

CITY OF WILLIAMSTON

REGULAR PLANNING COMMISSION MEETING AGENDA TO BE HELD IN THE CITY HALL COUNCIL CHAMBERS 161 E. GRAND RIVER AVE., WILLIAMSTON, MI 48895 TUESDAY, MARCH 7, 2023

7:00 p.m.

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Roll Call
- 4. Approval of Agenda
- 5. Audience Participation Maximum 5 minutes per presentation. Subject matter on non-agenda items only.
- 6. Planning Commission Regular Meeting Minutes of August 4, 2022
- 7. Public Hearing Change-of-Use Text Amendment for 114 North Putnam St. (parcel ID: 33-18-03-36-352-021)
 - a. Open Public Hearing- 7:01 p.m.
 - b. Chair States Purpose of Hearing and Rules of Procedure as Deemed Necessary
 - c. Presentation by Staff Summarizing the Item
 - d. Questions from Board to Staff
 - e. Presentation by Applicant
 - f. Questions from Board to Applicant
 - g. Testimony from Public
 - i. Presentation of Written Comments
 - ii. Presentation of Oral Comments (-Supporters of Request, -Opponents of Request)
 - h. Concluding Comments from Staff
 - i. Concluding Comments from Applicant
 - j. Concluding Questions or Comments from Board
 - k. Close Public Hearing
- 8. Public Hearing Special Land Use for 200 Elevator Street (parcel ID: 33-18-07-01-151-026)
 - a. Open Public Hearing- 7:02 p.m.
 - b. Chair States Purpose of Hearing and Rules of Procedure as Deemed Necessary
 - c. Presentation by Staff Summarizing the Item
 - d. Questions from Board to Staff
 - e. Presentation by Applicant
 - f. Questions from Board to Applicant
 - g. Testimony from Public
 - i. Presentation of Written Comments
 - Presentation of Oral Comments (-Supporters of Request, -Opponents of Request)
 - h. Concluding Comments from Staff
 - i. Concluding Comments from Applicant
 - j. Concluding Questions or Comments from Board
 - k. Close Public Hearing
- 9. Action Items
 - a. Change-of-Use Text Amendment for 114 North Putnam Street (parcel ID: 33-18-03-36-352-021)
 - b. Special Land Use Permit for 200 Elevator Street (parcel ID: 33-18-07-01-151-026)
 - c. Preliminary Site Plan Review for 200 Elevator Street
 - d. Adoption of 2023 Meeting Dates & Times

e.

10. Staff Reports

а.

- 11. Audience Participation Maximum 5 minutes per presentation. Subject matter on non-agenda items only.
- 12. Planning Commissioner Comments
- 13. Adjourn to the Call of the Chair

Planning Commission Meeting August 4, 2022 Page 1 of 3



CITY OF WILLIAMSTON PLANNING COMMISSION AUGUST 4, 2022 REGULAR MEETING MINUTES

1. Call to Order:

The meeting was called to order at 7:00 p.m. in the Williamston City Hall Council Chambers by Chairman Jeff Markstrom and the Pledge of Allegiance was recited.

3. Roll Call:

Chairman Jeff Markstrom, Commissioners John Magee, Brandon Gilroy, and Noah Belanger. Absent: Peter Schall.

Also Present: City Manager John Hanifan, Deputy City Clerk Barbara Burke, City Attorney Timothy Perrone, Planner Raphael Kasen, Colleen Kurniawan with Onyx Creative, and citizen Fran Beers.

Motion by Magee, second by Gilroy, to excuse Schall. Motion passed by voice vote.

4. Approval of Agenda:

Motion by Magee, second by Gilroy, to approve the agenda as presented. Motion passed by voice vote.

5. Audience Participation on Non-Agenda Items:

Chairman Markstrom called for public comments at this time and there were none.

6. Planning Commission Regular Meeting Minutes of June 28, 2022:

Motion by **Gilroy**, second by **Magee**, to approve the regular meeting minutes of June 28, 2022 as presented. **Motion passed by voice vote.**

7. Public Hearing – Special Land Use Application for Tractor Supply Company- 3001 N. Williamston Rd.

7a. Open Public Hearing:

Chairman Markstrom opened the public hearing at 7:02 p.m.

7b. Chair States Purpose of Hearing and Rules of Procedure as Deemed Necessary:

Chairman Markstrom stated the purpose of the public hearing and rules of procedure.

7c. Presentation by Staff Summarizing the Item:

Planner Kasen reviewed the application, where the applicant has requested a drive-through facility in a new greenhouse. He discussed additional signage, a vehicle stacking and circulation plan, and headlight glare.

7d. Questions from Board to Staff:

None.



7e. Presentation by Applicant:

Colleen Kurniawan with Onyx Creative reviewed the information.

7f. Questions From Board to Applicant:

Commissioners asked about the anticipated volume and traffic flow. Ms. Kurniawan stated there is currently parking for online shopping pickup. This would allow customers to drive through the greenhouse from the front (east) side of store, get their order loaded in their vehicle, and exit on the west side.

7g. Testimony From Public:

- i. Presentation of Written Comments none.
- ii. Presentation of Oral Comments
 - a. Fran Beers, 1818 Linn Road, Williamston, said this is a great business in the community and encourages the Commission to approve this project.

7h. Concluding Comments From Staff:

None.

7i. Concluding Comments From Applicant:

None.

7j. Concluding Questions or Comments From Board:

None.

7k. Close Public Hearing:

Chairman Markstrom closed the public hearing at 7:11 p.m.

8. Action Items

8a. Special Land Use Application-Tractor Supply Company- 3001 N. Williamston Rd.:

Motion by **Magee**, second by **Gilroy**, to approve the special land use for a drive-through facility at 3001 N. Williamston Road with the following conditions:

- 1. Applicant shall provide a signage application, including the additional signage required along Linn Road.
- 2. A vehicle stacking and circulation plan including any anticipated levels of traffic must be provided as part of the final site plan review.
- 3. Applicant must address the issue of headlight glare posed by the provision of the drive-through lane.

Yes: Gilroy, Belanger, Markstrom, Magee. No: None. Motion passed.

Planning Commission Meeting August 4, 2022 Page 3 of 3



8b. Site Plan Review - Tractor Supply Company- 3001 N. Williamston Rd.:

Motion by **Gilroy**, second by **Belanger**, to approve the preliminary site plan for the drive-through lane at 3001 N. Williamston Rd., with final site plan approval contingent on the provision of the following:

- 1. Dimensions (i.e., length and width) of proposed drive-through lane noted on site plan.
- 2. Provide a vehicle circulation plan per Sections 74-6.204 and 74-6.302 of the Zoning Ordinance.
- 3. Signage plan, including additional required signage at the Linn Road curb cut.
- 4. Administrative approval for the final site plan.

Yes: Markstrom, Magee, Belanger, Gilroy. No: None. Motion passed.

9. Discussion Items

9a. Sky Lanterns Ordinance:

Manager Hanifan said he received a question on sky lanterns. The State has an ordinance on sky lanterns, but the City should have a local ordinance. Manager Hanifan will bring before the Commission in the future.

11. Staff Reports:

Planning Commissioner committee appointments were clarified.

12. Audience Participation on Non-Agenda Items:

Chairman Markstrom called for public comments at this time and there were none.

13. Planning Commissioner Comments:

Chairman Markstrom asked all to keep their ears open for people interested in serving on the Planning Commission. As Commissioner Schall will soon be stepping down, one member can live outside the City.

14. Adjourn to the Call of the Chair:

Chairman Markstrom adjourned the meeting at 7:38 p.m.

THE PRECEDING MINUTES ARE A SYNOPSIS OF A PLANNING COMMISSION MEETING AND DO NOT REPRESENT A VERBATIM RECORD.

Respectfully Submitted:	
	Barbara J. Burke, Deputy City Clerk
Date approved:	

CITY OF WILLIAMSTON, MICHIGAN PLANNING COMMISSION

1400 or

NOTICE OF PUBLIC HEARING ON A TEXT AMENDMENT TO THE CITY ZONING ORDINANCE

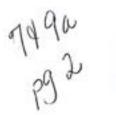
PLEASE TAKE NOTICE that the City of Williamston Planning Commission will conduct a Public Hearing at 7:01 p.m. on Tuesday, March 7, 2023 at the City of Williamston Council Chambers, 161 E. Grand River Avenue, Williamston, MI 48895. Application has been made for a text amendment to the City Zoning Ordinance for 114 North Putnam Street (parcel ID: 33-18-03-36-352-021) to request residential use of the lower ground floor unit. The site is currently permitted for upper unit residential use and lower unit commercial use.

Notice is hereby given as required by the City of Williamston's Zoning Ordinance and the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

All related documentation may be reviewed, and written comments will be accepted, at the City of Williamston City Hall, 161 E. Grand River Avenue, Williamston, MI 48895, between the hours of 8:00 a.m. and 5:00 p.m. during all scheduled days of operation. Questions and comments can be directed to John Hanifan in the City Manager's Office by phone (517-655-2774, ext. 110) or by email manager@williamston-mi.us.

Any party having an interest in the matter may attend the Public Hearing and make their comments known to the Planning Commission. Individuals with disabilities needing special accommodations to fully participate in the meeting may contact the Office of the City Clerk to request the necessary assistance. This request must be made at least two (2) business days prior to the meeting.

MCKENNA





Memorandum

TO:

City of Williamston Planning Commission

FROM:

Raphael J. Kasen, AICP

SUBJECT:

Proposed Zoning Text Amendment to Permit Ground Floor Residential Uses on North Putnam Street in the C-1. Central Business District

DATE:

February 22, 2023

BACKGROUND

The applicant, 114 N Putnam W, LLC (Renee Leone, sole member), is requesting an amendment to the City of Williamston Zoning Ordinance to allow ground floor residential dwellings as principal permitted uses on N. Putnam Street in the C-1, Central Business District. The proposed text amendment would apply only to properties with frontage on N. Putnam Street which also maintain an entrance on North Putnam Street. Entrances to ground floor residences along N. Putnam Street would not be permitted along Grand River Avenue, nor would ground floor residences be permitted in the C-1 District anywhere else along Grand River, nor would they be permitted along South Putnam Street as a result of this text amendment.

Currently, the Zoning Ordinance does not permit ground floor residential uses anywhere in the C-1 District either as a principal permitted use or as a special land use. Existing residential properties located in the C-1, such as those located along High Street between Putnam and Cedar Streets, are considered legal nonconforming uses and, as such, can be neither expanded nor rebuilt as residential dwellings.

The applicant has submitted the requested amendment to the Zoning Ordinance after consultation with Planning Staff and the City Manager and - as described in their application - after exhausting all other options for the viable use of the property located at 114 N. Putnam Street. The applicant has a history of good-faith interactions with the City, their site plan for the second story residential unit having been approved by the Planning Commission in a unanimous vote on November 4, 2020.

The 2015 Master Plan cites the need for the City to "improve the diversity of its housing stock" which would "appeal to other demographics including young professionals and empty nesters". In addition, two of the Housing Goals expressed in the 2015 Plan are:

 Encourage and adopt codes that support new housing and remodeled housing stock that provide the amenities and features desired by young professionals, young families, and

^{1 2015} Master Plan, p. 24.



empty nesters.

Encourage new, quality multi-family housing in and close to the downtown.²

An amendment to the Zoning Ordinance to allow for ground floor residential units in the aforementioned section of the C-1 District would help to fulfill these goals as stated in the Plan.

PROPOSED ORDINANCE AMENDMENT

Based on the need to diversify the City's downtown housing stock as expressed in the 2015 Master Plan, and as borne out in recent market trends both within³ and outside Ingham County,⁴ we propose a modification to the existing C-1, Central Business District to allow residential dwellings on the ground floor of buildings fronting North Putnam Street as a principal permitted use. The specific text amendment changes are as follows, with new or changed copy in *italics*:

Section 74-2.202 Permitted Uses by District

Table 1. Table of Permitted Uses by District

Ground Floor Dwelling Unit

C-1 Principal Permitted Use

Section 74-2.203 Footnotes to the Table of Permitted Uses by District

F. Required conditions in PO-1 and C Districts. The following conditions are required in all commercial districts:

 In the C-1 District, Ground Floor Dwelling Units are only permitted on North Putnam Street and must maintain an entrance on North Putnam Street. Entrances to ground floor residential dwelling units are not permitted along Grand River Avenue.

Section 74-2.306 C-1 Central Business District

Principal Permitted Uses

² Ibid., p. 47.

³ Vrabel, B. (2022, July 26). Former Lake Trust Credit Union headquarters in to become 55 multifamily apartments in Lansing. Retrieved from wilx.com: https://www.wilx.com/2022/07/26/former-lake-trust-credit-union-headquarters-become-55-multifamily-apartments/

⁴ Kransz, M. (2021, January 27). Grand Rapids leaders allow ground-floor apartments in nearly half of city's commercial spaces. Retrieved from mlive.com: https://www.mlive.com/news/grand-rapids/2021/01/grand-rapids-leaders-allowground-floor-apartments-in-nearly-half-of-citys-commercial-spaces.html



mixed Use dwelling unit

□ Ground floor residential dwelling unit (along N. Putnam Street only)

Section 74-2.424 Mixed Use Dwelling Unit

No residential dwelling unit may be located on the first floor of a building on any lot that has frontage on Grand River Avenue or South Putnam Street.

Section 74-6.204 Off-Street Parking Requirements

Table 7. Minimum Off-Street Parking Requirements

USE

MINIMUM REQUIRED OFF-STREET PARKING SPACES

RESIDENTIAL USES

Default Parking Requirement

2 spaces per dwelling unit

Mixed Use Dwelling Unit

1 space per 1.5 bedrooms

Ground Floor Dwelling Unit (with frontage on N. Putnam Street)

1 space per bedroom

Multiple Family or Townhouse

1.1 spaces per bedroom

Section 74-12.101 Residential Uses

Ground Floor Dwelling Unit. A dwelling unit located on the ground floor of a building containing two or more stories.

It is the opinion of Staff that the proposed amendment will ensure that ground floor residential uses are not only consistent with the purpose and intent of the C-1 District, but will uniquely benefit and strengthen the character of the district as the City's walkable downtown, open and welcoming to residents and visitors alike.

REQUESTED ACTION

Should the Planning Commission agree with Staff's finding that the proposed text amendment is consistent with the City's Master Plan and will contribute positively to the C-1, Central Business District, we recommend that the Planning Commission refer the proposed ordinance amendment to the City Council for adoption.

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References

City of Williamston Planning Commission. (2015). 2015 Master Plan. City of Williamston.

- Kransz, M. (2021, January 27). Grand Rapids leaders allow ground-floor apartments in nearly half of city's commercial spaces. Retrieved from mlive.com: https://www.mlive.com/news/grand-rapids/2021/01/grand-rapids-leaders-allow-ground-floor-apartments-in-nearly-half-of-citys-commercial-spaces.html
- Vrabel, B. (2022, July 26). Former Lake Trust Credit Union headquarters in to become 55 multifamily apartments in Lansing. Retrieved from wilx.com: https://www.wilx.com/2022/07/26/former-lake-trust-credit-union-headquarters-become-55-multifamily-apartments/

TEXT AMENDMENT APPLICATION

TO: City of Williamston Planning Commission

FROM: 114 N Putnam W, LLC (Renee Leone, sole member)

SUBJECT: Text Amendment Request for 114 N Putnam St. Williamston DATE: Jan 3rd, 2023 (for February 7, 2023 Planning Commission Meeting)

FEE: \$715 (check attached)

Location:

- 114 N Putnam St. is north of the Putnam/Grand River Ave. intersection, south of the SE corner of Putnam St and High St.
- 114 is located off commercially intensive Grand River Avenue and neighbored by residential homes to its east on High St. and north on Putnam St.
- The site is currently permitted for upper unit residential use and lower unit commercial use.
- This Text Amendment is to request residential use of the lower ground floor unit as well.

Criteria for Text Amendment:

A: Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans:

After much research and consultation, the applicant believes this text amendment meets these goals by:

- Fulfilling the increasing need for new, high quality, housing options for young professionals and empty nesters, near the historic district commercial corridor and recreation areas.
- Contributing to the repair and upgrading of deteriorating buildings.
- Supporting foot traffic to Grand River Avenue businesses, positively contributing to the downtown neighborhood aesthetic, and promoting long-term vibrancy of downtown Williamston.
- Contributing to the consumer presence and vitalization of the existing Grand River Commercial corridor;
 potentially contributing to reduction of vacancies and expanded hours of operation for retail businesses.

B: Compatibility of the site's physical, geological, hydrological and other environmental features: N/A

C: Evidence the applicant cannot receive a reasonable return on investment through developing the property with one or more of the uses permitted under current zoning:

Addendum 1 outlines steps taken by the applicant prior to submitting this requested amendment. The following is respectfully submitted for additional context:

- 114 N Putnam St is owned by 114 N Putnam W, LLC, whose sole member is Renee Leone
- Please note that Renee Leone is not a "deep-pocket developer." The 114 renovation is an investment in a city Ms. Leone and her family have enjoyed for decades.
- 114 N Putnam St was acquired with the intent of upgrading an unassuming, deteriorating, and under-utilized building, into a mixed-use structure that will contribute to residential and commercial vibrancy of downtown Williamston.
- As the 'Background' (ADDENDUM 1) describes, specific and unexpected code requirements have posed significant financial obstacles to the advancement of this project, and that while over the past 10 months, every option has been explored to address this obstacle, a financially feasible resolution was not reached.
- The requested text amendment is intended to present a reasonable, viable remedy to the difficult circumstances presented by repeated discouragement by Livingston County officials of all code variance options proposed.
- This request is the only identified remedy that would provide a possible return on the owner's investment and maximize the building's positive contribution to the City of Williamston.
 - o After consulting with local realtors (David Smeak, Chris Silker, please see letters from each included with this application) and researching post-pandemic impacts on commercial and residential spaces in small

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cities, it became apparent that residential units in downtown areas are needed and present reasonable investment returns as well as downtown activity. Such units are expected to be in high demand for the next 7 to 10 years (Pew, Sept 8, 2022).

- It is the owner's hope that, by working together, this text amendment will benefit all parties.
- D. Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values:

After much research and consultation, the applicant believes the following:

- Located north of Grand River Ave., the proposed text amendment maintains the location's compatibility with the non-conforming residential use of its easterly neighbors; and maintains the integrity of use by neighbors to the north and complements the transition of the commercial district of Grand River Ave. to the residential neighborhoods.
- The two units at 114 N Putnam, each less than 600 sq ft (collectively less than 1200 sq ft), are suitable for studio apartment occupancy only.
- Such small-scale apartment options are highly appealing to young professionals and empty nesters and fulfill goals of increased low density residential housing in the downtown area.
- This demographic strongly supports economic growth and development, and in turn, property values.
- Positive fiscal outcomes and no-economic draw is associated with such units.
- Research supports the market viability of post-pandemic residential space vs commercial space in small cities:
 - As mentioned above, local realtors concur (see attached letters)
 - o 2023 projections for retail and office space indicate challenges ahead (JPMorgan, Dec 8, 2022)
 - o assessments of post-pandemic impacts on commercial and residential spaces in small cities support adaptation of cities to post-pandemic space shifts. (Pew, Sept 8, 2022).
- Williamston is well appointed and appealing to new potential residents with commutes to Howell, Brighton, and Ann Arbor.
- Pew research also indicates small cities and towns drew the highest number of new residents during the pandemic.
- Studio units are particularly appealing to young professionals and empty-nesters residents.
- E. The capacity of the City's utilities and services are sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.
 - Mixed-use was approved. A residential text amendment will require minor revisions, which are anticipated to reduce potential impact on utilities/services (subject to review by Livingston County).
- F. The capacity of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
 - Mixed-use meets these requirements. A residential text amendment will reduce any potential impact.
- G. The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.
 - This amendment fulfills the city's low density residential housing goals, maintains this location's compatibility with the non-conforming residential use of its easterly neighbors, maintains the integrity of use of its northerly neighbors, and provides a transition to the commercial district of Grand River Ave.
 - No dimensional changes from the currently approved plans will be made.

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H. If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.

- Rezoning is NOT requested; a change-of-use Text Amendment is requested.
- I. If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
 - Based on conversations with the City Manager and McKenna Consulting, it's the applicant's understanding a change-in-use text amendment is more appropriate than a rezoning and will avoid isolated or spot-zoning issues.
- J. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.
 - It has been indicated that a change-of-use text amendment will avoid this issue and is the appropriate and reasonable path forward.

Summary:

The goal of this renovation remains the same. The owner is committed to investing in the future of Williamston through a course of action that will contribute to the vibrancy of downtown and will have the highest probability of being consistently occupied.

Evidence indicates that a residential text amendment is the best choice to achieving this goal.

•	•	•		
		_		·
Renee Leone			Date	
114 N Putnam W, LL	С			
Sole Member				

ADDENDUM 1: 'BACKGROUND':

Background:

Work on 114 began in March of 2021. The intention was to renovate the lower unit for commercial use and add an upper-level unit for residential use. Completion was expected in December of 2021.

Progress has been on hold since March of 2022.

Thank you in advance for your consideration of this request.

In December 2021 it became evident to the contractors overseeing the renovation (Mallory Building Contractors (MBC)), that Livingston County Building Inspectors, newly contracted by the City of Williamston, would not allow the renovation to move forward until it was fully equipped with a fire suppression system- a system equivalent to those required for much larger complexes, despite the fact 114 would be less than 1200 sq ft (sum total of both floors) when compete. This requirement came as a surprise to the contractor and architect (both with decades of experience) who felt the size and use of the building, if equipped with a less intensive suppression system, would support a waiver for the required extensive system.

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The estimates acquired by MBC for the required system, excavation and repair work were in excess of \$40,000, not including continued monthly costs for monitoring and yearly system checks.

In March of 2022, the owner was notified of the dilemma and estimated additional costs.

Given this significant obstacle to the completion of the renovation, 114's owner, the building's architect and contractors all reached out to various parties to explore options. This included Livingston County officials, networks of contractors, architects, and building code experts. They acquired additional bids and discussed variance/appeal request possibilities with officials and discussed precedents set in other neighboring cities facing similar issues. All options were identified over the next several months and explored with Livingston County officials. All options worked to keep intact the intent of the code and ask for flexibility on the code implementation, due to 114's unique circumstances. However, all proposed options were declined.

The lack of flexibility has necessitated ruling out the original plan of a mixed-use renovation.

During this lengthy process, the owner also began to investigate alternative use options for the building should mixed use prove not to be an option. This left only two choices commercial/commercial or residential/residential. The task was to now explore which was the best fit for the City of Williamston and which would offer a reasonable return on this significant investment by the owner.

After consulting with the Williamston City Manager (John Hanifan) and speaking with the McKenna Associate's Williamston representative (Raphael Kaisen), local realtors (David Smeak, Chris Silker), and researching post-pandemic impacts on commercial and residential spaces in small cities, it became apparent that support for residential units in downtown areas is encouraged and in short supply. Such units are also expected to be in high demand for the next 7 to 10 years. It is also noted that Williamston is well appointed and appealing to new potential residents with commutes to Howell, Brighton and Ann Arbor.

Pew research supports these assessments. Small cities and towns drew the highest number of new residents during the pandemic.

Commercial vacancies increase as small businesses struggle and rents decreased as online commercial venues increased.

Studio units are particularly appealing to young professionals, empty-nesters, and commuter residents.

This research indicated that this text amendment for lower-level residential use was the most reasonable course forward.

Please also refer to letters from area realtors, Chris Silker and David Smeak, which have been included with this application.

Chris Silker KW Okemos | Advantage In Team 2200 Commons Pkwy Okemos, MI 48864 7290

12/29/2022

City of Williamston Planning and Zoning 161 E Grand River Ave Williamston, MI 48895

Re: Proposed Text Amendment for the property at 114 N Putnam St. Williamston, MI 488985

To Whom it May Concern:

I am in support of the proposed text amendment petition for this property presented by the owner Renee Leone, for the purpose of allowing residential use in both the upper and lower units of this property. I have been engaged as a consultant on this project by the owner and have reviewed the potential uses of; commercial in both units, mixed-use with commercial on the first floor and residential on the second floor, and residential in both units. I evaluated likely rents and expenses for all three scenarios and arrived at the conclusion that utilizing both units as residential studio-style apartments is the highest and best use of the property. Due to the size, layout, and possible amenities of the property, rent from studio-style apartments is the only viable path for this property to produce a positive and sustainable income. It has been my experience that vacancy rates for this type of rental are very low, below 15% and rents are considerably better per square foot for high-end studio apartments.

I also believe this path is in the best interest of the township, as the most likely tenants will be single, high-income earners that are not likely to be a drain on assets from the township. It is also likely that these tenants will shop, dine and entertain near their apartments to the greater benefit of fellow businesses in the Downtown District. It is also hard to imagine any negative impact that 2-4 tenants of this property may have in regard to density, traffic, or utility service demands.

Residential units are already prevalent in the zoning district and this proposal will not create an isolated or incompatible zone. There are sufficient boundaries and parking available for this use within the property. I believe it is already evident that the construction and aesthetics of this property are to the greater benefit of the downtown area. I appreciate your consideration of my opinions and it is my hope that you grant this request for the text amendment.

With Gratitude,

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Dave Smeak

Fri, Dec 30, 2022, 1:58 PM (4 days ago)

to me

To Whom it May Concern:

In regard to the property located at 114 N. Putnam, Williamston being used as income property. It's been my experience as a Realtor and Landlord in the area for going on 40 years that the demand for residential rentals in the downtown area of Williamston is higher than that of commercial rental space. The rate of return per square foot for residential units I believe is also higher than commercial. The vacancy rate for residential is much lower than commercial as well. 114 N. Putnam would also be adjacent to current multi-unit residential zoning and blend in well. I believe that there would also be economic benefits for the City having more residential units, ground floor and second floor, that would attract young professionals and empty nesters to Williamston. Having said all this in my humble opinion, the rate of return would better support the costs of renovation for an investor if both ground level and second floor units were allowed to be zoned residential rather than splitting them as ground floor commercial and second level residential.

Sincerely,

Dave Smeak

Broker/Owner, ABR,CRS,Epro Smeak Real Estate Company, Inc. 114 S. Putnam, Williamston, MI 48895 www.smeakrealestate.com 517-655-3321 office# 517-281-6742 cell#

"The highest compliment a customer can give is to recommend my services to a friend."

Dave Smeak Broker/Owner Smeak Real Estate Company, Inc.

CITY OF WILLIAMSTON, MICHIGAN PLANNING COMMISSION



NOTICE OF PUBLIC HEARING ON REQUESTED SPECIAL LAND USE APPLICATION

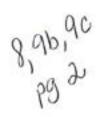
PLEASE TAKE NOTICE that the City of Williamston Planning Commission will conduct a Public Hearing at 7:02 p.m. on Tuesday, March 7, 2023 at the City of Williamston Council Chambers, 161 E. Grand River Avenue, Williamston, MI 48895. Application has been made for a special land use at 200 Elevator Street, Williamston, MI 48895 (Parcel ID: 33-18-07-01-151-026). The proposal consists of construction of an approximately 3,000 square foot facility for operation as a micro-distillery and small tasting room (occupancy of approximately 50 seats), which requires a Special Land Use permit under C-3 Zoning, Mixed Business District.

Notice is hereby given as required by the City of Williamston's Zoning Ordinance and the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

All related documentation may be reviewed, and written comments will be accepted at the City of Williamston City Hall, 161 E. Grand River, Williamston, MI 48895, between the hours of 8:00 a.m. and 5:00 p.m. during all scheduled days of operation. Questions and comments can be directed to John Hanifan in the City Manager's Office by phone (517-655-2774, ext. 110) or by email manager@williamston-mi.us.

Any party having an interest in the matter may attend the Public Hearing and make their comments known to the Planning Commission. Individuals with disabilities needing special accommodations to fully participate in the meeting may contact the Office of the City Clerk to request the necessary assistance. This request must be made at least two (2) business days prior to the meeting.

MCKENNA





Memorandum

TO:

City of Williamston Planning Commission

FROM:

Raphael J. Kasen, AICP

SUBJECT:

200 Elevator Street - Special Land Use & Site Plan Review

DATE:

February 28, 2023

The applicant, Cold Storage Holdings LLC, is seeking special land use and site plan approval from the City of Williamston Planning Commission for the construction of a micro-distillery and small tasting room as an accessory building located on the property located at 200 Elevator Street (Parcel ID: 33-18-07-01-151-026). The site is currently zoned C-3, Mixed Business District. Micro-distilleries which also serve alcohol on-premises are classified as a "Bar, Tavern, or Alcohol Service Establishment" under the City of Williamston Zoning Ordinance and are considered a Special Land Use in the C-3 district.

SUMMARYOF REQUEST

The applicant is requesting special land use approval from the City of Williamston Planning Commission to construct a 3,007 sq. ft. micro-distillery and tasting room to be located approximately 40 feet east of the existing F.P. VanBuren Cold Storage building at 200 Elevator Street.

This micro-distillery and tasting room will serve as an accessory use to the existing cold storage building, whose historic use as a storage facitility is considered legal and nonconforming per Section 74-11.105 of the Zoning Ordinance.

EXISTING CONDITIONS AND SURROUNDING LAND USE

The subject site is located on the south side of Elevator Street approximately 270 feet east of South Putnam Street. It is located within the City of Williamston Tax Increment Financing Area (TIFA) 2B. The TIFA is the current owner of record; the transfer of ownership to Cold Storage, LLC is contingent upon final site plan approval. The adjacent parcels to the west of the site are 194 Elevator Street (zoned C-3), 613 South Putnam Street (zoned R-2), and 617 South Putnam Street (zoned R-2). The adjacent sites

200 Elevator Street, Existing Conditions (Source: Ingham County Equalization Viewer, February 2023)

to the south and east are both zoned I-2, and the subject property is bordered to the north by the CSX Railroad.

The subject parcel is approximately 26,136 sq. ft. in area.





Current site improvements include the existing F.B. VanBuren Cold Storage building, approximately 4,641 square feet in size. This includes a corrugated aluminum lean-to, approximately 1,340 sq. ft. in area, which is note part of the original structure and will be demolished under the proposed site plan.

STANDARDS FOR APPROVAL - SPECIAL LAND USE REVIEW

Pursuant to Section 74-9.303 of the City's Zoning Ordinance, the following standards apply for granting special land use approval:

- A. Be harmonious with and in accordance with the general principles and objectives of the comprehensive master plan of the City of Williamston.
 - If special land use approval is granted, it is not anticipated that the proposed micro-distillery and tasting room will be in conflict with the City of Williamston Master Plan's principles and objectives. The Future Land Use Plan designates the subject site as "public" due to the TIFA's jurisdiction there.
- B. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the area in which it is proposed.
 - The proposed special land use would transform a long underutilized historic site into a vibrant, publicoriented place consistent with the area's mix of residential and commercial uses.
- C. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
 - The subject site and immediately surrounding sites are currently utilized for a mix of residential, commercial, and industrial purposes. The proposed special land use would be a substantial improvement to the existing site. While the proposed Special Land Use would not -in and of itself constitute a disturbance to the neighboring residential uses, it is anticipated that the hours of operation of the tasting room will be set so as to minimize any increase in noise and traffic which may impact neighboring residences.
- D. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal water and sewage facilities and schools.
 - The existing site has water, sewer, and electrical service. The applicant has been in ongoing contact with the City's Department of Public Works to ensure that any potential increase in effluence would be addressed immediately and resolved expeditiously.
- E. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property or general welfare as a result of producing excess traffic, noise, smoke, fumes, glare, odors.

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The applicant has stated that initial use of the micro-distillery will be limited to neutral grain spirits which should produce no noxious odors. Per the applicant, the fermentation process should only produce a smell similar to the baking of bread.

F. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this ordinance for the land use or activities under consideration; and be necessary to ensure compliance with those standards.

The proposed special land use meets the general intent of the C-3, Mixed Business District.

G. Be related to the valid exercise of police power and purpose which are affected by the proposed use or activity.

Per Michigan State Act 1980 PA 87, MCL 213.51 to 213.77, the TIFA has the authority to take and convey land for a public purpose. Economic development – which is the purview of the TIFA – is per the United States Supreme Court decision in Kelo v. City of New London, 545 U.S. 469 (2005), a valid form of public use.

PROVISIONS APPLICABLE TO BARS, TAVERNS, OR ALCOHOL SERVICE ESTABLISHMENTS

The Zoning Ordinance does not establish specific provisions applicable to bars, taverns, or alcohol service establishments as a Special Land Use beyond the requirement per Section 74-12.104 that such an establishment must maintain a valid State-issued alcoholic beverage license.

PRELIMINARY SITE PLAN REVIEW

Section 74-9.208 provides the criteria for a site or sketch plan review. It also allows for exceptions to these criteria where the zoning administrator or Planning Commission determines that certain information is not necessary or applicable to a particular site or sketch plan application. Thus, the following review is based on the information and criteria needed to verify compliance with the Zoning Ordinance. We offer the following comments regarding the project at 200 Elevator Street based on the City Zoning Ordinance and sound planning principles:

1. Zoning and Use

The proposed project site is zoned C-3, Mixed Business District. The building is currently an underutilized cold storage facility located within the TIFA 2B. As stated in the above Special Land Use application review, "bars, taverns, and alcohol service establishments are considered a Special Land Use in the C-3 district.

2. Dimensional Standards

The proposed project would entail the demolition of the corrugated aluminum lean-to on the east side of the existing cold storage building. As noted earlier, this section of the building is approximately 1,340 sq. ft. in area and is not part of the original historic wooden structure. Once this is removed, the remaining building will be approximately 3,301 sq. ft. in area. The proposed accessory building which will house the micro-distillery and tasting room will be approximately 3,001 sq. ft., making the total combined lot coverage 6,038 sq. ft. With the total lot size at 26,136 sq. ft., the proposed site plan would maintain a lot coverage ratio of 23%. The





maximum lot coverage permitted in the C-3 district is 50%, so the proposed site plan would be in compliance with this provision.

The existing cold storage building is located on the northwest corner of the property and maintains a zero front yard lot line. C-3 district regulations require a minimum front yard setback of 25 feet. The new building would be located approximately 40 feet to the east of the existing building at a 25-foot setback with the front yard so as not to increase this existing nonconformity.

The preliminary site plan provided by the applicant shows a 5 ft. side yard setback on the west side of the new building. Per Section 74-3.103B of the Zoning Ordinance, a lot maintaining a side yard line adjacent to a different zoning district is subject to the set back requirement of whichever district regulation is more restrictive. As the adjacent parcel is zoned I-2, the required setback for the proposed accessory building on the subject site is 30 feet. The applicant must acquire a dimensional variance before a final site plan can be approved.

The preliminary site plan does not provide an exact measurement for the proposed rear yard setback. However, based on the measurements provided, it appears that a 40+ yard setback is being proposed. This would be consistent with the C-3 district minimum requirement of 25 feet.

The applicant has not provided a height measurement for the proposed accessory building and will need to do so before a final site plan can be approved. The maximum height for accessory structures in the C-3 district is 30 feet, or up to 40 feet with consent of the fire authority per Section 74-3.103Q.

3. Required Open Space

Section 74-3.103O of the Zoning Ordinance requires all lots in the C-3 district to set aside a minimum of 15% of total lot area for lawn or landscaping. While an open space coverage ratio has not been provided in the preliminary site plan, the applicant has proposed a 15-foot landscape buffer on the west side of the property adjacent to the two residential lots, as well as three trees to be planted on the northeast, southeast, and southwest corners of the site, respectively. Planning Staff estimates that this will fulfill the 15% landscaping set aside requirement.

4. Landscaping and Screening

The preliminary site plan shows what appears to be a privacy fence along the east and south property lines, however no additional information about this enclosure has been provided. <u>Additional details including the</u> <u>design, dimensions, and materials of the enclosure will need to be provided before final site plan approval can</u> be issued.

5. Off-Street Parking

Section 74-6.204 of the City's Zoning Ordinance states that the minimum off street parking required for a bar, tavern, or alcohol service establishment is 1 space per 2.25 persons permitted at maximum occupancy. The applicant's preliminary site plan denotes a maximum occupancy of 50 people, which would require a total of 22 parking spaces per the Ordinance. The preliminary site plan shows a total of 20 parking spaces, including 2 barrier free van parking spaces. The site plan notes that street parking will be available to supplement the on-site parking.





The applicant has proposed a minimum of 2 bicycle parking spaces to be located near the entrance to the site along Elevator Street. This is consistent with the bicycle parking required per Section 74-6.206 of the Zoning Ordinance.

The preliminary site plan proposes one on-site commercial loading space to be located in the rear yard of property behind micro-distillery/tasting room building. Section 74-6.207 of the Zoning Ordinance calls for a minimum of two loading spaces for sites between 20,000 and 49,999 square feet. Per Section 74-6.204D, the Planning Commission may modify the parking standards based on evidence submitted by the applicant.

6. Trash Disposal

The preliminary siter plan shows a fence-in area to be located near the southeast corner of the site behind the proposed micro-distillery/tasting room building. The enclosed trash bin area would be placed to the east of and directly adjacent to the loading area, thereby allowing the loading zone to double as a trash pick-up area.

Signage

The current application includes three 3D renderings of the exterior of the proposed development, each of which show a the name of the business, "Cold Storage Distillery" placed above an awning on the front of the accessory building. Additional details including the dimensions and materials of this and any additional proposed signage will need to be provided before final site plan approval can be issued.

8. Architecture and Design

Per Section 74-5.205A1 of the Zoning Ordinance, architectural style is not restricted in the C-3 district. <u>The final site plan must include details for building dimensions, materials, colors, and lighting, including how these features will relate visually and be in harmony with the original Cold Storage building and other site elements.</u>

9. Exterior Lighting

While the submitted three dimensional renderings show the presence of exterior lighting fixtures at various locations throughout the site, no specifications for these fixtures have been provided. These will need to be submitted along with the final site plan.

10. Sidewalks

There are currently no sidewalks on Elevator Street. The preliminary site plan indicates the possible inclusion of some limited sidewalks adjacent to the driveway entrance off of Elevator Street and in front of the existing Cold Storage building.

11. Stormwater Management and Utilities

The proposed project will undergo review by the City Engineer before a final site plan will be approved.

RECOMMENDATIONS

We recommend the City of Williamston Planning Commission hold the scheduled public hearing and approve the proposed special land use for a "bar, tavern, or alcohol service establishment" on Parcel ID: 33-18-07-01-151-026, located at 200 Elevator Street.

We also recommend that the applicant's preliminary site plan be approved.

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Final site plan approval should be contingent on the following:

- The applicant must apply and be approved for a dimensional variance per Section 74-9.207C of the Zoning Ordinance for the waiving of the 30-foot setback requirement due to the site's adjacency with a lot located in the I-2 district.
- The applicant must submit detailed project elevations for the proposed building and all landscaping, including all proposed fencing and plantings along the perimeter of the site, as well as the locations and manufacturer specifications for all exterior lighting fixtures.
- 3. A final signage plan must be submitted.
- The final proposed circulation plan must be approved by the Northeast Ingham Emergency Service Authority (NIESA).
- 5. Final site plan must be reviewed and approved by the City Engineer.

Respectfully Submitted,

Raphael J. Kasen, AICP Senior Planner

8,96,90 P38

SLU Application - 200 Elevator Street (Icehouse)

Current Property Owner: City of Williamston Tax Increment Finance Authority

Applicant Information: Cold Storage Holdings LLC, 1267 Berkshire Dr., Williamston, MI

Contant: Ken Szymusiak, szymusiak1@gmail.com, 517.643.5171

Proposed Special Land Use:

Construction of an approximately 3000 sf facility for operation as a micro-distillery and small tasting room (occupancy of approximately 50 seats.

How will the proposed special land use:

A. Be harmonious with and in accordance with the general principles and objectives of the comprehensive master plan of the City of Williamston?

The proposed land use aligns with the general principles and objectives of the comprehensive master plan of the City of Williamston. The proposed use has been carefully evaluated to ensure that it is harmonious with the surrounding community and will not have any negative impact on the community's overall well-being. The proposed use will also be in accordance with the city's plans for sustainable development, economic development, and community growth. The proposed land use will also complement the other land uses in the area, creating an overall cohesive and well-planned community. We believe that the proposed land use will be an asset to the City of Williamston, and will be in line with the goals and objectives outlined in the comprehensive master plan. The long term intent of the business operators will be to evaluate and possibly rehabilitate the historic icehouse that currently sits on the property.

B. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the area in which it is proposed?

The proposed land use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. It will complement the existing aesthetic of the area and will not change the essential character of the area in which it is proposed. The design and construction of the proposed land use have been carefully considered to ensure that it fits seamlessly within the surrounding community, and will not have any negative impact on the community's overall aesthetic. There is industrial property including a water tower to the east and a commercial building flanking the property to the west. The proposed land use will also be operated and maintained to a high standard, and will be in compliance with all relevant regulations and standards. We believe that the proposed land use will enhance the existing character of the area and will be welcomed by the community.

C. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole?

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Current zoning is C-3, mixed business district. The neighboring property to the east is currently industrial land use and will likely be so long term. The neighbor to the west is also zoned C-3 mixed business district. Being so, we feel the proposed use will be a perfect bridge between these two uses. The retail/tasting room component will be street facing and help to improve the streetscape along elevator street. The industrial function will bolster this side of the business. The proposed land use will not pose any hazards or disturbances to existing or future uses in the same general vicinity and will be boost to surrounding property values and to the community as a whole.

D. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal water and sewage facilities and schools?

The property currently has water, sewer, and electrical service available and is served by an all-season paved road. Coordination will be made with police and fire service for access to the building after-hours through the use of a lock-box. Arrangements will be made with the Fire Chief to address use and inform of flammable items and quantity on-site. Sewage use should be limited to traditional items, currently, and future use will be addressed with the city engineers should our effluent change or increase in drastic fashion. Refuse disposal will be contracted and container(s) will be stored within privacy fenced area.

E. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property or general welfare as a result of producing excess traffic, noise, smoke, fumes, glare, odors?

For the near future, use will be limited to distillation of neutral grain spirit infusions. There will be little to no smell associated with the production. Future use may include the fermentation of grain before distillation. The smell of fermentation can be likened to baking bread. Prevailing winds will direct odors away from residential areas.

F. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this ordinance for the land use or activities under consideration; and be necessary to ensure compliance with those standards?

The proposed land use will be in compliance with all relevant regulations and standards and will ensure the safety, health, and welfare of the community. The proposed land use is also necessary for the development of the area and the community, it will bring benefits such as job creation and economic growth, improving public services and quality of life. We believe that the proposed land use is fully in line with the intent and purpose of the zoning regulations and that it will meet or exceed all standards established by the ordinance for the land use or activities under consideration.

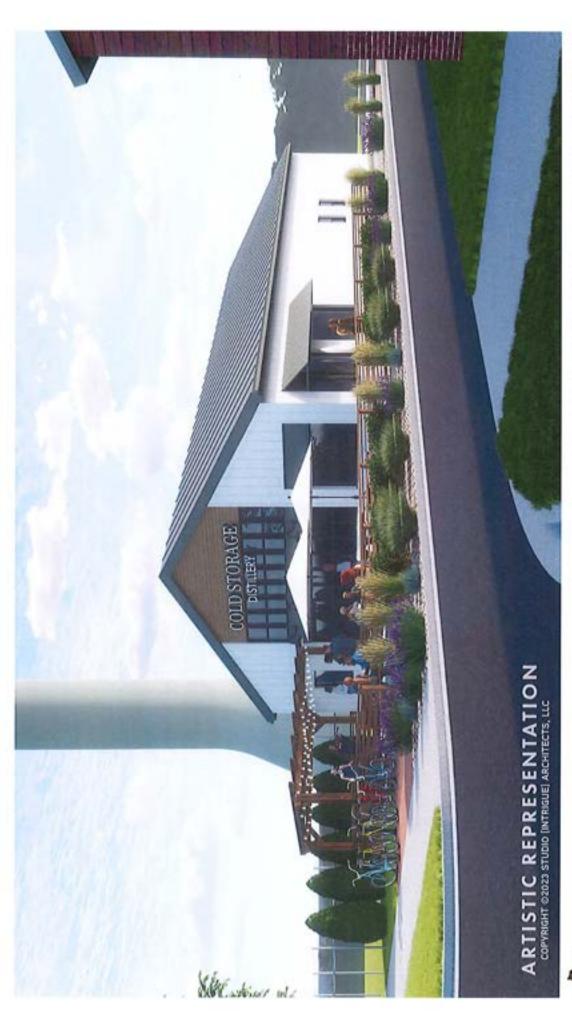
G. Be related to the valid exercise of police power and purpose which are affected by the proposed use or activity?

The proposed use and activities at the site will be in compliance with all relevant regulations and standards, and will not have any negative impact on the community. Furthermore, the proposed use or activity will not impede on the rights of other property owners or the general public.

SPECIFIC STANDARDS FOR SPECIAL LAND USE APPROVAL

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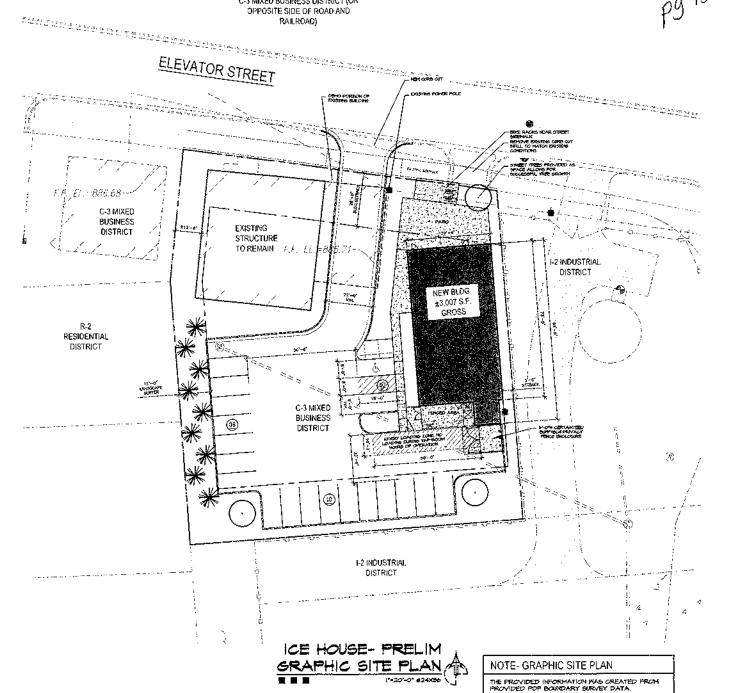
The Planning Commission will determine if this application complies with any specific requirements for the requested special land use outlined in Article 5, Chapter 2 of the Zoning Ordinance. The applicant must provide a response as to how the proposed project will meet any specific standards for the requested special land use.







C-3 MIXED BUSINESS DISTRICT (ON OPPOSITE SIDE OF ROAD AND





FOR ELIGIBATIVE BEROSES ONLY THESE DRAWINGS ARE TO BE USED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE NOT TO BE USED AS A BASIS FOR CONSTRUCTION AS

FURTHER SURVICTING WILL BE NEEDED PRIOR TO FINAL SITE PLAN CREATION

LICENSE TO USE OF THIS DRAWNS SHALL BE LIMITED TO CLIENT REVIEW ONLY.

NARRATIVE

THE PROPOSED PLAN SHALL INCLIDE THE PARTIAL DEMOLITION OF THE EXISTING BARN STRUCTURE OF THE PAREL AS INCL. AS THE ADDITION OF A NEW SEPARATE STRUCTURE, APPROXIMATELY 9,000 SQUARE FERT. THIS NEW BUILDING SHALL CONTAIN A DISTILLERY AND TASTING ROOM,

THE CHYER INTENDS TO MAINTAIN THE REMAINING BARN STRUCTURE INTIL A PUTURE USE CAN BE DETERMINED

SITE DATA

CURRENT ZONING: C-9 MIXED BUSINESS DISTRICT

EXILDING SETBACKS.

FRONTO 25' MIN, O' MAX.

SIDEE ONE S'-O" / TOTAL OF TWO = IS'

REAR+25'

LOT SIZE, ±06 ACRES OR 26,1366.F.

LESAL DESCRIPTION ATTACHED

PROPOSED BUILDING FOOTPRINT, 19,007 S.F.

<u>USEABLE FLOOR AREA:</u> 2,405.6 (CALCULATED AT 80% OF GROSS

<u>NAMBER OF STORIES.</u> I STORY

LOT COVERAGE:

MAXIMM LOT COVERAGE: 50%

(DEFINED IN ORDINANCE AS PERCENT OF LOT OCCUPIED BY BUILDINGS AND ACCESSORY BUILDINGS)

LOT COVERAGE PROPOSED: 3,007 S.F. (NEW) + 19,001 S.F. (EXISTING) =6,0065.F.

26,1965,F. (LOT) / 50% 13,0686.F.

6,0006.F, < 13,060 S.F. OKAY

COMMERCIAL USES (TASTING ROOM); REQUIRED: 2.25PER OCCUPANT AT MAX OCCUPANCY

MAX OCCUPANCY (INTERIOR) 50 50/2/25 = 22/22 OR 22 SPACES

Incustrial occupatoy I Per 550 S.F. Manifacturing area + I Per 550 S.F. Office

MANUFACTURING AREA (EXCLUDES OPTIONAL STORAGE ADDITION) #38618.F. #361/950#2.47 OFTICE: 76 S.F. OR | SPACE

TOTAL 25 SPACES MIN.

20 SPACES PROVIDED

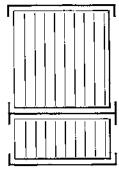
STREET PARKING AVAILABLE

NOLUZES: OI BARRIER FREE VAN PARKING SPACE

BICYCLE PARKING, MIN. 1 PER 10 SPACES MINIMAY OF 2 TO BE PROVIDED









NEW CONSTRUCTION

HOUSE TILLERY ICE DIS

COLD STORAGE HOLDINGS, LLC.

1267 BERKSHIRE DR. WILLIAMSTON MI, 48895

22.137

RESOLUTION #

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Planning Commission				
2023 Meeting Dates				
1st Tuesday of the month				
January 3	July 6 (Thurs)			
February 7	August 1			
March 7	September 5			
April 4	October 3			
May 2	November 7			
June 6	December 5			