

**PLANNING COMMISSION REGULAR MEETING
CHARTER TOWNSHIP OF GRAND BLANC
Grand Blanc Township Government Center
5371 S. Saginaw Street, Grand Blanc, MI 48480-0057
April 2, 2009 at 7:00 p.m. to 10:00 p.m.**

The meeting was called to order at 7:00 p.m. by Chairman Dan Gellings with the Pledge of Allegiance.

ROLL CALL

Ryan Thompson, Jamie Truesdell, Jay Hoffman, Joe Johnson, Dan Gellings, Jim Wilson, Mike Blondell, Debbie Tocarchick

MEMBERS ABSENT

Ed Brown

STAFF PRESENT

Planner Mike Deem, Township Attorney David Lattie, Consultants Rod Arroyo and Jill Baim of Birchler Arroyo

PUBLIC COMMENT

Verlyn Gank, 4421 Baldwin Road, commented on erecting fencing to keep residents from walking away from the adult foster care facilities.

APPROVAL OF THE MINUTES

Motion by Mr. Wilson, supported by Mr. Truesdale, to approve the Minutes of February 5, 2009, as presented. Motion carried 8-0.

APPROVAL OF THE AGENDA

Motion by Mr. Johnson, supported by Mr. Blondell, to approve the agenda, as presented. Motion carried 8-0.

CORRESPONDENCE- Planning and Zoning News
City of Grand Blanc Planning Commission agenda
Township of Atlas
Rowe Information
Special Item Announcements

Mr. Deem stated staff reviewed the Master Plans and provided comments. Rowe Engineering is providing information for a free workshop to discuss three topics including: wind energy, electric signs, and adaptive reuse.

Mr. Rod Arroyo stated he met with Mr. Keith Edwards, of the Genesee Regional Chamber of Commerce. The County is embarking upon a comprehensive economic development strategy plan over the next six to nine months. They will be looking at the overall County economy to determine what is working and not working. They will be coming up with a strategy for economic growth. Mr. Arroyo stated once the report is released, the Planning Commission might review the implications it might have on the Tech Village. The Regional Chamber will be attending a conference in Chicago. Site selectors are trying to match up properties with entities that can use them for various economic development purposes. There will be a number of different Genesee County properties featured, along with some in Grand Blanc. On April 3, 2009, Birchler Arroyo Associates celebrates the 20th Anniversary of their firm. He stated they will be launching a new service which is primarily geared for Downtowns. It will be called "Next Steps for Downtown Service." " This program will give a brief overall assessment of what is working and not working within the practice.

OLD BUSINESS

A. SLU #09-001 – Adult Foster Care Small Group Home – Tabled from February 5, 2009 (Withdrawn)

By: Mr. Albert Jones
2307 Blackthorn Drive
Burton, MI 48509

Re: Proposed Adult Foster Care
Small Group Home
5443 Territorial Road
12-23-576-020
Zoned R-1 Single Family Residential

Motion by Mr. Johnson, supported by Mr. Hoffman, to remove from the table **SLU #09-001 Adult Foster Care Small Group Home at 5443 Territorial Road**. Motion approved 8-0.

Motion by Mr. Hoffman, supported by Mr. Blondell, to accept the petitioner's withdraw of **SLU #09-001 – Adult Foster Care Small Group Home**. Motion approved 8-0.

B. SLU #08-005- Special Land Use – Tabled from November 6, 2008

By: Karl Soukal
5009 McCandlish Road
Grand Blanc, MI 48439

Re: Proposed Adult Foster Care
Small Group Home
5009 McCandlish Road
12-23-100-033
Zoned R-2 Single Family Residential

Motion by Mr. Hoffman, supported by Mr. Truesdall, to remove from the table **SLU #08-005- Special Land Use**. Motion carried 8-0.

Mr. Krasz spoke on behalf of Mr. Soukal to request the property be granted a Special Land Use to allow Mr. Soukal to apply to the State of Michigan for an Adult Foster Care Small Group Home Permit. Mr. Krasz stated he has sufficient land available to provide adequate parking. He stated it is important for us to take care of our senior citizens. There is a lack of adult foster care in the area.

Mr. Deem stated the Zoning Ordinance identifies two different types of uses. A principle permitted use; those are allowed by right. The applicant can come in, pull a permit, and does not require special approval from the Planning Commission or the Township Board. The second type of use is a Special Land Use. Those are uses that sometimes can have additional requirements, such as, coming to the Planning Commission, holding a public hearing, and the Planning Commission has to approve these types of uses. Besides Adult Foster Care, Bed and Breakfast, Group Day Care, Churches, Kennels, recreational uses, such as, golf courses, fall under Special Land Uses and the R-2 Single Family Residential Zoning.

The State Statute says, when you look at State Licensed Residential Facilities, they are to be considered a residential use of property for the purposes of zoning, permitted in all uses and not subject to Special Land Use or Conditional Use Permit. The language of that statute says the petitioner does not need to be here; but, the State said we need to get zoning review. Mr. Deem had a difficult job gathering together the limited criteria for us to review. The State will review the interior fitness of the facility, training, square footage, bathrooms, hand rails, etc. The Township is limited to how the property affects surrounding properties, i.e., is it in an area that would accommodate the equivalent of a large family; although, this is not a family care home. Since it is in a Residential District, it needs to behave primarily like a residence. In addition, Mr. Deem stated we have to look at parking, size of the yard, distance from other properties, and the distance from other group homes. Mr. Lattie stated the Planning Commission is limited to authorizing Mr. Deem to make sure they are appropriately zoned. Mr. Deem reported State Law Section 206, State Licensed Residential Facilities, shall be considered a residential use of property for the purposes of zoning, a permitted use in all residential zones, and not subject to special use. The procedures are different from those required for other dwellings similar density in the same zoning. Mr. Deem reviewed the site conditions of this property. The Michigan Zoning Enabling Act requires the Township to treat it as a residential use that is consistent with the low density multi-family residential

district identified in the Master Plan. The special land use is consistent with the State intent of the Zoning District. The appearance of the building itself will remain a single-family home. The Township has identified three additional requirements: the lot shall be at least 1,500 feet from other group daycare homes or similar facility (this condition is met); it shall be registered with the Township; and it shall provide the Township with current documentation of a valid license issued by the state. The State is currently reviewing the request. The applicant shall submit verification of compliance with State, Building and Fire Codes, which will be verified, be after the state's review and possible approval. Staff is recommending approval based on state laws and our zoning ordinance with the following conditions: the use be registered with the Township; the applicant shall provide the Township with current documentation of a valid license as issued by the state; and the applicant shall submit verification for a compliance with the state building and fire codes.

Planning Commission members reviewed their concerns, regarding the safety of these facilities and placement of signage. Mr. Johnson stated it is an absolute travesty the State of Michigan dictates how local government rules in its own backyard.

Motion by Mr. Blondell, supported by Ms. Tocarchick, to accept the **SLU #08-005- Special Land Use for 5009 McCandlish Road** with the conditions and recommendations as follows: the use shall be registered with the Township; they shall provide the Township with current documentation of a valid license as issued by the state; and the applicant shall submit verification of compliance with the State, Building and Fire Codes. They will review and look at potential fencing. Motion carried 5-3. (Thompson, Hoffman, Johnson)

NEW BUSINESS

A. ZC #613 – Discussion and Set Public Hearing Date

By:	Grand Blanc School District 11920 S. Saginaw Street Grand Blanc, MI 48439	Re:	2500 E. Maple Avenue Part of this parcel #12-05-200-002 From OS Office Service To I-1 Light Industrial
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Mr. Deem stated this is a continuation of the rezoning in December for the massage school property. This is the remainder of the office zoning. He stated we are asking the Grand Blanc Schools to rezone the remainder of the property to I-1. It will not change the uses allowed; but, will bring it in compliance with our Future Land Use Map. It was a recommendation as part of the previous rezoning. Mr. Deem indicated this is a minor rezoning request and requested they set a public hearing date.

Motion by Mr. Hoffman, supported by Mr. Johnson, to set the Public Hearing for ZC #613, Grand Blanc School District for June 4, 2009, at 7:00 p.m. Motion carried 8-0.

B. ZC #610 – Wind Energy Ordinance Set Public Hearing Date

By:	Charter Township of Grand Blanc Planning Commission 5371 S. Saginaw Street Grand Blanc, MI 48439	Re:	New Ordinance
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Ms. Baim of Birchler Arroyo prepared language for consideration and review for private wind energy systems. It is suggested they be permitted as an accessory use to principal permitted uses in all districts. This proposal focuses the efforts for wind energy related ordinances to private facilities. The intent of this Ordinance is a wind energy system be used by the consumer on their site for their own energy needs. Ms. Baim asked four questions of the Planning Commission: (A) Are you interested in permitting them in all zoning districts; (B) required **lot** size; (C) Parcels larger than five acres will not have a limit; (D) Should they be limited to the rear and side yards and prohibited in the front yards or allow them wherever they are needed to capture the best wind; (E) should they be on monopoles.

Ms. Baim stated prior discussion set the maximum height at one hundred feet with a ground clearance of twenty feet.

Mr. Deem stated Mundy Township is currently working on a similar ordinance.

Planning Commission members discussed their thoughts on this system regarding sound, setback, and height requirements.

Public Hearing Date set for **ZC #610 – Wind Energy Ordinance** for June 4, 2009, at 7:00 p.m. Mr. Lattie stated no motion needed.

C. ZC# 614 – GC/SLU – Discussion and Set Public Hearing Date

By: Charter Township of Grand Blanc
Planning Commission
5371 S. Saginaw Street
Grand Blanc, MI 48439

Re: Amending the Special Land Use to
the General Commercial District

Mr. Deem is asking to amend the General Commercial section to allow all the special land uses in the NCPO and OS. We are adding about five uses which include: adult daycare, housing for the elderly, medical clinic, tanning salons, institutions of higher education, and allow them to apply in the General Commercial District.

Motion by Mr. Hoffman, supported by Mr. Johnson, to set the public hearing for **ZC# 614 – GC/SLU** for 7:00 p.m. on June 4, 2009. Motion carried 7-0. (Truesdell left at 7:53 p.m.)

COMMITTEE REPORTS

Township Board

Mr. Thompson reported the Township Board will be relooking at the current pathway project because of the outcry they have received from the public. Specifically, the pathway running from Grand Blanc Road through Bicentennial Park to Reid Road past Reid Elementary, the West Middle School, to Porter Road. They were previously looking at routing it to Reid Road; connecting through the school property, out to Hill Road. Mr. Thompson stated they are going back to MDOT to discuss revising the change. The key to them is destination. He also stated the S2 grant is moving forward as planned, which involves Rowe Engineering investigating residences draining sump pumps into the sanitary sewer lines. There will not be any cost to the residents. They came up with funds from the DPW budget to make the corrections for the homeowners. Mr. Thompson reported the Board approved an update to our General Ordinances to make them electronic and assessable to the residents.

Building, Community Development

Mr. Deem reminded everybody about the free program Rowe Engineering is presenting on April 29, 2009.

Site Plan Review

Mr. Gellings had nothing to report, as no applications have been received in the last two months.

Mr. Hoffman suggested we proceed with the Technology Village so we will be prepared when the site plans are presented for those areas.

OTHER BUSINESS – None

ADJOURNMENT

Motion by Mr. Hoffman, supported by Mr. Blondell, to adjourn the meeting. Motion carried 7-0.

Clerk Cathy Lane

By: Theresa Wood
April 23, 2009

COMMISSION APPROVAL: JUNE 25, 2009