

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
November 14, 2016**

**PRESENT:** Blough, Batchelor, Simmonds, Clements, Edwards  
**TOWNSHIP PLANNER:** Tim Johnson  
**CITIZENS IN ATTENDANCE:** 5

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:00 pm.

**APPROVAL OF MINUTES:**

The Minutes of the Regular Meeting of October 10, 2016 were presented for approval. Mr. Edwards moved to approve the Minutes as presented. Seconded by Mr. Batchelor. All in favor and the Minutes of October 10, 2016 are approved.

**CHANGES OR ADDITIONS TO THE AGENDA:**

Mr. Simmonds moved that New Business be addressed before Old Business. Motion seconded by Mr. Clements. All in favor and the Agenda as amended is approved.

**PUBLIC COMMENT:**

The meeting was opened to public comment at 7:02 pm. No one spoke. Public comment was closed at 7:02 pm.

**NEW BUSINESS**

**Request from Impact Church to Amend the Zoning Ordinance to Allow Churches in the General Commercial Zoning District and Discuss Public Hearing Date**

Ryan Kresge, Adam Stanski and Ryder Jones presented on behalf of Impact Church. The presentation began with distribution of a Preliminary Site Plan to members of the Planning Commission. The Planning Commission was told that Impact Church has about 1300 members (600 families) and would therefore fit better in a Commercial zoning district, rather than in a residential zoning district. Members would also be likely to shop at local stores after attending services, increasing business for the community.

Greg Canfield of Canfield Plumbing and Heating owns property near the proposed location of the new church, and he supports the zoning change, noting that the Noon property involved has been for sale for a long time with no other purchasers coming forward. Mr. Kresge indicated that the owner of the neighboring Biggsby Coffee would also favor the zoning change.

Mr. Simmonds asked about the use of the word 'campus' to describe the proposed site. It was indicated that there would be only a single building on the site, although trees, parking and a

playground are also planned. Mr. Edwards asked if satellite campuses were planned. The existing church would be sold, and the new building would be the only facility of the church, although separate churches might be 'planted' in other locations separately.

When asked about access to the property, it was noted that there would be two drives: the current Noon access drive, and a shared drive with the neighboring Subway Sandwich/Biggsby building to the West of the property.

Mr. Clements asked why Impact Church wanted to build at this location, as there are residential zones which currently allow the construction of churches. He was advised that due to the parking requirements, sound issues such as the bass notes of their music carrying some distance, and the desire for water and sewer services, and easy access by fire services, this would be a better location than residential areas. They have also not been able to find appropriate land in the residential zones, and they have a Purchase Agreement on the property in the Commercial Zone.

Mr. Edwards asked about studies suggesting placement of the church in a Commercial Zone, and was told it was an internal study. He also asked about the number of homes which would be within three miles of the new facility. It was indicated that there may be 500 homes within one mile of the new location. The presenters do, however, want the church to be near other facilities and they would like the visibility which would result from a location on M-21.

Tim Johnson then reviewed his Memorandum of November 3, 2016 regarding the request to allow churches in the Commercial Zone, which is not currently permitted by the Lowell Township Zoning Ordinance. Generally, churches have been located in rural areas, but in some areas they are now allowed in Commercial Zones due to the needs of these larger churches. He noted that the Preliminary Site Plan submitted was not relevant at this time, but would only be considered if provision for churches was added to the current zoning language. The change to the zoning language would allow any religious facilities throughout the Commercial Zone, not just this one church in this one location. The Planning Commission has the option to change the zoning, or do nothing, leaving the current zoning unchanged.

Mr. Edwards asked how much of the remaining Commercial Zone along M-21 would be used by Impact Church. It appears they would use 17 acres (four of which are in the Flood Plain), leaving about 5 acres of vacant commercially zoned land.

Mr. Simmonds cautioned that a zoning change last year for property owned by Flat River Outreach Ministry took several months to complete. Mr. Edwards noted that the Flat River facility was already non-profit at the time of the change; this would be changing commercial land to non-profit use.

Mr. Blough raised the fact that such a change was not provided for in the Master Plan. He was also concerned about potential traffic issues. Tim Johnson was concerned about giving up more zoning to religious facilities, given they are already allowed in four other zones. He noted that not everything in the Commercial Zone is strictly business or office, but most of it is. Mr. Blough asked why churches could not also be allowed in Industrial PUD zones, to which it was

indicated by Impact Church representatives that they would still have the issues of water, sewer and traffic.

Mr. Batchelor asked about commercial taxes which go to Lowell Township, and was advised that it was only 0.8 mills, although the school district receives more than that. Representatives of Impact Church noted that the church provides a growing student mentoring program and other charitable activities which benefit the community.

Mr. Batchelor asked if the zoning change would happen by creating a Special Land Use process to approve the specific request; Tim Johnson indicated that that would be the most likely course.

Mr. Clements asked if the zoning issue was known before Impact Church signed a Purchase Agreement for the Noon property, and was told that they did know this. He also suggested that he was willing to move forward slowly, to allow a full discussion of the proposed zoning change, which would need to be decided before moving on to the specific request of Impact Church. Mr. Edwards was also willing to take up the initial discussion at the next Planning Commission meeting. Other members of the Planning Commission agreed to this approach.

Mr. Blough will discuss the request with members of the Township Board, to see if they wish the Planning Commission to spend time considering a change to the current Commercial Zone provisions. Given the multiple steps involved, Mr. Simmonds again cautioned the representatives of Impact Church that zoning changes can take a significant amount of time to complete.

## **OLD BUSINESS**

### **Review of Draft Ordinance Regulating Home Occupations and Home Based Business**

Tim Johnson presented Draft #2 of the Home Occupation and Home Based Business Ordinances dated November 14, 2016.

Section 4.45 addresses Home Occupations

With respect to Section 4.45 a), it was agreed that the phrase 'family members' be used rather than 'residents of the dwelling'.

Section 4.45 c) 1) is to refer to 'family members' rather than 'residents of the dwelling'.

Section 4.45 c) 5) change the phrase 'shall not exceed', to 'shall not be larger than', with respect to allowed delivery vehicle size.

Section 4.46 addresses Home Based Businesses

Section 4.46 a) is to refer to 'family members' rather than 'residents of the dwelling'.

Section 4.46 a) 1) drop the word 'either'.

Section 4.46 c) 2) change the phrase 'number of employees' to 'number of non-family employees'. This change is also made to the second column heading in Section 4.46 c) 2).

Section 4.46 c) 2) the table is changed to require a minimum lot size of 3 acres for one non-family employee, a minimum lot size of 6 acres for two non-family employees, a minimum lot size of 9 acres for three non-family employees, and a lot size of 12 acres or larger for four non-family employees.

Section 4.46 c) 7) should have the phrase 'to be stored outdoors' at the end of the paragraph changed to 'which may be stored outdoors'.

Section 4.46 e) should have the title 'Home Based Business Special Land Use Permit Procedures'.

Section 4.46 e) 4) is clarified by changing all references to 'the Commission' to 'the Planning Commission'.

**COMMISSIONER COMMENTS:**

There will be no workshop meeting on November 28<sup>th</sup>.

Mr. Batchelor asked about new fairground activities in the Township. Fairgrounds are already allowed in the Ag-1 zone, but specific terms for building a fairground pursuant to a Special Use Permit will need to be developed. This will be addressed should Kent County actually acquire lands for fairground use.

Mr. Edwards asked about apparent car sales occurring on Cascade Road.

Tim Johnson noted that medical marijuana activities must be specifically allowed by zoning, or else those activities are not allowed. There is no need to specifically prohibit that use of land.

**ADJOURNMENT:**

Mr. Clements moved to adjourn. Seconded by Mr. Edwards. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 9:05 p.m.

Submitted \_\_\_\_\_ Secretary

Timothy Clements

Approved \_\_\_\_\_