



# CHARTER TOWNSHIP OF PORT HURON

3800 Lapeer Road  
Port Huron Twp., Michigan 48060  
[www.porthurontownship.org](http://www.porthurontownship.org)

Phone: (810) 987-6600  
Fax: (810) 987-6712

## Planning Commission Agenda - Amended

NOTICE OF PUBLIC HEARING, BOTH VIRTUALLY AND IN PERSON

Thursday, June 3<sup>rd</sup> 2021 at 7:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda – Amended
5. Approval of Minutes – May 6<sup>th</sup> 2021
6. Correspondence
7. General Public Comment
  - Public Hearings:
    - a. Special use Approval at 3308 Petit Street, for a Proposed Automobile and Heavy Equipment Repair Facility and a Long-Term Storage Facility for Mark Toodzio of Petit Enterprises
    - b. Rezoning Request at 74-28-750-0088-000 (aka 1179 32<sup>nd</sup> St.), the property is currently zoned B-3 General Business District and the Zoning Classification being considered is I-L Light Industrial,
8. Old Business:
  - a. Revised plans and review comments from DLZ on proposed parking lot expansion at 2415 24<sup>th</sup> Street for the St Clair County Mental Health Facility.
9. New Business:
  - a. Special Use Approval at 3308 Petit Street, for an existing Automobile and Heavy Equipment Repair Facility and a Proposed Long-Term Storage Facility for Mark Toodzio of Petit Enterprises
  - b. Rezoning Request at 74-28-750-0088-000, (aka 1179 32<sup>nd</sup> St.), from B-3 General Commercial to I-L light Industrial, for Arthur Kalhjian Architect & Design
  - c. Consideration of a recommendation for a Proposed Public Hearing Next Month for changes to the “Home Occupation” Ordinance to Include the Removal of “Bed and Breakfast” and the addition of “Medical Marijuana Care Giver Facilities” and to also include them under “Special Use Approval” in both the Light and Heavy Industrial Districts.
10. Reports
  - a. Kirk Lavigne
    - i. 1834 Range Rd. for David Jozefiak, D&M Lawn, No Additional Info (NAI)
    - ii. 2043 And 2031 International Way, Smiths Meat Packing. NAI
    - iii. Proposed zoning ordinance changes to, Section “40-666 Accessory Buildings and Structures” for the placement of “Storage and/or Shipping Containers”. NAI
  - b. Township Board Report – John Reno
  - c. Zoning Board of Appeals Report – Jerry Sebastian
11. Adjournment

**JUNE**



# CHARTER TOWNSHIP OF PORT HURON

3800 Lapeer Road  
Port Huron Twp., Michigan 48060

Phone: (810) 987-6600  
Fax: (810) 987-6712

## MINUTES OF THE REGULAR MEETING FOR THE CHARTER TOWNSHIP OF PORT HURON PLANNING COMMISSION HELD THURSDAY, JUNE 3<sup>RD</sup> 2021, 7:00 P.M., TOWNSHIP HALL, 3800 LAPEER RD, PORT HURON, MI 48060

The meeting was also virtually conducted with posted information/directives regarding access to the presentation.

### 1. *Call to Order*

The Meeting was called to order by Chairman Stephen Tetreau at 7:00 P.M.

### 2. *Pledge of Allegiance*

### 3. *Roll Call*

Attended: Laura Covyew, Mark Kovach, Trustee John Reno, Jerry Sebastian, Ivan Smith, and Stephen Tetreau.

Absent: Sheri Faust, excused.

Also Present: Building/Planning/Zoning Administrator Kirk Lavigne, Sherry Beiser, Arthur Kalhjian (Zoom), Ran Nizan (Zoom), Mark Toodzio, and Recording Secretary Betty Child.

### 4. *Agenda Approval*

Motion by Member Sebastian, support by Member Kovach, to approve the agenda as distributed. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the agenda was approved.

### 5. *Approval of Minutes, May 6, 2021*

Motion by Member Smith, support by Member Kovach, to approve the minutes as distributed. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the minutes were approved.

For the record, Stephen Tetreau was not included in the list of Members present for the May 6, 2021, Meeting.

### 6. *Correspondence*

Kirk Lavigne read a letter from Ed Hall regarding the request from Mark Toodzio. Mr. Hall was in favor of the request but suggested there be no on street parking in said area.

### 7. *General Public Comment*

There being none, Chairman Tetreau moved to Public Hearings.

### 8. *Public Hearings*

#### **(a) *Special Use Approval for a Proposed Automobile and Heavy Equipment Repair Facility and a Long-Term Storage, for Mark Toodzio of Petit Enterprises, at 3308 Petit Street.***

It was noted by Kirk Lavigne the Township is under current litigation with the applicant for the Heavy Equipment Repair Facility. He suggested the issues of the auto/heavy equipment repair and the long-term storage facility be addressed as two separate items.

Mark Toodzio, applicant, commented Petit Enterprises began as an auto/heavy equipment repair facility back in 1984. He commented it was changed to light equipment repair and there appears to be no record of when this change took place which is causing a problem. He requested it be documented correctly to reflect heavy equipment repair. The only other issue to be addressed was the sheet metal fencing.

Motion by Trustee Reno, support by Member Sebastian, to close the Public Hearing. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the Public Hearing was closed.

***(b) Rezoning Request of Parcel 74-28-750-0088-000, a.k.a. 1179 32<sup>nd</sup> Street. The property currently zoned B-3 General Business District has a request to change the Zoning Classification to I-L Light Industrial.***

Kirk Lavigne stated the applicant and owner, in attendance via Zoom, were present for discussion. Architect Arthur Kalhjian spoke for the owner. A proposed colored use diagram for the former Super K-Mart structure provided information regarding the establishment for storage facility use. Approximately 95,000 square feet of the existing 200,000 square feet would be utilized as a self-storage facility with outdoor rental.

Motion by Member Smith, support by Member Sebastian, to close the Public Hearing. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the Public Hearing was closed.

**9. Old Business**

***(a) Revised plans and review comments from DLZ on proposed parking lot expansion at 2415 24<sup>th</sup> Street for the St Clair County Mental Health Facility.***

Kirk Lavigne stated at the last meeting it was approved subject to submittal of engineered plans to include landscaping off 24<sup>th</sup> Street. At the time of the meeting, the landscaping plans did not appear to have been submitted, but he understood it had been approved subject to complying with all requirements including engineering and landscaping.

Motion by Trustee Reno, support by Member Smith, no action was necessary provided they comply with the engineering and a landscaping plan is submitted per the previous plan, meeting the ordinance requirements. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, motion carried.

**10. New Business**

***(a) Special Use Approval for a Proposed Automobile and Heavy Equipment Repair Facility with Long-Term Storage for Mark Toodzio of Petit Enterprises, 3308 Petit Street.***

As noted earlier, this item is still pending litigation. Kirk Lavigne received plans from Mark Toodzio for screening of the cars on the property. He suggested the Members consider two separate issues for this request. The first for approval of the auto/heavy equipment repair facility. The second for approval of long-term storage.

Comments from the Members included:

- Trustee Reno: He observed the property and does not feel there is proper storage of vehicles and will require a site plan to define his intentions. Before a decision is made, wording for any approvals should be set by the Township Attorney.
- Kirk Lavigne: The applicant will require special approval use for heavy equipment repair and provide screening details of vehicles as well as cleaning up the property.
- Member Sebastian: Inquired as to what Mr. Toodzio's definition of long-term storage is for vehicles on site and had concerns for the number of cars on site. Directions from the Township Attorney is required.
- Member Covyew: Requested plans to indicate the number of vehicles on site at one time and definitions for heavy equipment repair. The issues should be separated and considered either for or against approval on each one.

Motion by Member Sebastian, support by Trustee Reno, to table the items until further definitions from the Township Attorney is obtained. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, both issues tabled for clarification.

**(b) Rezoning Request of Parcel 74-28-750-0088-000, a.k.a. 1179 32<sup>nd</sup> Street. The property currently zoned B-3 General Business District has a request to change the Zoning Classification to I-L Light Industrial.**

Per Kirk Lavigne the property was recently sold. The property is currently zoned B-3, General Business and the applicant submitted a proposed colored use diagram for information purposes regarding the establishment of a storage facility use on the property.

The proposed use of a storage facility would currently be allowed on up to 45% of the total land/building area of the site under Section 40-854 Mixed Uses, as Industrial Uses. The whole site could be converted to industrial uses if the property were to be zoned to I-L Light Industrial. The main issue to be concerned with at this time is strictly the uses that will be allowed under the I-L Light Industrial Zoning District and its affect on the existing B-3 General Commercial district uses currently located in the area.

Motion by Member Sebastian, support by Member Covyew, to recommend approval of the rezoning request from the east side of the Howard Street drive to the south property line as I-L Light Industrial with everything west of the drive to remain B-3 General Business and require separate descriptions. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor. Motion carried.

**(c) Review of Sketch Plan for a Proposed Playground Facility at 3404 Lapeer Road, for the Blue Water Community Action Facility.**

Sherry Beiser presented the request for a proposed playground expansion located on the South side of the existing building. The facility will consist of three separate playground areas and would be fenced and locked after normal business hours.

Motion by Member Sebastian, support by Trustee Reno, to approve the request for the playground facility. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, motion carried.

**(d) Consideration of a recommendation for a Proposed Public Hearing Next Month for changes to the "Home Occupation" Ordinance to Include the Removal of "Bed and Breakfast" and the addition of "Medical Marijuana Care Giver Facilities" and to also include them under "Special Use Approval" in both the Light and Heavy Industrial Districts.**

Kirk Lavigne indicated that after looking at it more closely, he felt the Special Use Approval option to allow it in the Light Industrial district should probably be removed to allow it only in the Heavy Industrial District. After discussing the issue, the planning commission agreed and a Motion by Trustee Reno, support by Member Sebastian, to schedule a Public Hearing for a proposed ordinance to that effect. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, motion carried.

## **11. Reports**

**(a) Township Administration Update – Kirk Lavigne**

- The car wash center at Lapeer Road and 32<sup>nd</sup> Street has made corrections regarding the removal of one of the vacuums and parking lot adjustments.

**(b) Township Board – John Reno**

- The Township purchased a new dump truck.
- An offer has been received from a firm in Imlay City on the Relleum property for development of single-family homes.

**(c) Zoning Board of Appeals – Jerry Sebastian**

- There was no meeting in the month of May.

## **12. Adjournment**

Motion by Member Sebastian, support by Member Coveow, at 8:37 P.M. to adjourn. Hearing no objections, Chairman Tetreau called for a voice vote. All in favor, the meeting was adjourned.

Submitted by Betty Child