

ONEIDA CHARTER TOWNSHIP PLANNING COMMISSION

MINUTES OF MEETING HELD

DECEMBER 1, 2020

AT 7:00 P.M.

The Meeting was held on Zoom, Members were at their homes, Zoning Administrator was at the Township Hall

MEMBERS PRESENT: CHAIRMAN KILGORE, SCHERER, SCHROEDER, GREEN, STAHELIN, KUHLMAN AND WALTERS

OTHERS PRESENT: ZONING ADMINISTRATOR GOSCHKA, SUPERVISOR COOLEY, TRUSTEE SCHULTZ, REZONING APPLICANT MR. FISHER, BELINDA GULLEY, AND ENGINEER TAMMY FOSTER.

1. Meeting was called to Order by Chairman Kilgore at 7:00 p.m.
2. Pledge of Allegiance was given.
3. Additions to the Agenda, there were none.
4. Minutes of November 4, 2020 were approved as amended in a Motion made by Mrs. Scherer and supported by Mrs. Schroeder. Motion Carried.
5. Public Comment: There was none.
6. Public Hearing to request the rezoning of parcel 030-010-200-030-00, 12745 E. Georgia Avenue, Grand Ledge, Michigan, from A-1 Agricultural District to B-2 General Business.

Chairman Kilgore called the Public Hearing to order and asked Mrs. Gulley to explain what she had planned for the site. She said that she wanted to use the back part of the Church for a Day Care Center and would have no more than 60 children. She would have assistants and they would help children with homework. She would be open from 7:00 a.m. to 7:00 p.m.

Chairman Kilgore asked for questions from the Commission. Mr. Green was concerned about the number of cars that would be using Georgia Avenue for ingress and egress. It is a Residential area and he said there would be a minimum of 30 cars per day five days a week with 60 children.

Mrs. Scherer was concerned about rezoning the area B-2 General Business as it would open up the area to any type of Commercial Business. If the church were to close, it could be replaced by a restaurant or other type of Commercial Business, which also would have a heavy traffic inflow in the residential area as there is no access to Saginaw Hwy.

Mrs. Scherer had looked into and discussed with Zoning Administrator Goschka another way to allow Day Care in the area. She would not like to see this area rezoned to B-2 General Business, possibly a change could be made to the Zoning Ordinance to allow Day Care another way. Zoning Administrator Goschka said she had contacted Delta Township and they allow places of worship to have Day Care as incidental use in their places of worship. Mr. Walters said he felt that the Church should have the ability to have Day Care in the Building, but he agreed with Mrs.

Scherer that the B-2 zoning was not a good thing. Mrs. Scherer liked Delta's Plan to change the Ordinance to allow Child Care as an incidental use to Churches. Mr. Green said we would have to amend the Zoning Ordinance and Uses by right and Special Land Uses to allow this in defined areas. He explained that it would take another Public Hearing to do this and a couple of months. Zoning Administrator Goschka agreed. She said the only way we can do Commercial Day Care right now is in a B-2 General Business Zoning.

Mr. Stahelin said he would like to see the Day Care be allowed in direct correlation to the Church. Not be an independent Day Care, but an extension of the Church.

Chairman Kilgore and Zoning Administrator Goschka discussed changing the Zoning Ordinance. Zoning Administrator Goschka said they would have to change the definition to include affiliated Day Care and possibly schools as incidental uses to a Church. She said she could get more information from other jurisdictions to see how churches like St. Gerard, Our Savior Lutheran and other Churches with day care facilities or schools are permitted and provide it to Commission Members before a Public Hearing was held. Mrs. Scherer liked this idea and said she had no problem with the Day Care at the Church but did not want to open the Residential Area to B-2 General Business zoning to accomplish it. Mr. Stahelin said he thought that the Commission all agreed that there was a need for Day Care in the Community. We just need to find the proper route to accomplish it.

Mr. Green said the Planning Commission can amend the Ordinance to accomplish it but it is going to take time and the Applicants would need to come back. There was discussion on how long it would take to amend the Ordinance. Zoning Administrator Goschka said it would take a minimum of 60 days. She explained that it would involve a Public Hearing and a 30-day time span for it to take effect if it were approved.

Supervisor Cooley told the Commission that a non-affiliated Day Care would be taxable so there is a need to be careful how the changes are worded.

Zoning Administrator Goschka explained to the Applicants that there would be no new application fees involved for them for the ordinance amendment, but there may be a need for an application depending if the changes are included in the permitted uses or special land uses. Mr. Kuhlman said he was confused as to who was the actual applicant. The paperwork says Mr. Fisher but Belinda says she is the proprietor.

After much discussion, Motion was made by Mr. Walters to recommend to the Township Board that the request for rezoning from A-1 Agricultural to B-2 General Business be denied. Reasons are that it does not follow the Master Plan and is not compatible with the surrounding area. Support was given by Chairman Kilgore. Motion Carried.

Belinda asked if she should keep in contact with Zoning Administrator Goschka. Zoning Administrator said that she should.

Mr. Stahelin said the Commission should move carefully. Mr. Kuhlman asked if this was the Liberty Church Day Care or was Belinda putting a Day Care at the Church? Belinda said she was putting a Day Care at the Church. It was questioned if a Public Hearing could be done on Zoom. Zoning Administrator Goschka said that it could.

7. Master Plan Update: Zoning Administrator Goschka spoke with Mr. Piggott regarding the revised boards for the open house. They have not been provided to her yet but will be sent to the Board as soon as she receives them. Melissa stated that due to the pandemic, the open house may have to be held virtually only.

8. Public Comment: Mr. Fisher thanked the Board for any help the Commission could give.

9. Any Other Business: Mr. Green asked about an update on the solar roof setback. Zoning Administrator Goschka has not received anything yet.

Chairman Kilgore asked Mr. Green about an update on the roundabout the school is putting in, Mr. Green said it looks like they are moving ahead. Mr. Walters asked Mr. Kuhlman's opinion on the roundabout, he said the hardest part is the education on how to navigate them, especially with the young drivers and the amount of traffic in the area. Mr. Green encouraged people to write to the School Board with concerns.

Mrs. Schroeder asked if the Township Board could overturn the Planning Commission recommendation. Zoning Administrator Goschka said that they could.

Mr. Kuhlman expressed concern about the request from Liberty Church. He felt that they had been misleading and not up front with the Planning Commission.

Zoning Administrator Goschka said that the State regulates Day Care Businesses and this was a different situation with regard to affiliation or no affiliation with the Church and it being a for profit business instead of a not for profit business.

10. After all discussion: Meeting was adjourned at 8:09 p.m.

Minutes respectfully submitted by Jan Schultz and Melissa Goschka

APPROVED:



Mr. Justin Kilgore, Chairman