

**Highland Township Planning Commission
Record of the 1408th Meeting
Highland Township Auditorium
February 15, 2024**

Roll Call:

Grant Charlick, Chairman
Kevin Curtis (absent)
Chris Heyn
Beth Lewis (absent)
Mike O’Leary
Roscoe Smith
Scott Temple (absent)
Russ Tierney
Guy York

Elizabeth J. Corwin, Planning Director
Megan Masson-Minock, Carlisle-Wortman Associates

Visitors: 5

Chairman Grant Charlick called the meeting to order at 7:30 p.m.

Roll Call:

Agenda Item #1: Call to the Public: Opportunity for anyone to bring forward issues of interest or concern for Planning Commission consideration. Each participant limited to 3 minutes.

Ms. Wendy Heiber, 893 N Hickory Ridge Road expressed her dissatisfaction with the process for renewing her temporary land use permit for a food truck. She had understood that she could have 180 days per year under a temporary land use permit; and could renew it if necessary. She learned when she tried to submit the permit application, that the requirement under the ordinance for a mobile facility exceeding 180 days per year is a full sketch plan review, which requires a \$750 application fee and establishment of an escrow fund with a \$2500 deposit. She thought that investment was excessive given she does not have a long term lease for the land, and the owner could change his mind at any time.

Mr. Charlick explained that the ordinance was written as it was because a semi-permanent installation that differs primarily from a restaurant in that there is not a brick and mortar building, would require a closer review, considering such items as grading and drainage, the traffic patterns and drive access, parking, sewage disposal, lighting, etc. A temporary use that is active for a weekend does not require the same attention to detail and can be treated more like a trial. Mr. Charlick noted that it was important to require such review, so that the Township did not inadvertently encourage temporary structures to the detriment of brick and mortar businesses.

Ms. Heiber asked if the Planning Commission could revisit the ordinance. Ms. Corwin explained that this would be possible if the Planning Commission believed they had missed the mark with the first revision. She was not sure she had heard any reason to revisit it. The amendment provided the two paths—either a temporary (90 days or less) with a provision for renewal or a site plan for a use that would exceed 180 days (approximately half the year) and would be reviewed under the same process as a permanent site.

Work Session:

Agenda Item #2:

Parcel # 11-21-476-009
Zoning: LV – Lake and Village Residential District
Address: 680 W. Livingston Rd
File#: PLU24-0001
Request: Land Use Permit for a church flea market and food truck event
Applicant: Debra LaRose
Owner: Thrive Church of Highland

Ms. Corwin explained that the applicant has submitted a request to withdraw.

Agenda Item #3:

Parcel # 11-15-376-008 & 11-15-376-009
Zoning: IM – Industrial Manufacturing
Address: 1570 & 1664 N. Milford Rd
File#: SPR24-01
Request: Site Plan Review for new storage building on site
Applicant: Mike Bruns
Owner: Iverson’s 1664 N Milford, LLC

Mr. Charlick introduced the project, which involves construction of a new pole building structure to replace existing open storage at the existing Iverson’s Lumber at 1570 and 1664 N. Milford Road. The applicant has also applied for a front yard variance, which will be heard by the Zoning Board of Appeals on February 21st. The applicant, Mr. Mike Bruns of Bruns Consulting, Fort Recovery, Ohio was invited to explain the project further.

Mr. Bruns explained that the lumber yard had been purchased by a family with experience in operating similar facilities. The new owners were in the process of restructuring the space for greater efficiency, including moving the showrooms and offices into the north building and dedicating the southern building to drywall and other material storage. The program would include a new covered storage building which would displace the open storage and northern parking lot. To address the parking requirements, an area has been designated to provide future “reserved” parking. This covers the now redundant southern septic field, which is no longer necessary since the plumbing in the south building will be terminated. The owners would like to defer the development of the parking spaces until some future date, if needed, so that the abandoned septic field could be left in place as a backup should the north field fail. They are confident that what spaces are left on site are sufficient for their needs.

Mr. York asked the applicant to explain the practical difficulty they are presenting to the Zoning Board of Appeals to justify the new building being set closer to the Milford Road right-of-way than the existing buildings.

Mr. Bruns explained that the volume of dimensional lumber stored onsite dictates the size of the building. The building cannot be placed further to the east of the site and still maintain the truck circulation patterns onsite. In evaluating the site, they noted that properties to the north and to the south of this address each have buildings with smaller existing setbacks to Milford Road, so they believed the placement of the building would not be impactful.

Mr. York noted that the argument could be made that the ordinance dictates the setback, and the business should operate within the parameters of the ordinance. Perhaps they were attempting to hold more product than the site could carry in compliance with the ordinance.

Mr. O’Leary asked how the west elevation of the business would appear. A solid metal barn wall was less attractive than the brick facades of the existing structures. He asked if the owner had considered something creative to dress up the façade that would be the closest to the road. Currently, there was not even a plan for landscaping.

Mr. Bruns explained that most of the frontage was burdened with drainage basins and septic fields, leaving very little room for plantings, but agreed to review that with the owner.

Mr. Charlick asked if the location of Mr. Tierney’s business suggests a conflict of interest and would require recusal. Ms. Corwin noted that to her knowledge, he had no financial interest in the outcome of the site plan, and that as long as he is able to provide an impartial judgment and decision, he would not be required to step away from the table. The Planning Commission could certainly ask him to step away if they were concerned..

Mr. Tierney noted that his driveway was directly across from this business and that he has no financial interest in the outcome of the variance or the site plan. He does not object to the storage building being constructed as a pole barn.

Mr. Charlick noted that it was important that either appropriate screening is installed to improve the site aesthetics or some sort of façade improvement should be provided.

Mr. Heyn noted that the buildings to the south of this site were closer to the Milford Road right-of-way than the proposed storage barn.

There was further discussion as to whether the decision on the variance should be rendered first or whether conditional approval could be granted.

Mr. Tierney offered a motion to approve the site plan subject to obtaining the variance. The motion died for lack of support and was withdrawn.

Mr. York asked for further clarification as to why the building could not be pushed to the east. Ms. Corwin noted that in the past, the Planning Commission has been more inclined to “crowd” the setback at the railroad since there are no immediate residential neighbors to be concerned. Mr. Bruns noted that site circulation patterns would be hindered if the building were pushed east. There is currently significant amount of outdoor materials stored against the east property line.

Mr. Heyn thought there were opportunities to add wainscoting or other architectural elements or more landscaping on the west side of the site. Mr. York was in favor of split-face block for the west wall.

Mr. York offered a motion to table the site plan until feedback from the Zoning Board of Appeals is provided. He noted further that regardless of whether a variance is obtained, the Planning Commission expects that either a façade improvement or significant landscaping would be provided along the west wall. Mr. Heyn seconded the motion. Voice vote: Heyn-yes; O’Leary-yes; York-yes; Tierney-yes; Charlick-yes; Smith-yes. Motion carried (6 yes votes, 0 no votes).

Agenda Item #4: Master Plan Discussion: Goals and Objectives and Map Review

The Commission reviewed the Master Land Use Plan. It was noted that there were still a few edits pending. Ms. Masson-Minnock explained that some of the mapping between the small, medium and large lot parcels was determined by a GIS query of lot sizes. It was agreed that a consistent designation should be selected for each neighborhood, even if a few individual parcels might be smaller or larger than the typical lot surrounding it.

There was considerable discussion about the descriptions of small, medium and large lot residential and how agricultural uses would be handled in residential designations. The descriptions will be modified to note that hobby farms are allowed and in fact encouraged, but that more quasi-industrial agriculture would be limited to the more western parcels. It was discussed that the zoning ordinance and zoning maps will not be automatically amended and that any changes would require further study after the Master Plan maps are adopted.

The Planning Commission discussed how best to deal with the future land use on that part of the Huron Valley School District that used to house the Highland Middle School. Ms. Masson -Minnock explained that the option chosen would have implications over the process of approval for any future plans for the property if the school sells the property. It was agreed to map the elementary school as institutional and map the vacant school property as small lot residential.

The “Karcher” property on west M-59 (“boot-shaped” property formerly owned by Iverson) was discussed in detail, as well as the use list envisioned in the micro-area analysis for the low-impact commercial usedesignation. Methods for protecting the existing residential neighborhood at Centerline and Pommore.Dive. Mr. Smith objected to mapping the properties so that General Commercial abutted residential properties. He was further concerned that the transition to commercial zone is not an appropriate neighbor for residential uses. Ms. Corwin noted that controls and mitigative measures could be imposed during site plan review. A mapping scheme including three designations—General Commercial, Transition to Commercial and Small Lot Residential was determined.

The Levy properties were discussed. Ms. Corwin explained the history of the consent judgment that is currently in force and agreed to bring the exhibits for a future meeting to educate the Planning Commissioners about what is contained in the agreement.

The discussion turned to the written descriptions of the land use designations. The descriptions will be reworked in part to offer more opportunities for duplex and lower density single-family attached housing, particularly in areas currently designated for office space. There was also some conversation about messaging that might imply higher intensity uses in the future if sanitary sewer service became available.

The map and descriptions will be reworked and represented at the March 21, 2024 Planning Commission meeting.

Agenda Item #4:

Committee Updates

- Zoning Board of Appeals:
- Township Board:
- Highland Downtown Development Authority:
- Planning Director’s Update

Committee reports were discussed.

Agenda Item #5: Minutes: January 4, 2024 and Joint Meeting, January 24, 2024

Mr. York moved to approve the minutes of January 4, 2024 and January 24, 2024 as presented. Mr. Heyn supported the motion, which was unanimously approved by voice vote.

Mr. Tierney moved to adjourn the meeting at 9:40 p.m. Mr. O'Leary supported the motion, which was unanimously approved by voice vote.

Adjournment:

Respectfully submitted,

A. Roscoe Smith, Secretary
ARS/ejc