

**CHARTER TOWNSHIP OF UNION**  
**PUBLIC HEARING NOTICE – ZONING MAP AMENDMENT REQUEST**

NOTICE is hereby given that a public hearing will be held by the Planning Commission on Tuesday, March 16, 2021, at 7:00 p.m. for the purpose of receiving public comments on a request from Nantelle, Bonnie to rezone the 240.47' x 79' area 5048 E. Pickard road PID #14-146-00-003-00, from R-2B (One and Two Family, Medium Density Residential District) to B-7 (Retail and Service Highway Business District) as allowed in section 14.5 of the Union Township Zoning Ordinance 2020-06 as amended.

Legal Description: T14N R4W SEC 13 WARDS VIEW SUB LOT 25 AND LOT 4 EXC E 20 FT AND E 59.77 FT OF LOT 3 AND E 59.77 FT OF LOT 16.

The hearing will be conducted as an electronic meeting consistent with emergency declarations and direction from state and county health officials to slow the spread of the COVID-19 virus and the Open Meetings Act (Public Act 267 of 1976, as amended). All interested persons may attend and participate. There will be no in-person public attendance at the Township Hall (2010 S. Lincoln Rd., Mt. Pleasant, MI 48858), although some Township staff may choose to participate from this location.

To participate via computer or smart phone, please use the following link to the electronic meeting location:

<https://us02web.zoom.us/j/89299549537?pwd=L3JyMUV6YkpFeXY1TVdmMDlkWDIxUT09>

To participate via telephone dial-in access (audio only), please call (312) 626-6799. At the "Meeting ID" prompt, enter 892 9954 9537 and the # sign. At the "Passcode" prompt, enter 673358 and the # sign, and then enter # again to join the meeting.

The application may be inspected during business hours at the Township Hall. The Zoning Ordinance and Map are available for viewing on the Township's website at:

<http://www.uniontownshipmi.com/Departments/ZoningandPlanningServices.aspx/>.

Any interested person may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing. Written comments may be sent to the Charter Township of Union Zoning Board of Appeals, 2010 South Lincoln Road, Mt. Pleasant, MI 48858, sent via email to [info@uniontownshipmi.com](mailto:info@uniontownshipmi.com), or dropped off in the drop box next to the Township Hall entrance.

For additional information, and for individuals who require special accommodations per the Americans with Disabilities Act, please contact Peter Gallinat, Zoning Administrator, by phone at (989) 772 4600 extension 241.

**REZONING REPORT**

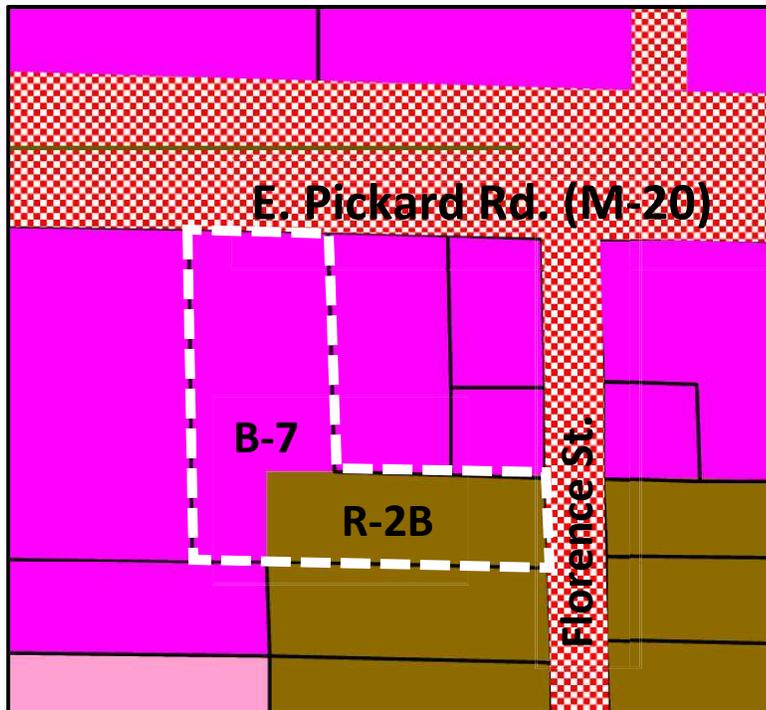
<b>TO:</b>	Planning Commission	<b>DATE:</b>	March 8, 2021
<b>FROM:</b>	Rodney C. Nanney, AICP, Community and Economic Development Director	<b>ZONING:</b>	B-7 and R-2B
<b>PROJECT:</b>	PREZ21-01 Request to rezone a parcel that is currently split zoned B-7/R-2B to the B-7 (Retail and Service Highway Business) District, which would accommodate the development of a commercial project.		
<b>PARCEL(S):</b>	5048 E. Pickard Rd. PID 14-146-00-003-00		
<b>OWNER(S):</b>	Nantelle, Bonnie		
<b>LOCATION:</b>	1.16 acres on the south side of E. Pickard Road and west side of Florence Street in the NW 1/4 of Section 13.		
<b>EXISTING USE:</b>	Existing residential dwelling.	<b>ADJACENT ZONING:</b>	B-7, R-2B
<b>FUTURE LAND USE DESIGNATION:</b>	<i>Retail/Service</i> . This district is intended for the widest variety of retail and service businesses. They could range from apparel shops, auto service, and restaurants through small commercial strip centers and office buildings. This district is not intended for heavy commercial/light industrial uses like landscaping or contractor yards, heavy auto repair, or similar uses that may require some form of outside storage. Locations for this district are based on arterial road frontage and the need for high traffic volumes with convenient, well managed access.		
<b>ACTIONS REQUESTED:</b>	To hold a public hearing and to recommend that the Board of Trustees [APPROVE] [DENY] the proposal to rezone the easterly 79.0-foot by 240.47-foot portion of the 1.16-acre parcel at 5048 E. Pickard Road (PID #14-146-00-003-00) located on the south side of E. Pickard Road and west side of Florence Street from R-2B (One and Two Family, Medium Density Residential District) to B-7 (Retail and Service Highway Business District) per Section 14.5 (Amendments).		

**Background Information**

There are currently no purchase agreements for the parcel or announced commercial development plans for the parcel. The owner has received interest from varying developers for the parcel. The owner is requesting a rezone of the property to further develop these varying commercial interests in advance of a potential sale.

**Existing Zoning**

The following is an excerpt from the Township’s Official Zoning Map showing the subject parcel, existing zoning district arrangement, and surrounding zoning:



### Review Comments

In reviewing any proposed amendment to the Official Zoning Map, the Planning Commission is required by Section 14.5.G. of the Zoning Ordinance to *“identify and evaluate all relevant factors in preparing its report of findings of fact, conclusions, and recommendation to the Township Board.”* This Section includes a set of factors to consider, which are summarized below in the bold headings. These criteria are one of the new features of Zoning Ordinance No. 20-06. Staff comments follow under each heading:

#### **Findings of Fact (Section 14.5.G)**

##### **1. Evaluation of existing and proposed zoning districts.**

- a. Parcels in this area that abut E. Pickard Road are zoned B-7 while parcels behind or to the south are zoned R-2B.
- b. This area is in the East Downtown Development Authority District of the Township.
- c. A parcel that is split zoned at times can be advantageous for a developer. An example would be a parcel with the frontage zoned for a commercial use and the remaining rear available for residential. However, if the portion of the parcel zoned R-2B is likely to be used for stormwater retention this could impede the type of development constructed on the B-7 portion. In addition, the existing R-2B zoning arrangement creates a conflict with having sufficient lot depth from E. Pickard Rd. to accommodate commercial development of the B-7 portion of the parcel.
- d. The existing portion of the parcel zoned B-7 is currently large enough in area, but does

not meet the minimum width requirement. Section 12.3.A. (Use of Nonconforming Lots) confirms that the lot can lawfully be developed for commercial uses “*even though such lot fails to meet the requirements for (lot) width....*”

- e. The portion of the parcel currently zoned R-2B is wide enough and large enough in area to be a separate R-2B district parcel.

2. **Apparent demand.**

- a. This area of the Township has many B-7 zoned parcels along E. Pickard Road primarily east of S. Isabella Road. Aside from the Township initiated rezoning of a number of B-6 parcels to B-7 as part of the new Zoning Ordinance adoption, there have not been any requests to rezone property to B-7 in the past year.
- b. Specific development plans for this parcel are unknown currently, and are not relevant to the rezoning proposal. Any new development would be required to conform to the requirements of the B-7 District if the rezoning is approved.
- c. The B-7 district is the predominant business district for commercial uses along E. Pickard Road.

3. **Availability of public services and infrastructure.** *Rezoning of undeveloped land to a more intensive zoning district should only take place in conjunction with the availability of public service and infrastructure to serve all of the allowable land uses in the proposed district.*

- a. The current location has existing utilities to accommodate the allowable uses in a B-7 District. The rezoning of the portion of the parcel from R-2B to B-7 would not compromise the health, safety and welfare of Township residents or burden public entities.
- b. The existing location has sufficient access on E. Pickard Road to accommodate anticipated traffic generated by uses permitted in the B-7 District.
- c. The parcel has additional frontage on Florence Street, but use of this area for vehicle parking or a secondary vehicle access will not be an option due to high potential for headlight glare impacts on the immediate residence across the street. This would be addressed through the site plan approval process and the access management limitations found in Section 9.6 of the Zoning Ordinance.
- d. The Township is currently serviced by the Isabella County Sherriff, Mt. Pleasant Fire Department, Isabella County Transportation Commission, Isabella County Road Commission, and Mt. Pleasant Public Schools. All of these public services would be able to serve all potential uses on a B-7 parcel.

4. **Consistency with the Master Plan.**

- a. *“Determine whether the intent and all of the allowable uses within the requested zoning district are compatible with the goals, objectives, and policies of the Master Plan, including the future land use designation(s) for the site.”*

- 5048 E. Pickard Road in its entirety is designated on the Master Plan’s Future Land Use map as “Retail/Service.” The Master Plan intends for the B-7 to be the preferred zoning in Retail/Service designated areas.
  - b. *“A rezoning inconsistent with the Master Plan should only be considered where specific findings are made that demonstrate conditions have changed significantly since the Plan was prepared, and/or new information supports a change. In such cases, the Township may first consider an amendment to the Plan.”*
    - The rezoning request is consistent with the Master Plan
  - c. *“The future land use recommendations of the Master Plan are based upon a ten- to twenty-year timeframe. Consider whether the timing of the proposed rezoning is appropriate, given trends in the area, infrastructure capacity, and other factors.”*
    - Based on trends in the area, availability of public infrastructure, the timing of this rezoning proposal is appropriate for consideration.
5. **Additional factors.**
- a. No adverse impacts on physical, geological, hydrological, historical or archeological features are anticipated by the proposed rezoning or development of the lot consistent with Zoning Ordinance requirements.
  - b. This amendment will not create any special privilege.
  - c. The amendment will not result in unlawful exclusionary zoning.
  - d. The amendment will not set an inappropriate precedent.

### Objective

Following the public hearing the Planning Commission shall review the rezoning application and then make a recommendation to the Board of Trustees. The Planning Commission may take any of the following actions related to the rezoning request:

1. Recommend approval of the zoning change as proposed by the applicant to place the entire parcel to the B-7 District; or
2. Recommend that the proposed rezoning be rejected (to retain the existing split B-7/R-2B zoning classifications).

### Key Findings

1. The subject site is located in the East DDA District, and is the only parcel in the along E. Pickard Road that is split-zoned R-2B and B-7.
2. This rezoning is fully consistent with the Master Plan’s goals, objectives, and policies for the Retail/Service area as designated on the Future Land Use map.
3. Depending on the developer or the specific development project, a split-zoned parcel

between business and residential could be seen as an advantage or an obstacle.

4. The proposed rezoning will not create any special privilege, result in unlawful exclusionary zoning or set an inappropriate precedent.

### **Recommendations**

Based on the above findings, I would ask that the Planning Commission consider taking action to recommend that the Board of Trustees approve the proposal to rezone the easterly 79.0-foot by 240.47-foot portion of the 1.16-acre parcel at 5048 E. Pickard Road (PID #14-146-00-003-00) from R-2B (One and Two Family, Medium Density Residential District) to B-7 (Retail and Service Highway Business District).

Please contact me at (989) 772-4600 ext. 241, or via email at [pgallinat@uniontownshipmi.com](mailto:pgallinat@uniontownshipmi.com), with any questions about this information.

Respectfully submitted,

***Rodney C. Nanney, AICP***

Community and Economic Development Director

**CHARTER TOWNSHIP OF UNION**  
**Planning Commission**  
**Regular - Electronic Meeting Minutes**

A regular-electric meeting of the Charter Township of Union Planning Commission was held on March 16, 2021 as a virtual meeting through the Zoom meeting platform.

**Meeting was called to order at 7:02 p.m.**

**Roll Call**

Present:

Albrecht (location: Union Township, Isabella County, Mt. Pleasant, MI)  
Buckley (location: Union Township, Isabella County, Mt. Pleasant, MI)  
Darin (location: Union Township, Isabella County, Mt. Pleasant, MI)  
Fuller (location: Union Township, Isabella County, Mt. Pleasant, MI)  
LaBelle (location: Union Township, Isabella County, Mt. Pleasant, MI)  
Lapp (location: Union Township, Isabella County, Mt. Pleasant, MI)  
Shingles (location: Union Township, Isabella County, Mt. Pleasant, MI)  
Squatrito (location: Isabella County, Mt. Pleasant, MI)

Excused:

Clerk Cody

**Others Present**

Rodney Nanney, Community and Economic Development Director; Zoning Administrator, Peter Gallinat, and Administrative Assistant, Jennifer Loveberry

**Approval of Minutes**

**Fuller** moved **Buckley** supported the approval of the February 16, 2021 regular meeting as presented. **Vote: Ayes: 8 Nays: 0. Motion carried.**

**Correspondence / Reports/ Presentations**

- A. Board of Trustees updates by Clerk Cody
- B. ZBA updates by Buckley
- C. Sidewalks and Pathway Prioritization updates by Darin

**Approval of Agenda**

**Shingles** moved **Lapp** supported to approve the Agenda as presented. **Vote: Ayes: 8 Nays: 0. Motion Carried.**

**Public Comment**

Open 7:14 p.m.

No comments were offered.

Closed 7:14 p.m.

## **New Business**

### **A. Annual election of officers**

#### **a. Chair**

**Buckley** moved **Fuller** supported to appoint Commissioner Squattrito as Chair per the Planning Commission by laws. **Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, Shingles, and Squattrito**

#### **b. Vice-Chair**

**Fuller** moved **Shingles** supported to appoint Commissioner Buckley as Vice-Chair per the Planning Commission by laws. **Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, Shingles, and Squattrito**

#### **c. Secretary**

**Fuller** moved **Shingles** supported to appoint LaBelle as Secretary per the Planning Commission by laws. **Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, Shingles, and Squattrito**

### **B. PSUP20-03 New County Jail and Sheriff's Office facility – Special Use Permit application**

#### **a. Updates from staff**

#### **b. Public hearing**

#### **c. Request from the applicant to postpone deliberation and action**

Nanney, Community and Economic Development Director updated that on March 2, 2021, the Isabella County Board of Commissioners took formal action to terminate their purchase agreement with the owner of the 36.26 acres on the west side of S. Summerton Rd. and south side of E. Remus Rd. in the NE ¼ of Section 24.

## **Public Hearing**

### **Open: 7:36 p.m.**

Shaym Marar, 3010 S. Summerton – No concerns at this time, would like to receive notice if this special use permit application is brought back for reconsideration.

No written comments were received.

### **Closed: 7:39 p.m.**

**Buckley** moved **Lapp** supported to postpone deliberation and action on the PSUP20-03 Special Use Permit application for the new Isabella County Jail and Sheriff's Office on parcel 14-024-20-001-00 per the applicant's request and until the Township receives further communication from the applicant establishing a date certain for consideration of this application. **Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, Shingles, and Squattrito Nays: 0. Motion carried.**

**C. PREZ21-01 Application to rezone 5048 E. Pickard Rd. (PID 14-146-00-003-00) on the south side of E. Pickard Rd. and west side of Florence St. from split B-7/R-2B to all B-7**

**a. Introduction**

**b. Public hearing**

**c. Updates from staff and the applicant**

**d. Commission deliberation and action (recommend approval or denial to the Board of Trustees, or postpone action)**

Introduction by Nanney, Community and Economic Development Director stating the applicant is requesting to rezone a parcel that is currently split zoned B-7/R-2B to the B-7 (Retail and Service Highway Business) District, which would accommodate the development of a commercial project. The 1.16 acres is located on the south side of E. Pickard Road and west side of Florence Street in the NW ¼ of Section 13.

The applicant's representative, Scott Jozwiak, was available for questions from the commissioners.

**Fuller** moved **LaBelle** supported to recommend to the Township Board of Trustees that the PREZ 21-01 Zoning Map Amendment to rezone the easterly 79.0-foot by 240.47-foot portion of the 1.16-acre parcel at 5048 E. Pickard Road (PID #14-146-00-003-00) located on the south side of E. Pickard Road and west side of Florence Street from R-2B (One and Two Family, Medium Density Residential District) to B-7 (Retail and Service Highway Business District) be adopted based on the following findings and conclusions:

1. The subject site is located in the East DDA District and is the only lot in the along E. Pickard Road that is split-zoned R-2B and B-7.
2. This rezoning is fully consistent with the Master Plan's goals, objectives, and policies for the Retail/Service area as designated on the Future Land Use map.
3. A lot that is split-zoned can create obstacles that inhibit reasonable development of the lot.
4. Based on trends in the area, availability of public infrastructure, the timing of this rezoning proposal is appropriate for consideration.
5. This amendment will not create any special privilege, result in unlawful exclusionary zoning, or set an inappropriate precedent. No adverse impacts are anticipated by the proposed rezoning or development of the lot consistent with Zoning Ordinance requirements.
6. Any future development would be required to conform to the requirements of the B-7 District and the site development, screening, and land use buffering standards of the Zoning Ordinance.

**Roll Call Vote: Ayes: Albrecht, Buckley, Darin, Fuller, LaBelle, Lapp, Shingles, and Squatrito**  
**Nays: 0. Motion carried.**

## **D. PSPR21-05 Consumers Energy City Gate - Final Site Plan application**

### **a. Introduction**

### **b. Updates from staff and the applicant**

### **c. Commission deliberation and action (approval, denial, approval with conditions, or postpone action)**

Introduction by Nanney, Community and Economic Development Director recapping that Consumer's Energy is requesting final site approval for their application dated "February 2021" for the Pickard Road City Gate Reconstruction Project located approximately 2.9 total acres on the south side of E. Pickard Rd. between S. Summerton Rd. and the Baymont Inn in the NE1/4 of Section 13.

The applicant's representative, Doug Scott of Rowe Engineering, was available for questions from the commissioners.

## **E. Parks and Recreation Master Plan Update**

### **a. Discussion of project schedule and public participation options**

The commissioners discussed the various options for public input that could be included in the plan development process of the Parks and Recreation Master Plan Update by identifying their preferences to staff. Workshop/Visioning Sessions, Focus Groups, and Community-Wide Surveys were three options that were named by the commissioners.

## **F. Master Plan implementation**

Chair Squattrito gave the newer commissioners background information to the Master Plan implementation at tonight's meeting so they could review prior to future conversations at upcoming meetings.

### Background:

At the 8/18/2020 and the 11/17/20 Planning Commission meetings there was some discussion, and a list of potential action plan items were identified:

1. Housing
2. Non-motorized plan
3. Access management plan
4. Water quality
5. Industrial districts
6. Code enforcement
7. Capital improvements program

This topic was added as a recurring Agenda item since August 2020 and will continue to be reviewed. They have had some discussion regarding housing and sidewalks; however, the commissioners were all in agreement that the Census results will be beneficial as they continue discussing all topics.

**Extended Public Comment**

Open –8:50 p.m.

No comments were offered.

Closed – 8:50 p.m.

**Final Board Comment**

Squattrito – Shared that he attended the MTA of Planning Workshop that focused on Risk Management and reminded the commissioners of the electronic Special Meeting March 30, 2021 at 7:00 p.m.

LaBelle – Will not be attending the Special Meeting on March 30, 2021

**Adjournment** – Chairman Squattrito adjourned the meeting at 8:54 p.m.

**APPROVED BY:**

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Doug LaBelle - Secretary  
– Vice Secretary

*(Recorded by Jennifer Loveberry)*