

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, OCTOBER 9, 2023 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. September 11, 2023 Regular Meeting
- 4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
- 5. OLD BUSINESS
 - a. Site Plan Review 805 and 825 E. Main and 112 Horatio
 - b. Master Plan Update
- 6. NEW BUSINESS
- 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, SEPTEMBER 11, 2023 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.

Absent: None.

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

Woods, City Manager Michael Burns, Aman Pannu with William & Works.

Commissioners Gadula, Ellis, Chambers, Schrauben, Cadwallader, Plank and Chair Barker.

2. APPROVAL OF AGENDA.

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

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

NO: None.

Present:

ABSENT: None.

MOTION CARRIED.

3. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING.

IT WAS MOVED BY ELLIS and seconded by CHAMBERS to approve minutes of the August 14, 2023 regular meeting as written.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

There were no comments.

5. **OLD BUSINESS.**

a) Site Plan Review – 805-825 E Main & 112 Horatio.

Andy Moore with Williams & Works provided background and explained CopperRock Construction is seeking site plan approval for a mixed-use project located on 805 & 825 E Main St and 112 Horatio St. At the July meeting, the Planning Commission recommended approval of rezoning the property to the MU Mixed Use district to the City Council and postponed action on the site plan until the September meeting. The purpose of this memorandum is to review the request pursuant to Chapters 16A and 18 of the Lowell Zoning Ordinance. The applicant is proposing a mixed-use building that will consist of 44 apartment units and approximately 3,800 square feet of commercial space. The proposal includes a layout of 12 units per floor spread across three floors. The commercial space will be located on the first floor, specifically on the west side of the building, while the second and third floors will house the multi-family units.

Greg Taylor with CopperRock. then spoke stating Paul Henderson from Roosien & Associates and Chip Clark from Dixon Architechs are present to answer any detailed questions. Taylor stated CopperRock has followed

through on suggestions offered at the last meeting. They are trying to improve the gateway to City and believe everything has been done per ordinance and masterplan. Traffic concerns and speed have been investigated and over the last three years, it has been steady traffic; they are open to other conversations for vehicular safety and the lots will be policed by them. They did meet with neighbors and are adding a sidewalk along Avery based on the feedback. They do have an area for snow and there will be a fence along the west side for the neighbors. Also, considered ideas for parking along Main Street, some parking does calm traffic speed. Feels the project doesn't work if changed. Taylor noted he has asked several times to neighbors what they want and nothing viable comes up. Other operational items could be installing blinds in windows, a quiet enjoyment clause. 24/7 maintenance & property management functioning. Taylor asked that all consider these good faith gestures.

Chair Barker then opened up the public comments.

John Sterly who resides at 711 Avery spoke and noted he was not in favor of the proposed site plan.

Trudy Cahoon who resides at 2599 Gee Drive spoke and noted she is not in favor of the proposed site plan.

Joseph Phillips who resides at 721 E. Main St spoke and noted he is not in favor of the proposed site plan.

Shelby Phillips who resides at 721 E. Main St spoke and noted she is not in favor of the proposed site plan.

Madalyn LaPonsie who resides at 717 E. Main spoke and noted she is not in favor of the proposed site plan.

Donald LaPonsie who resides at 717 E. Main spoke and noted he is not in favor of the proposed site plan.

Craig Fonger who resides at 827 N. Washington suggested maybe parking underneath for more green space, asked the planning commission to table this for CopperRock to consider more ideas.

Kelly Bishop who resides at 123 N. Division spoke and noted he is not in favor of the proposed site plan.

Loretta Riley who resides at 818 E. Main spoke and noted she is not in favor of the proposed site plan.

John Layer who resides at 524 E. Main spoke and noted he is not in favor of the proposed site plan.

Tyler Kent who resides at 280 Jane Ellen spoke and noted he is not in favor of the proposed site plan, thinks perhaps it should be tabled.

Eric Bartkus who resides at 215 W. Main spoke about his bedroom right on Main Street and it being very loud near and it will be loud for the residents that choose these units to live in.

Maryalene LaPonsie who resides at 775 Alden Nash spoke and noted she is not in favor of the proposed site plan, doesn't believe it follows the Masterplan.

Bob Rawley who resides at 804 E. Main spoke and noted he is not in favor of the proposed site plan.

Patrick Bailey who resides at 823 Avery spoke and noted he is not in favor of the proposed site plan.

Rachel Rowley who resides at 804 E. Main spoke and noted she is not in favor of the proposed site plan.

Pam Rowley who resides at 804 E. Main spoke and noted she is not in favor of the proposed site plan.

Chair Barker thanked everyone for their comments and asked Mike Burns to address the water and sewer issue and also the parking on Main Street.

City Manager Michael Burns spoke and stated we operate our plant on daily consumption and we did a

calculation of the restaurant's in town and calulated the water use for a four month period, then we also did calculations based on our average residential units water usage and it varies anywhere between 4 to 5 units per month (each unit meaning 1,000 gallons). So we took those amounts and ran averages, we were looking at our average daily water usage for a restaurant is anywhere between 0.65 units to 1.25 units and we also took into account 44 units with the four and five units calculations and they range anywhere from just under six units per day to just over seven units per day. Those numbers themselves, when it comes to the issue with the 1.5 million gallons per day our water treatment plant and the restrictions, that's nominal and going to have no effect to our current situation. There is a bigger issue and that issue is going to resolve itself, one way or another. In regards to the water utility, Burns has heard a lot of concerns about the lines, there are two water mains, the water main that goes north off Division and there is a water main that goes off of Grove. There is no water main on Avery. The residents on Avery connect off of Division. There is adequate flow of the mains, the problem is the laterals are all intertwined and those are the homeowners responsibility. There is also the water main that goes down Main Street which has adequate flow and is not the issue. The sewer runs off of Avery, and it runs up to Main Street up to a certain point just before Horatio but all the residents that live on Avery already connect to the sewer off Avery but they got to go to Division. If the project did come through, we would look at repaving Division and Avery and looping a new water main down Avery to improve the flow. Parking restriction on Main is between 2 pm and 6 am from November 1, 2023 to April 1, we have that restriction and we would require that, so there would be no overnight parking on Main Street during the winter months. We may have to clean up the ordinance a little bit. Otherwise, the City Ordinance allows on street parking the rest of the time in a mixed use

City Clerk Sue Ullery read into record a letter from Sara Mehdi from Arrow Veterinary Clinic and was noted that she is in favor of the proposed site plan.

Chair Barker then closed the Public Hearing.

Andy then reviewed the site plan up to the standards starting with stating the proposed development is considered a "Mixed Use Development" which is permitted in the MU district by Section 16A.02 (A)of the Zoning Ordinance. A "Mixed Use Development" is defined as "A development consisting of one (1) or more buildings that contain a mix of commercial, office, retail, residential, recreational or similar land uses, or any combination of such uses. Dimensional requirements for the MU district are found in Section 16A.04. All dimensional requirements of the MU district are met. Minimum setbacks are encouraged and parking in the rear. There are Landscaping requirements in Section 4.26 E of the zoning ordinance. Typically when we apply the Landscaping standards, we are doing so when we are evaluating a parking lot or zoning ordinance. In this case because the building is pulled up to Main Street, there are not even landscaping requirements along Main Street. There are Landscaping requirements for the parking lot in the rear, most notably that they would need to add a couple of landscape islands within that existing parking lot where the entrances are off of Avery. The 6' fence proposed along the western border of the property cannot be any taller, or it would require a variance. The Landscaping on the north side of the parking lot between Avery and the lot there, would have to be 5' wide with a three foot fence or screen and that is was is being proposed. Headlight glare could be prevented by fencing. Parking is the big question. As the applicant mentioned, they are proposing new spaces per unit for the two bedroom units and one space per unit for the one bedroom units so that gets them to 70 month spaces but is required by the zoning ordinances two spaces for each unit. The restaurant requires about 37, which gets you about 125 spaces required by the zoning ordinance using the strict standards not looking at any sort of offsets. They have provided public as well to reach. 135 spaces are provided using Main Street parking.

Moore than asked Greg Taylor what the lighting was going to be, trash disposal, snow removal, ADA standards, and headlight glare shining to the north side of Avery or south side of Main facing north.

Greg Taylor wasn't sure on final lighting but would have security lighting and lighting levels would be followed. Trash would be based on experience and there would be dual entry. Noted there is zero interest in using the entire 1st floor for retail, they have intent for a restaurant but waiting on building approval before set in stone. Also washers and dryers will be in each unit. ADA standards will be met. Seasonal outdoor dining has been discussed but it would be a small area, nothing beyond the footprint of the building. Snow removal plan is to

have a specialized curb at the east end of the large parking lot so there is adequate area there to push and pile on our site rather than it not able to support any snow. They are planning to do different type of sidewalk system that we could push over in the kind of mid-site so we could store portions of the snow from both parking lots there. Also, there are areas in their commercial parking lot where we can push into our green areas to hold that snow. In an extraordinary snow event, we would export it. As far as the headlight glare, the fence on the Avery side of the property should help and the headlights that would be coming from southbound, most of those would be hitting the building, with the exception of those people that would be turning to the West and there will be a six foot fence along the entire property lines that should minimize any glare and we have shrubs and landscaping that we can strategically place and are still willing to take any suggestions and recommendations.

Moore then explained why the Planning Commissioners was not invited to the meeting that CopperRock held for the Lowell City residents as it could have been an open meetings act violation. Wanted to make sure this was a conversation between CopperRock developers and the neighbors. To give and get feedback what they want and don't want. Did not want the Commissioners to give impression that they are supporting one side or the other.

Chair Barker then opened it up to the Commissioners to ask questions or make comments.

Commissioner Schrauben asked if there was visitor parking.

Taylor said on-street parking for short visits, long-term stays would get a little more complicated but there are many variables. Parking will be enforced with parking sticker system or fob that hangs from your rear view mirror, and we can issue temporary permits and they can be enforced as well.

Commissioner Plank then wanted to confirm that the water issue we currently have could handle the additional housing units and restaurant that this proposed site plan would present.

City Manager Michael Burns confirmed that and said that the water issue will be resolved.

Chair Barker said also putting a main water line down Avery Street would be great if this was approved.

Commissioner Ellis thanked CopperRock for taking into consideration the neighbors' concerns and comments and appreciates them incorporating some of those into their design.

Commissioner Schrauben is not opposed to the development but is concerned with the traffic safety.

Moore explained if the Planning Commission were to approve this site plan, vacating Horatio would be listed as one of the conditions contingent for approval.

Chair Barker's concern is also traffic and putting that many on Avery, could there be some realignment with the restaurant, maybe a few less apartments and some kind of access off Main Street to drive into the development.

Moore then suggested the Planning Commission tell the developers what you would like before they go through all the Standards.

The Planning Commissioners continued talking about parking and the street safety at length.

City Attorney Jessica Wood stated we need to either table or go through the Standards.

IT WAS MOVED BY CHAMBERS and seconded by ELLIS that the Planning Commission Review the Standards A-F.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

Chair Barker stated the Commissioners are to vote on each standard as they go through them.

Andy Moore than review the site plan standards A-F.

IT WAS MOVED BY BARKER and seconded by CHAMBERS that Standard A has been met.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Chambers, Commissioner Gadula.

NO: Commissioner Schrauben, Commissioner Plank, and Chair Barker. 4-3 MOTION CARRIED.

IT WAS MOVED BY BARKER and seconded by GADULA that Standard B has not been met, and to deny.

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

NO: Commissioner Chambers, Commissioner Ellis. 5-2 Motion to Deny Carried.

IT WAS MOVED BY BARKER and seconded by CADWALLADER that Standard C has not been met, and to deny.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Chambers, Commissioner Gadula, Commissioner Plank, Chair Barker, Commissioner Schrauben

NO: None.

ABSENT: None.

MOTION CARRIED.

IT WAS MOVED BY BARKER and seconded by CADWALLADER that Standard D has been met.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Chambers, Commissioner Gadula, Commissioner Plank, Chair Barker, Commissioner Schrauben

NO: None.

ABSENT: None.

MOTION CARRIED.

IT WAS MOVED BY BARKER and seconded by CADWALLADER that Standard E has been met.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Chambers, Commissioner Gadula, Commissioner Plank, Chair Barker, Commissioner Schrauben

NO: None.

ABSENT: None.

MOTION CARRIED.

IT WAS MOVED BY BARKER and seconded by CADWALLADER that Standard F has been met.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Chambers, Commissioner Gadula, Commissioner Plank, Chair Barker, Commissioner Schrauben

NO: None.

ABSENT: None.

MOTION CARRIED.

Chair Barker then stated that B & C Standards are not met so they will table the request for CopperRock to make adjustments to their plan.

IT WAS MOVED BY BARKER and seconded by CHAMBERS to table the site plan approval until October meeting.

YES: Commissioner Cadwallader, Commissioner Ellis, Commissioner Chambers, Commissioner Gadula, Commissioner Plank, Chair Barker, Commissioner Schrauben

NO: None.

ABSENT: None.

MOTION CARRIED.

b.) Master Plan Update.

Andrew Moore stated Williams & Works staff is working on the public survey. They attended the summer concert series on Thursday 8-17-23 but had tornado weather interrupt so they are looking for another event to attend to get the survey out to residents.

Commissioner Chambers suggested Market on Main Street, which will be the second Saturday in October.

NEW BUSINESS

There was none.

STAFF REPORT.

There was none.

8. **COMMISSIONERS REMARKS.**

Moore thanked everyone for your patience for the long meeting.

Greg Taylor asked given the relatively short length of Grove Street, when Moore talks to M-DOT, could he also ask about the Grove Street curb cut given the prolixity to Main.

Tyler Kent 280 Jane Ellen commented on the Master Plan and the elements being put into that plan.

9. ADJOURNMENT.

IT WAS MOVED BY CHAMBERS and seconded by CADW	VALLADER to adjourn at 9:36 p.m.
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DATE:	APPROVED:	
Bruce Barker, Chair	Susan Ullery, Lowell City Clerk	

Request Number:	
Filing Fee:	

decision made in response to it.



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.

• A	fter approval, public works and building permits must be secured before construction may commence.
	Street Address and/or Location of Request: 805 & 825 E. Main; and 112 Horatio
	Parcel Identification Number (Tax I.D. No.): #41-20-
	CopperRock Construction Applicant's Name: for an entity to be named Phone Number (616) 920-1655
	Address: 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
	Fax Number N/A Email Address gregt@copperrockconstruction n.com
•	Are You: ☐ Property Owner X Owner's Agent ☐ Contract Purchaser ☐ Option Holder
	Applicant is being represented by: Greg Taylor Phone Number (616) 840-5516
	Address: 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
e.	Vacant Building, parking lot, Present Zoning of Parcel C3 & R3 Present Use of Parcel and 2-unit residential
	Description of proposed development (attach additional materials if needed):
	Combine parcels, including the vacating or Horatio Street, to develop a new 44-unit,
	market rate, apartment project with approximately 3,800 sq. ft. of commercial space.
he fa	cts presented above are true and correct to the best of my knowledge.
ignat	ure: Date: June 9, 2023
уре с	r Print Your Name Here: Gregory Taylor
roper	ty Owner Approval: As owner I hereby authorize the submittal of this application and agree to abide by a

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.

		INITIAL
1.	Date, north arrow and scale (not more than 1" = 100', supplementary site plans at a 1" = 50' or larger scale are encouraged)	INITIAL
2.	A city locational sketch	
3.	Legal description and City address of the subject property	
4.	The size in acres or square feet of the subject property	
5.	All lot and/or property lines with dimensions, including building setback lines	
6.	The location of all existing structures within one hundred (100) feet of the subject property's boundary	
7.	The location and dimensions of all existing and proposed structures on the subject property	
8.	The location and dimensions of all existing and proposed:	
٠.	■ Drives	
	curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval)	
	sidewalks -	
	exterior lighting	
(8)	 curbing parking areas (include and delineate the total number of parking spaces showing dimensions 	
	of a typical space)	
	unloading areas	
	recreation areas	
	common use areas	
	areas to be conveyed for public use and purpose -	
9.	The location, pavement width and right-of-way width of abutting roads, alleys or easements	
	The existing zoning of all properties abutting the subject project	
11.	The location of all existing and proposed:	
	■ landscaping and vegetation =	
	 location, height and type of existing and proposed fences and walls 	
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	
14.	The location and size of septic and drain fields	
	Contour intervals shown at five (5) foot intervals	
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

Commi would r	neet eac	ust find that the request meets the following standards. Please describe now the proposed project th standard.
A.	Each a meets t	pplication shall be reviewed for the purpose of determining that the proposed special land use he 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;
		The proposed project would supply modern housing and transitional uses to
		support the Master Plan and improve the east gateway to downtown.
	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 property is currently served by all municipal utilities and has abundant
		on-street parking.
	3.	Not create excessive additional requirements at public cost for public facilities and services; and
		No additional cost or service burden is anticipated.
	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.
		No negative impact is anticipated.
uses th	at must	of the City of Lowell Zoning Ordinance lists specific standards pertaining to special land be met. Please respond to those standards below as it pertains to the proposed project, the standards would be met by this proposal:
		st of our knowledge, the submitted plans and specifications meet or exceed
		rements in Section 17.04 of the City of Lowell Zoning Ordinance, as prepared
pr	epared	by the architect, civil engineer, and others on behalf of Applicant.



engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission

Date: October 5, 2023
From: Andy Moore, AICP

RE: Mixed Use Development - 805 & 825 E Main and 112 Horatio

As you know, CopperRock Construction is seeking site plan approval for a mixed-use project located on 805 & 825 E Main St and 112 Horatio St. At the September meeting, the Planning Commission reviewed and discussed the proposed site plan and postponed action on the site

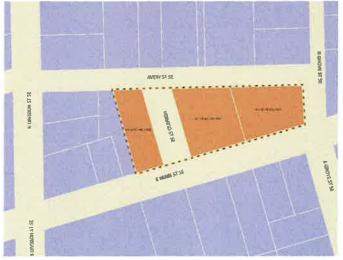
plan until the October meeting. The purpose of this memorandum is to review the updated site plan pursuant to Chapters 18 of the Lowell Zoning Ordinance

Background. As shown in the figure on the right, the subject property consists of three parcels that are separated by the Horatio Street right-of-way. The total acreage of all the properties combined (including Horatio St) is approximately 1.46 acres.

The applicant is proposing a mixeduse building that will consist of 39 (down from 44) apartment units and approximately 3,800 square feet of commercial space. The commercial space will be located on the first floor, specifically on the west side of the building, while the second and third floors will house the multi-family units. The eastern side of the site will only have two floors, while the central and

Approval of the development is dependent on the vacation of Horatio Street between East Main Street and Avery Street. The City Council approved the rezoning of the site to MU in July and that rezoning is now effective. The process to vacate Horatio Street has begun but has not yet been completed and its outcome at this point is unclear. However, the process of vacating a street is separate from the site plan review process, so the Planning Commission should continue its review of the site plan at the next meeting.

A revised site plan was submitted by CopperRock on October 4, 2023. This site plan is substantially similar to the initial site plan, with a few changes, which are summarized broadly below:



western sides of the building will be three stories.

- As noted above, the development contains 5 fewer residential units (39, instead of 44)
- The east side of the building is now two stories instead of three
- The setback on the western side of the building has been increased to 20 feet (from 15 feet)
- The front yard setback is now 7.5 feet (increased from 5 feet)
- The applicant states that 100% of resident parking will be provided on-site. With 39 units, 78 spaces are required for the residential component. These will be located in a parking lot behind the building, which ontains 91 spaces. In addition, the two parking lots have been joined into one parking lot and the dumpster has been relocated.
- Sidewalks have been added along Avery and Grove Streets.

The balance of this memo contains our review of the revised site plan.

SITE PLAN REVIEW

As stated above, the proposed development is considered a "Mixed Use Development" which is permitted in the MU district by Section 16A.02(A) of the Zoning Ordinance. A "Mixed Use Development" is defined as "A development consisting of one (1) or more buildings that contain a mix of commercial, office, retail, residential, recreational or similar land uses, or any combination of such uses." Mixed Use developments are permitted by right in the MU district, so while public comments relating to the application may be accepted, no public hearing is needed.

Completeness of Submittal. Section 18.04.B lists the required items necessary for a final site plan review. The applicant has submitted all necessary items and we find this application to be complete for review.

Setbacks and Dimensional Requirements. Dimensional requirements for the MU district are found in Section 16A.04. All dimensional requirements of the MU district are met.

Landscaping and Screening. Section 4.26 E provides specific landscape requirements. Because the MU district seeks a downtown-style development pattern, extensive landscaping is not required. The applicant has proposed landscaping in several locations along E Main Street in front of the proposed building, adjacent to the sidewalk. Additional landscaping is proposed for the east side of the property near Grove Street.

A dumpster enclosure is proposed on the west side of the parking lot, adjacent to the westerly lot line. It would be enclosed and would accommodate both commercial and residential uses.

A 3-foot fence is proposed along the south side of Avery Street, between the parking lot and the street, and a 6-foot stockade fence is proposed on the western property line. This is consistent with the parking lot screening requirements of Section 4.26(E)(3)(b)(1). However, the fence materials should be discussed and shown on the site plan.

Parking lots are required to have one landscaped island per each 20 parking spaces. Since the residential parking lot contains 91 spaces, four islands are required. The applicant has provided six islands if the "peninsulas" are counted near the entrances to the parking area from Avery Street and the connection between them (which they are).

Parking. Dwelling units require two spaces per unit, and restaurants require two spaces for each two persons permitted based on the maximum occupancy load, or 1 per 100 square feet, whichever is greater. The applicant has proposed a total of 91 off-street spaces. 78 of these would be for the residential units. The commercial (restaurant) component of the building requires 38 spaces. 13 spaces for the restaurant are provided in the parking lot to the rear (north) of the restaurant. In addition, the applicant may count public on-street and off-street parking spaces within 400 feet of the site toward the required minimum. The site plan indicates that 17 on-street spaces would be available along the north side of E Main Street, which appears to be a reasonable approximation. Another six on-street spaces are located on the south side of Main Street across from the property.

The Zoning Ordinance grants the Planning Commission significant latitude in the application of parking requirements to allow for maximally productive uses of land in the City. On-site, a total of 91 spaces are proposed. When the additional 17 spaces are counted along the north side of Main Street, the total amount of parking available on or immediately adjacent to the site is 108 spaces, which is eight short of the required total. When the six spaces on the south side of Main Street are counted, the total parking provided is 114 spaces. There are additional on-street parking spaces available along Main Street to the west, which are within 400 feet of the property and therefore could be counted.

While it is acknowledged that there are overnight winter parking restrictions that would make onstreet parking infeasible at times for overnight use, the applicant has indicated that <u>all</u> required parking for the dwellings units would be provided in the off-street parking lot, and the restaurant would be a more suitable use for the on-street spaces, since the restaurant will not be open during times when on-street parking is prohibited. We are inclined to agree.

Signage. Signage is proposed on the east side of the property. The sign appears to meet zoning requirements, but a rendering has not been provided. As a condition of approval, the Planning Commission may require the applicant to receive a sign permit and comply with Chapter 20 of the Zoning Ordinance. It may also specify the type of sign desired (e.g. a ground sign) if deemed appropriate.

Site Plan Review Criteria. Section 18.06 of the Zoning Ordinance lists review standards for site plans. This section also states that these standards "shall be utilized by the planning commission in reviewing all site plans. These standards are intended to provide a frame of reference for the applicant in the preparation of site plans as well as for the reviewing authority in making judgment concerning them. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention, or innovation." In other words, the site plan review criteria must be reviewed and discussed but should not be considered firm standards that must be met. Rather, they are intended to guide the Planning

Commission's decision-making process to ensure that all key elements of the site are given adequate consideration.

For uses permitted by right, the Planning Commission must approve a site plan if it finds that all requirements of the Zoning Ordinance are met.

The standards of Section 18.06 are as follows, along with our comments 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 proposed use is a mixed use building consisting of two uses: multiple-dwelling residential and a restaurant. Mixed use buildings are permitted by right in the Mixed Use Zoning District. The site is located on Main Street and does not seem to impede the normal and orderly development or improvement of surrounding property for uses permitted in the zoning ordinance. The Planning Commission may find that this standard is 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. The applicant intends to vacate Horatio Street, allowing for the combination of three parcels and creating a larger corner lot that connects E Main Street, Grove Street, and Avery Street. Pedestrians can easily move around the site through the proposed network of sidewalks. Vehicular traffic can enter and exit the site using two points on Avery St. The entrance located near the western boundary provides access to the restaurant's parking lot, which is connected to the parking lot designated for the residential units. The entrance near the eastern boundary leads to the parking lot specifically designated for residential use of the property. It is recommended that the plan be reviewed by the City engineer or emergency personnel to verify if sufficient ingress/egress points have been provided, considering the traffic flow generated by the multifamily residential units.

At the last meeting, there was some discussion relative to parking lot access. We reached out to MDOT and were advised that a driveway connection from Groves to the parking lot was not advisable from an engineering standpoint, stating that "There is not sufficient separation from the adjacent conflict points (Avery and M-21)." This was confirmed by the City Engineer.

MDOT did not provide a firm yes or no relative to a driveway connection to Main Street, stating that it would likely need some modeling, which "could provide a better understanding for how the operations function and how the queues interact." MDOT also stated that a pedestrian crossing component could be planned "...as on-street parking seems to be prevalent in the neighborhood." This could be added to the site plan, or the City could plan for a mid-block crossing of Main Street in the future on its own.

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. As mentioned earlier, the City engineer or emergency personnel should review and verify if sufficient ingress/egress points have been provided, considering the traffic flow generated by the multi-family residential units. Vehicular connections seem adequate, and the site is well-connected within the site and to surrounding properties with concrete sidewalks. The Planning Commission may discuss this with the applicant.

ProgressiveAE provided a report on October 5 regarding traffic patterns for this project. This should be carefully reviewed by the Planning Commission, although we note that it concludes by stating that they "do not foresee any significant traffic-related issues with the development of this project as currently designed." This must be taken into consideration.

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. The existing properties lack notable natural features as the site is vacant and in need of improvement. To make space for the proposed structure, some trees on the subject parcel will need to be removed. As a measure to create a separation between the proposed structure and the residential dwellings across Avery Street, the applicant proposes to install a 3-foot fence along the northern boundary of the property. Additionally, canopy trees, shrubs, and grass cover will be incorporated to enhance the landscaping around the proposed building. A total of 17 trees and 45 shrubs have been proposed in the landscape plan. The Planning Commission will have an opportunity to discuss this matter with the applicant, hear public comments, and assess whether additional landscaping is necessary.

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 should be added 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 future land use map in the master plan proposes that several areas of the City should have a Mixed Use designation. This allows for a combination of residential, office, and commercial land uses, although not necessarily in a downtown-style building. The subject parcel is in one such area, and the MU district was enacted several years ago specifically to implement some of the mixed use recommendations of the Master Plan and foster this type of development. It appears that the proposed change in zoning is in line with the City's Master Plan, reflecting its goals, policies, and vision for future land use. The Planning Commission may find this standard met.

Recommendation. At the October 9 meeting, the Planning Commission should carefully listen to the input from the applicant and the public. The project appears to meet all requirements of the City Zoning Ordinance, and the applicant has made a good-faith effort to address community concerns regarding bulk, height, parking, circulation, and access. Thus, approval of the site plan last revised October 3, 2023 is recommended. If the Planning Commission is inclined to approve the project, the following conditions of approval are suggested:

- 1. Prior to the issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
- 2. No grading, preliminary, or final earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
- 3. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
- 4. This site plan approval is expressly contingent on Horatio Street being vacated in accordance with the proper statutory procedures.
- 5. The City engineer and emergency department personnel should review if the proposed buildings can be reached by emergency vehicles, and if the vehicular traffic flow will be efficient as provided by the applicant.
- 6. 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.

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



October 5, 2023

Michael T. Burns, ICMA Credentialed City Manager City of Lowell 301 East Main Street Lowell, MI 49331

Re:

Copper Rock, 805 East Main Street, Lowell Mixed Use Development

Site Plan and Traffic/Access/Circulation Review

Dear Mr. Burns,

Progressive AE has completed the review of the preliminary site plan, dated September 6, 2023, submitted for the above proposed project site located on East Main Street. Comments regarding the proposed access, internal circulation, expected trip generation and parking are noted below.

SITE PLAN REVIEW

The proposed development calls for the construction of 28 two-bedroom and 16 one-bedroom residential units and a 3,460 square foot restaurant located on the north side of East Main Street just west of Grove Street, including the vacation of Horatio Street. As proposed, access to the site will be provided by two driveways to Avery Street (one for each parking lot).

Based upon our review of the current plan we have the following comments:

- In general, the proposed driveway access to Avery Street is acceptable and should result in relatively clear use of each individual parking lot.
- A single access point for each parking lot is reasonable to accommodate the 44 residential units and 3,460 square foot restaurant.
- The 150+ foot spacing of the proposed driveways from other nearby roadways and each other is acceptable from a local access standpoint.

TRAFFIC, ACCESSS, AND CIRCULATION REVIEW

A quick calculation of the anticipated trip generation for the proposed site shows that it does not meet the criteria for a traffic impact study. While the residential and restaurant land uses will have a different traffic pattern than the existing roller rink and bowling alley, the expected number of trips is expected to be easily accommodated by the surrounding roadway network.

- The proposed residential units are expected to generate approximately 18 morning peak hour trips (4 inbound, 14 outbound) and 22 afternoon peak hour trips (14 inbound, 8 outbound).
- The proposed restaurant is expected to generate approximately 33 morning peak hour trips (18 inbound, 15 outbound) and 31 afternoon peak hour trips (19 inbound, 12 outbound).

The proposed site plan includes the vacation of Horatio Street. This change will also modify the current parking and circulation pattern. However, given that North Division Street and North Grove Street are within 350 feet of the proposed vacation, traffic will not have long distance to travel to be able to arrive at the desired location.

As noted above in the Site Plan Review access to two parking lots is proposed via Avery Street. This approach limits driveway access to East Main Street and is a safety benefit for the major through street in the area.

In summary, we do not foresee any significant traffic-related issues with the development of this project as currently designed. Please let us know if you have any questions or comments regarding the above brief review.

Sincerely,

Digitally signed by Christopher E. Zull
DN: C-US.
Exull@progressiveae.com.

Christopher E. Zull
D=Progressive AE, CN=Christopher E.
Zull
Reason: I am approving this document
Date: 2023.10.05.20:18.37-04'00'

Christopher E. Zull PE Practice Leader

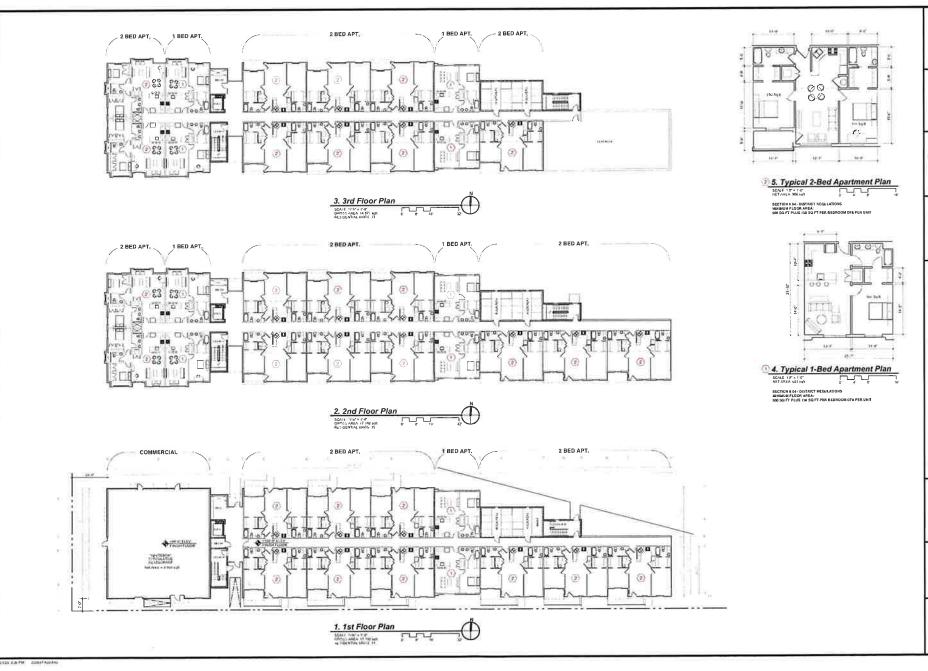
CEZ/rmf

PN972500011:01 ADMINIA2 CORRESPONDENCE\a Owner\2023 10 05 Site Plan Review docx

825 E. Main St. - Mixed-Use Development

Summary of Design Changes

- Reduced overall unit count to 39 apartments (previously 44 units)
 - (29) 2-bed units, (10) 1-bed units (previously (28) 2-bed, (16) 1-bed)
- Audited apartment unit sizes to ensure compliance with zoning ordinance
 - Minimum area of 500 sq ft + 150 sq ft per bedroom of dedicated floor area (DFA)
- Reduced east end of development to 2-story building height to facilitate a gradual transition in building height/mass; +27'-0" top of parapet proposed.
- New Building Size and position on site
 - Reduced length to 318'-0" (previously 320'-6")
 - Increased west side yard setback to 20'-0" (previously 15'-0")
 - Increased front setback to 7'-6" (previously 5'-0")
 - Reduced overall building area to 49,255 sq ft (previously 50,712 sq ft)
- Improved parking area
 - 100% of resident parking provided on-site per ordinance requirement of 2 stalls per unit:
 - 39 units = 78 stalls required; 91 stalls provided on-site
 - Cross-connection provided between drive aisles, with improved access to dumpster enclosure.
 - Enlarged primary drive entry to 28'-0" width.
 - Provided flush surface detailing between sidewalks and parking for snow plowing and snow storage on site.
- Site changes
 - Increased "green space" at south and west property lines
 - Added sidewalk along Avery and Grove
 - · Reduced impervious surfacing across entire development



R COMPAL FOR OCK \$20 ANA Town RW, Some \$50 Grand Rayme, PO #7500 p \$4041 702-1455

Grand Rapins, MI #1754 p. (6-e) 1922 7455 www.supperrocksonstruction.com

E. Main Street Mixed-Use ease Main Street wired-Use Lawil, Michigan 4934 Conceptual Floor Plans

Made in Michigan

Revisions.

SPR 06/08/2023

SPR 10/03/2023

Project No 222034

Issue Dale: 10/03/23

Reviewer KCD

Drawn By _____ DBC

A2.0





ARE	LIMATERIAL	MANUFACTURER STYLE		COLEM SHATE BOYS	
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Cixon ---

R OFFERROC 601 Fifth Street FOV, Sale 300 Grand Reputs, 711 49004 p. (618) 922-455

Conceptual Exterior Elevations E. Main Street Mixed-Use 825 E Main Sirvet Lowell, Michigan 49331

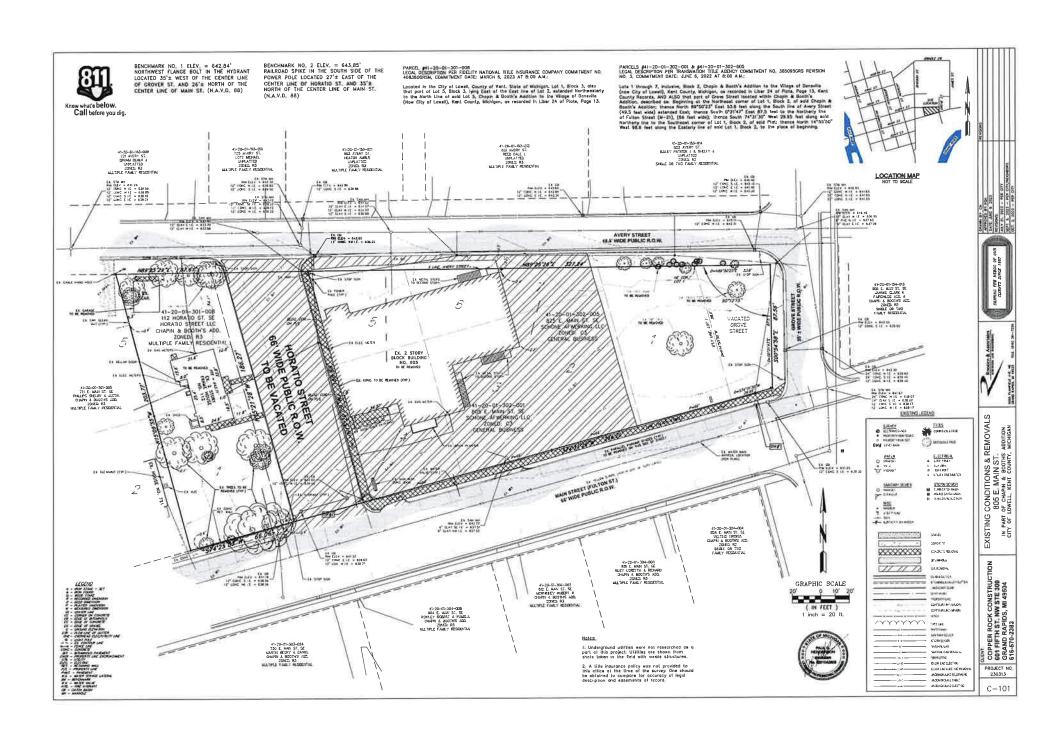
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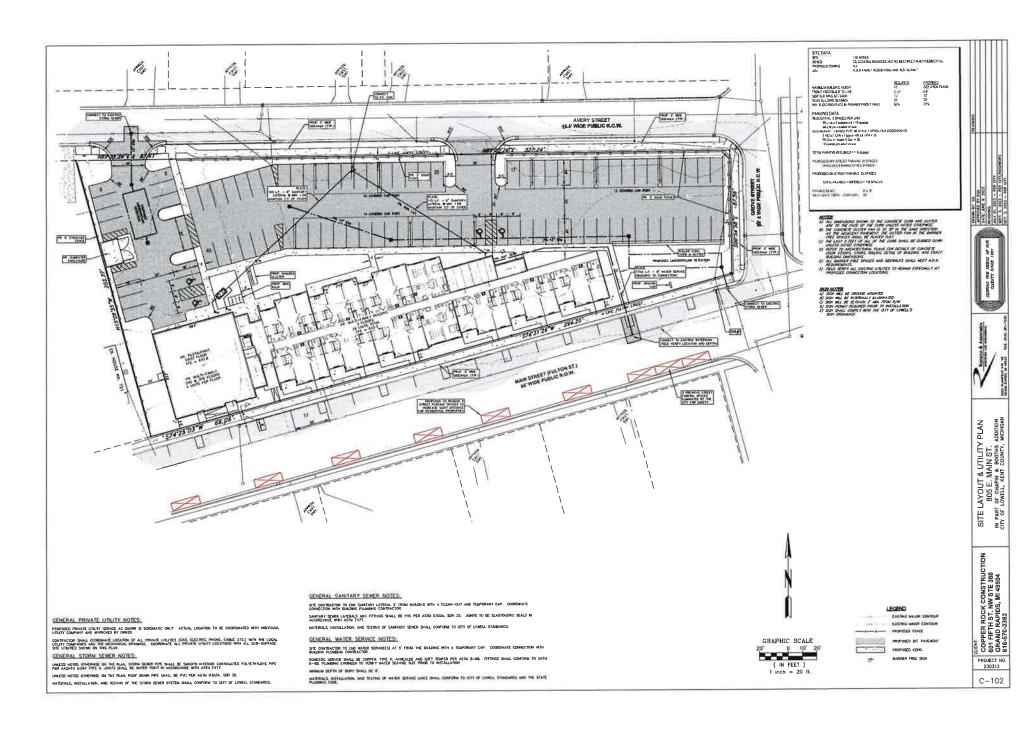
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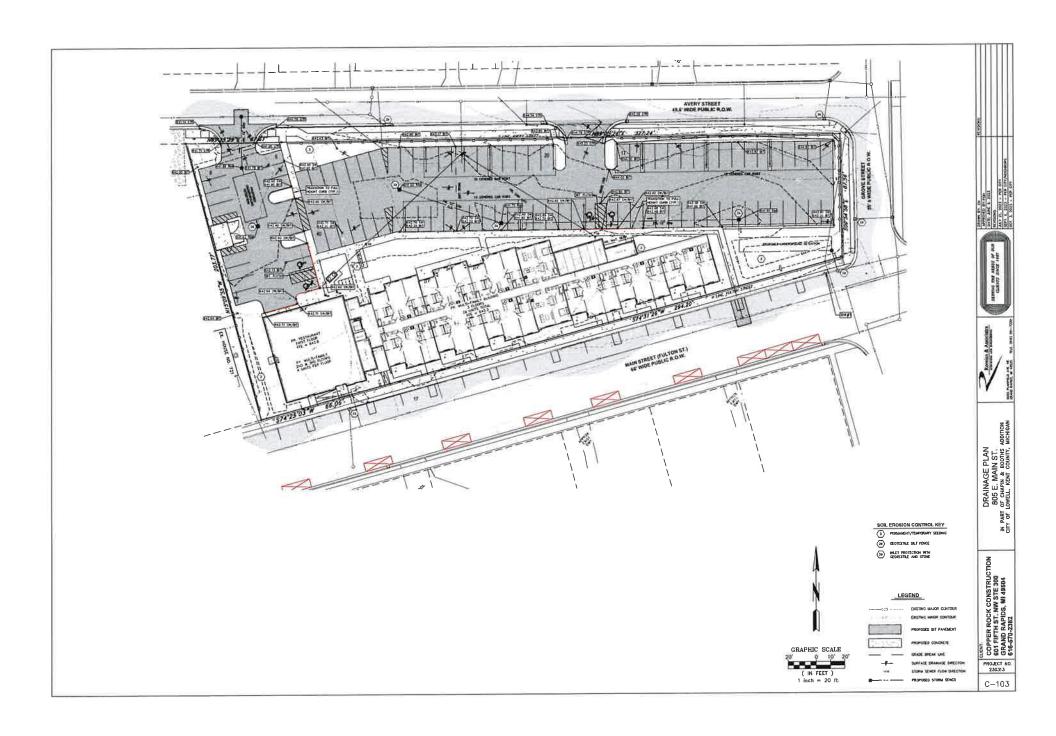
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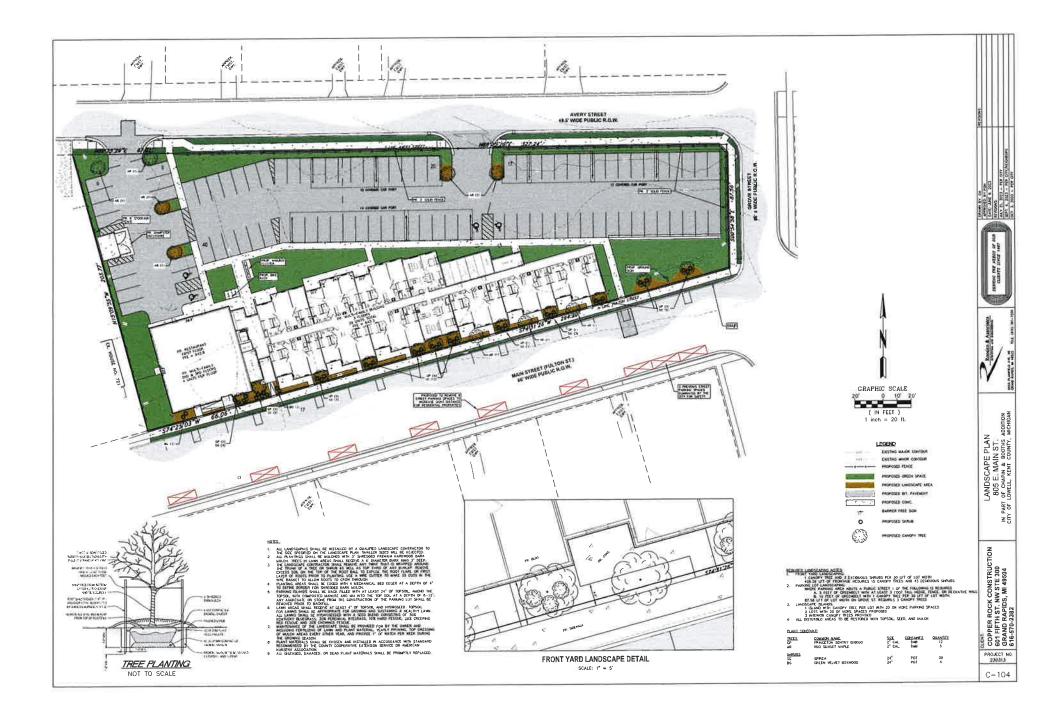
Issue Date 10/03/23 Reviewer: KCD Drawn By DBC

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ADDITION

DETAIL PLAN 805 E, MAIN ST. T OF CHAPIN & BOOTHS A LOWELL, KENT COUNTY, N

IN PART

4. Flaps of bag that extend beyond the bag can be buried in sail in earth areas. Maintenance • Drop intel filters should be inspected routinely and after each major rain event. · Damaged filter bags should be replaced. · Clean and/or replace filter bag when 1/2 full. Replace Copyed Tabric Immediately.

**Replace Copyed Tabric Immediately upon inspection

**Remove entire protective mechanism when upgradient
areas are stabilized and streets have been swept.

1. A filter tabric bag is hung inside the inlet, beneath the

INLET PROTECTION - FABRIC (\$58)

When sediment laden stormwater requires treatment before entering a stormwater drainage system.

•To prevent sediment from entering stormwater systems

DROP SPECIFICATIONS

Use in or at stormmater inlets, especially at construction sites or in streets.

grate.

2. Replace grate, which will hold bag in place.

3. Anchor litter bag with 1" rebar for removal from inlet.

. Can only accommodate small flow quantities.

· Requires frequent maintenance.

· Ponding may occur around starm drains if filter is clagged.



Where





INLET PROTECTION - FABRIC



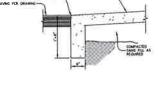




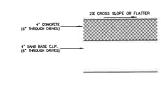
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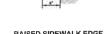
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FABRIC SILTATION FENCING

SECTION B

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- FILTER CASES

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PROJECT NOTES AND SPECIFICATIONS

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F) CONTRACTOR IS RESPONSIBLE FOR SITE SAFTLY, CONSTRUCTION MEANS, CONTROLS, TECHNIQUES, STOLENCES AND DESCRIPTIONS

GENERAL SPECIFICATIONS

A) ALL CONSTRUCTION AREAS SHALL BE CLEARD OF ALL PEER, BANDL WEEDS, ETC. ALL SPOL MATERIAL IS TO BE
DEPOSED OF IN AREAS SCRINTED BY THE CHARDE AND IN ACCORDANCE WITH STATE AND LOCAL. REGULATIONS.

C) CONSTRUCTION ACCESS AND MATERIAL STORAGE IS LIMITED TO THE AREAS DESIGNATED ON THE DRAWNOS OR AS APPROVED BY THE OWNER.

0) WHERE IT IS NECESSARY TO WORK OUTSIDE THE PROPERTY CONTROLLED BY THE OWNER, THE CONTRACTOR SHALL GETAL LEGAL AUTHORITY FROM ADJACTOR PROPERTY OWNERS TO COMPLETE THE WORK AS OUTLINED IN THESE DOCUMENTS.

G) ALL AREAS DISTURBED DUE TO SITE ACCESS SHALL BE RESTORED TO THE PRECONSTRUCTION

J) PERFORATED UNDERDRAIN TO BE SMOOTH LIMIT COMMISSANTE FOLKTHINGER PIPE TYPE S, PER ASSITO M252 AND PRE-MRAPPED WITH A CEDITATIC FILTER SOCK. ALL EXPOSED FINE ENDS SMALL HAVE CONCRETE END SECTIONS INSTALLED.

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3. LIMISTONIC AGGREGATE SHALL BE USED.

B) CURING WATERIAL: ASTW CITY WHITE, GRADIC POLYSTIOLING FILE TYPE.

C) CHANGES ON FRIEDS. SHALL BE ASTA DITS! PREFORMED, BITAINHOUS FIBER TYPE WITH CAPANSON BOARD CAP NO REMOVED THE CAP SECTION.

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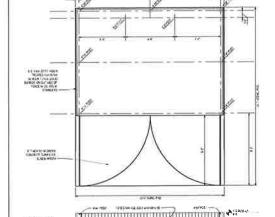
H) PRIOR TO PLACEMENT OF CRAVE. THE SAMO SUMBASS SHALL BE ROLLED TO OBTAIN A MINIMUM OF 95% OF MAXIMUM DENSITY PER THE MODRICO PROCTOR TEST, ASTMO-1557 I) PRIOR TO PLACEMENT OF ASPINALT, THE CRAYEL SHALL BE PROOF ROLLED AND COMPACTED TO 98% OF MAXIMUM UNIT DESIGNITY PER THE MODIFIED PROCTOR TEST, ASTMD-1557

STRIPING

A) PARKING (3) STRPING SHOULD FOLION THE BLOW COLOR SCHEDULE.

PAINING AND STDRACE (3) STALLS SHOULD BE STRPED IN YELLOW PAINT,
BARRICH-FRIE STALLS SHOULD BE STRPED IN YELLOW PAINT,

C-501



STANDARD BIT PAVEMENT-SECTION
NOT TO SCALE

DUMPSTER ENCLOSURE ELEVATION/PLAN
NOT TO SCALE

2023					
Open Date	Close Date	Address	Name/Business	Subject	
01/05/2023	01/17/2023	860 Hillside Ct.	John Barnett	New House	
02/10/2023	02/10/2023	211 ½ W. Main	Joe Rathbun	Remodel	
03/06/2023	03/06/2023	799 Foreman	Astrino Holdings LLC	Remodel	
03/16/2023	03/16/2023	1335 W. Main	Alicia Pestka	Remodel	
03/20/2023	03/20/2023	830 N. Washington	Brandon Gessler	Reroof	
04/03/2023	04/06/2023	2055 Bowes	American Tower	New Equipment	
04/17/2023	04/21/2023	1335 W. Main	Michael Berry	Remodel	
05/01/2023	05/08/2023	2204 Gee Drive	Herb VanderBilt	Front Porch Enclosure	
05/12/2023	05/17/2023	310 King	Kedron Rhodes	Shed	
05/22/2023	05/24/2023	510 High	David and Amy Martin	Shed	
06/02/2023	06/02/2023	632 Birchwood Ct	Thomas McClurg	Finish basement	
06/12/2023	06/20/2023	505 W. Main Suite E	Bisera Riordan	Remodel	
06/20/2023	06/20/2023	746 W. Main	Betten Baker	Demo	
06/19/2023	06/20/2023	1030 Hunt	Jessica Eidenier	Pool	
06/13/2023	06/22/2023	2212 Gee Drive	Bernie Diekevers	Accessory Building	
07/05/2023	07/11/2023	218 S. Jefferson	Brian McLane	Shed	
07/27/2023	07/27/2023	2179 Gee Drive	Cory Cichoracki	Remodel	
08/08/2023	07/24/2023	755 Alden Nash	Daniel Godinez	Pool Demo	
08/16/2023	08/17/2023	905 N. Washington	Steven Wright	Fence	
08/30/2023	09/08/2023	718 Lincoln Lake	James Miles	Covered Porch	
09/07/2023	09/11/2023	813 Avery	Patricia Reed	Deck with Ramp	
09/07/2023	09/13/2023	514 N. Monroe	Jody Horton	Pool Demo	
09/20/2023	09/20/2023	1405 Laurie Gail	Terrance Carroll	Shed	