

#### CITY OF JONESVILLE PLANNING COMMISSION AGENDA WEDNESDAY, APRIL 14, 2021, 7:00 p.m. JONESVILLE FIRE DEPARTMENT, 114 W. CHICAGO STREET

#### 1. CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

- 2. PUBLIC COMMENT
- 3. APPROVAL OF AGENDA

#### 4. APPROVAL OF MINUTES

A. February 10, 2021 Meeting

#### 5. PUBLIC HEARING AND SUBSEQUENT ACTION

- A. Special Land Use A request from Brandi Donovan to conduct a group child care home with a capacity of up to 12 children in the residence located at 450 Greenbriar Place.
  - 1. Public Hearing
  - 2. Action on Request
- B. Rezoning A request from Amanda Stemme to rezone the property located at 360 E. Chicago Street from Single Family Residential (R-2) to Downtown Edge (D-2) zoning district.
  - 1. Public Hearing
  - 2. Action on Request

#### 6. NEW BUSINESS

A. None

#### 7. OTHER BUSINESS

A. Project Updates

#### 8. ADJOURNMENT - Next meeting Wednesday, May 12, 2021 at 7:00 pm

In order to encourage public participation while protecting the health and safety of all participants during the COVID-19 pandemic, the following protocols will be observed for the conduct of this meeting:

- Individuals who are sick or who have experienced symptoms of illness are asked to refrain from attending the meeting.
- Distancing between attendees will be observed.
- ✤ All attendees are asked to wear a face covering.
- Written public comments will be accepted in advance of the meeting and may be delivered to City Hall, 265 E. Chicago Street or via email to jgray@jonesville.org. Written comments received prior to noon on the day of the meeting will be incorporated into the public record for the meeting.

#### CITY OF JONESVILLE PLANNING COMMISSION Minutes of February 10, 2021

#### <u>Pursuant to Section 3a of the Open Meetings Act, Act 267 of 1976, as amended,</u> participation in this meeting was by Zoom Meeting. The Board, staff and public were <u>allowed to participate.</u>

A City of Jonesville Planning Commission meeting was held on Wednesday, February 10, 2021 via Zoom Meeting. Chair Christine Bowman called the meeting to order at 7:07 p.m.

Present via Zoom Meeting: Christine Bowman, Jerry Drake, Annette Sands, Jim Ackerson, Charles Crouch, Jim Taipalus, and Oliva Stemen.

Absent: None.

Also Present via Zoom Meeting: Jeff Gray

Christine Bowman led the Pledge of Allegiance.

A motion was made by Annette Sands and supported by Jerry Drake to approve the agenda as presented. Roll Call Vote: Ayes: Christine Bowman, Jerry Drake, Charles Crouch, Jim Ackerson, Jim Taipalus, Annette Sands and Olivia Stemen. Nays: None. Absent: None. Motion carried.

Jerry Drake made a motion and was supported by Jim Ackerson to approve the minutes from December 9, 2020. Roll Call Vote: Ayes: Christine Bowman, Jerry Drake, Charles Crouch, Jim Ackerson, Jim Taipalus, Annette Sands and Olivia Stemen. Nays: None. Absent: None. Motion carried.

A motion was made by Annette Sands and supported by Jim Taipalus to adopt the 2020 Planning Commission Annual Report pursuant to the State Planning Enabling Act (Public Act 33 of 2008) with the following addition: Site Plan Review and Special Land Use for storage units at 126 Concord Road (CR Storage). Roll Call Vote: Ayes: Christine Bowman, Jerry Drake, Charles Crouch, Jim Ackerson, Jim Taipalus, Annette Sands and Olivia Stemen. Nays: None. Absent: None. Motion carried.

A motion was made by Charles Crouch and supported by Jerry Drake to adopt the 2021 Planning Commission Work Plan with the following addition: Social Districts and Urban Chickens. Roll Call Vote: Ayes: Christine Bowman, Jerry Drake, Charles Crouch, Jim Ackerson, Jim Taipalus, Annette Sands and Olivia Stemen. Nays: None. Absent: None. Motion carried.

Jeff Gray provided a presentation to the Planning Commission on Zoning Districts. The session included a presentation on the different zoning districts on the City's Zoning Map and the Zoning Ordinance, using examples of typical uses in each district.

Jim Taipalus made a motion and was supported by Annette Sands to nominate the following for the 2021 Election of Officers; Christine Bowman – Chairwoman, Jerry Drake – Vice Chairman, and Jim Ackerson – Secretary. Roll Call Vote: Ayes: Christine Bowman, Jerry Drake, Charles Crouch, Jim Ackerson, Jim Taipalus, Annette Sands and Olivia Stemen. Nays: None. Absent: None. Motion carried.

Updates were provided by Manager Gray.

The next scheduled meeting will be March 10, 2021 at 7:00 p.m.

The meeting was adjourned at 8:06 p.m.

Submitted by;

Cynthia D. Means Clerk



To: Jonesville Planning Commission

From: Jeffrey M. Gray, City Manager

Date: April 6, 2021

Re: Manager Report and Recommendations – April 14, 2021 Planning Commission Meeting

**PLEASE NOTE** that this meeting will be in-person at the **Jonesville Fire Station**. The public is welcome to attend. Social distancing will be observed and attendees are asked to wear a face covering.

## 5. A. Special Land Use – Group Child Care Home in a Residence – 450 Greenbriar Place

<u>Public Hearing</u>: This is the time reserved on the agenda to hear public comments on the request from Brandi Donovan to conduct a group child care home with a capacity of up to 12 children in the residence located at 450 Greenbriar Place.

<u>Action on Request</u>: The property is located on the south end of the Greenbriar cul-de-sac. The property is currently licensed by the State of Michigan as a family day care home for the care of up to 6 children. The Zoning Ordinance and State Zoning Enabling Act require the City to regulate such homes in the same manner as any single-family home. The applicant is proposing seeking licensing as a group day care home, for the care of 7-12 children. Such uses are subject to review as a Special Land Use, with certain minimum standards regarding the design of indoor and outdoor play and care areas and proximity to other licensed facilities. The property location is illustrated on the aerial photograph, below.



## **Property Location**

Zoning and land use on the property and surrounding properties is as follows:

Manager Report and Recommendations April 14, 2021 Planning Commission Meeting Page 2 of 6

	Zoning	Land Use
Subject Property	R-1 (Residential)	Single-Family Residential/ Family Day Care
North	R-1 (Residential)	Single-Family Residential
South	R-1 (Residential)	Undeveloped
East	R-1 (Residential)	Single-Family Residential
West	R-1 (Residential)	Undeveloped

#### Special Land Use

A Group Day Care Home licensed for care of 7 to 12 children is subject to meeting the footnotes listed in Section 2.32. A copy of these requirements is attached for reference. In addition, the applicant has provided a thorough explanation of their plan to address these conditions. Staff would note the following comments:

- The footnotes are intended to address adequate safety measures to address the care of children. In addition, the standards address the operation and appearance of the daycare to assure that the essential character of the neighborhood will not be changed that is to make sure that the neighborhood maintains a primarily residential character, not a commercial character.
- The applicant has submitted sufficient information to illustrate that appropriate indoor and outdoor play area will be provided to comply with State licensing requirements. Also, the applicant has provided documentation of the fire safety measures that are used in the home. It is recommended that maintenance of a current State issued license, and compliance with all State licensing requirements be included as conditions of approval of the request.
- The applicant has included plans for off-street drop-offs of children and a plan for off-street employee parking.
- Footnote i requires a separation of at least 1,500 feet from another licensed care facility. However, the property is approximately 110 feet and 250 feet from the adult care homes located at 459 and 458 Salem Drive, respectively. The ordinance allows the Planning Commission to reduce this distance on a finding that the proposed facility will not contribute to an excessive concentration of state-licensed facilities. The applicant has supplied an extensive number of photographs illustrating the primarily residential character of the property. Staff would recommend that the character and operation, as demonstrated by the applicant warrants consideration of a reduction in the 1,500 foot separation requirement.

Staff appreciates the thorough application submitted by the applicant. This includes the written narrative that addresses Section 2.32, the property plans, and the extensive photos that help to illustrate the primarily residential character of the existing in-home daycare.

#### **Recommended Action**

In order to approve a request for Special Land Use, the Planning Commission must find that the standards listed in Section 14.04 of the Zoning Ordinance have been met. A copy of these standards is attached. Staff would recommend a finding that the proposed use is designed to be harmonious with the uses in the area. In addition, the site can be served adequately with all public services. Provided that the Planning Commission concurs with a reduction in the 1,500 foot separation from other licensed care facilities, the use complies with the requirements for Group Day Care Homes listed in Section 2.32 of the Zoning Ordinance.

Based on the analysis above, staff would recommend that the Planning Commission consider the following motion:

Manager Report and Recommendations April 14, 2021 Planning Commission Meeting Page 3 of 6

A motion to approve the Special Land Use request from from Brandi Donovan to conduct a group child care home with a capacity of up to 12 children in the residence located at 450 Greenbriar Place. Approval is based on the application submitted with the request (including the building floor plans, property photographs, and narrative explaining compliance with Section 2.32 of the Zoning Ordinance), with a finding that the plan meets the Standards for Approval listed in Section 14.04 of the Zoning Ordinance. Approval is subject to the following conditions:

- 1. The applicant shall comply with all State licensing requirements for a Group Day Care Home licensed for care of 7-12 children; the applicant shall maintain a copy of the approved State license on file with City Hall.
- 2. The Planning Commission finds that a reduction in the 1,500 foot separation from another Statelicensed facility is warranted, provided that the applicant continues to operate the Group Day Care Home in a manner that is consistent with the residential character of the neighborhood, as illustrated in the photographs submitted with the request.

*Please refer to the enclosed application materials, site plan and building elevation; Sections 2.32 and 14.04 of the Zoning Ordinance; and notice of the public hearing.* 

# 5. B. Rezoning - From Single Family Residential (R-2) to Downtown Edge (D-2) Zoning District – 360 E. Chicago Street

<u>Public Hearing</u>: This is the time reserved on the agenda to hear public comments on the request to rezone the property located at 360 E. Chicago from R-2 (Residential) to D-2 (Downtown Edge).

<u>Action on Request</u>: The property is located on southwest corner of Chicago Street and East Street. The property is approximately 0.6 acres (25,690.5 square feet). It includes the former Grace Episcopal Church building.

Last fall, the Zoning Board of Appeals granted the applicant to use the rear portion of the property for lodging, in the manner of an Air BnB. The approval was intended to give the applicant the opportunity to generate cash flow on the property so that repairs could be made for future use of the former church sanctuary. The applicant is seeking the rezoning to commercial to allow for use of the building as a wedding venue.

The property is served with public water and sanitary sewer.

#### Zoning and Land Uses

Zoning and land use on the property and surrounding properties is as follows:

	Zoning	Land Use
Subject Property	R-2 (Residential)	Lodging
North	R-2 (Residential)	Park
South	R-2 (Residential)	Single-Family Residential
East	R-2 (Residential)	Single-Family Residential/
		Funeral Home
West	R-2 (Residential)	Church

Manager Report and Recommendations April 14, 2021 Planning Commission Meeting Page 4 of 6



#### Master Plan

The property is designated for Central Business District (CBD) use on the Future Land Use Map, below:



The text below describes the intent of the CBD designation, as described in the Master Plan:

#### Central Business District (CBD)

The purpose of the Central Business District classification is to build a strong and vital downtown. The health and vitality of Downtown Jonesville is critical to the well-being and image of the entire community. Accordingly, mixed use development of the downtown area is encouraged. Physical improvements by themselves will not increase business downtown. However, joined with a strong marketing strategy, an appropriate retail and residential mix, and other considerations, physical improvements can help the downtown effectively compete for consumer dollars. A consolidated effort will be needed by the property owners, the City, and the people of the community to assure the success of downtown. The variety of programs, funding requirements, physical development needs, and personalities dictate the need for cooperation and, where necessary, flexibility

Manager Report and Recommendations April 14, 2021 Planning Commission Meeting Page 5 of 6

The proposed D-2 zoning district would be considered compatible with the CBD designation and appropriate for this particular property, which is located near the edge of planned commercial development. The previously approved lodging of the building would be permitted in the proposed D-2 zoning district. The text below describes the intent of the D-2 zoning district, as described in the Zoning Ordinance:

#### Downtown Edge (D-2) Sub-District

Downtown edge buildings and sites will be developed in a manner which contributes to the character of the Downtown, as well as the adjacent residential areas. The D-2 area will provide an extension of the Downtown area through modified dimensional and height regulations.

Chapter 4 of the Master Plan provides criteria for evaluating rezoning requests. A copy is attached to this report. In short, the Master Plan suggests that the Planning Commission consider the following:

- 1. Consistency with the Master Plan
- 2. Compatibility
- 3. Capability of being used as already zoned

#### <u>Analysis</u>

It is not unusual for churches to be built in areas that are zoned for residential development. This has historically allowed them to be located in close proximity to the congregations that they served. However, the long-term vacancy of the former Grace Episcopal church indicates that its reuse for church purposes is unlikely. A recent owner considered reuse as a residence, but did not complete the renovations needed for that purpose. The current owner proposes commercial use as a wedding venue. This is not dissimilar to at least part of its former use.

Staff has expressed some concern to the applicant regarding potential parking conflicts with the Eagle Funeral Home and the Jonesville First Presbyterian Church. The applicant has reached out to representatives of both institutions, who have expressed that they feel coordination of events, services and visitations is possible. There is significant on-street parking available in the vicinity, including both sides of Chicago Street/US-12 in the vicinity of the property. Construction of off-street parking is permitted in the D-2 district. However, the property owner prefers at this time to preserve the existing trees on the property and to allow that space to be available to support events taking place on the property. Staff appreciates their outreach to their neighbors and is confident that the parties are willing and will be able to coordinate with one another in this regard.

#### **Recommended Action**

The Planning Commission's action on the request would be a recommendation to City Council. The Council has the final authority to approve or deny a request to amend the Zoning Map. Based on the analysis above, staff would recommend that the Planning Commission consider the following motion:

A motion to recommend that the City Council approve the request to rezone the property located at 360 E. Chicago from R-2 (Residential) to D-2 (Downtown Edge). The recommendation is made on the following basis:

- 1. The proposed zoning district is consistent with the Future Land Use Map in the Master Plan.
- 2. The proposed district is compatible with the uses in the vicinity of the site.

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3. Use and development of the property in the existing residential zoning district is unlikely, given the unique character of the existing historic church building.

The Planning Commission should state the basis for its recommendation in the motion. *Please refer to the enclosed application materials, notice of the public hearing, and Master Plan criteria for evaluating rezoning requests.* 

#### 7. A. Project Updates

This section of the agenda is reserved for an update on current and pending projects in the City.

CITY OF JONES PLANNING COM		
SPECIAL LAND USE/SITE		
265 E. Chicago Jonesville Michiga		
Phone: 517-849-2104 Fa		
DATE: 09/29/2020		
Applicant Name:	•	
	ess Name Helping Hands	
	Address Brandi. Doirovan 34@ 00+look.com	
Cell Phone Number 517 607 8049 Fax Phone Numb	er Phone Number	
Zoning District: <u>Residential</u>	Site Plan Review Fee: \$100.00	
	Special Land Use Fee: \$500.00	
Proposed Use:	ming Commission opprove the issuence	
It is hereby requested that the City of Jonesville Plar of a Speical Land Use Permit for:		
	acity 7-12 children)	
Existing Use of Property: Family Own care home		
3 J		
Proposed Location: Address: 450 (orrenbriar place		
Property Tax ID#: <u>38-260395.</u>	30-21-290-001-020	
Statement of Justification for Requested Action:		
State specifically the reason for this Special Land U	se/Site Plan Review Permit request.	
Group day care home	•	
· · ·		
Dimensions of Land:		
Width: <u>100 ft</u> Length: <del>275 ft</del>		
Acreage: $0.64$		
Frontage: 50 ft		
Existing Zoning Classification and Zoning of Adjacent Prop Residential	perties:	
·		
Proposed Use of Land:		
Group Child care home		

Signature of Applicant

Signature of Property Owner

)mov<u>2/23/2021</u> Date: <u>2/23/2021</u> Date:

Official Use Only	
Fee Paid	\$500.00
Date Paid	3/8/21
Receipt #	128348
Date of He	aring: 4-14-21

#### In response to "Footnotes to section 2.32, B Table"

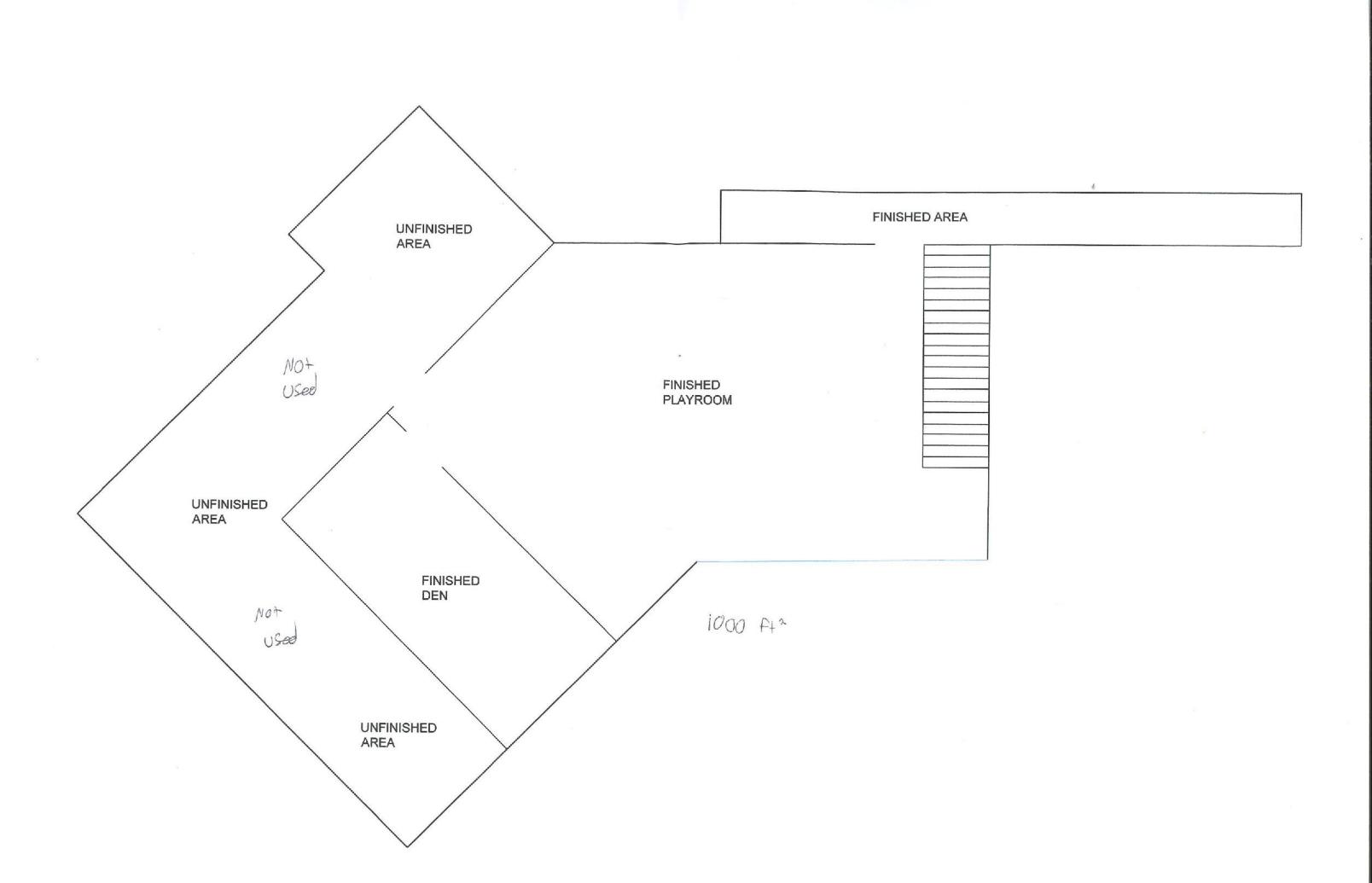
The Donovan's at 450 Greenbriar place, Jonesville MI, 49250

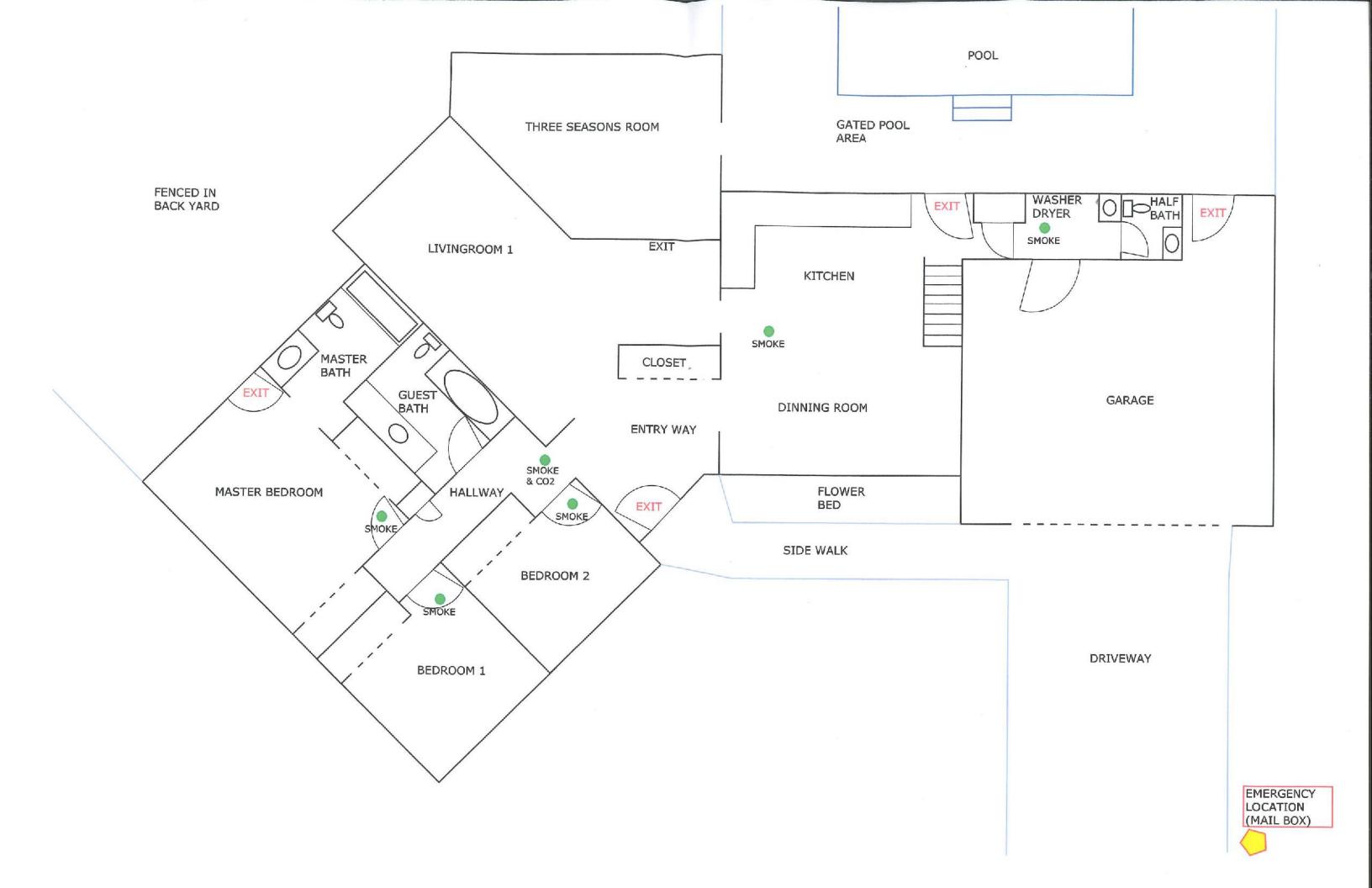
- a. Attached is my current license through the state of Michigan for a family childcare home for 1-6 children. Before starting the process of changing to a childcare group home for 7-12 children the state requires the home to be approved through zoning.
- b. Our home features a total of nine maintained smoke alarms. One, on each floor of the home, including the basement, As well as in each sleeping areas used by children. The home also features at least one fire extinguisher that is 2A-10BC rated or larger, wall mounted lower than 5 feet. Child use approved. One carbon monoxide is also used and maintained one each level of the home, including the basement. Exits are Clearly marked with signs as well as marked on the post home floor plan.
- c. There are signs put in place designating parking for staff and parents.
- d. There will be one employee working with me and the parking will be off the street in my driveway in a space marked staff.
- e. Attached are pictures of my home. Including the inside, outside (front and back).
- f. Similar to section E. Attached are pictures of my current family daycare. All but two spaces in my home are approved by the state. Those two rooms are in my basement, I do not take the children in those rooms. These rooms are always locked and labeled with stop signs. These room are not a danger, they are just unfinished portions of the basement and have been viewed by the state, just not approved for use.

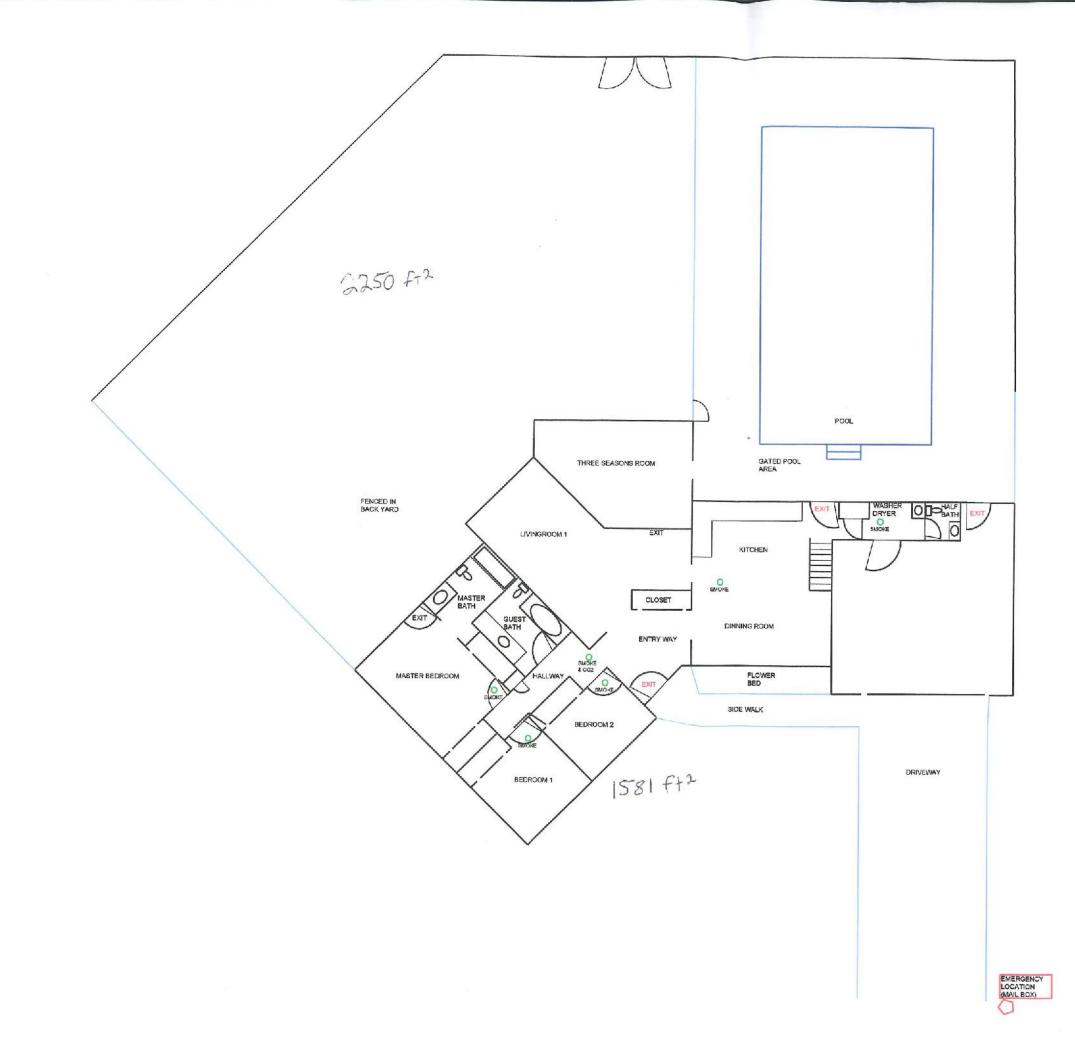
As seen on the provide floor plan, my home provides nearly 3000 square feet of state approved indoor space.

The state requires no less than 35 square feet per child, not including bathrooms and storage space.

- g. Attached are pictures of my outdoor play equipment. All play equipment is fenced in all the way around by a 5-foot-tall fence totaling a 2250 square foot safe and contained play area in the back yard. Featuring maintained grass as well as bordered pea-stones beneath the swing set. The state requires no less than 150 square feet per child.
- h. Drop-off and loading is provided close and safe to the home, and was approved by the state
- i. The neighborhood my home is in also has two other group homes nearby, the closest being 810 feet away by road and is not on the same street. However, these group homes are not childcare homes. These Group homes are occupied by adults that require an assisted living environment as a primary residence. These homes do not have noticeable street traffic.
- j. Currently my daycare operates from 7:00am-4:30pm. My hours may vary by an hour or two but will never operate more than 16 hours per day.









GRETCHEN WHITMER GOVERNOR MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS License for the Care of Children

Facility Name: Brandi Donovan 450 Greenbriar Place Jonesville, MI 49250

Licensee: Donovan, Brandi 450 Greenbriar Place. Jonesville, MI 49250

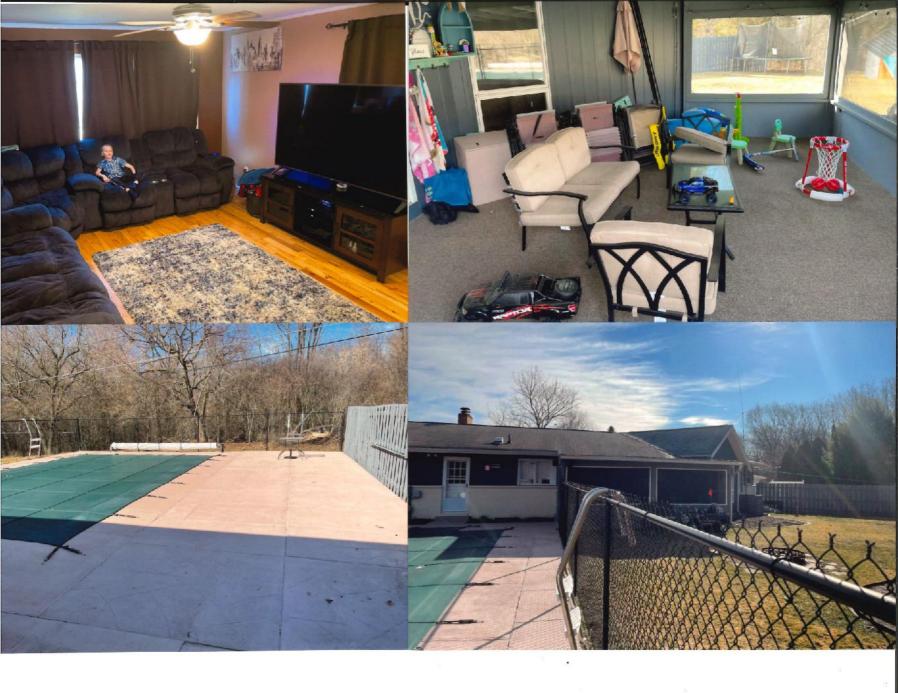
LICENSE NUMBER DF300403096 EFFECTIVE DATE 01/09/2021

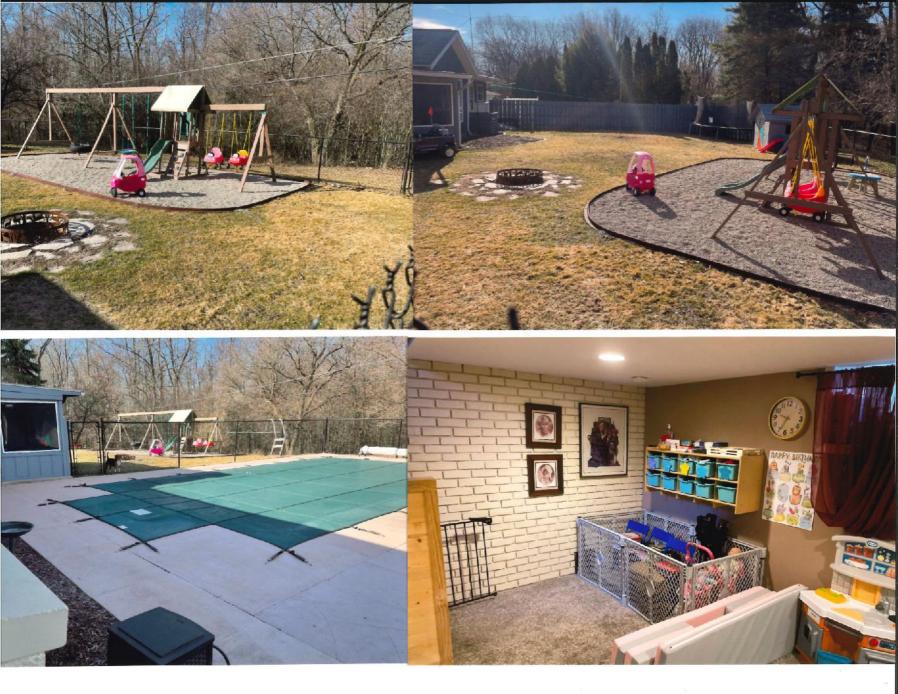
CAPACITY 6 EXPIRATION DATE 01/08/2023

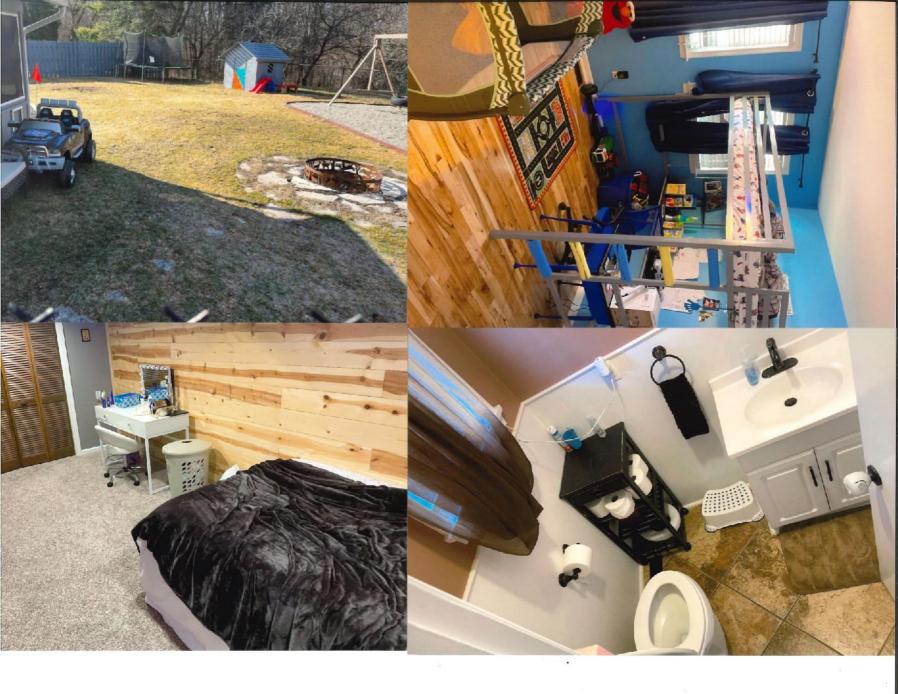
STATUS REGULAR

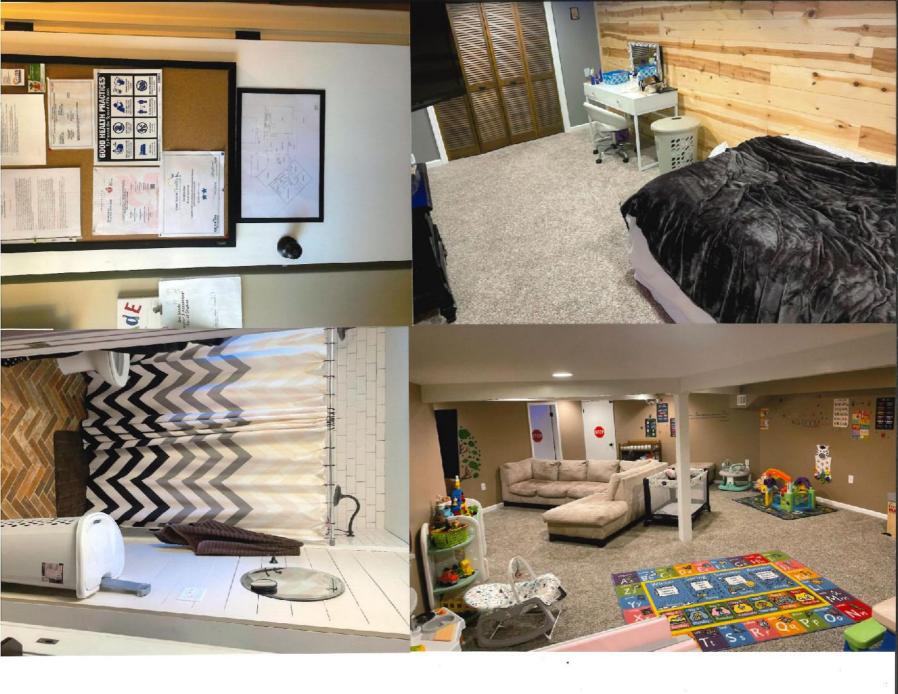
Issued in accordance with Act 116, Public Acts of 1973, as amended, being the Child Care Organizations Act.

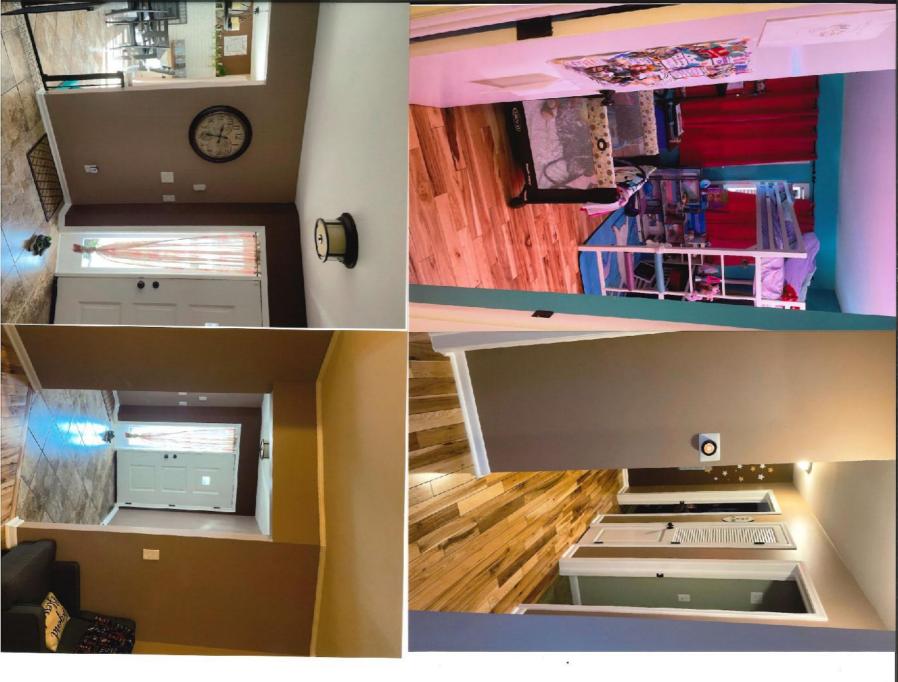






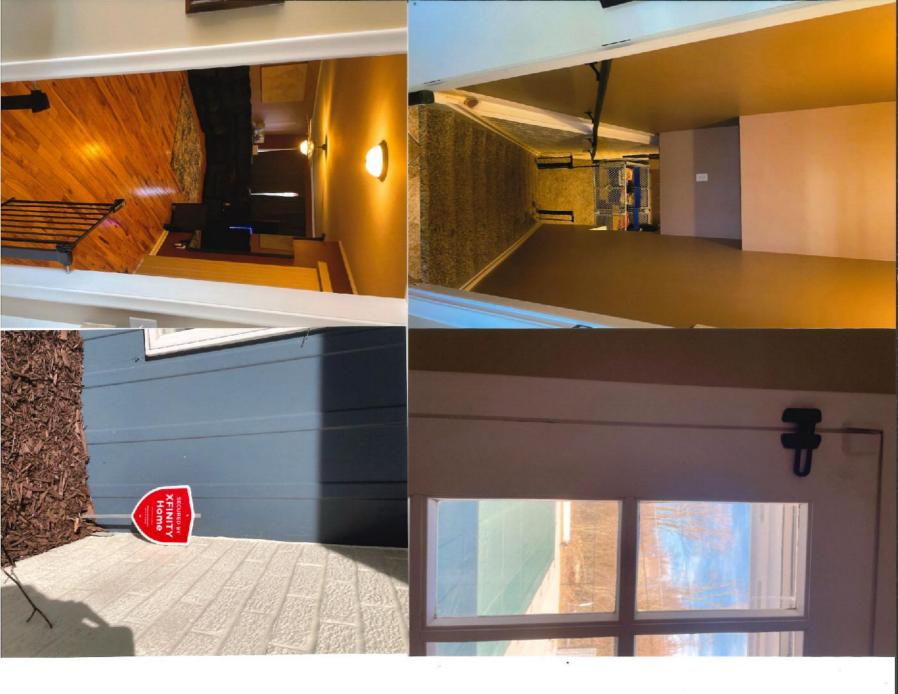
















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## PUBLIC NOTICE CITY OF JONESVILLE NOTICE OF PUBLIC HEARING

The Planning Commission will hold Public Hearings at 7:00 p.m., Wednesday, April 14, 2021 at the Jonesville Fire Station, 114 W. Chicago Street, Jonesville, MI 49250, in conjunction with the Planning Commission meeting.

The board will meet to consider the following requests:

A Special Land Use for the property located at 450 Greenbriar Pl, Jonesville, Michigan for the purpose of a Group Child Care Home (Capacity of 7 – 12 children) in a Single Family Residential (R-1) Zoning District. Property ID #30-21-245-001-020.

To Rezone the property located at 360 E Chicago Street, Jonesville, MI from Single Family Residential (R-2) to Downtown Edge District (D-2) Zoning District. Property ID #30-21-060-001-136.

Attendance at the Planning Commission Hearing is welcomed, but not required. Written comments may be submitted to the Jonesville City Hall, prior to the hearing. Those attending the hearing are asked to wear a face covering and practice distancing from others.

A copy of the application materials can be viewed in the Jonesville City Hall during normal business hours, 8:00 a.m. – 4:30 p.m., Monday thru Friday.

Individuals with disabilities requiring auxiliary aids or services should contact the City of Jonesville by writing or calling the following:

City of Jonesville 265 E Chicago Street Jonesville, MI 49250 517-849-2104 www.jonesville.org



## City of Jonesville 265 E. Chicago Street Jonesville Michigan 49250 Phone: 517-849-2104 Fax: 517-849-9037

## **REZONING APPLICATION**

Applicant Name: Amanda Stemme		
Mailing Address: 9460 Milnes R	d.	
City, State, Zip Code: Jonesville, Mi	49250	
Contact Person: Amunch Stemme		
Phone Number: 573-338-4040	E-mail Address: astemme@hotmail.com	
Interest in Property (Owner, Tenant, Option, Etc.): Nev		

Property Owner(s) Nar	ne: Amanda Sterr	ime	
Mailing Address	9460 milnes.	Rd.	
City, State, Zip Code:	Jonesville, MI	49250	
Phone Number: 5	73-338-4040	E-mail Address: 0	stemme@hotmail.com

Property Address: 360 E. Chicago	, st.	
Parcel Tax ID Number(s): 30-21-060-		2
Parcel Size: . 59 Acres		
Current Zoning District(s): $R - 2$		
Vacant Parcel (Circle One):	YES	NÔ
Please list the Zoning Classification you are seeking for the property: D-D-		

Please state the basis for changing the current zoning and planned use of the property (applicants are encouraged to consider the criteria listed in "Evaluating Land Use Changes" in the current Master Plan):

Consistent with the Master Plan for future zoning and practical difficulty due to the structure as a Church building not applicable to residential properties. Planned use to provide a venue for weddings in the Grace Church Building. The following items must be submitted with each application. Incomplete applications will not be processed.

- 1. Legal description of land to be rezoned.
- 2. Application fee in the amount of \$500 to the City of Jonesville
- 3. Site survey or plan (Include: dimensions of lot to scale, dimensions of existing and proposed structures to scale, parking facilities, existing and proposed utilities, setbacks, total square footage of lot.)

The person(s) signing this application represent that the information provided and the accompanying documentation is, to the best of his/her/their knowledge, true and accurate. In addition the undersigned represents that he/she/they are authorized and do hereby grant a right of entry to City officials for the purpose of gathering information related to this application, and to verify compliance with the requirements of the zoning district requested by the applicant and compliance with conditions precedent to the granting of the zoning district change requested.

3/15/2021 Date: Applicant Signature: Date: Owner Signature:

## Information to the Owner/Applicant

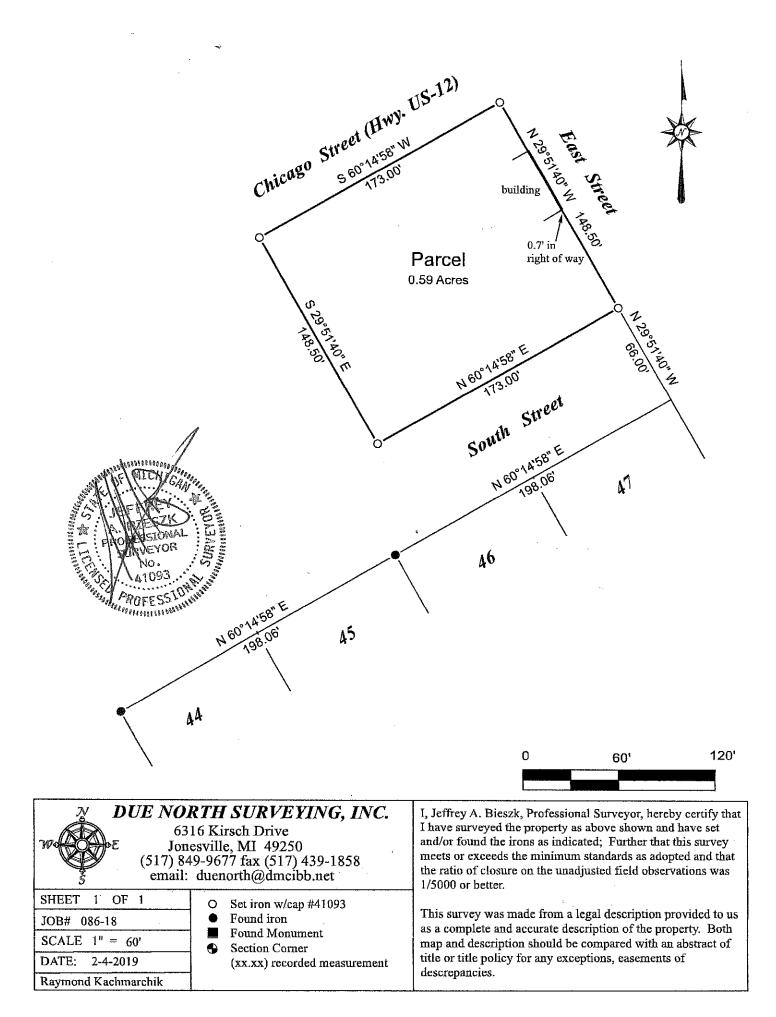
Under Michigan Law, the Planning Commission is required to hold a public hearing before taking action on this request. By law, notice of the public hearing must be published in a paper of general circulation and mailed to all residents and property owners within 300 feet of the parcel(s) where rezoning is being requested. Furthermore, the City Council will hold at least one public hearing on the application, and publish a notice of such, before taking action once a recommendation has been received from the Planning Commission.

Office Use Only:	F	
Legal Description Submission (Circle One):	YES NO N/A	
Site Plan Submission (Circle One):	YES NO N/A	
Fee Submission is \$500.00	Receipt #: 128696	
Date Received by the City of Jonesville: 3-18-21		
Received By:	Sheans, Clerk	
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## **MAP OF SURVEY**

The following described premises situated in the City of Jonesville, County of Hillsdale and State of Michigan, to-wit:

Part of 1/2 of that parcel known as SD Public Square which lies South of Chicago Street, described as: Commencing 66 feet North of the Northeast Corner of Lot 47, Jones Plat of the Village, now City of Jonesville, according to the recorded Plat thereof, as recorded in Liber I, Page 4, Hillsdale County Records; thence North 148.5 feet, thence West 173 feet thence South 148.5 feet, thence East 173 feet to the Place of Beginning. DDA Jones Plat, Section 4, Township 6 South, Range 3 West.



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