

PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
AGENDA
FOR THE REGULAR MEETING OF
MONDAY, AUGUST 10, 2015 AT 7:00 P.M.
AT THE
LOWELL CITY HALL
CITY COUNCIL CHAMBERS
SECOND FLOOR
301 EAST MAIN STREET

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
 - a. June 8, 2015 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
 - a. Cell Tower Ordinance
6. NEW BUSINESS
 - a. LowellArts! – Informational Review – Approved Administratively
 - b.
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 8, 2015, 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 Deputy City Clerk Susan Ullery and the Pledge of Allegiance was recited.

Present: Commissioners Kelli Carney, John Gerard, Jim Hall, Jim Salzwedel, James Zandstra and Chair Shannon Hanley.

Absent: Commissioner Cadwallader.

Also Present: City Manager Mark Howe, Deputy City Clerk Susan Ullery, Interim DPW Director Ron Woods, Mayor Jim Hodges and Williams and Works Planner Nathan Mehmed.

2. EXCUSE OF ABSENSE.

IT WAS MOVED BY GERARD and seconded by SALZWEDAL to excuse the absence of Commissioner Cadwallader.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

3. APPROVAL OF AGENDA.

IT WAS MOVED BY HALL and seconded by CARNEY to approve the agenda as written.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

4. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MAY 11, 2015.

IT WAS MOVED BY HALL seconded by SALZWEDEL that the minutes of the MAY 11, 2015 meeting be approved as written.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

5. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA. No comments were received.

6. OLD BUSINESS

- a. Jakes Fireworks – Deputy City Clerk Susan Ullery explained Jakes Fireworks will be setting up their fireworks tent mid-June. The site plan was approved last year. The special use permit carries over year to year. Concerns from Commissioners were raised regarding previous thoughts of the site. Concerns included animals, ropes/staking and the noise of the generator.

Chair Hanley believed changes were made last fall regarding "special uses". Ullery stated she would provide a timeline of discussion.

7. **NEW BUSINESS**

a. Public Hearing – Site Plan Review Revisions – Administrative Review.

IT WAS MOVED BY GERARD and seconded by SALZWEDEL to open the public hearing.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

Williams and Works Planner Nathan Mehmed explained this has been brought forward after several site plan review request where the only change to the building or property that affects zoning involves the use changing. The current language requires that a site plan review be submitted to the Planning Commission prior to the creation of the use. This is the case even if there are no dimensional or façade changes to the outside of the building. The best way to approach this change would be to authorize the Zoning Enforcement Officer to be the reviewing body for site plan where 1) the proposed use is permitted by right in the applicable zoning district and 2) where no additions, alterations or exterior changes are proposed to any part of the site.

This would be best accomplished with an amendment to Section 18.03 of the Zoning Ordinance.

No public comments were received.

IT WAS MOVED BY SALZWEDEL and seconded by ZANDSTRA to close the public hearing.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY GERARD and seconded by SALZWEDEL to recommend to the City Council an amendment to Section 18.03 of the Zoning Ordinance – Site Plan Review.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

b. Public Hearing – Commercial Wireless Communication Towers.

IT WAS MOVED BY CARNEY and seconded by HALL to open the public hearing.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

Williams and Works Planner Nathan Mehmed explained the existing standards are somewhat brief and do not contain many of the provisions that are included in modern ordinances regulating commercial wireless communication towers.

In working with City staff, the ordinance was reviewed and modernized the City's zoning regulations for the Planning Commissions review.

Mehmed stated the amendment refers to areas zoned PF (Public Facilities) and I (Industrial). He was unsure how many additional towers could be constructed within those areas. Much work has been completed by Chief Bukala on tower locations. Any new tower would have to be in a PF District.

There has been some discussion with the City about potentially locating a tower near the Department of Public Works or the Fire Department. This would be the last location once in place.

No public comments were received.

IT WAS MOVED BY CARNEY and seconded by HALL to close the public hearing.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED

Chair Hanley clarified the difference in the Williams and Works memo, which states the Planning Commission must make a decision on a proposed tower within 90 days while the ordinance states 60 days. It was noted it should be 90 days. Hanley also questioned the amount of signs allowed on the antenna. It was noted two signs is the standard requirement. Hanley liked the idea of one per side. Mayor Hodges clarified the ordinance refers to signs on the antenna or tower, not the fence at the base.

Howe noted bids are being sought to remove the downtown tower.

IT WAS MOVED BY HALL and seconded by CARNEY to recommend approval of the cell tower ordinance to the City Council.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

c. Rezoning Requests. Williams and Works Planner Nathan Mehmed stated the first request is for property located at 1111 Bowes Road. The property owner has requested that the property be rezoned from C-3 General Business to R-2 Residential District.

The second request is for a group of parcels that are adjacent to Schneider Manor, and the rezoning would allow Schneider Manor to expand their development onto the subject properties. The properties in question and their proposed zoning changes include the following:

Property Address	PP Number	Existing Zoning	Proposed Zoning
199 S. Pleasant	41-20-02-356-011	R2 Residential	R3 Residential
203 S. Pleasant	41-20-02-356-012	R2 Residential	R3 Residential
205 S. Pleasant	41-20-02-356-013	R2 Residential	R3 Residential
725 Bowes Road	41-20-01-382-011	R2/R3 Residential	R3 Residential

Standards to evaluate a rezoning request include 1) is the proposed rezoning consistent with the Master Plan 2) are any of the potential land uses incompatible with the surrounding neighborhood, and 3) would the rezoning result in any negative impact to the surrounding area.

It should be noted that the majority of 725 Bowes Road is already zoned R-3, except for a small portion on the west side of Pleasant Street directly north of the other three parcels that are the subject of the request. The City is not sure if this is an error in the map or not, so this amendment clarifies that the entire parcel will be zoned R-3.

It is recommended that the Planning Commission recommend approval of the proposed rezoning of 1111 Bowes Road from C-3 General Business to R-2 Residential District to the City Council. The motion recommending approval should refer to the consistency with the Master Plan and future land use map and should cite this memo as part of the rationale for the decision.

It is also recommend that the Planning Commission recommend approval of the proposed rezoning of 199 South Pleasant Street, 203 South Pleasant Street, 205 South Pleasant Street, and 725 Bowes Road from R-2 Residential District to R-3 Residential District to the City Council. The motion recommending approval should refer to the consistency with the Master Plan and future land use map and should cite this memo as part of the rational for the decision.

Deputy City Clerk Susan Ullery read a letter into record from Joanne Miller of 780 Bowes Road stating she had no objection to the rezoning of 725 Bowes Road. However, she did mention if a new building is built, the entrance should come off of S. Pleasant, not Bowes Road.

IT WAS MOVED BY GERARD and seconded by HALL to open the public hearing.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

Kelly Holst of 1111 Bowes Road verified rezoning the property to R2 would remove the issue of not being able to rebuild if the home were to be damaged more than 60 percent. Howe stated this would allow it to be rebuilt as a residential dwelling.

IT WAS MOVED BY ZANDSTRA and seconded by HALL to close the public hearing.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY HALL and seconded by GERARD to recommend approval of the zoning request for 1111 Bowes Road and properties 199, 203 and 205 S. Pleasant and 725 Bowes Road to the City Council. The motion refers to the consistency with the Master Plan and future land use map citing the memo from Williams and Works as part of the rational for this decision.

YES: 6. NO: 0. ABSENT: 1. MOTION CARRIED.

8. **STAFF REPORT.** Deputy City Clerk Susan Ullery provided the Commission with a list of updated building permits since the last meeting.

9. **COMMISSIONERS COMMENTS.** Commissioner Salzwedel stated his term for Planning Commissioner is expiring. He would be happy to be reappointed.

Commissioner Hall stated Councilmember Altoft expressed his appreciation for the Planning Commission and for all the time and effort they put in. Hal noted the entire City Council appreciates the Planning Commission.

Commissioner Carney stated she would also like to be reappointed to the Planning Commission.

IT WAS MOVED BY CARNEY and seconded by HALL to adjourn at 7:39 p.m.

DATE:

APPROVED:

Shannon Hanley, Chair

Susan S. Ullery, Deputy City Clerk

MEMORANDUM

TO: City of Lowell Planning Commission

FROM: Andy Moore, AICP

DATE: May 5, 2015

RE: Commercial Wireless Communication Towers

Over the last few weeks we have been reviewing the City of Lowell's zoning standards regarding Commercial Wireless Communication towers. Generally, we found that the existing standards are somewhat brief and do not contain many of the provisions that are included in modern ordinances regulating commercial wireless communication towers.

Working with City staff, we reviewed and modernized the City's zoning regulations for your review. Significant changes to the Ordinance include the following:

1. We added a purpose and intent statement.
2. We allowed for administrative approval of colocations and small networks that would be installed on existing infrastructure.
3. We added language requiring additional information that must be submitted as part of an application prior to consideration by the Planning Commission.
4. We added language that permits a commercial wireless communication tower to meet minimum lot area standards for the district in which it is located.
5. We added language that requires the Planning Commission make a decision on a proposed tower within 90 days, else it is deemed approved. This is to comply with a recent Michigan amendment to the Michigan Zoning Enabling Act.
6. The maximum height has been limited to 199 feet. Anything 200 feet or taller requires FAA notification and lighting.
7. The fall zone area has been increased to be at least equivalence to the height of the tower, unless other justification is provided by a registered engineer.
8. We added language that requires a ½ mile isolation radius between towers, except for towers that are located on City property and used for municipal services.
9. Language has been added to allow for removal of towers, performance bonds, and nonconforming towers.

City of Lowell Planning Commission

May 5, 2015

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Please review the draft Ordinance in advance of our next meeting on May 11. Before making a recommendation of adoption to the City Council, the Planning Commission must hold a public hearing on the proposed amendments. At the May 11 meeting, the Planning Commission may schedule this hearing or make further revisions to be reviewed at the June meeting.

As always, please feel free to contact me with questions or comments.

CITY OF LOWELL

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF LOWELL ZONING ORDINANCE; TO AMEND SECTION 17.04(BB) PERTAINING TO COMMERCIAL WIRELESS COMMUNICATION FACILITIES

THE CITY OF LOWELL, MICHIGAN, ORDAINS:

Section 1. Amendment of Section 17.04 (BB). Section 17.04 (BB) is amended to read as follows:

SECTION 17.04 BB. Commercial Wireless Communication Towers.

In addition to the standards of Section 17.03, the Planning Commission shall find that a proposed Commercial Wireless Communication Tower meets the following specific Special Land Use standards.

1. Purpose and Intent. The Telecommunications Act of 1996, as amended, sets forth provisions concerning placement, location and construction of towers and related facilities for communication. The purpose of this section is to establish general guidelines for the siting of Commercial Wireless Communication Towers, which include antenna structures. In order that such towers not cause visual pollution or create a safety hazard on adjacent properties, reasonable regulations for the location, use of existing structures (e.g., water towers, school and church steeples, tall buildings), and design of structures and towers, is appropriate. Commercial Wireless Communication Towers are specifically determined to NOT be essential services as defined in this Ordinance. The intent of these provisions is to encourage users of towers to:
 - a. Protect land uses from potential adverse impacts of towers.
 - b. Place the location of new towers in appropriately-zoned areas.
 - c. Minimize the total number of towers throughout the community.
 - d. Strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers.
 - e. Locate and configure towers in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.
 - f. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.
 - g. Consider the public health and safety of personal wireless service facilities.
 - h. Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

- i. It is not the intent to regulate ham radio antennae under this section.
2. Administratively Approved Uses. The following uses may be approved by the Zoning Administrator after conducting an administrative review:
 - a. Antennas on Existing Structures: Compact platform-type, omni directional, or singular-type antenna which is not attached to a new Commercial Wireless Communication Tower may be approved by the Zoning Administrator as a co-location or as an accessory use to any commercial, industrial, professional, institutional, or multi-family structure, provided:
 - (1) The antenna does not extend more than ten (10) feet above the highest point of the structure;
 - (2) The antenna complies with all applicable FCC and FAA regulations;
 - (3) The equipment building for such co-located equipment can be incorporated into an existing structure or cabinet, and
 - (4) The antenna complies with all applicable building codes.
 - b. Microcell Networks: Installing a cable microcell network through the use of multiple low-powered transmitters/receivers attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.
3. Additional Information Required for Review. In addition to the requirements of Chapter 17 and Section 17.03, Commercial Wireless Communication Tower applications shall include:
 - a. Name and address of the proposed operator of the site.
 - b. Name and address, including phone number of the person responsible for determining feasibility of co-location as provided in this section.
 - c. Preliminary design of all proposed structures, including elevations and renderings showing the proposed facility from four vantage points located not less than 200 feet nor more than 500 feet from the proposed tower location.
 - d. Registered Engineer's certification of the design and safety of the proposed tower to withstand winds of 85 miles per hour. Such certification shall set forth the fall zone area for the proposed tower. If such fall zone area is less than that of a circle whose radius is equivalent to the height of the proposed tower, such certification shall provide structural calculations and detail sufficient to demonstrate the accuracy of such lesser fall zone area determination. Such certification shall be provided by an engineer licensed to practice in Michigan.
 - e. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.
 - f. A notarized statement signed by the applicant indicating the number and type of additional antennae the proposed tower will accommodate through co-location.
 - g. Each applicant shall provide an inventory of existing towers, tall structures, antennas, or sites approved for towers or antennas, that are either within the City of Lowell or

within one mile of the border thereof, including specific information about the location, height, and design of each tower or tall structure.

- h. The separation distance from other towers described in the inventory of existing sites shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known. The applicant shall also demonstrate the reasons such existing towers or tall structures cannot be used in lieu of the proposed communication tower.
4. Once all required materials are submitted, the Planning Commission shall review the application in accordance with the standards of Chapter 17 and shall either approve, approve with conditions, or deny the application within 90 days of receipt of all required information, as determined by the Zoning Enforcement Officer. If the Planning Commission does not approve, approve with conditions, or deny the application within 90 days, the application shall be considered approved and the Planning Commission shall be considered to have made any determination required for approval.
5. Availability of Suitable Existing Towers, Other Structures, or Alternative Technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Planning Commission that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna.
6. General Provisions. Commercial Wireless Communication Towers, including their accessory equipment may be permitted, subject to the following provisions:
 - a. A Commercial Wireless Communication Towers is permitted in the PF and I zoning districts only. Such towers shall be placed on parcels (whether the land is owned or leased by the tower owner) which have an area no less than the minimum parcel area and width for the district.
 - b. All setbacks for the zoning district shall be met and in addition, no tower shall be placed closer to any property line than the radius of the certified fall zone as provided in Section 17.04 BB, 3, d, hereof, and in no case less than 200 feet from any residence or 200 feet from a zoning district which does not permit Commercial Wireless Communication Towers as a Special Use.
 - c. All proposed towers of more than thirty-five (35) feet in height shall be submitted to the Michigan Aeronautics Commission and FAA for review and approval prior to approval by the City. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
 - d. The service building shall be aesthetically and architecturally compatible with

- buildings within three hundred feet of the property on which it is located.
- e. All connecting wires from towers to accessory buildings and all electrical and other service wires to the facility shall be underground.
 - f. Monopole tower design shall be required. Guyed towers are prohibited.
 - g. The Planning Commission may require landscape screening of the service building and fencing.
 - h. Strobe lights shall not be allowed except as required by FAA or other applicable agency.
 - i. No signs shall be allowed on an antenna or tower, except for one sign of not more than two (2) square feet, listing the name, address and contact telephone number of the operator and not more than two (2) signs not to exceed two (2) square feet signaling "danger" or "no trespassing."
 - j. Towers shall be enclosed by a locked gate and security fencing 6 feet in height, and shall be equipped with an appropriate anti-climbing device.
 - k. The Applicant shall certify its intent to lease excess space on the proposed tower for co-located antennae of other operators. Such certification shall include a commitment to respond to any requests for information from another potential shared use applicant; to negotiate in good faith and allow for leased shared use if an applicant demonstrates that it is technically practicable, and; to make no more than a reasonable charge for a shared use lease.
 - l. Notwithstanding the provisions of this section, the maximum height for a Commercial Wireless Communication Towers in the City of Lowell shall be 199 feet.
 - m. Proposed towers shall be at least one-half mile from existing towers except for towers dedicated to essential municipal services.
7. Removal of Abandoned Antennas and Towers. A Telecommunication Tower that is unused for a period of twelve (12) months shall be removed. The applicant or owner is responsible for the removal of an unused tower. Failure to do so shall be sufficient cause for the City to cause the removal of the Tower at the owner's expense.
8. Bonds. The owner of a Telecommunications Tower; including equipment/accessory buildings, shall post an unconditional and irrevocable letter of credit or bond acceptable to the City Attorney with the City of Lowell to cover the reasonable estimated costs and expenses of dismantling and removing the communication tower. The amount of the bond shall be established by the Planning Commission, and may be adjusted from time to time to reflect changing costs and expenses of dismantling and removing the facility.
9. Nonconforming Uses.
- a. Pre-existing towers that do not meet the requirements of this section shall be allowed to continue in use as they presently exist. Routine maintenance shall be permitted on such preexisting towers. New construction, other than routine maintenance on a pre-existing tower shall comply with the requirements of this ordinance. Modifications to height and type of construction of pre-existing towers shall not be permitted, except in conformance with this Section.

- b. Rebuilding Damaged or Destroyed Nonconforming Towers. Nonconforming towers that are damaged or destroyed may not be rebuilt except in conformance with the requirements of this Section.

Section 2. Severability and Captions. This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

Section 3. Administrative Liability. No officer, agent or member of the City Council shall render himself or herself personally liable for any damage which may occur to any person or entity as a result of any act or decision performed in the discharge of his or her duties pursuant to this Ordinance.

Section 4. Repeal. Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

Section 5. Effective Date. This Ordinance is ordered to take effect seven (7) days following publication of adoption in The Lowell Ledger, a newspaper having general circulation in the City, under the provisions of the Zoning Enabling Act, Public Act 110 of 2006, as amended.

Jim Hodges, Mayor

Betty Morlock, Clerk

MEMORANDUM

TO: Mr. Mark Howe, Lowell City Manager

FROM: Andy Moore, AICP

DATE: July 28, 2015

RE: Site Plan Review: LowellArts! – 221 and 223 W Main Street

LowellArts! has submitted a site plan and application to establish an art gallery, performance space, classrooms and office space in an existing building located at 221 and 223 W Main Street. This memo presents our review and evaluation of the proposal and, subject to the conditions outlined below, approval of the site plan is recommended. At this time, the applicant has only proposed to utilize the main floor of the building.

The applicant has not proposed any exterior modifications to the existing building, which is located in the C-2 Central Business District. The site plan indicates that the majority of the facility will be used as an art gallery where art will be available for purchase, therefore we consider the proposed use to be a retail establishment. In the C-2 district, retail establishments are permitted by right. We consider the other proposed uses including the proposed offices, classrooms and temporary and occasional theater, to be uses accessory to the permitted principal use and thus are also permitted by right.

If you recall, the City recently approved an amendment to Section 18.03 pertaining to site plan review. The amendment requires that the Zoning Enforcement Officer to be the reviewing body in instances where (1) the proposed use is permitted by right and (2) where no exterior changes are proposed to the building. Since the LowellArts! site plan meets both of these conditions, this site plan does not need to be approved by the Planning Commission; rather it can be approved administratively.

Site Plan Review

1. Dimensional Requirements. There are no front, side or rear yard requirements for this property. Nor are there maximum lot coverage, minimum lot area or lot width requirements. The building is about 37 feet tall, which is less than the maximum allowed of 40 feet.
2. Parking. The proposed use requires about 23 spaces. The Zoning Ordinance allows for a property in the C-2 district to count public spaces with 400 feet of the property in their minimum parking requirements. The applicant has counted 39 spaces directly behind

(north of) the building and 39 spaces along Broadway Street. The amount of parking is sufficient.

3. Signage. Specific signage has not yet been proposed. If/when the applicant desires to erect signage, it will have to meet Chapter 20 of the Zoning Ordinance, along with any Historic District requirements.
4. Landscaping. Landscaping has not been proposed, nor is it required.
5. Lighting. Exterior lighting has not been proposed.
6. Dumpster Enclosure. Refuse has not been addressed on the site plan. We suggest this be addressed as a condition of approval.

Review Standards. To approve a site plan, the reviewing entity (in this case, the Zoning Enforcement Officer) should find that the standards listed in Section 18.06 would be met. Following are the standards and 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.

Comment: The proposed use is consistent with the general nature of downtown Lowell and is a welcome addition to Main Street. The use is permitted in the C-2 district and other similar uses exist in the vicinity.

- 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.

Comment: The site is well-served by both pedestrian and vehicular facilities. The applicant has proposed an ADA-compliant ramp and handrail in the rear of the building. The applicant has not proposed a change to existing ingress and egress or other patterns of circulation.

- 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.

Comment: See comment above under paragraph B. The applicant is not requesting a change to existing circulation patterns.

- 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.

Comment: This site is already developed and does not include any natural features. The applicant is not proposing any additional landscaping on the site, nor is any required.

- 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.

Comment: Conditions of approval are recommended to address unresolved items. Otherwise, ordinance requirements are met.

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

Comment: The proposed use is permitted by right in the zoning district and would represent a reuse of an existing building in downtown Lowell. The overall concept is consistent with the Master Plan.

Recommendation. Staff recommends site plan approval, subject to the following conditions and any others deemed appropriate by the Zoning Enforcement Officer:

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 should address refuse, if service is proposed. If a dumpster is needed, it should be enclosed or otherwise designed to fully screen the dumpster from neighboring properties and streets.
4. If/when the applicant desires to erect signage, it will have to meet Chapter 20 of the Zoning Ordinance, along with any Historic District requirements.
5. Any changes to the use of the building, including expansion of the LowellArts! facility to include the second floor of the building, would require an amendment to the site plan that shall be processed in accordance with Chapter 18 of the Zoning Ordinance.

c: Sue Ullery, Deputy City Clerk

2015 Staff Reports

<u>Open Date</u>	<u>Close Date</u>	<u>Address</u>	<u>Name/Business</u>	<u>Subject</u>
02/11/2015	03/13/2015	835 W. Main	Pete Ricards	Store
02/24/2015	03/13/2015	2475 Gee Drive	Scott Barriger	Inground pool
03/23/2015	03/30/2015	1030 Hunt	John Ingersoll	Accessory Building
03/24/2015	03/24/2015	820 N. Jefferson	Karrie Scudder	Fence
03/30/2015	03/30/2015	115 S. Broadway	King Milling	Upgrade/Cell Tower
03/31/2015	03/31/2015	1405 Laurie Gail	Kathin Shive	Fence
04/01/2015	04/01/2015	806 N. Jefferson	Ron Stanford	Fence
04/08/2015	04/15/2015	741 Grindle	Thomas Read	Demo
04/28/2015		520 Spring	Cody Moore	Fence
05/04/2015	05/08/2015	325 S. Division	David Crandall	Deck
05/06/2015	05/08/2015	1320 E. Main St.	Moose Lodge	Fence
05/11/2015	5/11/2015	257 Donna	Elizabeth Sparks	Fence
05/11/2015	05/12/2015	316 North	Charles May	Addition
05/12/2015	05/12/2015	1320 Highland Hills	Allen Edwin Homes	New Home
05/13/2015	05/14/2015	168 S. Center	Eric Bouwhuis	Fence
05/14/2015	05/14/2015	2204 Gee Drive	Herb VanderBilt	Shed
05/19/2015	05/26/2015	815 N. Hudson	Anthony Hall	Unattached garage
05/19/2015	07/06/2015	1300 Highland Hill	Allen Edwin Homes	New Home
05/20/2015	07/06/2015	1281 Highland Hill	Allen Edwin Homes	New Home
05/27/2015	05/29/2015	315 Alden Nash	Tim Jankowski	Accessory Building
05/12/2015	05/28/2015	2255 Gee Drive	Tim Bruce	New Home
06/01/2015	06/24/2015	2212 Gee Drive	Brian Koetje	New Home
06/12/2015	06/12/2015	812 Grindle	Josh Peterman	Shed
06/17/2015	07/07/2015	741 Grindle	Thomas Read	Lot Split
06/18/2015	06/23/2015	612 N. Monroe	Ronald Steffens	Repair
06/11/2015	06/23/2015	750 Hillside Ct.	Alan Hovinga	Sun Porch
06/30/2015	07/08/2015	1580 Carol Lynne	Brian Darling	Garage
07/07/2015	07/07/2015	800 Bowes	Mark Mundt	Inground Pool
07/10/2015	07/10/2015	1105 Bowes	Scott Macpherson	Shed
07/10/2015	07/10/2015	1105 Bowes	Scott Macpherson	Fence

07/13/2015	07/14/2015	925 S. Hudson	Todd Wood	Deck
07/13/2015	07/14/2015	925 S. Hudson	Todd Wood	Roof/Siding
07/20/2015	07/22/2015	2401 Bowes	William Sanborn	Shed
07/21/2015	07/22/2015	1695 Gee Drive	Kurt Holzhueter	Accessory Building
07/16/2015	08/04/2015	12142 Bowes	GR Gravel Co.	Demo
08/07/2015	08/07/2015	429 N. Washington	Tim Van Laan	Remodel