

**LINCOLN CHARTER TOWNSHIP
PLANNING COMMISSION
ELECTRONIC Regular Meeting & Public Hearings
February 1, 2021**

Chairman Mike Freehling called the regular meeting and public hearings of the Planning Commission to order at 6:00 p.m. on Monday, February 1, 2021.

CALL TO ORDER

ROLL CALL

Present: Mike Freehling, Glenn Youngstedt, Charlie Olszewski, Marc Florian, Andy Barbott, and Chris Miller.
Absent: Tony Korican.
Also present: Building Official James Pheifer, and Recorder, Judy Dunlap.

ADJOURNMENT TO PUBLIC HEARING

**LINCOLN CHARTER TOWNSHIP
PLANNING COMMISSION
ELECTRONIC Public Hearing
February 1, 2021
6:00 p.m.**

PURPOSE OF PUBLIC HEARING

To consider an application by Williams Land Development for a special land use permit to operate a Mini/Self Storage Facility. Located at 4490, 4492, 4508, and 4542 Red Arrow Hwy, Stevensville, MI on parcel number 11-12-0016-0045-02-5 and 11-12-0016-0046-02-1 on approximately 12 acres. The site is located on the west portion of the parcels zoned CMU – Commercial Mixed-Use District which allows a Mini/Self Storage Facility by special land use permit pursuant to Article 9, Section 230.939 of the Township’s Zoning Ordinance.

AFFIDAVITS OF POSTING, MAILING, AND PUBLISHING on file.

PRESENTATION

Marc Williams stated that he has a purchase agreement for 12 acres. He submitted a site plan on how he will utilize the property. He will build a couple of commercial buildings upfront and the back portion will be storage units. It will be close replica of his units across the street. It will be a nicer presentation from the road. It is about 150 units. Not as long as across the street because there is not as much depth available on the new parcel. It will be gated and landscaped and buffered on the south side. The southern portion will be left alone as access to the residential side. He is only asking for the special land use for the Commercial Mixed-Use district (CMU) portion of the property.

PUBLIC COMMENTS

Michael & Amanda Hirsch – 4565 Red Arrow Hwy – opposed – They live southwest of the Community Residential District (CR) portion of the property. They are concerned with

bright lights, noise, and their property values. Is there a need for another storage unit building in the Township?

Corey Kandow – 4388 Tosi Circle – He is concerned with the site plan that doesn't show any proposed buffering.

Freehling stated that the submitted site plan is lacking information. Buffering is a requirement in the zoning ordinance and can be used as a condition of the special land use.

Gerald Berzins – 5020 S. Roosevelt Road – support – He is in favor of making unused commercial property into taxable dollars for the Township.

James Straub -2650 Sanctuary Dr. – He is concerned with the access to the CR portion of the property, the detention pond location and use, buffering on the property, where is the zoning line located, and development of the CR portion and lot split ordinance.

Corey Kandow – He asked if the detention pond is for CMU use but it is located in the CR district is that permissible?

Freehling stated that that is a good question. And currently there is no lot split contemplated.

James Straub – Noted that Corey's question is spot on and the design of the pond should be looked at more closely depending on the zoning line location.

Amanda Hirsch – She talked with the neighbors and no one received the meeting notification. She recommends transparency here, because it impacts quality of life and home values. She wanted to know the process going forward.

Freehling -Stated that the planning commission holds a public hearing where they contemplate the petition. They may ask for more info. They may table the meeting. They may vote tonight.

Judy Dunlap – The required notification is sent to all property owners within 300 feet of the proposed issue. Notification is sent by mail, posted on the website and Township, and in the newspaper. That is the required notification.

Clea Correa – 2693 Sanctuary Dr. – Was it researched that we need additional storage units? She is concerned with her property value.

Freehling – As far as the Township standpoint we go by allowed uses. As far as individual studies for businesses that's not part of Township responsibility. We go by the zoning ordinance.

Corey Kandow – The pond outlet goes to the Halliday Drain which is part of the Drain Commissioners drain. Has Mr. Quattrin seen this? Does the drain have capacity to hold the discharge from the pond?

James Straub – I believe it is a pre-condition for development from the Drain Commissioner's office.

CLOSE PUBLIC COMMENT SESSION

CORRESPONDENCE

None.

SESSION FOR COMMISSION TO ASK QUESTIONS AND ADDRESS THE CHAIRMAN ON THE PETITION

Freehling asked **Marc Williams**, "Have you approached the Drain Commission office yet?" **Williams** stated that he had not. Its very costly to do a Storm Water Review and he will get that completed once he gets the special land use approved.

Freehling asked if he had plans for the CR portion of the property or will it be left vacant.

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Williams stated that he has no plans for it and it would be vacant for now.

Freehling stated that we need to find out and be 100% sure of where the zoning line is.

Williams said the zoning line should be directly to the east of the detention pond. The western most buildings are located on the site plan to meet the rear setback requirements.

Freehling asked “So you are saying that the zoning line is on the east side of the sanctuary extending south?”

Williams said “Yes. It lines up east of the detention pond line.”

Freehling wanted more clarification on that. “Mr. Pheifer is saying it is west of that.”

Pheifer stated that there is no definite line. It is at 50% of the property.

Freehling says that it is halfway of the property according to Mr. Pheifer. It is something we are going to have to look at. It makes a difference where the zoning line is.

Williams asked if they are saying that detention ponds are not allowed on residential rezoned properties.

Freehling noted that he is not saying one way or the other. But if the pond is used regarding a special use storage facility for drainage then it could be purported as a part of the special use. We have to answer that internally one way or another. The zoning line does make a difference. Regarding the lot split requirements.....there are two parcels and they are contemplating building the commercial use and storage facilities. Anything done on the CR portion of the property will have to come in under that zoning that has different approvals back there. The way it is someone could build a road back there and build homes under the existing zoning.

Straub can you ask about the roadway.

Williams stated that he did look into it. He asked the Township what he needed for road frontage. I don't remember the exact dimensions. I think it was 60 feet. I have 90 feet. I don't want to landlock the residential portion.

Straub questioned the buffer area for the detention pond in regards to its location.

Williams noted that the detention pond could slide to the south. It will be addressed by the Drain commissioner's office. A buffer could be left between the detention pond and the sanctuary parcel.

Freehling asked **Williams** if there is a need for additional storage facilities in the area.

Williams stated that he already has a 10 people waiting list because he is 100% occupied in his business across the street and his competition is 90% capacity as well.

Olszewski expressed his biggest concern for the detention pond being buffered properly. No excessive noise or lighting issues. He stated he needed more details.

Barbott did not have any more questions for now.

Florian asked **Mr. Williams** what his intentions were for the two existing buildings on the western portion of the property that would be no longer accessible.

Williams said they can be accessible from the southern entrance. But the driveway would no longer be there. He has no plans to demo until a plan is made for that portion of the property.

Florian asked, “What is the condition of the buildings?” “If the buildings were left if it could become an attractive nuisance for children?”

Williams I don't really know. I haven't been in them. They don't have broken windows. It's really nice back there. I don't think what I am doing upfront will change any ill-advised actions by kids that don't already exist.

Florian had no other questions for now.

Freehling asked a zoning admin question. Can the buildings in the back in a residential use stay if the special use is approved in a commercial use?

Pheifer “Are the buildings occupied now?”

Williams “No.”

Pheifer stated that if they are not occupied then they should be boarded up so it’s not an attractive nuisance. There is nothing in the ordinance that says they couldn’t still continue to use it as a residence if they had a road back there, but I don’t think **Williams** has any intentions of using it as a residence. I don’t think he wants to be a landlord.

Freehling asked if they are residences back there, or are they storage buildings.

Williams stated it is a house.

Pheifer asked if anyone lives there now.

Williams stated no.

Pheifer stated that at the very least they should be boarded up.

Williams noted that he would do that at the proper time anyway.

Youngstedt asked if a pond is a permitted use in a residential area. We have a screwy piece of property here. Half is zoned residential and half is commercial. Its crazy. But that goes way back then when that occurred. Could the pond be moved back to the south? I know a storage unit is a permitted use, but do we need another storage building on Red Arrow Highway? I would think a better use would be a retail establishment or a restaurant. Storage units could be put other places in the Township. It’s kind of an expensive piece of property for a storage unit. Although, I assume they make a lot of money. Just my observations.

Miller stated that his comments were much like everyone else’s. This is a tricky piece of property. We have looked at it before. I would like to see more dimensioning and details to make sure the pond is figured out properly. And the neighbor’s issues of lighting and buffering are addressed.

Youngstedt asked if our ordinance requires the lighting to be directed down so we don’t have a light pollution issue with the neighbors.

Freehling that is correct.

Williams was under the impression that the site plan requirements for a special use permit is a site plan sketch. He stated that the development company has every intention of abiding by every zoning ordinance the Township has. This site plan is not the site plan submitted for a building permit. He has always been under the impression that requirements for a special use is a site plan sketch. There are requirements for setbacks, lighting and landscaping beyond the site plan for once it is submitted for permitting.

Freehling felt it was a good statement/question. Some of the particulars are ones we are going to drill down into as far as the landscaping. Even though you are looking for approval of the use. The use may come with some caveats. Those things we need to address before contemplating approval.

Williams I think you guys did the same across the street. I had to leave some trees. I haven’t gone into the lighting requirements yet. I will follow the lighting requirements of the ordinance.

ADJOURNMENT TO THE REGULAR MEETING

February 1, 2021

Immediately following Public Hearing

ADDITIONS TO AND APPROVAL OF THE AGENDA – None.

APPROVAL OF MINUTES

Youngsted, seconded by **Olszewski** motioned to approve the minutes of the regular meeting minutes of November 9, 2020 and regular meeting and public hearing minutes of December 7, 2020 as e-mailed. No discussion. All Ayes. Motion carried.

DEPARTMENT OF BUILDING SAETY

The Department of Building Safety, year to date has issued 1 permit for single family dwellings, last year there were 4. For the month of January 2021 there was 1 permit issued for single family dwellings. For the month of January 2020 there were 4 permits issued for single family dwellings.

At this time last year, house construction values alone totaled \$854,915. This year they are at \$244,846.

In 2021, total construction (building, electrical, mechanical, plumbing) permits for Commercial, Industrial, Agricultural and Residential districts estimated total values are at \$883,432. In 2020, total construction values were at \$1,021,941.

In the month of January there were 166 inspections made on (building, electrical, mechanical, plumbing, and rentals).

NEW BUSINESS

To consider an application by Williams Land Development for a special land use permit to operate a Mini/Self Storage Facility. Located at 4490, 4492, 4508, and 4542 Red Arrow Hwy, Stevensville, MI between Glenlord Road and Marquette Woods Road on parcel number 11-12-0016-0045-02-5 and 11-12-0016-0046-02-1 on approximately 12 acres. The site is located on the west portion of the parcels zoned CMU – Commercial Mixed-Use District which allows a Mini/Self Storage Facility by special land use permit pursuant to Article 9, Section 230.939 of the Township's Zoning Ordinance.

Frehling went through the Section 230.902 Special Use Review Standards with the other commissioners and felt that all the standards were met. **Frehling** also went through Section 230.939 Mini/Self-Storage Facility standards with the other commissioners and felt that all the standards were also met. **Frehling** went through the Planners suggested 10 conditions revising them as needed:

1. Prior to issuance of any permits, the applicant shall have paid all application, permit, and other fees related to this request.
2. The applicant shall obtain all necessary local, county, state, or federal permits and approvals.
3. Any stipulations of the Township Engineer, Township Fire Department, or other applicable Township or County reviewing agencies shall be met.

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4. The applicant shall submit a detailed site plan including buffering and zoning line for review and approval by the Zoning Administrator and the Planning Commission. This shall include a landscape plan that meets the requirements of Article Six of the Ordinance.
5. The applicant shall submit a supporting narrative addressing the standards for a special use permit as required in Section 230.900 B (3), unless specifically waived by the Zoning Administrator.
6. All storage shall be inside an enclosed building; no outdoor storage shall be permitted.
7. Each storage unit shall have an individual door to the outdoors within the fenced area and shall be accessible by the owner of the storage items in accordance with hours of operation approved by the Planning Commission. Such hours of operation shall be posted at the entrance to the facility. Hours of 6 am to Midnight.
8. The storage of perishable, flammable, toxic, or hazardous substances and the use of the facility to store goods or products for commercial or industrial purposes shall be prohibited.
9. No activities except for rental of storage units, and pick-up and deposit of storage shall be permitted.
10. All drive aisles shall be twenty-five (25) feet in width and the circulation pattern shall be clearly marked.

After much discussion between the developer and the Planning Commission, **Freehling** asked for a motion.

Florian, seconded by **Barbott** motioned to approve the special land use as requested by the applicant within the area of the accompanying site plan currently depicted for self-storage only, with the understanding that we will be provided a detailed site plan that reflects the concerns and interests expressed by the residents and Planning Commission members here tonight, and which can be reviewed and potentially revised further at the request of this commission.

Freehling asked if **Florian** wanted to add the 10 conditions to the motion. **Florian** said yes and amended the motion as follows:

Florian, seconded by **Barbott** motioned to approve the special land use as requested by the applicant within the area of the accompanying site plan currently depicted for self-storage only, with the understanding that we will be provided a detailed site plan that reflects the concerns and interests expressed by the residents and Planning Commission members here tonight, and which can be reviewed and potentially revised further at the request of this commission including the 10 conditions as noted.

No further discussion. **Freehling** asked for a roll call vote.

Florian: Yes, Korican: Absent, Olszewski: Yes, Youngstedt: No, Miller: Yes, Barbott: Yes, Freehling: Yes.

Motion carried.

Pheifer stated that the lot is 1257 deep total. Half of the property is 628.5 feet. The west half is 628.5 feet of CR district. The east half is 628.5 feet of CMU district. The split zoning is 50% of the property. That is where the zoning line should be.

UNFINISHED BUSINESS

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The Kubota dealership site plan will be on next month's agenda for review.

PUBLIC COMMENTS

None.

CORRESPONDENCE

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:55 p.m.

The next regularly scheduled planning commission meeting will be held on March 1, 2021 at 6:00 p.m.