

**Draft**

**SAGINAW CHARTER TOWNSHIP PLANNING COMMISSION  
SAGINAW CHARTER TOWNSHIP HALL  
JANUARY 19, 2011**

Members Present

P. Brucker  
A. Seaver  
C. Nolan  
R. McGraw

Members Absent

B. Gombar  
M. Peterson  
B. Nelson

Others Present

B. Smith, Planner  
M. Mahlberg, Attorney

Mr. Brucker called the meeting to order at 7:00 p.m.

**Approval of Minutes:**

Motion by Mr. Nolan supported by Mr. McGraw to approve the minutes of January 5, 2011.

**VOTE:        4 YEAS        0 NAYS        3 ABSENT        MOTION CARRIED**  
Gombar  
Peterson  
Nelson

**New Business:**

- A. **Z-11-01** – Nik Schulwitz of Saginaw, Michigan is requesting to rezone two (2) parcels of land from A-2, Agriculture to R-1A, Low Density Residential-Transitional located at 7410 McCarty Road. (12-3-01-4002-000 and 12-3-01-1002-000)

Ms. Smith stated the parcels being considered for rezoning are located on the north side of McCarty Road, approximately midway between Hackett and Hospital Roads. Combined, the two parcels total 98 acres. Though zoned agricultural, the property currently has one dwelling, centrally located on the two parcels. This property has been zoned Agriculture since the Township's first adopted zoning ordinance in the 1950s. The Future Land Use for this area has been shown to be residential since the 1990s. It is our understanding that the applicant intends to use this property as residential. The rezoning of the two parcels and eventual combination of the two parcels will permit the applicant to "divide" the property into three separate, residential parcels. Although a land

division is not a requirement of the rezoning, it is staff's understanding that this is the applicant's intent.

The surrounding properties are used for large lot residential uses for the most part and several are zoned R-1A. Staff recommends approval of the rezoning request based on the future land use in the area.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed rezoning.

Mr. Nick Peron, 7600 McCarty, stated that he was opposed to the rezoning because he was concerned about the rezoning leading to the development of a subdivision. He stated he owns the property to the west of the proposed rezoning. He stated that he moved to the area because of the agricultural character and wanted it to remain that way. He stated that he believes this is inconsistent with the future land use map.

Mr. Tom Lewis, 7270 McCarty Road, was concerned about the location of the proposed road. Staff explained that the proposed rezoning, based on what the applicant has expressed, would not result in a subdivision, but actually three, separate, large residential lots. It was the intent of the owner to sell each for single family home development. Therefore, there would not be a road, but instead two additional lots with one driveway each. Mr. Lewis stated that they do not want the additional driveways and are just opposed to the rezoning.

Mr. James VanSlembrouck, 7480 McCarty, stated he was opposed to the creation of a subdivision in this area. He stated that there is potential to convert the property at the entrance to this subdivision to apartments and smaller homes with square footage near 1,500 square feet that are less expensive. Mrs. Carla VanSlembrouck asked if additional property splits could be made off of the road into the property.

Mr. Brucker explained that the property zoning of R-1A would not permit the development of apartments. Staff explained that there is no proposed road, and that in order to have a subdivision development there would be a number of hurdles that would have to be addressed including the lack of infrastructure. Staff also stated that additional parcel splits of the proposed road frontage proposed by the applicant would not be possible. While the property could be developed with a public road, there are infrastructure issues, including the length of a dead end road, etc., that would have to be dealt with.

There being no further comments, Mr. Brucker closed the public hearing portion of the proposed rezoning.

Motion by Ms. Seaver, supported by Mr. McGraw to recommend approval of the proposed rezoning request (Z-11-01) to the Township Board.

<b>VOTE:</b>	<b>3 YEAS</b>	<b>1 NAY</b>	<b>3 ABSENT</b>	<b>MOTION CARRIED</b>
		Nolan	Gombar Peterson Nelson	

B. **S-11-02** –Pumford Construction of Saginaw, Michigan on behalf of HJB, Inc. of Saginaw, Michigan is requesting site plan approval to alter the existing circulation, parking and landscaping of the existing Kentucky Fried Chicken restaurant located at 4585 Bay Road. (12-4-03-1017-000)

Ms. Smith stated that Kentucky Fried Chicken first occupied this space on Bay Road/M-84 in 1987. The KFC development remodeled the existing restaurant (Sambo’s) and added a drive-thru facility. The original restaurant received Planning Commission approval for a Special Use Permit to operate on October 7, 1974 (SUP-74-02). The site was approved for redevelopment as a Kentucky Fried Chicken with a drive-thru in 1987 (S-87-26). The applicant is substantially improving the site in terms of circulation and access. The project includes the closure of one drive, consistent with the access management plan.

Whereas the project complies with the general development standards of the Township and the specific standards contained in Chapter 22 and Section 2216, staff recommends approval of site plan S-11-02, with the six (6) conditions listed in staff’s report.

Mr. Brian Swedorski, a representative for Kentucky Fried Chicken, had no problem with the six (6) conditions listed in staff’s report.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed site plan.

There being no comments, Mr. Brucker closed the public hearing portion of the proposed site plan.

Discussion followed among the Planning Commission members.

Motion by Ms. Seaver supported by Mr. Nolan to recommend approval of the proposed site plan (S-11-02) upon the following six (6) conditions listed below:

1. Approval of a final site plan by the Community Development Department, Fire Department, Building Department and the Department of Public Services.
2. Issuance of a driveway permit by the Michigan Department of Transportation.



Mr. Brucker then asked for public comments in favor or in opposition to the proposed site plan.

There being no comments, Mr. Brucker closed the public hearing portion of the proposed site plan.

Discussion followed among the Planning Commission members.

Motion by Mr. McGraw supported by Ms. Seaver to recommend approval of the proposed site plan (S-11-03) upon the following five (5) conditions listed below:

1. Approval of a final site plan by the Community Development Department, Fire Department, Building Department and the Department of Public Services.
2. Issuance of a driveway permit by the Michigan Department of Transportation.
3. A Storm Water Management Exemption Certificate will need to be reviewed and approved by the Township Engineer prior to the issuance of a building permit.
4. The following items need to be indicated on the final site plan and are required to be installed:
  - a) Installation of above ground directional signage associated with the drive-thru facility.
  - b) Any mechanical equipment, including generators, is required to be screened with landscaping and material consistent with the building.
5. A sign permit application with detailed drawings of the sign will need to be reviewed and approved by the Community Development Department prior to any changes or the installation of any new signage.

**VOTE:        4 YEAS        0 NAYS        3 ABSENT        MOTION CARRIED**  
Gombar  
Peterson  
Nelson

**Receive and File All Correspondence:**

- A. The December 2010 issue of Planning & Zoning News
- B. Kochville Township Downtown Development Authority's newsletter

**Other New Business:**

- A. S-10-43 – Plumbers & Steamfitters Local 85 of Saginaw, Michigan has received administrative site plan approval to construct a detached accessory structure totaling 2,400 square feet located at 6705 Weiss.
  
- B. S-11-01 – FMHC Corporation of Southfield, Michigan on behalf of MetroPCS of Livonia, Michigan has received administrative site plan approval for the installation of six (6) panel antennas on an existing 100 foot monopole at the 86.5 foot level and the 100 foot level within the existing fenced leased compound located at 4840 Shattuck Road. (12-4-09-3009-000)

**Adjournment:**

Motion by Ms. Seaver supported by Mr. McGraw to adjourn the meeting at 7:49 p.m.

**VOTE:            4 YEAS            0 NAYS            3 ABSENT            MOTION CARRIED**  
Gombar  
Peterson  
Nelson