



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:
Zack Smith
R2PC Planner
(517) 768-4426
zsmith@mijackson.org

DATE: October 12, 2023

TIME: 6:00 p.m.

PLACE: 5th Floor Commission Chambers
Jackson County Tower Building
120 W. Michigan Avenue
Jackson, Michigan 49201

MEETING AGENDA

1. Call to order and pledge of allegiance
2. Public comment [*3 MINUTE LIMIT*]
3. Approval of minutes
Approval of the September 14, 2023, meeting minutes [*ACTION*] 2
4. Approval of agenda
Approval of the October 12, 2023, meeting agenda [*ACTION*]
5. Request(s) for review, comment, and recommendation
 - a. Consideration of township zoning amendment(s) –
 - (1) CZ | #23-16 | Summit Township rezoning [*ACTION*] 5
 - (2) CZ | #23-17 | Henrietta Township text amendment [*ACTION*] 26
 - 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*
 - c. Notices – Sylvan Township Notice of Master Plan
7. Public comment [*2 MINUTE LIMIT*]
8. Commissioner comment
9. Adjournment

The next scheduled meeting of the Jackson County Planning Commission is November 9, 2023



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 MINUTES

September 14, 2023

5th Floor Commission Chambers • Jackson County Tower Building • Jackson, Michigan

Members Present: Ms. Nancy Hawley, At Large; Mr. Ted Hilleary, Education; Mr. Corey Kennedy, Jackson County Board of Commissioners; Ms. Pat Gallagher, At Large; Mr. Curt Cole; Ms. Mary Wolcott; Mr. Jim Minnick, Jr.; Mr. Jim Videto, Agriculture.

Members Absent: None

Staff Present: Mr. Zack Smith, R2PC.

Others Present: None

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 the Pledge of Allegiance.

Item 2. **Public Comment.** None.

Item 3. **Approval of Minutes.** Comm. Kennedy made a motion, seconded by Comm. Hilleary, to **approve** the August 10, 2023, meeting minutes as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** Comm. Videto made a motion, seconded by Comm. Minnick, to **approve** the September 14, 2023, 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 | #23-13 | Sandstone Charter Township**

Staff referred to a report regarding text addition to the Sandstone Charter Township's zoning ordinance; they seek to add a section on private roads. Staff recommended approval of the addition application.

Discussion: Comm. Hawley noted that the ordinance has 3 classes of roads, and includes getting clearance from MDOT/JDOT. Comm. Cole noted that it has

nothing for tree trimming to maintain ingress and egress. He also pointed out that for violations in section 12, it says person and he believed verbiage for specifics on citing violations would be useful additions.

Comm. Kennedy made a motion to recommend **approval with comments**, particularly on the addition of language around tree trimming and more clearly stating who is at fault for violations, seconded by Comm. Cole. *Commissioners approved the motion unanimously.*

(2) **CZ | #23-14 | Sandstone Charter Township**

Staff referred to a report regarding a proposed text amendment to Section 2.1 Definitions and 5.17 Wind Energy Systems of the to the Sandstone Charter Township's zoning ordinances. Staff recommended approval of the text amendment.

Discussion: Comm. Wolcott had concerns about end of useful life, but noted that there is a paragraph dealing with it. Comm. Hawley said townships often require a performance guarantee or bond, and said a line of credit usually works more efficiently. She also pointed out that trying to prove something abandoned may end up in court for Townships, but that the ordinance has an excellent definition. Comm. Minnick worried that the ordinance doesn't have teeth and was concerned about how long it could take to get action to repair the land. Mr. Hilleary asked about who pays if it is abandoned. Mr. Cole said that section 5 is on decommissioning. Comm. Hawley opined comments should be noted and sent to them

Comm. Kennedy made a motion to recommend **approval** the text amendments, seconded by Comm. Minnick. Comm. Hawley makes a motion to amend Comm. Kennedy's motion with a motion to recommend **approval with comments**, citing concerns with the term under of useful life. *Commissioners approved the motion 7-1.*

(3) **CZ | #23-15 | Sandstone Charter Township**

Staff referred to a report regarding a proposed text amendment to Section 5.19 Solar Energy Systems of the to the Sandstone Charter Township's zoning ordinances. Staff recommended approval of the text amendment.

Comm. Hawley observed that for medium and large solar installations the ordinance necessitated berms and setbacks. She had concerns about sound – that the 45dBA is not enforceable. She stated that it would work better to find out what the sound level is before and then say dBA will not exceed 5-10dBA higher than that number, rather than just stating a sound level. She also said that 5.19.4.6 needs a definition for what constitutes prime farm land. She noted the USDA has classification for that. Comm. Wolcott expressed concerns about operation cessation, how to remove the equipment when done, and noted that the ordinance calls for a bond. Comm. Cole voiced support for an environmental assessment before construction so that there is a baseline for returning to original condition. The board did not know what

sections where amended text and so only looked at the ordinance as a whole, and commented on the whole ordinance.

Comm. Kennedy made a motion to *take no action* on the text amendments as the board did not know what was new or old, seconded by Comm. Videto.
Commissioners approved the motion unanimously.

- 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.** None.
- c. **Notices.** Comm. Hawley reminded the board, particularly the new members, about the MSU Extension citizen planner class.

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

Item 8. **Commissioner Comment.** Comm. Kennedy informed the board that Comm. Burns has resigned. He said the resignation was abrupt and there were not yet any applicants, but that if someone is interested they can apply.

Comm. Hilleary stated his a reservations about solar farms and wind farms fearing land will be useless after their useful life.

Comm. Videto welcomed the new members. He said that he believes all on the board have some concerns about solar and wind farms and worries about what will happen after their useful life. He also wanted comments to stay on track to deal with the issues before the board. He would also like to see an option for disapproval with comments. Comm. Hawley said that she sees no reason why there couldn't be an option for disapproval with comments

Item 9. **Adjournment.** Chair Hawley adjourned the meeting at 6:52 p.m.

Respectfully submitted by:



Zack Smith, R2PC

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Jackson County Planning Commission

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

COORDINATED ZONING REPORT | #23-16

To: County Planning Commissioners
From: Zack Smith, R2PC Planner
Date: September 26, 2023

Proposal: **Rezoning 3.56 acres at 800 E. McDevitt Ave, Vandercook Lake, Summit Township from Multi Family to General Commercial**

Request

The subject property is proposed for rezoning to General Commercial (C-2) from Multi-Family Residential (RM-1).

Purpose

The Rezoning Worksheet Form states that the purpose of the proposed change is to make the property general commercial as McDevitt Redevelopment Group plans to refurbish the spaces for several businesses.

Location and Size of the Property

The three parcels (A-195-13-23-251-001-00; B-200-13-23-181-067-00; C-200-13-23-186-139-00) proposed for rezoning are located in Section 23 of Summit Township on the north side of E. McDevitt Ave. The subject parcels have a combined area of approximately 3.56 acres zoned RM-1 (Multi-Family Residential) and Nicholas LaPorte, acting as the applicant, wishes to rezone all 3 parcels to C-2 (General Commercial) to allow for commercial uses.

Land Use and Zoning

Current Land Use – The property is currently vacant, the site of the former Vandercook Lake School. Parcels to the north and east are residential, to the south is commercial, and to the west is residential and commercial.

Future Land Use Plan – The suggested future land use of the subject parcels, as depicted on the Township's Land Use Map, was not provided.

Current Zoning – The subject parcels are currently zoned Multi-Family Residential (RM-1). Properties to the north and west are currently zoned Urban Residential (RU-1). The property to the south is currently zoned General Commercial (C-2), and the property to the east is zoned Urban Residential General Commercial (RU-1/C-2).

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal sewer and water services are available to the subject parcels.

Public Road/Street Access – McDevitt Ave provides direct access to the subject parcels.

Environmental Constraints – The parcels have no known environmental constraints, according to the Township.

Analysis and Recommendation

Township Planning Commission Recommendation – The Summit Township Planning Commission approved the rezoning unanimously at their September 19, 2023 meeting.

JCPC Staff Analysis and Advisement – The proposed rezoning is compatible with other zones and uses in the surrounding area. Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL** to the Summit Township Board of the proposed rezoning to ‘General Commercial (C-2)’.

Staff Report Attachment(s):

- *Background information provided by Summit Township*

<p>Suggested Actions:</p> <ul style="list-style-type: none">(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 Summit 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.)

A-195-13-23-251-001-00 - Located NE 1/4 of Section 23; B-200-13-23-181-067-00 – Located NW ¼ of Section 23;
C-200-13-23-186-139-00 – Located NW ¼ of Section 23 the total acreage of property is 3.56 acres. Application has been made to combine these lots.

- 1. The above described property has a proposed zoning change FROM Multiple-Family Residential (RM-1) ZONE TO General Commercial (C-2) ZONE.
- 2. PURPOSE OF PROPOSED CHANGE: Create Retail Space & Conditional Uses

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 9 day 19 year 2023

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 9 day 3 year 2023
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Jackson Citizen Patriot

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.

[Signature] Chair or Secretary 9/19/2023 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

- 1. Date of Meeting: month 10 day 12 year 2023
- 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 11 day 14 year 2023
- 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

SUMMIT TOWNSHIP PLANNING COMMISSION September 19, 2023- 6:00 P.M.

1. Approval of the Agenda
2. Minutes –July 18, 2023
3. Case#23-08-0014- Rezoning 3.56 Acres at 800 E. Mc Devitt from Multi Family (RM-1) to General Commercial (C-2) – Applicant Nicholas La Porte of The Mc Devitt Development Group 1518 Kensington Dr.
4. Other Business
5. Public/Commission Members-Comments
6. Adjourn

Attachments:

Summit Township Planning Commission

July 18, 2023

Members Present: Jack Shelby, Chairman, Allan Hooper; Vice Chairman, Laurie Cunningham; Secretary, Pam Perlos, Tom Biela, Mark Cesarz, Doug Beiswanger, John Griffin; Board Liaison, John Worden; Summit Township Zoning Administrator, Gerry Deluca,

Members Absent: George Gancsos Jr.

The meeting was called to order by Jack Shelby, on July 18, 2023 at 6:00 p.m. in the Township Hall 2121 Ferguson Rd.

A motion was made by Allan Hooper, supported by Pam Perlos to approve the agenda. Motion carried unanimously.

A motion was made by Tom Biela, supported by John Griffin, to approve the minutes of the June 20, 2023 meeting. Jack Shelby abstained due to his prior potential conflict of interest. Motion carried.

Pam Perlos recused herself from the case due to a conflict of interest.

Case #23-06-0012 – Rezoning 1.72 acres SW Corner Spring Arbor and Robinson Roads 2500 Robinson Rd. from Office (O-1) to General Commercial (C-2) Applicant – BSJ Real Estate LLC 3600 Wildwood Ave 49201

Present at the meeting was Cory McCord Esq, attorney for the applicant and Alex Perlos, listing agent for the property. Mr. McCord on behalf of the applicant stated they were requesting a rezoning of the property from Office (O-1) to General Commercial (C-2) at the request of an interested buyer who would like to build a Dollar Tree Super Store on this location. Mr. McCord mentioned that the property is 1.72 acres which was part of a previous rezoning done in 2019 from Suburban (RS-2) to Office (O-1). Mr. McCord stated that the applicant believes that rezoning this smaller 1.72 acres to General Commercial (C-2) at the corner is consistent with other developments in the area including a Dollar General at 3330 Spring Arbor Rd and is consistent with the Township Master Plan.

Meeting opened for public comment:

Rebecca Ethridge, 2708 Robinson Rd. spoke in opposition to the rezoning and felt that they were once again fighting this issue from 2019 when the entire 7.05 acres had been requested to be rezoned. Ms. Ethridge did not agree that a Dollar Tree Super Store was consistent with the area and had concerns that a rezoning would allow other undesirable businesses to be built should this interested buyer back out and another buyer then be allowed to place a gas station or other business on the location.

Bob Martens, 3644 Spring Arbor Rd, stated the per his review of the Township Master Plan he did not feel that this rezoning was inline with it and that a rezoning to General Commercial (C-2) would allow a whole

variety of undesired businesses. He also felt that a Dollar Tree Super Store would become an attractive nuisance considering its close proximity to Lumen Christi, not to mention an overall attraction for criminal activity and felt that was a serious concern to nearby residents.

Maurice Page, 2650 Robinson Rd. was concerned about additional traffic this could bring to the area, especially considering the amount of traffic created by Lumen Christi during certain hours of the day. He was also concerned about other potential businesses that could ultimately end up on the site and would this open up other lots on the opposing corners to be rezoned.

Tom Legarie, 2505 Robinson Rd. was concerned with the increase in traffic and felt that there were other similar businesses in the area and that another dollar store was not needed. He also spoke of concerns about this leading to potential decreases in home values with being so close to a commercial area.

Gary Ethridge, 2708 Robinson Rd. reiterated his wife, Rebecca Ethridges concerns and stated he felt this would destroy their residential neighborhood.

There were also two letters received in opposition to the rezoning.

Mark Cesarz inquired if Dollar Tree and the previously mentioned Dollar General were under the same corporate ownership and Mr. Beiswanger stated that to his knowledge, he did not believe so.

Alex Perlos, listing agent, then stated they had come back for this rezoning as he believed it would be considered on a case-by-case basis. John Worden then stated that he was referring to a contractual rezoning request which was not what this application was for.

Public comment closed.

Allan Hooper stated that it was his belief that the current Office (O-1) zoning was generally consistent with the area and its current developments.

Doug Beiswanger questioned the need for another store of this type due to the current number of similar stores within a few miles of the property in question.

John Griffin stated that he felt that this rezoning could open the door for other requests for nearby properties and felt that the current Office (O-1) zoning was adequate and consistent.

Doug Beiswanger asked if the developer for this Dollar Tree Super Store had considered other areas nearby where the zoning would allow it. Alex Perlos stated that he was not aware of any.

Jack Shelby stated that the Master Plan's land use map notes this area as "Commercial", but this encompasses both commercial and office designations and should not be interpreted to mean that a rezoning to the applicant's desired General Commercial (C-2) was the intention of the township.

A motion was made by Allen Hooper to recommend a denial of this rezoning to the Township Board. Support by John Griffin. A roll call vote was taken, and the motion carried unanimously.

No other business.

Meeting adjourned at 6:37 p.m. by Jack Shelby

Respectfully Submitted,

Laurie Cunningham, Secretary Summit Township Planning Commission

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 Summit 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.)

A-195-13-23-251-001-00 - Located NE 1/4 of Section 23; B-200-13-23-181-067-00 – Located NW ¼ of Section 23;
C-200-13-23-186-139-00 – Located NW ¼ of Section 23 the total acreage of property is 3.56 acres. Application has been
made to combine these lots.

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- 2. PURPOSE OF PROPOSED CHANGE: Create Retail Space & Conditional Uses

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C. PUBLIC HEARING on the above amendment was held on: month 9 day 19 year 2023

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 9 day 3 year 2023
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Jackson Citizen Patriot
The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.
 Chair or Secretary _____/_____/_____(enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

- 1. Date of Meeting: month 10 day 12 year 2023
 - 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 11 day 14 year 2023
- 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: Summit Township Case #: 23-08-0014

Township official we may contact: John Worden Phone #: (517) 788-4113 ext. 240

Applicant: Nicholas LaPorte Phone #: (517) 917-7228

Rezoning Request: From: Multiple-Family Residential 1 (RM-1) To: General Commercial District (C-2) Property

Location: Section(s): 23 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"): 3.56 acres total : A 195-13-23-251-001-00; B-200-13-23-181-067-00; C-200-13-23-186-139-00

Please attach location map Yes No

What is the existing use of the site? Former Vandercook Lake School

What is the proposed use of the site? General Commercial (C-2)

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

North: Residential South: Commercial

East: Residential West: Residential & Commercial

What are the surrounding Zoning Districts?

North: (RU-1) Urban Residential South: (C-2) General Commercial

East: (RU-1/C-2) Urban Residential/ General Commercial West: (RU-1) Urban Residential

What is the suggested use of the site on the Township's Land Use Plan map? Public / Semi Public & Recreation

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.

SUMMIT TOWNSHIP ZONING APPLICATION

Print or Type

CASE # 23-08-0014

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. Special Use Site Plans forty-five (45) days prior to the next Planning Commission meeting.

APPLICATION FOR

Rezoning **

Site Plan Review

Planned Developments

Special Land Use

Admndments

Variance ◆

Conditional Use **

Home Occupation **

Site Plan Change/Renewal

Administrative Site Plan

Other

◆ 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) NICHOLAS LAPORTE Phone 517-917-7228

Address 800 E. McDevitt Ave
200 HUDSON AVE, 100 HUDSON AVE JACKSON MI 49203

OWNER INFORMATION

Name(s) NICHOLAS LAPORTE, BRAD & RYAN ESSEX Phone 517-917-7228

Address 800 E. McDevitt, 200 & 100 HUDSON AVE
JACKSON MI 49203

PROPERTY INFORMATION

Address or Location 800 E. McDevitt Ave, 100 & 200 HUDSON AVE

Permanent Parcel # 200-13-23-186-139-00, 200-13-23-181-067-00, 195-13-23-251-00

Zone District (Current) 2 multi-family, 1 commercial Property Size 3.556

Attach legal description-also a survey, site drawing and pictures may be required. CALL 3 LOTS

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

SEE ATTACHED NSL CHANGE FROM RM1 TO C-2 NSL

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

[Signature]
Signature of Applicant

[Signature]
Signature of Applicant

8/20/23
Date

I hereby grant permission for members of the Summit 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.)

[Signature]
Signature of Applicant

[Signature]
Signature of Applicant

8/20/23
Date

DO NOT WRITE BELOW THIS LINE

Date Received 8/21/2023 Application

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: JCDOT JCDC JCHD DPW JCAP EGLI FIRE

Application Fee 350.00 Publication/Mailing Fee _____

Meeting Dates: PC 9/19/23

ZBA X

CNTY 10/12/23

TWPBD 11/14/23

Publication Dates 9/13/23

WEB 11

APPLICATION ACCEPTED BY: Carolyn Brown

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.

12/26/2011
11-12-0016

White Copy - Township

Yellow Copy - Applicant



Notice

The Summit Township Planning Commission will hold a Public Hearing September 19, 2023 at 6:00 pm in the Township Hall, 2121 Ferguson Rd.

At this time all interested parties will be heard on the request of Nick LaPorte of The McDevitt Development Group, 1518 Kensington Dr, Jackson, MI to rezone the properties at 100 & 200 Hudson Ave and 800 McDevitt Ave which is 3.56 acres in size. The properties being requested to be re-zoned from Multiple-Family Residential (RM-1) to General Commercial (C-2). This request is for the purpose of creating Commercial Retail Space and Conditional uses.

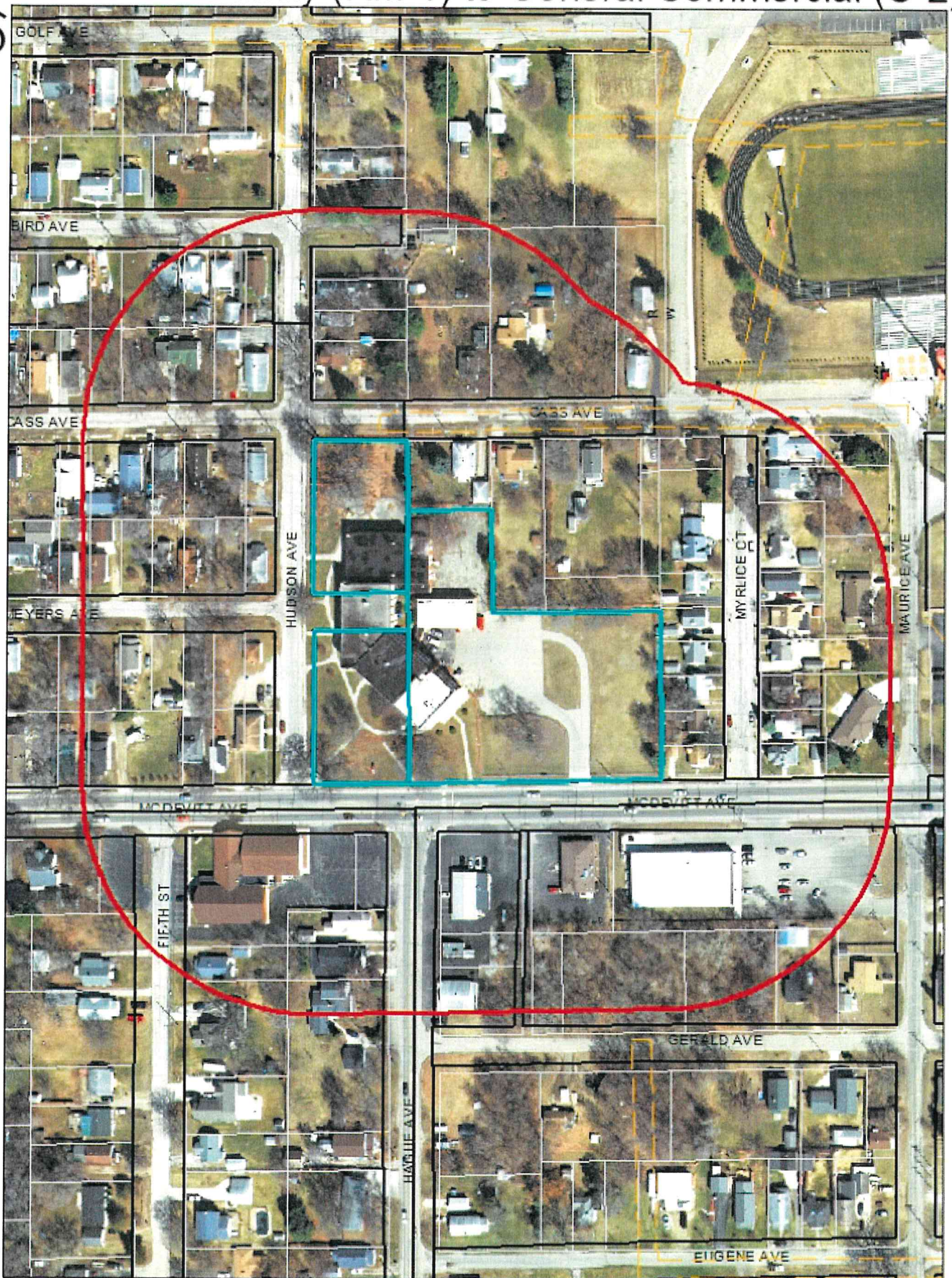
The property and request are more particularly described and on display at the Township office.

Current Zoning for the properties is Multiple-Family Residential (RM-1)

Summit Township office is open M-TH from 7:00 am to 5:30 pm during which time the Zoning Ordinance/Zoning Map may be examined. Written comments regarding the above may be directed to the Township or by calling (517)788-4113 ext. 240. Summit Township will provide any necessary or reasonable auxiliary aids at the meeting for persons with disabilities, upon ten (10) days written notice to Summit Township, 2121 Ferguson Rd. Jackson MI 49203.

John Worden
Zoning Administrator

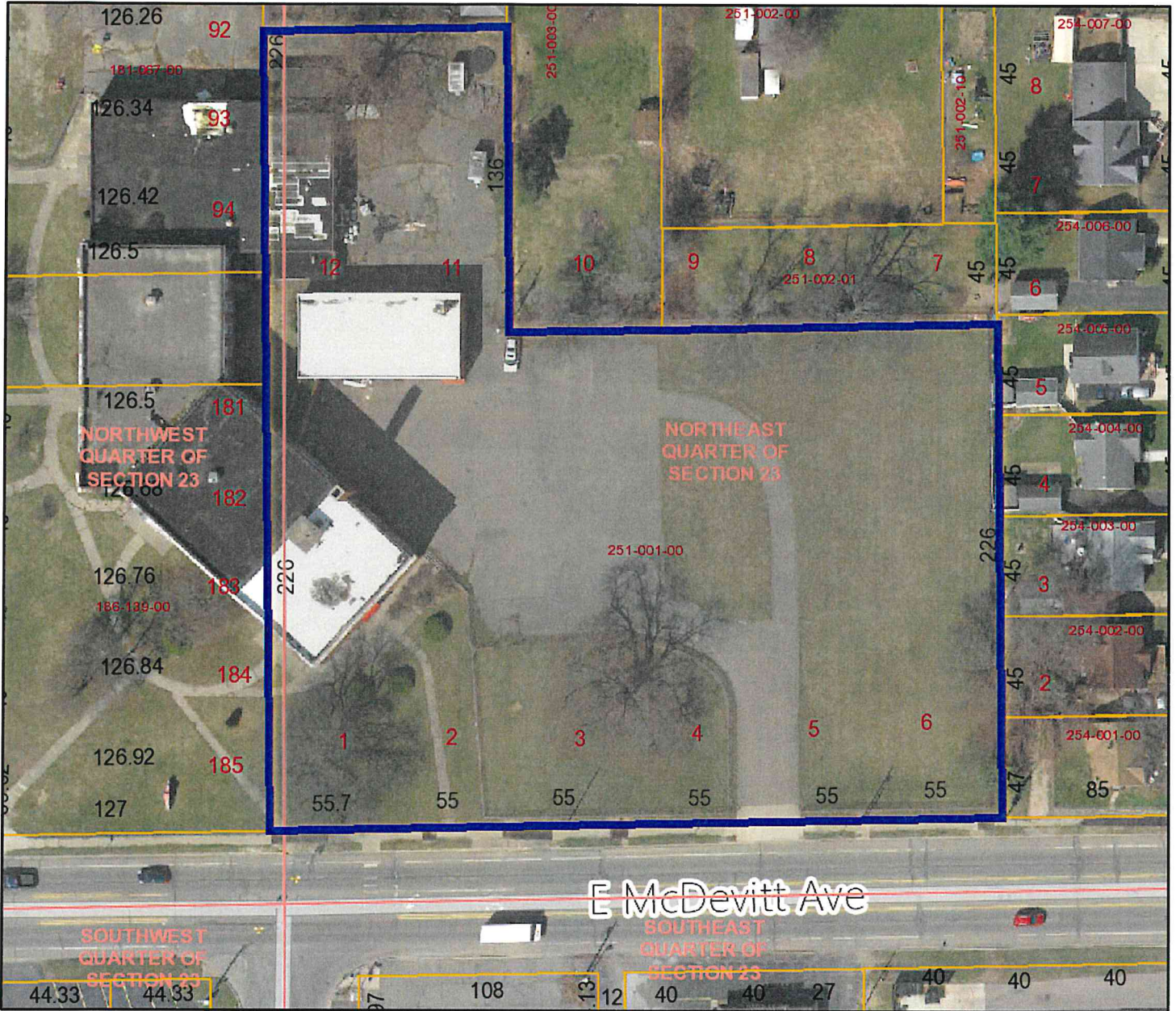
Case#23-08-0014-Rezoning 800 E. Mc Devitt
From Multi-Family (RM-1) to General Commercial (C-2)





Parcel Report - Parcel ID: 195-13-23-251-001-00

8/24/2023



Owner Name MCDEVITT REDEVELOPMENT GROUP
Owner Address 1518 KENSINGTON DR
 JACKSON, MI 49203
Homestead 0
Parcel Address 800 E MCDEVITT AVE
 JACKSON, MI 49203
Property Class 201 - COMMERCIAL
Status Active
Acreage 2.06
Gov't Unit Summit
Tax Unit Summit
School District VANDERCOOK LAKE SCHOOL
Liber/Page 2013-1052

	2021	2022	2023
Taxable Value	\$49,400	\$51,030	\$53,581
Assessed Value	\$49,400	\$57,300	\$74,500

Tax Description:
 LOTS 1, 2, 3, 4, 5, 6 AND THE S 136 FT OF LOTS 11 AND 12
 GARDEN FARMS



WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description. The intent of this map is to allow easy access and visual display of government information and services. Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.





Parcel Report - Parcel ID: 200-13-23-181-067-00

8/24/2023



Owner Name FREY MANSE LLC
Owner Address 6272 BROOKLYN RD
 JACKSON, MI 49201
Homestead 0
Parcel Address 200 HUDSON AVE (BLOCK)
 JACKSON, MI 49203
Property Class 201 - COMMERCIAL
Status Active
Acreage 0.735
Gov't Unit Summit
Tax Unit Summit
School District VANDERCOOK LAKE SCHOOL
Liber/Page 2013-1052

	2021	2022	2023
Taxable Value	\$2,332	\$2,408	\$2,528
Assessed Value	\$3,400	\$4,000	\$5,200

Tax Description:
 LOTS 90, 91, 92, 93 AND 94 GOLFSIDE EXTENSION



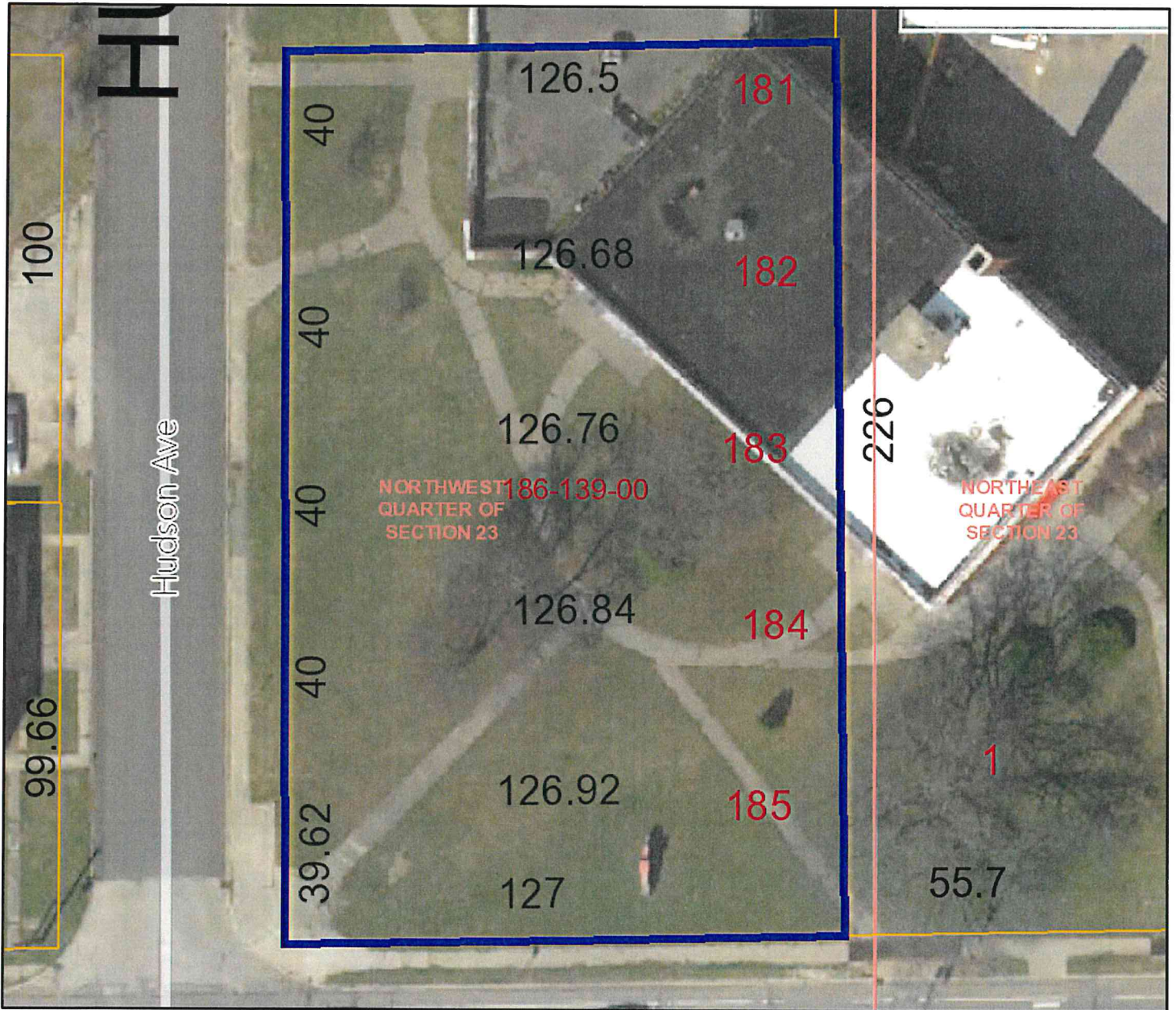
WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description.
 The intent of this map is to allow easy access and visual display of government information and services.
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Parcel Report - Parcel ID: 200-13-23-186-139-00

8/24/2023



Owner Name FREY MANSE LLC
Owner Address 6272 BROOKLYN RD
 JACKSON, MI 49201
Homestead 0
Parcel Address 100 HUDSON AVE (BLOCK)
 JACKSON, MI 49203
Property Class 201 - COMMERCIAL
Status Active
Acreage 0.761
Gov't Unit Summit
Tax Unit Summit
School District VANDERCOOK LAKE SCHOOL
Liber/Page 2013-1052

	2021	2022	2023
Taxable Value	\$2,230	\$2,303	\$2,418
Assessed Value	\$3,300	\$3,800	\$5,000

Tax Description:
 LOTS 181, 182, 183, 184, 185 GOLFSIDE EXTENSION







WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description. The intent of this map is to allow easy access and visual display of government information and services. Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.



Untitled Map

Write a description for your map.

Legend

-  800 E McDevitt Ave
-  Dollar General
-  Tan-Fastic Suntainner
-  Vandercook Lake High School



Summit Township Planning Commission

September 19, 2023

Members Present: Jack Shelby, Chairman; Laurie Cunningham, Secretary; Allan Hooper; Mark Cesarz; Doug Beiswanger; John Griffin, Board Liaison; George Gancsos Jr.; Pam Perlos
Also Present: Jerry Deluca; John Worden, Zoning Administrator (arrived late)
Members Absent: Tom Biela

Meeting called to order by Jack Shelby at 6:00 in the Summit Township Fire Department meeting room.

A motion was made by Allan Hooper. and supported by Mark Cesarz, to approve the agenda as presented. Motion carried unanimously.

A motion was made by Doug Beiswanger, and supported by Mark Cesarz, to approve the minutes of the July 18, 2023, meeting. Motion carried unanimously.

Case #23-08-0014 – Rezoning 3.56 acres at 800 E. McDevitt from Multi Family (RM-1) to General Commercial (C-2) – applicant, Nicholas LaPorte of the McDevitt Development Group, 1518 Kensington Drive, Jackson, MI

The old McDevitt school building was purchased by McDevitt Redevelopment Group. Brad Essex from McDevitt Redevelopment Group made the presentation to the Commission. The plan is to refurbish the individual rooms into spaces for several businesses. The gym will also be refurbished. McDevitt Redevelopment Group owns all three parcels at the location and they have been combined.

Susan Klein, 3535 S. Meridian, voiced her concern over asbestos in the building. Essex replied that the school remediated the asbestos when they owned it but some may still need to be removed.

Rhonda Applegate Nelson, 1657 Duguid, voiced her concern over traffic and safety of school kids. Essex replied that the site plan will address traffic issues and what was the back playground will become a parking lot. Shelby replied that the owners can use the existing drive entrances but if new entrances are proposed the Jackson County Department of Transportation has jurisdiction and may do traffic studies.

Shelby read the following rezoning criteria from the Summit Master Plan.

The most common zoning application of the master plan is during the rezoning process. Accordingly, a rezoning should be required to meet set criteria in order to be considered consistent with the master plan. Sec.150.381(c) of the Township's zoning code contains standards which satisfy this requirement.

Shelby read the following Commercial Development Policy from the Summit Master Plan.

Goal: Encourage the development of commercial uses that support the needs of the Township and diversify the local economy in areas that will provide convenient access to shopping and related services compatible with commercial districts in adjacent area.

New commercial development or redevelopment is encouraged to cluster in predetermined areas that are easily accessible along major thoroughfares, or at major intersections of the Township, of sufficient size to provide adequate off-street parking.

Shelby read the following from the Future Land Use Plan from the Summit Master Plan.

The plan presented here is not static. It is designed to be a flexible document that can and should change as the community changes. Changing land use patterns may cause certain areas on the Future Land Use Map to become obsolete for a use suggested. When this happens, the Planning Commission may be required to interpret the most appropriate type of use for an area. Interpretation of a specific site should be made with regard to the impact on the surrounding area. Shelby stated that the future land use map shows the property to be used as a school. That property will no longer be used as a school because the school sold it to private developers. Therefore the Planning Commission does have the right to interpret the most appropriate type of use for the area.

Shelby read the following from section 150.381 from the Summit Township – Land Usage section of the Summit Zoning Ordinance.

150.381

(C) Criteria for considering rezoning requests. In reviewing an application for the rezoning of land, factors that should be considered by the Planning Commission and the Township Board include, but are not limited to, the following.

(1) Is the proposed rezoning consistent with the policies and uses proposed for that area in the Township’s Master Land Use Plan?

All board members responded *yes* to 150.381(C)(1)

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

All board members responded *yes* to 150.381(C)(2)

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

All board members responded *no* to 150.381(C)(3)

(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?

All board members responded *yes* to 150.381(C)(4)

Motion by Allan Hooper and supported by Pam Perlos to recommend to the Township Board the rezoning of 3.56 acres at 800 E. McDevitt from RM-1 to C-2. All ayes. Motion carried unanimously.

Meeting opened to public comment.

Timmy Snook, 3718 S. Meridian, claimed his residence is closer than 1000 feet to the concrete crushing facility and proposed asphalt plant. Snook also claimed that the Planning Commission has a conflict of interest.

Peter Bormuth, 142 W. Pearl, claimed the conditional use permit for the asphalt plant does not agree with the 2022 Master Plan. The land use is incompatible with local residences. Bormuth submitted a written copy of deliberations to each Commission member.

Amanda Howard, 3851 Nelson Drive, stated the effects of the asphalt plant on the community would be damaging. Willbee has an illegal concrete crushing facility. The permit should not be approved.

Susan Howard, 3807 Stonewall, pointed out that no one on the Commission lives close to the proposed asphalt plant, however, many people do.

Karen Barnes, 3890 Nelson Drive, presented the EGLE Violation Notice given to Willbee Transit Mix for the concrete crushing operation to be part of official record. Barnes also asked the Commission to reread the minutes from 6/20/23 in which residents complained about the dust from concrete crushing.

Rhonda Applegate Nelson, 1657 Duguid, questioned the oath Commission members took and the conflict of interest of some members. She asked these members to recuse themselves before the next meeting. Nelson stated that the silica dust from the crushing causes cancer and there are 4,200 homes within 2 miles. Nelson believes there is no need for another asphalt plant as there are four existing plants serving the Jackson area.

John Griffin explained that the Township does not have delegation or legal authority on environmental issues. Complaints or any observed violations would be reported to EGLE.

Katrina Davis, S. Meridian, stated that according to the statute, complaints should be directed to the Planning Commission.

Kristen Wigington, 3807 Stonewall, suggested residents call the local health department.

Shelby closed Public Comments portion of the agenda but said that because all the people had not had a chance to speak Public Comments would be re-opened after the next agenda item and allow for additional public comments.

Jack Shelby turned the meeting over to Allan Hooper for the next agenda item because Shelby had recused himself from South Central Michigan Asphalt Special Use and Site Plan application at the June 20, 2023 Planning Commission Meeting.

Allan Hooper submitted a letter he prepared to send to the Township Board requesting the support needed to competently address the requirements outlined in the Township Board's motion of August 29 referring the asphalt plant case back to the Planning Commission. He stated that the Commission does not have the expertise in the matters assigned to address and is therefore requesting support as outlined in the letter (see attached).

Motion by Laurie Cunningham, and supported by Pam Perlos, to send the letter to the Township Board. All ayes. Motion passed.

Meeting re-opened to public comment.

Hoyt Skinner, 2500 Oaklane Road, commented that his house is ½ mile away from the concrete crushing facility and his entire house is covered in dust. He claimed Aaron Sherwood, from Willbee Transit Mix, stated that the air quality is set and monitored by the DEQ but Skinner believes it was never inspected

because it was never permitted. Skinner claimed Willbee Transit Mix is violating safety standards and is not following OSHA guidelines.

Jack Shelby told the audience the concrete crushing issues will be addressed at a future meeting.

Brenda Leecox, Englewood Road, again questioned why the proposed asphalt plant was not rejected at the first meeting.

Susan Klein reiterated her concern that the proposed asphalt plant is directly across from her house. She also complained that the required 300-foot mailing of a notice is not enough.

Rhonda Applegate Nelson asked when the Eubanks property (purchased by Willbee Transit Mix) was rezoned Industrial and what it was originally zoned. John Worden informed her it was zoned Industrial in approximately 1973. Nelson claimed that Doug Beiswenger has a conflict of interest as he was the purchasing agent in the sale of the Eubanks property, 3550 S. Meridian, to Willbee Transit Mix. She stated that Cliff Risner attempted to buy adjacent property. Doug Beiswenger disagreed with Nelson's claim and stated that Risner is an independent contractor. Jack Shelby stated that legal advice will be sought to address this matter.

Brenda Leecox again questioned why the proposed asphalt plant was not rejected at first and implied that the Commission or Board is enriching themselves over this issue.

Public Comment closed.

No other business.

A motion to adjourn the meeting was made by Allan Hooper, and supported by George Gancsos. All ayes. Motion passed.

Meeting adjourned: 7:09 pm

Respectfully Submitted,

Laurie Cunningham

Secretary, Summit Township Planning Commission



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 | #23-17

To: County Planning Commissioners
From: Zack Smith, R2PC Planner
Date: October 2, 2023

Proposal: **A text amendment to the Henrietta Township Zoning Ordinance Request**

The Henrietta Township Planning Commission requests to amend various sections dealing with outdoor lighting.

Background Information

The Henrietta Township Planning Commission submitted amendments to its Zoning Regulations to the JCPC for review. The Henrietta Township Planning Commission seeks to amend their outdoor lighting ordinances:

- **See Attached**

These additions are clear and useful for proper regulation of outdoor lighting for better enjoyment of outdoor spaces for all.

Analysis and Recommendation

Township Planning Commission Recommendation – The Henrietta Township Planning Commission approved the amendment at their September 26, 2023 meeting.

JCPC Staff Analysis and Advisement – Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL** to the Henrietta Township Board of amendments to the outdoor lighting ordinances of the Henrietta Township Zoning Ordinance.

Staff Report Attachment(s):

- *Background information provided by Henrietta 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 Henrietta 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 Various SECTION Various

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

C. **PUBLIC HEARING** on the above amendment was held on: month September day 26 year 2023

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month September day 3 year 2023

(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.

Nancy Hawley Chair or Secretary 9 / 26 / 2023 (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

September 26, 2023 Text Revisions:

PROPOSED TEXT AMENDMENTS ON SIGN LIGHTING and HEIGHT in all Districts, and addition of OUTDOOR LIGHTING, and ARTICLE V, R-1 RESIDENTIAL DISTRICT, SECTION 501.4 – USES PERMITTED. Text updates are in Bold.

Add the following text to Article IV, Agricultural District, Section 401.8

A single sign not exceeding forty (40) feet in area which may be illuminated with a **shielded** lamp, not exceeding a total of five hundred (500) watts intensity **(or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare;** indicating the sale of goods or the sale of any one property, except that trespassing, and similar signs not exceeding two (2) square feet, shall be allowed. Signs larger in size, greater in light intensity than herein specified are allowed only on approval of the Board of Appeals.

Add text to ARTICLE V R-1 RESIDENTIAL DISTRICT, Section 501 6. ; ARTICLE VI R-2 RESIDENTIAL DISTRICT, **Section 601.5**

A single sign not exceeding four (4) square feet in area which may be illuminated with a **shielded** lamp, not to exceed one hundred (100) watts intensity **(or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare;** indicating the name and occupation of the occupant, and placed thirty-five (35) feet from the centerline of the street, or on the setback line when such line is less than thirty-five (35) feet from the street centerline.

Add text to ARTICLE VII MHD-1 MOBILE HOMES DISTRICT, Section 706, Signs

Identifying signs in this district shall not exceed twelve (12) square feet. A single business sign shall not exceed thirty (30) square feet which may be illuminated with a **shielded** lamp not to exceed one hundred fifty (150) watts intensity **(or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare,** and set back not less than five (5) feet from the highway right-of-way.

Add the following text to COMMERCIAL-1-2-3 and Industrial.

ARTICLE IX, SECTION 901. 4 b.; and SECTION 927.8 b.; and SECTION 951. 8 b.

4. **Sign regulations are as follows:**

- a. No sign shall be erected on or at any location which by reason of its position, size, shape, color, movement of illumination will interfere with or obstruct the view of traffic, or be confused with any authorized traffic sign, signal, or device, nor shall such sign be such as to interfere with the use of the adjoining property.
- b. A single sign only may be placed on property and shall not exceed twenty (20) square feet in area. It may be illuminated by a **shielded lamp** not more than five hundred (500) watts **(or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare;** of power supplied by one or more lamps, said limit being the total power allowed regardless of the number of lamps used. **A freestanding sign shall not exceed six (6) feet in total height, and supported by a solid base that is at least as wide as the sign’s display area.** Said sign may indicate of the sale of goods or services provided on the property or the sale or lease of property.
- c. **Illuminated Wall Signs are permitted on one wall facing the front lot. The sign shall not exceed 10% of wall area or forty (40) square feet whichever is less.**
- d. **Wall Signs and Architectural lighting. The illumination of building facades and wall signs shall be limited to fully shielded fixtures directed toward the façade or wall sign. The light intensity or brightness will not create off-site glare to surrounding areas.**

ARTICLE X

SECTION 1007 - SIGNS

A single sign not exceeding forty (40) square feet which may be illuminated with a **shielded** lamp of not more than five hundred (500) watts intensity **(or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare;** indicating business or firm name or any one property, except that trespassing and similar signs not exceeding two (2) square feet shall be allowed. **A freestanding sign shall not exceed six (6) feet in total height, and supported by a solid base that is at least as wide as the sign’s display area.** Signs larger in size and greater in light intensity than herein specified shall be allowed only on the approval of the Board of Appeals.

Illuminated Wall Signs are permitted on one wall facing the front lot. The sign shall not exceed 10% of wall area or forty (40) square feet whichever is less.

Wall Signs and Architectural lighting. The illumination of building facades and wall signs shall be limited to fully shielded fixtures directed toward the façade or wall sign. The light intensity or brightness will not create off-site glare to surrounding areas.

Add the following text to COMMERCIAL-1-2-3 and Industrial;

ARTICLE IX, SECTION 901.8.; and SECTION 927.10.; SECTION 951.10.; and
ARTICLE X SECTION 1008.

Outdoor Lighting subject to the provisions and requirements of Article XIV.1

Add the following text to new **ARTICLE XIV.1** (This follows Article XIV Landscaping and Screening Requirements).

OUTDOOR LIGHTING

SECTION 1400.1 – GENERAL

Outdoor Lighting as provided in this Section shall be subject to standards in the following cases: (1) whenever a site plan is required, or (2) whenever the estimated expense of construction exceeds twice the State Equalized Value (SEV) of the property. The regulations are not intended to apply to new construction or redevelopment of single-family dwellings in zoning districts where single-family uses are permitted as a use-by-right.

SECTION 1401.1a. – PURPOSE

The purpose of this Section is to protect the health, safety, and welfare of the public by recognizing the need to regulate outdoor lighting levels to reduce off-site impacts, prevent reflection, and glare in a manner that creates a nuisance or safety hazard to operators of vehicles, pedestrians, and neighboring land uses, and promote dark sky environments in keeping with the rural character of Henrietta Township.

SECTION 1401.1b.– DEFINITIONS

Artificial skyglow. The brightening of the night sky attributable to man-made light sources that directs and/or shines upward, which obscure stars, comets, the moon, northern lights, and other natural phenomena.

KeVins (K). A scientific measurement for the color of the light itself. Warm or low-color-temperature less than 3000 Kelvins mimic soft glow of incandescent lighting. Cooler or higher blue light temperature are not brighter, just whiter such as 5000K mimic tones of daylight.

Light Pollution. Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky, or causes undesirable glare or unnecessary illumination of adjacent properties.

Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen. The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).

Luminaire. The complete lighting unit (fixture), consisting of a lamp, or lamps, and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect to the power supply.

Off-site Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Shielded Fixture. Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, i.e., "shoebox-type" fixtures. A luminary mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this Ordinance.

SECTION 1401.1c.

Lighting Plan Submittal Requirements. The following information must be included on all site plan submissions:

- 1. Location of all free-standing, building-mounted and canopy light fixtures on the site plan and/or building elevations.**
- 2. Specifications and details for the use, and type of fixture being proposed, including the total foot-candle output, type of lamp, and method of shielding.**
- 3. Any other information deemed necessary to determine the appropriateness of lighting by the Building Department and/or Planning Commission.**
- 4. Free-standing Pole Lighting.** Exterior lighting shall be fully shielded, directed downward to prevent off-site glare, and uniform in lighting. Pole height shall be based on assessment of safety needs within the given topography. Site shall be designed and maintained such that illumination levels shall not trespass along adjacent property lines or roadways.
- 5. Outdoor lighting intensity shall be rated as a “warm” light source, and low-color-temperature (up to 3000 Kelvins).**
- 6. Except where used for security or safety purposes, as approved in advance by the Planning Commission, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within commercial, and industrial districts, shall be turned off or reduced in lighting intensity between 11:00 p.m. and sunrise, except when used for commercial and industrial uses, such as in sales, assembly, and repair areas, where such use continues after 11:00 p.m., but only for so long as such use continues.**

7. **Prohibited lighting types:**
 - a. **No exposed luminous tube lighting shall be used.**
 - b. **Flashing, fluttering or similar light intensity changes in nature.**
 - c. **Unshielded**
 - d. **Exempt lighting: Temporary seasonal (holiday), lighting required by public safety agencies, airport, and temporary construction lighting is not prohibited by this subsection.**

8. **The design and/or screening of the development shall ensure that glare from automobile and commercial or industrial vehicle headlights shall not be directed into any adjacent property, particularly residential property.**

9. **Variances. The Zoning Board of Appeals may grant a variance to the standards of this Section if all the following are met:**
 - a. **Neighboring properties will not be adversely affected.**
 - b. **Unique conditions exist on the site.**
 - c. **Photometric test report or other satisfactory confirmation that luminaires meet the requirements of shielding.**
 - d. **No modification shall be granted with respect to the standards regarding luminaire shielding.**

The following is to clarify and maintain consistency of the text between Residential-1 and R-2.

ARTICLE V, R-1 RESIDENTIAL DISTRICT
SECTION 501 – USES PERMITTED

ADD TEXT 4. Detached garages for the storage only of not more than three (3) motor vehicles **customarily incidental to any of the above permitted uses when located on the same parcel of land and not involving the conduct of any business.**

HENRIETTA TOWNSHIP PLANNING COMMISSION
11732 Bunkerhill Road, Pleasant Lake, MI 49272
Phone: 517-769-6925
Website: henriettatownshipmi.gov

PUBLIC HEARING
7:00 PM
September 26, 2023

AGENDA

1. Call to Order
 - **Note:** A Public Hearing serves as an opportunity for people to express their opinions about the zoning text amendment & planning process.
2. Public Comment (Please state your name and address, and limit **comments to 3 minutes**)

TEXT AMENDMENT REVIEW: At this time all interested parties will be heard on the following amendments revisions to the Ordinance pertaining to text in the following:

Please reference proposed text amendments concerning Signs and Outdoor Lighting on pages 1 – 5 marked in **BOLD**.

Article IV, Agricultural District, Section 401.8; Signs

Article V, R-1 Residential District, Section 501 6. Signs

Article VI R-2 Residential District, Section 601.5; Signs

Article VII MHD-1 Mobile Homes District, Section 706, Signs;

Commercial-1-2-3 and Industrial, Article IX, Section 901. 4 b.; and Section 927.8 b.; and Section 951. 8 b, and Article X, Section 1007 – Signs;

Add the following text to Commercial-1-2-3 and Industrial; Article IX, Section 901.8.; and Section 927.10.; Section 951.10.; and Article X Section 1008. Outdoor Lighting subject to the provisions and requirements of Article XIV.1

Add the following text to new Article XIV.1; Outdoor Lighting Section 1400.1.

NOTE: This text amendment does not apply to single family residences.

Add text to Article V, R-1 Residential District, Section 501 Uses Permitted, 4. Detached Garages

3. Recommendation
4. Public Comment
5. Adjournment - This portion of the meeting adjourned at:

HENRIETTA TOWNSHIP PLANNING COMMISSION
11732 Bunkerhill Road, Pleasant Lake, MI 49272
Phone: 517-769-6925
Website: henriettatownshipmi.gov

MINUTES FROM 09/26/2023 PUBLIC HEARING
RE: PROPOSED TEXT AMENDMENTS TO ZONING ORDINANCES
(by Anita Szabo, Recording Secretary)

Members present: R. Draeger; J. Duszynski; A. Faist; N. Hawley; R. Troman; A. Wellington

6. Call to Order

- Meeting called to order at 7:04 p.m.
- Pledge of Allegiance was recited.

7. Public Comment

- None.

8. Review

- A handout detailing proposed text amendments was distributed and reviewed by all in attendance; ordinances affected are set forth as follows.
 - o Article IV, Agricultural District, Section 401.8: *Signs*.
 - o Article V, R-1 Residential District, Section 501.4: *Uses Permitted*.
 - o Article V, R-1 Residential District, Section 501.6: *Signs*.
 - o Article VI, R-2 Residential District, Section 601.5: *Signs*.
 - o Article VII, MHD-1 Mobile Homes District, Section 706: *Signs*.
 - o Article IX, Commercial 1-2-3 and Industrial, Section 901.4b, Section 901.8, Section 927.8b, Section 927.10, Section 951.10, and Section 951.8b: *Signs*.
 - o Article X, Commercial 1-2-3 and Industrial, Section 1007 and Section 1008: *Signs*.
 - o Article XIV.1, Outdoor Lighting, Section 1400.1: *General (new)*.

9. Recommendation

- A motion to recommend approving the proposed text amendments was made by J. Duszynski, seconded by R. Troman, and passed unanimously by remaining commission members.
 - o The matter now goes before the Jackson County Planning Commission.

10. Public Comment

- None.

11. Adjournment

- This portion of the meeting adjourned at 7:31 p.m.

Supporting Information

Henrietta Township Master Plan | 2019-2024

VII. Recreation and Open Space

Goal: *Provide and protect open space and recreational opportunities for current and future needs.*

Policies and Objectives:

4. Discourage the use of poorly designed outdoor lighting that creates glare and unnecessary up-light pollution of the night sky.

Jackson County Master Plan, 2022 edition

CHAPTER 3: GOALS, ACTIONS, AND PLANS

Innovative Planning and Zoning

Actions. 4. Breathtaking views of the night sky are not the same today as in the past and many now strain to see the few stars visible to the naked eye. This is due to light pollution caused by poorly designed outdoor lights that not only mask the beauty of the night sky, but also cause negative effects to environmental and human health. The JCPC encourages municipalities to adapt their regulations to meet the standards set by the International Dark-Sky Association. The development of facilities and educational programs regarding the adverse effects that artificial lighting has on the environment, safety, energy consumption, and public health is also promoted.

Excerpts from articles:

- “LED lights are meant to save energy. They’re creating glaring problems” by Kasha Patel, Kali Perry...June 23, 2023. Washington Post
- A dark sky does not necessarily mean a dark ground. Smart lighting that directs light where it is needed creates a balance between safety and starlight. Outdoor lighting is intended to enhance safety and security at night, but too much lighting can have the opposite effect. Visibility should always be the goal. Glare from bright, unshielded lights decreases safety because it shines into our eyes and constricts our pupils. This can not only be blinding, but it also makes it more difficult for our eyes to adjust to low-light conditions. Source: International Dark-Sky Assoc. (IDA)
- Information at: International Engineering Society of North America (IESNA)
- **Implications for Designing Parking Lot Lighting**

Average light levels are important contributors to perceptions of safety in parking lots. But to minimize power demand, lighting specifiers should strive to maximize uniformity. While higher CCT sources will be perceived as brighter than low CCT sources, this is limited in importance compared to uniformity. With improved uniformity, much lower average illuminances can be provided while achieving equivalent (or improved) perceived safety and brightness.

When considering upgrades of parking lot lighting with existing pole locations, there may be limitations in improvements to uniformity; it may be necessary to add/change pole locations to achieve positive safety ratings. Taking advantage of uniformity has implications not only for energy savings but also for minimizing light pollution such as sky glow; evaluations of glare and light trespass would require additional photometric analysis (Brons et al. 2008). Source: Lighting Energy Alliance (LEA)- Lighting Research Center-Rensselaer Polytechnic Institute

-Services-

ROYAL MONUMENT INC. Home of rock bottom prices and free in-home consultations. 517-857-2341

-Wanted Automotive-

LOOKING TO BUY SCRAP automobiles. Paying up to \$1000. We also buy travel trailers. Call for pricing. Free towing. Call 517-403-1204

-Farm Supplies & Equipment-

FOR SALE: 1985 CASE-IH #1440 combine with International 844 corn head and 1990 #1020 20' grain head. 3974 hours. \$6500 or best offer. Phone 517-740-9461, leave message

1965 FORD 3000 TRACTOR. 3 cylinder, PTO, Can be seen at corner of Thorne and Folks Rd., in Horton. \$5,100 OBO. Runs perfectly. 517-745-4986

-Miscellaneous For Sale-

HEADSTONES and GRAVE MARKERS at guaranteed rock bottom prices. Royal Monument Inc. Springport, MI 517-857-2341.

FOR SALE: 2 burial plots at Albion Memory Gardens, Section G. 269-832-4045

DRYWALL HANGER, \$100. Engine stand, \$30. Parts washer, \$30. Nail gun, \$50. Old TV tubes. 10801 Keeler, Concord. 517-524-7471

Hall Rentals

RentOurHall.com. All Saints Episcopal Church, Brooklyn. \$200 for two hours, \$50 each additional hour. Capacity 100. Full kitchen available. 517-592-2244

-Hunting-

FOR SALE: LEFT HANDED BOWTECH Compound, hard case, release, arrows. \$500. 517-474-2879

**NOTICE OF PUBLIC HEARING
RESIDENTS OF HENRIETTA TOWNSHIP
Amendments to the Zoning Ordinance**

A Public Hearing has been scheduled for Tuesday September 26, 2023 at 7:00 p.m. at the Henrietta Township Offices, 11732 Bunkerhill Road, Pleasant Lake, MI 49272.

The purpose of the public hearing is to accept comments on Proposed Amendments to the Henrietta Township Zoning Ordinance pertaining to text: Sign Lighting and Height in all Districts; Add a new Article XIV.1; Outdoor Lighting Section 1400.1; and Add text to Article V, R-1 Residential District, Section 501 Uses Permitted, 4. Detached garages.

Copies of the Proposed Amendments to the Henrietta Township Zoning Ordinance are available for public review at the Township Office. Henrietta Township will provide any necessary or reasonable auxiliary aids at the meeting for persons with disabilities, upon (10) days written notice to the township. If you cannot attend this meeting and would like your views known, please mail comments to the Henrietta Township Planning Commission, 11732 Bunkerhill Road, Pleasant Lake, MI.49272 or phone 517-769-6925.

Sally J. Keene, Clerk
Henrietta Township

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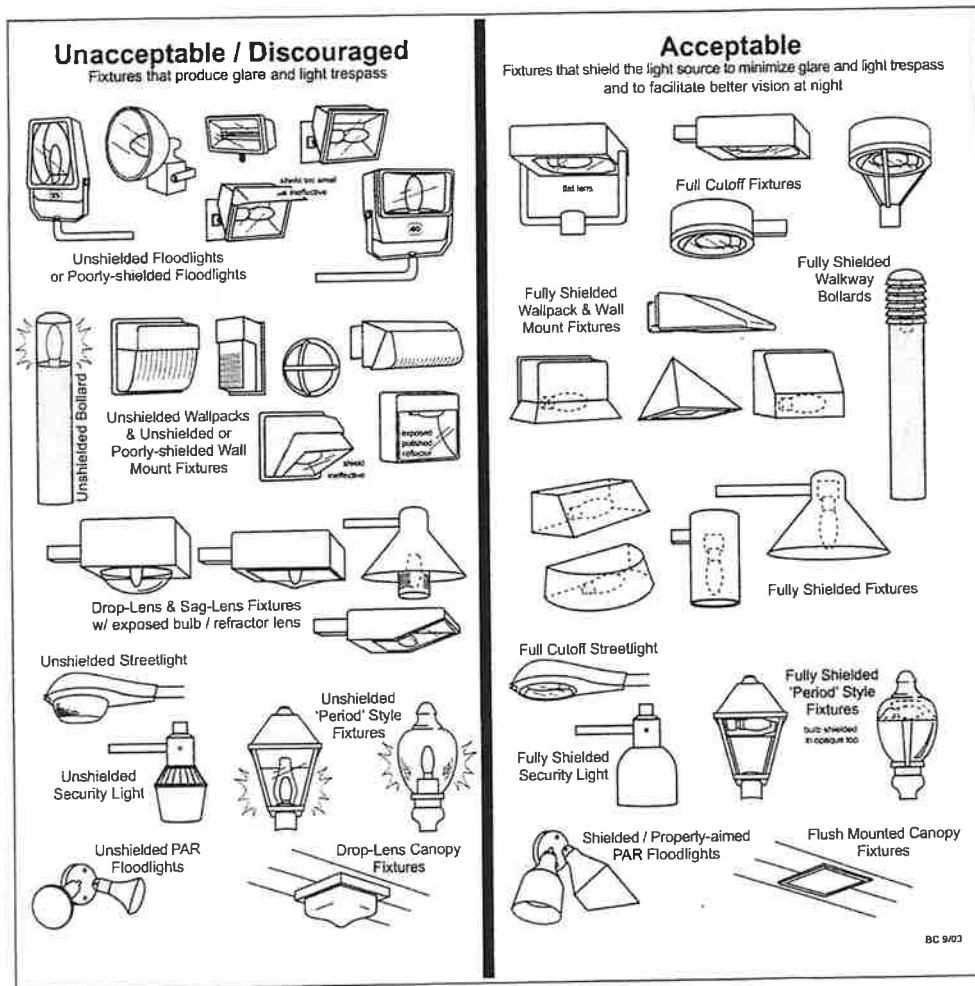
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(m) **Luminaire Illustrations.**

Except as regulated elsewhere, the following luminaire illustrations in Diagram 3 shall be used as a guideline to help determine appropriate and inappropriate lighting fixtures, which offer different levels of shielding in both residential and non-residential areas. Please note that these graphics do not represent a complete inventory of permitted and prohibited fixtures.

Prohibited Fixtures

Permitted Fixtures



NOTE on Uniformity in Outdoor Lighting & Kelvins(K):

Summarized conclusion of 2020 Study by the Lighting Energy Alliance & Rensselaer Polytechnic Institute, Canada.

Maximizing illuminance uniformity promote perceptions of safety while reducing power demand.

- Uniformly lighted parking lots look safer (3:1 maximum to minimum illuminance uniformity ration).
- Uniformity provides greater leverage in promoting the perception of safety compared to increasing brightness from 2850K to 5800K.
- Taking advantage of uniformity has implications not only for energy savings but also for minimizing light pollution such as sky glow, evaluations of glare and light trespass.

Why consider Kelvins (K)?

The higher the number of Kelvins in lighting increases a higher amount of “blue” light. Health studies have indicated that exposure to blue light at night can harm health, and endanger wildlife. Exposure can block melatonin making it harder to sleep, damage cells creating vision problems, brain fog, and headaches. (7-7-2020 Harvard Health, “Blue light has a dark side”). Outdoor lighting over 4000 Kelvins can increase glare, road safety, and impact wildlife behavior.

See article on LED Lights.

B R 
Beckett & Raeder

Landscape Architecture
Planning, Engineering &
Environmental Services

September 21, 2023

Regarding: Sylvan Township Master Plan

To whom it may concern:

This letter is to provide notification to your office that Sylvan Township will begin the process of amending the community Master Plan pursuant to Public Act 33 of 2008, the Michigan Planning Enabling Act.



initiative

Once a draft plan is approved for distribution, you will be provided a link to an electronic copy for your organization's review and comment. Please feel free to contact me about any land use or community development issues pertinent to your organization, or to the participating community, which should be reviewed during the preparation of the plan.

Regards,



Sara Kopriva, AICP
skopriva@bria2.com

2023 SEP 26 PM 2:46
FILED
MICHIGAN COUNTY

Enclosure: List of organizations and entities receiving this notification

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

734 663.2622 ph

www.bria2.com

Petoskey Office
113 Howard St.
Petoskey, MI 49770

231.347.2523 ph

Traverse City Office
148 East Front St.
Suite 207
Traverse City, MI 49684

231.933.8400 ph

Grand Rapids Office
5211 Cascade Road SE
Suite 300
Grand Rapids, MI 49546

616.585.1295 ph

Sylvan Township Master Plan

Notification of Intent to Prepare Master Plan

Organizations and Entities Receiving this Notice:

The City of Chelsea

Lyndon Township

Dexter Township

Lima Township

Freedom Township



initiative

Sharon Township

Waterloo Township

Grass Lake Township

Washtenaw County Clerk

Washtenaw County Commission District 1

Washtenaw County Road Commission

Jackson County Clerk

Jackson County Commission District 2

Jackson County Department of Transportation

Consumer Energy

MDOT Region Office – University Region

Southeast Michigan Council of Governments