



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085

PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
AGENDA

FOR THE REGULAR MEETING OF
MONDAY, JUNE 13, 2022 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. May 9, 2022 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
 - a. None
6. NEW BUSINESS
 - a. Public Hearing – 2531 W. Main Street – Scooter’s Special Land Use
 - b. Public Hearing – 139 S. Broadway and 149 S. Broadway – King Milling Company Additions – Site Plan Review
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, MAY 9, 2022 AT 7:00 P.M.

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

The Meeting was called to order at 7:00 p.m. by Chair Bruce Barker.

Present: Commissioners Tony Ellis, Amanda Schrauben, Collin Plank, Dave Cadwallader, Michael Gadula and Chair Bruce Barker.

Absent: Commissioner Marty Chambers.

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

2. EXCUSE OF ABSENCE.

IT WAS MOVED BY ELLIS and seconded by CADWALLADER to excuse the absence of Commissioner Chambers.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Gadula, Commissioner Plank, Commissioner Schrauben, and Chair Barker.

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

3. APPROVAL OF AGENDA.

IT WAS MOVED BY CADWALLADER and seconded by ELLIS to approve the agenda as written.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Gadula, Commissioner Plank, Commissioner Schrauben, and Chair Barker.

NO: None. ABSENT: Commissioner Chambers. MOTION CARRIED.

4. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETINGS.

IT WAS MOVED BY CADWALLADER and seconded by ELLIS to approve minutes of the April 11, 2022 Regular Meeting as written.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Gadula, Commissioner Plank, Commissioner Schrauben, and Chair Barker.

NO: None. ABSENT: Commissioner Chambers. MOTION CARRIED.

5. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA.

There were no comments.

6. OLD BUSINESS.

a.) 2179 Gee Drive – Special Land Use Review.

Andy Moore with Williams & Works reviewed his memo stating this is an annual review due to the nature of this special land use being an ARBNB. There have been no issues or complaints we are aware of, review has been completed and they are in compliance with their original conditions of approval.

IT WAS MOVED BY ELLIS and seconded by CADWALLADER to approve that the Lowell City Planning Commission accepts that the annual review for 2179 Gee Drive has been completed and is accepted.

YES: Commissioner Ellis, Commissioner Gadula, Commissioner Plank, Commissioner Schrauben, Commissioner Cadwallader and Chair Barker.

NO: None.

ABSENT: Commissioner Chambers.

MOTION CARRIED.

7. NEW BUSINESS

a.) Public Hearing – 2531 W. Main Street – Rezone from Industrial to General Business.

Chair Barker opened the Public Hearing.

Moore reviewed his memo stating the subject property is an interior lot located on the north side of Main Street west of Alden Nash Ave, next to Mercantile Bank. A building and parking lot are currently located on the site, which was formerly home to Lowell Chiropractic, but has been vacant for several years. Moore then introduced Ms. Krisandra Lippert who gave a brief description of her intentions with the property.

Ms. Krisandra Lippert spoke via zoom stating she is the development manager of the Scooter's Coffee, they are a drive through coffee service and speed is their niche. There is no cooking but heated food including freshly made cinnamon buns.

Moore then stated this is a request for rezoning only, we are not looking at a site plan or land use at this point, although we know what it would be if and when they decide to apply at a future time.

Moore then reviewed the zoning review criteria. Section 22.05 of the Zoning Ordinance #1 through #13 that must be considered when making a decision on a zoning amendment. Moore and the Commissioners found that all the zoning review criteria is met.

Dean Lonick with D & D Trucking and West Main LLC spoke and is not in favor of rezoning this property to General Business, stating there is not a lot of Industrial property in the City currently.

Chair Barker closed the Public Hearing.

IT WAS MOVED BY BARKER and seconded by CADWALLADER that the Planning Commission recommend approval of the request to the City Council that 2531 W. Main Street be rezoned from Industrial to General Business.

YES: Commissioners Gadula, Ellis, Cadwallader, Schrauben, Plank and Chair Barker.

NO: None.

ABSENT: Commissioner Chambers.

MOTION CARRIED.

b.) Public Hearing – 300 Bowes Road – Proposed Temporary Outdoor Storage.

Chair Barker opened the Public Hearing.

Andy Moore with Williams & Works then reviewed his memo stating the subject property is approximately 22 acres and is located in the PF Public Facilities District. The applicant is proposing to operate a temporary use on the property described as a used vehicle sales event that would have a duration of 10 days on a portion of the property, from June 21 to July 1, 2022. The site is part of the larger fairgrounds site that involves several properties, though only the portion of the site south of the Bowes Road entrance would be used for the event. The site plan submitted would include vehicle display areas, customer parking, a tent, a mobile office, and two portable restrooms.

Renee Peeper spoke via zoom representing West Michigan Auto Exchange and stated they plan on having 70-100 vehicles at the fairgrounds. It will be a 10-day sale. 30 to 100 customers a day. Open 9:00 am to 8:00 pm. There will be 30 parking spaces.

Moore then reviewed the site plan review standards A – F.

Moore and the Commissioners found that all the standards A - F are met.

There were no public comments.

IT WAS MOVED BY BARKER and seconded by ELLIS that the Lowell City Planning Commission approve the Site Plan Review Standards A – F.

YES: Commissioners Gadula, Ellis, Cadwallader, Schrauben, Plank and Chair Barker.

NO: None.

ABSENT: Commissioner Chambers.

MOTION CARRIED.

Moore then reviewed the Special Land Use Review Standards A - F.

Moore and the Commissioners found that all the Special Land Use Review Standards A – F are met.

Chair Barker asked if there was a bond needed and Moore said we could require one and follow the same as for special events.

There were no public comments.

Chair Barker then closed the Public Hearing.

IT WAS MOVED BY BARKER and seconded by CADWALLADER that the Lowell City Planning Commission approve the Special Land Use Review Standards A – F.

YES: Commissioners Gadula, Ellis, Cadwallader, Schrauben, Plank and Chair Barker.

NO: None.

ABSENT: Commissioner Chambers.

MOTION CARRIED.

Commissioner Gadula asked if they needed overnight security.

Renee Peeper said there is no need because all the cars are locked.

Moore then went through the conditions attached to the approval of the special land use as listed below.

- 1) Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
- 2) The applicant shall comply with any requirements from the Lowell Area Fire Department, City's Department of Public Works, or other approving agencies.
- 3) The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
- 4) The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.
- 5) The Site Plan shall be updated to clearly demonstrate that adequate emergency access has been provided to the satisfaction of the Lowell Area Fire Department.
- 6) The City reserves the right to take appropriate action to clear the site if a flood event were to occur or appear likely to occur on the property.
- 7) The event shall only occur Monday, June 20, 2022 through Friday, July 1, 2022, including set up and tear down.
- 8) Hours of operation shall be between Monday through Saturday, 9:00 AM – 8:00 PM and close on Sunday.
- 9) Due to the City's future plans for the property, this approval is valid for the 2022 event only. Future events should be held on a commercially-zoned property subject to any rules and regulations in place at that time.
- 10) No more than 100 vehicles shall be stored on the site. Other temporary improvements (tent, office, generator, restrooms, etc.) shall be installed consistent with the approved site plan.
- 11) Temporary signage proposed for the site shall comply with Chapter 20 of the Zoning Ordinance.
- 12) A performance guarantee consistent with what has historically been required for outdoor gatherings shall be provided by the applicant prior to opening.

IT WAS MOVED BY BARKER and seconded by ELLIS that the Lowell City Planning Commission approve the Site Plan Review and the Special Land Use for 2531 W. Main Street for West Michigan Auto Exchange - Temporary Use with the above conditions as listed.

YES: Commissioners Gadula, Ellis, Cadwallader, Schrauben, Plank and Chair Barker.

NO: None.

ABSENT: Commissioner Chambers.

MOTION CARRIED.

8. **STAFF REPORT.**

There was no report.

9. **COMMISSIONERS REMARKS.**

There were no remarks.

10. ADJOURNMENT.

IT WAS MOVED BY BARKER and seconded by CADWALLADER to adjourn at 7:56 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk



February 22nd, 2022

City of Lowell
301 E. Main Street
Lowell, MI 49331
Attn: Ms. Susan Ullery

Re: Scooters Coffee Site Plan/Project Review

Dear Susan;

Please accept this cover letter as our statement and narrative for the above design review in the City of Lowell.

Scooters is very excited to working with the City of Lowell, and we are looking forward to building a long-term relationship while becoming part of the local community.

Scooter's Coffee was founded in the Omaha area in 1998 and is rapidly growing. In 2021 (90+) new stores opened and this year we are well on our way to exceeding last year's growth. To date we have 370+ stores open and operating!

Scooter's Coffee is relatively new to Michigan, with existing stores coming in Commerce Township, Grand Rapids, Cascade Township, Burton, Sterling Heights, Big Rapids, Kentwood, and of course here in Lowell!

Scooters is a drive-thru concept serving specialty coffee drinks, real-fruit smoothies, power drinks and breakfast food, including hand-made from scratch cinnamon rolls in the facility in Omaha. And, we work directly with the growers to single source only the 10% highest quality beans available anywhere in the world!

Our roots are set in the drive-thru model, with no interior seating, patio, or public access. This not only helps with quality and speed, but it reduces waste and provides a cleaner site environment as well.

Our motto is "Amazing People, Amazing Drinks, Amazingly Fast". We are all about positive interactions with our customers, with a major focus on moving them through our line as fast as possible.

Customer service and sharing smiles is our priority and this, along with speed at our drive-thru is what drives us, ever striving to grow and improve while maintaining the consistency our customers expect.

While the previously attached profile shows our mission, our core competencies are what really make Scooters so special, Integrity, Love, Humility, & Courage.

Every person who joins the Scooters team truly believes in these core values and as such, we subscribe to these values individually, with our teammates, and ultimately with our customers and communities.



This location will employ approximately 10- 15 employees and partner alongside the local neighborhood to support and respect its families and patrons.

Site/Building Data:

This model is approx. 670 sq ft and serves pre-packaged breakfast items so there is no hood, gas, or dish machine; it also has no fire alarm or sprinklers. Because it is drive-thru only, it is better for the environment using less materials thereby creating less waste with no exterior ground trash etc.

The trash enclosure will be fully enclosed, and parking is minimal for employees, traveling managers and small deliveries only.

Schedule:

Project scheduling is contingent upon city approval; once we have Commission, we will submit for a building permit. We would like to start construction as soon as possible thereafter, which is a typical 16-week construction schedule and two weeks to prepare the store and its employees for the grand opening!

Again, we look forward to joining you in Lowell, and are here to answer any questions you may have along the way.

Respectfully,

Krisandra Lippert

Krisandra Lippert
Development Project Manager
Scooters Coffee, Inc
210.818.5293
krisandra.lippert@scooterscoffee.com

Request Number: _____

Filing Fee: _____



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085

APPLICATION FOR SITE PLAN REVIEW

- All drawings must be sealed by an architect, engineer or surveyor unless waived by the Zoning Administrator.
- 15 copies of the site plan must be submitted to the City Manager's office no later than three weeks before the Planning Commission meeting to allow adequate staff review.
- The Planning Commission meets the second Monday of the month at 7:00 p.m. where plans are approved, rejected or modified.
- Preliminary plans may be presented for Planning Commission comment, but no final approval is given until all required conditions are met.
- After approval, public works and building permits must be secured before construction may commence.

1. Street Address and/or Location of Request: 2531 Main Street Lowell MI, 49331
2. Parcel Identification Number (Tax I.D. No.): #41-20- 03301030
3. Applicant's Name: Krisandra Lippert Phone Number 210-818-5293
Address: 10500 Sapp Brothers Drive Omaha NE 68138
Street City State Zip
Fax Number _____ Email Address Krisandra.lippert@scooterscoffee.com
4. Are You: ☐ Property Owner ☐ Owner's Agent ☒ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Matt Carey, Phone Number 262-754-8888
Pinnacle
Address: 20725 Watertown Road, Suite 100, Brookfield, WI 53186
6. Present Zoning of Parcel I, General Industrial Present Use of Parcel Vacant Building/ Parking Lot
7. Description of proposed development (attach additional materials if needed):
A proposed drive-thru Scooter's Coffee shop is intended for the parcel. Scooter's Coffee is a new commercial development that includes one building area with accompanying parking lot and drive paved areas. The total development area is 0.82 acres. New Storm sewer, water main, and sanitary building connections will be installed for the entire development area.

The facts presented above are true and correct to the best of my knowledge.

Signature: Krisandra Lippert Digitally signed by Krisandra Lippert
DN: C=US, E=krisandra.lippert@scooterscoffee.com, O="Scooter's Coffee, Inc", OU=Development Project Manager,
CN=Krisandra Lippert
Date: 2022.05.18 07:28:18-0500

Type or Print Your Name Here: Krisandra Lippert, Boundless Enterprises

Property Owner Approval: As owner I hereby authorize the submittal of this application and agree to abide by any decision made in response to it.

Owner

Krisandra Lippert

Digitally signed by Krisandra Lippert
DN: C=US, E=krisandra.lippert@scooterscoffee.com, O="Scooter's Coffee, Inc", OU=Development Project Manager, CN=Krisandra Lippert
Date: 2022.05.18 14:28:17-0500

Date

The following 16 points make up the **CHECKLIST** of required information needed on the drawing for final plan approval (unless specifically waived by the Planning Commission). Please go over this **CHECKLIST** with the City Manager and Zoning Administrator before presenting to the Planning Commission.

1. Date, north arrow and scale (not more than 1" = 100', supplementary site plans at a 1" = 50' or larger scale are encouraged)	<u>INITIAL</u> <u>MC</u>
2. A city locational sketch	<u>MC</u>
3. Legal description and City address of the subject property	<u>MC</u>
4. The size in acres or square feet of the subject property	<u>MC</u>
5. All lot and/or property lines with dimensions, including building setback lines	<u>MC</u>
6. The location of all existing structures within one hundred (100) feet of the subject property's boundary	<u>MC</u>
7. The location and dimensions of all existing and proposed structures on the subject property	<u>MC</u>
8. The location and dimensions of all existing and proposed:	<u>MC</u>
▪ Drives	
▪ curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval)	<u>MC</u>
▪ sidewalks	<u>MC</u>
▪ exterior lighting	<u>MC</u>
▪ curbing	<u>MC</u>
▪ parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space)	<u>MC</u>
▪ unloading areas	<u>MC</u>
▪ recreation areas	<u>MC</u>
▪ common use areas	<u>MC</u>
▪ areas to be conveyed for public use and purpose	<u>MC</u>
9. The location, pavement width and right-of-way width of abutting roads, alleys or easements	<u>MC</u>
10. The existing zoning of all properties abutting the subject project	<u>MC</u>
11. The location of all existing and proposed:	
▪ landscaping and vegetation	<u>MC</u>
▪ location, height and type of existing and proposed fences and walls	<u>MC</u>
12. Proposed cost estimates of all site improvements	
13. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer or water supply systems	<u>MC</u>
14. The location and size of septic and drain fields	<u>N/A</u>
15. Contour intervals shown at five (5) foot intervals	<u>MC</u>
16. FOR RESIDENTIAL DEVELOPMENT , the following information is required (affixed to the drawing):	
▪ Net developable area, in acres or in square feet, defined as all areas that could be developed subtracted by lands used or dedicated for existing easements and rights of way	<u> </u>
▪ The number of dwelling units proposed (by type), including typical floor plans for each type of dwelling	<u> </u>
▪ The number and location of efficiency and one or more bedroom units	<u> </u>
▪ Typical elevation views of the front, side and rear of each type of building	<u> </u>
▪ Dwelling unit density of the site (total number of dwellings / net developable area)	<u> </u>

Request Number: _____

Filing Fee: _____



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085

APPLICATION FOR SITE PLAN REVIEW / SPECIAL LAND USE

- All drawings must be sealed by an architect, engineer or surveyor unless waived by the Zoning Administrator.
- 15 copies of the site plan must be submitted to the City Manager's office no later than four weeks before the Planning Commission meeting to allow adequate staff review.
- The Planning Commission meets the fourth Monday of the month at 7:00 p.m. where plans are approved, rejected or modified.
- Preliminary plans may be presented for Planning Commission comment, but no final approval is given until all required conditions are met.
- After approval, public works and building permits must be secured before construction may commence.

1. Street Address and/or Location of Request: 2531 Main Street Lowell MI, 49331
2. Parcel Identification Number (Tax I.D. No.): #41-20- 03301030
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Street City State Zip
Fax Number _____ Email Address Krisandra.lippert@scooterscoffee.com
4. Are You: ☐ Property Owner ☐ Owner's Agent ☒ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Matt Carey, Phone Number 262-754-8888
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Address: 20725 Watertown Road, Suite 100, Brookfield, WI 53186
6. Present Zoning of Parcel I, General Industrial Present Use of Parcel Vacant Building/ Parking Lot
7. Description of proposed development (attach additional materials if needed):

A proposed drive-thru Scooter's Coffee shop is intended for the parcel. Scooter's Coffee is a new commercial development that includes one building area with accompanying parking lot and drive paved areas. The total development area is 0.82 acres. New Storm sewer, water main, and sanitary building connections will be installed for the entire development area.

The facts presented above are true and correct to the best of my knowledge.

Signature: Krisandra Lippert 

Type or Print Your Name Here: Krisandra Lippert, Boundless Enterprises

Property Owner Approval: As owner I hereby authorize the submittal of this application and agree to abide by any decision made in response to it.

Owner

Date

The following 16 points make up the **CHECKLIST** of required information needed on the drawing for final plan approval (unless specifically waived by the Planning Commission). Please go over this **CHECKLIST** with the City Manager and Zoning Administrator before presenting to the Planning Commission.

- | | |
|---|---------------|
| 1. Date, north arrow and scale (not more than 1" = 100', supplementary site plans at a 1" = 50' or larger scale are encouraged) | INITIAL
MC |
| 2. A city locational sketch | MC |
| 3. Legal description and City address of the subject property | MC |
| 4. The size in acres or square feet of the subject property | MC |
| 5. All lot and/or property lines with dimensions, including building setback lines | MC |
| 6. The location of all existing structures within one hundred (100) feet of the subject property's boundary | MC |
| 7. The location and dimensions of all existing and proposed structures on the subject property | MC |
| 8. The location and dimensions of all existing and proposed: | MC |
| ▪ Drives | MC |
| ▪ curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval) | MC |
| ▪ sidewalks | MC |
| ▪ exterior lighting | MC |
| ▪ curbing | MC |
| ▪ parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space) | MC |
| ▪ unloading areas | MC |
| ▪ recreation areas | MC |
| ▪ common use areas | MC |
| ▪ areas to be conveyed for public use and purpose | MC |
| 9. The location, pavement width and right-of-way width of abutting roads, alleys or easements | MC |
| 10. The existing zoning of all properties abutting the subject project | MC |
| 11. The location of all existing and proposed: | MC |
| ▪ landscaping and vegetation | MC |
| ▪ location, height and type of existing and proposed fences and walls | MC |
| 12. Proposed cost estimates of all site improvements | |
| 13. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer or water supply systems | MC |
| 14. The location and size of septic and drain fields | N/A |
| 15. Contour intervals shown at five (5) foot intervals | MC |
| 16. FOR RESIDENTIAL DEVELOPMENT , the following information is required (affixed to the drawing): | |
| ▪ Net developable area, in acres or in square feet, defined as all areas that could be developed subtracted by lands used or dedicated for existing easements and rights of way | _____ |
| ▪ the number of dwelling units proposed (by type), including typical floor plans for each type of dwelling | _____ |
| ▪ the number and location of efficiency and one or more bedroom units | _____ |
| ▪ typical elevation views of the front, side and rear of each type of building | _____ |
| ▪ Dwelling unit density of the site (total number of dwellings / net developable area) | _____ |

Section 17.03 of the City of Lowell Zoning Ordinance specifies that to approve a special land use, the Planning Commission must find that the request meets the following standards. Please describe how the proposed project would meet each standard.

A. Each application shall be reviewed for the purpose of determining that the proposed special land use meets the following standards and, in addition, that each use of the proposed site will:

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed;
Understood, site characteristics will comply and match the character of the
surrounding area.
2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities;
The proposed site has shared access on the east and storm, water, and
sanitary sewer connections to the south on West Main Street.
3. Not create excessive additional requirements at public cost for public facilities and services; and
Correct, no additional cost shall be incurred by this project.
4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
Understood, Scooter's will comply.

Section 17.04 of the City of Lowell Zoning Ordinance lists specific standards pertaining to special land uses that must be met. Please respond to those standards below as it pertains to the proposed project, describing how the standards would be met by this proposal:

Sufficient stacking capacity is provided with 11 stacking spaces. Public access to the site is
located less than 50 feet from the R.O.W. line. The parking and maneuvering areas will be
screened with landscaping. Outdoor speaker is oriented north to minimize sound transmission
to neighboring properties. An additional 3 parking spaces near the exit of the drive-through
facility is not feasible due to site constraints.

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: June 7, 2022
From: Andy Moore, AICP
RE: **Scooter's Special Land Use**

Ms. Krissandra Lippert has applied for site plan review and special land use approval to construct a drive-through coffee shop at 2531 W Main Street (PPN 41-20-03-301-030). The purpose of this memorandum is to review the request pursuant to Chapters 17 and 18 of the City of Lowell Zoning Ordinance.



Background

The subject property is approximately 0.8 acres in the C3 General Business district. The applicant is proposing to construct a Scooter's coffee shop with drive-through facilities. The site is currently vacant except for a pole barn. The proposed drive-through facility would be 664 square feet.

Restaurants with drive-through facilities are permitted by special land use in the C3 General Business district in Section 12.03 of the zoning ordinance.

Completeness of Submission

The applicant has submitted a complete site plan set for review. Section 18.04 B provides a list of information required for final site plan review unless deemed unnecessary by the zoning enforcement officer. We find that the site plan is complete for review.

SITE PLAN REVIEW

Setbacks and Dimensional Requirements. The proposed building exceeds all required setbacks, building height, lot coverage, and other dimensional requirements of Section 12.04.

Landscaping. Section 4.26 E provides specific landscape requirements. Landscaping is proposed along the front property line, around the perimeter of the drive-through area, and in the center of the drive-through area around the building. Front yard landscape requirements include at least one canopy tree and three deciduous shrubs for each 30 feet of lot width. The front lot line is 135 feet long, which equates to 4 total trees and 12 total shrubs required along W Main Street. The applicant has proposed only one tree but 48 shrubs in the front yard.

However, the applicant has also proposed four trees and nine shrubs along the western property line (adjacent to the Mercantile Bank property), additional landscaping at the corners of the parking area and around the base of the building, and two trees are proposed in the rear yard.

While the front yard landscaping lacks two trees, it is our opinion that the additional landscaping elsewhere on the site is well above the minimum requirements of the Zoning Ordinance and sufficiently meets the requirements of Section 4.26.

Lighting. The site plan does not indicate that any site lighting is proposed; no pole or building-mounted fixtures are shown. A rendering of the building is shown at night which indicates there will be some LED channel lighting around the signage and edge of the building. It appears that this lighting would be cutoff and downward facing.

Parking. Drive-in restaurants require 1 parking space per 100 square feet GFA. The applicant is proposing a 664 square foot building, equating to 6 required parking spaces. The applicant has proposed 7 parking spaces, exceeding this standard. One ADA accessible space is proposed. It is our understanding that Scooters Coffee is a "drive-through only" facility, so no indoor seating would be available, so parking would be primarily for employees.

Parking space and maneuvering aisle dimensions meet the standards of Section 19.06. A loading/unloading space is not included. Given the size of the building and the type of operation, it is unlikely that any large deliveries would be occurring at the site.

Signage. Signage is proposed in the southern corner of the lot along Main Street. A ground sign is proposed. Wall signs are also proposed, but signage details were not submitted. As a condition of approval (if approved), the Planning Commission may require the applicant to receive a sign permit and comply with Chapter 20 of the Zoning Ordinance.

Site Development Requirements. Section 12.04 provides site development requirements for the C3 General Business district. No building or structure shall be erected unless these requirements are met and maintained. Landscaping was addressed above.

Regarding driveways, the site plan indicates that the access point would be derived from a connection to an existing driveway serving D&D Truck Repair at 2485 W Main. This would require permission from that property owner and an easement would need to be established and recorded. Further, MDOT approval may be needed.

Site Plan Review Standards. To approve a special land use, the Planning Commission must find that each of the standards listed in Section 18.06 would be met. Following are those standards and our remarks on each:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property, and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks: The site is currently a vacant, open lot. The surrounding land use pattern is commercial, including several fast-food restaurants with drive-through facilities. Drive-through facilities are typically high-volume enterprises that generate a lot of traffic, so there may be some concern regarding queue length and the interaction with the driveway servicing D&D Trucking. If an easement agreement cannot be reached with D&D, there may be a concern with adding another curb cut to Main Street, as there are several driveways in this area and traffic safety could be negatively impacted. This should be discussed, and the Planning Commission (or MDOT may require) the applicant to complete a traffic study to address this issue.

- B. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets, and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

Remarks: The applicant is proposing one point of ingress/egress to the site from D&D Trucking. This would likely be an acceptable location. Pedestrian activity is not expected as the facility proposed caters exclusively to automobile traffic.

- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the City of Lowell.

Remarks: The applicant is proposing one point of ingress/egress to the site from D&D Trucking to Main Street. This would likely be acceptable as no new driveways would be created on Main Street. However, this will likely be a high volume location and there may be some concern with traffic stacking and queues extending back into the driveway or Main Street. A traffic study may be required, and an MDOT permit may be required as well.

- D. Removal or alteration of significant natural features shall be restricted to those areas, which are reasonably necessary to develop the site in accordance with the requirements of this ordinance. The planning commission requires that approved landscaping, buffers, and/or greenbelts be continuously maintained to ensure that proposed uses will be adequately buffered from one another and surrounding public and private property.

Remarks: The site is currently open space with a pole barn, so the proposed development would not remove any significant natural features. The Planning Commission may find this standard met and may include continual maintenance of landscaping as a condition of approval.

- E. Satisfactory assurance shall be provided that the requirements of all other applicable ordinances, codes, and requirements of the City of Lowell will be met.

Remarks: A condition of approval can stipulate continual compliance with applicable codes and ordinances.

- F. The general purposes and spirit of this ordinance and the Comprehensive Plan of the City of Lowell shall be maintained.

Remarks: The purpose of the C3 General Business district is to accommodate automobile-oriented uses in buildings that are not necessarily characteristic of the downtown design. The proposed development would align with this intent to support commercial uses along M-21 that are automobile-oriented.

The subject property is in the Mixed Use future land use category of the Master Plan. This category is intended to permit a mixture of residential, office, and commercial uses that are not in a downtown-style building. While the drive-through facility accommodates only automobiles, this is a mostly auto-oriented part of the City, and the proposed development represents an improvement to a long-underutilized property. The Planning Commission may find this standard met.

SPECIAL LAND USE REVIEW

Special Land Use Review Standards. To approve a special land use, the Planning Commission must find that the proposed special land use meets each of the following standards in accordance with Section 17.03. Following are these standards and our remarks on each:

- A. The proposed special land use shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed;

Remarks: The surrounding land use pattern is largely commercial and industrial with several drive-through restaurants in the general vicinity. The proposed use is expected to be harmonious and appropriate in appearance with the existing character of the area based on building size and site design.

The Planning Commission may also discuss the traffic volume and access management. An easement will be needed from D&D Trucking to the site as we are not confident that a driveway to Main Street is workable here, and MDOT may be concerned about the potential for a high volume drive-through facility at this location. Otherwise, the Planning Commission may find that this standard is met.

- B. The proposed special land use shall be generally consistent with the City of Lowell Master Plan;

Remarks: See comments under Site Plan Review, F above.

- C. The proposed special land use shall be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water, and sewage facilities;

Remarks: Public water and sanitary sewer connections are proposed for the site. Stormwater drainage is proposed through catch basins, connecting to a storm sewer in the Main Street right of way. The Planning Commission may defer to the City Engineer and DPW for comments regarding utility and stormwater accommodations for the proposed use, as well as the Lowell Area Fire Department for comments regarding emergency vehicle access. Approval from and compliance with any stipulations of these agencies may be included as a condition of approval. If the applicant is planning on connecting to MDOT stormwater infrastructure, a permit from MDOT would be required.

- D. The proposed special land use shall not create excessive additional requirements at public cost for public facilities and services;

Remarks: The proposed use is not expected to create additional excessive requirements at public cost for facilities and services. There are several restaurants with drive-through facilities in the general area. An additional restaurant is expected to align with the character of the area and not create excessive public costs for services. Subject to any concerns from the City Engineer, the Planning Commission may find this standard met.

- E. The proposed special land use shall not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Remarks: The proposed use is not expected to cause excessive detrimental conditions of operation, although we note that traffic queues may be a concern. Considering the presence of other fast-food restaurants in this area and the general commercial character along W. Main Street, the proposed use is expected to align with the existing development in this area. However, the Planning Commission may consider impacts on Main Street to ensure that there is sufficient stacking and queuing space on the site.

- F. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.

Remarks: This standard will be addressed as a condition of approval.

Restaurants with Drive-Through Facilities Special Land Use Standards. In addition to the general standards for special land uses of Section 17.03, the Planning Commission must also find that the proposed special land use would comply with specific standards established for restaurants with drive-through facilities as listed in Section 17.04 T. These standards are listed below, along with our remarks on each.

- A. Sufficient stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public street right-of-way. A minimum of ten (10) stacking spaces for the service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property by vehicles not using the drive-through portion of the facility.

Remarks: The applicant illustrates six, though we note that approximately ten cars can fit on the site before the queue would back into maneuvering areas. No pedestrian activity is expected on the site as the business is intended solely for vehicles and drive-through service. The Planning Commission may find this standard met.

- B. In addition to parking space requirements, at least three (3) parking spaces shall be provided, in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.

Remarks: Waiting spaces are not shown on the site plan, but there appears to be room on the site for such spaces to be accommodated. This could likely be addressed as a condition of approval.

- C. Public access to the site shall be located at least fifty (50) feet from any intersection as measured from the nearest right-of-way line to the nearest edge of said access.

Remarks: The proposed access point would be from the driveway owned by D&D Trucking, and an easement would be required. We are not sure if D&D Trucking is agreeable to such an easement, and this should be resolved before the Planning Commission approves the site plan. The site plan as shown would require a cross-access easement to the property. In addition, a cross-access easement may be required to the west to eventually connect to the westerly property. This could be addressed as a condition of approval.

- D. The parking and maneuvering areas of the site shall be fenced and screened from the view of any abutting residential district or use by a decorative fence or wall, or a landscaped equivalent.

Remarks: This property does not abut any residential uses, so this standard is not applicable.

- E. Outdoor speakers for the drive-through facility shall be located in a way that minimizes sound transmission toward neighboring property and uses.

Remarks: The speaker is located in the center of the parcel, and it faces to the east. The Planning Commission may discuss measures to mitigate sound transmission with the applicant and may require additional screening if determined necessary, but it appears that this standard is met.

Recommendation

At the June 13th public hearing, the Planning Commission should discuss the site plan and special land use, and carefully consider any comments from the public and the applicant. It is our understanding as of this writing that the site plan may need to be adjusted because the

applicant is exploring a curb cut onto Main Street, instead of utilizing the access from the D&D Trucking property to the east. A driveway on Main Street may not be approvable by MDOT and may also exacerbate concerns regarding traffic backing into Main Street during busy hours. Thus, it may be prudent for the Planning Commission to postpone a decision on the application until this is resolved. If MDOT approves a driveway or the access easement with D&D Trucking is agreed upon, the Planning Commission may approve the site plan and special land use. If approved, we suggest the following conditions be included, along with any others deemed necessary:

1. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
2. The applicant shall comply with any requirements from the Lowell Area Fire Department, City's Department of Public Works, City Engineer, MDOT, or other approving agencies.
3. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
4. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.
5. Exterior lighting comply with Section 4.24 of the Zoning Ordinance.
6. The easement with the adjacent property (2485 W Main) for the proposed driveway connection shall be reviewed by the City Attorney, and once approved and recorded, the applicant shall submit a copy of the recorded easement to the City.
7. Landscaping, buffers and/or greenbelts shall be continuously maintained to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
8. Signage shall comply with Chapter 20 of the Zoning Ordinance.

As always, please contact us if you have any questions.

Request Number: _____

Filing Fee: _____



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085

APPLICATION FOR SITE PLAN REVIEW

- All drawings must be sealed by an architect, engineer or surveyor unless waived by the Zoning Administrator.
- 15 copies of the site plan must be submitted to the City Manager's office no later than three weeks before the Planning Commission meeting to allow adequate staff review.
- The Planning Commission meets the second Monday of the month at 7:00 p.m. where plans are approved, rejected or modified.
- Preliminary plans may be presented for Planning Commission comment, but no final approval is given until all required conditions are met.
- After approval, public works and building permits must be secured before construction may commence.

1. Street Address and/or Location of Request: 139 S. Broadway St. and 149 S. Broadway St.
2. Parcel Identification Number (Tax I.D. No.): #41-20- 02-453-030 and 02-453-031
3. Applicant's Name: King Milling Company Phone Number (616) 897-9264
Address: 222 W. Main St. Lowell MI 49331
Street City State Zip
Fax Number _____ Email Address jdoyle@kingflour.com
4. Are You: ☐ Property Owner ☒ Owner's Agent ☐ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: James M. Doyle Phone Number (616) 897-9264
Address: 222 W. Main St., Lowell, MI 49331
6. Present Zoning of Parcel I - Industrial Present Use of Parcel I - Industrial
7. Description of proposed development (attach additional materials if needed):
It is proposed to construct 2 additions next to the existing warehouse/packaging facility. One addition will be at the east end of the north face of the building. It will be a 2,917 s.f. truck loadout facility. The other addition on the west end of the building will be a new mill with wheat storage totalling 7,873 s.f.. The mill area will be 5,730 s.f. and the wheat storage silos will be 2,143 s.f.

The facts presented above are true and correct to the best of my knowledge.

Signature: James M. Doyle Date: 5/20/2022

Type or Print Your Name Here: JAMES M. DOYLE

Property Owner Approval: As owner I hereby authorize the submittal of this application and agree to abide by any decision made in response to it.

Owner: James M. Doyle

Date: 5/20/2022

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: June 7, 2022
From: Andy Moore, AICP
RE: King Milling Company Additions – Site Plan Review

King Milling Company has applied for site plan review for the construction of a proposed mill building, silos, and a truck loadout located on 149 South Broadway (PPN 41-20-02-453-031). The purpose of this memorandum is to review the request pursuant to Chapter 18 of the City of Lowell Zoning Ordinance.

Background

The subject property has a combined area of approximately 3.2 acres and is part of King Milling's larger operation that occupies numerous parcels generally at the southeast corner of Main Street and Hudson. The parcel is within the I General Industrial district and the applicant is proposing to construct a mill building and silos with an area of 7,873 square feet and a truck loadout with an area of 2,917 square feet.

The focus of this review will be the two additions that are intended to supplement King Milling's ongoing operation on the property. The uses proposed are accessory to uses permitted by right in the General Industrial zoning district.

Site Plan Review

Completeness of Submittal. The applicant has submitted a complete planset prepared by Roosien & Associates consisting of an existing conditions plan, overall site layout plan, site dimensional plan, and grading plan. We find the application complete for review.

Dimensional Requirements. The proposed truck loadout on the north side of the existing warehouse building is located in a side yard and meets required setbacks. The proposed mill building and silos are located in the front yard facing Broadway Street, which is a public street. The zoning ordinance district requires a 50' front yard setback in the Industrial district and the buildings as proposed would have a front yard setback of approximately 7 feet, which is not in compliance. The applicant is aware of this and has applied for a variance. The City Council, sitting as the Board of Zoning Appeals, will consider the variance request at their meeting scheduled for June 20, 2022.

Lighting. The applicant has not indicated if any lighting is proposed in this area. Any lighting on the site must be fully cut off and downward-facing features in accordance with Section 4.24 E. This could be addressed as a condition of approval (if approved).

Parking. The applicant is not proposing any additional off-street parking spaces. The proposed mill building and silos will be constructed in an existing parking lot that presently accommodates 21 vehicles. A plan to provide additional parking was not provided. The Planning Commission may inquire whether or not additional parking should be accounted for elsewhere or on another King Milling property nearby.

Landscaping. Six trees currently exist on the site between the parking area and Broadway. The applicant is proposing to keep four of these, with the northerly 2 trees to be removed to accommodate the mill building and silos. No other landscaping is proposed.

Signage. No new signage is proposed.

Site Plan Review Standards

Section 18.06 of the Zoning Ordinance sets forth six standards that must be considered by the Planning Commission when reviewing site plans. Those standards, along with our remarks, are below:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property, and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks: The surrounding area is industrial and areas surrounding the building are owned and operated by King Milling. The improvements are utilitarian and will not adversely impact neighboring properties, uses, or the public health, safety, or welfare. The Planning Commission may find this standard met.

- B. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets, and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

Remarks: Pedestrian circulation is not likely to be affected, as there is no significant pedestrian activity in this area. The loading areas for the truck loadout area and the mill buildings appear to be arranged in a way that allows for their use without impacting or blocking the right of way on Broadway Street. Vehicular circulation is not expected to change as a result of the proposed amendment. The Planning Commission may find this standard met.

- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the City of Lowell.

Remarks: The applicant is not proposing any modifications to the vehicular connections to existing or planned streets, and the overall arrangement of buildings and loading areas appears to be satisfactory. The Planning Commission may find this standard met.

- D. Removal or alteration of significant natural features shall be restricted to those areas, which are reasonably necessary to develop the site in accordance with the requirements of this ordinance. The planning commission requires that approved landscaping, buffers, and/or greenbelts be continuously maintained to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

Remarks: Few natural features on the site would be impacted by the proposed amendment. The applicant has proposed to remove two trees, and the other four would remain. The Planning Commission may modify the front yard landscape requirements of Section 4.26 when it finds circumstances that warrant a change in the requirements of this section.

- E. Satisfactory assurance shall be provided that the requirements of all other applicable ordinances, codes, and requirements of the City of Lowell will be met.

Remarks: This may be addressed as a condition of approval.

- F. The general purposes and spirit of this ordinance and the Comprehensive Plan of the City of Lowell shall be maintained.

Remarks: The Master Plan indicates that the subject property is within the "Industrial" and Future Land Use category. According to the Master Plan, "areas planned for Industrial land uses are intended to accommodate continued industrial uses." The proposed building modifications are expected to align with this designation. Further, the purposes of the Zoning Ordinance to protect the public health, welfare, and safety is expected to be upheld with the proposed additions. The Planning Commission may find that this standard is met.

Recommendation

At the June 13th meeting, the Planning Commission should discuss the site plan and consider comments from the applicant and the public, if any. Subject to these comments, the Planning Commission may approve the site plan amendment. If approved, the following conditions are suggested, along with any others deemed necessary:

1. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
2. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
3. The applicant and the site shall at all times comply with all other applicable ordinances, codes, and requirements of the City of Lowell.
4. This approval is expressly contingent upon the applicant obtaining a variance from the Board of Zoning Appeals for the proposed storage building and silos. No work may be

undertaken in furtherance of this portion of the project until the variance is obtained from the Board.

Please feel free to contact me if there are additional questions or comments.

2022					
Open Date	Close Date	Address	Name/Business	Subject	
01/19/2022	01/19/2022	204 W. Main	Richard Craig	Remodel	
04/06/2022	04/06/2022	825 Hunt Street	Angela Ingram	Re-roof	
04/14/2022	04/19/2022	510 Kent Street	Ridgeline Construction	Deck	
04/20/2022	04/21/2022	671 Birchwood Ct	Max Hilton Builders	Deck	
04/21/2022	05/02/2022	755 Alden Nash	Dan Godinez	Shed	
04/26/2022	05/10/2022	151 S. Center	Paul Dykema	New Home	
05/10/2022	05/11/2022	506 Avery	Paul Schramm	Deck	
05/17/2022	05/18/2022	1150 Sibley	Todd West	Basement Finish	
06/08/2022	06/08/2022	2523 Gee Drive	Glen Groeneweg	Pool	