

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
August 10, 2020**

PRESENT: Blough, Batchelor, Simmonds, Clements, Edwards

TOWNSHIP PLANNER: Tim Johnson

CITIZENS IN ATTENDANCE: 8

The Regular Meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:01 pm.

APPROVAL OF MINUTES OF JULY 13, 2020 MEETING:

Mr. Edwards noted a name misspelling on Page 2 of the Minutes. He then moved that the Minutes of July 13, 2020 as amended be approved. Motion seconded by Mr. Blough. All in favor and the Minutes of July 13, 2020 as amended are approved.

CHANGES OR ADDITIONS TO THE AGENDA:

There were no changes or additions to the Agenda.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

The meeting was opened to public comment at 7:03 pm. No one spoke. Public comment was closed at 7:03 pm.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Covenant Industrial Park Unofficial Presentation

Sid Jansma led the presentation regarding development of the approximately 250 acre parcel at the Southwest corner of Cascade Road and Alden Nash. He presented an overview of the possible ways this land could be developed in the coming years, after the extension of water and sewer lines to this location in about four years' time. This land is expected to be developed as the Covenant Industrial Park of Lowell Twp. Much of the property would be developed for manufacturing and transport operations.

Representative layout plans were offered for informational purposes, with the caveat that final development will be driven by the market. Development will reflect the East half of the land being relatively flat, with the West half being more variable. There are some wetland areas on the land, which they would seek to preserve.

A representative building of 800,000 square feet was shown on the North Central part of the parcel. Large buildings, either single- or multi-tenant, could be placed on three sides of the property. Some could be truck transport businesses, others contractor storage without a heavy truck presence. Third party-owned buildings would also be possible. The East side of the parcel might be used for retail, hotel and restaurant businesses.

There will likely be interior public roads on the property. These might include extension of the Bancroft and Timpson roads. A centrally located water tower is possible, as is a sanitary lift station and a wireless service tower.

Mr. Batchelor asked if they might seek a rezoning of property to the Northwest from Residential to Commercial. Mr. Jansma indicated these were houses on large parcels, and would be more valuable as developed compared to Commercial land. Mr. Clements asked if Township building height restrictions would be in effect on this property. Mr. Johnson stated that this might change when the enabling zoning for this parcel, which is shown as Mixed Use Planning Area on the Master Plan, is implemented.

Mr. Batchelor asked for further information about any hotel that might be build on this land. One option is a 100-room hotel with eating and conference services. Mr. Blough informed the developer of the County drain crossing the property, and they replied that they were aware of it. Rainwater retention ponds were also shown on the concept drawing.

Some lighted signage along I-96 might be requested. The Planning Commission advised that a limit on the total number of billboards allowed in Lowell Township has already been met. Chairperson Simmonds stated that any additional signage, and towers over 35 feet in height, would require separate approval under the Zoning Ordinance.

Mr. Batchelor would prefer that large buildings be visually broken up by varying color schemes along the facades. Sample renditions of the typical type of buildings expected were shared with the Planning Commission. Any restrictions due to proximity to the airport are also being reviewed. Mr. Edwards asked about demand for 800,000 square foot buildings, and was told that there is already interest in buildings of this size.

Mr. Jansma closed by reiterating that he would like to work together with the Township as plans for this land unfold, and was just presenting some concepts for how the land might be developed to assist the Township in its planning.

Annual Review for Impact Church Special Land Use

No one was able to appear at the review on behalf of Impact Church, but a letter dated August 5, 2020 was received, and outlined both completed and planned changes in the Fall of 2020. Mr. Edwards asked about a reference to fire pits; these were included in the Site Plan and are located at the front entrance to the church, not the front entrance to the property. Overall, the information provided in the letter was viewed favorably. Mr. Batchelor asked about the pole barn moved onto the church property. Mr. Johnson confirmed that this was planned, and that it would constitute an accessory building.

Mr. Clements would like the Annual Reviews of Impact Church to continue for the time being, due to the planned improvements to be made in the coming year. Mr. Blough agreed.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved to confirm that the Lowell Charter Township Planning Commission has reviewed the Impact Church Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in March 2018 and that the next annual review will be held in March 2021. Motion seconded by Mr. Batchelor. All in favor and Impact Church is determined to be in compliance with its Special Use Permit.

Site Plan for Arrow Veterinary Amendments

The presentation was led by Kendall Beck of Rowe Professional Services Company. The planned veterinary building would be located on the South side of Fulton Street East of Cumberland Drive on a 13 acre parcel zoned Commercial. A veterinary establishment without kennel services is allowed in this zone.

The current building on the property will be removed and replaced by a new 5400 square foot veterinary clinic building. Current M-21 access will be retained, and there will be twenty-four parking places. There is an existing public sewer connection and a prior septic system will be abandoned. A dumpster planned for the West side of the building will be screened in a manner similar in appearance to the building. There will be a single pole light which won't exceed 25 feet in height. While the property naturally drains from East to West, runoff will be diverted to a pond on the East side of the property, and from there to the adjoining river. The existing signage at the front of the property will be reused.

Artist concept drawings were then reviewed by the Planning Commission. Mr. Batchelor asked about a dog run on the Southwest corner of the building. This will be enclosed by a four-foot chain link fence.

Tim Johnson reviewed with the Planning Commission his Site Plan Review Report dated August 10, 2020. He noted that the Planning Commission will make the final decision on approval of the Site Plan. Much of the property, including that portion to be built upon, appears to be in the 100-year flood plain. This will require a finished floor elevation of 634 feet, to be one foot higher than the flood plain. Some regrading is expected. Building in a flood plain does require a Special Use Permit. Applicant is waiting for more information from the Michigan Department of Environment, Great Lakes and Energy (EGLE), formerly known as the MDEQ.

The screened dumpster should be shown. A waiver on the requirement to immediately build a sidewalk along M-21 from the property owner Sara Karasinski of Arrow Veterinary was received August 10th.

The report from LRE Engineers and Surveyors dated July 28, 2020 lists some minor requirements. Meeting these will need to be a condition of final Site Plan approval.

Mr. Blough acknowledged that the minimum number of parking spaces required had been met, but questioned whether 24 spaces would be sufficient. Mr. Batchelor asked that the handicap parking spaces be clearly marked on the Site Plan.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved that the Lowell Charter Township Planning Commission set a hearing on September 14, 2020 for a Special Use Permit for Arrow Veterinary Clinic related to building in a 100-year flood plain, subject to receipt of further information from EGLE. Motion seconded by Mr. Batchelor. All in favor and the hearing will be set for September 14, 2020. The Notice of Hearing will specifically indicate that only the question of building in a flood plain will be covered by the Special Use Permit request.

DRAFT ZONING ORDINANCE AMENDMENTS:

Tim Johnson led a review of his Draft 2 for Accessory Buildings and Miscellaneous Amendments to the Zoning Ordinance dated August 10, 2020.

Accessory Buildings

Chairperson Simmonds discussed the photographs of attached accessory buildings, and noted that these accessory buildings could not be living spaces. Mr. Clements asked for clarification on whether they might be used as an 'at home' office. In most cases this space could be used in this manner, so long as the space did not reach the level of being considered as a living space. He also asked whether the principal building must be completed before the accessory building could be constructed. He was advised that so long as both the principal building and accessory building permits were acquired at the same time, the order of actual construction would not be an issue.

Miscellaneous Amendments

Mr. Clements suggested that the definition of Farm Operation, section d), could make use of a drone more clear. He also suggested some possible changes to Section 4.21d) 1) and 2), but after discussion it was decided to leave this language as currently written.

Chairperson Simmonds expressed some doubt about the suggested replacement language for Section 4.06, Main Use of a Lot. After discussion it was decided to leave the proposed new language as presented. Removal of Section 4.09 on a Land Use Not Specifically Listed was also not favored, but it was felt there was no choice in doing so due to a 2010 legal decision by the Michigan Court of Appeals.

Specifically listing definitions from the Right to Farm Act was seen as a way of making those definitions more accessible. After discussion, it was decided to retain the current use of references to the Right to Farm Act.

In total, it was decided to move forward with changes to Section 4.15 Accessory Buildings and Structures, deletion of Section 4.09 Land Use Not Specifically Listed and changes to Section 4.06 Main Use of a Lot.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved that the Lowell Charter Township Planning Commission set a hearing on September 14, 2020 to present three changes to the current Ordinance, affecting Section 4.15 Accessory Buildings and Structures, Section 4.09 Land Use Not Specifically Listed and Section 4.06 Main Use of a Lot. Motion seconded by Mr. Edwards. All in favor and the hearing will be set for September 14, 2020.

COMMISSIONER COMMENTS:

Mr. Blough commented on the increase in traffic that might be expected as an industrial park is developed. Mr. Johnson recommended working on the Mixed Use ordinance language called for by the Master Plan. After discussion it was decided to do so at a special meeting August 24, 2020 at 7:00 pm in the Township building.

Adjournment:

Motion to adjourn made by Mr. Batchelor. Motion seconded by Mr. Edwards. All in favor and the meeting of the Lowell Charter Township Planning Commission was adjourned at 9:07 pm.

Submitted _____ Secretary

Timothy Clements

Approved _____