

CITY OF ALBION PLANNING COMMISSION

SPECIAL MEETING

TUESDAY, SEPTEMBER 1, 2020

ZOOM

7:00 P.M.

AGENDA

- I. Call to Order (Reminder: turn off cell phones)
- II. Roll Call of the Commission
- III. Approval of Prior Meeting Minutes – August 18, 2020
- IV. Correspondence
- V. Public Hearing-Reclassify 500 Bemer St. from M-1 Light Industrial to an R-2 Multiple Family Residential District
- VI. Order of Business
 - A. Approve reclassifying 500 Bemer St. from M-1 Light Industrial to an R-2 Multiple Family Residential District
 - B. Excuse Absent Board Members
- VII. Public Comments (Persons addressing the Planning Commission shall limit their comments to no more than three (3) minutes. Proper decorum is required.)
- VIII. Adjournment

PLANNING COMMISSION PUBLIC HEARING PROCESS

- 1) The Planning Commission Chair opens the hearing
- 2) Chair summarized the process
- 3) Staff presents report on applicant's request
- 4) Chair reads any correspondence into the record
- 5) Public speaking portion of hearing
 - Individuals in support
 - Opposition speakers
 - Questions & rebuttal (directed through the Chair)
 - Public speaking portion of hearing closed
- 6) Finding of facts
- 7) Board begins deliberations
- 8) Motion is made
- 9) Roll call vote taken

Planning Commission
August 18, 2020

I. Call to Order

The August 18, 2020 Planning Commission meeting was called to order at 7:00 p.m. via Zoom by Chairman Strander and a quorum declared.

II. Roll Call of the Commission

PRESENT: D Atchison, L Reid (joined at 7:15 p.m.), M Lelle, T Pitt, G Strander, S Kipp and J Verbeke

ABSENT: A Amos, S Ponds

Staff Present: Haley Snyder, Acting City Manager, Jill Domingo, City Clerk, John Tracy, Director of Planning, Building & Code Enforcement and Elizabeth Loomis, Code Enforcement Officer

III. Approval of Prior Meeting Minutes

A. January 22, 2020

D Atchison moved, M Lelle supported, CARRIED, to approve the prior Planning Commission minutes as presented. (vv) (7-0)

IV. Correspondence – N/A

V. Order of Business

A. Approve 2019 Planning Commission Report

T Pitt moved, D Atchison supported, CARRIED, to approve 2019 Planning Commission report as presented. (vv) (7-0)

B. Request Approval – Medical Marihuana Processor Application-Hongrui Enterprises

Comments were received from Commissioners G Strander; M Lelle; D Atchison; T Pitt and J Verbeke; John Tracy, Building, Planning & Code Enforcement Director; Kevin Sea, Owner Hongrui Enterprises and John Fraser, Attorney for Hongrui Enterprises

T Pitt moved, M Lelle supported, CARRIED, to Approve Medical Marihuana Processor & Grower Applications and Site Plan for 1100 Industrial Blvd for Hongrui Enterprises as presented. (vv) (7-0)

C. Request Approval-Medical Marihuana Grower Application-Hongrui Enterprises

Items B, C and D were vote on as one unit.

D. Review/Approve Site Plan for 1100 Industrial Ave/Exterior of Premises

Items B, C and D were vote on as one unit.

E. Excuse Absent Board Members

L Reid moved, D Atchison supported, CARRIED, to Excuse Commissioners A Amos and S Ponds. (vv) (7-0)

VI. Public Comments

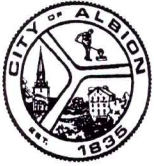
Comments were received from John Fraser, Attorney Hongrui Enterprises

VII. Adjournment

T Pitt moved, M Lelle supported, CARRIED, to adjourn the August 18, 2020 Planning Commission Meeting (vv) (7-0)

Chair G. Strander adjourned the meeting at 7:30 p.m.

Recorded By: Jill Domingo, City Clerk



CITY OF ALBION
NOTICE OF PUBLIC HEARING BEFORE THE ALBION PLANNING
COMMISSION TO CONSIDER THE CHANGE OF PARTICULAR ZONING
CLASSIFICATION OF PROPERTY

The Public Hearing will be held via Zoom on Tuesday, September 1, 2020 at 7:00 p.m.
Please visit www.cityofalbionmi.gov for the most current information.
City of Albion, City Hall, 112 W. Cass St., Albion, Michigan 49224

Please take notice: The City of Albion Planning Commission will meet as noticed above to consider the change of existing Zoning Classification and a Text Amendment.

Applicant: Donald Westphal, 71. N. Livernois, Rochester Hills, MI. 48307

Case #2020-031: Concerns Property, located at the following address:
500 Bemer Street (P.N. #51-017-201-03)

Applicant Request: To rezone/reclassify the property from an M-1 - Light Industrial to an R-2 Multiple Family Residential District.

Request for a rezoning, as required under Article 10 of City of Albion Zoning Ordinance, Chapter 100 of the City of Albion Code of Ordinances. Ref. Section. 10.3,

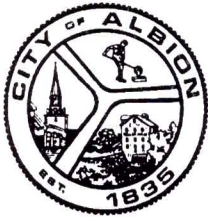
Sec. 4.5 R-2 – Multiple Family Residential district. This district is composed of certain medium and high-density areas representing a compatible comingling of single and two –family dwellings, plus multiple-family dwelling units (apartments) of similar residential characteristics of the district and to limit activities of a commercial nature. Residential uses include Manufactured Housing Community (with accessory uses such as laundry facilities, office building, and community buildings). Ref. Sec. 7.20

All concerned citizens are encouraged to be present at this meeting to express their opinions on this matter, as public input is an important element in the Commissions' deliberations. Furthermore, a commission decision on this matter is likely at the meeting

Written comments or suggestions regarding this matter are also welcome and should be directed, by no later than 5:00 p.m., Tuesday, September 1, 2020 to the City of Albion Clerks Office, 112 W. Cass Street, Albion, Michigan 49224, (517)-629-7864.

To comply with the American Disabilities Act (ADA): Any citizen requesting accommodation to attend this meeting/function, and/or obtain this notice in alternate formats, please contact the Planning Office (517) 629-7189, at least five days prior to the meeting/function.

John Tracy
Director of Planning, Building & Code Enforcement



City of Albion

Planning, Building, Code Enforcement
Office: 517-629-7189
Email: jtracy@cityofalbionmi.gov

Planning Commission Meeting September 1, 2020, 7:00 p.m. on Zoom Site

Reference: Zoning Reclassification

Site Location: 500 Bemer Street
P.N.: 51-017-201-03

Site Zoned: M-1 Light Industrial

Acreage: 37.31

Property owner of record: Westunn Communities, LLC.
34026 Anna's Way, Suite 1
Longneck, DE. 19966

Applicant: Westunn Communities
Donald Westphal
71 N. Livernois
Rochester Hills, MI. 48307

Property Surrounding 500 Bemer St.: East - Commercial; North - I-94; South M-1 Light Industrial & R-2 Multiple Family District; West – Township.

Back Round: Subject property located at 500 Bemer St., was to have been a 2nd phase of a manufactured housing community planned in the late 1990's that had not been developed. Phase 1 of the manufactured housing community was completed on a separate parcel of land abutting 500 Bemer St., currently know as Westover Community, Westover Blvd., P.N.: 51-017-201-02, which had never filled all sites with manufactured homes and has now been vacant without any manufactured homes for several years plus. Subject property was previously zoned R4 up until September of 2019, when the property was rezoned by the City of Albion to M-1 Light Industrial. Currently the property located at 500 Bemer Street is part of a sale of land, along with completed phase 1 property with existing infrastructure (streets and utilities).

Applicant request: to rezone/reclassify subject property located at 500 Bemer St., P.N.: 51-017-201-03 from M-1 Light Industrial to R-2 Multiple Family Residential District.

R-2 Multiple Family Residential District: This district is composed of certain medium and high-density areas representing a compatible comingling of single and two-family dwellings, plus multiple-family dwelling units (apartments) or similar residential characteristics of the district and to limit activities of a commercial nature.

Staff Recommendation: Recommend approval of reclassification/zoning from M-1 Light Industrial to -R-2 Multiple Family Residential District for future residential use. See pages 4-12 & 4-13 of Article 4, City of Albion Zoning Ordinance for permitted and special uses.

Attached: Article 4 of the City of Albion Zoning Ordinance; 2020 GIS Aerial Map's of subject property; prior plan for phase 1 and phase 2 manufactured home community from applicant; property areal from applicant.

John Tracy
Director of Planning, Building & Code Enforcement



Calhoun GIS



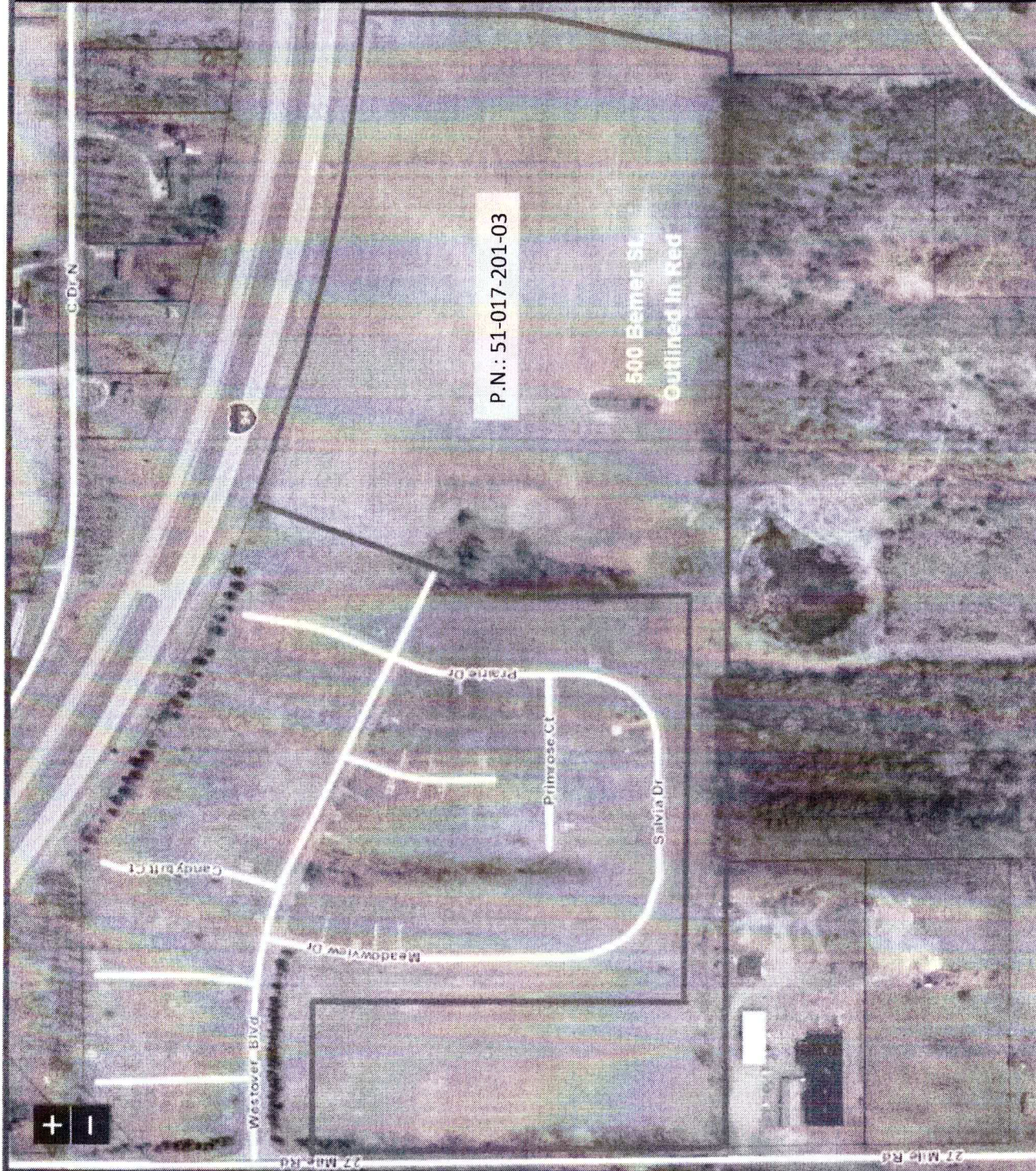
Map Publication:

08/25/2020 3:47 PM



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FetchGIS

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Calhoun GIS

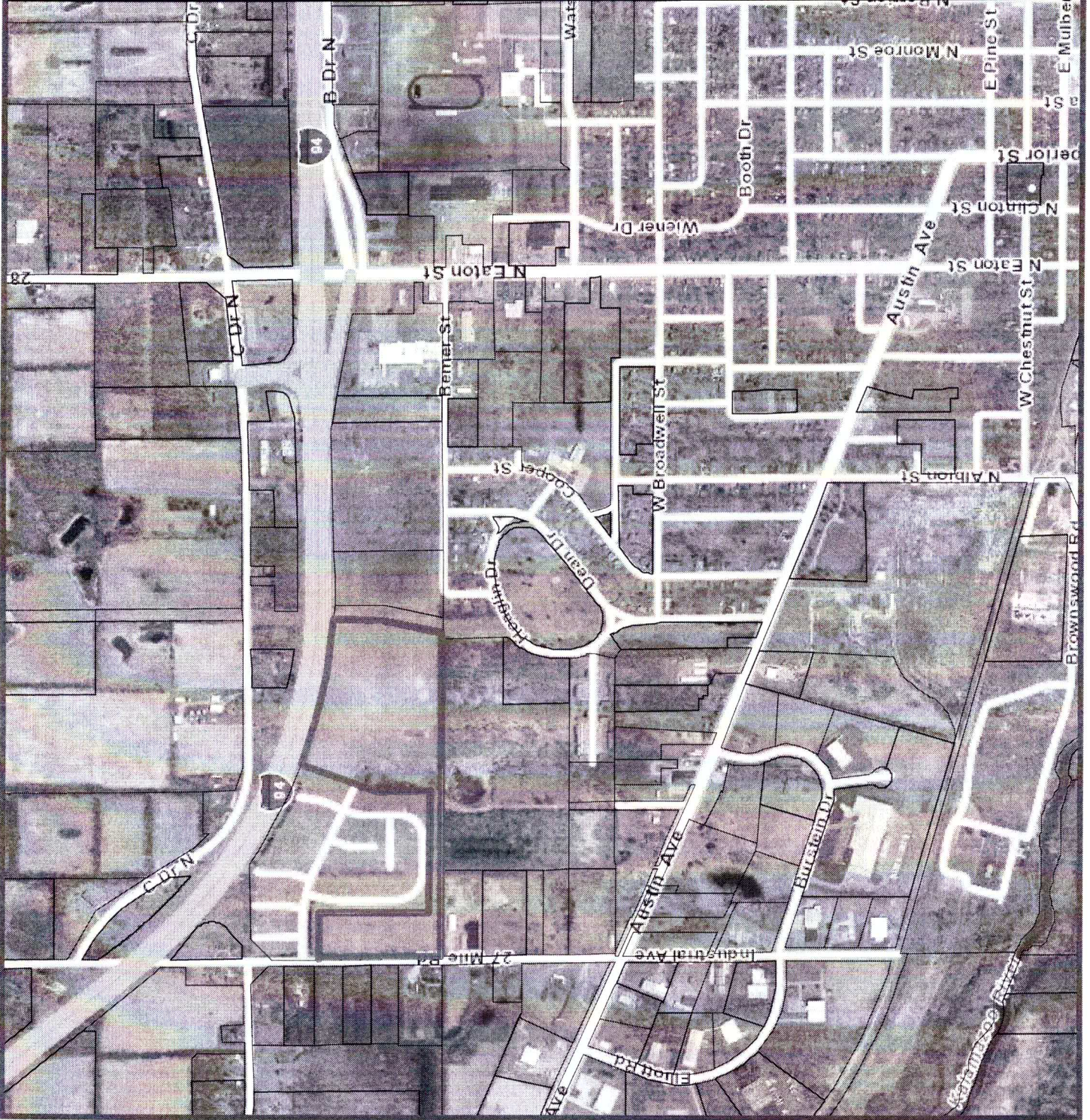


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Section 4.5 R-2 - Multiple Family Residential District

A. Purpose.

R-2

This district is composed of certain medium- and high-density areas representing a compatible co-mingling of single- and two-family dwellings, plus multiple-family dwelling units (apartments) of similar residential characteristics of the district and to limit activities of a commercial nature.

B. Uses Allowed.

Permitted and Special Land Uses shall be limited to those listed below (also in **Section 4.12: Full Table of Permitted and Special Land Uses**) and shall be subject to all applicable provisions of **Article 5: Plot Plan & Site Plan Review**, **Article 6: Special Use Review**, and **Article 7: Supplemental Regulations**.

TABLE OF PERMITTED USES & SPECIAL LAND USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	R-2
Accommodation & Food/Event Services	
Rooming Houses/Boarding Houses §7.12	P*
Short Term Rental Homes	P
Arts, Entertainment & Recreation	
Art Galleries (Public)	S
Art/Cultural Uses (such as Studios for painter, sculptor, musician, photographer, or similar) where the intent is to either educate/teach such craft through lessons or provide for retail sales of such produced art	S
Campgrounds/RV Parks	S
Canoe/Kayak Liveries	S
Museums	S
Nature Parks/Nature Areas (Public)	P
Private Clubs; Lodges; Fraternal Organizations; and Other Organizations (not related to a gainful business)	S
Public Parks, Playgrounds, Playfields §7.3	P*
Commercial, Services & Retail	
Funeral Homes & Mortuaries §7.9	S*
Professional Offices (in which chattels or goods, wares or merchandise are not commercially exchanged or sold) including:	
Attorney	S
Architect	S

TABLE OF PERMITTED USES & SPECIAL LAND USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	R-2
Commercial, Services & Retail (contined)	
CPA	S
Financial Counseling	S
Landscape Architect	S
Insurance Agencies	S
Registered Engineer	S
Real Estate Agencies	S
Securities and Stock Market Brokerages	S
Tax Services	S
Educational Services/Religion	
Religious Institutions & Customary Accessory Uses	S
Energy	
Wind Energy Conversion Systems §7.23	S*
Human Care & Social Assistance	
Adult Foster Care Family Homes (6 or less adults)	P
Adult Foster Care Small Group Home (7-12 adults)	S
Adult Foster Care Large Group Home (13-20 adults)	S
Adult Foster Care Congregate Facilities (over 20 adults)	S
Assisted Living Home/Nursing Home/Convalescent Home	S

1 Purpose & Authority	2 Definitions	3 General Provisions	4 District Regulations	5 Plot Plan & Site Plan Review
6 Special Use Review	7 Supplemental Regulations	8 Zoning Board Of Appeals	9 Administration & Enforcement	10 Adoption & Amendments

TABLE OF PERMITTED USES & SPECIAL LAND USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	R-2
Human Care & Social Assistance	
Child Care Home, Family (6 or less)	P
Child Care Home, Group (7 -12)	S
Child Care Center/Nursery School (not in home) (preschool) §7.5	P*
Child Caring Institution	S
Hospitals, Sanitariums, and Charitable Institutions for Human Care (not for penal purposes)	S
Institutions (headquarters for religious, philanthropic and charitable organizations). In R- 2, those organizations shall only occupy buildings existing at the date of adoption of this Ordinance	P
Offices/Clinics – Medical, dental, social worker, psychologist/psychiatrist, chiropractor	S
Residences used by a governmental agency, a church, or other nonprofit corporation as a facility for providing emergency assistance of a temporary nature to individuals in need	S
Residential Facility for Battered Women and Children (in a private residence) – PERMIT REQUIRED	P
State-Licensed Residential Facilities (Adult Foster Care 6 or less)	P
Miscellaneous	
Accessory Structures & Uses Incidental to Principal Uses §3.7	P*
Cemeteries including Mausoleums (human or pet) §7.2	P*
Community Garden §7.7	P*
Gardening of food crops and non-food ornamental crops such as flowers §7.6	P*
Planned Unit Developments, Residential §7.21	S*
Site Condominium Development (Condominium Ordinance Chapter 35 of Code of Ordinances)	S
Swimming Pools, Permanent §7.14	P*

TABLE OF PERMITTED USES & SPECIAL LAND USES	
P = Permitted by right S = Permitted with a Special Use Permit *supplemental development regulations	R-2
Public Facilities	
Community Centers & Auditoriums (public)	P
Government Facilities	P
Libraries	P
Residential Uses	
Accessory Dwelling Units/Guest Houses §7.11	S*
Home Occupations §7.10	P*
Manufactured Housing Community (with accessory uses such as laundry facilities, office building, and community building) §7.20	S*
Multiple-Family Dwelling Units	S
Single-Family Detached Dwelling	P
Single-Family Attached Dwelling (Townhouses; Condominiums)	P
Two-Family Dwelling (duplex); Conversion of Single-Family Dwelling into Two-Family Dwelling	P
Two-Family Dwelling groups comprised of buildings containing not more than 2 families in any one building	P

C. Development Standards.

R-2

Table 4.5

See Figure 4.5a

1. Lot & Structure Standards

a. Lot Area	3,500 square feet
b. Lot Width (min.)	40 feet
c. Building Height (max.)	2 ½ stories or 35 feet
d. Dwelling Unit Size (min.)	400 square feet for single-family. Multiple-family dwellings shall conform to currently adopted building code in the City of Albion.
e. Building Coverage (max.)	70%

2. Setbacks

a. Front (min.)	10 feet (see 3.g below)
b. Rear (min.)	10 feet
c. Side (min.)	5 feet
e. Side (min.) - street	10 feet

3. Additional Development Standards

a. Accessory Structures	Regulated by §3.7.
b. Screening	When a non-residential use abuts a residential use or district, screening is required as per §3.11.
c. Projections into Yards	Regulated by §4.3.C.6.
d. Parking	Regulated by §3.12.
e. Fences	Regulated by Chapter 18, Article VII of the Code of Ordinances.
f. Signs	Regulated by Chapter 64 of the Code of Ordinances.
g. Front Setback Averaging	If at least 2 existing structures within the same block (on the same side of the street) are set back between 10' and 20', then required setback shall be the average of said existing setbacks and 10'. No setback shall be required that is greater than 20'. See Figure 4.5b

1 Purpose & Authority

2 Definitions

3 General Provisions

4 District Regulations

5 Plot Plan & Site Plan Review

6 Special Use Review

7 Supplemental Regulations

8 Zoning Board Of Appeals

9 Administration & Enforcement

10 Adoption & Amendments

Figure 4.5a

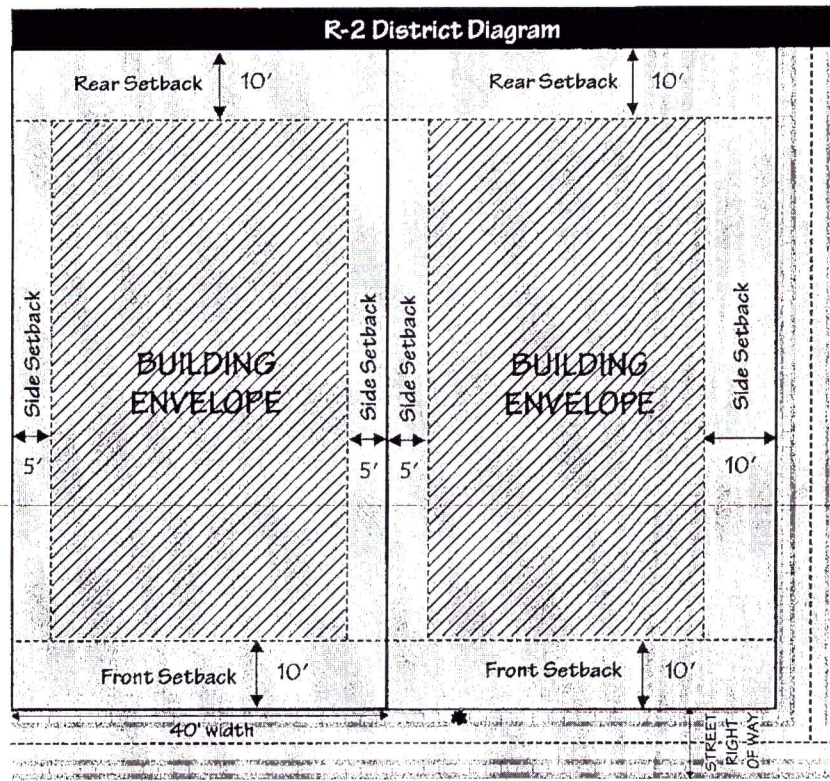
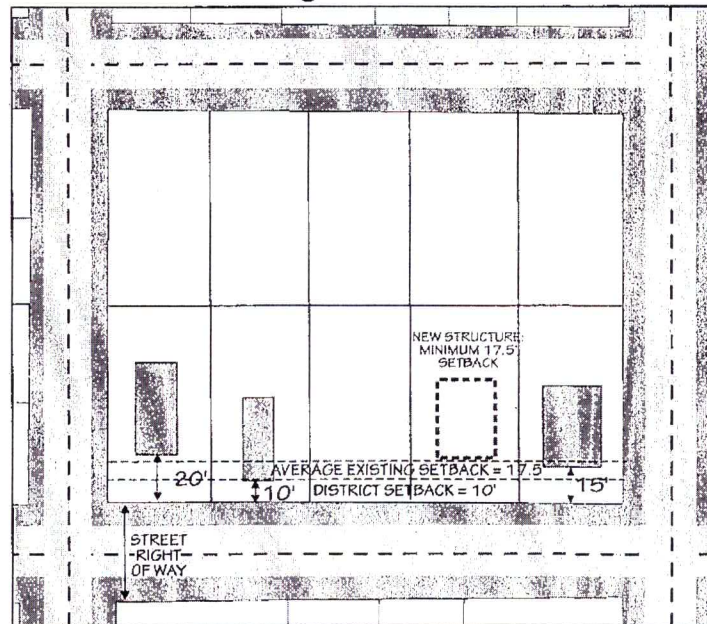
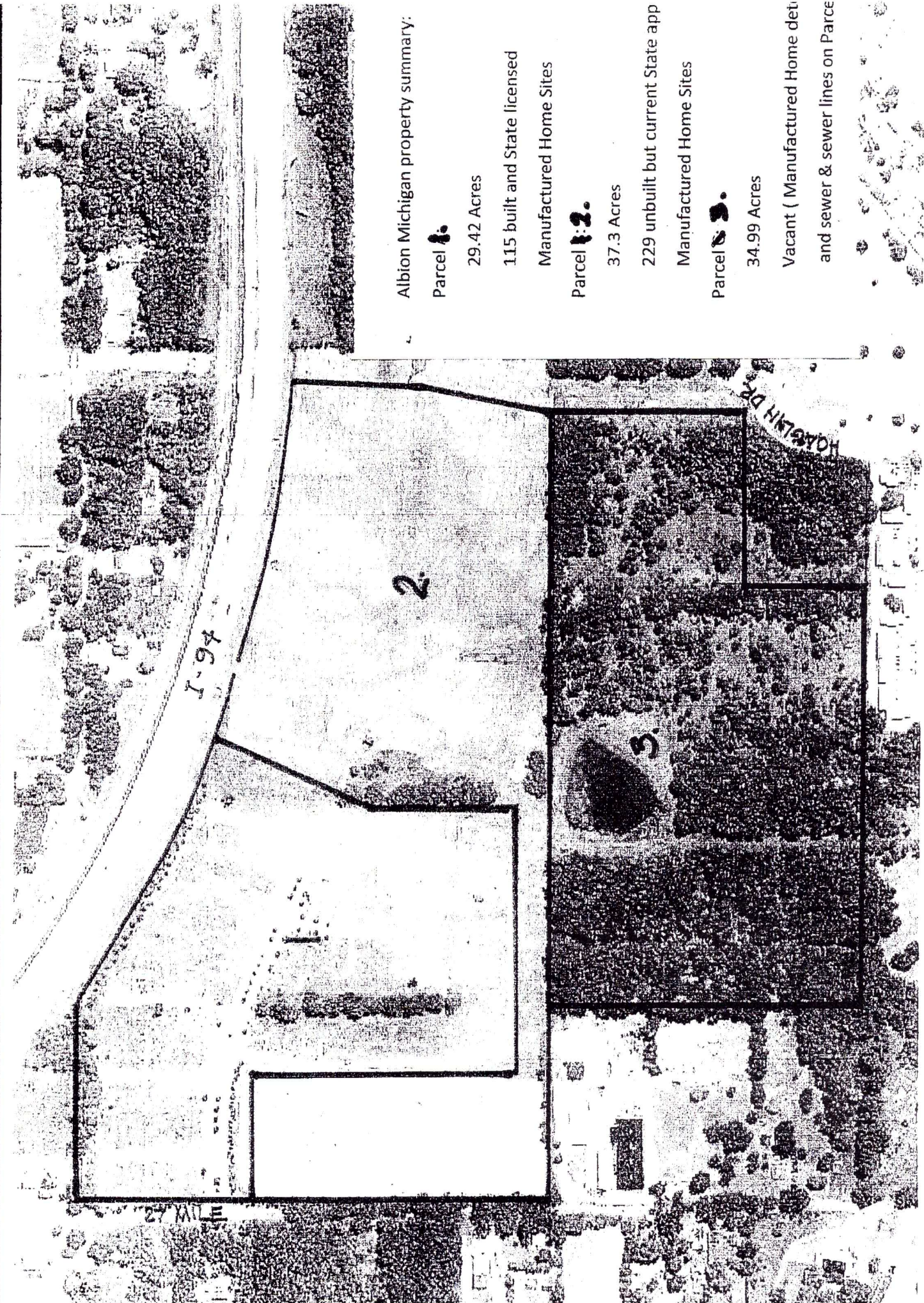


Figure 4.5b





Albion Michigan property summary:

Parcel 1.

29.42 Acres

115 built and State licensed

Manufactured Home Sites

Parcel 1:2.

37.3 Acres

229 unbuilt but current State app

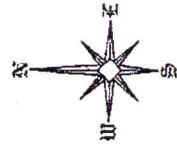
Manufactured Home Sites

Parcel 3.

34.99 Acres

Vacant (Manufactured Home det
and sewer & sewer lines on Parce

OWNER AND DEVELOPER:
WESTERN COMMUNITIES, L.L.C.
10000 230th Avenue, Suite 200
Long Beach, California 90806



SCALE: 1" = 100'

SEWER ST.

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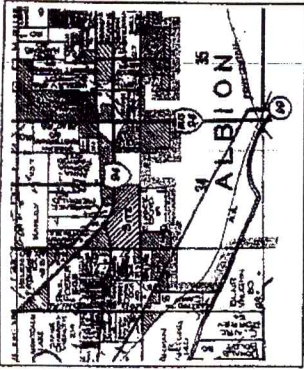
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LOCATION MAP
N.T.S.

ADDED AFTER
PLAN INTERVAL, THE
PLAN, 9/24/2019, 2019

I-94 (250' R.O.W.)

SHEPHERD TRAIL
CITY OF ALBION

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27' MILE HOLD (66' R.O.W.)

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3

2



CITY OF ALBION—APPLICATION FOR ZONING RECLASSIFICATION

City of Albion Planning Department (517) 629-7189

SAFEbuilt, Inc. (building and trade inspections) (269) 729-9244

Application Instructions: Complete all sections of this form. Type or use black ink. No application will be considered submitted or processed by the Planning Department until a complete application and all required documents are received.

Required Documents:

- Eighteen sets of plans, drawn to scale in black line or blueprint, showing the:
 - ♦ shape and dimensions of the lot to be built upon or to be changed in its use,
 - ♦ exact location, size, and height of all buildings or structures (including fences) on the lot,
 - ♦ location of sidewalks, public streets, and curb cuts,
 - ♦ location and dimensions of improved driveways and parking areas.
- A list of the names and addresses of the last known owners, as shown on the records of the assessor, and a map of all properties including a list of names and addresses of the occupants, lying within three-hundred (300) feet of any part of the property the zoning classification of which is proposed to change.
- Proof of payment for Zoning Reclassification application fee.

Fee: \$375.00

Additional Instructions: The applicant, or a representative with a letter of authority or power of attorney for the applicant, must be present at a meeting of the Albion Planning Commission and at a public hearing concerning this application.

FOR OFFICE USE ONLY	
Permit #: 2020 - 031	
Stamp here for "Date Received" RECEIVED JUL 31 2020 Received by: _____	
Deposit to Account #101-400-483.00	
Stamp here for "Paid" P AUG 04 2020 Amount: \$375 By: _____	D
Stamp here for "Approved/Deny" Date: _____	

1. Property Information:

Property Currently Zoned: M1

Street Address: Use Complete Street Address, e.g. 101 North Main Street 500 BEMER STREET		Parcel Number 51-017-201-03
Present Zoning District M-1 LIGHT INDUSTRIAL	Present Use of Site: <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial VACANT. <input checked="" type="checkbox"/> Other (describe)	
Requested Zoning District R-2 MULTIPLE FAMILY R.D.	Proposed Use of Site: <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other (describe)	

2. Owner Information:

Name: Include Contact Person If Applicable WESTUNN COMMUNITIES / DONALD WESTPHAL		Phone 248-379-8200
Street Address: Use Complete Street Address, e.g. 101 North Main Street 71 N. LIVERNOIS	City, State Zip Code: ROCHESTER HILLS, MI. 48307	

3. Applicant Information:

Name: <i>Include Contact Person If Applicable</i>		Phone
DONALD WESTPHAL		248-379-8200
Street Address: <i>Use Complete Street Address, e.g. 101 North Main Street</i>	City, State Zip Code:	
71. N. LIVERMOIS	ROCHESTER HILLS, MI. 48307	

4. Proposed Use of Site: RETURN TO MANUFACTURED HOME COMMUNITY PER STATE OF MICHIGAN PERMIT TO CONSTRUCT.

Attach additional pages describing the proposed use of the property for which a new zoning classification is requested. Explain reasons why the applicant believes a zoning reclassification should be granted.

5. Certification

I hereby certify that I am the owner of record of the named property, or that the proposed zoning reclassification is requested by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, I agree to allow members of the Albion Planning Commission and Planning Department staff to inspect the site as a part of the consideration of this request. Finally, should a zoning reclassification be granted, I shall apply for and receive all applicable permits before beginning any construction.

Signature of Applicant:	Phone	Date
<i>Donald Westphal</i>	248-379-8200	07/28/20
Street Address: <i>Use Complete Street Address, e.g. 101 North Main Street</i>	City, State, Zip Code	
71. N. LIVERMOIS	ROCHESTER HILLS MI 48307	

For Planning Department Use Only

6. Evaluation and Determination**PUBLIC NOTICE**

Public Notice in Newspaper	Letter to Nearby Properties	Public Hearing Date
yes	yes	Sept. 1, 2020

PUBLIC HEARING

Planning Commission Recommendation (In Favor, Opposed)	City Council FIRST Reading	City Council SECOND Reading

PLANNING DEPARTMENT APPROVAL/DENY

Signature	Date
Notes	Stamp

Revised 02-10-10