

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
March 11, 2019**

PRESENT: Blough, Batchelor, Simmonds, Clements, Edwards

TOWNSHIP PLANNER: Tim Johnson

CITIZENS IN ATTENDANCE: 11

The Regular Meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:03 pm.

APPROVAL OF MINUTES:

The Minutes of the Regular Meeting and Public Hearing of February 11, 2019 were presented for approval. Mr. Edwards proposed three changes to the Minutes, which were accepted by other members of the Planning Commission. Mr. Edwards then moved to approve the Minutes as amended. Motion seconded by Mr. Batchelor. All in favor and the Minutes of February 11, 2019 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 7:10 pm. No one spoke. Public comment was closed at 7:10 pm.

UNFINISHED BUSINESS:

Consider a request for a Special Use Permit to establish a Home for the Aged at 12054 Foreman St.

Mr. Johnson led a review of his report on Maple Ridge Home for the Aged Special Land Use & Site Plan dated March 8, 2019.

With respect to the proposed sidewalk across the front of the property, it has been agreed that this will instead be a LARA trail, with construction by Applicant from Alden Nash Road to the West side of the facility driveway. Mr. Edwards questioned why the trail would not immediately be extended to the East property line. Mr. Blough discussed the eventual extension of the trail to Gee Avenue. Mr. Clements confirmed that the trail easement would be granted across the entire front line of the property, with Applicant building the trail between Alden Nash Road to the West side of the driveway, at their cost. LARA will extend the trail at their cost from the East side of the driveway to the East property line when they desire. Granting of the easement is a condition of approval of the Special Land Use and Site Plan.

The Township Supervisor shall determine which trees are to be removed after a review in the Spring, and will also confirm that the required new trees consistent with the Site Plan are installed. This will be a condition of approval of the Special Land Use and Site Plan.

With respect to an access drive behind the building, Mr. Batchelor questioned the use of a landscape grid beneath grass in one section, rather than paving the drive completely across the back of the building. His concern is for fire vehicle access, particularly in the winter months. Ms. Ross indicated that the Fire Chief had approved this plan, and that the paved portions of the access drive would meet fire code requirements even without use of this green area. Mr. Edwards confirmed that the landscape grid area would be marked.

There will be a change to the storm water management design as described in the letter of March 8, 2019 from Land & Resource Engineering.

Mr. Edwards asked about approval of the location of the single drive entrance to the facility by the Kent County Road Commission. Ms. Ross indicated that the location has been tentatively approved. Mr. Johnson stated that final approval of the drive is normally handled later in the approval process.

Mr. Edwards noted the berms on the Site Plan intended to keep runoff water from flowing onto the neighbor's property, but made clear that there should be no runoff onto the adjoining property at any point in time. There is also a note in the Site Plan referring to phases of construction when in fact the entire facility will be built at one time. This should be corrected.

The final question raised by Mr. Edwards was regarding an outbuilding intended for storage of lawn maintenance equipment, outdoor furniture and similar items. The Site Plan now refers to this building as a 'garage'. It was decided that this building could also be used to park a transport vehicle for the residents.

It was confirmed that room sizes were approved by the building inspector, and that these would need to be approved by the state Licensing Board for Homes for the Aged.

There being no other questions or comments from members of the Planning Commission, Chairperson Simmonds led a review of the General Standards for the granting of a Special Land Use, set out in Section 20.03 of the Zoning Ordinance.

Standard A. The Special Land Use shall be established, designed, and operated so as not to have a substantial adverse effect upon adjoining or nearby lands or any of the uses thereof, and will be compatible with the character of the area in which the Special Land Use is proposed. Standard is satisfied.

Standard B. The Special Land Use must not have a substantial adverse effect on water and sewer services, storm water drainage, road capacity, volume of traffic, traffic safety and circulation, and pedestrian safety and shall not result in lighting which is contrary to the purposes of the lighting regulations of this Zoning Ordinance. Standard is satisfied.

Standard C. The Special Land Use must not have a substantial adverse effect on police and fire services and other public safety and emergency services. Standard is satisfied.

Standard D. The Special Land Use must not have a substantial adverse effect on the need and demand for other public services. Standard is satisfied.

Standard E. The Special Land Use must not have a substantial adverse effect on the natural environment of the site and nearby properties. Standard is satisfied.

Standard F. The Special Land Use must be consistent with the intent and purposes of this ordinance and the Lowell Charter Township Master Plan. Standard is satisfied.

Chairperson Simmonds confirmed that the Special Land Use meets all of the specific standards of Section 20.03 and /or other specific special land use standards of the Ordinance.

Mr. Edwards asked if another review of the Site Plan would be necessary after the required changes had been made. It was decided that the remaining changes are minor and can be confirmed by the Township Supervisor.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved that the Lowell Charter Township Planning Commission approve the requested Special Use Permit for a Home for the Aged located at 12054 Foreman Road, being 7.45 acres in Lowell Township, as well as approve the submitted Site Plan of March 1, 2019 and the Lighting Plan of March 5, 2019, with the following conditions on the Special Land Use:

1. The applicant shall create a new parcel for land legally described in the application in accordance with the Township Land Division Ordinance. This must be done prior to the issuance of a building permit.
2. The applicant shall provide evidence of approval from the Michigan Department of Licensing and Regulatory Affairs.
3. The limits of grading will be marked in the field before construction begins and verified by the Township.
4. An easement must be granted by BMG Holdings to allow public use and maintenance of the LARA trail for the entire length of Foreman Street frontage of the property. This easement must be reviewed by the Township Attorney and approved and recorded before a building permit is issued.
5. A determination regarding the number of trees to be planted on the east and south lot lines shall be made in accordance with the notes on Sheet C2.0 of the Site Plan and as stated in the letter from Practical Engineers dated February 26, 2019.

6. An annual review of the project shall be conducted by the Planning Commission on or about the anniversary of the date of approval by the Planning Commission. The applicant or a representative of the applicant shall attend the meeting.

7. The Site Plan dated March 1, 2019 should be revised to wit:

- a. The plan should provide construction details of the LARA trail.
- b. Under Site Information:
 - Change "Density Proposed" to "Units Proposed"
 - The note which states "Allowed Density: 7 acres x 10 units per acre = 70 units" should be revised to state "Allowed Units: 7.45 acres x 10 units per acre = 74 units"
- c. Compliance with the requirements of the Township Engineer.

8. The Site Plan set shall be revised as required by this approval and three copies of this Plan returned to the Township for signature by the Planning Commission Chair. The applicant shall also provide a digital copy of the revised Site Plan to the Township.

9. There shall be no more than two beds per unit.

Motion seconded by Mr. Edwards. All in favor and the Special Land Use & Site Plan are approved with conditions.

NEW BUSINESS:

a. Annual Review of Timpson Special Use Permits

- 1. Concrete Crushing**
- 2. Warehouse/Truck Terminal**
- 3. Mining**

Mr. Timpson provided update letters on all three Special Use Permits, dated February 25, 2019. Photographs were also provided.

With respect to crushing operations, the crushing occurred two times in 2018. He is uncertain of the demand in 2019.

With respect to the motor freight operations, there is fencing purchased which will need to be installed near the adjoining gas station. Public utilities are now underground. A top coat of the asphalt surfaces will need to be applied.

With respect to mining, efforts are being made to complete work on the north side of the property. An updated Site Plan to show the work performed has been provided.

There being no further questions or comments from members of the Planning Commission, the following motions were made:

Mr. Batchelor moved to confirm that the Lowell Charter Township Planning Commission has reviewed the Timpson Concrete Crushing Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in May 2015 and that the next annual review will be held in March 2020. Motion seconded by Mr. Edwards. All in favor and the motion is approved.

Mr. Clements moved to confirm that the Lowell Charter Township Planning Commission has reviewed the Timpson Motor Freight Warehouse Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in February 2008 and that the next annual review will be held in March 2020. Motion seconded by Mr. Blough. All in favor and the motion is approved.

Mr. Blough moved to confirm that the Lowell Charter Township Planning Commission has reviewed the Timpson Sand Mining Special Use Permit and finds that it is in compliance with the Special Use Permit and its conditions granted in April 2004 and that the next annual review will be held in March 2020. Motion seconded by Mr. Batchelor. All in favor and the motion is approved.

b. Annual review of Impact Church Special Use Permit

Ryan Kresge appeared on behalf of Impact Church. Photographs of the church were provided. The Church hopes to be open in the next two to three months. Most conditions have been met.

A review of the incomplete conditions was then made.

1. Although the drive easement with the Walgreens to the East of Impact Church is still being handled by the attorneys, no problems are expected. Mr. Batchelor noted that Walgreens had agreed to allow traffic from neighboring properties across its land when its Special Use Permit was approved. Mr. Edwards noted that it is still a requirement that the easement be obtained before Impact Church traffic is allowed to cross the Walgreen property. He felt that the connection between Impact Church and the adjoining township park should be left closed. The Township Supervisor advised that the Township Board had determined that this connection will remain open indefinitely, with Impact Church allowing their parking lot to be used by park visitors. It was determined that Impact Church was working on satisfying this requirement.
2. The status of the requirement to get MDOT approval for use of Kent County Sheriff personnel or another approved agency to direct traffic at the main M-21 driveway for all church services was reviewed. It was determined that Impact Church was working on satisfying this requirement.
3. Impact Church will need to meet the requirements of MDOT for the entrance onto M-21 of the shared drive with the Biggby/Subway businesses. It was determined that Impact Church was working on satisfying this requirement.

4. Removal of prior existing buildings on the property has been completed. Mr. Blough asked about the storage barn behind Biggby. This building is being used by Impact Church.
5. Approvals have been acquired from the Township Fire Chief and Township Engineer.
6. The requirement to widen the drive shared with the adjoining Biggby/Subway businesses has plans drawn up but construction has not begun. It was determined that Impact Church was working on satisfying this requirement.
7. Wetlands approvals have been received from the Michigan Department of Environmental Quality.
8. The limits of the 100-year flood plain has been flagged.
9. The marking of the edge of the wetlands on site has been done and the markings will be maintained.
10. The landscape plan is revised, deleting the Serbian Spruce trees shown.
11. The site plans have been revised and required copies provided to the Township.
12. Separate approval will be required for signs. It was determined that Impact Church was working on satisfying this requirement.
13. Additional parking spaces have been approved.
14. Annual reviews will be required.
15. There should be an outgoing stop sign where the Impact Church drive meets M-21, if allowed by MDOT. It was determined that Impact Church was working on satisfying this requirement.
16. There should be a Do Not Enter sign installed at the Northern-most parking lot exit for incoming traffic. It was determined that Impact Church was working on satisfying this requirement.

There being no other 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 2020. Motion seconded by Mr. Clements. All in favor and the motion is approved.

c. RRR Landscape Special Use Permit

The owners have met with the Township regarding the needed information on the required Site Plan. If they wish to omit the shed previously agreed to, they will need to get approval for a Site Plan change. At this point this is an Administrative matter.

d. Master Plan Update Discussion

Resident input was discussed, including the possibility of a public survey and of publishing a summary of proposed changes to the Master Plan. Options will be discussed at the next Planning Commission meeting.

Changes to the Master Plan will focus on extension of sewer and water services for development of land near I-96. Whether landowners along the route of the sewer line will need to connect to the line will also be discussed.

COMMISSIONER COMMENTS:

Mr. Clements asked for an update on the Fairgrounds property.

There will be no workshop on March 25, 2019.

New updated Township Ordinance binders are available to Planning Commission members.

ADJOURNMENT:

Mr. Edwards moved to adjourn. Motion seconded by Mr. Batchelor. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 9:11 pm.

Submitted _____ Secretary

Timothy Clements

Approved _____