

## **PLANNING COMMISSION**

**June 18, 2009**

The City of Portage Planning Commission meeting of June 18, 2009 was called to order by Chairman Fox at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Four citizens were in attendance.

### **MEMBERS PRESENT:**

James Cheesebro, Miko Dargitz, James Pearson, Cory Bailes, Bill Patterson, Wayne Stoffer, Rick Bosch and Chairman Thomas Fox.

### **MEMBERS ABSENT:**

None.

### **MEMBERS EXCUSED:**

Paul Welch.

### **IN ATTENDANCE:**

Christopher Forth, Deputy Director of Planning and Development Services; Michael West, Assistant City Planner; and Randall Brown, City Attorney.

### **PLEDGE OF ALLEGIANCE:**

The Planning Commission, staff and audience recited the Pledge of Allegiance.

### **APPROVAL OF MINUTES:**

Chairman Fox referred the Commission to the June 4, 2009 meeting minutes. A motion was offered by Commissioner Cheesebro, seconded by Commissioner Bailes, to approve the minutes as submitted. The motion was unanimously approved.

### **SITE/FINAL PLANS:**

None.

### **PUBLIC HEARINGS:**

1. Special Land Use Permit (amendment): Cristy Cate (group day care home), 1225 Brent Avenue. Commissioner Stoffer indicated a conflict of interest with the applicant and, as a result, he would abstain from the discussion and vote on the request.

Mr. West summarized the staff report dated June 12, 2009 and provided a brief review of the March 19, 2009 Planning Commission approval that allowed the applicant, Ms. Cristy Cate, to operate a group day care home from her residence located at 1225 Brent Avenue. Mr. West stated the approval was conditioned upon the applicant removing the existing 4-foot tall chain-link fence around the backyard of the site and installing a new 6-foot tall opaque screening fence within 60 days, or by May 18, 2009. Mr. West stated the fence has not been installed and Ms. Cate was requesting an extension of time until September 1, 2009 due to a financial hardship. Mr. West also referred the Commission to the letters received from area residents regarding this matter.

Ms. Cristy Cate was present to support the request. Ms. Cate explained the financial hardship associated with installing the fence and asked the Commission for an extension of time until September 1, 2009. Ms. Cate stated that during this time, she would only be caring for six or fewer unrelated children, consistent with a family day care home. The Commission, staff and Ms. Cate next discussed the fencing requirement, timeline for installation, licensing issues with the State of Michigan and details associated with the Special Land Use Permit granted on March 19, 2009. Attorney Brown indicated that given the specifics of the public notice, action by the Planning Commission was limited to the request for a time extension. Additional notification would be necessary for other considerations including possible revocation of the Special Land Use Permit.

The public hearing was opened by Chairman Fox. Two citizens spoke in regard to the proposed Special Land Use Permit amendment: Mary Ellen Agar (6024 Avon Street) and Amy Sherman (6117 Avon Street). Ms. Agar indicated that she does not oppose the group day care home, however, believes the fence should be installed promptly to screen the backyard. Ms. Sherman spoke in support of the applicant's request for an extension of time until September 1, 2009. No additional citizens spoke during the public hearing. A motion was made by Commissioner Cheesebro, seconded by Commissioner Bosch, to close the public hearing. The motion was unanimously approved.

After additional discussion, a motion was made by Commissioner Pearson, seconded by Commissioner Dargitz, to approve the Special Land Use Permit amendment and grant an extension of time until July 18, 2009 to install the 6-foot tall screening fence. The motion included a provision for staff to begin the public notice process and schedule the item for the August 6, 2009 for possible revocation of the Special Land Use Permit if installation of the fence was not started by the July 18, 2009 deadline. Upon a roll call vote: Bailes (yes), Dargitz (yes), Cheesebro (yes), Fox (yes), Pearson (yes), Bosch (yes) and Patterson (yes), the motion was approved 7-0.

**PLATS/RESIDENTIAL CONDOS:**

None.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

1. Election of Officers. Chairman Fox briefly discussed the roles and duties of the three Planning Commission officers and then asked if anyone was interested in serving as Chairman. No other Commissioners expressed interest in serving as Chairman. Chairman Fox indicated that he would be interested in serving another year as Chairman. Commissioner Bosch then made a nomination, seconded by Commissioner Pearson, that Chairman Fox continue as Chairman. The nomination was unanimously approved by the Commission.

Chairman Fox next asked if anyone was interested in serving as Vice-Chairman. Vice-Chairman Cheesebro stated that he would be interested in serving another year as Vice-Chairman. There being no other Commissioners who expressed interest, Vice-Chairman Cheesebro was unanimously nominated for the position of Vice-Chairman by acclamation. Chairman Fox next asked if anyone was interested in serving as Secretary. Commissioner Bailes and Commissioner Pearson both expressed interest in serving as Secretary. Each Commissioner briefly spoke of their qualifications for the position of Secretary. After a ballot vote by the Commission, Commissioner Pearson was elected as Secretary for the upcoming year.

**STATEMENT OF CITIZENS:**

None.

7:45 p.m. The Commission took a short recess and reconvened the meeting in Conference Room No. 1 at 7:55 p.m. to discuss the 2008-09 Planning Commission Work Program Final Update and Proposed FY 2009-10 Work Program.

1. 2008-09 Planning Commission Work Program Final Update and Proposed FY 2009-10 Work Program. Mr. Forth provided a brief summary of the final 2008-09 Planning Commission Work Program and the proposed 2009-10 Planning Commission Work Program. Mr. Forth noted the City Council assigned goals and objectives have been incorporated into the 2009-10 Work Program. Discussion ensued regarding the assigned goals and objectives. Mr. Forth noted staff is currently researching low impact nonresidential uses in neighborhood areas and development of a mixed use City centre zoning district. The Commission also discussed the commercial revitalization areas.

After additional discussion a motion was offered by Commissioner Bosch, seconded by Commissioner Bailes that the Planning Commission approve the 2009-10 Planning Commission Work Program. The motion was unanimously approved.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Christopher T. Forth, AICP  
Deputy Director of Planning and Development Services