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May 24, 2021

Atlas Township
7386 S. Gale Road
P.O. Box 277
Goodrich, MI 48438

Attention: Planning Commission

Re: Proposed Conditional Rezoning of Parcel No. 02-15-200-033
C-3, Commercial Shopping Center to M-1, Light Manufacturing
Atlas Township Application No. 20-01
Wade Trim Job No. ATL 6003-21D Phase 100

Dear Commissioners:

As you may recall, the applicant Chad Carson appeared before the Planning Commission in February 2020 requesting a rezoning of his property, Parcel ID No. 02-15-200-033, from the C-3, Shopping Center District to the M-1, Light Manufacturing District. After holding the public hearing, the matter was tabled. Based on feedback from the Commission, Mr. Carson has reconsidered his request and is now submitting a “conditional” rezoning request.

Comprising 6.45 acres, the subject site is located along the east side of M-15 (State Road), about halfway between Coolidge Road and Hegel Road. The site sits on the border between Atlas Township and the Village of Goodrich, with the Village limits bordering the southern edge of the subject site. The subject site has approximately 320 feet of frontage on M-15.

Conditional Rezoning / Statement of Conditions

Mr. Carson has submitted a written statement of conditions that he is voluntarily offering for the Township’s consideration. He prefaces his statement of conditions by saying that he would like to “develop the property for landscape supplies, equipment parking and topsoil screening” and would “also construct a building on the property for landscape supplies, office and workshop.” The proposed operation would have both a commercial component (retail landscape supply sales and office) and an industrial component (workshop, topsoil screening and storage). His proposed conditions would limit the use of the property to only two uses allowed in the M-1 District, as follows:

“Building material sales yard, including but not limited to rock, sand, gravel and the like (excluding concrete mixing) – Sect. 300.1101, (H)”

“Contractor’s equipment storage yard or plant or centers – Sect. 300.1101, (I)”

He further states that:

“I will not be utilizing this conditional rezoning request for any of the other uses permitted under Section 300.1101 A-G, K-O.”

Although not his immediate plan for the property, he does want to maintain his right to develop the site in the future for the uses currently allowed within the C-3 District. He states:

“I would also like to stipulate the uses permitted under 300.1001 A, B and conditional uses permitted under 300.1002 A, B be maintained.”

The procedure for reviewing a conditional rezoning is outlined in Section 300.1305, (C) of the Zoning Ordinance. Because the conditions are being offered after the Planning Commission already held a public hearing, a new public hearing has been scheduled for the June 2021 meeting.

We have reviewed the conditional rezoning request in consideration of the existing conditions, established zoning pattern, proposed zoning, master plan recommendations, and sound planning principles. We are pleased to offer the following comments for your consideration.

Existing Land Use Conditions

The 6.45-acre subject site is presently undeveloped. A gravel drive at the northwest corner of the site provides access from M-15. There is an elevated mound with vegetation/trees along the entire M-15 property frontage; this feature generally blocks views into the site from the road. Aerial photography reveals that much of the interior of the site has been graded/excavated and may currently being used for materials storage.

Please refer to the enclosed Aerial Photo Exhibit for a depiction of existing development in the vicinity of the subject site. Existing land uses include a mixture of vacant lands, single-family residential properties, commercial establishments, and storage operations.

Immediately adjacent to the subject site to the north is a 70-foot access strip that provides access to the property east of the subject site. Both sections of the site are forested and vacant. Immediately to the west, across M-15, is a single-family residence. The Village of Goodrich is immediately south of the subject site, and the property to the south includes storage operations to the rear of the property.

Further north of the subject site, the developed properties fronting M-15 up to Coolidge Road include several residential dwellings and some light manufacturing operations on the west side of M-15, including the Sojourner Drive industrial park.

Further south of the subject site, the developed properties fronting M-15 on the west side are office buildings including the Village municipal offices. The properties fronting M-15 on the east side further south of the subject include a contractor's operations site and commercial properties, including a pet groomer, a bank, and a large hardware store. All properties south of the subject site are part of the Village of Goodrich.

State Road (M-15) in this vicinity is a paved, two-lane highway (under MDOT jurisdiction). According to MDOT, M-15 had a traffic count of 13,500 vehicles per day in 2018. Presently, the subject site is not served by public water or sanitary sewer service. Therefore, the site would need to utilize private wells and private septic systems.

Established Zoning Pattern

The subject site is currently zoned C-3, Commercial Shopping Center District. The stated intent of the C-3 District, as established in Section 300.1000 of the Zoning Ordinance, is as follows:

“...to permit a wider range of business and entertainment activities than those permitted in the Local Commercial District. The permitted uses are intended to provide businesses and services usually found in major shopping centers and central business districts at the juncture of major streets. These uses generate large volumes of vehicular traffic and require detailed planning particularly as to relationships with adjacent residential areas.”

As shown on the enclosed Aerial Photo Exhibit, a single property abuts the site to the north and the east. The portion of this property fronting M-15 (the 70-foot access strip) is presently zoned C-3 District; the remainder of the property is zoned RSA, Residential Suburban Agricultural. Adjacent to the subject site to the west, across M-15, is a property zoned C-2, General Commercial District. Immediately adjacent to the south of the subject site, within the Village of Goodrich, is a property zoned GBD, General Business District.

Further south of the subject site, properties fronting M-15 within the Village of Goodrich are zoned a combination of GBD District and OSD, Office-Service District. Further north of the subject site, the properties fronting M-15 are zoned a combination of C-2 District and M-1, Light Manufacturing District. The M-1 District properties are found only on the west side of M-15.

Proposed Zoning

The applicant is requesting a rezoning from the C-3, Commercial Shopping Center District to the M-1, Light Manufacturing District. According to Section 300.1100 of the Zoning Ordinance, the intent of the M-1 District is:

“...to provide for light industrial uses that will have a limited impact upon adjacent uses through restrictions placed upon the degree of noise, smoke, glare, waste and other features of light industrial operations. It is further intended that permitted light industrial uses shall serve as a buffer between heavy industrial uses and nonindustrial uses and that railroad access or major industrial facilities shall not be required.”

According to the voluntarily proposed conditions, if rezoned, the applicant would only utilize the site for one of two uses allowed by the M-1 District: “building material sales yard, including but not limited to rock, sand, gravel and the like (excluding concrete mixing)” and “contractors equipment storage yard or plant or centers.” This voluntary condition does limit the potential for another more intensive industrial use, such as a stadium, manufacturing plant, coal yard or freight yard, from being established at the property.

Master Plan Recommendations

The Future Land Use Map of the Atlas Township Master Plan has classified the subject site for Commercial use. In describing the Commercial future land use classification, Page 73 of the Master Plan indicates that lands in this classification are:

“...occupied by retail uses offering commodities which attract a more regional clientele and are traditionally dependent on major thoroughfare traffic. Commercial uses may include markets, florists, personal service establishments, retail stores, restaurants, and automobile related service establishments. Professional office establishments are also appropriate.”

The properties immediately adjacent to the subject site to the north, east and west are all planned for Commercial use. The property immediately adjacent to the south is planned for “General Commercial” use (per the Village of Goodrich 2008 Master Plan).

The Atlas Township Master Plan does establish a planned “Industrial” use area along the west side of M-15, starting at the Sojourner Drive industrial park and extending north. The subject site is approximately 400 feet south and east of this planned Industrial area.

We have also reviewed the Goals chapter of the Atlas Township Master Plan to identify any planning goals and policies which may be pertinent to this conditional rezoning request. We note the following pertinent goals/policies (all of which are found on page 67 of the Master Plan):

- Encourage limited commercial and industrial growth and expansion to provide adequate services to Township residents and to help provide a tax base and increased employment opportunities in Atlas Township.
- Direct business and industrial investment to vacant or underutilized properties before development of greenfield sites.
- Where supported by market demand, provide for commercial development on sites that demonstrate convenient access to regional transportation systems and have planned public infrastructure.
- Direct industrial development to sites that respect the historical and regional industrial development patterns, demonstrate convenient access to regional transportation systems, and have planned public infrastructure.
- Minimize the nuisance effects associated with commercial and industrial development through the use of buffering techniques such as transitional zoning, landscape screening, and setbacks.

Recommendation

We were not in support of the previously proposed conventional rezoning request to the M-1 District. However, the revised conditional rezoning request limits some of our prior concerns. Notably, we believe the condition which limits the potential uses allowed within the M-1 District protects the Township from the possibility of different and more intensive industrial uses locating on the site in the future. The only two M-1 District uses proposed to be allowed are those necessary to accommodate the proposed operation which is both a commercial (retail landscape supply sales and office) and industrial (workshop, topsoil screening and storage) in character.

We recognize that the Future Land Use Map of the Atlas Township Master Plan plans for commercial use at this location. However, we believe the Township could consider this a compromise approach to allow a new business with both commercial and industrial components. In our opinion, this specific proposal is not inconsistent with the overall character of M-15 in this area which includes predominantly commercial use but also some industrial use. We also believe that it is consistent with Master Plan policies to allow for limited commercial and industrial growth on sites which demonstrate convenient access to regional transportation systems.

Suggested Clarification of the Statement of Conditions:

The applicant’s statement of conditions indicates that the property will not be used for “any of the other uses permitted under Section 300.1101 A-G, K-O.” We presume that the applicant intended to say J-O instead of K-O. Subsection J would allow a retail lumber yard, which is not proposed by the applicant.

Recommended Contingency:

If the Planning Commission forwards a recommendation of approval to the Township Board, it should do so contingent upon a formal statement of conditions, which meets the requirements of Section 300.1305, (C), (6), being provided for review and acceptance by the Township Board.

If you have any questions, please do not hesitate to contact me at 313.961.3650 or by e mail at ayoung@wadetrim.com.

Very truly yours,

Wade Trim Associates, Inc.

A handwritten signature in black ink, appearing to read "Adam C. Young".

Adam C. Young, AICP
Senior Project Manager

ACY:lkf
ATL 6003-21D
20210524_PlanningCommission-Ltr.docx
Enclosure



Atlas Township
GENESEE COUNTY,
MICHIGAN

Aerial Photo Exhibit **Chad Carson** **Conditional Rezoning Review**

Aerial Source: Esri World Imagery
Parcel Source: Genesee County Equalization Department, 2008,
as used on the Atlas Township Zoning Map, updated 2012

0 50 100 200
Feet



May 2021
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