

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
SEPTEMBER 12, 2005**

PRESENT: Batchelor, Blough, Cornish, Sanford, Simmonds

ABSENT: None

CITIZENS: 32

PUBLIC HEARING

The Public Hearing for the request from Dykema Excavators to rezone 121 acres at 11736 Foreman from R-1 to R-2 was called to order by Chairman Cornish at 7:00 P.M.

The Notice of the Public Hearing was read by the Planning Commission Secretary.

Mike Berg from Dykema made a presentation of the rezoning request. They plan to connect the Stony Bluff development to the Whispering Hills development at some time in the future.

If this property is rezoned to R-2, the zoning requires 14,000 square foot lots (with public water/sewer) and 100 feet of frontage at the setback line.

They plan to develop approximately 175 lots on this property.

They will provide public sewer (from the south) and public water (from the north). They will develop public streets and may recommend a second access point from the development.

Tim Johnson (MainStreet Planning) gave the citizens an overview of the rezoning process. He advised that this area was included in the 2002 update to the Township Master Plan, which, called for this area to have the potential to be rezoned to R-2 at some time in the future.

The hearing was then opened for public input. This included the following.

J. Sejat – Foreman

-When will there be a traffic study for this development?

-Why not a traffic study before granting a rezoning?

*The Township Planner advised that he addressed this concern in his report to the Planning Commission. Foreman has a capacity for 8,000-12,000 vehicles per day. Currently, Foreman has 1,746 vehicles per day. This development will generate an additional 1,750 vehicle trips per day. This is still well below the capacity for this road.

-What is the time line for this project?

*The developer must obtain the rezoning, submit a master development plan showing phases and obtain many approvals. They would like to do the initial ground breaking in May 2006 at the earliest.

E. Hughes – Foreman

-He is concerned with storm water control.

*The developer must address stormwater run-off and receive approvals from the Kent County Drain Commission as well as the Township Engineer.

-If they put 175 houses on 121 acres, they will destroy the natural beauty of the area.

*No, they will preserve as much natural features/beauty as possible as this helps sell lots.

-Will the houses be low value housing?

*NO.

C. Mendendorp – Foreman

-Will they do gravel mining on this property before houses are built?

*NO. The only mining will be to use on-site gravel for on-site roads.

R. Huver – Timpson

-No comment at this time.

B. Ayers – Foreman

-How far to the west do they want to rezone?

*Just to the west edge of the gun club's property.

G. Stiles – Foreman

-Will their property be rezoned to R-2?

*No, only the gun club property will be rezoned.

-How many houses are being built?

*Approximately 175

-Traffic on Foreman is a problem. Why not finish building the remaining 70 homes in Whispering Hills before starting this development on Foreman?

D. Stiles – Forman

-They should check the traffic situation before this rezoning is done.

This concluded the input from the public.

The Planning Commission Planner and developer then discussed the possibility of rezoning this property to an Open Space-Planned Unit Development (OS-PUD). Tim Johnson explained the benefits of an OS-PUD development rather than a plat development.

The developer advised that they have looked at the OS-PUD concept but must consider it further before withdrawing their request for a plat development.

Batchelor moved to close the Public Hearing. Seconded by Blough. All in favor and the Public Hearing was closed at 7:56 P.M.

REGULAR MEETING

The regular meeting of the Lowell Charter Township Planning Commission was called to order by Chairman Cornish at 7:58 P.M.

APPROVAL OF PRIOR MEETING MINUTES:

The minutes of the August 8, 2005 public hearing and regular meeting were considered. Batchelor moved to approve. Seconded by Sanford. All in favor and the minutes were approved as written.

The minutes of the August 22, 2005 Special Meeting were considered. Batchelor moved to approve. Seconded by Sanford. All in favor and the minutes were approved as written.

AGENDA APPROVAL:

Simmonds moved to approve the agenda. Seconded by Blough. Motion carried.

STONY BLUFF – REZONING TO R-2:

The Planning Commission discussed the possibility of the project being developed as an OS-PUD rather than a plat with the R-2 Zoning. They were in favor of the developer taking another look at the OS-PUD concept.

Sanford moved to table the request to rezone 121 acres at 11736 Foreman from R-1 to R-2 until the developer has had an opportunity to further explore the concept of rezoning this property to an Open Spaced-Planned Unit Development project. Seconded by Batchelor. All in favor and the motion carried.

DOLLAWAY PLACE:

The Planning Commission addressed the request for a preliminary private street permit for this development. They referred to the MainStreet Planning report of 9/1/2005 to help in their deliberations.

A number of the Commissioners were concerned with the future ramifications if this road frontage theory were approved. The future must be considered as per Section 4.5.2.A which states, "...and whether the precedent set by allowing the private street in the circumstances under consideration will adversely affect the long term development policies of Lowell Charter Township".

Batchelor moved to remove the Dollaway Place private street request from the table. Seconded by Simmonds. All in favor and the request was removed from the table.

Sanford moved that in regard to the Dollaway Place private street request, the Planning Commission ask for a clarification of the Zoning Administrator's interpretation regarding road frontage from the Zoning Board of Appeals. Seconded by Batchelor.

AYES: Batchelor, Blough, Sanford, Simmonds

NAYS: Cornish

The motion carried.

Simmonds moved to table the Dollaway Place private street request until a Zoning Board of Appeals determination is made on the road frontage question. Seconded by Sanford.

AYES: Batchelor, Blough, Sanford, Simmonds

NAYS: Cornish

The motion carried and the request was tabled.

UNCORKED-SITE PLAN:

The developer was represented by Todd Schaal. The Planning Commission reviewed:

- Architectural Concepts site plan dated 6/24/05
- MainStreet Planning staff report dated 9/6/05
- Vista Tech Engineering staff report dated 9/6/05

The developer advises that they are redoing the interior and exterior of the building. They plan to be a retail store, which sells beer and wine.

The Planning Commission reviewed the report from MainStreet Planning dated 9/6/05. This included the following.

1. This does not apply. They are not splitting the property.
2. This is for information purposes at this time.
3. This is agreeable.
4. They will submit a lighting plan.
5. They will remove the light.
6. They will show it.
7. They will landscape in the front.
8. They will provide a letter to the Township in which they agree to be a member of a special assessment district in the future for a sidewalk.

9. They will do this on a revised site plan.
10. This is no longer needed.
11. This no longer applies.
12. They will do this.
13. See the report from VistaTech dated 9/6/05.

The Planning Commission then reviewed the report from Vista Tech Engineering dated 9/6/05. This included the following.

1. They will do this.
2. This no longer applies.
3. This no longer applies.
4. This no longer applies.
5. They will do this.

Simmonds moved to approve the Uncorked Site Plan with the following conditions:

1. They have complied with the Lighting Ordinance including the maximum lumens and foot-candles.
2. They will remove the unshielded mercury vapor light.
3. They will show the dumpster location and screening.
4. They will provide landscaping in front of the building.
5. They will provide a letter to the Township in which they agree to be a member of a special assessment district in the future for a sidewalk.
6. They will show the names of adjacent property owners on the site plan.
7. They will provide an area map showing the location of this property relative to all surrounding properties.
8. They will show the floodplain on the site plan

Seconded by Sanford. All in favor and the motion carried.

APPLETREE DAYCARE CENTER:

This project was presented by Todd Schaal. The Planning Commission reviewed a site plan from Architectural Concepts dated 5/26/2005. They also reviewed reports from the Township Planner and Engineer.

MAINSTREET PLANNING REPORT of 9/6/05

1. They will obtain a lot split approval.
2. This is controlled by MDOT. They are working with MDOT on this item.
3. They will illustrate driveway connections and provide access for the property to the east.
4. They will determine parking space requirements.
5. They will meet the Kent County requirements.

6. They will install sidewalks.
7. They will provide a lighting plan, including coverage of the fixtures and lighting intensities.
8. They will show trees on a revised site plan as well as a gazebo.
9. They will correct their site plan regarding C3 zoning district and setbacks.
10. They will show the names of adjacent property owners.
11. They will correct the site plan related to buildings on the property on the east.
12. They will attempt to move the dumpster location.

VISTA TECH ENGINEERING REPORT of 9/9/05

1. They are working with MDOT on this item.
2. They will show wetlands.
3. They will comply with this floodplain requirement.
4. They will pursue a permit from MDEQ.
5. They will investigate the swale situation further.

The developer advised that they would like to make revisions to the site plan and present it to the Planning Commission at their 9/26/05 meeting.

Simmonds moved that the developer of the Appletree DayCare Center project address all of the applicable issues in the reports of MainStreet Planning (9/06/05) and Vista Tech Engineering (9/09/05) and submit a revised site plan. Seconded by Sanford. All in favor and the motion carried.

MERRIMAN – REZONING:

Mr. Merriman is requesting a rezoning of property from AG-1 to AG-2. This will require a public hearing. Simmonds moved to set the public hearing for the Merriman rezoning request for Monday, October 10, 2005. Seconded by Batchelor. All in favor and the motion carried.

QUALITY EXPRESS-OVERBECK-CARWASH/OILCHANGE:

Bill Overbeck was present with updated documentation and a revised site plan. Simmonds moved that the Planning Commission remove the Overbeck Car Wash Special Use Permit request and Site Plan review from the table and amend the Planning Commission Agenda for 9/12/2005 to include this item for consideration. Seconded by Sanford. All in favor and the motion carried.

Simmonds moved to approve the Overbeck Car Wash Special Use Permit and also the Site Plan dated 8/30/2005, with the condition that all prior outstanding items be reviewed and approved by the Township Planner and Engineer with final reports being provided to the Planning Commission. Seconded by Batchelor. All in favor and the motion carried.

OTHER:

The Planning Commission meeting of 9/26/2005 will be a Special Meeting.

CONCLUSION:

Sanford moved to adjourn. Seconded by Batchelor. All in favor and the regular meeting of the Lowell Charter Township Planning Commission was adjourned at 10:25 P.M.

Submitted by _____ Secretary
DAVID B. SIMMONDS

