

7:00 PM Chairperson Wurmlinger called the meeting of the Planning Commission to order and opened Public Hearing Items 7-1 and 7-2, then continued with the regular agenda.

1. **ROLL CALL**

PRESENT: Robert Buechler, Anne Hilton, Charles Koob, Shannon Muir, Nathan Oprita, Kathy Wurmlinger

ABSENT: Rick Mills

ALSO PRESENT: Sharon Wilton, Zoning Administrator/Recording Secretary
Greg Sparling, Applicant
Jorja Baldwin
1 Community Attendee

2. **APPROVAL OF AGENDA: April 12, 2022**

Motion by Buechler, supported by Oprita, to approve the agenda as printed and posted.

Vote, Unanimous. **Motion Carried**

3. **APPROVAL OF MINUTES: March 8, 2022**

Motion by Oprita, supported by Wurmlinger, to approve the minutes, with the correction that Oprita was present. Vote, Unanimous. **Motion Carried**

4. **REPORT FROM TOWNSHIP BOARD REPRESENTATIVE: Clerk Robert Buechler**

First meeting on the master plan creation for the 100-acre property on Parker Rd. Good turnout. Group went over maps and a list of amenities to include in the plan. The next meeting has not been scheduled but will be posted on calendars and social media.

All parks are open. Kayak launch not installed yet at North River Road, but the park is open.

5. **REPORT FROM ZBA REPRESENTATIVE: Nathan Oprita**

Did not attend. Nothing major to report. We get multiple requests for the same setback variances. Updating the rules would help streamline the need for additional meetings.

6. **PUBLIC COMMENT** None

7. **PUBLIC HEARINGS**

Public Hearing 7-1 continued at this time.

ITEM 7-1: REZONING REQUEST, 3219 KEEWAHDIN ROAD (74-20-021-2006-000)

APPLICANT: Greg Sparling, Keewahdin Enterprises, LLC, 3211 Keewahdin Road, Fort Gratiot, MI 48059

PROJECT: Proposed Birchwood Estates Expansion

LOCATION: 3219 Keewahdin Road

PARCEL#: 74-20-021-2006-000

LEGAL: W 70' OF S 200' OF N 254.34' OF E 1/2 OF W 1/2 OF W 1/2 OF NE 1/4 SEC 21 T7N R17E 0.3 A

CURRENT: C-2 General Business

PROPOSED: MHR Mobile/Manufactured Home Residential

APPLICANT PRESENTATION: Mr. Greg Sparling

This was not a purchase he planned on making. He had paid to clean up property once and within months it was filled up again. He received a call asking if he'd like to bid on the property and he did. The previous owner had issues with hoarding the property. Over 70 tons of garbage was removed and the home raised. The township had condemned the property prior to the purchase.

Mr. Sparling would like to add two mobile units; one as a rental and one to use as a sales office until the park is at full capacity. Sales office would then be converted into a home. The utility easement is not on the property line, it is 25' and should allow for two more lots. The purchase would allow him to clean up the entrance to the park. State of Michigan restrictions require 50' setback and the township requires 25'. It's a small property with many obstacles. Wilton asked about the garage structure. Sparling said it will be taken down and it is filled floor to ceiling with garbage.

Koob clarified that this meeting is regarding the rezoning only. The split and reconfiguration would not be part of this meeting. Sparling agreed because there would have to be adjustments to property lines and currently it is taxed under one parcel number.

Hilton asked if lot 1 was zoned MHR. Sparling said even the front. Everything has to be approved by the state.

PUBLIC COMMENT:

Carol Blood, 3227 Keewahdin Road. Lives at the property adjacent to parcel in question. She moved in in 2019. Home to be rezoned was vacant with no houses within 150 ft. She liked the seclusion and privacy. States Diana sold the property under duress as she did not have the capacity to take care of it. The trees and wildlife have been decimated. She left many cats behind. She is opposed to the rezoning and feels it is the very definition of spot zoning. Stated the property shouldn't be rezoned for profit.

PUBLIC HEARING 7-1 CLOSED AT 7:14 PM.

COMMISSIONER DISCUSSION:

Hilton asked about the history of the property. Baldwin stated there was a large strip of property along Keewahdin that was zoned commercial. If the house was changed it would not be able to revert back to residential. It is considered a lawfully existing non-conforming property. If it was just an office it could stay. The intent of the rezoning is to make residential and sell/rent.

Koob asked if the neighbor was in the same boat. Baldwin said the entire area was rezoned. The neighboring property is zoned commercial. It can remain residential as long as the residential use continues. The types of improvements allowed, and the timeline depend on whether 3227 is a Class A or Class B nonconforming use. Any substantial changes to 3227 could only be commercial if the residential use ceases. For the proposed property, the current zoning would allow for a park office/model, but would not allow the future use to convert it to a home to sell once the park is fully developed and office/model is no longer needed.

Hilton asked if a small business with low traffic could move in. The commercial zone is just past the Autism Center. Baldwin stated that only any commercial use permitted in the C-2 could be built on 3219. C-2 is the highest density commercial zone and traffic impact could range from low to high.

Baldwin stated the lots do not go through a traditional split process at the township level. The layout is handled at the State level, similar to a plat. Each structure has a parcel number but they don't own the land. Land is on a parent parcel and taxed separately.

Hilton asked how many structures would be built. Sparling confirmed that two homes when all is said and done. He would make it look nice. He is rated one of the top mobile home parks in the state.

Wilton said the sizes would have to conform to state guidelines.

Wurmlinger asked if the property would have to include a sidewalk. Baldwin said there would have to be some screening between parcels. Previously there was a screening between Diana Nutt and his property.

Wurmlinger asked if site plans haven't come to us yet because it's a mobile home. Baldwin stated the site plan for the office/model will come at a later date.

Hilton asked if it stays C-2, the office would remain limited to commercial use. Wilton confirmed that it would. The intent of the master plan was that the area be zoned C-2. The houses along Keewahdin were zoned commercial.

Koob asked if we rezoned. He can put his office there if it's part of this park. Wurmlinger asked if he'd be selling that off as home when he's done. Baldwin confirmed that yes it would eventually be turned into a home.

Oprita said there are two sides. Sees both and no one likes change. His own road has been developed and wildlife lost but when all is said and done it could be so much worse if left commercial. A Dollar Tree or other business could develop, and when 6 parking lot light poles went up; it would be much more disruptive.

Baldwin stated that she had been inside the home and it was not safe to inspect the basement. The newer addition was also waist high in waste. It wasn't structurally sound.

Sparling has taken down the home and the garage is left but will be removed.

Koob asked if they put grass seed and leveled out. Sparling said they have already leveled and planted seed. It is important for him to have it look nice. He bought the property to clean the entrance.

Motion by Oprita, supported by Koob, to recommend approval of rezoning of 3219 Keewahdin Road, 74-20-021-2006-000, from C-2 to MHR. Vote, Unanimous. Motion Carried

Public Hearing 7-2 continued at this time.

ITEM 7-2: PUBLIC HEARING FOR PROPOSED ZONING TEXT AMENDMENT – SECTION 38-528

Proposed Ordinance 222, text amendment to the Fort Gratiot Zoning Code, Chapter 38; Article IV Special Approval Uses; Section 38-528 Multi-family dwelling units in Office and Commercial District.

STAFF PRESENTATION:

Sharon Wilton gave a brief synopsis of the proposed amendment. Ordinance 210 permitting mixed-use development was effective 09/13/2012 and allows residential dwelling units to be built above ground floor commercial and office use structures within the O-1, O-2, C-1 and C-2 zoning districts with Planning Commission special use approval. The ordinance currently permits residential dwelling units to be constructed on the upper floors of buildings built before 09/13/2012, effectively prohibiting a new development to be built with ground floor office or commercial tenants and residential living above.

PUBLIC COMMENT: Hearing no public comments, Public Hearing 7-2 closed at 7:38 PM.

COMMISSIONER DISCUSSION:

Hilton asked if this would be a commercial building or office on ground level and residential above. Wilton confirmed. The original ordinance covered only existing structures adding residential. We have some interest in new mixed-use developments.

Hilton asked if it would still be considered special use and requests would have to come before the board. Wilton confirmed. Hilton commented on liking the sidewalks requirement.

Wurmlinger asked if it was to be approved to go to the board for a new ordinance. Wilton confirmed.

Koob asked why a new number would have to be assigned. Baldwin stated that the ordinance number is a simply a tracking mechanism, the section number within the chapter will not change. Originally Ordinance 210 changed half a dozen other sections. It's a much cleaner way to update an ordinance by removing the old one all together and starting over.

Buechler stated the way the original ordnance was written was too narrow of scope. We would hate to turn down future development because there wasn't an existing structure.

Baldwin said the goal is to allow the replication of a downtown feel or look in a suburban area. We don't have condos. We have either apartment complexes or single-family homes. This change would add to workforce housing options.

Hilton stated she is excited to see what will come of the update.

Motion by Hilton, supported by Oprita, to recommend approval of Ordinance 222, text amendment to Chapter 38, Article IV Special Approval Uses, Section 38-528, Multi-family dwelling units in Office and Commercial Districts, as presented. Vote, Unanimous. Motion Carried

8. **OLD BUSINESS:** None

9. **NEW BUSINESS:** None

10. **COMMISSIONER UPDATES:** None

11. **ADJOURNMENT**

Motion by Wurmlinger and supported by Buechler to adjourn at 7:43 PM. Vote, Unanimous. **Motion Carried**