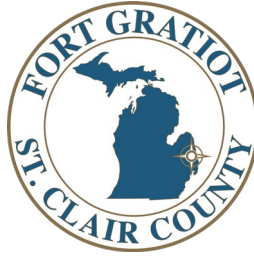


Robert C. Crawford, Supervisor  
 Robert Buechler, Clerk  
 George Wells, Treasurer



Scott Bradley, Trustee  
 Linda Bruckner, Trustee  
 George Kish, Trustee  
 Adam Armbruster, Trustee

**FORT GRATIOT CHARTER TOWNSHIP PLANNING COMMISSION  
 NOTICE OF REQUEST TO REZONE**

**PLEASE TAKE NOTICE** that a Public Hearing will be held at a regular meeting of the Fort Gratiot Planning Commission for the purpose of reviewing a request to rezone, to hear comments and/or objections and to take action. You are receiving this notice because all property owners within 300’ of the property described herein, by law, must be notified. The applicant, owner, or a representative must be present for the Planning Commission to take action on the request.

Property Owner GRAB, Inc.	Applicant (If Not Owner) Hampton Manor Premier Assisted Living, LLC	
Current Zoning of Property AG Agricultural	Parcel Identification Number(s) 74-20-016-2004-000 & 74-20-016-2005-000	
Proposed Zoning of Property R-2 Two-Family Residential	Street Address or Location: Vacant lots, south side of Carrigan Road, west of 24 <sup>th</sup> Avenue	
Fort Gratiot Master Plan Zoning Designation High Density Residential	Total Acreage of Site: 10 acres	Total Acreage to Rezone: 10 acres
Is this proposed rezoning consistent with the master plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Proposed Use (if known) Senior Assisted Living Facility	
Use and zoning of surrounding/adjacent parcels North: Vacant, R-1A Single Family Residential South: Vacant, C-2 General Business East: Vacant, C-2 General Business West: Vacant, AG Agricultural	If there is a proposed use, are additional Planning Commission approvals required? <input checked="" type="checkbox"/> Site Plan Meeting <input checked="" type="checkbox"/> Special Land Use Public Hearing	
	Zoning Code Section(s) for the proposed district: 38-176 through 38-179 – R-2 Two Family Residential District	

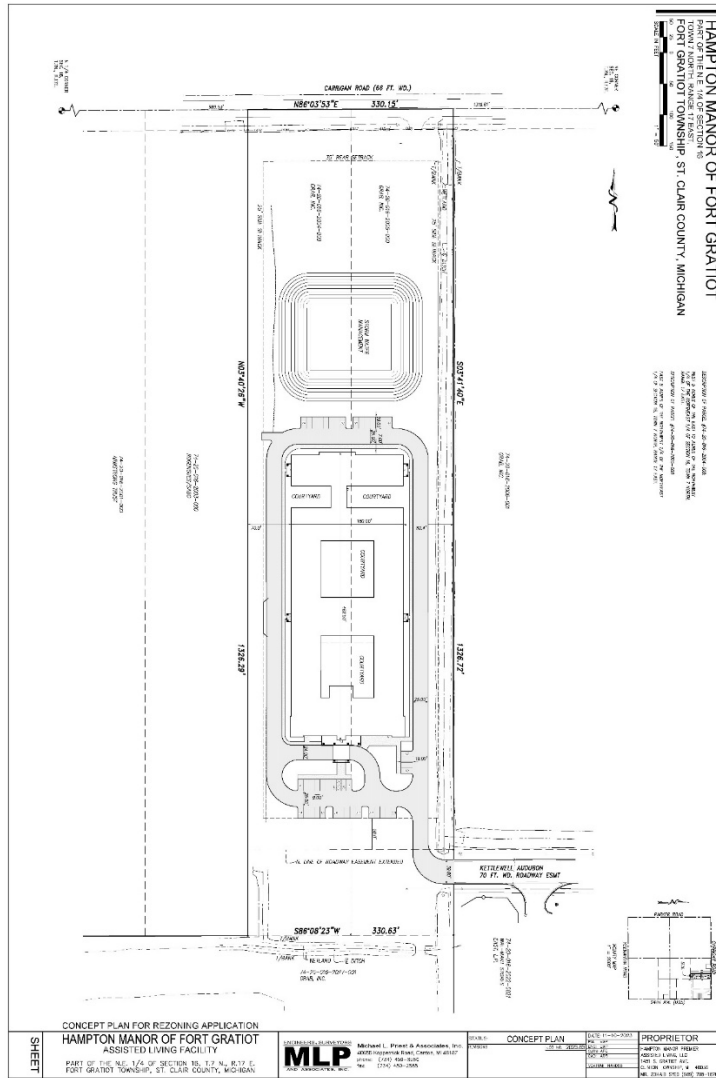
Meeting Time/Date: **7:00 o'clock p.m. on Tuesday, December 12, 2023**

Location: **Fort Gratiot Municipal Center, 3720 Keewahdin Road, Fort Gratiot, Michigan 48059**

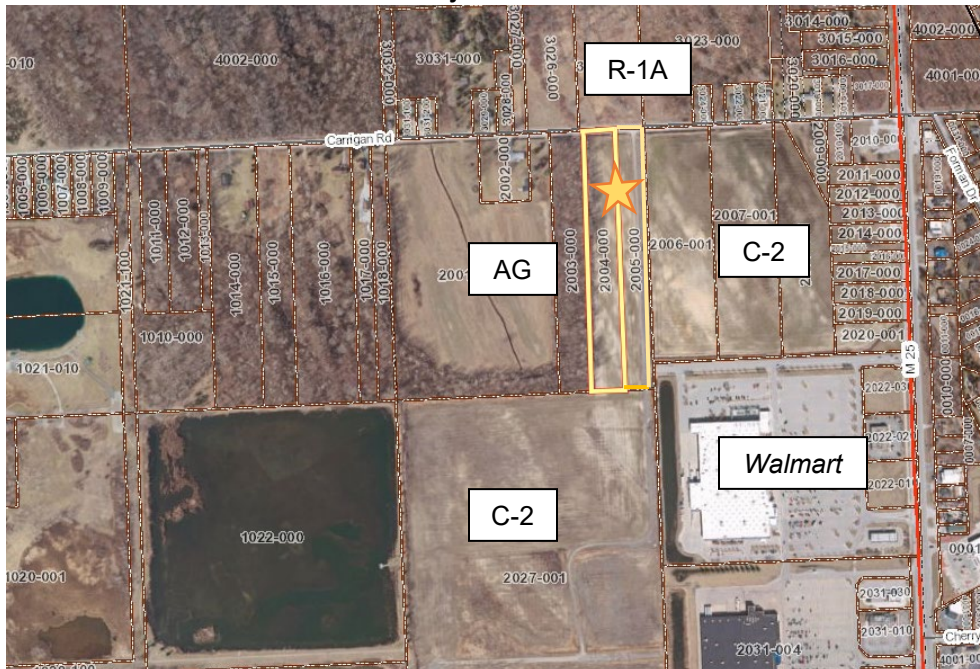
If you have any questions or concerns regarding this request, please contact the Office of Community Development at [planning@fortgratiot.us](mailto:planning@fortgratiot.us) or by phone at (810) 385-4489, prior to the meeting date. The request can be reviewed online at [fortgratiot.us](http://fortgratiot.us) or in person at the Fort Gratiot Municipal Center during regular business hours. Written comments may be submitted in person, by email or mail until 4:00 p.m. on the day of the meeting.

Fort Gratiot Charter Township complies with the Americans with Disabilities Act. If auxiliary aids or services are required at the meeting for individuals with disabilities, please contact the Fort Gratiot Clerks Office three days prior to meeting date by phone at (810) 385-4489, in person or by mail to 3720 Keewahdin Road, Fort Gratiot, Michigan 48059.

**\* \* \* D R A W I N G   O N   R E V E R S E   \* \* \***



★ Subject Parcels



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

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.

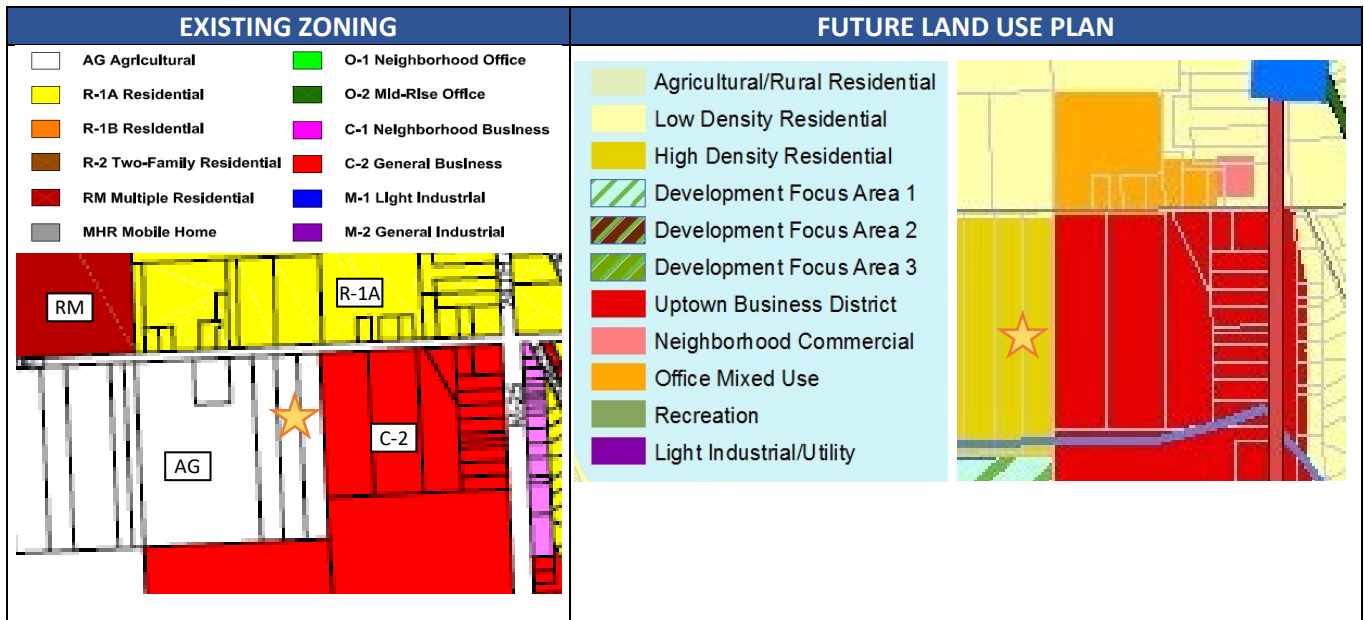
★ **SUBJECT PARCELS**

- 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



**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	



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

**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

**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.

## 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

### 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.

## 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

***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 24<sup>th</sup> 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.

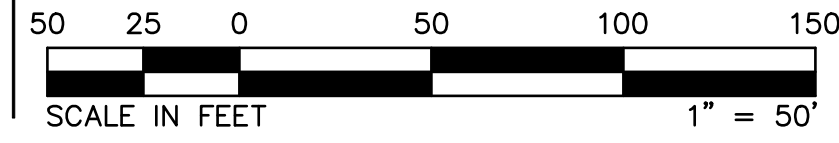
### **ACTIONS: Regardless of the action taken, the decision MUST be accompanied by reasons for such action.**

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]

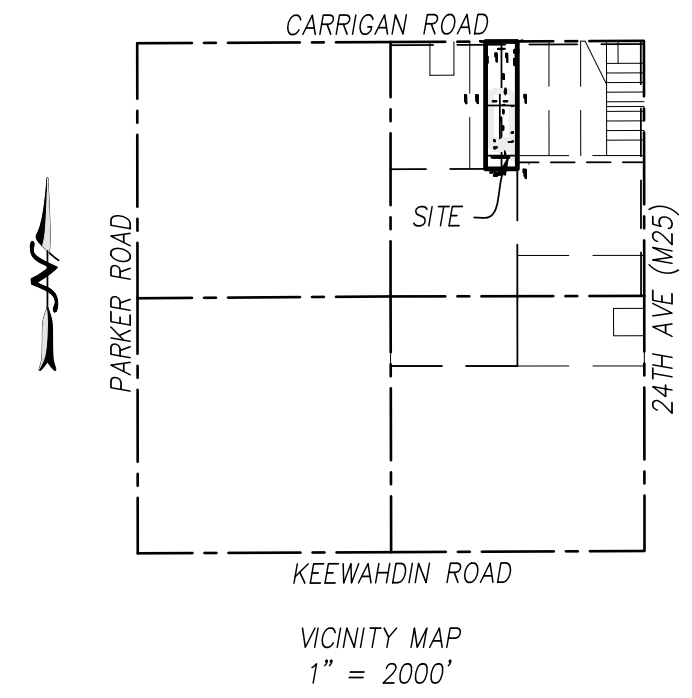
*\*The Fort Gratiot Planning Commission holds a public hearing and makes a recommendation, and then forwards the complete copy of the packet, including draft minutes, to the St. Clair County Metropolitan Planning Commission (SCCMPC.) Pursuant to the Michigan Zoning Enabling Act, the SCCMPC has 30 days 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.*

**HAMPTON MANOR OF FORT GRATIOT**  
 PART OF THE N.E. 1/4 OF SECTION 16  
 TOWN 7 NORTH, RANGE 17 EAST,  
 FORT GRATIOT TOWNSHIP, ST. CLAIR COUNTY, MICHIGAN



DESCRIPTION OF PARCEL #74-20-016-2004-000:  
 WEST 5 ACRES OF THE EAST 10 ACRES OF THE NORTHWEST  
 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWN 7 NORTH,  
 RANGE 17 EAST.

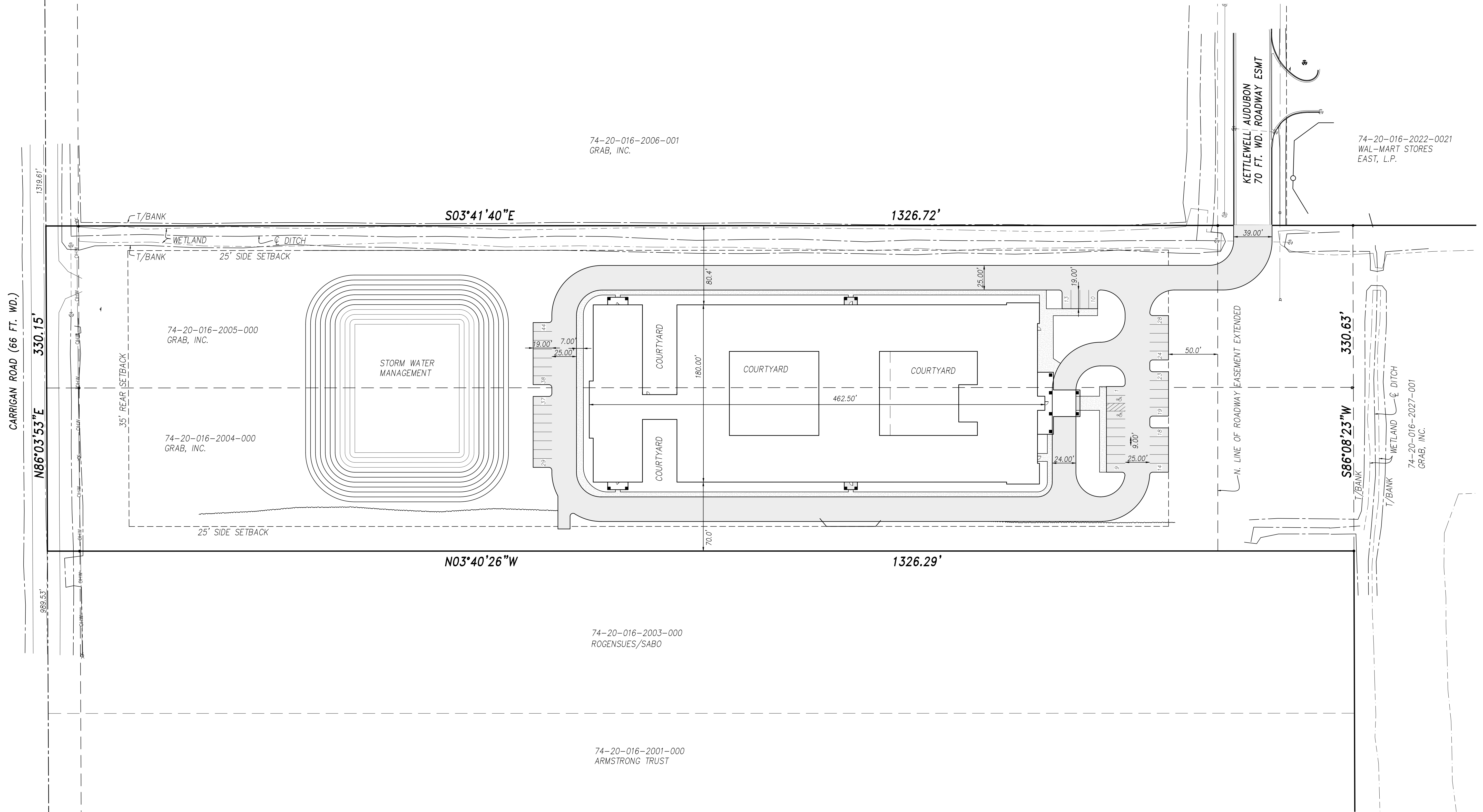
DESCRIPTION OF PARCEL #74-20-016-2005-000  
 EAST 5 ACRES OF THE NORTHWEST 1/4 OF THE NORTHEAST  
 1/4 OF SECTION 16, TOWN 7 NORTH, RANGE 17 EAST.



NE CORNER  
 SEC. 16,  
 T.7N., R.17E.



N 1/4 CORNER  
 SEC. 16,  
 T.7N., R.17E.



CONCEPT PLAN FOR REZONING APPLICATION  
**HAMPTON MANOR OF FORT GRATIOT**  
 ASSISTED LIVING FACILITY  
 PART OF THE N.E. 1/4 OF SECTION 16, T.7 N., R.17 E.  
 FORT GRATIOT TOWNSHIP, ST. CLAIR COUNTY, MICHIGAN

SHEET

ENGINEERS-SURVEYORS  
**MLP**  
 AND ASSOCIATES, INC.  
 Michael L. Priest & Associates, Inc.  
 40855 Koppemick Road, Canton, MI 48187  
 phone: (734) 459-8560  
 fax: (734) 459-2585

STATUS: CONCEPT PLAN  
 REVISIONS

DATE: 11-10-2023  
 PROPRIETOR: HAMPTON MANOR PREMIER ASSISTED LIVING, LLC  
 1451 S. GRATIOT AVE.  
 CLINTON TOWNSHIP, MI 48036  
 MR. ZOHAB SYED (988) 708-1878



Request to Rezone  
Filing Fee: \$ 1,250

**PAID**  
NOV 14 2023  
**Fort Gratiot Charter Township**  
**PETITION TO REZONE**

File Number: PC23-005

Please complete in full the information below. Return this application, filing fee, and the appropriate attachments to the Office of Community Development. The application must be received at least thirty days prior to the next regularly scheduled meeting. A public hearing will only be scheduled if the submittal is complete.

Property Owner <b>GRAB, INC.</b>	Applicant (If Not Owner) <b>HAMPTON MANOR PREMIER ASSISTED LIVING, LLC</b>
Mailing Address <b>C/O FKBR, PC 333 FORT ST</b>	Mailing Address <b>1451 S. GRATIOT AVE</b>
City/State/Zip <b>PORT HURON, MI 48060</b>	City/State/Zip <b>CLINTON TOWNSHIP, MI 48036</b>
Phone <b>810 987 2727</b>	Phone <b>989 708 1878</b>
Email <b>tblount@delacyrealestate.com</b>	Email <b>zohaibsyed@buildseniorhousing.com</b>
Alternate Contact Info	Alternate Contact Info <b>EVAN PRIEST, P.E.,P.S., evanpriest@mlpassoc.com</b>

**This application must be signed by the property owner(s.) In lieu of a signature on this application, the owner may provide a letter authorizing the applicant to act on his/her behalf. This application will not be processed until authorized by the property owner(s.)**

Current Zoning of Property <b>AG - AGRICULTURAL</b>	Parcel Identification Number(s) <b>74-20- -016-2005-000 &amp; -016-2004-000</b>
Proposed Zoning of Property <b>R2 TWO FAMILY RESIDENTIAL</b>	Street Address or Location: <b>V/L CARRIGAN ROAD WEST OF 24TH AVE</b>
Township Master Plan Zoning Designation <b>HIGH DENSITY RESIDENTIAL</b>	Is this proposed rezoning consistent with the Fort Gratiot Master Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Zoning of Surrounding/Adjacent Parcels N: <b>R-1A</b> S: <b>C-2</b> E: <b>C-2</b> W: <b>AG</b>	Total Acreage of Site: <b>10</b> Total Acreage to Rezone: <b>10</b> Proposed Use (if known) <b>SENIOR ASSISTED LIVING</b>

**Required Attachments. All attachments shall also be submitted electronically, via email or USB drive. Faxed copies are not accepted.**  
A statement indicating why the change requested is necessary for the preservation and enjoyment of substantial property rights and why such change will not be detrimental to the public welfare, nor the property of other persons located in the vicinity, thereof, and specifically:

- Is the change in conformance with the Township Master Use Plan?
- Is the change contrary to the established land use pattern?
- Would change create an isolated district unrelated to similar districts? (i.e., is this "spot zoning"?)
- Would change alter the population density pattern and thereby increase the load on public facilities, e.g. schools, water, sewer?
- Will the change adversely influence living conditions in the surrounding area?
- Will the change create or excessively increase traffic congestion?
- Will the change be a deterrent to the improvement or development of adjacent property in accord with existing regulations?
- Will the change constitute a grant of a special privilege to an individual as contrasted to the general welfare?
- Three (3) sets not greater than a scale of 1" = 20', and seven (7) sets of 11 x 17 of a survey or scaled sketch with the legal description of all land included in the request. If the request is not speculative and has a proposed use, the survey/sketch shall also include a basic site layout of the proposed use, including buildings and ingress/egress points.

If the change is being requested for a specific use, these additional items shall be addressed in the statement, and survey/scaled drawings submitted as follows:

- Are there substantial reasons why the property cannot be used in accord with existing zoning?
- Is the change requested out of scale with the needs of the neighborhood or community?
- Is it impossible to find adequate sites for the proposed use in existing districts permitting such use?
- Will the proposed use meet the schedule of district regulations set forth for such a use/zone? Attach sketch or survey.
- If special land use approval is required for the proposed use, can the requirements be met?
- Are public utilities, such as sewer and water, available?

The undersigned deposes that foregoing statements, answers, and accompanying information are true and correct and grants permission for authorized township representatives, Planning Commissioners and the Zoning Administrator to enter the above described property/properties for the purposes of gathering information related to this application.

LEGAL OWNER SIGNATURE

APPLICANT SIGNATURE

DATE

**DO NOT WRITE BELOW THIS LINE – TOWNSHIP USE ONLY**

Date Received <b>11/14/2023</b>	Publication/Mailing Date <b>11/27/2023</b>	Public Hearing Date <b>12/12/2023</b>
Date to SCC Metro Planning	Date of Twp Board Meeting-Introduction of Ordinance	Recommendation: <input type="checkbox"/> Approve <input type="checkbox"/> Deny <input type="checkbox"/> Postpone
Recommendation: <input type="checkbox"/> Approve <input type="checkbox"/> Deny <input type="checkbox"/> Further Review	Action: <input type="checkbox"/> Approve <input type="checkbox"/> Deny <input type="checkbox"/> Refer back to PC	Date of Twp Board Meeting-Adoption of Ordinance <input type="checkbox"/> Approved <input type="checkbox"/> Denied

STATEMENTS FOR ATTACHMENT TO PETITION TO REZONE

FOR PARCELS 74-20-016-2005-000 & 74-20-016-2004-000, NORTHEAST ¼ SECTION 16

Regarding the listed questions to answer on the Petition To Rezone:

1. *Is the change in conformance with the Township Master Use Plan?*

The Future Land Use plan designates these parcels as “High Density Residential”. High Density Residential is generally associated with the RM Multiple Family and MHP Mobile Home Park Districts.

2. *Is the change contrary to the existing land use pattern?*

Most of the abutting properties are currently vacant. There is a single family home 2 parcels to the west and a Walmart directly south east of the subject parcels.

3. *Would change create an isolated district unrelated to similar districts? (i.e. is this “spot zoning”)?*

The applicant believe that the proposed zoning is an appropriate transition between the heavy commercial development existing to the south east (and zoning directly to the east) and the residential zoning north of Carrigan.

4. *Would change alter the population density pattern and thereby increase the load on public facilities, e.g. schools, water, sewer?*

The proposed use will not require schools and will use less water and sewer than a typical residential development per capita.

5. *Will the change adversely influence living conditions in the surrounding area?*

The change will allow the applicant to come forward with a development plan for a premier assisted living facility which, it is hoped, would be a valuable asset to the community.

6. *Will the change create or excessively increase traffic congestion?*

The use planned will not generate an excessive amount of traffic.

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

No.

8. *Will the change constitute a grant of a special privilege to an individual as contrasted to the general welfare?*

No.

Additional items to be addressed per the Petition:

1. *Are there substantial reasons why the property cannot be used in accord with the existing zoning?*

We are not aware of any reason the site could not be used for agricultural purposes.

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

We do not believe so, as noted above we believe the proposed development would be a great asset to the community upon completion.

3. *Is it impossible to find adequate sites for the proposed use in existing districts permitting such use?*

Yes.

4. *Will the proposed use meet the schedule of regulations set forth for such a use/zone? Attach sketch or survey.*

According to the use specific requirements for the proposed use, senior assisted living, the project is subject to the setbacks set forth in the schedule of regulations for the RM district. The attached concept sketch depicts these and shows how a proposed building would fit accordingly.

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

The proposed use is "Housing for Elderly.". The use specific requirements for the use are:

1. The lot or parcel shall maintain continuous minimum frontage upon a paved major thoroughfare or secondary thoroughfare, as defined in the township thoroughfare plan, as follows: Small Development (24 units or less): 100 ft; Moderate Development (25-90 units): 150 ft; Large Development (100 units or more): 200 ft.

The parcel is accessed via a roadway easement, the "Kettlewell Audubon". The easement is 70 feet wide and the existing pavement is approximately 39 feet wide.

2. The lot or parcel shall abut land, directly or across a street, which is zoned for other than single family, two family or agricultural use on at least one side.

The parcel abuts land zoned commercial to the east.

3. The lot or parcel shall have a minimum area of not less than 2.5 acres. In calculating the minimum land area required per dwelling unit, the following schedule shall govern: For congregate care/assisted living"

Congregate Care/Assisted Living	Land Required per Unit
Efficiency/studio	1,400 square feet
One bedroom	2,800 square feet
Two bedroom	4,200 square feet

The parcels are approximately 438,262 square feet. According to the table, this would support 104 two bedroom units. While the building is not yet designed with a specific number of units, it is anticipated that it would be less than that and that the land would support the proposed total number of units.

4. The minimum floor area (as measured from the inside face of exterior walls and centerline of party wall partitions) of dwelling units equipped with complete individual kitchen/kitchenette shall be as follows:

Efficiency unit	400 square feet
One-bedroom unit	525 square feet
Two-bedroom unit	720 square feet

The floor plan is being developed. Each unit will have a kitchenette.

5. The minimum floor area (as measured from the inside face of exterior walls and centerline of party wall partitions) of dwelling units not equipped (or only partially equipped) with individual kitchen/kitchenette shall be as follows:

Efficiency unit	320 square feet
One bedroom unit	480 square feet
Two bedroom unit	640 square feet

6. Are public utilities, such as sewer and water, available?  
It is our understanding that utilities are available at the south east corner of the property.
7. The maximum height of the buildings shall be three stories or 35 feet.  
The proposed facility is a one story building which should not have an issue to comply with this.
8. Setbacks and building spacing shall be the same as required in division 4, article III of this chapter for the RM multiple-family residential district, except that three-story buildings shall be set back a distance not less than their height and

not less than 50 feet on any side adjacent to single-family, two-family and agricultural zoning districts.

As noted above, the attached drawing shows the RM requirements and that the concept plan should be able to meet them.

9. The maximum percentage of the lot or parcel which may be covered by buildings shall be 25 percent, exclusive of road rights-of-way, existing or planned.  
We calculate the lot coverage to be approximately 17% on the concept plan.
  
10. Passive outdoor recreational areas such as, but not limited to, walking paths, seating accommodations and landscaped gardens, shall be provided for residents in a location, configuration and extent approved by the planning commission.  
Amenities for this project have not yet been designed however each Hampton Manor provides all of the above noted items and probably more in the courtyard areas noted on the plan.

7:01 o'clock p.m. Chairperson Buechler calls the meeting of the Planning Commission to order.

**1. ROLL CALL**

PRESENT: Buechler, Koob, Mills, Muir, Oprita

ABSENT: Hilton, Wurmlinger

ALSO PRESENT: Courtney Landreville, Recording Secretary  
 Jorja Baldwin, Zoning/Planning Consultant  
 Leslie Accardo, Auburn Hills  
 Evan Priest, Canton  
 Zohaib Syed, Hampton Manor Premier Assisted Living, LLC  
 Bill Shagena, Fort Gratiot  
 Cindy Wile, Fort Gratiot  
 Dave & Sandy Heyboer, Fort Gratiot  
 Schultz Family McDonalds, Fort Gratiot  
 Vance Richardson, Fort Gratiot  
 Shane Richardson, Fort Gratiot  
 Laura Campbell, Fort Gratiot  
 Angela Defrain, Fort Gratiot

**2. APPROVAL OF AGENDA: December 12, 2023**

**Motion by Muir, supported by Oprita, to approve the agenda as printed and posted.  
 Voice Vote, 5/0. Motion Carried.**

**3. APPROVAL OF MINUTES: October 10, 2023 and November 08, 2023**

**Motion by Muir, supported by Oprita, to approve the minutes of the October 10, 2023 regular meeting as presented.  
 Voice Vote, 5/0. Motion Carried.**

**Motion by Koob, supported by Mills, to approve the minutes of the November 08, 2023 special meeting as presented.  
 Voice Vote, 5/0. Motion Carried.**

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

- DNR Grants awarded for campground and trail system
- Budgets
- Shop with a Hero

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

No comment

**6. PUBLIC COMMENT**

Angela Defrain – Solar meeting, sidewalks along business on 24<sup>th</sup> Ave  
 Vance Richardson – Petitions on website, Portside Solar  
 Cindy Wile – Solar meeting/Portside Solar

**7. PUBLIC HEARING:**

**ITEM 7-1 REQUEST TO REZONE FROM AG AGRICULTURAL TO R-2 TWO-FAMILY RESIDENTIAL**

<i>Property Owner</i> GRAB, Inc.	<i>Applicant (If Not Owner)</i> Hampton Manor Premier Assisted Living, LLC	
<i>Current Zoning of Property</i> AG Agricultural	<i>Parcel Identification Number(s)</i> 74-20-016-2004-000 & 74-20-016-2005-000	
<i>Proposed Zoning of Property</i> R-2 Two-Family Residential	<i>Street Address or Location:</i> Vacant lots, south side of Carrigan Road, west of 24 <sup>th</sup> Avenue	
<i>Fort Gratiot Master Plan Zoning Designation</i> High Density Residential	<i>Total Acreage of Site:</i> 10 acres	<i>Total Acreage to Rezone:</i> 10 acres

**PROPERTY OWNER/APPLICANT PRESENTATION:** Evan Priest, Engineering/Surveyor for GRAB, Inc. The first part of the process for their proposal is rezoning for their first-class facility to be built. Zohaib Syed, Hampton Manor Premier Assisted Living, LLC, can answer any questions.

Oprita asked if they have other facilities, Syed stated they have 15 in Michigan and Illinois, Florida, Missouri, and Texas. Koob asked what level of care the facility will offer. Syed stated they have independent, assisted and memory care. It is a single-story state licensed facility. Most needed facilities are offered in the building and Hampton Manor offers transportation to outside appointments. Koob mentioned there is no access off of Carrigan Road. Offers a maximum of 76 units.

**Motion by Buechler, supported by Muir, to open the public hearing for Item 7-1.  
Voice Vote, 5/0. Motion Carried. Public Hearing Opened at 7:20 P.M.**

**PUBLIC HEARING CITIZEN COMMENT:**

Dave Heyboer – Attorney for GRAB, Inc can answer any questions

Cindy Wile – Opposed for new assisted living facility, master plan

Angela Defrain – Ambulance noise, support for rezoning but not for assisted living, middle class housing

Shane Richardson – Have they had planning/development delays or current/prior lawsuits?

**Motion by Oprita, supported by Muir, to close the public hearing for Item 7-1.  
Voice Vote, 5/0. Motion Carried. Public Hearing Closed at 7:29 P.M.**

**BOARD DISCUSSION:**

Explanation of rezoning process by Baldwin. Baldwin stated the uses between R-2 and agricultural for this area and what will be allowed if rezoned. The only access for the proposed use is the Kettlewell Audubon. The master plan identifies these parcels as high density residential; R-2 does not allow high rise apartments, but allows for duplexes and the senior living facility as a special land use.

Oprita mentioned the traffic not having access to Carrigan Road from the proposed facility and filtering through the stop light is preferred. He mentioned middle class housing is needed but behind Provencal Preserve is potentially going to assist in that need.

Baldwin mentioned work force housing is a huge need; and regional studies have shown a shortage of housing options for people to age in place or in a facility close by. There is a need for R-2 duplex living for both the aging and other generations looking for minimal upkeep.

Koob mentioned Cindy Wile's comment from Koob's statement from the solar meeting. He said this project fits the definition of being gradual, logical, and a buffer between C-2 and residential; and being concerned about sidewalk availability, which can be addressed during site plan.

**Motion by Buechler, supported by Oprita, to recommend approval for the request to rezone vacant lots on Carrigan Road, parcels 74-20-016-2004-000 and 74-20-016-2005-000, from AG Agricultural to R-2 Two Family Residential, based on the full rezoning report and the following reasons:**

1. The proposed rezoning is consistent with the Fort Gratiot Master Plan, specifically the goals and objectives and the future land use plan.
2. 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.
3. R-2 allows for more uses than AG, and helps protect the rural residential in the area by preventing office or commercial sprawl.
4. There is a lack of R-2 zoned land, and both duplex developments and senior living facilities are in more demand.
5. Rezoning to R-2 does not prohibit most of the uses currently permitted in AG.

**Roll Call Vote: Yay: Koob, Mills, Oprita, Muir, Buechler; Nay: None.  
Motion Carried. Rezoning recommended for approval.**

8. **UNFINISHED BUSINESS:** None

9. **NEW BUSINESS:**

**Item 9-1: SITE PLAN APPROVAL FOR CHICK-FIL-A, 4783 24<sup>TH</sup> AVENUE / 74-20-016-2031-010**

**APPLICANT:** PEA Group, Leslie Accardo, 1849 Pond Run, Auburn Hills, Michigan 48326

**REQUEST:** Site Plan Approval for proposed 5,100 square foot Chick-fil-A restaurant

**LOCATION:** 4783 24<sup>th</sup> Avenue (Meijer outlot, former Golden Corral site)

**PARCEL#:** 74-20-016-2031-010

**APPLICANT PRESENTATION: *Attached slideshow***

- Family oriented and locally owned
- Donations to local food bank and team member scholarships
- Providing 50 stacking spaces for drive-thru
- No direct access for 24<sup>th</sup> Ave, access through Meijer parking lot
- Bike racks, new landscaping, and sidewalk access

**BOARD DISCUSSION:**

Muir asked estimated construction time, Accardo stated they would start in Spring – April/May and finished October/November.

Buechler asked if employees are outside, Accardo said yes, weather depending, employees will be out taking orders under the drive-thru canopy. Buechler mentioned the engineering report stated Fort Gratiot requires an additional handicap space.

Oprita mentioned he has been to many other locations and asked if this location is larger than normal lot. Accardo said yes, this size is preferred.

Koob mentioned comments received on the sidewalk placement. Accardo stated a lot of research was done and they decided to put it right after the drive-thru boards where customers are stopped. It is not a straight walkway therefore bikes and pedestrians will have to slow down before crossing. Koob is also concerned about the walkway on the west side of the property going into Meijer parking lot with no extra signage. Chick-Fil-A has an agreement with Meijer to use their parking lot. Koob is requesting more signage for the crossing into Meijer to ensure safety. Storm drainage was mentioned as there is none on-site, it is linked to behind Meijer.

**Motion by Mills, supported by Koob, to grant the site plan approval for Chick-fil-A, 4783 24<sup>th</sup> Avenue, 74-20-016-2031-010 with the following conditions:**

1. **Provide one additional ADA parking spot.**
2. **Signage and pavement markings on the crosswalk on the west of the site connecting the onsite parking and offsite overflow parking areas.**

**Voice Vote 5/0. Motion Carried. Conditional Site Plan approval granted.**

10. **COMMISSIONER UPDATES:**

- Outside self-storage facility – not interested in reviewing
- Accessory structure with living space
- January meeting will be held
- Solar updates with the state

11. **ADJOURNMENT**

**Motion by Koob, supported by Oprita, to adjourn. Voice Vote, 5/0. Time, 9:05 P.M.**



**CITIZENS WISHING TO MAKE PUBLIC COMMENT**

Please fill in the following information and give this card to the Chairperson prior to the start of the meeting.

Date: 12-12-23

Name: Angela Defrain

Address: [unclear]

C/S/Z: [unclear]

I do not wish to speak, but I would like my name and position made part of the minutes:  Support  Opposed

**Please note, comments are limited to three (3) minutes once per person. This is not a Q&A format. Yielding time is not permitted.**

Topic: Rezoning  
Chick fil a

Optional:  
 Support  
 Opposed

**CITIZENS WISHING TO MAKE PUBLIC COMMENT**

Please fill in the following information and give this card to the Chairperson prior to the start of the meeting.

Date: 12/12/23

Name: Vance Richardson

Address: [unclear]

C/S/Z: 4126 Coxe Rd

I do not wish to speak, but I would like my name and position made part of the minutes:  Support  Opposed

**Please note, comments are limited to three (3) minutes once per person. This is not a Q&A format. Yielding time is not permitted.**

Topic: [unclear]

Optional:  
 Support  
 Opposed

**CITIZENS WISHING TO MAKE PUBLIC COMMENT**

Please fill in the following information and give this card to the Chairperson prior to the start of the meeting.

Date: 12/12/23

Name: Dave Herzog

Address: [unclear]

C/S/Z: 3051 Commerce Dr

I do not wish to speak, but I would like my name and position made part of the minutes:  Support  Opposed

**Please note, comments are limited to three (3) minutes once per person. This is not a Q&A format. Yielding time is not permitted.**

Topic: Genzel Hampton  
Rezoning

Optional:  
 Support  
 Opposed

**CITIZENS WISHING TO MAKE PUBLIC COMMENT**

Please fill in the following information and give this card to the Chairperson prior to the start of the meeting.

Date: 12/12/2023

Name: Cindy Wile

Address: 3136 Roosevelt Ave  
Fort Greent

C/S/Z: [unclear]

Topic: Rezoning A9 to R2 for Assisted Living. Opposed

**Please note, presentations are limited to three (3) minutes once per person. Yielding time is not permitted.**

