by Maes and supported by Miles to elect Lammers as Vice Chairperson. Lammers accepted. All Ayes. Motion passed. Motion by Lammers and supported by Miles to elected Wilson as Secretary. Wilson accepted. All Ayes. Motion passed.

2017 Calendar of Meeting Dates. Motion by Miles and supported by Lammers to accept the 2017 Calendar as presented. All Ayes. Motion passed.

Case #17-02-001– Rezoning from General Commercial (GC) to Light Industrial (LI) – 7880 Napoleon Road – Charles Smith, owner/applicant

Present at the meeting was Charles Smith, applicant, and Ryan LePeak, attorney of applicant. Smith stated the business is making prototypes for the auto industry and will have 4-5 employees but may expand to 10 as his business grows. The property is on 6.89 acres and meets all requirements of the Zoning Ordinance and Master Plan. There were no other public comments. A motion was made by Miles and supported by Maes to recommend to the Township Board rezoning of 7880 Napoleon Road from GC to LI. All Ayes. Motion passed.

The Planning Commission was asked by the Township Board to revisit Article 4.11.2, Type Two Home Occupation, of the Napoleon Township Zoning Ordinance. The Planning Commission was asked to specifically revisit the current zoning text to address the type of Conditional Use in areas zoned Agricultural (AG) due to the request to issue a Conditional Use Permit to 3859 Hoyer Road (details of which can be read in the December 22, 2016 Planning Commission meeting minutes).

Present and representing neighbors, Mathew and Maria Miller, 3917 Hoyer Road was Jeffrey Gallatin. Gallatin requested the Board not change Article 4.11.2, stressing that the restrictions should have been made before the permit was applied for.

Dan Wymer suggested the Planning Commission make a simple change to Article 4.11.2 to resolve the issue with 3859 Hoyer Road, allowing the Conditional Use Permit to pass, then for the Board to look into further changes at a later date.

Board members felt that not enough Board members were present at the meeting to make any decisions.

Maes made a motion, which was supported by Miles, for the Planning Commission to publish the proposed amendments to 4.11.2 Type 2 Home Occupation for a public hearing at the next meeting, scheduled for March 23.

Meeting Adjourned: 7:28

NOTICE

The Napoleon Township Planning Commission will hold a public hearing February 23, 2017 at 6:00 p.m. in the Township Hall, 6775 Napoleon Road, Napoleon, MI 49261.

At this time all interested parties will be heard on the request of Charles Smith of 11145 Crestview Dr., Cement City, MI 49233 to rezone property located at 7880 Napoleon Rd. from General Commercial (GC) to Light Industrial (LI). The property and request are more particularly described and on exhibit at the Township Office. Napoleon Township Office is open from 7:00 a.m. to 5:00 p.m. Monday – Thursday during which time the Zoning Ordinance/Zoning Map may be examined. John Worden, Zoning Administrator

The property is currently zoned General Commercial (GC)

Napoleon Township Office is open from 7:00 a.m. to 5:00 p.m. Monday – Thursday during which time the Zoning Ordinance/Zoning Map may be examined. Written comments regarding the above may be directed to the Township, or by calling (517) 536-8694 Extension 209. Napoleon Township will provide any necessary or reasonable auxiliary aids at the meeting for persons with disabilities, upon ten (10) days written notice to the Township. John Worden, Zoning Administrator

The Exponent
Insertion Date: February 7, 2017

Copy to Liz Hampton, Clerk