



AGENDA – PLANNING COMMISSION MEETING

June 7, 2023

6:00 PM

- I. Call to Order**
- II. Roll Call**
- III. Adoption of June 7, 2023 Agenda**
- IV. Minutes of the Regular Meeting of April 5, 2023**
- V. Public Comment and Correspondence**
- VI. Consideration of Applications**
 - A. 510 Detroit Avenue – Conditional Use Permit – Home Occupation/Business**
- VII. New Business**
 - A. Review and Discussion of Proposed Zoning Ordinance Amendment – Section 28-253**
- VIII. Old Business**
- IX. Commissioner Comments**
- X. Next Meeting Reminder July 5, 2023 at 6:00 PM**
- XI. Adjournment**

MINUTES – PLANNING COMMISSION MEETING

April 5, 2023
6:00 PM

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

MEMBERS ABSENT: Jonathan Greene and Sarah Saucedo

STAFF ABSENT: Chris Atkin, Director of Planning

I. Call to Order

Chairperson Wood called the meeting to order at 6:05 pm.

II. Roll Call

III. Adoption of Agenda

Commissioner Johnson motioned to approve the agenda as presented. Support from Commissioner Schlecte.

Motion passed by voice vote.

IV. Consideration of the March 1, 2023 Planning Commission Meeting Minutes

Commissioner Johnson motioned to approve the minutes as presented/amended. Support from Commissioner Schlecte.

Motion passed by voice vote.

V. Public Comment and Correspondence

No correspondence received by staff.

VI. Consideration of Applications

VII. 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).

Commissioner Schlecte motioned to enter the report and recommendation into the record as if read in whole. Support from Commissioner Johnson.

Motion passed by voice vote.

Chairperson Wood opened the public hearing at 6:07 pm.

APPLICANT/PUBLIC COMMENTS

No comments received from the applicant or public.

Chairperson Wood closed the public hearing at 6:08 pm.

COMMISSIONER COMMENTS

Commissioner Schlecte inquired about security; applicant stated it will be in the building/site plan.

Commissioner Johnson inquired about the nature of the proposed business.

Commissioner Johnson moved to recommend approval of the zoning map amendment request 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). Support from Commissioner Schlecte.

Motion passed by unanimous roll call vote.

IX. Commissioner Comments

None

X. Next Meeting Reminder

Chairperson Wood reminded members the next regular PC meeting is May 3, 2023.

XI. Adjournment

Commissioner Schlecte motioned to adjourn the meeting. Support from Commissioner Mahoney.

Motion passed by voice vote.

Chairperson Wood adjourned the meeting at 6:13 pm.

Application for Conditional Use Permit (CUP)

Requires a public hearing before the Planning Commission

\$500.00 fee required with application submittal.

Instructions and additional information on Page 2 and Page 3



Nature of Conditional Use

- | | | |
|---|---|--|
| <input type="checkbox"/> Automobile Service Station | <input type="checkbox"/> Religious Institution | <input type="checkbox"/> Recycling Center |
| <input type="checkbox"/> Auto Wash | <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Resource Center |
| <input type="checkbox"/> Billboard | <input type="checkbox"/> Off-Street Parking (R-3 & R-4 Only) | <input type="checkbox"/> School |
| <input type="checkbox"/> Child Care Center | <input type="checkbox"/> Radio and Television Broadcasting Studio | <input type="checkbox"/> Self-Service Storage Facility |

APPLICANT

Name: Karen Hyatt
Address: 1302 Plymouth St.
City: Jackson State: MI Zip: 49201
Phone: (517) 862-2572
Email: hilitestoryou@yahoo.com

PROPERTY OWNER

Same as applicant

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: () _____
Email: _____

ADDRESS SUBJECT TO CONDITIONAL USE REQUEST

Property Identification #: 6-05360
Address: 1302 Plymouth St.
City: Jackson State: MI Zip: 49201
Nearest Intersection: Page Avenue

Current Zoning Designation: R4
Current Use: Residential Commercial
 Industrial Mixed
(Single Family)

CONDITIONAL USE INFORMATION

Briefly explain function of the conditional use request (attach additional pages if necessary): To do
AN in home salon.

All applications must be accompanied by a site plan meeting the requirements of Section 28-135 and the specific use requirements in Section 28-145 (d). Applications submitted without a site plan will be deemed incomplete.

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 conditional use permit applications are subject to review, standards, regulations, and procedures of Section 28-145 of the City of Jackson zoning ordinance.

Karen M. Hyatt 5-11-23
Signature of Applicant Date

Karen M. Hyatt 5-11-23
Signature of Owner Date
(If different than 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>PCUP 23-002</u>	Application Accepted By: <u>S Foster</u>
Materials Submitted with Application: <input type="checkbox"/> Plans <input type="checkbox"/> Other	
Total Pages Submitted: <u>1</u>	Amount of Fee Paid: <u>\$500 -</u> <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Check Check #: <u>C.C.</u>

**Conditional Use Permit
1302 Plymouth Street
City of Jackson, Michigan**

GENERAL INFORMATION

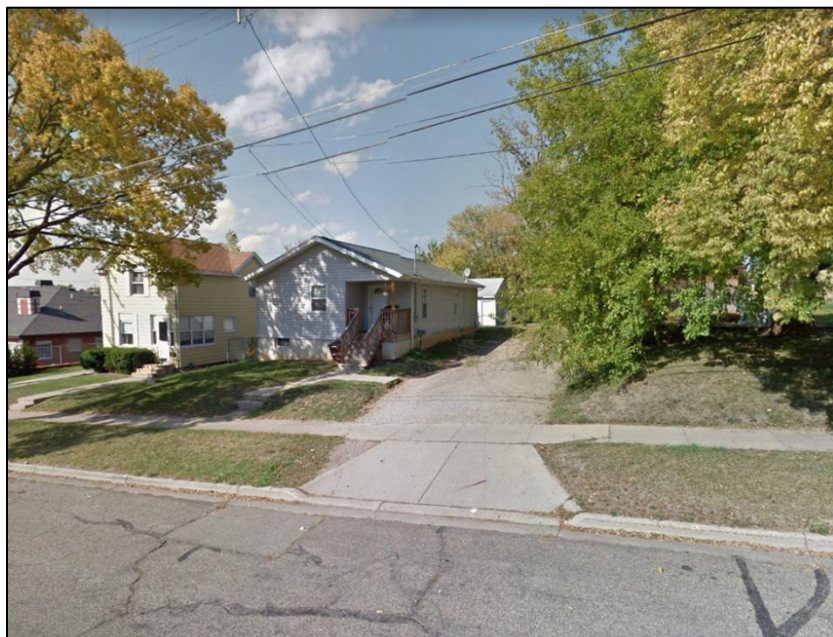
Applicant:	Karen Hyatt 1302 Plymouth Street Jackson, MI 49201
Subject Location:	1302 Plymouth Street (Parcel #6-05360)
Received Date:	May 12, 2023
Current Zoning:	R-4, High Density Apartment and Office
Action Required:	The city planning commission shall hear and make determinations regarding applications for conditional uses listed in the district regulations and supplemental provisions of this chapter. (Chapter 28)

SITE AND PROJECT DESCRIPTION

The applicant is seeking a conditional use permit request to operate a beauty salon in the basement of the subject location address. The salon will not contain more than two (2) chairs.

The subject address is located on the north side of Plymouth Street, east of Page Avenue and west of Summit Avenue. The 0.12 acre property contains a 1,074 square-foot single-family residential structure, built in 2004, and a 576 square-foot detached garage.

Home occupations are permitted as a conditional use in the R-4, High Density Apartment and Office zoning district.





NEIGHBORING ZONING AND LAND USE

The table below identifies the surrounding zoning designations and current land uses.

	North	South	East	West
Current Zoning	R-4, High Density Apartment and Office	R-4, High Density Apartment and Office	R-4, High Density Apartment and Office	R-4, High Density Apartment and Office
Current Land Use	Residential	Residential	Residential	Residential



CONDITIONAL USE STANDARDS FOR HOME OCCUPATION

Per Section 28-145(10) of the zoning ordinance, a home occupation is an incidental and secondary use of a dwelling unit for business purposes. The intent of this section is to ensure compatibility of home occupations with other permitted uses of residential districts and with the residential character of the neighborhood involved. It is further the intent of this provision to ensure that home occupations are clearly secondary and incidental uses of residential buildings. The following guidelines will be considered:

- a. A home occupation must be conducted in its entirety within a dwelling unit that is the primary residence of the person conducting the business.

Staff Comment: *The home occupation will be conducted within the single-family residential structure.*

- b. Only persons residing at the residence may conduct a home occupation.

Staff Comment: *The applicant/homeowner will be conducting the home occupation proposed on the conditional use application. A family member, whom resides at the address, may occasionally participate in the proposed home business occupation.*

- c. All business activity and storage must take place within the interior of the dwelling.

Staff Comment: *All activity and storage will be contained within the structure/dwelling. We request the applicant disclose the days and hours of operation.*

- d. There can be no alteration to or activity at the exterior of the residential dwelling, accessory building, or yard that alters the residential character of the premises.

Staff Comment: *There will be no alterations to or activity at the exterior of the residential dwelling, accessory building, or yard that alters the residential character of the premises.*

- e. The home occupation must not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.

Staff Comment: *The home occupation will not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood, customers will be present at the location by appointment only.*

- f. Only off-street parking facilities that are normal for residential use and located on the premises may be used.

Staff Comment: *Sufficient space for residents and customers is available for off-street parking.*

- g. No vehicles used in the conduct of the occupation may be parked, or otherwise kept at the premises, other than as are normal for use for domestic or household purposes.

Staff Comment: *Only the applicant and immediate family will be parked at the subject address.*

- h. One (1) non-illuminated nameplate no larger than two (2) square feet may be permitted to identify the home occupation. The nameplate must be attached to the building. No other identification is permitted.

Staff Comment: *There are no proposed signs at the subject property; however, if the applicant chooses to install signage, a separate application and review is required through the Community Development Department.*

- i. The sale, rental, or repair of goods is permitted to the extent that it is incidental to a service profession.

Staff Comment: *Any sale of product will be incidental to the home occupation/business and will occur within the structure.*

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- j. Internet based home occupations involving the sale, rental, or repair of goods is permitted, so long as there are no on-site person-to-person exchanges.

Staff Comment: *Not applicable.*

- k. No highly explosive or combustible material can be used or stored on the premises.

Staff Comment: *Not applicable.*

- l. No activity that interferes with radio or television transmission is permitted.

Staff Comment: *Not applicable.*

- m. No offensive noise, vibration, smoke, dust, odor, heat, or glare noticeable at or beyond the property line is permitted.

Staff Comment: *There will be no offensive noise, vibration, smoke, dust, odor, heat, or glare noticeable at or beyond the property line.*

- n. Not more than twenty (20) percent of the gross floor area, (or three hundred (300) square feet), whichever is greater, can be used for a home occupation.

Staff Comment: *The applicant will not use more than twenty (20) percent of the gross floor area.*

- o. The conduct of the home occupation must not violate any of the city's ordinances concerning nuisance, fire or health, or any other city, county, state or other applicable laws or regulations.

Staff Comment: *The applicant had conversation with the Building Department to discuss the necessary requirements to operate a home business/occupation in the basement; no city ordinances concerning nuisance, fire, and health will be violated.*

Items to Address: *Applicant to disclose the days and hours of operation.*

STANDARDS FOR CONDITIONAL USE APPROVAL

Per Section 28-145(b) *Standards on which decisions will be based.* The city planning commission shall review the particular circumstances and facts of each proposed use in terms of the following standards:

- (1) Consistency with the intent and purposes of this chapter and with the objectives of the city's land use and/or comprehensive plan.
- (2) Compatibility with the existing and future land use patterns.
- (3) Effect on the health, safety, convenience, or general welfare of persons residing or working in the vicinity. To evaluate the use, the planning commission shall consider the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.
 - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.
 - c. The safeguards used to prevent noxious or offensive emissions such as noise, glare, dust and odor.
 - d. The treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.
- (4) Ability of the use to be designed, constructed, operated, maintained, and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

-
- (5) Availability of essential public facilities and services, such as: streets, police and fire protection, drainage, refuse disposal. The persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such service.

FINDINGS/CONCLUSION

Prior to rendering a decision, the members of the planning commission and applicant should address the items listed below. Furthermore, if approved, the planning commission is permitted to include additional, reasonable conditions to the conditional use.

1. *There will be no alterations to or activity at the exterior of the residential dwelling, accessory building, or yard that alters the residential character of the premises;*
2. *The home occupation will not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood, customers will be present at the location by appointment only; and*
3. *Applicant to disclose the days and hours of operation.*

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 conditional use permit for the property listed below and pursuant to Section 28-145 of the City of Jackson Zoning Ordinance.

Applicant:

Karen Hyatt
1302 Plymouth Street
Jackson, MI 49201

Subject property location:

1302 Plymouth Street (Parcel #6-05360)

Requested actions:

The applicant is requesting conditional use permit for a home occupation/business.

Effect of request:

Approval of the conditional use permit will allow the applicant to operate a two (2) chair hair salon at the subject property.

YOU ARE FURTHER NOTIFIED that the City of Jackson will hear all oral and written objections and comments regarding the proposed conditional use permit and requests at:

**6:00PM on June 07, 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 may be mailed to 161 W. Michigan Avenue, Jackson, MI c/o Chris Atkin. All comments and/or questions must be received no later than 5:00PM on June 07, 2023.

ARTICLE IX. SIGN REGULATIONS
SECTION 28-253. – SIGNS SUBJECT TO PERMIT OR OTHER APPROVAL

May 31, 2023

ARTICLE IX. SIGN REGULATIONS

Sec. 28-253. – Signs subject to permit or other approvals

Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)

	Sign Types, Districts Permitted, Required Approvals	Size Restrictions	Additional Restrictions
(d)	<p><i>Electronic and Other Changeable Message Board.</i> Permitted in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts, subject to a sign permit. Electronic Message Boards are only allowed on lots with at least one hundred (100) feet of continuous street frontage.</p> <p><u>Permitted in the R-1, R-2, and R-3 Districts for non-residential uses only, excluding home occupation/business use. Electronic Message Boards are only allowed on lots with at least one hundred (100) feet of continuous street frontage.</u></p>	<p><i>Number.</i> One (1) per lot.</p> <p><i>Total Sign Area.</i> The electronic or other changeable message board sign shall not exceed twenty-five percent (25%) of the total monument sign area proposed.</p>	<p>Only permitted as part of a permitted monument sign, cannot stand alone.</p> <p>An electronic or other changeable message board located on street frontage shall only have a static message or image that changes if the rate of change between two (2) static messages or images does not exceed more than one (1) change per five (5) minutes, each change is complete in one (1) second or less, and the maximum daylight sign luminance level does not exceed sixty two thousand (62,000) candelas per meter squared at forty thousand (40,000) lux illumination beginning one half (½) hour after sunrise and continuing until one half (½) hour before sunset and does not exceed three hundred seventy five (375) candelas per meter squared at four (4) lux illumination at all other times. In addition, any sign permitted to have this changeable copy, must configure to default to a static display in the event of mechanical failure.</p> <p><u>White lighted background is strictly prohibited 30 minutes after sunset and 30 minutes before sunrise in the R-4, R-6, C-1, C-2, C-3, C-4, I-1 and I-2 Districts.</u></p> <p><u>All electronic signs located in R-1, R-2, and R-3 Districts shall discontinue the display between the hours of 10:00 p.m. and 6:00 a.m.</u></p>
(f)	<p><i>Monument (Ground) Signs.</i> Permitted in the <u>R-1, R-2, R-3</u>, R-4, R-6, C-1, C-2, C-3, C-4, I-1, and I-2 Districts subject to a sign permit.</p> <p><u>Monument (Ground) Signs Permitted containing an Electronic and/or Other Changeable Message Board for non-residential uses</u> in the R-1, R-2, and R-3 Districts subject to require conditional use approval (section 28-147<u>145</u>).</p>	<p><i>Number.</i> One (1) monument/ground sign per lot in addition to permitted wall, awning, and window signage.</p> <p><i>Total Sign Area.</i> Twenty (20) square feet per sign face in the R-4, and R-6 Districts, forty (40) square feet in the C-1, C-2, and C-3 Districts, and sixty (60) square feet in the C-4, I-1, and I-2 Districts.</p> <p><i>Height.</i> Five (5) feet above grade in the R-1 through R-3, R-4, R-6, C-1, and C-2 Districts, and six (6) feet above grade in the C-4, I-1, and I-2 Districts.</p>	<p>No part of monument sign may be placed within five (5) feet of a front lot line or within five (5) feet of a side lot line. In no case may the sign violate the provisions of section 28-126, visibility at intersections.</p> <p>Sign materials and sign colors must complement the building(s) located on the site and emulate the high quality traditional character of the city.</p>

ARTICLE IX. SIGN REGULATIONS
SECTION 28-253. – SIGNS SUBJECT TO PERMIT OR OTHER APPROVAL

May 31, 2023

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(f)	<p><i>Monument (Ground) Signs.</i> Permitted in the R-1, R-2, R-3, R-4, R-6, C-1, C-2, C-3, C-4, I-1, and I-2 Districts subject to a sign permit.</p> <p>Monument (Ground) Signs containing an Electronic and/or Other Changeable Message Board for non-residential uses in the R-1, R-2, and R-3 Districts require conditional use approval (section 28-145).</p>	<p><i>Number.</i> One (1) monument/ground sign per lot in addition to permitted wall, awning, and window signage.</p> <p><i>Total Sign Area.</i> Twenty (20) square feet per sign face in the R-4, and R-6 Districts, forty (40) square feet in the C-1, C-2, and C-3 Districts, and sixty (60) square feet in the C-4, I-1, and I-2 Districts.</p> <p><i>Height.</i> Five (5) feet above grade in the R-1 through R-3, R-4, R-6, C-1, and C-2 Districts, and six (6) feet above grade in the C-4, I-1, and I-2 Districts.</p>	<p>No part of monument sign may be placed within five (5) feet of a front lot line or within five (5) feet of a side lot line. In no case may the sign violate the provisions of section 28-126, visibility at intersections.</p> <p>Sign materials and sign colors must complement the building(s) located on the site and emulate the high quality traditional character of the city.</p>