

**EATON COUNTY
PLANNING COMMISSION MEETING
April 2, 2019**

Call to Order: Brian Ross, Chair of the Eaton County Planning Commission, called the meeting to order at 7:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI.

Pledge: The Pledge of Allegiance was given by all.

Roll Call: Brian Ross, Tammy Halsey, Tim Cattron, John Little, Barbara Rogers, and Ben Tirrell

Absent: Jack Owens, Blake Mulder, and Jeana Rohrs

Staff Present: Claudine Williams and Brandy Hatt

Agenda Approval: A motion was made by **Commissioner Little** to approve the agenda for the April 2, 2019 meeting. **Commissioner Rogers** supported. Motion carried.

Minutes Approval: A motion was made by **Commissioner Rogers** to approve the March 5, 2019 minutes as printed. **Commissioner Halsey** supported. Motion carried.

Public Comments: None

DCA-4-19-1: Request by Olivet College for a District Change Amendment to change the zoning of property located at 9126 Marshall Road from Limited Agricultural (LA) to Local Business (C-1), in Section 32 of Walton Township.

Staff Report: Ms. Williams read the staff report into record.

Applicant Statement: Mr. Larry Colvin, Olivet College Facilities Director, stated the college would like to install tennis courts and a small building on this property. He stated the building will be serviced by the city water supply. Mr. Colvin stated he has met with the Barry-Eaton District Health Department for septic and drainfield permits. He said the proposed tennis courts may have twenty to twenty five people maximum at any one time; the proposed tennis courts will be official courts. He stated they are mandated to have twenty-one parking spaces. Mr. Colvin noted the proposed tennis courts are set back a significant distance from neighboring properties to the south; the building will be on the western portion of the property with the fields used for soccer practice. He said this will be an improvement to the property for appearance and removal of an old building; there are no other plans for this property. Mr. Colvin explained they are planning on some changes to the football stadium area in the future, but not this property. He said the money for this project comes from a single donor; he does not see any impact on surrounding properties. Mr. Colvin offered to answer questions.

Commissioner Ross invited any speaker in favor or opposition to the request to make public comment.

Speakers in favor: None

Speakers in opposition: Mr. Chris Washburn stated he lives off from Butterfield Highway. He stated he is not really worried about the tennis courts with twenty-five people as they are already used to living by the football stadium. He stated he is concerned about what the property may turn into in the future; he would like to know what the future plans for the property are before they happen.

Commissioner Ross invited Mr. Colvin to respond to the concerns of Mr. Washburn.

Mr. Colvin stated Olivet College just completed their twenty-five year athletic master plan; nothing is earmarked for the property besides the tennis courts and practice soccer fields. He stated the college has plans for the football stadium property, but nothing more for this property. He stated the improvements to this property could add value to their home.

Public hearing closed: 7:12 p.m.

Commissioner Ross reminded the Planning Commission a motion for approval or denial must include the answers for items A through E from Zoning Ordinance Section 13.6 and rezoning performance standards as listed on pages seven and eight of the staff report.

Commissioner Tirrell stated the proposed change seems like a logical move; the property was previously dual zoned with commercial, but when it was corrected it was zoned Limited Agricultural rather than commercial. He stated that could have been an error.

Commissioner Tirrell moved to approve DCA-4-19-1 (Olivet College) to change the zoning of property located at 9126 Marshall Road from Limited Agricultural (LA) to Local Business (C-1), in Section 32 of Walton Township as it is in compliance with Items A-G from Article 13.6 of the Eaton County Ordinance:

- A. Identifiable conditions related to the application that have changed which justify the proposed amendment are: growth of the college and community.
- B. An error in the original Ordinance existing because the property was dual zoned at one point and was re-zoned incorrectly to Limited Agricultural.
- C. Rezoning this property will not create any precedents or effects due to the previous dual zoning of the property and incorrect previous rezoning of the property.
- D. This change will not adversely affect the environmental conditions or the value of the surrounding property.
- E. This amendment does not have any impact on the ability of the county or other governmental agencies to provide adequate public services.
- F. The district change complies with the adopted Eaton County Master Plan.
- G. This property could be put to a reasonable economic use in the current zoning district; however it is master planned for commercial zoning.

The property also meets the required performance standards for re-zoning as required in Zoning Ordinance Section 13.4.7.A.

Commissioner Rogers supported.

A roll call was taken with six (6) voting aye and none (0) voting nay. Motion carried.

Other Business: Commissioner Ross asked staff for the report on the PA 116 Application. Ms. Williams reported on one application for property located in section 21 of Benton Township.

Commissioner Tirrell moved to recommend approval of the PA 116 Applications to the Eaton County Board of Commissioners. **Commissioner Rogers** supported. Motion carried.

Reports: Ms. Williams informed the Planning Commission they received communication from Covis Township Planning Commission regarding their Master Plan and Jackson County regarding their intent to prepare a Master Plan.

Ms. Williams explained the Public Works and Planning Committee heard DCA-3-18-2 at their March 13, 2019 meeting and recommended sending it on to the Board of Commissioners for approval. The Eaton County Board of Commissioners heard and approved the application by a majority vote at their March 20, 2019 meeting. She said the final notice for the DCA was then posted as required; however a notice intent to file a petition for a referendum was filed with the Eaton County Clerk. Ms. Williams said the

petitioner has thirty days to collect signature from the date of the filing of the notice of intent to proceed, so we will have to wait for 30 days to see how we will be proceeding. **Commissioner Halsey** asked Ms. Williams what occurs during the thirty days. Ms. Williams stated they have to obtain signatures for their petition. **Commissioner Tirrell** asked Ms. Williams how many signatures they need to obtain. Ms. Williams stated she believes they need approximately twenty-one hundred signatures. **Commissioner Catron** asked Ms. Williams what are the next steps. Ms. Williams stated they need to wait to see if the signatures are obtained to discuss the next steps. **Commissioner Ross** stated solar companies could still apply under a Community Service Facility and both the Chairman of the Board of Commissioners and Eaton County's Attorney have stated that solar facilities could be considered as a Community Service Facility. Ms. Williams stated that was correct. **Commissioner Ross** stated he is concerned because a Community Service Facility has little to no regulations.

Commissioner Ross asked Ms. Williams if there are any scheduled Zoning Ordinance Committee Meetings. Ms. Williams said no.

Ms. Williams reported the Eaton County Board of Appeals meet this evening; they approved a variance application.

Upcoming Cases: Ms. Williams informed the Planning Commission there are three applications to be heard at their May 7, 2019 meeting.

Public Comment: none

A motion was made by **Commissioner Rogers** to adjourn the meeting. **Commissioner Halsey** supported. The meeting adjourned at 7:24 p.m.