



301 East Main Street
Lowell, Michigan 49331
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PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
AGENDA
FOR THE REGULAR MEETING OF
MONDAY, AUGUST 8, 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. June 13, 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 – C-1 Neighborhood Business District Rezoning
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, JUNE 13, 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 Amanda Schrauben, Collin Plank, Marty Chambers and Chair Bruce Barker.

Absent: Commissioner Dave Cadwallader, Michael Gadula and Tony Ellis.

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

2. EXCUSE OF ABSENCE.

IT WAS MOVED BY CHAMBERS and seconded by PLANK to excuse the absence of Commissioners Ellis, Cadwallader and Gadula.

YES: Commissioner Chambers, Commissioner Plank, Commissioner Schrauben, and Chair Barker.

NO: None. ABSENT: Commissioners Cadwallader, Ellis and Gadula. MOTION CARRIED.

3. APPROVAL OF AGENDA.

IT WAS MOVED BY CHAMBERS and seconded by PLANK to approve the agenda as written.

YES: Commissioner Schrauben, Commissioner Plank, Commissioner Chambers and Chair Barker.

NO: None. ABSENT: Commissioner Cadwallader, Ellis and Gadula. MOTION CARRIED.

4. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETINGS.

IT WAS MOVED BY CHAMBERS and seconded by PLANK to approve minutes of the May 09, 2022 Regular Meeting as written.

YES: Commissioner Plank, Commissioner Chambers, Commissioner Schrauben, and Chair Barker.

NO: None. ABSENT: Commissioner Ellis, Cadwallader and Gadula. MOTION CARRIED.

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

There were no comments.

6. OLD BUSINESS.

There is no old business.

7. **NEW BUSINESS**

a.) **Public Hearing – 2531 W. Main Street – Scooter’s Special Land Use.**

Krisandra Parker who resides at 2950 Dean Parkway in Minneapolis spoke on behalf of Scooter’s and explained what their intent is for the special land use. Parker also noted parking lot would be increased.

Chair Barker opened the Public Hearing.

Commissioner Schrauben asked about the zoning moving forward and the curb cuts.

Dean Lonik who resides in Cascade and representing West Main and D & D Trucking spoke and explained they are still in negotiations on the entranceway.

Chair Barker suggested tabling this special land use at this time because of the three issues 1) rezoning 2) driveway concern 3) storm water draining into M-21, which requires MDOT permit.

Chair Barker closed the Public Hearing.

Andy Moore with Williams & Works agreed it was best to wait and will notify the Commission if things are ready by the July 11, 2022 Planning Commission meeting.

IT WAS MOVED BY BARKER and seconded by PLANK that the Planning Commission recommend postponing the decision on Scooters Special Land Use at 2531 W. Main Street until all issues are resolved.

YES: Commissioners Chambers, Schrauben, Plank and Chair Barker.

NO: None. ABSENT: Commissioner Cadwallader, Ellis and Gadula. MOTION CARRIED.

b.) **Public Hearing – 139 S. Broadway and 149 S. Broadway- King Milling Additions – Site Plan Review.**

Jim Doyle representing King Milling who resides at 222 W. Main Street explained that his company is growing and they need another mill to make more flour.

Chair Barker opened the Public Hearing.

Andy Moore with Williams & Works then walked through the site plan review and provided background stating King Milling has applied for site plan review for the construction of a proposed mill building, silos and a truck loadout located on 149 S. Broadway. The subject property has a combined area of approximately 3.2 acres and is part of King Millings 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 conduct 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.

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

The Commissioners and Andy Moore found that all the standards are met.

IT WAS MOVED BY BARKER and seconded by CHAMBERS that the Planning Commission approve that the Site Plan Review Standards A- F as met.

YES: Commissioner Schrauben, Commissioner Plank, Commissioner Chambers and Chair Barker.

NO: None. ABSENT: Commissioner Cadwallader, Ellis and Gadula. MOTION CARRIED.

There were no public comments.

Chair Barker closed the public hearing.

Moore than went through the conditions attached to the approval of the special land use.

- 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 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) This approval is expressly contingent upon the applicant obtaining a variance from the Board of 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.

IT WAS MOVED BY BARKER and seconded by CHAMBERS that the Lowell City Planning Commission approve the Special Land Use for 139 S. Broadway and 149 S. Broadway – King Milling Additions with the conditions as listed above.

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

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

8. **STAFF REPORT.**

City Manager Michael Burns stated he is working with River City Cannabis, there odor is under control now and should be all set. Also working with New Union on their parking lot, hoping to have it completed within 60 days.

9. **COMMISSIONERS REMARKS.**

Commissioner Chambers questioned if the white house near the Admiral and Joyology is being rented out. Moore said it should not be. City Manager Michael Burns will look into it.

Chair Barker reminded everyone of the joint session (Vergennes, Lowell Township and Lowell City Planning Commission) at Lowell Township on Monday June 27, 2022 at 7:00 pm and invited City Manager Michael Burns and anyone else on the City Council is welcome that would like to come.

Commissioner Chambers thanked the City Clerk Sue Ullery for getting a Councilmember something to cover up in at the last meeting.

10. **ADJOURNMENT.**

IT WAS MOVED BY CHAMBERS and seconded by PLANK to adjourn at 7:42 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk

SECTION I. Zoning Map Amendment

1. Street Address and/or Location of Request: 815 West MAIN st

2. Parcel Identification Number (Tax I.D. No.): # 41-20-02-352-009

3. Applicant's Name William McElroy Phone Number 616-890-4089

Address 10605 scenic Bluff Ln ADA, MI 49301
Street City State Zip

Fax Number _____ Email Address BMcElroy1226@gmail

4. Are You: Property Owner Owner's Agent Contract Purchaser Option Holder

5. Applicant is being represented by: N/A Phone Number _____

Address _____

6. Present Zoning of Parcel C3 Present Use of Parcel SINGLE Family

7. Master Plan Future Land Use Classification _____

8. Please use the lines below to state the request and the reason(s) for the request:
(attach additional pages as necessary)

Single family home with pole barn. Would like rezoned to allow new owners to keep it as single family and to open up market for financing purchase by a new owner

9. For this application to be complete, the following information must be included:

- A map clearly illustrating the property to be considered for a zoning change, and the current zoning of all properties within ¼ mile, if applicable
- A legal description of the property to be considered for a rezoning, if applicable

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

Signature: [Signature] Date: 6/28/22

Type or Print Your Name Here: William R McElroy



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CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning Citizens Advisory Commission will hold a public hearing on Monday, August 8, 2022 at 7:00 pm., in the City Hall at 301 East Main Street, Lowell, Michigan. The subject of the hearing will be:

Proposal to rezone 815 West Main Street, 807 West Main Street, and 803 West Main Street from C-3 General Business to C-1 Neighborhood Business

Mr. William McElroy has submitted an application to rezone his property located at 815 West Main Street from the C-3 General Business District to the C-1 Neighborhood Business District. The City of Lowell has expanded this request to include 807 West Main Street and 803 West Main Street, which are also proposed to be rezoned from the C-3 General Business District to the C-1 Neighborhood Business District.

Copies of documentation on the rezoning request and the City's Zoning Ordinance are available for public viewing during regular business hours at Lowell City Hall, 301 East Main Street, Lowell, Michigan. Written Comments will be received until the night of the hearing.

If you are planning to attend this hearing and are handicapped requiring any special assistance, please notify the City Clerk by calling at (616) 897-8457 as soon as possible.

Respectfully,

Susan Ullery
City Clerk

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: August 4, 2022
From: Andy Moore, AICP
Tanya DeOliveira, AICP
RE: C-1 Neighborhood Business District Rezoning

Mr. William McElroy has applied to rezone his property located at 815 West Main Street from the C-3 General Business District to the C-1 Neighborhood Business District. After discussion and evaluation of adjoining properties, the City expanded the request to encompass 807 and 803 West Main, each of which is similarly situated to 815 West Main. The purpose of this memo is to review the request pursuant to the requirements of Chapter 22 of the Lowell Zoning Ordinance.



Background. Currently, the homes are legally nonconforming due to their use as a residence in the C-3 district, where single-family residences are not permitted. If a single-family dwelling located on any one of the subject properties is completely destroyed, it cannot be rebuilt under the terms of the zoning ordinance. This has caused an issue for property owners looking to sell, as mortgage lenders will not guarantee a loan for the purchaser on a building that may not be rebuilt if it is destroyed. It also tends to discourage, or in some cases, prevent property owners from expanding, remodeling, or making other changes to their property. Thus, the applicant has requested a rezoning to the C-1 Neighborhood Business District so that the properties would become conforming.

Review Standards. In making a decision on a zoning amendment, the planning commission and city council shall consider the standards below. Those standards, along with our remarks on each, are as follows:

- a. if the proposed zoning amendment is consistent with the goals, policies, and future land use map of the city's master plan; or, if conditions have changed significantly since the master plan was adopted, if the zoning amendment is consistent with recent development trends in the area;

Remarks: In the autumn of 2019, a similar recommendation came before the Planning Commission for six nonconforming single-family residential properties located on Main Street between Smith and Amity to be rezoned to the C-1 Neighborhood Business District. These properties had the same nonconforming issue that is facing these properties.

The proposed zoning amendment for 815 West Main, 807 West Main, and 803 West Main follows that same logic, and would be consistent with the future land use map for the identified parcels. The future land use map shows that the parcels are intended to be used for business. By allowing a mixture of business and residential uses, the Master Plan would be followed in that the land could still transition over time to commercial uses. This would allow the parcels to remain consistent with the City's zoning and future land use map, but allow the property owners to make improvements and expansions in the meantime.

- b. if the zoning amendment is compatible with existing or future land uses in the vicinity; and

Remarks: The existing land uses at 815 West Main is a single-family house, 807 West Main is vacant, and 803 West Main is a single-family house. The parcel immediately to the north at 140 Pleasant is a mobile home park. The parcel to the west of the subject properties at 823 West Main is currently vacant.

There is a mixture of commercial and residential uses on the parcels in the area. The proposed zoning amendment allows for the subject parcels to be compatible with the existing land uses in the vicinity while also allowing for them to continue as residential homes. The future land use map indicates that all of the parcels listed above are planned for commercial uses. Changing the three subject parcels to C-1 Neighborhood Business District aligns with the proposed future land uses in the vicinity.

- c. if the site is capable of accommodating all uses allowed by the zoning change, considering existing or planned public infrastructure, including streets, sanitary sewers, storm water, water, sidewalks, and street lighting.

Remarks: The site contains connections to the existing street and sidewalk network, sanitary sewers and stormwater systems, public water systems, and is lit by the existing on-street lighting. Each of the three subject parcels can accommodate the zoning change and accommodate all uses allowed by right in the C-1 Neighborhood Business District.

At the August 8 public hearing, the Planning Commission should carefully listen to the input from the applicant, the other residents, and the public. Subject to those comments, we suggest that the Planning Commission recommend approval of the request to the City Council.

As always, feel free to contact me if there are any questions.

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
06/13/2022	06/13/2022	249 Elizabeth Dean	Stacy VandenAkker	Roof
06/27/2022	06/27/2022	2111 W. Main	Tractor Supply	Inside Remodel
07/08/2022	07/08/2022	1300 Jane Ellen	Isaac Towner	Deck
07/19/2022	07/19/2022	2420 Gee Drive	John and Lori Gerard	Re-roof
08/03/2022	08/03/2022	1625 Sibley	Shane Chidester	Reside and Re-roof