

CITY OF IONIA
Planning Commission
December 14, 2022
Regular Meeting Minutes

CALL TO ORDER

Chairperson Hoppough called the Regular Meeting of the City of Ionia Planning Commission for December 14, 2022, to order at 4:32 PM.

ROLL CALL

Present: Commissioners Mike Donaldson, Ryan Gregory, Boomer Hoppough, Tim Lee, Judy Swartz, and Ryan Videtich.

Absent: Commissioner Logan Bailey.

Also Present: City Manager Precia Garland, Assistant to the City Manager Jonathan Bowman, Planning Consultant Bradley Kotrba, DDA Director Linda Curtis, Daily News representative Tim McAllister, Jessica Rich, and several other members of the public.

APPROVAL OF AGENDA

Chairperson Hoppough introduced the agenda and requested that a motion be made to move Old Business agenda item 7A before Public Hearing with Corresponding Action item 6B. It was moved by Commissioner Donaldson and seconded by Commissioner Swartz to approve the agenda as amended. MOTION CARRIED.

APPROVAL OF MINUTES

Minutes from the regular meeting of November 9, 2022, were reviewed. It was moved by Gregory, seconded by Swartz to approve the minutes from November 9. MOTION CARRIED.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

Public Hearing to receive comments on Ordinance No. 571 that would amend Chapter 1240 – General Provisions and Definitions, Chapter 1256 – B-1 Neighborhood Business District, Chapter 1258 – B-2 Community Business District, and Chapter 1260 – B-3 General Business District– of Title Six: Zoning – of Part Twelve: Planning and Zoning Code; and to rename Chapter 1255– of Title Six: Zoning – of Part Twelve: Planning and Zoning Code; and to rezone parcel numbers 34-204-090-000-670-50 and 34-204-070-000-025-00 into the HSD Health Services District.

Chairperson Hoppough opened the floor to receive comments on the Public Hearing at 4:35 PM and closed the Public Hearing at 4:36 PM following no public comments.

City Manager Garland reviewed with the Planning Commission the steps taken to prepare the ordinance. Consultant Kotrba recommended the Commission amend the proposed

ordinance to add a definition for adult use because of questions brought forth by residents in relation to the other public hearing on the agenda. Kotrba noted that there is wide consensus on this definition in the planning community and it would allow for clarification that does not currently exist in the ordinance.

It was moved by Commissioner Donaldson and seconded by Commissioner Swartz to recommend approval of Ordinance No. 571 by City Council that would amend Chapter 1240 – General Provisions and Definitions including the addition of a new definition for adult use before being brought to City Council, amend Chapter 1256 – B-1 Neighborhood Business District, Chapter 1258 – B-2 Community Business District, and Chapter 1260 – B-3 General Business District– of Title Six: Zoning – of Part Twelve: Planning and Zoning Code; and rename Chapter 1255– of Title Six: Zoning – of Part Twelve: Planning and Zoning Code; and rezone parcel numbers 34-204-090-000-670-50 and 34-204-070-000-025-00 into the HSD Health Services District. MOTION CARRIED

OLD BUSINESS

Draft Business Districts Rezoning Ordinance

Assistant to the City Manager Bowman introduced the draft rezoning ordinance by identifying the properties recommended for rezoning from the B-1 Neighborhood Business District to the B-3 General Business District. The properties were selected due to their sizes, location on primary corridors, existing uses, and redevelopment potential.

Commissioner Lee commented that the Commission has wanted to address redevelopment along the M-21 and M-66 corridors for a long period of time and that the draft ordinance aligns with this goal. The rezoning proposal was discussed by the Commission and the consensus was that these parcels were suitable for rezoning.

It was moved by Commissioner Gregory and seconded by Commissioner Donaldson to assign an ordinance number and schedule a public hearing for the next regular Planning Commission meeting on January 11, 2023. MOTION CARRIED

PUBLIC HEARINGS CONT.

Public Hearing to receive comments on the requested Special Land Use permit approval submitted by Jessica Rich to operate a Level 2 home occupation at 921 Hackett Street for the purpose of opening a personal service establishment.

Chairperson Hoppough opened the floor to receive comments on the Public Hearing at 4:54 PM.

Chairperson Hoppough read an electronically submitted comment from an anonymous resident living on Hackett Street. The comment highlighted concerns about parking, the “Adult-only” business use, and the effect of the use on surrounding property values.

Chairperson Hoppough read a letter submitted by Jason Petersen of the Ionia County Health Department. The letter informed the Commission that a pre-opening inspection occurred for the tattoo shop at 921 Hackett Street. The inspection passed in accordance with

the MDHHS Health and Safety Regulations and was forwarded to the state who will be sending Ms. Rich the license.

Jessica Rich of 921 Hackett Street explained the reason she was requesting the home occupation. She expressed that she aims to bring art to the Ionia Community and provide services that are not currently offered. She stated that parking will not be an issue due to the length of her driveway and that the business will not be adult-only. Rich mentioned that she hopes to eventually grow her business and relocate it to downtown if possible.

The Commission asked Ms. Rich a few questions regarding the operation plan for the business including appointments, parking, hours, number of clients, waiting of customers, and expected services. Ms. Rich answered all questions.

After all comments had been heard Chairperson Hoppough closed the Public Hearing at 5:05 PM.

Assistant to the City Manager Bowman explained that Home Occupations are classified by level as either a Level 1 or Level 2 use. He noted that the proposal for 921 Hackett Street falls into the Level 2 category because it will involve customers on more than an occasional basis meaning more than 5 times per week and the applicant expects to eventually have one individual who does not reside on the property assisting with services. For these reasons, the proposal was a Level 2 home occupation and required the approval of a special land use. Bowman covered the Level 2 home occupation requirements of Section 1286.10 (d) and the special land use standards of Chapter 1274. The Commission reviewed the requirements of Section 1286.10 (d), the special land use standards of Chapter 1274, the submitted application, and all documentation.

Consultant Kotrba noted that additional conditions could be placed by the Commission and should be specifically tied to the proposed use. He further explained that a special land use would remain with the property until the use ceases for more than a one-year period as long as the use does not expand and continues to follow all approved requirements and conditions.

It was moved by Commissioner Lee and seconded by Commissioner Gregory to conditionally approve the special land use permit for a Level 2 home occupation to operate a 325 square feet personal service establishment for tattooing, microblading, piercing, and permanent cosmetics located at 921 Hackett Street. This decision is based on the findings that the proposed use and plan comply with the Special Land Use Standards of Chapter 1274 and the Level 2 home occupation requirements of Section 1286.10 (d) of the Code of Ordinances, as detailed and discussed above, conditioned on the items noted below in the staff conditions and additional conditions created by the Planning Commission. MOTION CARRIED

Staff Listed Conditions

The special land use shall comply with all applicable federal, state, and local requirements. A copy of an approved body art facility license from the Michigan Department of Health and Human Services (MDHHS) must be submitted to the City before SLU approval is granted.

Planning Commission Additional Conditions

1. A sign permit meeting the requirements of Chapter 1284 shall be required if the proposed sign for the home occupation is ever replaced.
2. No street parking or loitering shall be allowed for customers of the home occupation. All clients should wait in their vehicles until their appointment time.
3. The applicant shall be required to notify the City if the use stops or is transferred to another individual.

NEW BUSINESS

None.

COMMISSIONER COMMENTS

Happy Holidays to all and thank you for the robust discussion.

ADJOURNMENT

It was moved by Commissioner Lee and seconded by Commissioner Swartz to adjourn the meeting at 6:05 PM. MOTION CARRIED

Respectfully Submitted,

Precia Garland, Recording Secretary,
for Judy Swartz, Secretary