



AGENDA – PLANNING COMMISSION MEETING

April 5, 2023

6:00 PM

- I. Call to Order**
- II. Roll Call**
- III. Adoption of April 5, 2023 Agenda**
- IV. Minutes of the Regular Meeting of March 1, 2023**
- V. Public Comment and Correspondence**
- VI. Consideration of Applications**
- VII. New Business**
- VIII. Old Business**
 - A. Zoning Map Amendment – From I-1, Light Industrial to I-2, General Industrial for 523 - 543 E. Washington Avenue (Parcel 6-01330) and E. Washington Avenue (Parcel 6-0137.A0).
- IX. Commissioner Comments**
- X. Next Meeting Reminder May 3, 2023 at 6:00 PM**
- XI. Adjournment**



MINUTES – PLANNING COMMISSION MEETING

March 1, 2023
6:04 PM

MEMBERS PRESENT: Daniel Mahoney, James Johnson, Jonathan Greene, Conner Wood, Clyde Mauldin, Laura Schlecte, and Chelsea Poole

MEMBERS ABSENT: Sarah Saucedo

STAFF PRESENT: Chris Atkin, Director of Planning

I. Call to Order

Chairperson Wood called the meeting to order at 6:00 pm.

II. Roll Call

III. Adoption of Agenda

Commissioner Mahoney moved to approve the agenda as presented. Support by Commissioner Schlecte.

Motion passed by voice vote.

IV. Minutes of the Regular Meeting of February 1, 2023

Commissioner Schlecte moved to approve the February 1, 2023 meeting minutes as presented. Support by Commissioner Mauldin.

Motion passed by voice vote.

V. Public Comment and Correspondence

No comment or correspondence to report.

VI. Consideration of Applications

A. 529 E. Washington Avenue (Parcel 6-01330) and E. Washington Avenue (Parcel 6-0137.A0) Zoning Map Amendment from I-1, Light Industrial to I-2, General Industrial.

Planner Atkin informed the commission members of the issue having the public hearing notice published in the local circulation and advised that the hearing needs to be postponed until April 5, 2023.

Chairperson Wood opened the public hearing at 6:06 pm.

Chairperson Wood closed the public hearing at 6:06 pm.

Commissioner Schlecte moved to postpone the map amendment request for 529 E. Washington Avenue (Parcel 6-01330) and E. Washington Avenue (Parcel 6-0137.A0) from I-1, Light Industrial to I-2, General Industrial until April 5, 2023. Support from Commissioner Mahoney.

Motion passed unanimously by roll call vote.

VII. New Business

Review and discussion of letter from Matthew A. Kuschel, dated February 21, 2023, regarding the reconsideration of 1101 W. Franklin Street Conditional Use Permit.

APPLICANT/PUBLIC COMMENTS

Matt Kuschel, Attorney for the applicant, presented additional background of the site and these items should have been considered when the applicants conditional use permit was denied.

- 1) The site was formally a church and received a conditional use permit;
- 2) Conditional uses run with the land;
- 3) The former church was granted a supplemental variance for reduction of minimum parking requirements;
- 4) Traffic volume is less than volume generated by a church; and
- 5) Less foot traffic is less than church foot traffic.

Mr. Kuschel went on to explain that to reduce traffic congestion, the applicant will increase the time between classes/session from fifteen (15) minutes to thirty (30) minutes; new on-street parking was installed when W. Franklin Street was reconstructed; and because not all members were present for the September 7, 2022 Planning Commission meeting that the request to reconsider the conditional use permit application should be approved.

Commissioner Johnson asked what the current hours of operation are: M-F 5:00 – 9:00PM and Saturday 9:00AM – noon.

Commissioner Johnson then asked if classes are continuing.

Mr. Kuschel stated he was not aware of a letter being issued to the applicate indicating the classes needed to stop.

Staff informed Mr. Kuschel that a zoning violation/cease and desist letter was sent to the applicant in April 2022 and a confirmation letter regarding denial of the requested conditional use was sent in September 2022.

Commissioner Schlecte asked Commissioner Mauldin his opinion of conditional uses run with the land.

Commissioner Mauldin confirmed the conditional use for the church runs with the property but does not transfer to a new/different use.

Commissioner Mahoney asked the applicant to confirm if they live in the structure.

Commissioner Schlecte stated that when the structure was being sold it was marketed as a single-family residence in the R-1 zoning district and the previous owner converted the use from a church to a single-family residence.

Commissioner Johnson moved to deny the reconsideration of an application for a conditional use permit to operate a home business/occupation at 1101 W. Franklin Street. Support from Commissioner Schlecte.

Motion passed unanimously by roll call vote.

VIII. Old Business

None.

IX. Commissioner Comment

None.

X. **Next Meeting Reminder**

Chairperson Wood reminded members the next regularly scheduled PC meeting is April 5, 2023.

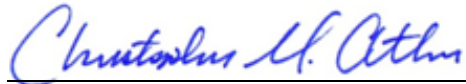
XI. **Adjournment**

Commissioner Schlecte moved to adjourn. Support from Commissioner Greene.

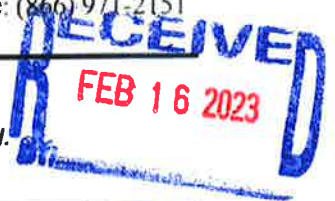
Motion passed unanimously by voice vote.

Chairperson Wood adjourned the meeting at 6:30 pm.

Respectfully,



Christopher M. Atkin
Planning Director, City of Jackson



Application for Map Amendment (Rezoning)

Requires a public hearing before the Planning Commission and City Council Approval.

\$500.00 fee required with application submittal.

APPLICANT

Name: Nicholas Dyc
Address: 531 E. Washington Avenue
City: Jackson State: MI Zip: 49203
Phone: (313) 802-8322
Email: Nicholas Dyc <ndyc@icloud.com>

PROPERTY OWNER *Same as applicant*

Name: Nicholas Dyc
Address: 531 E. Washington Avenue
City: Jackson State: MI Zip: 49203
Phone: (313) 802-8322
Email: ndyc@icloud.com

PROPERTY SUBJECT TO REZONING REQUEST

Property Identification #: 6-013300000_ID-002641
Address: 529 E Washington Avenue / 529-541 E Washington
City: Jackson State: MI Zip: 49203
Nearest Intersection: Hupp Ave & E Washington

ADJACENT PROPERTY ZONING AND USE

NORTH – _____ Zoning _____ Use _____
SOUTH – _____ Zoning _____ Use _____
EAST – _____ Zoning _____ Use _____
WEST – _____ Zoning _____ Use _____

Current Zoning Designation: R-1 R-2 R-3 R-4 R-5 R-6 C-1 C-2 C-3 C-4 I-1 I-2

Current Use: Residential Commercial Industrial Mixed

Proposed Zoning Designation: R-1 R-2 R-3 R-4 R-5 R-6 C-1 C-2 C-3 C-4 I-1 I-2

Proposed Use: Residential Commercial Industrial Mixed

Reason for Request: The company is making a major investment in this facility of over \$3 million dollars. It will also create 15-20 high paying jobs, starting at \$25 / hr. Note: the mfg. process will be using machinery, and therefore needs the zoning change from I-1 to I-2.

I hereby attest that I/we have read and understand the application form, that the information submitted is true and accurate, and agree to all the terms, conditions, and other City of Jackson Code requirements. Furthermore, I/we understand all map amendment applications are subject to the procedures of zoning ordinance Section 28-183.

Signature of Applicant: [Signature] Date: 1.31.23 Signature of Owner: _____ Date: _____
(If different from applicant)

If the owner cannot sign this form, the applicant shall submit a letter of consent from the property owner with this application.

OFFICE USE ONLY	
CASE: <u>PR223-0001</u>	Application Accepted By: <u>S. Foster</u>
Materials Submitted with Application: <input type="checkbox"/> Plans <input type="checkbox"/> Other	
Total Pages Submitted: _____	Amount of Fee Paid: \$ <u>500</u> - <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check Check #: <u>6102</u>

March 23, 2023

Map Amendment Review (Rezone)
523 – 543 E. Washington Avenue (Parcel #6-01330)
E. Washington Avenue (Parcel #6-0137.A0)
City of Jackson, Michigan

GENERAL INFORMATION

Applicant:	Nicholas Dyc 13821 Fawn Wood Ct. Plymouth, MI 48170
Subject Location:	523 – 543 E. Washington Avenue (Parcel #6-01330) E. Washington Avenue (Parcel #6-0137.A0)
Received Date:	February 16, 2023
Current Zoning:	I-1, Light Industrial
Proposed Zoning:	I-2, General Industrial
Action Required:	<i>Procedure following public hearing.</i> After the public hearing on such amendment, supplement or change, the city planning commission shall make its report. Such report shall be by resolution of the city planning commission carried by the affirmative votes of the majority of members in attendance. Such amendment, supplement or change, with report, shall then be certified in writing to the city council and to the county register of deeds.

SITE/PROPERTY DESCRIPTION

The applicant is requesting zoning reclassification of the developed 1.79 acre lot, addressed as 523 – 543 E. Washington Avenue (Parcel #6-01330), and the adjacent vacant 0.71 acre lot Parcel #6-0137.A0.

The structure at 523 – 543 E. Washington Avenue contains approximately six (6) spaces occupied by various permitted uses. The vacant lot, Parcel #6-0137.A0, provides access to the rear (southerly) side of the structure from E. Washington Avenue and Park Pl. The lots are under the same owner of record.

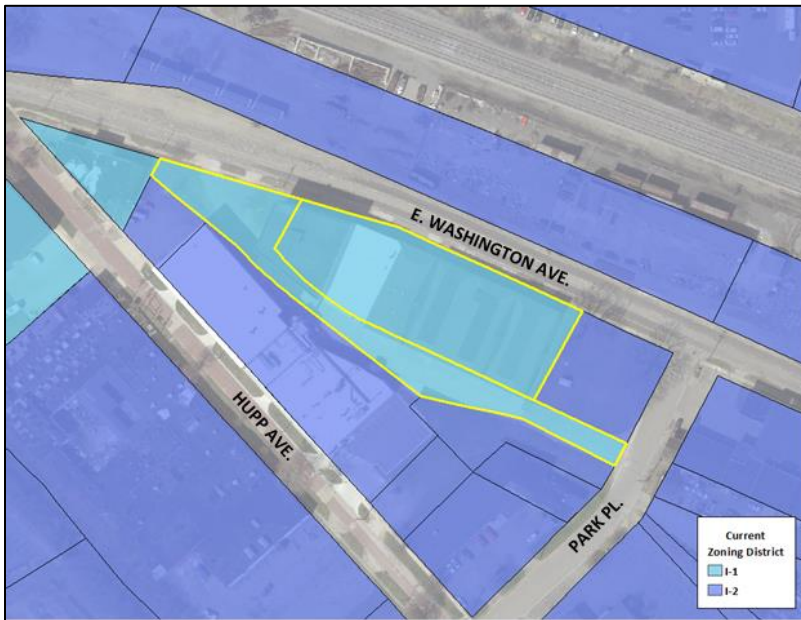
All uses, listed by the applicant or otherwise, are subject to review and approval by the City of Jackson. The process of rezoning does not grant any specific use; all new use is subject to the appropriate review process of the City of Jackson and will require a separate application.



NEIGHBORING ZONING AND LAND USE

The subject properties are currently zoned I-1, Light Industrial. The following table identifies surrounding zoning designations and current land uses.

	Northerly	Southerly	Easterly	Westerly
Zoning	I-2, General Industrial	I-2, General Industrial	I-2, General Industrial	I-1, Light Industrial I-2, General Industrial
Land Use	Industrial/Vacant	Industrial/Vacant	Industrial	Commercial



FUTURE LAND USE/MASTER PLAN

The Future Land Use map contained within the 2016 Master Plan demonstrates use designation of the subject properties “Industrial Commercial”.

The “Industrial Commercial” land use is described as:

These areas include a hybrid of uses sharing the characteristics of both “light” industrial and “heavy” commercial uses. Businesses often include a retail component that desires visibility along busy city streets as a principal or accessory use. Common characteristics include outdoor storage or display areas and overhead doors. Representative uses include automobile repair and body shops, car dealerships, lumberyards, landscaping and lawn services, and contractor yards.

The proposed zoning classification is consistent with the 2016 Master Plan.

DEVELOPMENT POTENTIAL

Suggested uses in the “Industrial Commercial” designation include Industrial, commercial, related office and warehousing.

Per Section 28-47, any use allowed as a permitted or conditional use in the I-1 district, except those expressly listed in the C-4 district, shall be considered a valid permitted or conditional use in the I-2 district.

The Planning Commission should consider all permitted and conditional uses in the I-2, General Industrial zoning district. **NOTE: Red “P” or “C” represent uses in I-1.** The following is a list of those uses:

Use	I-2
Adult entertainment enterprises provided that such uses shall not be located within one thousand (1,000) feet of any other adult entertainment enterprise measured from property line to property line, and such uses shall not be located within seven hundred fifty (750) feet of a church, park, playground or school, or within seven hundred fifty (750) feet of any R-1, R-2, R-3, R-4, R-5, R-6, or PR-1 zoning district measured from property line to property line. Not more than one (1) adult entertainment enterprise shall be located in the same building, structure or portion thereof.	P
Auto washing stations	C/C
Automobile repair—Major	P/P
Automobile service station (See "Supplemental Regulations)	P/P
Automobile truck and trailer display and sales. Sales lots, which includes the entire outdoor display area and any associated structures, shall not be within fifty (50) feet of any R district	P
Automobile wrecking and salvage yard	C
Bag, carpet and rug cleaning, provided dust is effectively controlled	P
Bakery (wholesale)	P
Banks, loan and finance offices including drive through facilities	P/P
Billboards (subject to the provisions in section 28-253(b) and section 28-145(d)(13))	C
Boat display, hire, sales, and repair	C
Bottling or distribution of soft drinks and milk, provided a building used for such processing and distribution shall be at least one hundred (100) feet from any R district	P
Building materials sales yard and supply store	P/P
Building materials salvage yard	C
Candy, ice cream and other confectionery—Wholesale	P
Cleaning or dyeing plants, commercial laundries	P
Cold storage plants	P
Contractor yards for vehicles, equipment, materials, supplies but excluding asphalt and cement mixing	P/P
Contractor offices with the incidental storage of parts, equipment and vehicles	P/P
Watchman or caretaker residence, secondary to a primary use permitted in this district	P/P
Electrical equipment and motor assembly	P
Experimental laboratory	P
Factory and mill supplies	P
Feed and fertilizer, sales and storage	P
Gas station with or without a mini-mart	C/C

Incinerators, or reduction of garbage, refuse, bones, offal or dead animals		C
Junkyard		C
Landing field for aircraft (service buildings must be five hundred (500) feet from any R district)		P
Liquor and wine and malt beverage packaging and distribution		P
Lumberyard, retail, including only incidental mill work in an enclosed building		P
Machinery sales, farm or industrial, provided yards shall be enclosed		P/P
Manufacturing or processing, limited to the following products:		
Beverage bottling (nonalcoholic); coffee roasting; cosmetics; electrical/electronic equipment; engraving; fishing tackle; home/office furniture/furnishings; instruments (e.g. dental, drafting, musical, surgical); mattresses; paper products; pharmaceuticals; products from purchased plastic, shell, cellophane, glass, rubber and precious or semiprecious metals and stones; radar equip.; radios; surgical supports (e.g. braces, trusses, elastic hosiery); televisions; windows/doors		P
Manufacturing or processing of any of the following:		
a.	Abrasives, acid, alcohol, ammonia, asbestos, bone black, carbon black, lamp black, brick, clay, tile, charcoal and coke;	P
b.	Chemicals, cinder block, detergents, soaps and by-products;	P
c.	Fungicides and insecticides;	P
d.	Gases, glue, or gelatin;	P
e.	Grain milling and mixing;	P
f.	Graphite, insulation, metals, ingots, castings, sheets, bars or rods;	P
g.	Metal plating;	P
h.	Oils and fats, animal or vegetable;	P
i.	Paints, pigments, enamels, japans, lacquer, varnishes and wood fillers;	P
j.	Paper pulp and cellulose; paraffin, wax and wax products;	P
k.	Plastics, rubber and rubber products;	P
l.	Sauerkraut, vinegar and yeast;	P
m.	Viruses, toxins and serums	P
Manufacturing or processing of alkali, asphalt, cement, concrete, fertilizer, gravel, rock, gypsum and other forms of plaster base		C
Medical and adult use marijuana facilities:		
a.	Grower with or without a colocated processing facility in accordance with Sec. 28-140 of the Code.	P/P
b.	Registered primary caregiver in accordance with MMMA and Chapter 16.	P/P
c.	Retail or provisioning center facility in accordance with Sec. 28-140 of the Code.	P/P
d.	Secure transporter facility in accordance with Sec. 28-140 of the Code.	P/P
e.	Safety compliance facility in accordance with Sec. 28-140 of the Code.	P/P
f.	Microbusiness in accordance with Sec. 28-140 of the Code.	P/P
Metal working (excluding presses of over twenty (20) tons and machine-operated drop hammers)		P
Mobile home subdivision		P
Moving and storage companies		P
Office		
Designed to attract and serve customers on the premises;		P
Park and/or playground, public		C/C
Parking and storage yards for motor vehicles and/or transport equipment (must be at least two hundred (200) feet from any R district)		P
Plumbing, heating, and sheet metal shops (including punching or material of one-eighth inch or less in thickness)		P
Public utility material storage and service yard		P
Radio and television broadcasting studios		
a.	With transmitter	P/P
b.	Without transmitter	P/P
Recycling collection centers		C/C

Resale shops		
	Restaurant, including eat-in and carry-out, and including bars and cocktail lounges	P/P
	Social, fraternal clubs, union halls, lodges and similar uses	P
	Special trades contractors	P
	Stockyards, livestock auction yard	C
Storage		
a.	Bulk storage of explosives	C
b.	Flammable liquids three thousand (3,000) gallons or more, if stored aboveground, shall be at least one hundred (100) feet away from all boundary lines of the premises	C
c.	Liquid petroleum gas five hundred (500) gallons or more, if stored aboveground, shall be at least fifty (50) feet away from all boundary lines of the premises	C
d.	Self-service storage facilities (a building or group of buildings used exclusively as a storage facility for residential goods and available for rent with individual leases for portions of the facility)	C/C
	Truck repair and service	P/P
	Trucking freight terminal and yards	P
	Welding shop	P
	Wholesale and warehousing of any commodity permitted to be made or processed in the same district	P/P
	Work release (halfway) house (see additional development requirements in section 28-140)	P
	Accessory nonresidential uses and structures not otherwise prohibited, customarily accessory and incidental to any use by right	C/C
	Legal nonconformities	C/C

ESSENTIAL FACILITIES AND SERVICES

The subject property are currently served, or have access to, essential city facilities and services.

TRAFFIC IMPACT AND SITE ACCESS

There will be no impact or change to the current traffic volume; off-street parking is available.


CONCLUSION/FINDINGS

For the planning commissions consideration, provided below is a summary of findings as they apply to the proposed rezoning of 523 – 543 E. Washington Avenue (Parcel #6-01330), and Parcel #6-0137.A0.

- The proposed zoning designation is consistent with the 2016 Master Plan;
- The proposed zoning designation is consistent with the surrounding zoning designations; and
- Any use allowed as a permitted or conditional use in the I-1 district is a valid permitted or conditional use in the I-2 district.

We believe recommending approval to City Council for the zoning map amendment request is appropriate.

Respectfully,



Christopher M. Atkin
 Planning Director, City of Jackson

cc: Applicant

CITY OF JACKSON

PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the City of Jackson Planning Commission will hold a public hearing to hear a request for zoning map amendments to the properties listed below and pursuant to Section 28-183 of the City of Jackson Zoning Ordinance.

Applicant:

Nicholas Dyc
13821 Fawn Wood Ct.
Plymouth, MI 48170

Subject property location:

529 E. Washington Avenue (Parcel #6-01330)
E. Washington Avenue (Parcel #6-0137.A0)

Requested actions:

The applicant is requesting the zoning map amendment for two (2) properties currently zoned I-1, Light Industrial to zoning designation I-2, General Industrial.

Effect of request:

Approval of the zoning map amendment for the subject properties will allow all currently permitted uses in the I-1 zoning district and I-2 zoning district.

YOU ARE FURTHER NOTIFIED that the City of Jackson will hear all oral and written objections and comments regarding the proposed zoning classification amendments and requests at:

**6:00PM on April 5, 2023 in
City Hall Council Chambers, 2nd Floor
161 W. Michigan Avenue
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact Chris Atkin at 517-768-6433 or catkin@cityofjackson.org with comments; written comments should be mailed to 161 W. Michigan Avenue, Jackson, MI. All comments and/or questions must be received no later than 5:00PM on April 5, 2023.