

Draft

**SAGINAW CHARTER TOWNSHIP PLANNING COMMISSION
SAGINAW CHARTER TOWNSHIP HALL
DECEMBER 1, 2010**

Members Present

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

Members Absent

B. Gombar
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 Ms. Seaver, supported by Mr. Nolan to approve the minutes of October 6, 2010.

VOTE: 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED
 Gombar
 Nelson

New Business:

A. Proposed Text Amendments to Chapter 22, Special Uses.

Ms. Smith stated staff and the Planning Commission have previously discussed a number of different changes to the Special Use standards. Specifically, there has been discussion relative to “Adult Business.” While we believe our ordinance to be specific, there have been numerous court decisions and rulings during the past twenty years related to sexually oriented businesses and their relationship to the first amendment. Given this information, we believe an update to our adult entertainment/adult business standards are in order.

Additionally, court rulings have recommended that there be specific timelines and time frames for acting on an application. Though the Township has historically processed applications as they are received and present the information at the next meeting, this is a practice that is not written into our standards.

Discussion occurred regarding which standards were new additions and which were just changes to existing standards. Ms. Smith stated that the vast majority of the changes were to existing standards. Two of the significant changes were requirements for specific lighting levels outside the facility and requirements for dancers to remain on an elevated stage.

Mr. Peterson inquired as to what level of restriction can be placed on the uses. Ms. Smith stated that the Township must provide a space within the Township for every use. She further stated that there are locations within the Township that meet the existing and proposed ordinance standards. She stated that the Township can only regulate what reasonably may occur due to the proposed use. This is why there is a litany of court cases listed in the purpose and intent. These cases reflect decisions that have documented sexually oriented businesses can have negative secondary impacts on the surrounding area.

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

There being no comments Mr. Brucker closed the public hearing portion of the meeting.

Discussion followed among the Planning Commission members.

Motion by Mr. Nolan, supported by Mr. McGraw, to direct staff to move forward and prepare the proposed ordinance for a public hearing.

VOTE: 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED
Gombar
Nelson

Receive and File All Correspondence:

- A. The September 2010 issue of Planning & Zoning News.
- B. The November 10, 2010 Board of Appeals minutes

Other New Business:

- A. S-10-33 – FMHC Corporation of Southfield, Michigan on behalf of Verizon Wireless has received administrative site plan approval to remove an existing antenna and replace with an antenna platform at 150 feet on the existing 154.5 foot monopole tower located at 3320 Bay Road. (12-4-11-3021-000)
- B. S-10-35 – FMHC Corporation of Southfield, Michigan has received administrative site plan approval to replace twelve (12) antennas and associated wiring on the existing monopole tower located at 3485

McCarty Road. No changes to the height of the tower or the associated leased areas are proposed. (12-4-10-1002-000)

C. S-10-34 – FMHC Corporation of Southfield, Michigan on behalf of Verizon Wireless has received administrative site plan approval for the removal and replacement of a number of antennas on an existing 154.8 foot monopole communications tower located at 1025 S. Center Road. (12-4-33-2006-000)

D. S-10-31 - FMHC Corporation of Southfield, Michigan on behalf of Verizon Wireless has received administrative site plan approval to replace twelve (12) antennas and associated wiring (a total of six antennas) at a height of 140 feet on the existing monopole tower located at 5155 State Street. No changes to the height of the tower are proposed.

Adjournment:

Motion by Mr. Peterson, supported by Mr. Nolan, to adjourn the meeting at 7:40 p.m.

VOTE: 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED
Gombar
Nelson