

**KASSON TOWNSHIP
REZONING PETITION FINDINGS OF FACT
November 18, 2024**

Applicant Name(s): New Cass, LLC; Bob Sutherland

Owner Name(s): New Cass, LLC

Tax Parcel Number: 007-002-013-01

Date of Meeting: 11/18/2024

GENERAL FINDINGS OF FACT

The property covered by this Rezoning Petition is described as:
PT NW 1/4 SEC 2 COM NW COR SD SEC TH S 01 DEG 51'11" W 2095.23 FT TO POB
TH CONT S 01 DEG 51'11" W 131.54 FT TH N 89 DEG 48'36" E 104.36 FT TH N 04
DEG 48'43" E 2.14 FT TH S 84 DEG 51'11" E 555.43 FT TH N 01 DEG 51'11" E 138.12
FT TH N 86 DEG 27'12" W 659.20 FT TO POB SEC 2 T28N R13W 1.97 A M/L 2021
SPLIT FROM 007-002-007-00 & 007-002-013-00

Also known as 8419 S. Maple St.; Maple City, MI 49664

The Commission finds that the site is located in Kasson Township, Leelanau County.

The Commission finds that the site is 1.97 +/- acres in size.

The Commission finds that the site is located in the Medium and Small Lot SF/MF sub-zoning of the Village High Density District (ZO Section 4.8)

The Commission finds that the request is to re-zone the subject property to the Mixed Use Commercial Core sub-zoning of the Village High Density District.

The Commission finds that Chapter 12 of the Zoning Ordinance delegates the Commission the authority to review and approve or deny the request for a re-zoning.

The Commission finds that a Notice of Public hearing was published on October 31, 2024 in the *Leelanau Enterprise* as required by Section 12.4 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103).

The Commission finds that notice was mailed to all required parties on October 31, 2024 as required by Section 12.4 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103).

Section 12.4 of the Kasson Township Zoning Ordinance states:

The Planning Commission shall consider each proposed amendment in terms of the likely effect of such proposal upon the development plans for the community as set forth in the Township Master Plan, as well as in terms of the merits of the individual proposal.

NOTE: The Planning Commission may require such other data as may be required to ensure that the purposes of Chapter 12 and the Kasson Township Master Plan are satisfied. The Commission shall state for the record its reasons for taking such action.

MASTER PLAN REFERENCES TO REZONING

- “The Planning Commission and the Township Board shall rezone particular properties as they see fit to implement the Plan in an orderly and prudent fashion.” (p. 14)
- “Criteria used to evaluate any new rezoning requests or new subdivisions shall include anticipated traffic impacts, increased demands on public facilities, and effects upon the native terrain.” (p. 34)
- “All land use decisions (e.g., rezoning, site plan reviews), should consider including traffic impacts and other transportation considerations.” (p. 43)

ZONING CHANGES

A re-zoning from Medium and Small Lot (MSL) to Commercial Core Mixed Use Zoning (CC) allows for the addition of two uses which are allowed in the CC Zoning but not in the MSL Zoning. These include:

- Townhouse Dwellings
- Apartment Dwellings

All uses except single family detached dwellings in this district shall be subject to Chapter 8, Development Site Plan Review.

RESIDENTIAL DENSITY ALLOWANCES

While this request is for the re-zoning only, and not for any specific use or potential use after any re-zoning that may be granted, the applicant has stated that “the purpose is to redevelop the parcel for employee housing”, that if the re-zoning is granted “the advantages for housing in commercial core are most viable when it’s a 2-acre density”, and “a variance for 3/100 of an acre is also something we will be asking for if the rezoning is approved.” [May 20, 2024 Email Communication from Marc McKellar, applicant’s attorney] **Verify if the variance request is still on the applicants critical path schedule.**

- Under the current MSL Zoning, allowed residential density is two (2) single-family dwelling units per acre.
- Under the requested CC Zoning, allowed residential density is four (4) dwelling units per acre for single-family residences, or sixteen (16) dwelling units per acre for multi-family residences. **The applicant has stated that they will limit the dwelling units to 9 in an email dated September 23, 2024**

The applicant parcel is currently less than two acres (1.97 acres), so it would be allowed two single-family dwelling units under its current zoning, or four single-family dwelling units or sixteen multi-family dwelling units under its proposed re-zoning.

Under the requested CC Zoning with the proposed variance, the applicant property would be allowed the number of dwelling units for a two-acre property, which would be eight (8) single-family dwelling units or thirty-two (32) multi-family dwelling units.