

LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
August 14, 2017

PRESENT: Blough, Simmonds, Clements, Edwards

ABSENT: Batchelor

TOWNSHIP PLANNER: Bob Toland

CITIZENS IN ATTENDANCE: 24

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

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting and Public Hearings of July 10, 2017 were presented for approval. Mr. Edwards moved to approve the Minutes as presented. Seconded by Mr. Blough. All in favor and the Minutes of July 10, 2017 are approved.

The Minutes of the Special Meeting of July 24, 2017 were presented for approval. Mr. Edwards moved to approve the Minutes as presented. Seconded by Mr. Blough. All in favor and the Minutes of July 24, 2017 are approved.

CHANGES OR ADDITIONS TO THE AGENDA:

Mr. Edwards moved to remove the agenda item “Noise Ordinance Amendment – Target Practice” from Old Business. Motion seconded by Mr. Blough. All in favor and the Noise Ordinance Amendment topic is removed from the Agenda.

Mr. Simmonds moved to move the first topic under Item 9, “Fairgrounds Zoning Ordinance Amendment” to be the first topic under Item 7, Old Business, and with that final change, that the Agenda be approved as amended. Motion seconded by Mr. Edwards. All in favor and the Agenda with two changes is approved.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

The meeting was opened to public comment at 7:07 pm. No one spoke. Public comment was closed at 7:07 pm.

PUBLIC HEARINGS

There were no Public Hearings.

OLD BUSINESS

Fairgrounds Zoning Ordinance Amendment

Mr. Toland provided for review a Draft Amendment dated August 4, 2017, to amend the Lowell Charter Township Zoning Ordinance to add a new and additional subsection 5.03(r) regarding county and youth fairs, outdoor recreational uses and similar uses. Mr. Simmonds noted that this would also allow privately operated fairgrounds in the Ag-1 zoning district as a special land use, rather than restricting the special land use to fairgrounds operated by a municipal agency, as is presently the case.

Mr. Edwards noted that fairgrounds in recent times are virtually all operated by private entities. He suggested that Section 5.03(f) should drop the phrase “including fairgrounds” if the proposed Section 5.03(r) regarding youth fairs is to be added, noting that this will actually need to be added as Section 5.03(y).

Mr. Clements suggested dropping all language in Section 5.03(f) after “Public and private parks”. He further suggested that the new subsection be limited to fairgrounds, with the other proposed uses being addressed at a future date as separate subsections. It was agreed that this would allow the application of conditions for fairground activities specifically. Mr. Simmonds reminded those present that this would apply only to land in the Ag-1 zoning district.

There being no further questions or comments, Mr. Clements moved that Section 5.03(f) of the Lowell Township Zoning Ordinance be amended to remove the current language after “Public and private parks”, and that a new Section 5.03(y) be added as a new special land use in the Ag-1 zoning district, for “County and Youth Fairs”, and that the proposed changes be set for public hearing at the next Planning Commission Regular Meeting on September 11, 2017. Motion seconded by Mr. Edwards. All in favor and the proposed Amendments to the Zoning Ordinance are set for hearing on September 11, 2017.

Home-Based Businesses Ordinance Amendment – Legal Review

A new draft of the Zoning Ordinance Amendments Regarding Home-Based Business and Home Occupation was reviewed. A new Section 4.46 d) was offered, further restricting which businesses may be conducted as a Home-Based Business, and limiting the size of such businesses.

Mr. Edwards felt that the proposed restrictions were too restrictive. Mr. Clements agreed, noting that as written, the Planning Commission would need to determine, at the time of approving the special land use, that the business would not outgrow the current location or become an unreasonably large business at some future date. Mr. Blough agreed that the proposed section would be of no help. All agreed to strike the proposed section 4.46 d) from the draft Ordinance.

It was also proposed that Section 4.46 g) 3) i) through g) 3) iii) add the language “showing that it meets the current setback requirements” to these three subsections. These proposed changes were accepted.

The accepted changes being minor in nature and not requiring a new public hearing, Mr. Simmonds moved to recommend to the Township Board the approval of the revised Home-Based Business and Home Occupation Ordinance as presented by the Planning Commission, with proposed Section 4.46 d) stricken and the three changes made to Section 4.46 g) 3) added as noted. Motion seconded by Mr. Edwards. All in favor and the proposed Ordinance with changes noted is recommended for approval to the Township Board.

NEW BUSINESS

Impact Church – SLU – Resolution to set the date for a Public Hearings

Adam Stanski presented a request for approval of a Special Land Use for purposes of building a church facility on 17.9 acres of land at 11930 Fulton Street SE. A Project Description Document and aerial view were presented, along with a detailed site plan. Some changes have been proposed by the engineering reviewer, and Impact Church has accepted those changes. There will be some items from the engineer’s report which will need to be discussed and decided by the Planning Commission.

Mr. Clements noted that there were a number of items still open with the proposal, and that any significant changes which arise after a public hearing may require another public hearing, which Applicant acknowledged. The prior owner of the property, Sam Noon, is leasing a part of the property for one year. The existing building which he will be using sits on a separately numbered parcel, but Mr. Stanski confirmed that this is historic, and that the parcel is part of the land on which the special land use is requested, and is now owned by Impact Church. Some concern was also expressed about the drive to be shared temporarily between Impact Church and Sam Noon.

There being no further questions or comments, Mr. Simmonds moved to set for public hearing at the next Planning Commission Regular Meeting on September 11, 2017 the request of Impact Church for a Special Land Use Permit for construction of church facilities on land located at 11930 Fulton Street SE. Mr. Edwards asked the Applicant if they would be comfortable with pushing the hearing date back to October, given the hearing schedule expected on September 11, 2017, but Applicant would prefer to have the hearing as soon as possible. Mr. Edwards then seconded the motion. All in favor and the request for a Special Land Use Permit by Impact Church is set for September 11, 2017.

The Barn for Equine Learning – SLU – Resolution to set the date for a Public Hearing

Kat Welton presented. They would like to rebuild the horse boarding facilities destroyed by fire earlier in the year at 3203 Timpson Ave SE. The non-profit organization The Barn for Equine Learning would board horses and run their youth and adult therapeutic programs using the horses

and facilities at this site. In the future they may add office space or an indoor riding arena, but she understands that she will need to come back for further approval before construction of any future structures.

There being no further questions or comments, Mr. Clements moved to set for public hearing at the next Planning Commission Regular Meeting on September 11, 2017 the request to rebuild horse boarding facilities at 3203 Timpson Ave SE to be used by a non-profit organization to provide youth and adult therapeutic programs on the premises. Motion seconded by Mr. Edwards. All in favor and the request for a Special Land Use Permit for construction and use of a horse boarding facility to provide therapeutic horse-based programs is set for September 11, 2017.

Blu Sky Farms 12000 Cascade Road – Rezoning - Resolution to set the date for a Public Hearing

Mr. Blough offered to recuse himself from participating in the discussion. After review by the other members of the Planning Commission, it was determined that he could participate in the hearing date discussion. The request is to rezone a one acre parcel at 12000 Cascade Road from it's current zoning of Light Industrial to General Commercial.

Mr. Clements suggested that this might be a good time to similarly rezone all of the land in the Southwest corner of Alden Nash and Cascade Roads currently shown on the 2014 Lowell Charter Township Master Plan Future Land Use Map for future Commercial zoning. He noted that this rezoning would not interfere with any non-Commercial activities currently occurring on these properties. It was determined that this land, exclusive of the Blu Sky Farms parcel, would be separately set for hearing to rezone from Light Industrial to Commercial.

There being no further questions or comments, Mr. Clements moved to set for public hearing at the next Planning Commission Special Meeting on September 25, 2017 the request of Blu Sky Farms to rezone the one acre parcel at 12000 Cascade Road from Light Industrial to Commercial, and to also set for public hearing at the next Planning Commission Special Meeting on September 25, 2017, on the initiative of Lowell Charter Township, a rezoning of the balance of the land, excluding that parcel at 12000 Cascade Road, planned for Commercial rezoning as shown on the 2014 Master Plan Land Use Map, at the Southwest corner of Alden Nash and Cascade Roads. Motion seconded by Mr. Edwards. All in favor and the two public hearings are set for September 25, 2017.

Items for Potential Discussion

None of these items were discussed.

Commissioner Comments

Mr. Clements noted the importance of receiving materials for use at meetings in a timely manner, and that materials to be used in connection with a public hearing be made available no later than

the publication date of such a notice of hearing, to ensure the public has reasonable time to review those materials before offering public comment. Mr. Edwards agreed.

Mr. Simmonds indicated that there would be no workshop meeting on August 28th.

Mr. Blough requested an update on the Kissing Rock Site Condominium project and the additional information required, and was advised that the Township was still waiting for needed information.

ADJOURNMENT:

Mr. Edwards moved to adjourn. Seconded by Mr. Blough. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 8:27 p.m.

Submitted _____ Secretary

Timothy Clements

Approved _____