



STAFF REPORT TO THE PLAN COMMISSION

Zoning Amendment Petition by MCAP Buchanan PropCo, LLC, commonly known as Buchanan Meadows, 809 Carroll St., Buchanan, MI 49107

April 9, 2024

I. GENERAL INFORMATION

Applicant: MCAP Buchanan PropCo, LLC
Petitioner Address: 809 Carroll St., Buchanan MI 49107
Petition: Zoning Amendment
Present Land Use: Adult Foster Care Facility

MCAP Buchanan PropCo, LLC commonly known as Buchanan Meadows has initiated an application for a zoning amendment of the Buchanan Zoning Ordinance that would allow (i) Convalescent and Nursing Care to be provided in the R-3 Multi-Family Residential Zoning District upon issuance of a special use permit; (ii) reduce the required lot area per resident square footage for group home and adult foster care facilities; and (iii) limit the number of licenses for adult foster care facilities operating as a single integrated development in the R-3 Multi-Family Residential Zoning District or R-4 Multi-Family Senior Residential Zoning District to no more than five (5) licenses, each authorized to provide care to up to 20 residents.

The Plan Commission has two options to consider regarding a requested zoning amendment. The Plan Commission shall conduct the required public hearing, and then submit to the City Commission either:

- (1) a recommendation for the approval of the zoning amendment submitted by the applicant; or
- (2) a recommendation for the denial of the zoning amendment submitted by the applicant.

II. STAFF ANALYSIS:

Section 25.01 - Initiation. Amendments to this Ordinance may be initiated by the City Commission upon its own motion, by the Plan Commission, or may be proposed for consideration by the petition of the owners of property, which would be involved or affected by such change or amendment. All proposed amendments not originating with the Plan Commission shall first be referred to the Plan Commission for study, review, and recommendation.

Section 25.02 - Plan Commission Procedures. Amendments to this Ordinance, after the review and recommendation of the Plan Commission, may be adopted and enacted by the City Commission. The procedures to be followed in the enactment of an amendment to this Ordinance are those prescribed by the City Charter of the City of Buchanan for the enactment of any other kind of ordinance and Public Act 207 of 1921 as amended.

3. Plan Commission Review and Recommendation.. Within thirty (30) days following the public hearing, the Plan Commission shall review the application for the amendment and comments received at the public hearing, the site plan, and other materials submitted in relation to the application, and take action to recommend approval or denial of the application to the City Commission. The decision shall be incorporated in a statement of conclusions relative to the amendment under consideration. The decision shall specify the basis for the decision, and any special circumstances utilized in arriving at the recommendation.

The recommendation of the Plan Commission on application shall be made in accordance with conformance with the City of Buchanan Comprehensive Plan, as from time to time is amended, and such standards contained in this Ordinance which relate to the matters under consideration. Immediately upon action by the Plan Commission, the application, and all supporting documentation including the written report of the Plan Commission shall be transmitted to the City Clerk for inclusion on the City Commission agenda.

Staff Comments, findings of fact, and recommendation:

As zoning administrator, I cite the following excerpts from the petitioners' zoning amendment application as findings of fact for a favorable recommendation on the request:

The City of Buchanan and surrounding areas are underserved with respect to senior care options. The most recently adopted Master Plan for the City (adopted in 2021) identifies the multi-family residential districts as districts to be recommended for support of "elderly and assisted-use housing". However, the current wording of the Zoning Ordinance limits the ability to provide comprehensive elderly and assist-use services in the R-3 (Multi-Family Residential) and R-4 (Multi-Family Senior Residential) zoning districts. The proposed text amendments will (i) facilitate the possible future expansion of Buchanan Meadows, subject to special use approval; (ii) provide flexibility to expand the services provided at Buchanan Meadows to include a licensed Home for the Aged; and (iii) reduce the lot area per resident square footage requirement for group homes and adult foster care facilities so that they are consistent with industry standards. The proposed text amendments provide a practical solution to an apparent problem. Implementing the proposed text amendments will provide needed flexibility to senior care providers wishing to expand the scope of available services to the community. Importantly, adoption of the proposed text amendments will not result in

automatic approval of any future expansion of building footprints or services in these zoning districts. To the contrary, any applicant (including the owner of the Buchanan Meadows property), will still need to satisfy the special use permit requirements as a condition to any expansion. As such, the proposed zoning amendment by the petitioner will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare

The Petitioner has initiated an application for amending the zoning ordinance text or map. Based on the above, there are findings that support that it is in the best interest of the City to support the zoning amendment. The Plan Commission may issue a statement of positive findings that the zoning amendment of the property will be in harmony with the general purpose and intent of this Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

Section 9.01 - Intent.

The Zoning Ordinance was enacted by the city for the purpose of promoting the public health, safety, and general welfare of the City to enact such an Ordinance. The Plan Commission could issue a statement of positive findings due to the positive findings for each of the general and specific standards described above.

The City Plan Commission has divided the municipality into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets, to secure safety from fire, panic and other potential dangers; promote health, safety and the general welfare; provide adequate light and air; prevent overcrowding of land; avoid undue concentrations of population; facilitate adequate provision for transportation, water, sewerage disposal, schools, parks and other public improvements, and

The City Plan Commission has given full and reasonable consideration to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality.

Section 25.02 Plan Commission Review and Recommendation

Plan Commission Review and Recommendation. Within thirty (30) days following the public hearing, the Plan Commission shall review the application for the amendment and comments received at the public hearing, the site plan, and other materials submitted in relation to the application, and take action to recommend approval or denial of the application to the City Commission. The decision shall be incorporated in a statement of conclusions relative to the amendment under consideration. The decision shall specify the basis for the decision, and any special circumstances utilized in arriving at the recommendation. The recommendation of the Plan Commission on application shall be made in accordance with conformance with the City of Buchanan Comprehensive Plan, as from time to time

is amended, and such standards contained in this Ordinance which relate to the matters under consideration. Immediately upon action by the Plan Commission, the application, and all supporting documentation including the written report of the Plan Commission shall be transmitted to the City Clerk for inclusion on the City Commission agenda.

III. DECISION

The Plan Commission should make findings of fact, stated on the record during the public meeting, to support any decision made, considering the factors above, to decide whether to recommend that the City Commission approve or deny the request for zoning amendment.

Prepared by: Richard Murphy
Zoning Administrator/Community Development Director