



# 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  
R2PC Principal Planner  
(517) 768-6711  
[gbauman@co.jackson.mi.us](mailto:gbauman@co.jackson.mi.us)

DATE: April 8, 2021

TIME: 6:00 p.m.

PLACE: 5<sup>th</sup> 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 11, 2021, meeting minutes [**ACTION**] ..... 3
4. Approval of agenda  
Approval of the April 8, 2021, meeting agenda [**ACTION**]
5. Request(s) for review, comment, and recommendation
  - a. Consideration of township zoning amendment(s)
    - (1) CZ | #21-05 | Rives Township text amendments [**ACTION**] ..... 7
    - (2) CZ | #21-06 | Napoleon Township rezoning [**ACTION**] ..... 27
    - (3) CZ | #21-07 | Grass Lake Township rezoning [**ACTION**] ..... 43
    - (4) CZ | #21-08 | Grass Lake Township rezoning [**ACTION**] ..... 61
  - b. Consideration of master plan(s) – *None*
  - c. Farmland and Open Space Preservation Program (PA 116) 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

*The next scheduled meeting of the Jackson County Planning Commission is May 13, 2021*

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## MEETING MINUTES

February 11, 2021

zoom • Meeting ID: 951 8409 4153 • Passcode: 136714

**Members Present:** Mr. Eric Beda, Industry and Economics (virtually from Jackson); Ms. Pat Gallagher, At Large (virtually from Leoni); Ms. Nancy Hawley, At Large (virtually from Henrietta); Mr. Ted Hilleary, Education (virtually from Blackman); Mr. Russ Jennings, At Large (virtually from Leoni); and Mr. Jim Videto, Agriculture (virtually from Grayling)

**Members Absent:** Mr. Timothy Burns, At Large; Mr. Roger Gaede, Environment; and Mr. Corey Kennedy, Jackson County Board of Commissioners

**Liaisons Present:** Mr. Grant Bauman, Principal Planner

**Others Present:** N/A

Item 1. **Call to Order and Pledge of Allegiance.** Chair Hawley called the meeting to order at 6:00 p.m. Those in attendance rose and joined in a virtual Pledge of Allegiance.

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

Item 3. **Approval of Minutes.** Comm. Gallagher made a motion, seconded by Comm. Jennings, to **approve** the January 14, 2021, meeting minutes as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** Comm. Videto made a motion, seconded by Comm. Jennings, to **approve** the February 11, 2021, meeting 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 | #21-03 | Leoni Township**

Staff summarized his report regarding the proposed rezoning of a property located on South Street and known as Parcel ID #000-14-07-351-001-01, to 'light industrial (ML)'. Staff advised County Planning Commissioners to recommend **approval** of the rezoning (please see the staff report).

Commissioners Videto and Gallagher asked if the answer to question #3 under Staff Analysis on page #6 of the agenda packet should be 'No'. Staff confirmed the need to make that change on the staff report. Comm. Beda made a motion, seconded by Comm. Gallagher, to concur (with correction) of the staff advisement to recommend

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*approval* of the proposed 'ML' rezoning to the Leoni Township Board. *Commissioners approved the motion unanimously.*

(2) **CZ | #21-04 | Sandstone Township**

Staff summarized his report regarding proposed text amendments that would regulate indoor and outdoor sport shooting ranges as a conditional use in the Agricultural Residential (AG-1) district. Staff mentioned that the various comments/suggestions contained in his report are aimed at strengthening the regulations in terms of consistency and understanding. Staff advised County Planning Commissioners to recommend **approval with comments** of the text amendments (please see the staff report).

Comm. Gallagher suggested that security cameras could be installed to aid in the management of facilities. Comm. Gallagher also had questions about Subsection C(4)c; Comm. Hawley explained that an applicant must submit details about the shooting range. Commissioners Videto and Gallagher both noted that lead recovery should be considered (i.e. lead contamination from bullets could leak into groundwater); they also asked if permits from the Michigan Department of Environment, Great Lakes, and Environment (EGLE) are needed. Comm. Hilleary asked how the Occupational Safety and Health Administration (OSHA) would get involved. Comm. Beda said that the particulars regarding lead should be addressed prior to voting. Comm. Gallagher asked about oversight. Staff referred her to Subsection A(7) regarding annual licensing. Comm. Videto stated that the JCPC is not a regulatory agency; Commissioners Hawley and Gallagher agreed. Comm. Beda stated that the Township should go through the proper channels/due diligence before moving forward.

Comm. Hilleary made a motion, seconded by Comm. Gallagher, to concur with the staff advisement to recommend **approval with comments** (see the staff report and these minutes) of the proposed text amendments to the Sandstone Township Board. *Commissioners approved the motion by majority vote, with Comm. Beda voting no.*

- 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.**

**2020 JCPC Annual Report.** Staff provided a brief overview of the annual report., noting the need to change the year in item #1 to 2020. He requested that commissioners approve it so that it can be forwarded to the County Board as required by the Michigan Planning Enabling Act. Comm. Jennings made a motion, seconded by Comm. Beda, to approve the 2020 JCPC Annual Report. *Commissioners approved the motion unanimously.*

Item 7. **Public Comment.** None.



Item 8.      **Commissioner Comment.** Comm. Hilleary asked about municipal involvement in nonmotorized planning. Staff explained that participation was encouraged during the development of the recent *Jackson City + County Nonmotorized Plan* and that municipalities were asked to adopt the plan as their local plan. Comm. Hawley alerted commissioners to the annual tree sale through the Jackson Conservation District.

Item 9.      **Adjournment.** Chair Hawley adjourned the meeting at 6:38 p.m.

Respectfully submitted by:  
Grant Bauman, Recording Secretary

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## Jackson County Planning Commission

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### COORDINATED ZONING REPORT | #21-05

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** April 2, 2021

**Proposal:** Various Zoning Ordinance Amendments, Rives Township

#### Background Information

The Rives Township Planning Commission proposes various Zoning Ordinance (Chapter 17) amendments designed to: (A&B) constrict the granting of conditional use permits to specified conditional uses; (C) re-vamp standards for the Industrial Zoning District, making it a Light Industrial District; (D) the codification of standards for certain conditional uses; and (E) allowing for performance guarantees, escrows, and de-commissioning and reclamation.

#### Staff Analysis and Advisement

The Rives Township Planning Commission is proposing a set of amendments to Chapter 17 (Zoning Ordinance) of its Code of Ordinances. Those changes are summarized below:

- A. The purpose statement (Section 17.01) is proposed for amendment by deleting its final sentence: "If the specific use of land, natural resources and structures are not listed as a permitted use in this ordinance, conditional use permits are required and can only be granted by the Rives Township Board."
- B. The use regulations (Section 17.23) are proposed for amendment by replacing Subsection B with text that states that a conditional use permit will only be granted in a zoning district for a use contained in the listing of allowable conditional uses in that district.
- C. Industrial (I) District regulations currently begin in Section 17.55 and continue in Section 17.56 (permitted uses) and Section 17.57 (conditional uses). Those sections are proposed for deletion and replacement by a new Section 17.55 that contains modified listings of permitted and conditional uses for a new Light Industrial (I) District, adds a table and figure specifying dimensional requirements, and adds several supplemental standards for the district.
- D. The table of District, Area, Yard, and Bulk Regulations (Section 17.58) is proposed for amendment by removing any reference to the old Industrial (I) District, given the new table proposed in Section 17.55.
- E. Development standards for specific conditional uses (Section 17.85B) are proposed for amendment by adding standards for the following new conditional uses proposed for the new Light Industrial District in Section 17.55C:
  1. "Trucking and transit terminals."
  2. "Contractors' yard or contractor's storage yard."

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3. "Repair garages and paint shops for autos and other vehicles, construction and farm machinery and equipment sales and repairs."
4. "Self-storage facilities."

- F. Site Plan Review (Article 8) regulations are proposed for amendment by adding Performance Guarantees, Escrows, Decommissioning, and Reclamation as Section 17.99

Staff has no issue with constricting the granting of conditional use permits to specified conditional uses; revamping standards for the new Light Industrial Zoning District; the codification of standards for certain conditional uses; or the introduction of performance guarantees, escrows, and decommissioning and reclamation. According, this report displays the proposed changes to Chapter 17 (Zoning Ordinance) as it will (generally) appear (if adopted), and provides comments/suggestions aimed at strengthening the regulations:

**Commented [GB21]:** Comments will be provided in this fashion.

### Article 1 Enacting Clause, Title, Purpose

...

#### SECTION 17.01 - PURPOSE.

The fundamental purpose of this Ordinance is to promote the public health, safety, and general welfare, to encourage the use of lands and natural resources in the Township in accordance with their character and adaptability, to provide for the orderly development of the Township, to reduce hazards to life and property, to establish the location of and the size and specific uses for which dwelling, buildings and structures may hereafter be erected, or altered, and the minimum open spaces, sanitary, safety and protective measures that shall be required for such land dwelling, buildings and structures, to lessen congestion on the public roads and streets, to facilitate the development of an adequate system of transportation, education, recreation, sewage disposal, safe and adequate water supply and other public requirements; to conserve life, property and other natural resources, and the expenditures of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties. If the specific use of land, natural resources and structures are not listed as a permitted use in this ordinance, conditional use permits are required and can only be granted by the Rives Township Board.

**Commented [GB22]:** This is great. A Conditional Use Permit should only be granted in a zoning district if the use is contained in the listing of conditional uses allowed in the district.

...

### Article 3 General Provisions

...

#### SECTION 17.23 - USE REGULATIONS.

...

~~B. A conditional use shall be permitted only if listed as a conditional use, either specifically or by necessary implication, in the zoning district in which the use is to be located, and only after a conditional use permit has been approved by the Township Board.~~

B. A conditional use shall be considered only if listed as a conditional use in the zoning district in which the use is to be located, and only after a conditional use permit has been reviewed by the Planning

**Commented [GB23]:** Replace with "A conditional use permit shall only be granted if the use is listed as a conditional use in the zoning district in which it is to be located, and only after the permit . . .".

Also see the above comment.

Commission and approved by the Township Board

...

#### Article 4 Zoning Districts

...

#### SECTION 17.55 - LIGHT INDUSTRIAL DISTRICT - 1

**A. Intent.** This District is designed to accommodate industrial, storage, and other uses that generate a minimum of noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation or any other nuisance characteristics. It is the purpose of these regulations to permit development of the enumerated functions to protect surrounding agricultural and residential areas from incompatible industrial activities. The Township has no public water and sewer, or Class A roads suited for more intensive industrial uses. To these ends, certain intensive industrial uses are excluded which would conflict with and harm the rural character of the Township.

**B. Permitted Uses.**

1. Printing, lithographic, blueprinting, commercial laundries, dry cleaning establishments, whole-sale business, ice and cold storage plants, lumber, fuel and feed supply yards, and other similar uses.
2. Light manufacturing, research, assembly, testing, and repair of components, devices, equipment, and systems of professional scientific and controlling instruments, photographic and optical goods, including the following:
  - a. Communication, transmission, and reception equipment such as coils, tubes, semi-conductors, navigation control equipment, and systems guidance equipment.
  - b. Data processing equipment and systems.
  - c. Graphics and art equipment.
  - d. Metering instruments.
  - e. Optical devices, equipment, and systems.
  - f. Stereo, audio units, radio equipment and systems.
  - g. Photographic equipment.
  - h. Radar, infrared, and ultraviolet equipment and systems.
  - i. Scientific and mechanical instruments such as calipers and transits.
  - j. Testing equipment.
3. Light manufacturing, processing, or assembling of the following:
  - a. Pharmaceutical preparation.
  - b. Electrical machinery, equipment, and supplies, electronic equipment and accessories.
  - c. Office, computing, and accounting machines.

**Commented [GB24]:** All of the standards pertaining to the new Light Industrial (I) District were consolidated into a single section (Section 17.55).

For consistency sake, the standards for each of the other zoning districts should also be consolidated into a single section at some point in the future.

4. Research and design centers where the center intended for the development of pilot or experimental products, together with related office buildings for the research facilities where the offices are designed to accommodate executive, administrative, professional, accounting, engineering, architectural, and support personnel.
5. Data processing and computer centers, including the servicing and maintenance of electronic data processing equipment.
6. Warehousing, refrigerated and general storage, but not including self-storage facilities.
7. Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services.
8. Training and/or educational centers where the centers are designed and intended to provide training at the business, technical, and/or professional level.
9. Metal fabrication, welding, and tool and die shops.
10. Skilled trade services including plumbing, electric, heating, welding, printing, and painting establishments.
11. Uses similar to the above.

**C. Conditional Uses.**

1. Trucking and transit terminals.
2. Contractors' yard or contractor's storage yard.
3. Repair garages and paint shops for autos and other vehicles, construction and farm machinery and equipment sales and repairs.
4. Self-storage facilities.
5. Similar uses as interpreted by the Planning Commission.

**D. Dimensional Requirements. The following dimensional requirements shall apply to development within the Light Industrial District:**

Table (I) 17.55. Light Industrial District Dimensional Requirements								
Minimum Lot Area & Width		Maximum Lot Coverage		Minimum Yards & Setbacks			Maximum Structure Height	
Area in Acres	Width (feet)	Gross	Impervious Surface Ratio	Front Yard (feet)	Each Side Yard (feet)	Rear Yard (feet)	Feet	Stories
2 Acres	200	30%	60%	50	25	50	*45	2

\* Communication equipment as part of a light industrial use may not exceed 100 feet.

**Commented [GB25]:** Consider replacing with "Similar uses as interpreted by the Zoning Inspector". As the front-line person, the Inspector should be vested with this responsibility. If there is a disagreement, the ZBA is empowered to make the final interpretation.

**Commented [GB26]:** Junk yards used to be listed as conditional use in the old Industrial (I) District. Will this omission create any unintended nonconforming uses? Will the omission cause the Township to be sued for not allowing a fairly common use?

If the use continues to be omitted, it should also be removed from the listing of development standards applying to specific conditional uses (Section 17.85B12).

**Commented [GB27]:** This is worded awkwardly.

**Commented [GB28]:** Consider replacing with "Similar uses as interpreted by the Zoning Inspector". As the front-line person, the Inspector should be vested with this responsibility. If there is a disagreement, the ZBA is empowered to make the final interpretation.

**Commented [GB29]:** At some time in the future, the dimensional requirements for all zoning districts should be listed in a similar fashion, presumably within each zoning district with a graphic, similar to what is proposed below.

Figure (1) 17.55. I-1 Industrial District Dimensional Requirements



**Commented [GB210]:** The introduction of a graphic is a great way to reinforce the standards contained in the associated table.

#### E. Supplemental District Standards.

1. Site plan review shall be required for all new uses in this Section in accordance with Article 8.
2. Accessory buildings and structures shall be regulated in accordance with the requirements of Article 3.
3. All goods or materials stored outside which are visible from a public road shall be screened by a fully-opaque fence or wall a minimum of six (6) feet in height.
4. The proposed site for any such use shall have direct access to a paved road. Parcels and/or lots shall have direct access to a paved road.

**Commented [GB211]:** Section 17.85B18d, Section 17.85B19c, Section 17.85B20d, and Section 17.85B22e also deal with screening requirements. All of these requirements should be checked for consistency and potential conflicts.

#### SECTION 17.58 - DISTRICT AREA, YARD, AND BULK REGULATIONS.

ZONING DISTRICT	ZONING SYMBOL	LOT REQUIREMENTS			MINIMUM YARD REQUIREMENTS		
		Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage	Front	Side	Rear
Agricultural	AG	2 Acres	200 ft. depth 250 ft.	25%	50 ft.	25 ft.	50 ft.
Residential (Without Sewer)	R	2 Acres	200 ft. depth 250 ft.	25%	50 ft.	25 ft.	50 ft.
Residential (With Sewer)	R	1.5 Acres	200 ft. depth 250 ft.	25%	50 ft.	25 ft.	50 ft.
Mobile Home Residential	MHR	As required by Mobile Homes Commission Act or as otherwise specified elsewhere within this Ordinance.					
Commercial	C	2 Acres	200 ft. depth 160 ft.	30%	35 ft.	20 ft. (35 ft. for corner lots)	50 ft.
Industrial	I	2 Acres	200 ft. depth 160 ft.	30%	35 ft.	20 ft.	50 ft.

Corner Lots - see section 17.25

MHR Zoning requires Public Sanitary Waste Disposal and Public Water Supply.

**Commented [GB212]:** This is the old table, containing dimensional requirements for the old Industrial (I) District.

See below.

**SECTION 17.58 – DISTRICT AREA, YARD, AND BULK REGULATIONS.**

ZONING DISTRICT	ZONING SYMBOL	LOT REQUIREMENTS			MINIMUM YARD REQUIREMENTS		
		Minimum Lot Area	Minimum Lot Width	Minimum Lot Coverage	Front	Side	Rear
Agricultural	AG	2 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
Residential (Without Sewer)	R	2 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
Residential (With Sewer)	R	1.5 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
Mobile Home Residential	MHR	As required by Mobile Homes Commission Act or as otherwise specified elsewhere within the Ordinance.					
Commercial	C	2 Acres	200 ft. Depth 160 ft.	30%	35 Ft.	20 Ft. (35 ft. for corner lots)	50 Ft.

Corner Lots – See Section 17.25

MHR Zoning requires Public Sanitary Waste Disposal and Public Water Supply.

**Commented [GB213]:** The new table simply omits the I standards contained in the old table.

At some time in the future, the dimensional requirements for all zoning districts should be listed in a similar fashion, presumably within each zoning district with a graphic, similar to what is proposed for the new Light Industrial (I) District in Section 17.55D.

**Article 7**  
**Conditional Uses**

**SECTION 17.85 - REQUIRED STANDARDS AND FINDINGS FOR MAKING DETERMINATIONS.**

- B. Development standards applying to specific conditional uses. A conditional use permit shall not be issued for the uses specified in this subsection unless complying with the site development requirements as herein specified in addition to the standards in Section 17.85(A) above. The Planning Commission may recommend and the Township Board may impose additional conditions and safeguards when deemed necessary in accordance with this Ordinance.

18. Trucking and transit terminals shall comply with the following conditions:

- a. Terminals shall be set back a minimum of 200 feet from any residential district or use.
- b. A traffic impact study may be required by the Planning Commission.
- c. All parking, loading and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.
- d. Screening shall be required on those side or rear lot lines abutting a residential district.

19. Contractors' yard or contractor's storage yard shall comply with the following conditions:

- a. Shall be on a parcel/lot not less than two (2) acres in area.
- b. A contractor's office building shall be of permanent construction. Temporary construction trailers shall not be permitted to be occupied as the office of the contractor. Outdoor storage shall be strictly and clearly accessory to the contractor's principal office use of the property.

**Commented [GB214]:** Section 17.55E3, Section 17.85B19c, Section 17.85B20d, and Section 17.85B22e also deal with screening requirements. All of these requirements should be checked for consistency and potential conflicts.



c. Open storage of building materials, sand, gravel, stone, lumber, open storage of construction contractor's equipment and supplies are allowed. An obscuring wall or fence may be required by the Planning Commission.

d. The location and size of areas for storage, nature of items to be stored therein, and details of the enclosure, including a description of materials, height, and typical elevation of the enclosure, shall be provided as part of the information submitted under Article 8, Site Plan Review and Approval.

20. Repair garages and paint shops for autos and other vehicles, construction and farm machinery and equipment sales and repairs shall comply with the following conditions:

a. Shall be on a parcel/lot not less than two (2) acres in area.

b. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.

c. Inoperative or unlicensed vehicles shall be stored within an obscuring wall or fence that is compatible with the surrounding area. Such storage shall not occur in front of the building front line.

d. Where the site abuts any residential use, protective screening may be required. All masonry walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall.

e. All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from adjacent and neighboring property.

f. Signs shall conform to the existing Code of Ordinance per Article 5.

21. Sales of construction or farm machinery and equipment shall be subject to the following requirements:

a. Shall be on a parcel/lot not less than two (2) acres in area.

b. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.

c. Signs shall conform to the existing Code of Ordinance per Article 5.

22. Self-storage facilities are subject to the following requirements and conditions of this section:

a. Shall be on a parcel/lot not less than two (2) acres in area.

b. No activity other than the rental of storage units and the rental of outside storage space for recreational vehicles, boats and watercraft shall be allowed. No commercial, whole-sale, retail, industrial or other business use on, or operated from, the facility shall be allowed.

c. Only the sale of incidental supplies and similar material related to the self-storage business shall be allowed from the facilities office.

**Commented [GB215]:** Section 17.55E3, Section 17.85B18d, Section 17.85B20d, and Section 17.85B22e also deal with screening requirements. All of these requirements should be checked for consistency and potential conflicts.

**Commented [GB216]:** Why are there separate standards for repair garages et al (Section 17.85B20) and sales of construction or farm machinery et al (Section 17.85B21) when they are listed together in Section 17.55C3?

**Commented [GB217]:** Section 17.55E3, Section 17.85B18d, Section 17.85B19c, and Section 17.85B22e also deal with screening requirements. All of these requirements should be checked for consistency and potential conflicts.

**Commented [GB218]:** Why are there separate standards for repair garages et al (Section 17.85B20) and sales of construction or farm machinery et al (Section 17.85B21) when they are listed together in Section 17.55C3?

- d. The storage of any toxic, explosive, corrosive, flammable or hazardous material is prohibited inside the storage units.
  - e. Other than the storage of recreational vehicles, boats and watercraft, all storage shall be contained within a building. All recreational vehicle storage shall be screened from the view of neighboring properties and public roads with coniferous landscaping not less than six (6) feet in height at the time of planting or by a solid, maintenance free fencing.
  - f. The exterior design of the storage units is subject to planning commission review and approval and must be compatible with adjacent properties and the rural character of Rives Township. When a building is adjacent to a zoning district that permits a residential use, or the adjacent property is currently in residential use, the Planning Commission may consider the use of a building material that is aesthetically compatible.
- C. Waiver. Where the planning commission determines that compliance with all of the standards in Subsection B above are unreasonable, all of such standards shall be applied to the maximum extent possible. In such a situation, the planning commission may accept suitable alternatives that substantially achieve the purpose of this Section, provided that the applicant demonstrates that both of the following apply:
- a. That architectural or structural integrity and quality are not undermined.
  - b. That any deviations from the above standards will still provide for a harmonious development and serve to minimize any possible impacts to adjacent properties and residences.

**Commented [GB219]:** Section 17.55E3, Section 17.85B18d, Section 17.85B19c, and Section 17.85B20d also deal with screening requirements. All of these requirements should be checked for consistency and potential conflicts.

**Commented [GB220]:** Exceptions to codified standards are normally addressed through the granting of variances by the ZBA. Does the Township really want to transfer this (partial) responsibility to the Planning Commission?

#### **SECTION 17.99 PERFORMANCE GUARANTEES, ESCROWS, DECOMMISSIONING AND RECLAMATION**

- A. To ensure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the Planning Commission, Township Board or Zoning Administrator may require that a performance guarantee be deposited with the Township to ensure faithful completion of improvements or rehabilitation of a site, in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.
- B. Prior to review of an application for a site plan and prior to considering its merits, the Township may establish an amount to be deposited by the applicant with the Township Clerk as an escrow deposit to defray the actual costs incurred by the Township for review of the application by professionals that may assist the Township Board, Planning Commission or Zoning Board of Appeals in making informed decision and may include such items as legal opinions, engineering, land use planning review, inspections, testing and other third party review that may be required based on the application. The Township shall not commence consideration of the merits of the application until the escrow deposit is received by the Township Clerk.
- C. An applicant may be required to prepare a decommissioning or reclamation plan and submit it to the Planning Commission for review and approval prior to approval of a site plan. Under this submitted plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures below-grade shall be removed offsite for disposal. In addition, the site shall be graded and planted to similar character prior to development.

**Commented [GB221]:** This option should be at the sole discretion of the Township Board, in consultation with the Zoning Inspector. Is this option too broad? What criteria will be used to determine if performance guarantees are necessary?

**Commented [GB222]:** This option should be at the sole discretion of the Township Board, in consultation with the Zoning Inspector. Is this option too broad? What criteria will be used to determine if escrow is necessary?

Also, how can the Township establish a reasonable escrow fee without reviewing it initially to ascertain the cost of final the review?

**Commented [GB223]:** Is this option too broad? What criteria will be used to determine if decommission/reclamation is necessary?

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the zoning ordinance amendments regarding the various proposed amendments to the Rives Township Board, with the comments/suggestions made by staff (see the staff report).

**Staff Report Attachments:**

- *Background information provided by Rives Township.*

**Suggested Actions:**

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

## 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 Rives 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.)

1. The above described property has a proposed zoning change FROM \_\_\_\_\_ ( \_\_\_\_\_ )  
ZONE TO \_\_\_\_\_ ( \_\_\_\_\_ ) 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.) Multiple Articles +  
Sections - See Attached

- C. PUBLIC HEARING on the above amendment was held on: month March day 22 year 2021
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month March day 7 year 2021  
(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 Salesman  
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.

Roger DeCamp ☒ Chair or ☐ Secretary 3 / 22 / 2021 (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.

\_\_\_\_\_, Recording Secretary \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (enter date)

**TOWNSHIP BOARD ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_
2. The Rives 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.

Judith A. McCloskey  
Township Clerk



**RIVES TOWNSHIP  
JACKSON COUNTY, MICHIGAN**

**AMENDMENT TO CHAPTER 17, RIVES TOWNSHIP CODE OF  
ORDINANCES,  
THE RIVES TOWNSHIP ZONING ORDINANCE**

ORDINANCE NO. 2021-01

*[An ordinance to amend the Rives Township Zoning Ordinance as incorporated in Chapter 17 of the Rives Township Code of Ordinances, pursuant to authority granted under the Michigan Zoning Enabling Act (PA 110 of 2006, MCL 125.3101 et seq.)]*

**THE TOWNSHIP OF RIVES, JACKSON COUNTY, MICHIGAN HEREBY ORDAINS:**

**SECTION I AMENDMENTS, ADDITIONS AND DELETIONS TO CHAPTER 17 OF  
THE RIVES TOWNSHIP CODE OR ORDINANCES, THE RIVES  
TOWNSHIP ZONING ORDINANCE**

Chapter 17 of the Rives Township Code of Ordinances, being the Rives Township Zoning Ordinance, is hereby amended as follows:

**A. Article 1, Enabling Clause, Title, Purpose** is amended by deleting the last sentence of Section 17.01. The new Section 17.01, as amended, is as follows:

**SECTION 17.01 - PURPOSE.**

The fundamental purpose of this Ordinance is to promote the public health, safety, and general welfare, to encourage the use of lands and natural resources in the Township in accordance with their character and adaptability, to provide for the orderly development of the Township, to reduce hazards to life and property, to establish the location of and the size and specific uses for which dwelling, buildings and structures may hereafter be erected, or altered, and the minimum open spaces, sanitary, safety and protective measures that shall be required for such land dwelling, buildings and structures, to lessen congestion on the public roads and streets, to facilitate the development of an adequate system of transportation, education, recreation, sewage disposal, safe and adequate water supply and other public requirements; to conserve life, property and other natural resources, and the expenditures of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties.

**B. Article 3, General Provisions**, Section 17.23, Use Regulations, is amended by deleting Section 17.23(B) and replacing it with the following new Section 17.23(B):

**SECTION 17.23 - USE REGULATIONS.**



B. A conditional use shall be considered only if listed as a conditional use in the zoning district in which the use is to be located, and only after a conditional use permit has been reviewed by the Planning Commission and approved by the Township Board.

C. **Article 4, Zoning Districts**, is amended by deleting the following: Section 17.55, Industrial District – I; Section 17.56, Permitted Uses; Section 17.57, Conditional Uses Requiring Township Board Approval, and by replacing the deleted Sections with a new Section 17.55, Light Industrial District – I, as follows:

#### **SECTION 17.55 LIGHT INDUSTRIAL DISTRICT – I**

**A. Intent.** This District is designed to accommodate industrial, storage, and other uses that generate a minimum of noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation or any other nuisance characteristics. It is the purpose of these regulations to permit development of the enumerated functions to protect surrounding agricultural and residential areas from incompatible industrial activities. The Township has no public water and sewer, or Class A roads suited for more intensive industrial uses. To these ends, certain intensive industrial uses are excluded which would conflict with and harm the rural character of the Township.

#### **B. Permitted Uses.**

1. Printing, lithographic, blueprinting, commercial laundries, dry cleaning establishments, wholesale business, ice and cold storage plants, lumber, fuel and feed supply yards, and other similar uses.
2. Light manufacturing, research, assembly, testing, and repair of components, devices, equipment, and systems of professional scientific and controlling instruments, photographic and optical goods, including the following:
  - a. Communication, transmission, and reception equipment such as coils, tubes, semi-conductors, navigation control equipment, and systems guidance equipment.
  - b. Data processing equipment and systems.
  - c. Graphics and art equipment.
  - d. Metering instruments.
  - e. Optical devices, equipment, and systems.
  - f. Stereo, audio units, radio equipment and systems.
  - g. Photographic equipment.
  - h. Radar, infrared, and ultraviolet equipment and systems.
  - i. Scientific and mechanical instruments such as calipers and transits.
  - j. Testing equipment.
3. Light manufacturing, processing, or assembling of the following:
  - a. Pharmaceutical preparation.



- b. Electrical machinery, equipment, and supplies, electronic equipment and accessories.
- c. Office, computing, and accounting machines.
- 4. Research and design centers where the center intended for the development of pilot or experimental products, together with related office buildings for the research facilities where the offices are designed to accommodate executive, administrative, professional, accounting, engineering, architectural, and support personnel.
- 5. Data processing and computer centers, including the servicing and maintenance of electronic data processing equipment.
- 6. Warehousing, refrigerated and general storage, but not including self-storage facilities.
- 7. Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services.
- 8. Training and/or educational centers where the centers are designed and intended to provide training at the business, technical, and/or professional level.
- 9. Metal fabrication, welding, and tool and die shops.
- 10. Skilled trade services including plumbing, electric, heating, welding, printing, and painting establishments.
- 11. Uses similar to the above.

**C. Conditional Uses.**

- 1. Trucking and transit terminals.
- 2. Contractors' yard or contractor's storage yard.
- 3. Repair garages and paint shops for autos and other vehicles, construction and farm machinery and equipment sales and repairs.
- 4. Self-storage facilities.
- 5. Similar uses as interpreted by the Planning Commission.

**D. Dimensional Requirements.** The following dimensional requirements shall apply to development within the Light Industrial District:

Table (1) 17.55. Light Industrial District Dimensional Requirements								
Minimum Lot Area & Width		Maximum Lot Coverage		Minimum Yards & Setbacks			Maximum Structure Height	
Area in Acres	Width (feet)	Gross	Impervious Surface Ratio	Front Yard (feet)	Each Side Yard (feet)	Rear Yard (feet)	Feet	Stories
2 Acres	200	30%	60%	50	25	50	*45	2

\* Communication equipment as part of a light industrial use may not exceed 100 feet.

**Figure (1) 17.55. I-1 Industrial District Dimensional Requirements**



**E. Supplemental District Standards.**

1. Site plan review shall be required for all new uses in this Section in accordance with Article 8.
2. Accessory buildings and structures shall be regulated in accordance with the requirements of Article 3.
3. All goods or materials stored outside which are visible from a public road shall be screened by a fully-opaque fence or wall a minimum of six (6) feet in height.
4. The proposed site for any such use shall have direct access to a paved road. Parcels and/or lots shall have direct access to a paved road.

**D. Article 4, Zoning Districts**, the chart that is Section 17.58 – District, Yard, and Bulk Regulations is deleted and replaced with the following new Section 17.58 – District, Yard, and Bulk Regulations. The only amendment made to the chart that is Section 17.58 is deletion of the Industrial Zoning District line item in the chart.



**SECTION 17.58 – DISTRICT AREA, YARD, AND BULK REGULATIONS.**

ZONING DISTRICT	ZONING SYMBOL	LOT REQUIREMENTS			MINIMUM YARD REQUIREMENTS		
		Minimum Lot Area	Minimum Lot Width	Minimum Lot Coverage	Front	Side	Rear
<b>Agricultural</b>	<b>AG</b>	2 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
<b>Residential</b> <i>(Without Sewer)</i>	<b>R</b>	2 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
<b>Residential</b> <i>(With Sewer)</i>	<b>R</b>	1.5 Acres	200 ft. Depth 250 ft.	25%	50 ft.	25 ft.	50 Ft.
<b>Mobile Home Residential</b>	<b>MHR</b>	As required by Mobile Homes Commission Act or as otherwise specified elsewhere within the Ordinance.					
<b>Commercial</b>	<b>C</b>	2 Acres	200 ft. Depth 160 ft.	30%	35 Ft.	20 Ft. (35 ft. for corner lots)	50 Ft

**Corner Lots – See Section 17.25**

**MHR Zoning requires Public Sanitary Waste Disposal and Public Water Supply.**

E. **Article 7, Conditional Uses**, is amended by adding new standards and requirements for certain types of conditional uses as listed in Section 17.85(B) of the Zoning Ordinance. In addition to the current required standards and findings for specific conditional uses listed in Section 17.85(B)(1) thru (17) inclusive, the following new Section 17.85(B), subsections 18 thru 23 inclusive are added as follows:

**SECTION 17.85 - REQUIRED STANDARDS AND FINDINGS FOR MAKING DETERMINATIONS.**

B. Development standards applying to specific conditional uses. A conditional use permit shall not be issued for the uses specified in this subsection unless complying with the site development requirements as herein specified in addition to the standards in Section 17.85(A) above. The Planning Commission may recommend and the Township Board may impose additional conditions and safeguards when deemed necessary in accordance with this Ordinance.

18. Trucking and transit terminals shall comply with the following conditions:
  - a. Terminals shall be set back a minimum of 200 feet from any residential district or use.
  - b. A traffic impact study may be required by the Planning Commission.
  - c. All parking, loading and maneuvering space shall be contained within the site. Special consideration shall be given to any potential loading and unloading nuisances on surrounding properties.
  - d. Screening shall be required on those side or rear lot lines abutting a residential district.
19. Contractors' yard or contractor's storage yard shall comply with the following conditions:
  - a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. A contractor's office building shall be of permanent construction. Temporary construction trailers shall not be permitted to be occupied as the office of the contractor. Outdoor storage shall be strictly and clearly accessory to the contractor's principal office use of the property.
  - c. Open storage of building materials, sand, gravel, stone, lumber, open storage of construction contractor's equipment and supplies are allowed. An obscuring wall or fence may be required by the Planning Commission.
  - d. The location and size of areas for storage, nature of items to be stored therein, and details of the enclosure, including a description of materials, height, and typical elevation of the enclosure, shall be provided as part of the information submitted under Article 8, Site Plan Review and Approval.
20. Repair garages and paint shops for autos and other vehicles, construction and farm machinery and equipment sales and repairs shall comply with the



following conditions:

- a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.
  - c. Inoperative or unlicensed vehicles shall be stored within an obscuring wall or fence that is compatible with the surrounding area. Such storage shall not occur in front of the building front line.
  - d. Where the site abuts any residential use, protective screening may be required. All masonry walls shall be protected by a fixed curb or barrier to prevent vehicles from contacting the wall.
  - e. All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from adjacent and neighboring property.
  - f. Signs shall conform to the existing Code of Ordinance per Article 5.
21. Sales of construction or farm machinery and equipment shall be subject to the following requirements:
- a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. Driveways shall be designed to accommodate the type and volume of vehicular traffic using the site and located in a manner which is compatible with uses located adjacent to and across from the site.
  - c. Signs shall conform to the existing Code of Ordinance per Article 5.
22. Self-storage facilities are subject to the following requirements and conditions of this section:
- a. Shall be on a parcel/lot not less than two (2) acres in area.
  - b. No activity other than the rental of storage units and the rental of outside storage space for recreational vehicles, boats and watercraft shall be allowed. No commercial, wholesale, retail, industrial or other business use on, or operated from, the facility shall be allowed.
  - c. Only the sale of incidental supplies and similar material related to the self-storage business shall be allowed from the facilities office.
  - d. The storage of any toxic, explosive, corrosive, flammable or hazardous material is prohibited inside the storage units.
  - e. Other than the storage of recreational vehicles, boats and watercraft, all storage shall be contained within a building. All recreational vehicle storage shall be screened from the view of neighboring properties and public roads with coniferous landscaping not less than six (6) feet in height at the time of planting or by a solid, maintenance free fencing.
  - f. The exterior design of the storage units is subject to planning commission review and approval and must be compatible with adjacent properties and the rural character of Rives Township. When a building is adjacent to a



zoning district that permits a residential use, or the adjacent property is currently in residential use, the Planning Commission may consider the use of a building material that is aesthetically compatible.

- C. *Waiver.* Where the planning commission determines that compliance with all of the standards in Subsection B above are unreasonable, all of such standards shall be applied to the maximum extent possible. In such a situation, the planning commission may accept suitable alternatives that substantially achieve the purpose of this Section, provided that the applicant demonstrates that both of the following apply:

- a. That architectural or structural integrity and quality are not undermined.
- b. That any deviations from the above standards will still provide for a harmonious development and serve to minimize any possible impacts to adjacent properties and residences.

- F. **Article 8, Site Plan Review**, is amended by adding the following new Section 17.99.

**SECTION 17.99 PERFORMANCE GUARANTEES, ESCROWS, DECOMMISSIONING AND RECLAMATION**

- A. To ensure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the Planning Commission, Township Board or Zoning Administrator may require that a performance guarantee be deposited with the Township to ensure faithful completion of improvements or rehabilitation of a site, in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.
- B. Prior to review of an application for a site plan and prior to considering its merits, the Township may establish an amount to be deposited by the applicant with the Township Clerk as an escrow deposit to defray the actual costs incurred by the Township for review of the application by professionals that may assist the Township Board, Planning Commission or Zoning Board of Appeals in making an informed decision and may include such items as legal opinions, engineering, land use planning review, inspections, testing and other third party review that may be required based on the application. The Township shall not commence consideration of the merits of the application until the escrow deposit is received by the Township Clerk.
- C. An applicant may be required to prepare a decommissioning or reclamation plan and submit it to the Planning Commission for review and approval prior to approval of a site plan. Under this submitted plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures below-grade shall be removed offsite for disposal. In addition, the site shall be graded and planted to similar character prior to development.



## **SECTION II - SEVERABILITY**

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof, or of any other provisions in the Rives Township Zoning Ordinance as incorporated in Chapter 17 of the Rives Township Code of Ordinances.

## **SECTION III - SAVINGS CLAUSE**

The balance of the Rives Township Zoning Ordinance and Chapter 17 of the Rives Township Code of Ordinances, except as herein or heretofore amended, shall remain in full force and effect. The amendment provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution of any right established, occurring prior to the effective date hereof.

## **SECTION IV - PUBLICATION AND EFFECTIVE DATE**

The Township Clerk shall cause this Ordinance to be published in the manner required by law. This Ordinance shall be effective on the day after final publication of the Ordinance, or as otherwise provided by law.

This Ordinance was duly adopted by the Rives Township Board at its regular meeting called and held on the \_\_\_\_ day of \_\_\_\_\_, 2021, and was ordered given publication in the manner required by law.

\_\_\_\_\_  
Judi McCord, Clerk  
Rives Township

## **CERTIFICATION**

I, Judi McCord, Clerk of Rives Township, Jackson County, Michigan, hereby certify that the foregoing Rives Township Ordinance No. 2021-1 was duly approved and adopted by the Township Board of Trustees of the Township of Rives in a regular meeting of said Township Board held on \_\_\_\_ day of \_\_\_\_\_, 2021.

I further certify that Member \_\_\_\_\_ moved for adoption of said Ordinance, and that Member \_\_\_\_\_ seconded said motion.

I further certify that the following members voted for adoption of said Ordinance: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and that the following members voted against adoption of said Ordinance: \_\_\_\_\_. The following members were absent: \_\_\_\_\_; and the following members abstained from voting on the adoption of said Ordinance:

\_\_\_\_\_.

I further certify that after its passage the Ordinance was published in the manner provided by law on \_\_\_\_\_, in the \_\_\_\_\_.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and a copy along with this Certificate filed with the Jackson County Clerk.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judi McCord, Clerk  
Rives Township



# 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 | #21-06

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** April 2, 2021

**Proposal:** **A rezoning in Napoleon Township**

### Request

The subject property—4500 Wolf Lake Road (ID #000-15-20-306-001-03)—is proposed for rezoning from ‘agricultural (AG)’ to ‘single-family residential (R-1)’ (see the background information).

### Purpose

The purpose of the request is to “allow property to be combined with some lots on Sand Beach [Road] and the remainder to be divided into Residential lots on Wolf Lake [Road]” (see the zoning amendment form).<sup>1</sup>

### Location and Size of the Property

The approximately 11-acre subject property is situated in Section 20 (T3S-R2E) of the Township. It is located on the west side of Wolf Lake Road and also abuts Sand Beach Road (see Figure 1). Little Wolf Lake is located to the southwest. Grass Lake Charter Township abuts the parcel to the north.

### Land Use and Zoning

**Current Land Use** – The subject property is predominantly vacant and wooded although it does contain a single-family dwelling (see Figure 5). The Township currently assesses the property for ‘residential’ use (see Figure 2). Adjacent parcels are assessed for ‘residential’ or ‘residential vacant’ uses. However, the property does surround Cevin’s Collision (an auto body shop) on three sides.

**Future Land Use Plan** – The *Napoleon Township Master Plan* recommends ‘high-density residential’ uses for the subject property (see Figure 3). All adjacent properties in Napoleon Township to the east and southwest are also recommended for ‘high-density residential’ uses. ‘Low-density residential’ uses are proposed for adjacent parcels located to the north in Grass Lake Township.

**Current Zoning** – The subject property is currently zoned ‘agricultural (AG)’, as is most of the adjacent land to the east (see Figure 4). Properties to the southwest are already zoned ‘single-family residential (R-1)’. Properties to the north in Grass Lake Township are also zoned ‘single-family residential (R-2)’.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are not available. Nor, according to the Township, are there plans to make them available (see the rezoning worksheet form).

<sup>1</sup> Please note that this report lists the proposed use for informational purposes only. Do not utilize it 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.

**Public Road/Street Access** – Wolf Lake Road, a paved county primary roadway, provides direct access to the subject parcel. Sand Beach Road, a paved county local roadway, also provides access.

**Environmental Constraints** – The subject parcel has no known environmental constraints according to the Township (see the rezoning worksheet form).

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Napoleon Township Planning Commission recommends **approval** of the proposed rezoning of the subject property to ‘single-family residential (R-1)’ (see the attached zoning amendment form). A concerned citizen sent an email to the Township regarding her opposition to the rezoning and her “concern about the constant sprawling development of agricultural and other undeveloped land in rural areas” (see the background information).

**Staff Analysis** – Napoleon Township has a Zoning Plan (an element of the Master Plan) which includes 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 Future Land Use Plan (an element of the Master Plan) recommends ‘high-density residential’ uses in the vicinity of Little Wolf Lake (see Figure 3). The Zoning Plan equates the ‘single-family residential (R-1)’ district with ‘high-density residential uses’.

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

**Yes.** Adjacent properties to the east and southwest are already zoned ‘single-family residential (R-1)’ (see Figure 4).

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

**No.** Public services and facilities are not likely to be significantly impacted by the rezoning.

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 subject parcel already contains a single-family dwelling. Other single-family dwellings surround the property.

**JCPC Staff Advisement** – The proposed rezoning conforms to the *Napoleon Township Master Plan*, which recognizes ‘high-density residential’ development near Little Wolf Lake. Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL** to the Napoleon Township Board of the proposed rezoning of the subject property (ID #000-15-20-306-001-03) to ‘single-family residential (R-1)’.

#### Suggested Actions:

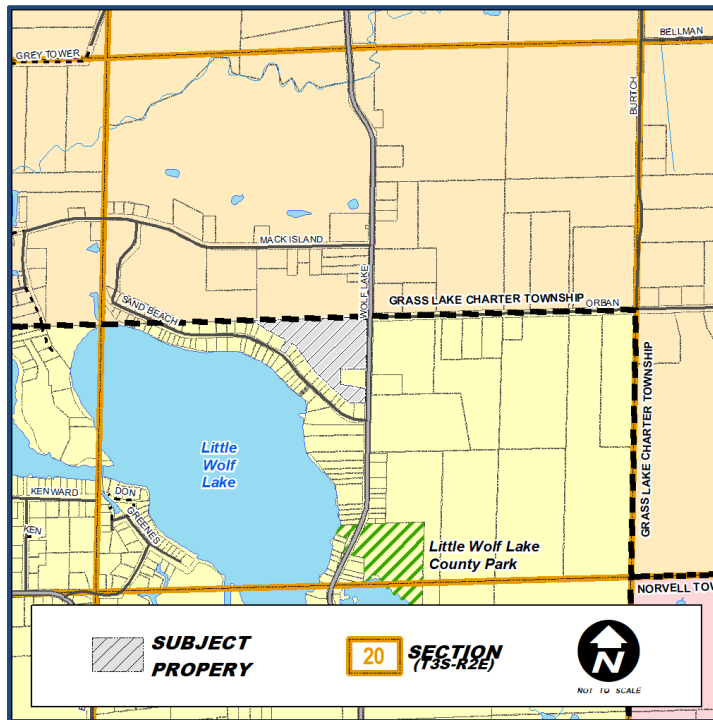
- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

#### Staff Report Attachment(s):

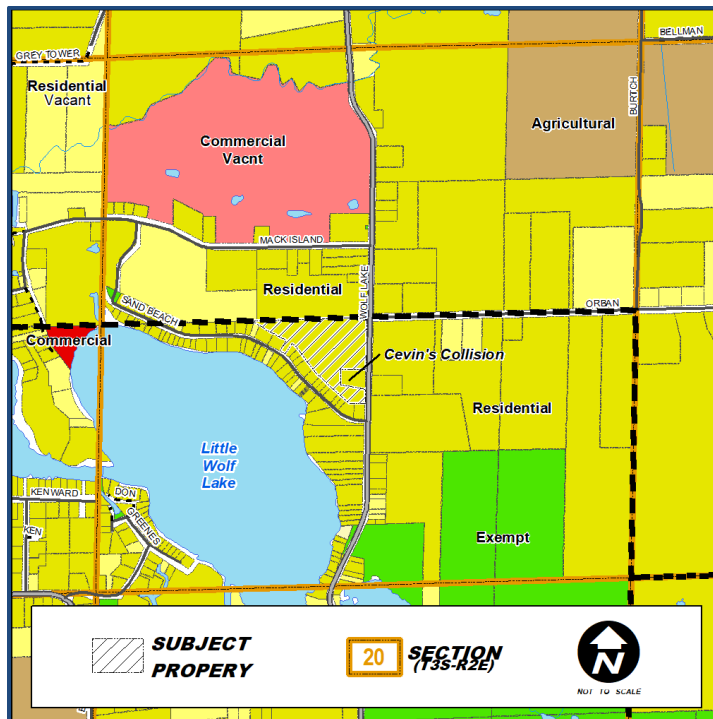
- Background information provided by Napoleon Township



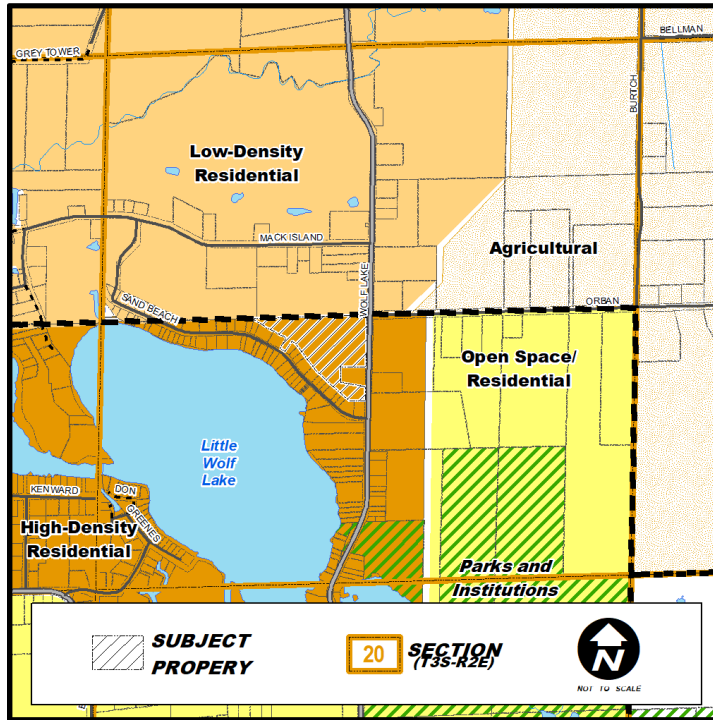
**Figure 1  
Location**



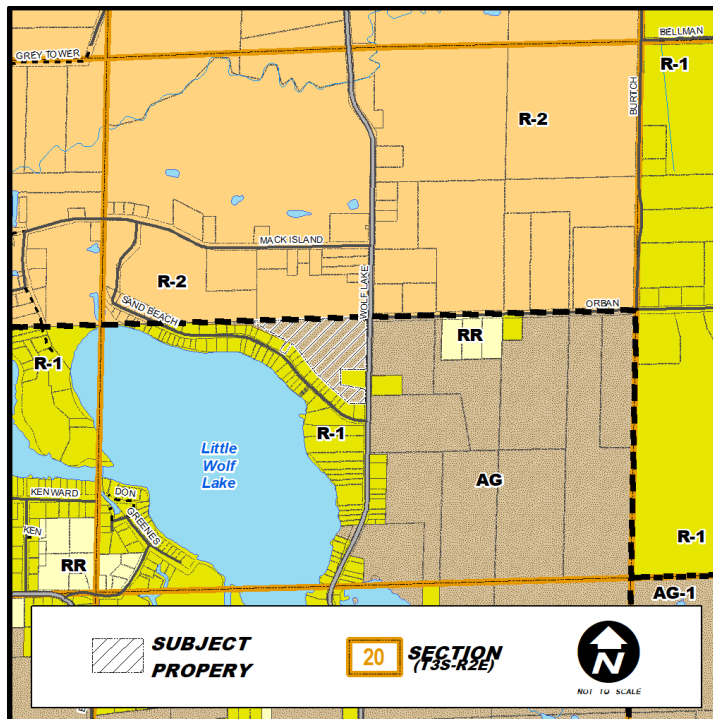
**Figure 2  
Property Assessment**



**Figure 3  
Municipal Future Land Use**



**Figure 4  
Municipal Zoning**



**Figure 5**  
**Aerial Photo**





## 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 \_\_\_\_\_ 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.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. The above described property has a proposed zoning change FROM \_\_\_\_\_  
ZONE TO \_\_\_\_\_ 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 \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_

**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.

\_\_\_\_\_  
*John Hummer*, Recording 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: \_\_\_\_\_ Township Case #: \_\_\_\_\_

Township official we may contact: \_\_\_\_\_ Phone #: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone #: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

Rezoning Request: From: \_\_\_\_\_ (\_\_\_\_) To: \_\_\_\_\_ (\_\_\_\_)

Property Location: Section(s): \_\_\_\_\_ 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"): \_\_\_\_\_

Please attach location map ☐ Yes ☐ No

What is the existing use of the site? \_\_\_\_\_

What is the proposed use of the site? \_\_\_\_\_

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

North: \_\_\_\_\_ South: \_\_\_\_\_

East: \_\_\_\_\_ West: \_\_\_\_\_

What are the surrounding Zoning Districts?

North: \_\_\_\_\_ (\_\_\_\_) South: \_\_\_\_\_ (\_\_\_\_)

East: \_\_\_\_\_ (\_\_\_\_) West: \_\_\_\_\_ (\_\_\_\_)

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 \_\_\_\_\_

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.

# NAPOLEON TOWNSHIP ZONING APPLICATION

Print or Type

CASE # 21-03-0002

## APPLICATION FOR

- ☒ Rezoning \*\*  
☐ Site Plan Review  
☐ Planned Developments  
☐ Special Land Use  
☐ Amendments

- ☐ Variance ◆  
☐ Conditional Use \*\*  
☐ Home Occupation \*\*  
☐ Site Plan Change/Renewal  
☐ Administrative Site Plan  
☐ Other

This application will not be processed if incomplete. \*\*All required materials must be submitted at least thirty (30) days prior to the next Planning Commission meeting. Site Plans with all documentation thirty (30) days prior to the next Planning Commission meeting.

◆All required materials must be submitted at least thirty (30) days prior to the next Zoning Board of Appeals meeting.

## APPLICANT INFORMATION (If different than owner, a letter of authorization from the owner must be attached)

Name(s) David & Gretche Walter Phone 517-812-7305  
 Address 4500 Wolf Lake Rd Grass Lake MI 49240

## OWNER INFORMATION

Name(s) SAME Phone \_\_\_\_\_  
 Address \_\_\_\_\_

## PROPERTY INFORMATION

Address or Location 4500 Wolf Lake Rd Grass Lake MI 49240  
 Permanent Parcel # 000-15-20-306-001-03  
 Zone District (Current) Agriculture AG-1 Property Size 11 ACRES  
 Attach legal description-also a survey, site drawing and pictures may be required.

## NARRATIVE DESCRIPTION OF PROPOSED USE/REQUEST (attach additional pages as needed)

WE WANT TO REZONE FROM AG TO RESIDENTIAL

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

David Walter

Signature of Applicant

Signature of Applicant

2-24-21

Date

I hereby grant permission for members of the Napoleon Township (Planning Commission) (Zoning Board of Appeals) (Township Board) to enter the above described property (or as described in the attached) for the purpose of gathering information related to this application. (Note to Applicant: This is optional and will not affect any decision on your application.)

David Walter

Signature of Applicant

Signature of Applicant

2-24-21

Date

## DO NOT WRITE BELOW THIS LINE

Date Received 2/24/21

Application ☐

E-mail  
or

Submitted Materials: Site plan ☐ # of copies 24 x 36 ☒ 11 x 17 ☒ CD/PDF ☒

Site plan checklist ☐ Environmental checklist ☐ Pictures\ Video ☐

Survey: Stake ☐ Mortgage ☐

Letters: JCRC ☐ JCDC ☐ JCHD ☐ DPW ☐ JCAP ☐ DEQ ☐ FIRE ☐

Application Fee 350.00 Publication/Mailing Fee \_\_\_\_\_

APPLICATION ACCEPTED BY: John Warden

Meeting Dates: PC 3/25/21

ZBA

CNTY 4/8/21

TWPBD 5/11/21

Publication Dates #1 3/9/21

WEB 3/9/21

NOTE: Please attach all documents as required for each type of request and as listed on the attached sheets.

Publication and postage cost charged accordingly over and above filing fees.

# NOTICE

Check the Township Website prior to the meeting to see if the meeting is Live  
[www.napoleontownship.us](http://www.napoleontownship.us)

## **NAPOLEON PLANNING COMMISSION**

**THIS MEETING WILL BE LIVE – PLANNING COMMISSION MARCH 25, 2021 6:00 PM  
TOWNSHIP HALL, 6775 NAPOLEON ROAD, JACKSON, MI. 49201  
CASE#21-03-0002 -4500 WOLF LAKE RD. REZONING  
CASE#21-03-0003 -CONDITIONAL USE & SITE PLAN EAST OF 6819 BROOKLYN RD.**

The Exponet  
Insertion Date: March 16, 2021

Copy to John Hummer, Clerk

## Grant Bauman

---

**From:** John Hummer <clerk@napoleontownship.us>  
**Sent:** Wednesday, March 17, 2021 4:40 PM  
**To:** John Worden  
**Subject:** FW: Rezoning notification, Wolf Lake Road

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**From:** Susan Miller <smiller179@comcast.net>  
**Sent:** Wednesday, March 17, 2021 8:48 AM  
**To:** Supervisor <supervisor@napoleontownship.us>; John Hummer <clerk@napoleontownship.us>  
**Subject:** Rezoning notification, Wolf Lake Road

Hello



I received a notice about a proposed rezoning of 4500 Wolf Lake from AG-1 to R-1. I own property on Wolf Lake Rd across the road from the site in question (at 4725 Wolf Lake). The intention is to develop this land and adjacent parcels.

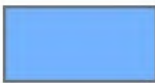


I oppose the rezoning. I am very concerned about the constant sprawling development of agricultural and other undeveloped land in rural areas. Rezoning is always the first step in such developments, which ultimately change the character of an area and continue the endless march toward squeezing wildlife and the supporting vegetative growth out of undeveloped land. Small farmers are under pressure as well.

Sincerely,

Susan B Miller



-  OPEN SPACE/  
RESIDENTIAL
-  HIGH-DENSITY  
RESIDENTIAL
-  COMMERCIAL
-  ENVIRONMENTALLY  
SENSITIVE AREAS

-  LIGHT INDUSTRIAL
-  HEAVY INDUSTRIAL
-  PARKS AND  
INSTITUTIONS





Untitled Map

Write a description for your map.

Legend

4500 Wolf Lake Rd

4500 Wolf Lake Rd

Google Earth

100 ft





Case#21-03-0002-4500 Wolf Lake Rd.-David Walter  
Rezoning From Agricultural (AG-1) to Residential (R-1)







# Parcel Report - Parcel ID: 000-15-20-306-001-03

3/1/2021



**Owner Name** WALTER DAVID & GRETCHEN  
**Owner Address** 4500 WOLF LAKE RD  
GRASS LAKE, MI 49240  
**Homestead** 100  
**Parcel Address** 4500 WOLF LAKE RD VACANT  
GRASS LAKE, MI 49240  
**Property Class** 401 - RESIDENTIAL  
**Status** Active  
**Acreage** 11.004  
**Gov't Unit** Napoleon  
**Tax Unit** Napoleon  
**School District** NAPOLEON SCHOOL  
**Liber/Page** 1909-294

	2018	2019	2020
<b>Taxable Value</b>	\$141,984	\$145,300	\$148,060
<b>Assessed Value</b>	\$156,073	\$185,700	\$186,000

## Tax Description:

LOTS 68 SAND BEACH SUBDIVISION AND ALSO THAT PART OF N 1/2 OF SW 1/4 LYING N AND E OF NLY LN OF SAND BEACH SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF EXC BEG AT NE COR OF THE SW 1/4 OF SEC 20 TH S01°58'30"W ALG N&S 1/4 LN 513.38 FT FOR POB OF THIS EXCN TH CONT S01°58'30"W ALG SD 1/4 LN 200 FT TH N80°28'21"W 274.46 FT TH N 160.11 FT TH S88°49'39"E 270.73 FT TO BEG. SEC 20 T3S R2E COMBINED ON 11/10/2008 FROM PART OF 130-15-20-327-028-00; WITH 000-15-20-306-001-01;

Napoleon Township Planning Commission  
Minutes – March 25, 2021

**Call to Order:** 6:03 p.m.

**Commission Members Present:** Scott Miles, chair; John Hummer, recording secretary and township board liaison; Mark LaRocque; Heidi Richardson

**Commission Members Absent:** Jim Gray; Jeff Kirkpatrick; Bill Rolston

**Also Present:** John Worden, Napoleon Township Zoning Administrator; David Walter, applicant for Case #21-03-0002; Chad McKessey, applicant for Case #21-03-0003; Jack Shelby, Moran Engineering, engineer for C. McKessey.

**Pledge of Allegiance**

**Approval of Agenda:** MOTION by M. LaRocque, seconded by S. Miles, to approve the agenda. All ayes. Motion passed.

**Minutes of Dec. 17, 2020 (2 meetings):** MOTION by M. LaRocque, seconded by S. Miles, to approve the Dec. 17 minutes as presented. All Ayes. Motion passed.

**Case #21-03-0002 - Rezoning from Agricultural (AG-1) to Residential (R-1) 11 Acres - 4500 Wolf Lake Rd. - Dave & Gretchen Walter, Owners/Applicants:** S. Miles invited applicant D. Walter to provide information on the case. D. Walter explained that he was forced to rezone his property in order to sell it. Interest grew among neighbors on Sand Beach Rd. in wanting to buy pieces of his property so they could extend their yards back as far as they could. D. Walter indicated that most of them were already using 30 feet of his property. He stated he had an old letter from former assessor Jane Gallant saying he could sell the property to neighbors; D. Walter said he thought it was already zoned residential. He indicated that zoning administrator J. Worden told him last fall he could not sell it as residential property because it was still zoned agricultural, and that he would have to sell at least five acres, the minimum he could sell as AG property. D. Walter stated he has no intent to subdivide the property. J. Worden stated that the property matches the township land use and master plan as being zoned residential. S. Miles clarified that the property in question is the southern-most, “cut-out” part of his property that kind of sticks out just south of Cevin’s Collision. M. LaRocque asked the applicant to clarify that the 11 acres was the only part of his property (which is much bigger) that he wished to rezone. D. Walter responded affirmatively. J. Hummer brought up an email sent to him and Township Supervisor Dan Gallagher, which was shared in the packet, from property owner Susan B. Miller, who lives across the road from the site in question. She opposed the rezoning relative to concerns about the “constant sprawling development of agricultural and other undeveloped land in rural areas.” One of the potential buyers of the applicant’s property present at the meeting indicated he was only interested in extending his yard. J. Hummer indicated he simply wanted to acknowledge the receipt of the letter as part of the discussion. S. Miles stated that the commission was only addressing the zoning aspect of the property and reiterated that the property is in the township’s future land use plan and is surrounded by residential and has never been used as agricultural. MOTION by S. Miles, seconded by J. Hummer, to recommend to the township board to approve the rezoning from agricultural (AG-1) to Residential (R-1) as presented. All Ayes. Motion passed. J. Worden informed the applicant that the case goes before the Jackson County Planning Commission on Thursday, April 8, then to the township board on May 11.

**Case #21-03-0003 - Conditional Use and Site Plan - Vacant Land East of 6819 Brooklyn Rd. - Zoned General Commercial (GC) - Saber Soft Wash LLC, Applicant:** S. Miles invited applicant C. McKessey to provide information on the case. J. Shelby, engineer for C. McKessey, explained that C. McKessey wants to build a 40’x60’ pole barn at 6819 Brooklyn Rd. (next to the carwash, not related). The purpose of the building is to house an office and serve as a storage building for J. McKessey’s Saber Soft Wash, LLC business. The business does residential and commercial pressure washing. C. McKessey stated that the building will hold trucks, pressure washing equipment, and supplies. It is a mobile unit; no pressure washing will be done on site. Equipment maintenance will be done on site inside the pole barn. A conditional use permit is required for that type of business in the General Commercial (GC) zoning district. C. McKessey indicated hours of operation will primarily be in normal business hours (9 a.m. to 5 p.m.), mostly off-site, so the business should not affect the one residential neighbor to the west. The business is a one-man operation. MOTION by J. Hummer, seconded by M. LaRocque, to recommend approval of a conditional use permit to the township board. All Ayes. Motion passed. **Site plan:** J. Shelby stated that a conditional letter

(email) of approval has been received from MDOT that approves a commercial entrance to the business. A final permit must still be received from MDOT on traffic and road right-of-way standards, as well as specifications for base and material. A memo was sent by Fire Chief Greg Bickford to J. Worden indicating that the fire department has no issue with the size, location, or accessibility to the new structure as proposed, adding that a hydrant is within 200 feet. The fire department approves of the project. As of this meeting, a letter from the county drain commissioner had yet to be received for approval of a storm water management system/facility. J. Shelby indicated that a retention pond is in the plan drawings. S. Miles stated there is a screening requirement for a buffer for the residential boundary which can be a landscape buffer or a fence. C. McKessey prefers a fence and will need a separate permit for it. As far as storage, C. McKessey stated there will be no chemicals or nothing flammable (other than a small amount of gasoline) or caustic on site. Fuel storage, per MDOT requirements, will be 50 gallons or less, however, C. McKessey stated there is no need for a lot of fuel -- basically a five-gallon gas can, and that everything else he uses (detergents, etc.) is 100 percent biodegradable. There are no current plans for signage and there will only be wall-pack, downward-facing security lighting on the building. MOTION by H. Richardson, seconded by M. LaRocque, to approve the site plan contingent upon receipt of approval letters from MDOT, the county drain commissioner, and the township fire department (already in hand). All Ayes. Motion passed. J. Worden stated that the site plan will next come before the township board on Tuesday, April 13.

**Public/Commission Comment - Non-Agenda Items:**

**Public:** None.

**Commission:** J. Hummer brought up the need to fill any remaining open planning commission seats. J. Worden indicated S. Sayles has resigned from the commission and her slot needs to be filled.

**Adjourned 6:48 p.m.**

John Hummer, Secretary\_\_\_\_\_



# 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 | #21-07

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** April 2, 2021

**Proposal:** **Rezoning in Grass Lake Charter Township**

### Request

The subject property—1916 Norvell Road (ID# 000-15-04-400-002-04)—is proposed for rezoning to ‘agricultural (AG)’ from ‘single family residential (R-1)’.

### Purpose

A ‘wedding venue’—a type of ‘agricultural business’—is located on the subject parcel. The current ‘R-1 (single family residential)’ zoning makes it a nonconforming use. The applicant proposes rezoning the property to ‘AG (agricultural)’, which allows an ‘agricultural business’ as a special (conditional) use. The proposal is in conformance with an August 19, 2020, Jackson District Court Order regarding the property (see the background information).<sup>1</sup>

### Location and Size of the Property

The subject property has an area of approximately 12.9 acres. It is located on the west side of Norvell Road in Section 4 (T3S-R2E) of Grass Lake Charter Township (see Figure 1). The Eagle Crest Site Condominiums are located on the east side of the road and the Village of Grass Lake is located nearby to the northwest.

### Land Use and Zoning

**Current Land Use** – The subject parcel is currently used as a ‘wedding venue’ (see the Rezoning Worksheet Form) and is assessed as a ‘reference’ property, which does not correlate to a land use category (see Figure 2). A small property on the west side of Norvell Road, assessed ‘residential’, is located directly to the south. Both properties are surrounded by a larger parcel—owned by the applicant—that surrounds both properties on three sides is assessed ‘residential vacant’. The applicant also owns another ‘residential vacant’ property directly to the north. Properties to the north are assessed ‘agricultural’ and ‘agricultural vacant’.

**Future Land Use** – The Township’s Future Land Use map recommends ‘agricultural’ uses on the west side of Norvell Road, opposite Old Farm Lane and Harvest Drive (see Figure 3).

---

<sup>1</sup> Please note that the proposed use is normally listed for informational purposes only and should not be utilized in making the rezoning decision. This advisement is made because circumstances may change tomorrow which make the proposed use impractical. Therefore, all of the uses that the proposed zoning designation would allow are pertinent to the rezoning request. However, given the court order, the proposed use is pertinent to this proposed rezoning.



**Current Zoning** – The subject property is zoned ‘single family residential (R-1)’ as are the other parcels owned by the applicant (see Figure 4). The ‘agricultural’ and ‘agricultural vacant’ assessed properties to the north are also zoned single-family residential (R-1 and R-2).

### **Public Facilities and Environmental Constraints**

**Water and Sewer Availability** – Municipal water and sewer services are not available nor are there plans to extend them (see the attached Zoning Worksheet Form).

**Public Road/Street Access** – Direct access is provided by Norvell Road, a paved county primary.

**Environmental Constraints** – The Township did not identify any environmental constraints (see the attached Zoning Worksheet Form).

### **Analysis and Recommendation**

**Township Planning Commission Recommendation** – The Grass Lake Charter Township Planning Commission recommends **approval** of the proposed rezoning, which is in accordance with a Jackson District Court order (see the attached Zoning Amendment Form and other background information).

**Staff Analysis** – Grass Lake Charter Township has a Zoning Plan (an element of the Master Plan) which includes the following criteria upon which a rezoning request must be considered (*also see Sec. 17.4 of the Zoning Ordinance*):

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Township’s master plan?**  
**Yes.** The Township’s future land use plan places the subject property in an area recommended for ‘agricultural’ uses.
2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**  
**No.** The property is completely surrounded by parcels zoned R-1 (single family residential), which may cause some conflict. However, an ‘agricultural business’ is already located on the property. Rezoning the adjacent parcels owned by the applicant and the farmed properties located to the north would help to eliminate the potential for some conflict.
3. **Will any public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**  
**No.** Existing public services and facilities should not be negatively impacted by the proposed rezoning to ‘AG (agricultural)’.
4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning of the land?**  
**Yes.** The property is already used as a type of ‘agricultural business’.

Simply rezoning the subject property to ‘AG (agricultural)’ may have the appearance of a ‘spot zone. This is technically not the case given that the Township’s Future Land Use Plan recommends ‘agricultural’ uses for the subject property and surrounding parcels on the west side of Norvell Road. However, the appearance of a ‘spot zone’ would be avoided if the adjacent parcels owned by the applicant and the farmed properties located to the north were also rezoned ‘AG’ at some point in the near future.



**JCPC Staff Advisement** – The proposed rezoning of the subject property to ‘AG (agricultural)’ meets the majority of the criteria upon which a rezoning must be judged, according to the Township’s Zoning Plan. It is also in conformance with an August 19, 2020, Jackson District Court Order regarding the parcel. However, simply rezoning the property to ‘AG’ gives the appearance of a ‘spot zoning’. This issue can be resolved by also rezoning the adjacent parcels owned by the applicant and the farmed properties located to the north ‘AG’ at some point in the near future.

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL** of the ‘AG (agricultural)’ rezoning request for 1916 Norvell Road (Parcel ID #000-15-04-400-002-04) to the Grass Lake Township Board. Staff also advises the JCPC to recommend the rezoning of the adjacent parcels owned by the applicant and the farmed properties located to the north ‘AG’ at some point in the near future.

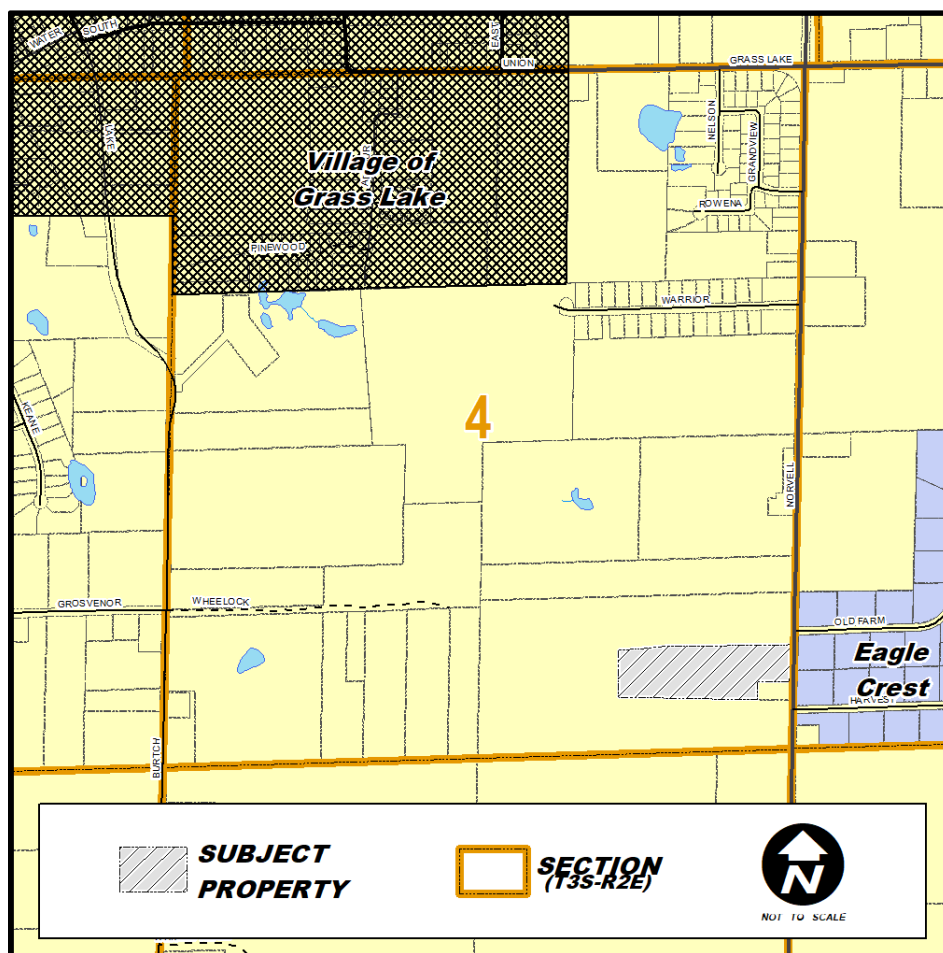
**Suggested Actions:**

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

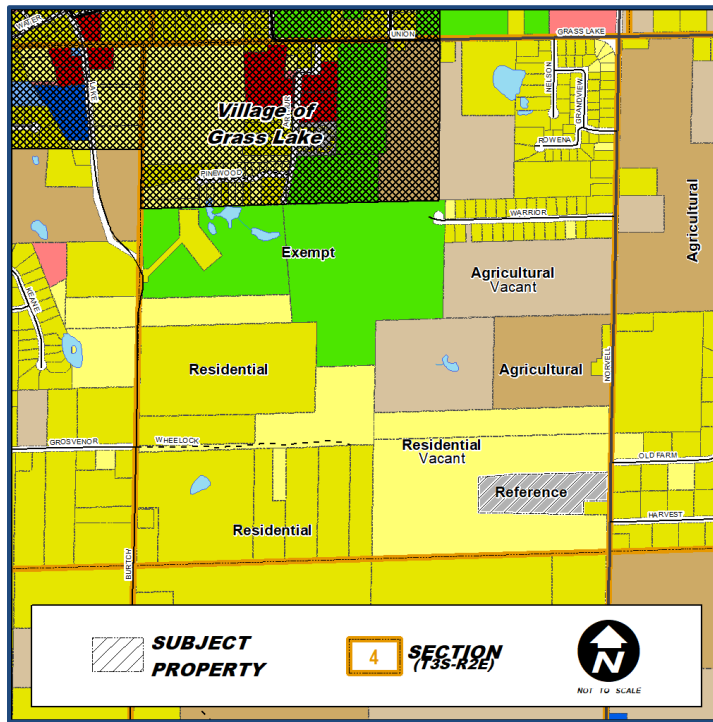
**Staff Report Attachment(s):**

- Background information provided by Grass Lake Charter Township

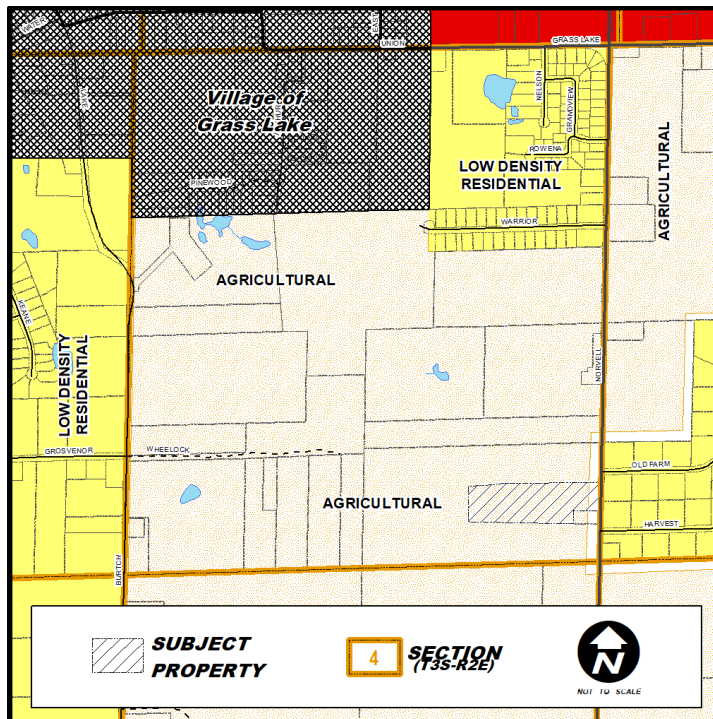
**Figure 1  
Location**



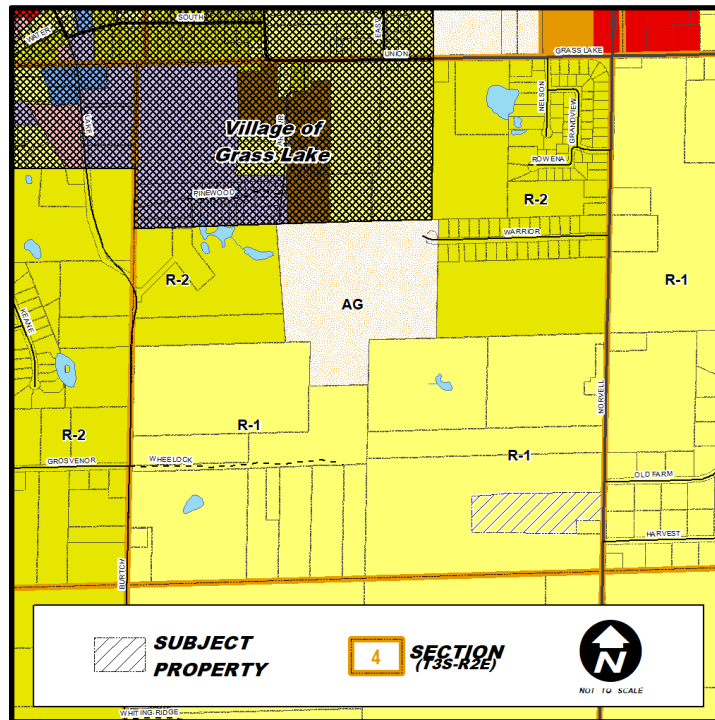
**Figure 2**  
**Property Assessment**



**Figure 3**  
**Municipal Future Land Use**



**Figure 4**  
**Municipal Zoning**



**Figure 5**  
**Aerial Photo**





## 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 Grass Lake 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.)

Parcel #000-15-04-400-002-04 12.939 acres SE corner of Section 4

1. The above described property has a proposed zoning change FROM (Residential) ( R-1 )  
ZONE TO Agriculture ( Ag. ) ZONE.
2. PURPOSE OF PROPOSED CHANGE: To resolve issues of compliance with the Township, trying to become zoning compliant.

**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 March day 18 year 2021
- D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month February day 23 year 2021  
(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 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 ☒ APPROVE or ☐ DISAPPROVE.

Jere Hinkle ☒ Chair or ☐ Secretary March / 18 / 2021 (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.  
\_\_\_\_\_, Recording 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: Grass Lake Charter Township Township Case #: 21-02-0003  
Township official we may contact: Doug Lammers Phone #: ( 517 ) 522 - 8464 ex130  
Applicant: Dale Fisher and Matthew Fisher Phone #: ( 517 ) 522 - 3705  
Rezoning Request: From: Single Family Residential ( R-1 ) To: Agriculture ( Ag. )  
Property Location: Section(s): 4 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"): 12.93

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? Wedding venue

What is the proposed use of the site? Wedding venue

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

North: Agriculture  
East: Single Family Residential

South: Agriculture  
West: Agriculture

What are the surrounding Zoning Districts?

North: Residential ( R-1 )  
East: Residential ( R-1 )

South: Residential ( R-1 )  
West: Residential ( R-1 )

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

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 Norvell 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.

**GRASS LAKE CHARTER TOWNSHIP**  
**Jackson County, Michigan**

**PLANNING COMMISSION**  
**RESOLUTION RECOMMENDING ADOPTION OF ORDINANCE NO. \_\_\_\_**  
**APPROVING REZONING**

At a meeting of the Grass Lake Charter Township Planning Commission held on the 18 day of March, 2021, at 7 p.m.

Present: Hinkle, Ducey, Brennan, Lucas, Jewell, Cudde

Absent: Worbritton

The following resolution was offered by Member Hinkle and supported by Member Ducey.

**WHEREAS**, Dale Fisher and Matthew Fisher ("Owners") own certain real property within the Township located at 1916 Norvell Road, Grass Lake, Michigan (Parcel ID: 000-15-04-400-002-04); and

**WHEREAS**, the Owners have requested that the Planning Commission rezone a 12.939-acre portion of the real property (the "Subject Property") from the R-1 Single Family Residential Zoning District ("R1- District") to the AG Agricultural Zoning District ("AG-District") consistent with an order of the Jackson County District Court to resolve various zoning issues. The Owner's Rezoning Application as well as the August 19, 2020 Order of the Jackson County District Court ("Court Order") more completely describe the Subject Property and are attached as **Exhibit 1**; and

**WHEREAS**, the Township has met the Michigan Zoning Enabling Act's notice requirements, including mailing, posting, and publishing and has scheduled a public hearing to solicit public comment and input on the proposed rezoning at this meeting (See MCL 125.3103 and MCL 125.3306); and

**WHEREAS**, the Planning Commission finds that it would be reasonable and in the public interest to recommend to the Township Board approval of the requested rezoning after holding a public hearing and considering input from various stakeholders.

**NOW THEREFORE, THE GRASS LAKE CHARTER TOWNSHIP PLANNING COMMISSION RESOLVES:**

1. The Township Planning Commission hereby recommends that the Township Board approve Ordinance No. \_\_\_\_ to amend the Zoning Ordinance Map with respect to the request, rezoning the Subject Property from the R1-District to the AG-District.

2. The Township Planning Commission makes the following findings in support of its decision to recommend rezoning of the Subject Property:

- a. Under the Township Zoning Ordinance ("Zoning Ordinance"), the Township has the authority to regulate land to promote public health, safety, and general welfare and to

ensure uniformity with the classes of land, buildings, structures, and uses throughout districts. Zoning Ordinance, Section 3.02(A) and MCL 125.3201.

- The Subject Property's buildings, structures, and uses are uniform with those buildings, structures, and uses permitted in the AG-District. The Zoning Ordinance provides that "[a]gricultural uses and other uses generally associated with agriculture . . . and related non-residential uses are provided within the [Agricultural] [D]istrict." Zoning Ordinance, Section 5.01. It further explains that "Agricultural Businesses" are a permitted, special use in the AG-District. Zoning Ordinance, Sections 5.03(A) and 14.07(ss) Under the Court Order, the Owners intend to operate an Agricultural Business after obtaining a special land use permit and site plan approval. Thus, the Subject Property's proposed use is uniform with the uses permitted in the AG-District.
  - Including the Subject Property in the AG-District is consistent with the purpose of the District. The Zoning Ordinance explains the purpose of the AG-District is to "preserve larger tracts of land for agricultural use." Zoning Ordinance, Section 5.01. Here, the Subject Property is a large tract of land (over 12 acres) and the Owners intend to use the Subject Property as a permitted Agricultural Business.
- b. The Michigan Zoning Enabling Act ("MZEA") authorizes the Township to regulate the use of land and structures to meet the needs of the state's citizens for natural resources and to prevent overcrowding. MCL 125.3201(1). The MZEA provides "land use or activity authorized shall be compatible with adjacent uses of land." MCL 125.3504(2).
- The Subject Property is compatible with adjacent uses of land as the Subject Property is larger at 12.939 acres, which provides a buffer between it and neighboring properties in the R-1 Zoning District. See Zoning Ordinance, Section 6.01. Although the Planning Commission finds the Subject Property compatible with adjacent zoning districts, the Owners also own all the surrounding parcels, which would further insulate any incompatibility between zoning districts.
  - Rezoning the Subject Property from R1-District to AG-District will preserve 12.939 acres of natural resources and the larger parcel size prevents overcrowding.
  - The R-1 District and AG-District allow similar land uses by right including farming uses.
  - Given these considerations, the inclusion of the Subject Property in the AG-District is compatible with neighboring uses of land and would meet the needs of the state's citizens by preserving natural resources.



c. Finally, the MZEA authorizes the Township to amend its zoning ordinance to conform a provision to a decree of a court of competent jurisdiction as to any specific lands. MCL 125.3202(5).

- Here, the Township and the Owners entered into a settlement to resolve underlying zoning issues on the Subject Property on August 18, 2020, and the Jackson County District Court entered the corresponding Court Order requiring the Owners to submit a complete rezoning request to the Township consistent with the Township's Zoning Ordinance to rezone the Subject Property from the R1-District to AG-District.

3. The Planning Commission further resolves to submit Ordinance No. \_\_\_\_ to the Jackson County Planning Commission for review and comment. Ordinance No. \_\_\_\_ shall be submitted to the Township Board along with any comments received at the public hearing 30 days thereafter, or upon the receipt of comments from the Jackson County Planning Commission, whichever shall occur first. The Planning Commission shall not be required to submit Ordinance No. \_\_\_\_ should the Jackson County Planning Commission not review Zoning Ordinance amendments and revisions as has been past practice.

4. All other resolutions or parts of resolutions insofar as they are inconsistent with this resolution are repealed.


#### ROLL CALL VOTE

Ayes: \_\_\_\_\_ 6 \_\_\_\_\_

Nays: \_\_\_\_\_ 0 \_\_\_\_\_

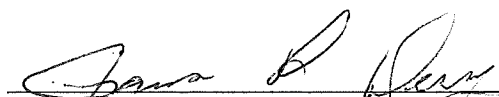
Absent/Abstain: \_\_\_\_\_ 1 \_\_\_\_\_

#### RESOLUTION DECLARED ADOPTED

  
Jere Hinkle, Grass Lake Charter Township Planning Commission Chair

#### CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Grass Lake Charter Township Planning Commission at a meeting held on \_\_\_\_\_, 2021, pursuant to the required statutory procedures.

  
Jim Ducey, Grass Lake Charter Township Planning Commission Secretary

Dated: 3/23, 2021

APPLICATION NO. #21-02-0003

Page #54

## **Doug Lammers**

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**From:** Heather McDougall <heather.mcdougall3722@gmail.com>  
**Sent:** Tuesday, March 30, 2021 11:29 AM  
**To:** igor847@aol.com; ducey.planning@gmail.com; Doug Lammers  
**Subject:** Unapproved Planning Commission Meeting Minutes of 3/18/2021

**CALL TO ORDER:** Jere Hinkle called the meeting to order at 7:06pm, March 18, 2021 via Zoom.

### **PLEDGE OF ALLEGIANCE**

**ROLL CALL** Tom Brennan, Jere Hinkle, Jim Ducey, Jim Warbritten (absent) Dale Lucas, Mark Jewell, Doug Lammers, John Enos (GLplanner) Ryan Musch (with Fishbeck engineering working for Bill Lester/Winchester project) Nate Torey (civil engineer/Fishbeck) Bill Lester, (Fahey Schultz atty) Kyle Amera, Matthew Stokes, Richard Lindsey (atty), Jeff Snyder, Sally Scott (legal counsel for L&L)

**APPROVAL OF AGENDA** adjust agenda to put PUD hearing 1 first, rezoning #2, followed by new business. Motion made by Hinkle, seconded by Ducey

**APPROVAL OF MEETING MINUTES** Moved by Jewell and seconded by Ducey to approve January 2021 minutes as presented.

Close general meeting and open public hearing, moved by Hinkle, seconded by Ducey.

### **PUBLIC HEARING 2121002 Winchester Estates,**

John Enos, twp planner spoke about final site plan PUD, allows for mix of uses, Bill Lester is owner, single family homes on 37 acres, 39 upscale single family homes, 38 attached condos, pedestrian sidewalks, circular entry off Norvell Rd, also allows for commercial use of mini storage facility across Norvell Rd, mixed use zoning. John Enos recommended approval of the final site plan with his exceptions attached, such as not attaching lights that face other homes, planting one street tree per home, work with village re: water and sewer.

Ryan Musk with Fishbeck, we have met all the conditions on the checklist and Johns review letter with 14 action items which we have responded to formally with a letter. He addressed each item/shared screen. Fire hydrant placement pending meeting with the fire department. Pavement markings for crosswalk/need to work with and receive a request from JC Road commission, request that it doesn't hold up approval tonight. A request was made for consideration for future sidewalks, that is not in their plan. Berm along perimeter shown on landscape plan now, agree to one street tree per home, require 6' berm along southern edge adjacent to single family homes outside of their storage facility, perimeter fence with keypad entry, acknowledged that Fishbeck is sole engineering company responsible for all design, utilities and storm water management.



Village engineer, DPW review acknowledged, JCDoT and drain commission office formal approval pending. Private road, JCDoT approval not required. Lighting discussed. Master deed, exhibit B requirements to be submitted.

**PUBLIC COMMENT** opened by Jere Hinkle, John Lesinski asked that comments be limited to 3 minutes.

Nancy Memmer representing Pious Union Shrine of St. Joseph, asked is storage unit near their property? Musk stated residences will abut the church property. Ground level landscape buffer is what is required by zoning to give visual definition of church property vs residential area.

Mr. Richard Murphy happy to see senior housing and wants it approved.

Wonders if it will be approved before meeting all conditions. Musk stated it would be a conditional approval.

Paul Lammers from the Village of Grass Lake DPW, thinks this is good for the community, hopes it will be passed.

Jere Hinkle moved that public hearing be closed, seconded by Ducey.

General session reopened, new business: Case #21020002

It was asked if water capacity is an issue with Village, Ryan addressed- no issue, plenty of capacity.

M. Jewell asked if storage will be open to public, Bill Lester responded, for condo and SFH first, and a few for public use. Asked about Master deed restrictions, John Enos responded typical design requirements will be in place via bylaws and master deed. Jim Ducey asked about traffic flow. Ryan responded. Hinkle commented about the application cover page and utility legend and would like language entered about class B asphalt road constructed to Jackson Co DoT standards instead of just asphalt road. Ryan stated there is no issue with that. Curbs and gutters to be in final plan. Hinkle asked that asphalt in parking lot area in storage be clarified in writing as well.

Ducey moved to recommend approval of application for the PUD rezoning

Amendment by Ducey, that the township approve with modifications and elaborations discussed in tonight's meeting, passed on to the county and township board for their final approval.

Seconded by Hinkle

No further discussion. Voice vote called. Motion approved unanimously.

Hinkle moved to CLOSE general meeting and reopen public hearing. Voice vote called, approved unanimously.

Rezoning of residential case 21020003

Two attorney Kyle O'Meara opened with discussion about Mr. Fishers parcel. Uses not consistent with zoning, made 4 parcels out of 1 parcel, 13 acre wedding venue, applying for special use permit for rezoned to AG from R1

Richard Lindsey, atty for Mr. Fisher, spoke on pre existing, non conforming uses, ultimately consistent with R1 uses. Township negotiated, court ordered rezoning plan.

No public comments.

Duce moved that public hearing be closed, general meeting opened, seconded by [REDACTED], voice vote called, passed unanimously.

Parcel A is the only one being rezoned. Split, variance and rezone And special land use permit and site approval

Hinkle asked if parcel A will have access to Norvell Rd. Doug Lammers assured that there is an existing driveway

Brennan asked that we please resolve this tonight. YEARS in the making. Moved and seconded we adopt the ordinance before us. Moved by Duce that the board accept the ordinance before them. Seconded by Hinkle

Jere Hinkel Y  
Jim Duce Y  
Marc Cuddie Y  
Jim Warbritten absent  
Lucas Y  
Mark Jewell Y  
Tom Brennan Y

Motion has been approved. Doug Lammers stated that both the PUD and the ordinance adopted tonight will be forwarded to the county.

Invitation to citizens wishing to address the commission- none

## **NEW BUSINESS**

**TOWNSHIP BOARD REPORT** no report

**OLD BUSINESS** Master plan update, Doug Lammers  
25 people max, but in person beginning next month. Zoom will continue to be offered for those wishing to use it. Masks required.

**NEXT REGULAR MEETING SCHEDULED FOR:** Third Thursday, April 15th, 2021

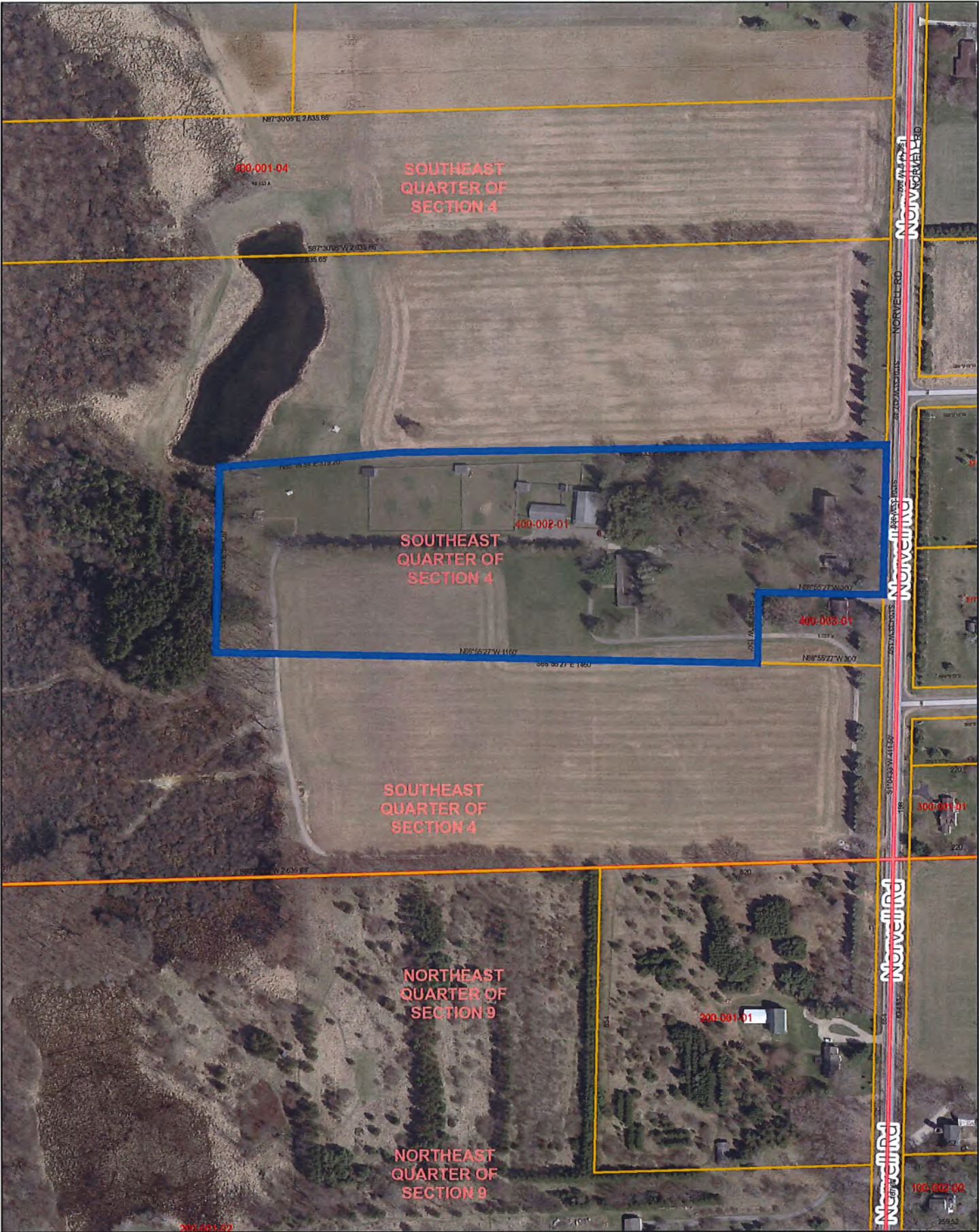
## **GENERAL DISCUSSION**

**MOTION TO ADJOURN BY Brennan**  
**SUPPORTED BY HinkleHinkle Y**  
**Duce Y**  
**Cudie Y**  
**Warbritton not present**  
**Lucas Y**  
**Jewell Y**  
**Brennan Y**













# 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 | #21-08

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** April 2, 2021

**Proposal:** **Rezoning in Grass Lake Charter Township**

### Request

The subject properties are proposed for rezoning to 'planned unit development (PUD)' from a combination of 'general commercial (GC)' and 'multiple family residential (R-3)' zones.

### Purpose

The 'PUD (planned unit development)' rezoning of the subject parcels is requested to "[to] allow a mixture of [condominiums] and single family homes within a community [containing] private roads, [a] pedestrian path and recreational areas as well as a storage facility to [be] used by community members". Per the unapproved minutes of the March 18, 2021, Grass Lake Charter Township Planning Commission meeting and Carlisle/Wortman staff report, it appears that a site plan for the proposed 'PUD' was also reviewed (see the background information).<sup>1</sup>

### Location and Size of the Property

Subject property A—ID# 000-10-33-476-001-06—has an area of approximately 27.8 acres (see Figure 1); it is located on the west side of Norvell Road, between Michigan Avenue and Grass Lake Road, in Section 33 (T2S-R2E) of Grass Lake Charter Township (see Figure 1). Subject parcel B—ID# 000-10-34-301-003-00—has an area of approximately 9.1 acres; it is located on the east side of Norvell Road in Section 33 (T2S-R2E) of the Township.

### Land Use and Zoning

**Current Land Use** – Likely due to the underlying 'multiple family residential (R-3)' zoning, subject parcel A is assessed 'commercial vacant' (see Figure 2). Subject parcel B is currently assessed 'agricultural vacant'. Properties to the north along Michigan Avenue are assessed a mix of 'residential', 'residential vacant', and 'agricultural'. Properties to the east and south are also assessed a mix of uses. The church located to the west is 'exempt' from assessment.

**Future Land Use** – The Township's Future Land Use map places parcels on both sides of Norvell Road—between Michigan Avenue and Grass Lake Road—in an area recommended for 'general commercial' uses (see Figure 3).

<sup>1</sup> 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.

**Current Zoning** – The Norvell Road frontage of subject property A is zoned ‘general commercial (GC)’ and while its interior is zoned ‘multiple family residential (R-3)’ (see Figure 4). Parcel B is zoned ‘general commercial (GC)’, as are surrounding properties to the north and east. Properties to the south are zoned ‘single-family residential (R-1 and R-2)’. The parcel to the west is zoned ‘agricultural (AG)’.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are available (see the attached Zoning Worksheet Form).

**Public Road/Street Access** – Norvell Road and Grass Lake Road, paved county primaries, provide direct access to both properties.

**Environmental Constraints** – The Township did not identify any environmental constraints (see the attached Zoning Worksheet Form).

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Grass Lake Charter Township Planning Commission recommends *approval* of the proposed rezoning to ‘PUD (planned unit development)’ (see the attached Zoning Amendment Form and other background information).

**Staff Analysis** – Grass Lake Charter Township has a Zoning Plan (an element of the Master Plan) which includes the following criteria upon which a rezoning request must be considered (*also see Sec. 17.4 of the Zoning Ordinance*):

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Township’s master plan?**

**No.** The Township’s Future Land Use Plan (FLUP) places the subject properties in an area recommended for ‘general commercial’ uses. However, the Township points out that the current ‘R-3 (multiple family residential)’ zoning of a portion of parcel A does not conform to the FLUP. The Township went on to explain that it considers the low-rise form of the proposed ‘PUD’ preferable to the possible multi-story form of ‘R-3 (multiple family residential)’ development allowable under the that current zoning. It should also be noted that the Township recently began the process of creating the next edition of the Grass Lake Charter Township Master Plan. If the rezoning is approved, the ‘general commercial’ area in this part of the Township should be reexamined.

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

**Yes.** Properties to the south are already utilized for residential purposes and a church is located to the west. Residential development should not negatively impact the existing commercial establishments on Michigan Avenue.

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

**No.** Existing public services and facilities should not be negatively impacted by the proposed rezoning to ‘PUD’.

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

**Yes.** All of the proposed uses are allowed under the current mix of zoning.

**JCPC Staff Advisement** – Although the proposed ‘PUD (planned unit development)’ does not conform to the *Grass Lake Charter Township Master Plan*, nor does the current ‘R-3 (multiple family residential)’ zoning of most of subject property A. The Grass Lake Charter Township has also begun the process of creating the next edition of the master plan, providing it with an opportunity to reconsider that portion of the Future Land Use Plan.

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the ‘PUD (planned unit development)’ rezoning request, prefaced by the need to revise the Future Land Use Plan (FLUP) as part of creating the next edition of the *Grass Lake Charter Township Master Plan* (currently underway).

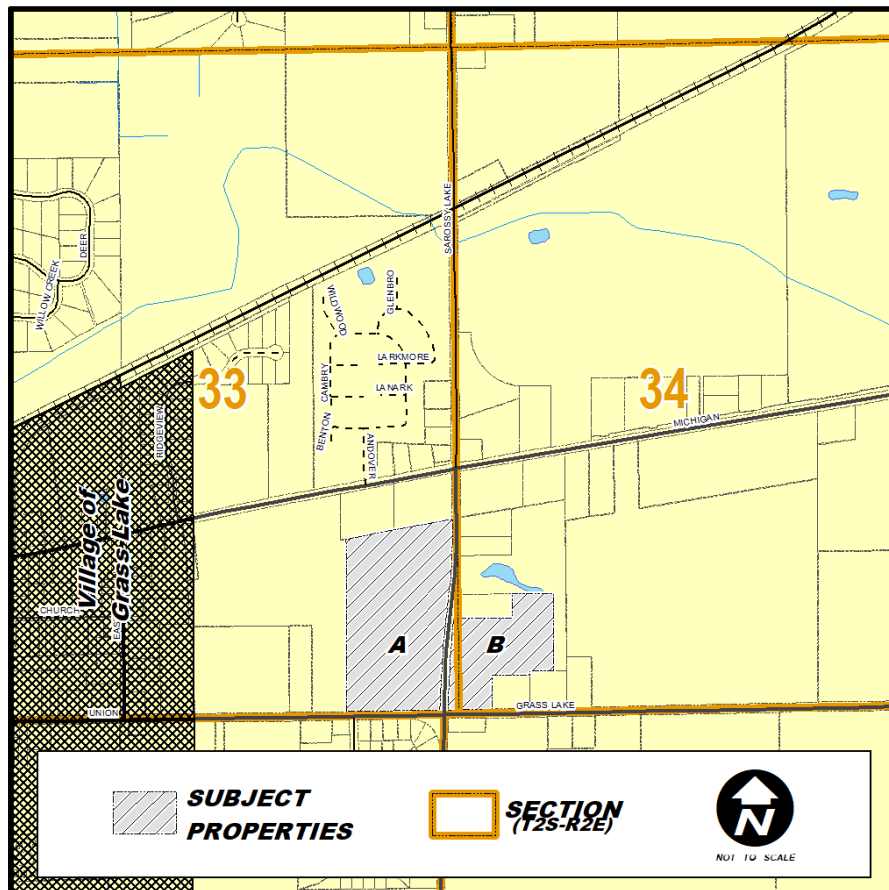
**Staff Report Attachment(s):**

- Background information provided by Grass Lake Charter Township

**Suggested Actions:**

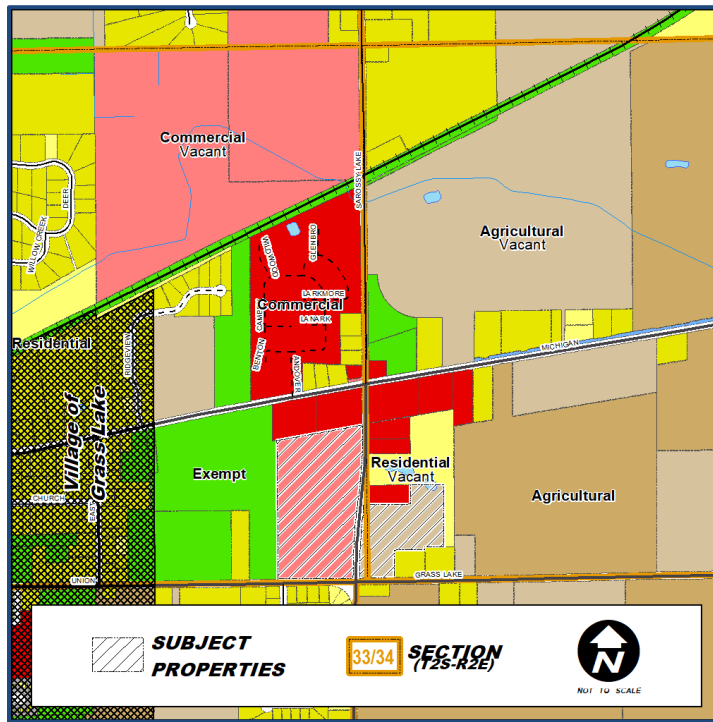
- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

**Figure 1  
Location**

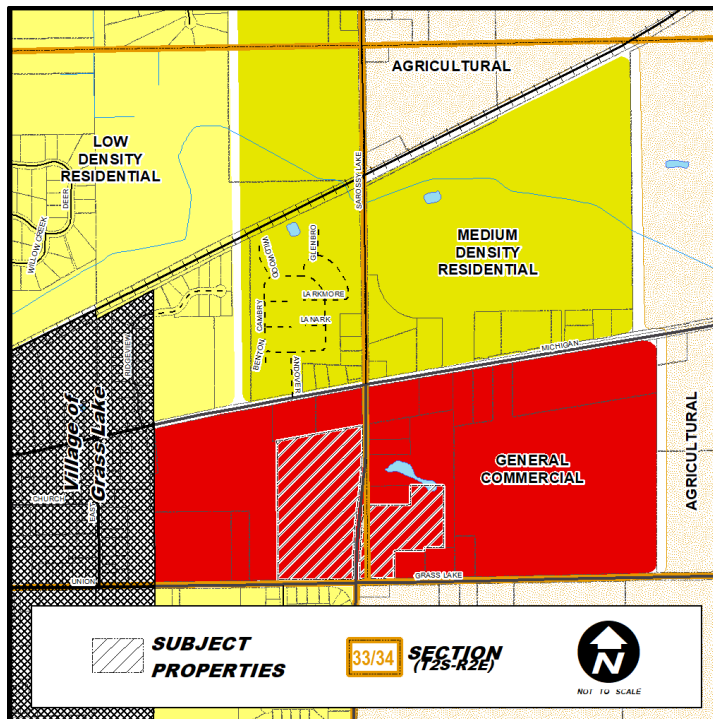




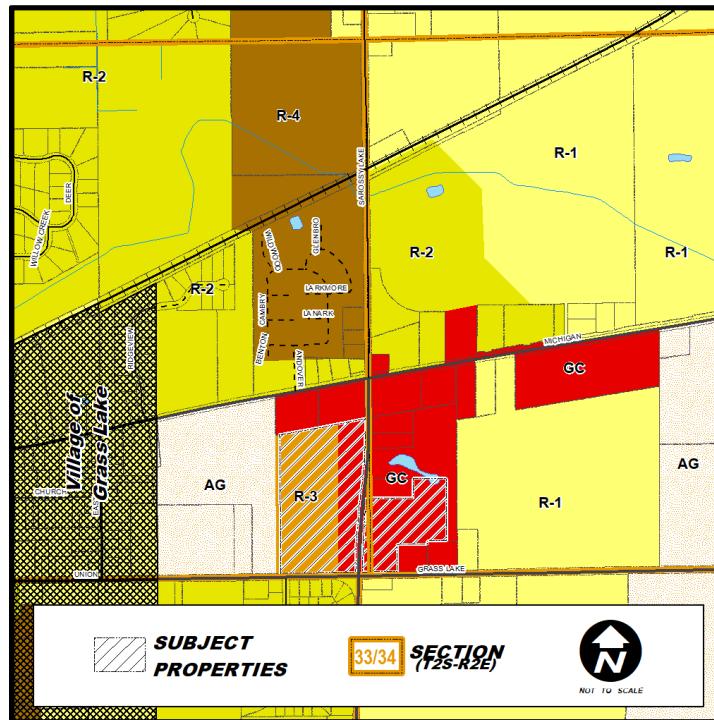
**Figure 2**  
**Property Assessment**



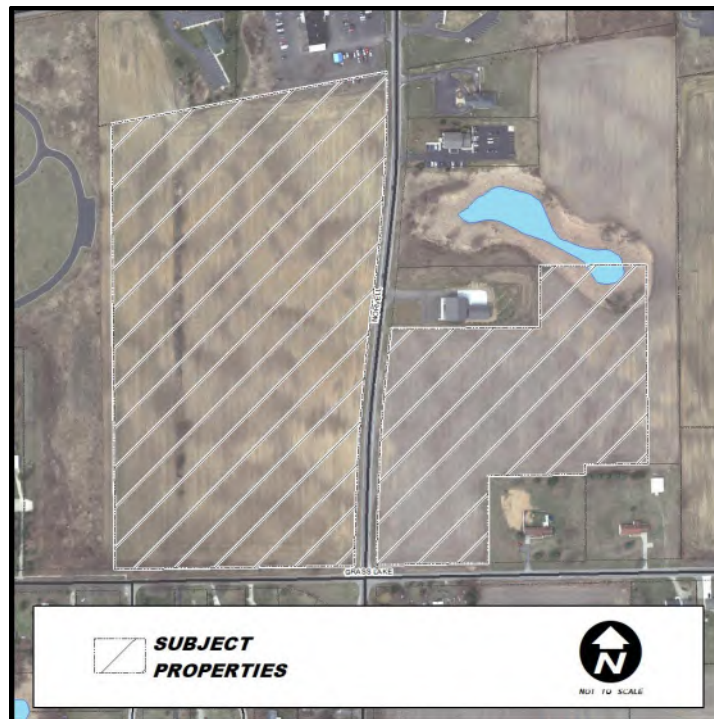
**Figure 3**  
**Municipal Future Land Use**



**Figure 4  
Municipal Zoning**



**Figure 5a  
Aerial Photo**





## 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 Grass Lake 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.)

Parcel #000-10-33-476-001-06, 27.82 acres SE corner of Section 33 and Parcel #000-10-34-351-001-10, 9.12 acres  
SW corner of Section 34 between cross roads of E. Michigan and Grass Lake Rd.

1. The above described property has a proposed zoning change FROM Commercial/Multi-family ( GC/R-3 )  
ZONE TO Planned Unit Development ( PUD ) ZONE.

2. PURPOSE OF PROPOSED CHANGE: To allow a mixture of condominium's and single family homes within a community with private roads, pedestrian paths and recreational areas as well as a storage facility to used by community members

**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 March day 18 year 2021

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month February day 22 year 2021

(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 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 ☒ APPROVE or ☐ DISAPPROVE.

Jere Hinkle ☒ Chair or ☐ Secretary March / 18 / 2021 (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.

\_\_\_\_\_, Recording 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: Grass Lake Charter Township Township Case #: 21-02-0002  
Township official we may contact: Doug Lammers Phone #: ( 517 ) 522 - 8464 ex130  
Applicant: James Lester and William Lester Phone #: ( 517 ) 764 - 7888  
Rezoning Request: From: Commercial/Multi-Family (GC/R-3) To: Planned Unit Development (PUD)  
Property Location: Section(s): 33 and 34 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"): Parcel A 27.82 Parcel B 9.12

Please attach location map ☐ Yes ☒ No

What is the existing use of the site? Agriculture

What is the proposed use of the site? Mixed use Single Family/Multi-family/Commercial

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

North: General Commerical

South: Residential

East: General Commerical

West: Residential/Civic

What are the surrounding Zoning Districts?

North: General Commerical ( GC )

South: Residential ( R-2 )

East: General Commerical ( GC )

West: Residential/Civic ( R-2 )

What is the suggested use of the site on the Township's Land Use Plan map? General Commerical/Multi-Family

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 Norvell Rd. and Grass Lake 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.

GRASS LAKE CHARTER TOWNSHIP, JACKSON COUNTY, MICHIGAN  
APPLICATION TO INITIATE A ZONING AMENDMENT

APPLICATION NO. #20-10-0012

PLEASE PRINT OR TYPE (use back of application if more space is needed)

Application is hereby made to amend the Map of the Zoning Ordinance by re-zoning the property described below to another zoning classification. The proposed zoning change is:

From: Commercial/Multi-family                      To: PUD  
                    Zoning District    Zoning District

1.) Give a legal description of the property (lot, block, tract, and/or metes and bounds):

Parcel ID: 000-10-33-476-001-06 southeast quarter of section 33 and Parcel ID: 000-10-34-351-001-10 southwest quarter of section 34

2.) The property is situated (give street address, indicating alleys, cross roads, etc.):

Both parcels located at the intersection of Norvell Road and Grass Lake Road

3.) Give reasons for requesting zoning change, including intended use of buildings, structures, and land:

To allow a mixture of condominium's and single family homes within a community with private roads, pedestrian paths and recreational areas as well as a storage facility to be used by the community members

4.) Submit map, drawn to scale, in sufficient detail to adequately describe the proposed changes in the zoning district boundaries.

=====

Applicant(s): James and William Lester

Address: 5405 E Michigan Avenue, Jackson MI 49201                      Telephone: 517-764-7888


The applicant(s) is/are:

☒ the owner(s) of the property involved.

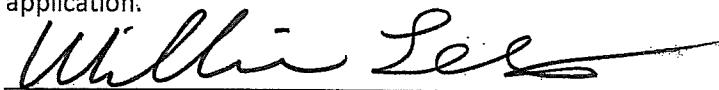
☐ acting on behalf of the owner(s) of the property involved.

I/We James and William Lester do hereby swear that the above information is true and correct to the best of my/our knowledge.

Applicant(s):   
                    Signature: James Lester

  
                    Signature: William Lester

Optional: I/We hereby grant permission for members of the Grass Lake Charter Township Planning Commission and Zoning Administrator to enter the above described property for the purposes of gathering information related to this application. This permission is optional and failure to grant such permission will not affect any decision on your application.

  
SIGNATURE OF APPLICANT (S)

10/14/20  
DATE:

Fee Received: \$ \_\_\_\_\_ Township Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

## **Doug Lammers**

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**From:** Heather McDougall <heather.mcdougall3722@gmail.com>  
**Sent:** Tuesday, March 30, 2021 11:29 AM  
**To:** igor847@aol.com; ducey.planning@gmail.com; Doug Lammers  
**Subject:** Unapproved Planning Commission Meeting Minutes of 3/18/2021

**CALL TO ORDER:** Jere Hinkle called the meeting to order at 7:06pm, March 18, 2021 via Zoom.

### **PLEDGE OF ALLEGIANCE**

**ROLL CALL** Tom Brennan, Jere Hinkle, Jim Ducey, Jim Warbritten (absent) Dale Lucas, Mark Jewell, Doug Lammers, John Enos (GLplanner) Ryan Musch (with Fishbeck engineering working for Bill Lester/Winchester project) Nate Torey (civil engineer/Fishbeck) Bill Lester, (Fahey Schultz atty) Kyle Amera, Matthew Stokes, Richard Lindsey (atty), Jeff Snyder, Sally Scott (legal counsel for L&L)

**APPROVAL OF AGENDA** adjust agenda to put PUD hearing 1 first, rezoning #2, followed by new business. Motion made by Hinkle, seconded by Ducey

**APPROVAL OF MEETING MINUTES** Moved by Jewell and seconded by Ducey to approve January 2021 minutes as presented.

Close general meeting and open public hearing, moved by Hinkle, seconded by Ducey.

### **PUBLIC HEARING 2121002 Winchester Estates,**

John Enos, twp planner spoke about final site plan PUD, allows for mix of uses, Bill Lester is owner, single family homes on 37 acres, 39 upscale single family homes, 38 attached condos, pedestrian sidewalks, circular entry off Norvell Rd, also allows for commercial use of mini storage facility across Norvell Rd, mixed use zoning. John Enos recommended approval of the final site plan with his exceptions attached, such as not attaching lights that face other homes, planting one street tree per home, work with village re: water and sewer.

Ryan Musk with Fishbeck, we have met all the conditions on the checklist and Johns review letter with 14 action items which we have responded to formally with a letter. He addressed each item/shared screen. Fire hydrant placement pending meeting with the fire department. Pavement markings for crosswalk/need to work with and receive a request from JC Road commission, request that it doesn't hold up approval tonight. A request was made for consideration for future sidewalks, that is not in their plan. Berm along perimeter shown on landscape plan now, agree to one street tree per home, require 6' berm along southern edge adjacent to single family homes outside of their storage facility, perimeter fence with keypad entry, acknowledged that Fishbeck is sole engineering company responsible for all design, utilities and storm water management.



Village engineer, DPW review acknowledged, JCDoT and drain commission office formal approval pending. Private road, JCDoT approval not required. Lighting discussed. Master deed, exhibit B requirements to be submitted.

**PUBLIC COMMENT** opened by Jere Hinkle, John Lesinski asked that comments be limited to 3 minutes.

Nancy Memmer representing Pious Union Shrine of St. Joseph, asked is storage unit near their property? Musk stated residences will abut the church property. Ground level landscape buffer is what is required by zoning to give visual definition of church property vs residential area.

Mr. Richard Murphy happy to see senior housing and wants it approved.

Wonders if it will be approved before meeting all conditions. Musk stated it would be a conditional approval.

Paul Lammers from the Village of Grass Lake DPW, thinks this is good for the community, hopes it will be passed.

Jere Hinkle moved that public hearing be closed, seconded by Ducey.

General session reopened, new business: Case #21020002

It was asked if water capacity is an issue with Village, Ryan addressed- no issue, plenty of capacity.

M. Jewell asked if storage will be open to public, Bill Lester responded, for condo and SFH first, and a few for public use. Asked about Master deed restrictions, John Enos responded typical design requirements will be in place via bylaws and master deed. Jim Ducey asked about traffic flow. Ryan responded. Hinkle commented about the application cover page and utility legend and would like language entered about class B asphalt road constructed to Jackson Co DoT standards instead of just asphalt road. Ryan stated there is no issue with that. Curbs and gutters to be in final plan. Hinkle asked that asphalt in parking lot area in storage be clarified in writing as well.

Ducey moved to recommend approval of application for the PUD rezoning

Amendment by Ducey, that the township approve with modifications and elaborations discussed in tonight's meeting, passed on to the county and township board for their final approval.

Seconded by Hinkle

No further discussion. Voice vote called. Motion approved unanimously.

Hinkle moved to CLOSE general meeting and reopen public hearing. Voice vote called, approved unanimously.

Rezoning of residential case 21020003

Twp attorney Kyle O'Meara opened with discussion about Mr. Fishers parcel. Uses not consistent with zoning, made 4 parcels out of 1 parcel, 13 acre wedding venue, applying for special use permit for rezoned to AG from R1

Richard Lindsey, atty for Mr. Fisher, spoke on pre existing, non conforming uses, ultimately consistent with R1 uses. Township negotiated, court ordered rezoning plan.

No public comments.

Duce moved that public hearing be closed, general meeting opened, seconded by [REDACTED], voice vote called, passed unanimously.

Parcel A is the only one being rezoned. Split, variance and rezone And special land use permit and site approval

Hinkle asked if parcel A will have access to Norvell Rd. Doug Lammers assured that there is an existing driveway

Brennan asked that we please resolve this tonight. YEARS in the making. Moved and seconded we adopt the ordinance before us. Moved by Duce that the board accept the ordinance before them. Seconded by Hinkle

Jere Hinkel Y  
Jim Duce Y  
Marc Cuddie Y  
Jim Warbritten absent  
Lucas Y  
Mark Jewell Y  
Tom Brennan Y

Motion has been approved. Doug Lammers stated that both the PUD and the ordinance adopted tonight will be forwarded to the county.

Invitation to citizens wishing to address the commission- none

## **NEW BUSINESS**

**TOWNSHIP BOARD REPORT** no report

**OLD BUSINESS** Master plan update, Doug Lammers  
25 people max, but in person beginning next month. Zoom will continue to be offered for those wishing to use it. Masks required.

**NEXT REGULAR MEETING SCHEDULED FOR:** Third Thursday, April 15th, 2021

## **GENERAL DISCUSSION**

**MOTION TO ADJOURN BY Brennan**  
**SUPPORTED BY HinkleHinkle Y**  
**Duce Y**  
**Cudie Y**  
**Warbritton not present**  
**Lucas Y**  
**Jewell Y**  
**Brennan Y**





**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: February 23, 2021

**Planned Unit Development  
Final Site Plan  
Grass Lake Charter Township, Michigan**

**Applicant:** L & L Development

**Project Name:** Winchester Estates

**Location:** Northwest corner of Grass Lake Road and Norvell Road  
37 Acres  
ID # 000-33-476-001-06 & 000-34-351-001-10

**Current Zoning:** PUD Planned Unit Development

**Required Information:** As noted in the following review.

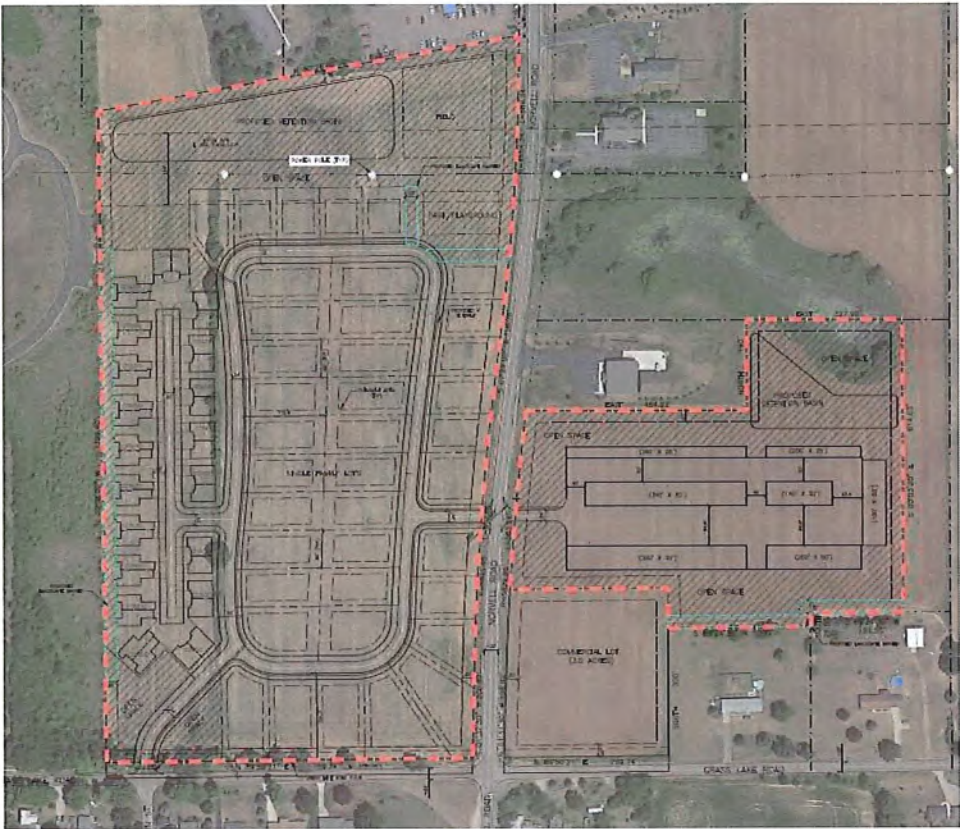
**PETITION**

The applicant is proposing to develop an interesting and unusual project that due to its uniqueness does not fall under typical zoning protocol. Because of the variety of uses proposed, preservation of natural features and open space expected, the Township has approved this project as a Planned Unit Development (PUD). The project includes thirty-nine (39) upscale single-family homes, thirty-eight (38) attached condominium units within nineteen (19) buildings, Ninety (90) mini-storage units in seven (7) buildings for primary use by the residents, significant areas of open space, sidewalks, and a park/playground. The project will be fully served by public water and sewer.

The applicant is proposing a phased development consisting of two phases. Phase 1 would include the development of single-family homes, attached condominiums and a limited number of storage units based on interest, phase 2 would include completion of the storage units. In addition, a three (3) acre parcel will be preserved near the northeast corner of Norvell and Grass Lake for a future commercial use.

**SITE DESCRIPTION/CURRENT USE**

The overall subject site is 37 acres on both sides of Norvell Road. The site is primarily open space and used for crop farming. Public utilities are available to the site. Below is an aerial photo of the subject area and the surrounding land.



**SURROUNDING ZONING, LAND USE & FUTURE LAND USE**

The following chart compares zoning and existing land use surrounding the subject parcel.

	Zoning	Existing Land Use	Future Land Use
Subject		Agricultural	General Commercial
North	GC General Commercial	Commercial	General Commercial
South	R-2 Single Family Residential	Residential	General Commercial
East	GC General Commercial	Agricultural	General Commercial
West	R-2 Single Family Residential	Servants pf Charity	General Commercial



## PROJECT DESIGN STANDARDS

Typical lot dimensions, building dimensions, and setbacks for the residential units are depicted on the plan but details are not provided in the form of table. The following table shows the requirements from the ordinance if the uses were standalone. This is compared with if a multi-family project and what was approved for the applicant:

	<u>Required</u>	<u>Provided</u>
<b>Single-Family</b>		
<b>Lot Width</b>	100 Feet	80 Feet
<b>Front Setback</b>	35 Feet	12' Feet
<b>Side Setback</b>	15 Feet	12.5' Feet
<b>Rear Setback</b>	25 Feet	25' Feet
<b>Multiple family (Two Family Dwellings)</b>		
<b>Front Setback</b>	35 Feet	25' Feet
<b>Side Setback</b>	15' Feet	15' feet
<b>Rear Setback</b>	25 Feet	25' Feet

The open space provided in the PUD meets or exceeds the following considerations and requirements:

- The PUD shall have a minimum of thirty percent (30%) open space. The applicant has shown that of the 37 acres 12.8 acres will be preserved in the form of parks, detention, trails, and other open space. At a calculated 34% open space this exceeds the required 30%.
- Open space areas shall be large enough and of proper dimensions so as to constitute a useable area, with adequate access, through easements or other similar arrangements, such that all properties within the entire PUD may utilize the available open space. A park/playground is proposed as well as other areas of open space is proposed that is available to all residents.
- Open space is encouraged to be located between neighborhood clusters of housing units or used to separate residential and non-residential land uses. Open space areas separate the duplex units and the single-family units.
- All open space shall be deed restricted, protected by conservation easement, or other similar permanent restriction, to ensure that the open space remains in a natural and undisturbed condition in perpetuity. This should be provided at final site plan review.



- All open space shall be in the joint ownership of the property owners within the PUD. A property owner's association shall be formed which shall take responsibility for the maintenance of the open space. This should be provided at final site plan review.

***Items to be Addressed: None.***

## **SITE ACCESS AND CIRCULATION**

The residential portion of the plan indicated access points from both Norvell Road and Grass Lake Road. The mini-storage area access is directly across from the Norvell Rad access. The applicant should provide any updates on Jackson County Department of Transportation requirements for access. We expect stop signs will be required at each access. Because the mini-storage area is planned for use primarily by the residents and as a sidewalk ends at Norvell, in cooperation with Jackson County perhaps pavement markings and a yield sign on Norvell Road could be considered.

Earlier plans indicated fire and other large truck turning radii is available. However, we are concerned with the stub streets proposed within the condo area. The Fire Department should provide approval of circulation.

Pedestrian circulation is provided throughout with sidewalks. We are pleased to see the sidewalk system will connect with the existing sidewalk on Grass Lake Road. Two sidewalks end at Norvell Road. While no sidewalk currently exists on Norvell, this provided opportunity in the future.

***Items to be Addressed:*** 1.) Fire Department review and approval. 2.) Consider pavement markings and yield sign on Norvell for pedestrian access to the mini-storage area. 3.) Discuss future sidewalks along Norvell, if any.

## **BUILDING LOCATION AND SITE ARRANGEMENT**

The single-family homes attached condos and mini-storage units are reasonably located and in conformance with the approved final site plan.

***Items to be addressed: None.***

## **LANDSCAPING AND SCREENING**

A detailed and robust landscaping plan is provided. We note the following meeting Ordinance requirements.

### Residential Area

1. The western boundary of the residential area will have a mix of twenty-four (24) trees along the boundary.
2. The southern boundary of the residential area will have a 4'-6' earthen berm along with thirteen (13) trees. Several existing trees will remain.
3. The eastern boundary of the residential area will have at least twenty-three (23) evergreen and deciduous trees planted as well as at the entrance. The landscape plan indicates a 4'-6' berm along Norvell in the notes but it is not shown on the actual landscaping plan. This should be clarified.
4. The northern boundary consists of a variety of turf mix and the detention basin.

We suggest as part of the condominium documents and to be recorded on the plan that the single-family homes units be required to plant at least one street tree on their parcel.

#### Mini-Storage

Green space will surround the site with significant screening proposed on the southern boundary adjacent to the single-family homes on Grass Lake Road. This includes a 4'-6' berm and several plantings. Because of the potential impact of the use, we would require a minimum 6' berm along this southern boundary, at least where the site is visible to the existing single-family homes. A nice planting area is proposed at the entrance. We question whether a security fence will surround the site?

**Items to be addressed:** 1.) Clarify berm along Norvell Road. 2.) Require one street tree per single family unit. 3) Require a minimum 6' foot berm along the southern boundary adjacent to the single-family homes. 4.) Clarify fencing of the mini-storage site.

#### **ESSENTIAL FACILITIES AND SERVICES**

Fishbeck will be required and responsible for all infrastructure design. They should provide confirmation they will take responsibility for all design and construction in cooperation with the contractors. The applicant will have to work with Grass Lake Village on all connections and capacities of the proposed system.

The Jackson County Department of Transportation as well as the Jackson County Drain Commissioners office will be required to review and approve the plan.

**Items to be addressed:** 1) Fishbeck shall be responsible for all engineering design. 2) Village of Grass Lake Engineer and DPW review and approval of all proposed infrastructure. 3.) Approval by Jackson County Department of Transportation and Jackson County Drain Commissioners office.



## LIGHTING

No lighting is proposed on the site plan however we expect and suggest the following;

1. No street lighting is proposed within the residential area, we expect each home and condo will have coach lights or similar attached to their home.
2. We would suggest applicant provide a decorative streetlight or have the entrance sign lighted to provide direction into the site during the evening.
3. We would expect the mini-storage site to be lighted for security purposes we would suggest all lighting be down-lit if wall packs. We would also suggest limited lighting on the southerner border so as not impact adjacent residents. Again, an entrance light should be provided for direction during the evening.

**Items to be addressed:** 1.) Clarify lighting. 2.) Limit lighting on the south side of the mini-storage site. 3) Provide decorative lighting at entrances.

## MISCELLANEOUS

The combination of single-family homes and attached condominiums provides choices for residents for differing phases of their life such as retirement or raising a family. In addition, the proposed development provides significant open space in the form of a park/playground, yard areas, sidewalks, stormwater protection, and buffering around the perimeter of the site.

A detailed project description has been provided that indicated the overall uses in detail. Including preservation measures, design standards, and types of buildings. We note the following discussion points for potential further clarification.

1. The proposed condo units are two-unit buildings each with a two-car garage. Stone facades and other excellent architectural characteristics are proposed.
2. We expect that the single-family homes will be of the highest quality.
3. As a site condominium the Master Deed and By-laws will be required to be recorded with the Jackson County Clerk. We question if there are any unusual requirements that may conflict with the Township Zoning Ordinance.
4. The proposed mini-storage units are a typical metal siding and roofing.

**Items to be addressed:** Discuss any unusual Master Deed or By-Law requirements.



## RECOMMENDATIONS

The proposed use will be an excellent and unique addition to the Township. We recommend approval of the proposed PUD final site plan conditional upon the following be address to the satisfaction of the Planning Commission.

- 1.) Fire Department review and approval.
- 2.) Consider pavement markings and yield sign on Norvell for pedestrian access to the mini-storage area.
- 3.) Discuss future sidewalks along Norvell, if any.
- 4.) Clarify berm along Norvell Road.
- 5.) Require one street tree per single family unit.
- 6.) Require a minimum 6' foot berm along the southern boundary adjacent to the single-family homes.
- 7.) Clarify fencing of the mini-storage site.
- 8.) Fishbeck shall be responsible for all engineering design.
- 9.) Village of Grass Lake Engineer and DPW review and approval of all proposed infrastructure.
- 10.) Approval by Jackson County Department of Transportation and Jackson County Drain Commissioners office.
- 11.) Clarify lighting.
- 12.) Limit lighting on the south side of the mini-storage site.
- 13.) Provide decorative lighting at entrances.
- 14.) Discuss any unusual Master Deed or By-Law requirements.



