



**Meeting Minutes
Lodi Township Planning Commission**

**September 24, 2019
Lodi Township Hall
3755 Pleasant Lake Road
Ann Arbor, MI 48103**

1) Call to Order

The meeting was called to order by Chairman Veenstra at 7:00 PM – The Pledge of Allegiance was then recited.

Roll Call of the Commission

Present: Bunton, Rogers, Steeb, Swenson, Taylor, Thelen, and Veenstra

Absent: None

Others Present: Township Planner Don Pennington, Jan Godek, Dwayne Joppeck, Tim Blacklock, Kate Bond, Jinan Hamood, and one other citizen.

2) Public Hearing – Application 2019-015, Keystone Community Church Rezoning, 3375 Saline Waterworks Road, Parcel M-13-36-300-008.

Motion by Thelen, second by Bunton, to open the public hearing on Rezoning Parcel M-13-36-300-008, Application 2019-015. Motion passed unanimously.

Tim Blacklock, Facilities Manager for Keystone Community Church, spoke briefly about the project and introduced Kate Bond, a Senior Project Manager with Midwestern Consulting. Bond provided an overview of the project with regards to the zoning, and explained her request.

Don Pennington reviewed his report dated August 30, 2019 and stated that the request was complete and consistent with the applicable goals and policies of the Lodi Township Master Plan.

Dwayne Joppeck, a neighbor to this property, ask a question about the requested zoning and the impact on his property. Pennington responded with an overview of the benefits of the PSP zoning district.

Motion by Thelen, second by Steeb, to close the public hearing on Application 2019-015. Motion passed unanimously.

3) Public Hearing – Lodi Township Zoning Ordinance Text Amendment

Motion by Thelen, second by Bunton, to open the public hearing on the Lodi Township Zoning Ordinance Amendments. Motion passed unanimously.

Pennington provided an overview of the amendment changes. There were no other comments.

Motion by Thelen, second by Steeb, to close the public hearing on the Lodi Township Zoning Ordinance Amendments. Motion passed unanimously.

4) Public Comment

None.

5) Approve Minutes

a) Regular Meeting August 27

Commissioner Thelen noted that the date of the public hearing on page two was incorrect.

Moved by Commissioner Thelen, seconded by Commissioner Bunton, to approve the minutes of the August 27, 2019, as corrected. The motion passed unanimously.

6) Approve Agenda

It was moved by Commissioner Taylor, seconded by Commissioner Rogers, to approve the agenda as presented. The motion passed unanimously.

7) New Business

a) Application 2019-015, Keystone Community Church Rezoning, 3375 Saline Waterworks Road, Parcel M-13-36-300-008.

Veenstra amplified several points that were presented at the public hearing.

Motion by Veenstra, second by Steeb, to recommend to the Lodi Township Board to approve application 2019-015, the rezoning of parcel M-13-36-300-008 from Agriculture to PSP, Public/Semi-public Services based on the following findings of fact:

Keystone Community Church, LLC, has submitted Application 2019-015 to rezone its property at 3375 Saline Waterworks Road, parcel M-13-36-300-008. It requests rezoning from AG (Agriculture) District to PSP (Public/Semi-Public Services) District.

After the required notices, a Public Hearing was held at 7:00pm on September 24, 2019, at the Lodi Township Hall.

Under the previous Zoning Ordinance, churches and other religious institutions were allowed in the AG (Agricultural) zoning district subject to special use permit approval. As part of a comprehensive update to the Ordinance, a new PSP (Public/Semi-Public Services) zoning district was established where these “institutional uses” are allowed by right, subject only to site plan approval. With the recent adoption of the new Zoning Ordinance by the Township Board, the church became a legal nonconforming use in the AG District. However, the approved special use permit for the church remains in place and continues to govern the allowable land uses on the parcel.

The purpose of the new PSP District was to ease certain land use restrictions (such as the need for special use approval) on churches and other religious institutions consistent with provisions of the federal Religious Land Uses and Institutionalized Persons Act of 2000 (RLUIPA) and established Michigan case law. A rezoning of the parcel to the PSP District would allow the church to proceed with planned and future improvements consistent with the requirements of the new district and the site plan review process.

Under the new Zoning Ordinance, the updated AG District is intended primarily to be a location for rural residential and agricultural activities. If the subject parcel were to be rezoned, there is more than sufficient land elsewhere in the Township to accommodate these activities.

The new PSP District was established in the recently adopted Zoning Ordinance “to accommodate dedicated areas of public open space, government buildings and uses, institutional and recreational uses, schools, churches, and similar uses of a public service or institutional character.” The proposed rezoning would be consistent with this purpose, and would accommodate the existing use of the parcel as a church facility.

The subject parcel is served by a paved public road, which has accommodated the traffic generated by the existing church facility. The proposed rezoning would not adversely impact the capacity of the existing road network or the availability of police, fire, ambulance, and other emergency services.

The proposed rezoning would not alter the use of the subject parcel, and would not alter the relationship of the subject parcel to the surrounding neighborhood in terms of traffic, noise, scale, and types of allowable uses.

Part 13 (Community Facilities) of the Township’s Master Plan establishes specific guidelines for the rezoning of land for “institutional uses” (such as churches and other religious institutions) in the Township. As noted in Part 13.2, “Such facilities may be located on land designated for other future land uses, subject to the following:

- 1. “The location for development of such facilities should include sufficient land area to support the intended use, including adequate soil conditions for a private septic system....”*
- 2. “The location should have direct frontage on, and access to, one or more public roads that can safely and efficiently accommodate the expected traffic generated by the facility....”*
- 3. “Such facilities should not be located on land designated for future agricultural uses, unless the soil conditions of a specific site make it otherwise unsuitable for farming or other agricultural operations.”*

4. "The location and planned land uses shall be compatible with the surrounding area and adjacent land uses in terms of traffic, noise, scale, and intensity of planned activities."

5. "The details of vehicular and pedestrian access, circulation, buffering and screening, and other issues particular to the scope and location of a new institutional use should be addressed through the site plan review process."

There appears to be no objection to a Planning Commission determination that the proposed rezoning is consistent with the goals and policies of the Master Plan.

The proposed rezoning is justified by the change in conditions created by the adoption of the new Zoning Ordinance, as the new PSP zoning district would better accommodate the planned and future land use and development needs of the church, and would remove the legal nonconforming condition created by the Ordinance's adoption.

The rezoning would not set an adverse precedent for the Township or the church.

Any potential impact of the proposed rezoning on property values of surrounding land would be negligible.

Therefore, the Planning Commission recommends approval to the Township Board of Trustees for the proposed rezoning of a 7.57-acre parcel #M13-36-300-008 at 3375 Saline Waterworks Road from the AG (Agricultural) District to the PSP (Public/Semi-Public Services) District.

Roll call vote: Bunton – yes
 Rogers - yes
 Steeb – yes
 Swenson – yes
 Taylor – yes
 Thelen – yes
 Veenstra – yes

The motion passed 7 – 0.

8) Old Business

a) **Lodi Township Zoning Ordinance Amendments**

Chairman Veenstra asked Pennington to review several new ideas that he has about section 55.17, Accessory Structures. Pennington gave an overview of several concerns that have come to light recently, and suggested several new concepts and language to address concerns that have arisen since the last meeting. Godek expressed several concerns that she has based on her experience.

Motion by Thelen, seconded by Bunten, to refer the Ordinance amendments as presented, excluding Part I, section 55.17, to the Lodi Township Board of Trustees for approval.

Roll call vote: Swenson – yes
 Taylor – yes
 Thelen – yes
 Veenstra – yes

Bunton – yes
Rogers - yes
Steeb – yes

The motion passed 7 – 0.

The Commission will address Accessory Structures at a future meeting after input from the Zoning Ordinance Subcommittee.

b) Mater Plan Future Land Use Map Correction

A revised Future Land Use map was received by the Township yesterday and members have not had time to review the document. As commissioners discussed the map it was determined that there were many significant errors that will need to be corrected. Based on the errors, no action could be taken by the Commission at this time. Staff will try to have a new, corrected map available by the October meeting,

c) Travis West Estates Rezoning, Parcels M-13-13-300-008, M-13-13-300-026, and M-13-13-300-032, Application 2017-004.

Motion by Steeb, seconded by Rogers, to take Application 2017-004 off the table. The motion passed unanimously.

Chairman Veenstra noted that at the April 24, 2018 meeting of the Planning Commission, the application was tabled. Since then there has been no further information received regarding the project, and Veenstra would like to invite the applicant to return to the Commission to determine the status of the project.

Motion by Thelen, seconded by Rogers, to direct the Chair to send a letter to the applicants informing them that consideration of their application has been tentatively scheduled for the October 22, 2019 meeting.

Roll call vote: Veenstra – yes
Thelen – yes
Taylor – yes
Swenson – yes
Steeb – yes
Rogers - yes
Bunton – yes

The motion passed 7 – 0.

9) Reports

a) Commissioners

Commissioner Thelen asked about property in the Waters/Zeeb Rd area. Veenstra indicated there was nothing pending with the Planning Commission for that parcel at this time. Thelen stated he would like to see any open applications updated. Veenstra noted that the only two

open issues for the Commission that he is aware of are the Julian private road application and the Copper Leaf Crossing parking lot.

b) Planning Consultant

Nothing.

c) Engineering Consultant

Not present.

10) Policy Discussion

None.

11) Public Comment

Veenstra proposed that employees of the township, such as the Planning Commission members, should be able to purchase polo shirts with the Township logo. He took a straw poll of members that would be interested in purchasing them on their own. Thelen commented that he would like to see official township identification cards.

Dwayne Joppeck asked a question about the Future Land Use map and if the zoning change would automatically happen to his property. Veenstra and Pennington indicated that generally it would only change when the own files an application to change the zoning. Veenstra explained the purpose of the map.

12) Adjournment

Motion by Steeb, seconded by Rogers, to adjourn at 8:09 PM. The motion passed unanimously.

The next regular meeting is scheduled for October 22, 2019 at 7:00 PM.

Respectfully Submitted,



Craig Swenson, Planning Commission Secretary