



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, SEPTEMBER 12, 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 27, 2022 Joint Planning Commission meeting and the August 8, 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 – Pro Seal Storage – 1251 Bowes Road
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, AUGUST 08, 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, Dave Cadwallader, Marty Chambers, Tony Ellis and Chair Bruce Barker.

Absent: Commissioners Collin Plank and Michael Gadula

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

2. **EXCUSE OF ABSENCE.**

IT WAS MOVED BY SCHRAUBEN and seconded by CHAMBERS to excuse the absence of Commissioners Plank and Gadula.

YES: Commissioner Chambers, Commissioner Cadwallader, Commissioner Schrauben, Ellis and Chair Barker.

NO: None. ABSENT: Commissioners Plank and Gadula. MOTION CARRIED.

3. **APPROVAL OF AGENDA.**

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

YES: Commissioner Schrauben, Commissioner Ellis, Commissioner Chambers, Commissioner Cadwallader and Chair Barker.

NO: None. ABSENT: Commissioners Plank and Gadula. MOTION CARRIED.

4. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETINGS.**

IT WAS MOVED BY ELLIS and seconded by CADWALLADER to approve minutes of the June 13, 2022 Regular Meeting as written.

YES: Commissioner Ellis, Commissioner Chambers, Commissioner Schrauben, Commissioner Cadwallader and Chair Barker.

NO: None. ABSENT: Commissioners Plank and Gadula. MOTION CARRIED.

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

Bill Schereur who resides at 538 Flat River asked what the exact property for the Scout Park is. He would like a clear distinction.

Andy Moore with Williams & Works is unsure but will look into it and get back with an answer.

6. **OLD BUSINESS.**

There is no old business.

7. **NEW BUSINESS**

a.) **Public Hearing – C-1 Neighborhood Business District Rezoning.**

Chair Barker opened the Public Hearing.

Andy Moore with Williams & Works referred to rezoning that took place in 2019. Then Moore reviewed the background stating 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 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.

Moore then reviewed the standards and found that all the standards are met and recommended that the Commissioners bring this to City Council for approval.

Chair Barker asked if there were any public comments. There were none.

The Planning Commissioners also found that all the standards had been met.

Chair Barker closed the Public Hearing.

IT WAS MOVED BY BARKER and seconded by CADWALLADER that the Planning Commission move forward and recommend the Lowell City Council approve 815 West Main, 807 W. Main and 803 West Main from C-3 General Business to C-1 Neighborhood Business.

YES: Commissioners Chambers, Schrauben, Cadwallader, Ellis and Chair Barker.

NO: None. ABSENT: Commissioner Plank and Gadula. MOTION CARRIED.

8. **STAFF REPORT.**

There were no reports.

9. **COMMISSIONERS REMARKS.**

Commissioner Ellis asked about the minutes from the joint meeting with Lowell Township and Vergennes Township. Also asked the status of New Union Brewery.

City Clerk Sue Ullery will check on them and add to next agenda packet.

Commissioner Schrauben asked what the status is on the Scooters Special Land Use application and about the storage containers outside Tractor Supply.

City Clerk Sue Ullery said she was in contact with the Scooters representative and she said there is nothing further at this point.

The storage containers outside of Tractor Supply are for their remodeling.

10. **ADJOURNMENT.**

IT WAS MOVED BY CADWALLADER and seconded by ELLIS to adjourn at 7:24 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk

**LOWELL CHARTER TOWNSHIP
2910 ALDEN NASH AVE SE LOWELL, MI 49331
JOINT PLANNING COMMISSION MEETING MINUTES
JUNE 27, 2022**

**1 CALL TO ORDER: LOWELL TOWNSHIP PLANNING COMMISSION CHAIR,
DAVE SIMMONDS CALLED THE MEETING TO ORDER AT 7:00 P.M.**

2 MEMBERS PRESENT:

Dave Simmonds, Lowell Twp PC Chair. Mark Batchelor, Lowell Twp PC Vice-Chair. Bill Genovich, Lowell Twp PC Member. Bruce Barker, Lowell City PC Chair. Amanda Schrauben, City of Lowell PC Member. David Cadwallader, City of Lowell PC Vice-Chair, Mike Gadula, City of Lowell PC Member. Ryan Carrigan, Vergennes Twp Zoning Administer. Angie Wilcox, Lowell Twp Deputy Clerk. Ronda Benedict, Lowell Twp Treasurer & PC Member. Mike Burns, City of Lowell Manager. Rick Gillette, Vergennes Twp Trustee & PC Member.

3 GENERAL:

- A. WIND ENERGY SYSTEMS REQUESTS: Ryan Carrigan- Vergennes Twp has not received any requests for Wind Energy Systems. Ryan Carrigan also works for a Wind and Solar Farm Company and for Grattan Twp. Vergennes Twp & Grattan Twp both have Wind Energy Ordinances. The proximity of the townships represented in the meeting to the airport make wind energy not feasible. There are a big concentration of Wind Energy Systems in the thumb area of Michigan. Wind Energy Systems are a greater tax revenue, you can still farm the land, and a good method of land preservation because you can't build houses under them.
- B. SOLAR ENERGY SYSTEMS REQUESTS: Ryan Carrigan- Much stronger solar resources by the southern state line. Solar Energy Systems have become cheaper and more efficient over the last decade. There is a 345KV line that runs through Grattan Twp, Vergennes Twp, and Ada Twp. Dave Simmonds- A number of Lowell Twp farmers have been approached by Solar Farms Companies and the farmers have declined to participate so far. Lowell Twp is in the process of writing a Solar Energy Systems Ordinance and allowing them in the flood plains. Mike Burns- Lowell Light & Power plans to be completely off of coal in the next 10 years and are looking at the alternative energy systems.
- C. ODORS FROM PRIVATE MARIJUANA GROWING COMPLAINTS: Bruce Barker- 11 Marijuana operations have passed thru the Lowell City Planning Commission. There are 6 active operations now. Mike Burns- there are 3 Marijuana Grow Facilities in the City of Lowell- 2335 W. Main St, the old Hooper building, and Premier. The facility in the Lowell City Mall had odor issues. Noxious Odor Ordinances can address the marijuana odors. The City of Lowell has marijuana odor rules built into the Zoning Ordinance.

D. AREA GROWTH OPPORTUNITIES & CHALLENGES: Dave Simmonds- Barndominiums are becoming popular as well as barn wedding venues. Lowell Twp Ordinances do not allow living quarters in barns. Ryan Carrigan- Barndominiums need to be built to state building code as a dwelling. There are 2 venues in operation in Vergennes Twp. Bruce Barker- Water & Sewer issues in the Twp & City. Congratulations to Lowell Twp on their wonderful bridge and park. Looking forward to the joint splash pad and new walking trail. Dykema is mining the sand on Bowes Rd and will add a lake and condos. Mike Burns- the new pedestrian trail will run parallel with the river on Bowes Rd, underneath Hudson, and east to Saranac. The City needs to do an expansion on the water treatment plant as well as add some wells. There needs to be discussion with Lowell Twp about the size and cost of an expansion. The plant has a 1.5 million gallon capacity. The water restrictions needed to go into place because the plant was pushing about 1.3 million gallons a day. The City is not expanding or adding growth. Ronda Benedict- the water restrictions are needed to get a handle on the usage and not make citizens' lives miserable. Mike Burns- King Milling \$42 million facility expansion. More train and truck traffic. Bruce Barker- King Milling added a large new customer and remodeled their building.

4 LOWELL TOWNSHIP:

A. PUBLIC SAFETY MILLAGE: Dave Simmonds- Lowell Twp has an 8-year 1.0 Millage request on the August ballot. Mike Burns- The Lowell Area Fire Authority has a full roster including a full-time Chief and firefighter.

5 CITY OF LOWELL:

Mike Burns- On Washington St by the Boy Scout Cabin, The City owns a house and 3-acre lot in Vergennes Twp that the City has been renting to a family for over 40-years. The City would like to keep the 1.5 acre tree-line part of the property between the Boy Scout Cabin and the parcel in Vergennes Twp. Bruce Barker- would like to invite everyone to try out one of the 5 or 6 restaurants that the City has recently opened. The well-regulated marijuana facilities have increased and improved property values. Mike Burns- The City hasn't received any new marijuana facility applications. The City has received enough marijuana tax revenue to pave 8 streets.

6 VERGENNES TOWNSHIP:

Rick Gillette- Storage company is being built on Lincoln Lake and an addition to the storage building across the street. O.E. Bieri Industrial Park has some more buildings being built. The Industrial Park has a drain-field sewer system and wells.

7 NEXT MEETING: MARCH 2023 AT THE CITY OF LOWELL

8 ADJOURNMENT: MEETING ADJOURNED AT 8:15 P.M.

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.
- 9 copies of the site plan must be submitted to the City Manager's office no later than four weeks 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: 1251 BOWES RD.

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

3. Applicant's Name: DALE BIBBLER Phone Number 616-293-9363

Address: 11342 W. GRAND RIVER LOWELL MI 49331
Street City State Zip

Fax Number _____ Email Address PROSEALOO1@ICLOUD.COM

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

5. Applicant is being represented by: DALE BIBBLER Phone Number 616 293-9363

Address: 11342 W. GRAND RIVER - LOWELL

6. Present Zoning of Parcel C 3 Present Use of Parcel VACANT

7. Description of proposed development (attach additional materials if needed):

STORAGE

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

Signature: Dale Bibb Date: 8-1-22

Type or Print Your Name Here: DALE BIBBLER

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 _____

EXHIBIT A

Depiction of the Land



Access easement through 1251 W Main St
Lowell MI 49331

MEMORANDUM

To: City of Lowell Planning Commission
Date: September 7, 2022
From: Andy Moore, AICP
RE: Pro Seal Storage – 1251 Bowes Road

Mr. Dale Bibbler has applied for special land use approval to utilize the existing building located at 1251 Bowes Road (PPN 41-20-03-478-053) for a cold storage facility. The purpose of this memorandum is to review the request pursuant to Chapter 17 of the City of Lowell Zoning Ordinance.



Background

The subject property is approximately 3 acres in area and is located within the C3 General Business district. The applicant is proposing to utilize the existing building on the property for a cold storage facility. The site is currently vacant except for the pole barn. There is a baseball field to the rear of the site, adjacent to Bowes Road, that is currently unused.

Commercial storage warehouses are permitted in the C-3 district with special land use approval by the Planning Commission.

Completeness of Submission

The applicant has submitted only a completed application form for special land use. The City did not require the completion of a site plan review application as the application is not proposing any changes to the site.

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 with a variety of businesses including restaurants, offices, and other retail facilities. 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.

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

Remarks: The City of Lowell's Master Plan was adopted in 2007 and outlines a desired vision for land uses in the City. The subject property is located in the Mixed Use future land use category. This category is "intended to permit a mixture of residential, office, and commercial land uses but not necessarily in downtown style buildings." The Zoning Ordinance notes that the C3 district is compatible with the Master Plan's Mixed Use future land use category. The proposed use will add additional commercial activity to this mixed use area, but would not contribute to a pedestrian-oriented environment that could be compatible with residential and office uses. However, given its location set back far from Main Street and Bowes Road and the proposed use, pedestrian activity would be minimally affected by the facility.

- 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 available here, though the applicant has not indicated whether such facilities will be needed since the building will be used for storage purposes only. Utility connections would need to be reviewed, approved, and overseen by the DPW.

- 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. This is a passive use that will have a minimal effect on public facilities and services.

- 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: This is not expected to be an issue. To the extent that there is concern that hazardous materials could be stored on the property, it may be addressed as a condition of approval.

- 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.

Commercial Storage Warehouse 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 commercial storage warehouses as listed in Section 17.04 N. These standards are listed below, along with our remarks on each.

1. Minimum lot area shall be one (1) acre.

Remarks: The lot is 3 acres in area. This standard has been met.

2. A residence may be permitted on the premises for security personnel or on-site operator. The residence shall conform to the minimum requirements for a single-family dwelling in the R-2 District.

Remarks: This standard is not applicable.

3. Parking and circulation:

- a. One (1) parking space shall be provided for each ten (10) storage cubicles, equally distributed throughout the storage area. The parking requirement may be met with the parking lanes required for the storage area. The parking lanes may be eliminated when the access aisle does not serve storage cubicles.
- b. Two (2) parking spaces shall also be required for the residence of security personnel or on-site operator employed on the premises.
- c. One (1) parking space shall also be required for every twenty (20) storage cubicles, up to a maximum of ten (10) spaces, to be located adjacent to the rental office, for the use of customers.
- d. All driveways, parking, loading, storage, and vehicular circulation areas shall be paved.

Remarks: While this standard is intended for self-storage facilities, there exists adequate room on the property for parking.

4. A ten-foot wide buffer strip along the side and rear lot lines shall be provided

Remarks: This site is somewhat unusual in that it has frontage on Bowes Road, but access is provided from Main Street across 1250 W Main which was recently approved as a Joyology adult use marijuana establishment. Thus, if the northerly lot line is considered the front, there exists an adequate buffer on the site currently. To ensure that the Bowes Road frontage is not used as the front, it is recommended that conditions of approval include a statement prohibiting accessing the facility from Bowes Road.

Recommendation

At the September 12 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. Subject to those comments, the Planning Commission may approve the 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. Any exterior lighting shall comply with Section 4.24 of the Zoning Ordinance.
6. No outdoor storage shall be permitted.
7. Access to the property shall only be from Main Street through 1250 West Main as specified in the applicant's lease agreement. No access shall be taken from Bowes Road.
8. The special land use shall become null and void upon the expiration or termination of the lease agreement.

As always, please contact us if you have 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
08/10/2022	08/15/2022	147 N. Center	Straight Line Fence	Fence
08/19/2022	08/23/2022	429 N. Jefferson	Heidi Lynne	Renovation
08/17/2022	08/24/2022	421 N. Jefferson	Margaret Hoats	Pool demolition
09/08/2022	09/08/2022	901 W. Main	DCK Leasing	Parking lot replacement