

FORT GRATIOT PLANNING COMMISSION REZONING REPORT

Project Name: Hampton Manor Premier Assisted Living		Parcel ID: 74-20-016-2004-000 & 016-2005-000
File Number: 23-005	Meeting Date: 12/12/2023	Location: Section 16, Carrigan Road

1. PROJECT SUMMARY

Property Owner GRAB, Inc.		Applicant (If Not Owner) Hampton Manor Premier Assisted Living, LLC
Current Zoning of Property AG Agricultural		Proposed Zoning of Property R-2 Two-Family Residential
Fort Gratiot Master Plan Zoning Designation High Density Residential		Street Address or Location: V/L south side of Carrigan Road, west of 24th Avenue
Is this proposed rezoning consistent with the master plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Thoroughfare Classification, Road Type, Jurisdiction: Secondary road, gravel, SCC Road Commission
Total Acreage of Site: 10 acres	Total Acreage to Rezone: 10 acres	If there is a proposed use, check required Planning or Zoning approvals. <input checked="" type="checkbox"/> Site Plan Meeting <input checked="" type="checkbox"/> Special Land Use Public Hearing <input type="checkbox"/> Variances <input type="checkbox"/> Other:
Is the rezoning speculative or for a proposed specific use? Rezoning is required for specific use		
Proposed Use (if known) Senior Assisted Living Facility		

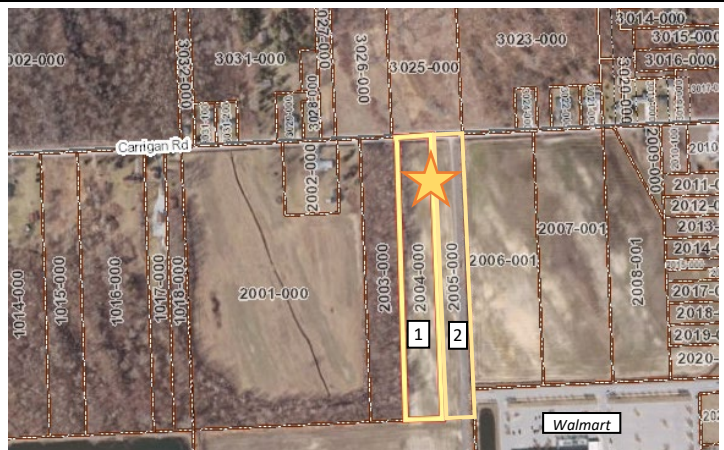
The applicant has requested to rezone two vacant parcels from AG Agricultural to R-2 Two Family Residential. Included in this report are:

- An analysis of the existing and proposed land uses with the master plan designation definitions
- The regulations for the proposed district and the itemized special approval uses
- Applicable sections of the current Fort Gratiot Master Plan, including definitions
- The standards for rezoning
- A recommendation and reasons for action

Rezoning requests are presented one of two ways; speculative only with no specific intended use, or with a specific use which requires the rezoning. This request is specific to a proposed use –a senior living facility – which is not an approved permitted or special land use in an AG district, necessitating the request to rezone to R-2 Two Family Residential. Within this report are the permitted and special approval uses for the R-2 district, and for the purposes of this meeting, the only action to be taken by the PC is to recommend approval or denial to the Fort Gratiot Board of Trustees, who has the final vote. If adopted, the applicant will need to submit for special land use and site plan approval. The applicant has submitted a statement outlining how they feel they have demonstrated compliance with the ordinance, and a sketch of how the site could be designed, both of which are attached.

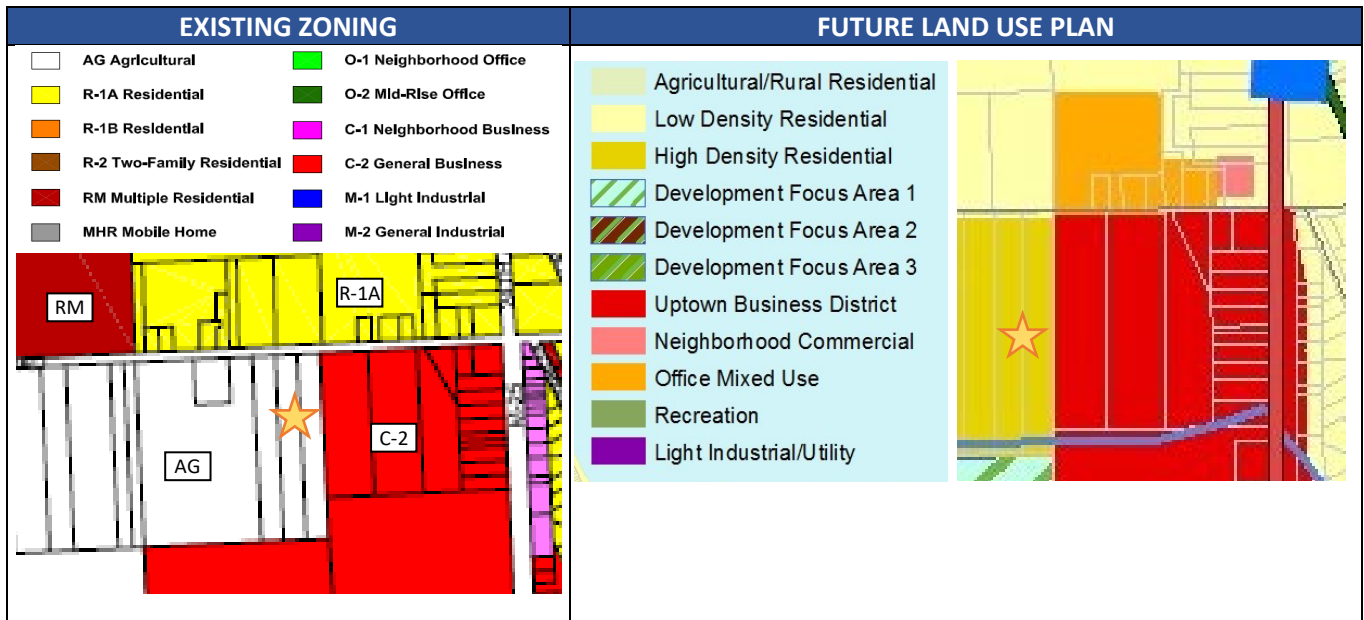
★ **SUBJECT PARCELS**

- Vacant, Carrigan Road
Parcel ID: 74-20-016-2004-000
Legal Description: W 5 A OF E 10 A OF NW ¼ OF NE ¼. SEC 16, T7N R17E
- Vacant, Carrigan Road
Parcel ID: 74-20-016-2005-000
Legal Description: E 5 A OF NW ¼ OF NE ¼. SEC. 16, T7N R17E 5 A



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SUBJECT AREA AND SURROUNDING LANDS ANALYSIS			
	Existing Use	Existing Zoning	Master Plan Designation
Subject	Vacant	AG Agricultural	High Density Residential
North	Vacant	R-1A Single Family Residential	Low Density Residential
South	Vacant	C-2 General Business	Development Focus Area 1
East	Vacant	C-2 General Business	Uptown Business District
West	Vacant	AG Agricultural	High Density Residential

High-Density Residential

In keeping with the objectives for providing opportunities for multiple and medium-density housing, approximately 659 acres are shown on the future land use map. High density residential uses include two-family and multiple family residential uses, as well as manufactured housing parks. High density residential uses include duplexes, apartment and condominium complexes and senior and adult foster care facilities. These sites are intended to provide a transition area between higher density uses and adjacent single-family residential uses.

Development Focus Area 1: The Ponds District

This development focus area, comprised of 165 acres, is located north of Keewahdin Road, west of M-25, behind the Wal-Mart shopping center and adjacent to the Kettlewell and Fort Gratiot ponds. The area that makes up the Ponds District focus area is generally vacant property situated between Township owned recreational land and big-box retail stores along M-25 that are part of the Uptown Business District. This focus area would be ideal for family-friendly, trail/recreation-based retail and services that would take advantage of the Township’s existing parkland and the Fort Gratiot bike path system that meanders through the property. This would connect the Uptown Business District to the recreation amenities along Parker Road. This area could serve as a small town plaza that could host outdoor movies, musical performances, and other community events. Due to the wetland areas on the property, uses will need to be low-impact in nature.

Low-Density Residential and the Uptown Business Districts

These areas follow existing trends of single family (R-1A/R-1B) and heavy commercial (C-2,) respectively.

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REGULATIONS FOR THE PROPOSED DISTRICT

Sec. 38-176. - Statement of purpose.

The R-2 Two Family Residential district is designed to provide sites for two-family dwelling structures and will generally serve as zones of transition between multiple-family residential districts or nonresidential districts and lower density one-family residential districts. It is intended to be used only in those parts of the township which are designated for urban residential use and which have public water and sanitary sewer facilities available. This district is intended to be similar to R-1A and R-1B districts except for the attached rather than detached type of dwelling units, and the slightly higher density resulting from the common use of one lot by two dwellings. It is intended that two-family residential districts will have direct access to a major thoroughfare, primary road, **secondary road** (Carrigan Road) or collector street and not local single-family residential subdivision streets.

Sec. 38-177. - Permitted uses. The following uses are permitted in an R-2 district:

- (1) All principal permitted uses in an R-1A and R-1B district, subject to all requirements for such uses in zoning districts where first permitted. The requirements of section 38-441, Schedule of District Regulations, applicable to the R-1B district shall apply as minimum standards when one-family detached dwellings are erected.
- (2) Two-family dwellings. When proposed as part of a condominium development, the provisions of section 38-172(b) shall govern the review and approval process.
- (3) Off-street parking and loading in accordance with section 38-619.
- (4) Uses similar to the above uses.
- (5) Accessory buildings and uses customarily incident to the above permitted uses.

Sec. 38-178. - Special approval uses.

The following uses may be permitted by the planning commission after public hearing and review of the proposed site plan, subject to the general standards to guide the actions of the planning commission, as specified in section 38-486; subject to all requirements for such uses in zoning districts where first permitted; and to the specific standards for each use itemized in Sec. 38-173 R-1A or R-1B Special Approval Uses:

- (1) Nursery schools, day nurseries and child care centers as provided in section 38-509.
- (2) Group day care homes, as required by Section 16g of Public Act No. 184 of 1943 (MCL 125.286g).
- (3) Utility and public service facilities and uses, excluding storage yards, when operating requirements necessitate the locating of such facilities within the district in order to serve the immediate vicinity as provided in section 38-499.
- (4) Private, noncommercial recreational areas as provided in section 38-506.
- (5) Public and private colleges, universities, and other such institutions of higher learning as provided in section 38-510.
- (6) Public, parochial, and private elementary schools, intermediate schools, and secondary schools.
- (7) Planned unit developments only as permitted and regulated in article V of this chapter.
- (8) Accessory buildings and uses customarily incident to any of the uses permitted by this section.
- (9) Golf courses, not including driving ranges or miniature golf courses as provided in section 38-505.
- (10) Home occupations as provided in section 38-502.
- (11) Churches as provided in section 38-503.
- (12) Public buildings (excluding public works garages and storage yards) as provided in section 38-504.
- (13) Single-family condominium developments as provided in section 38-526.
- (14) High pressure gas and high voltage electric lines as provided in section 38-491.
- (15) Housing exclusively for the elderly and persons with disabilities, including accessory congregate care and assisted living supportive services, but not including nursing homes or convalescent homes, as provided in section 38-527.
- (16) Uses similar to the uses of this section.

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STANDARDS FOR DETERMINATION

1. Will the proposed rezoning be in general conformity with the Master Plan?

Yes, the parcels are located within the High Density Residential District. This area is designed to act as a buffer zone between residential and commercial uses, and to prevent the sprawl of commercial development west on Carrigan Road. The parcels to the east contain the last large tract available for high density commercial. The proposed rezoning is also consistent with the list of planning goals provided for in the master plan. There are very few parcels currently zoned R-2.

2. Would the rezoning constitute a spot zone granting a special privilege to one landowner not available to others?

No. Most of the surrounding parcels are identified in the master plan as uses different than are zoned today, and any land owner could seek rezoning approval.

3. Has there been a change of conditions in the area supporting the proposed rezoning?

Yes, the revised master plan has designated this area as high density residential. Additionally, the rezoning would allow for a senior living facility which is not only a more desirable use as a buffer between commercial and rural residential, but there is a demonstrated need for senior living. According to the St. Clair County Commission on Aging and Council on Aging, there are waitlisted seniors now and very few options locally.

4. Is the change contrary to the established land use pattern?

No. There are several existing single-family homes across Carrigan Road to the northeast, and on both sides of the road east and west, but these properties and the directly adjacent parcels are vacant. It is unlikely that these parcels would be purchased to begin farming, and a single-family home directly west of commercial may not be desirable, either. Two-family or any of the special approval uses in R-1A/R-1B provide the ability for the highest and best use of the properties due to the existing adjacent C-2 zoned lands.

5. Is the change requested out of scale with the needs of the neighborhood or community?

No. There is anecdotal evidence of a lack of workforce housing and duplex opportunities which allow a smaller footprint. As is currently zoned, a single-family home could be built on these properties, or they could potentially be split to a maximum of 5 parcels for a single-family development. A change to R-2 would allow a similar amount of two-family living. As each parcel is 5 acres, farming and having certain types of farm animals will still be permitted in R-2.

6. Will the change be a deterrent to the improvement or development of adjacent property in accord with existing regulations?

No. The R-2 district still allows for anything permitted in AG and R-1A/R-1B, and if a two-family development were to be built, it would not be contrary to the likely single-family uses to the north and west.

7. Will the proposed rezoning substantially decrease the value of or be out of harmony with property in the neighboring area?

No. While the current zoning is AG, the area is mostly vacant or single-family homes on large, mostly wooded, parcels. Because the land at the intersection is commercial, a higher-density residential use between that and the existing rural residential area to the west makes the property more desirable for a use not contrary to residential.

8. Will the rezoning severely impact traffic, public facilities, and the natural characteristics of the areas, or significantly change population density?

No. If duplexes are built, the traffic generated and any other changes would be no more impactful than the construction of single-family homes.

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This request indicates that the reason for the rezoning is for proposed use of a senior living facility:

9. Are public utilities, such as water and sewer, available?

Yes.

10. Is the proposed use appropriate according to the permitted uses for the proposed zoning district?

The proposed use is a permitted special land use in R-2, but is not a permitted use by right. Senior living facilities are not permitted by right or special land use in the AG district. If the Board of Trustees adopts the ordinance amending the zoning map, thereby approving the rezoning, the applicant may then file a request to the Planning Commission for special land use and site plan approval.

11. If special land use approval is required for the proposed use, can the requirements be met?

The sketch submitted by the applicant shows a basic layout of the proposed senior living facility (SLF.) A SLF requires that the access be from a major thoroughfare, meaning the SLF cannot create an entrance off Carrigan Road. The site will be accessed through existing easement agreements utilizing the Kettlewell Audubon, a private road north of Walmart with direct access with an existing traffic signal on 24th Avenue/M-25. The site also shows that the land fronting Carrigan Road will be the rear yard of the SLF with the retention pond being between the nearest parking area and Carrigan Road. Landscaping would also be required between the north side of the retention area and Carrigan Road. Based on parcel size and required setbacks, and without a full detailed site plan which is not required at this time, there appears no reason that the requirements could not be met. Please also refer to the applicant narrative further describing the SLF proposal.

CONCLUSIONS

The Planning Commission could consider recommending* approval of the proposed zoning map amendment, as presented, based on the following reasons:

- The proposed rezoning is consistent with the Fort Gratiot Master Plan, specifically the goals and objectives and the future land use plan.
- The land directly east is the last large tract available for high-density commercial, and the R-2 district allows for high-density residential, which creates a more desirable buffer for the surrounding properties.
- R-2 allows for more uses than AG, and helps protect the rural residential in the area by preventing office or commercial sprawl.
- There is a lack of R-2 zoned land, and both duplex developments and senior living facilities are in more demand.
- Rezoning to R-2 does not prohibit most of the uses currently permitted in AG.

ACTIONS: Regardless of the action taken, the decision MUST be accompanied by reasons for such action.

1. Recommend the Board of Trustees deny the request; or
2. Recommend the Board of Trustees approve the request as presented.

Reasons: Demonstrated compliance/non-compliance/other with the required standards and findings for making determinations, specifically: [Planning Commission determination]

**The Fort Gratiot Planning Commission holds a public hearing and makes a recommendation, and then forwards the complete copy of the packet, including draft minutes, to the St. Clair County Metropolitan Planning Commission (SCCMPC.) Pursuant to the Michigan Zoning Enabling Act, the SCCMPC has 30 days to review and make recommendation. Upon receipt of the recommendations from the Fort Gratiot and St. Clair County planning commissions, the Fort Gratiot Board of Trustees will introduce the proposed rezoning, which is considered a map amendment, for approval at a regular meeting. If approved, the amendment will be published and after publication, can be formally adopted at the next meeting.*