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PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE  
CITY OF LOWELL, MICHIGAN  
AGENDA  
FOR THE REGULAR MEETING OF  
MONDAY, MAY 13, 2024 AT 7:00 P.M.

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
  - a. April 8, 2024 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
  - a. Public Hearing – Amend Temporary Uses Ordinance – Tabled
  - b. Master Plan Update
6. NEW BUSINESS
  - a.
7. STAFF REPORT
8. COMMISSIONERS REMARKS
9. ADJOURNMENT

**OFFICIAL PROCEEDINGS  
OF THE  
PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE  
CITY OF LOWELL, MICHIGAN  
FOR THE REGULAR MEETING OF  
MONDAY, APRIL 8, 2024 AT 7:35 P.M.**

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.**

The Meeting was called to order at 7:35 p.m. by Chair Tony Ellis.

Present: Commissioners Gadula, Chambers, Barnett, Plank, Holst and Chair Ellis.

Absent: Commissioner Cadwallader.

Also Present: Andy Moore with William & Works, Lowell City Clerk Sue Ullery.

2. **APPROVAL OF AGENDA.**

IT WAS MOVED BY CHAMBERS and seconded by GADULA to approve the agenda as amended, moving New Business before Old Business.

YES: Commissioner Gadula, Commissioner Chambers, Commissioner Plank, Commissioner Holst, Commissioner Barnett and Chair Ellis.

NO: None.

ABSENT: Commissioner Cadwallader.

MOTION CARRIED.

3. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING.**

IT WAS MOVED BY CADWALLADER and seconded by BARKER to approve minutes of the February 12, 2024 regular meeting as written.

YES: Commissioner Gadula, Commissioner Plank, Commissioner Barnett, Commissioner Chambers, and Chair Ellis.

NO: None. ABSTAINED: Commissioner Holst. ABSENT: Commissioner Cadwallader. MOTION CARRIED.

4. **PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA.**

Mike DeVore who resides at 424 Elm apologized for holding the meeting up.

Commissioner Plank stated felt that the board had not handled the changing of Planning Commission chairperson very well last meeting and noted to try to do better next time.

5. **NEW BUSINESS**

a.) Public Hearing – 208 S. Hudson Rezoning Request.

Jay Rickert would like to sell business property, has always been a commercial building, never been a residential building. Would like to rezone from R3 to I-General Industrial district.

Andrew Moore with Williams & Works gave a back history on the property stating the structure currently located on the site is industrial in nature, and the applicant seeks to rezone from R3 district to the I-General Industrial district in order to bring it to conformity. The property is currently home to the applicant's electrical contracting business (Rickert Electric). The site is surrounded on three sides by residential uses, and to the east the King Milling property. The zoning map shows that properties to the east and north are zoned General Industrial,

however, the properties to the west and south on the same block as the subject are zoned R-3 Multiple Family Residential.

The Planning Commissioners and Andy Moore then reviewed the Standards A through C.

Chair Ellis then opened the Public Hearing.

Rickert questioned which setbacks Moore was referring to.

Chair Ellis closed the Public Hearing and opened it up to the Commissioners to discuss.

Ellis questioned the fill it would need if making it residential and why the change in zoning.

Rickert stated the change just to make it easier to sell.

Moore explained fill would only pertain if they demolished the building. And the location and flood plain issues and proximity to Hudson street is a super attractive option for residential.

Commissioner Plank stated it has always been a commercial building.

Commissioner Chambers likes it as commercial, has been there way before zoning ordinances.

Commissioner Holst stated that it is not a residential building at all.

IT WAS MOVED BY CHAMBERS and seconded by PLANK to recommend to City Council that 208 S Hudson be approved to be rezoned from R-3 to Industrial.

YES: Commissioners Gadula, Chambers, Barnett, Plank, Holst and Chair Ellis.

NO: None.

ABSENT: Commissioner Cadwallader.

MOTION CARRIED.

## 6. OLD BUSINESS.

### a) Public Hearing – Amend Temporary Uses Ordinance.

Andy Moore with Williams and Works explained the changes wanted in the ordinance, updating this section that allows for various temporary activities to include seasonal merchandise sales.

Commissioners discussed at length whether this should be about seasonal sales and or “celebrating recognized holidays” or not. Discussed for a long period of time and decided to leave out holidays completely.

Moore stated he had sent the changes to the City Attorney to go over and give advice on.

Chair Ellis closed the Public Hearing.

IT WAS MOVED BY HOLST and seconded by CHAMBERS to table the item “Amend Temporary Uses Ordinance” until the next Planning Commission meeting.

YES: Commissioners Gadula, Chambers, Barnett, Plank, Holst and Chair Ellis.

NO: None.

ABSENT: Commissioner Cadwallader.

MOTION CARRIED.

b) Master Plan Update.

Andy Moore with Williams and Works provided updates and the recent events he attended for public feedback. Next week, he will attend the City Council, Parks & Recreation Board Meetings. The worksheet with goals and objectives will be reviewed next month.

Eric Bartkus who resides at 517 E Main thanked Moore for a great job at the Lowell Expo. Had attended the Michigan Municipal League housing meeting, several communities are currently reviewing their masterplans and he had some takeaways from those he wanted to pass on. As a board, the Planning Commission needs to decide when you update the master plan, whether you are going for shorter term hopes for developers or longer term growth of properties. Also, they talked about neighborhood enterprise zones and lastly that they were using a lot of missing middle grants.

7. **STAFF REPORT.**

There were no reports.

8. **COMMISSIONERS REMARKS.**

Commissioner Plank – Goal is to try to engage community involvement as a Planning Commission. Not create bad vibes as he felt happened with the PC Chair election last meeting.

Chair Ellis – feels that the change of officers for the Board is an election, but he didn't like the change of hands so fast either and maybe there is a better way to do it with a transition period.

Moore stated he will provide training and when we have a light agenda night, we can go through the by-laws and the mechanics of running a meeting.

Chair Ellis welcomed Nicole Holst to the Planning Commission Board.

9. **ADJOURNMENT.**

IT WAS MOVED BY GADULA and seconded by CHAMBERS to adjourn at 8:53 p.m.

DATE:

APPROVED:

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Bruce Barker, Chair

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Susan Ullery, Lowell City Clerk

CITY OF LOWELL  
KENT COUNTY, MICHIGAN  
ORDINANCE NO. 24-\_\_

Style Definition: Normal: Justified

**AN ORDINANCE TO AMEND SECTION 4.10 "TEMPORARY USES OR BUILDINGS REQUIRING ZONING ENFORCEMENT OFFICER AUTHORIZATION" APPENDIX A, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL**

Councilmember \_\_\_\_\_, supported by Councilmember \_\_\_\_\_,

moved the adoption of the following ordinance:

**THE CITY OF LOWELL ORDAINS:**

**Section 1. Amendment of Section 4.10.** Section 4.10 of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended to read in its entirety as follows:

**Section 4.10. - Temporary uses or buildings requiring zoning enforcement officer authorization.**

A. Upon application, the zoning enforcement officer may issue a permit for the following temporary buildings or uses. Each permit shall specify a location for such building or use and shall be valid for a period of not more than six (6) calendar months. Permits may be renewed by the zoning enforcement officer for one (1) additional successive period of six (6) calendar months or less at the same location and for the same purpose.

1. Temporary office building or construction yard incidental and necessary to construction at the site where located.
2. Temporary sales office or model home incidental and necessary for the sale or rental of real property in a new subdivision or housing project. In any case, such temporary office or model home shall be removed when fifty (50) percent or more of the lots or units have been sold or leased.

B. Seasonal Merchandise Sales. Upon application, the zoning enforcement officer may issue a permit for the temporary sale of merchandise in the C-3, General Commercial district, related to a seasonal or periodic event, subject to the following standards:

1. In considering a request for a temporary permit, the zoning enforcement officer must determine that the operation of such a use is seasonal in nature and will not be established as a permanent use.
2. Each permit shall be valid for not more than one (1) calendar month and may be renewed by the zoning enforcement officer for one successive period of one (1) additional month, provided the season or event to which the use relates is continued.
3. Merchandise offered for sale shall be limited to small items directly related to the seasonal or periodic event, including but not limited to pumpkins, Christmas trees, fireworks, and similar items. In no case shall the sale of large items or equipment such

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as cars, trucks, motorcycles, off-road vehicles, boats, RVs, construction equipment, and similar items be permitted. If there is a question or uncertainty related to whether a permit for temporary merchandise may be issued, the Zoning Enforcement Officer may refer the matter to the Planning Commission for a decision.

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4. The provisions of this Section are not intended to regulate peddlers or solicitors as defined and regulated by the provisions of Chapter 15 of the City of Lowell Code of Ordinances.

C. In considering authorization for all temporary uses or buildings, the zoning enforcement officer shall consider the following standards and may attach reasonable conditions to temporary uses or structures to ensure that the standards of this section are met. The zoning enforcement officer shall determine that:

1. The use or structure will not have an unreasonable detrimental effect upon adjacent properties;
2. The use or structure is reasonably necessary for the convenience and safety of the construction proposed;
3. The use or structure does not adversely impact the character of the surrounding neighborhood;
4. Access to the use area or structure is located at a safe location.

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5. Access to the area or structure will not constitute a traffic hazard due to ingress or egress;

6. Adequate off-street parking is available to accommodate the use;

7. The use or structure shall not create or emit noise, odors, vibration, dust, smoke or glare that is obnoxious, harmful or a nuisance to adjacent properties or the neighborhood;

8. If the zoning enforcement officer finds that any conditions of the temporary use permit or any requirements of this ordinance or other ordinances of the city have been violated, the temporary use permit may be rescinded.

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**Section 2. Publication.** After its adoption, the City Clerk shall publish this ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

**Section 3. Effective Date.** This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in the *Lowell Ledger*, a newspaper of general circulation in the City.

YES: Councilmembers \_\_\_\_\_

NO: Councilmembers \_\_\_\_\_

ABSTAIN: Councilmembers \_\_\_\_\_

ABSENT: Councilmembers \_\_\_\_\_

**ORDINANCE DECLARED ADOPTED.**

Dated: \_\_\_\_\_, 2024

\_\_\_\_\_  
Susan Ullery  
City Clerk

**CERTIFICATION**

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on \_\_\_\_\_ 2024, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Lowell Ledger*, on \_\_\_\_\_, 2024. I further certify that the above ordinance was entered into the Ordinance Book of the City on \_\_\_\_\_, 2024, and was effective \_\_\_\_\_, 2024, ten (10) days after publication.

Dated: \_\_\_\_\_, 2024

\_\_\_\_\_  
Susan Ullery  
City Clerk

2024				
Open Date	Close Date	Address	Name/Business	Subject
12/13/2023	01/02/2024	901 Bowes	Bob Hults	Shed
12/21/2023	01/02/2024	404 Lincoln Lake	Mark Fleet	Reroof
02/11/2024	02/29/2024	818 E. Main	Richard and Loretta Riley	Addition
02/13/2024	02/29/2024	225 Donna	J House Construction	Porch Replacement
02/17/2024	03/12/2024	825 Shepard	Nathan Boyce	Accessory Building
02/22/2024	02/29/2024	503 E. Main	Frosty Boy	New Business/Sign
02/29/2024	02/29/2024	721 Ottawa	Christian Rogalski	New Business/Sign
03/04/2024	03/04/2024	206 E. Main	Mike McLouth	Interior Renovation
03/13/2024	03/18/2024	621 E. Main	Lowell UMC	Window Replacement
03/19/2024	03/21/2024	804 N. Monroe	Patrick Bloom	Fence
04/01/2024	04/03/2024	403 N. Monroe	Loft Construction	Ramp
03/26/2024	04/22/2024	414 E. Main	Huntington Bank	ADA Parking/Sidewalk
04/19/2024	05/06/2024	523 Lincoln Lake	Dan Brubaker	Fence
05/06/2024	05/06/2024	406 N. Monroe	Frank Martin	Roof Repair
04/26/2024	05/07/2024	1975 W. Main	Taco Bell	Menu Sign