



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, JULY 9, 2018 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 11, 2018 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
6. NEW BUSINESS
 - a. King Milling – Site Plan Review
 - b. Zoning Ordinance Amendments
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 11, 2018 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 David Cadwallader, Marty Chambers, Tony Ellis, Amanda Schrauben, Colin Plank, and Chair Bruce Barker.

Absent: Commissioner Kelly Breimayer.

Also Present: City Clerk Susan Ullery and Andy Moore with Williams & Works.

2. **APPROVAL OF ABSENCES.**

IT WAS MOVED BY CADWALLADER and seconded by CHAMBERS to excuse the absence of Commissioner Kelly Breimayer.

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

3. **APPROVAL OF AGENDA.**

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

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

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

IT WAS MOVED BY CHAMBERS and seconded by CADWALLADER to approve the minutes of the May 14, 2018 regular meeting as written.

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

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

There were none.

6. **NEW BUSINESS.**

a. **Public Hearing – R2 Rezoning – 1100 Sibley**

Chair Barker opened the public hearing for 1100 Sibley.

Todd B. West stated he is a local builder (Advanced Homes Advanced Building Conceptions) and has been building in the Lowell area for the last 18 years and saw the opportunity to follow through with the City of Lowell's master plan and convert the property to residential housing units. An R2 zoning was requested.

Andy Moore of Williams & Works explained the history on the parcel and that it was previously part of a larger parcel owned by Calvary Christian Reformed Church so it was zoned public facilities (PF). Moore explained Section 22.04 of the Zoning Ordinance governs zoning ordinance amendments, including zoning changes. However, it does not include standards to evaluate a rezoning request; it only outlines the process, but good planning practice typically addresses the following topics, which are as follows:

1. Is the proposed rezoning consistent with the Master Plan?

The 2007 Master Plan, which was recently reviewed by the Planning Commission, indicates that this property is in the Single Family 2 Future Land Use designation. This designation is intended to “correspond to the existing R-2 Zoning District, and permits up to 4.5 dwelling units per acre. Appropriate land uses in Single Family 2 areas are detached single family residential dwelling units and uses that may be compatible with single family dwelling units such as schools, churches, and municipal and civic buildings.”

REMARKS: All the commissioners agreed that these requirements were met.

2. Are any of the potential land uses incompatible with the surrounding neighborhood?

When reviewing a request for rezoning, it is important to note that the change in zoning will allow, by right or by special land use, any use that is permitted in the R-2 Residential District, and that the Planning Commission cannot, on its own, require a certain type of development as a condition of rezoning approval. The R-2 district allows uses that are generally consistent with its single family residential character, such as single- and two-family homes, duplexes, family day cares, parks, and the like. The R-2 zone also permits multi-family dwellings, campgrounds, schools, churches, funeral homes, bed and breakfasts, and group day cares with special land use approval by the Planning Commission.

REMARKS: All the commissioners agreed that these requirements were met.

3. Would the rezoning result in any negative impact to the surrounding area?

The subject property is bordered by an existing R-2 zoned district to the north, east and west, with properties zoned PF to the south and C-3 zoning for parcels directly adjacent to Main Street. The rezoning is a logical extension of the residential neighborhood along Sibley Street and will not likely result in negative impacts to the surrounding area.

REMARKS: All the commissioners agreed that these requirements were met.

IT WAS MOVED BY BARKER and seconded by CHAMBERS to close the public hearing and to approve the proposed rezoning of 1100 Sibley be recommended on to the City Council.

ROLL CALL: COMMISSIONER CADWALLADER, COMMISSIONER CHAMBERS, COMMISSIONER ELLIS AND COMMISSIONER PLANK, COMMISSIONER SCHRAUBEN, AND CHAIR BARKER.

YES: 6.

NO: 0.

ABSENT: 1.

MOTION CARRIED.

b. Public Hearing – Chapter 19 and Chapter 20 Revisions.

Chair Barker opened the Public hearing for Chapter 19.

Andy Moore reviewed Chapters 19 and the revisions, no more additional changes.

IT WAS MOVED BY BARKER and seconded by CADWALLADER to close the public hearing.

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

IT WAS MOVED BY BARKER and seconded by CADWALLADER to approve the recommendation for the proposed revisions of Chapter 19 and to forward to City Council for adoption and approval.

ROLL CALL: COMMISSIONER CADWALLADER, COMMISSIONER CHAMBERS, COMMISSIONER ELLIS AND COMMISSIONER PLANK, COMMISSIONER SCHRAUBEN, AND CHAIR BARKER.

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

Chair Barker opened the Public hearing for Chapter 20.

Andy Moore reviewed Chapters 20 and the revisions, no more additional changes.

IT WAS MOVED BY CHAMBERS and seconded by CADWALLADER to close the public hearing.

IT WAS MOVED BY BARKER and seconded by CHAMBERS to approve the recommendation for the proposed revisions of Chapter 20 to forward to City Council for adoption and approval.

ROLL CALL: COMMISSIONER CADWALLADER, COMMISSIONER CHAMBERS, COMMISSIONER ELLIS AND COMMISSIONER PLANK, COMMISSIONER SCHRAUBEN, AND CHAIR BARKER.

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

7. STAFF REPORT.

There were none.

8. COMMISSIONERS REMARKS.

Chair Barker asked Andy Moore to give the Planning Commission a list of the remaining zoning ordinances and definitions yet to go through.

9. ADJOURNMENT.

IT WAS MOVED BY CADWALLADER and seconded by CHAMBERS to adjourn at 7:47.

Chair Bruce Barker

City Clerk Susan Ullery

Request Number: _____

Filing Fee: _____



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

APPLICATION FOR SITE PLAN REVIEW

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

1. Street Address and/or Location of Request: 115,139 & 149 S. Broadway

2. Parcel Identification Number (Tax I.D. No.): #41-20-02-409-019, -030 & -031

3. Applicant's Name: James M Doyle Phone Number (616) 897-9264

Address: 115 S. Broadway St. Lowell MI 49331
Street City State Zip

Fax Number 616-897-4350 Email Address JDoyle@kingflour.com

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

Paul G. Henderson

5. Applicant is being represented by: Repsign Assoc Phone Number (616) 361-7220

Address: 5055 Plainfield Ave SE, ste A, Grand Rapids, MI 49525

6. Present Zoning of Parcel I-Industrial Present Use of Parcel Vacant

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

Construct a 30,600 sq. ft. facility for packing and storage of flour products. The facility will have 4 loading docks to facilitate distribution.

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

Signature: [Signature] Date: 6-15-2018

Type or Print Your Name Here: JAMES M. DOYLE

Property Owner Approval: As owner I hereby authorize the submittal of this application and agree to abide by any decision made in response to it. [Signature] 6/15/18
Owner Date

MEMORANDUM

To: City of Lowell Planning Commission
Date: July 3, 2018
From: Andy Moore, AICP
Max Dillivan, AICP
RE: **King Milling Company – Site Plan Review**

Roosien & Associates, on behalf of King Milling Company, has submitted an application for site plan review for the construction of a warehouse and storage facility located on parcels 41-20-02-409-019 (115 S. Broadway St.), 41-20-02-453-030 (139 S. Broadway St.), and 41-20-02-453-031 (149 S. Broadway St.). The purpose of this memorandum is to review the request pursuant to Section 18.09 of the City of Lowell Zoning Ordinance.

Background

The subject properties have a combined area of approximately 3.89 acres and are located on 115, 139, and 149 S. Broadway Street. The applicant is seeking to construct a flour packing and warehouse facility on the subject properties, which are zoned I, General Industrial. The proposed structure is 30,576 sq. feet in size with a height of approximately 106 feet. Manufacturing, compounding, assembly or treatment of food products and warehouse and storage uses are permitted by-right in the General Industrial zoning district. "Parcel B" as indicated on the site plan is currently utilized for similar uses while "Parcel A" and "Parcel C" are undeveloped. The proposal seeks to expand King Milling's existing operations. Due to common ownership, the three subject properties will be treated as one parcel for the purposes of this review.

Site Plan Review

Dimensional Requirements. The proposed structure meets all site development requirements as specified in Section 13.04 with the exception of the maximum building height requirement of 40 feet. However, Section 4.01(C)(1) of the Zoning Ordinance allows for grain elevators, silos and other structures to exceed the maximum height requirement for the district in which it is located. It is our opinion that the proposed flour packing and warehouse facility is similar to a silo, grain bin, or grain elevator, and may be considered exempt from the height limitations of the Zoning Ordinance.

The site plan also illustrates a modular block wall along the rear property line of the site, adjacent to the Flat River. The block wall varies in height but is three (3) feet at its peak and steps down to grade on each end.

Lighting. Outdoor lighting requirements and restrictions are contained in Section 4.24 of the Lowell Zoning Ordinance. The submitted photometric plan confirms compliant lighting fixture specifications and illumination levels. The Planning Commission may find these standards to be met.

Parking. The applicant is proposing 28 parking spaces including two (2) barrier-free parking spaces. Section 19.07 requires warehouses and storage buildings to have one parking space per 2,000 square feet of GFA; therefore, 16 spaces are required per the applicant's proposal. The Planning Commission shall find this requirement to be met.

Signage. The applicant is not proposing any signage on the site.

Landscaping.

- Front Yard Landscaping. Section 13.04(C) of the Zoning Ordinance requires that the first 25 feet of the front yard area, except for necessary entrance drives, shall be landscaped and shall consist of a minimum of one (1) canopy tree and three (3) deciduous shrubs for each 20 feet of lot width. The property has approximately 573 feet of frontage along Broadway Street; however, only 310 feet of this frontage is proposed to be developed thereby requiring 16 canopy trees and 48 shrubs. The applicant proposes two (2) canopy trees and four (4) ornamental trees. The site plan notes indicate that the applicant is seeking a variance from landscaping standards to avoid planting shrubs due to the fact shrubs provide habitat for burrowing animals, which are detrimental to the proposed use. Section 4.26.B permits the Planning Commission to modify landscaping requirements. The Planning Commission may address general landscaping with the applicant or as a condition of approval.
- Frontage landscaping. Where any parking area abuts or faces a public street, landscaping shall be required between the parking area and the street right-of-way. The Planning Commission may feel that proposed Front Yard Landscaping as described above suffices this requirement.
- Interior parking lot landscaping. Section 4.26(E)(3)(c) requires interior landscaping to be provided for any parking area containing 20 or more parking spaces. The applicant proposes two (2) canopy trees located within landscaping islands within the parking area located in the front yard. The Planning Commission may find this standard to be met.

Floodplain Issues and Compensating Cut. Like many projects near downtown Lowell, the proposed project is within the 100-year floodplain, so the provisions of the Floodplain Overlay district also apply. The site plan indicates that the warehouse and storage facility would be constructed at an elevation of about 636.4 feet while the floodplain elevation is 635.4 feet. The subject property presently has an elevation of approximately 630 feet, so the site will need to be filled to bring the first floor to 636.4 feet, one foot above the base flood elevation.

Due to the fill needed on the site, a compensating cut will likely be required by the MDEQ pursuant to Part 31 of the Michigan Natural Resources and Environmental Protection Act (PA 451 of 1994). Generally, projects in a 100-year Floodplain that involve more than 300 cubic yards of fill require a compensating cut in a location reasonably close to the project. In the past,

the applicant has utilized Stoney Lakeside Park for this purpose, which also required approval from the Parks Commission and City Council. This should be addressed.

Site Plan Review Standards

Section 18.09 of the Zoning Ordinance sets forth six standards that must be utilized by the Planning Commission in reviewing site plans. Those standards, along with our remarks, are below:

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

Remarks: The proposed use of storage, warehousing, and packing is similar to adjacent uses and buildings on adjoining properties. The subject property abuts properties zoned I, General Industrial to the north and west and properties zoned PF, Public Facilities to the south. The Flat River lies immediately to the east. 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 is proposing two ingress and egress points along Broadway Street; one to the north and one to the south of the developed area. This design is expected to facilitate a logical and safe circulation pattern around the site. The Planning Commission may find that this standard is met.

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

Remarks: The applicant proposes a five (5) foot concrete sidewalk along the frontage of Broadway Street. The Planning Commission may find that this standard is met.

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

Remarks: The site was a previously-developed industrial property home to a Michigan Wire processing plant and, therefore, significant natural features are not present on the site. Nonetheless, the subject properties are located within the 100-year floodplain and will require a permit from the MDEQ for a compensating cut to mitigate the fill necessary

for the development. The Planning Commission may address this as a condition of approval.

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

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

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

Remarks: The Master Plan indicates that the subject properties fall under the "Industrial" Future Land Use designation. According to the Master Plan, the Industrial Future Land Use Designation incorporates "areas planned for Industrial land uses [that] are intended to accommodate continued industrial uses." The proposal is an expansion of existing industrial uses in an area planned for such uses. The Planning Commission may find that this standard is met.

Engineering Review

The grading plans show the warehouse located central with a paved drive surrounding the building and parking located in the front and rear of the facility. Site grading places the first floor one foot above the base flood elevation and the surrounding pavements are lower. The site is within a few feet of the existing grade and requires a modular block wall along the rear property line. Drainage is handled by a proposed system of catch basins, perforated storm sewer, and a treatment basin. Roof drains and the treatment basin outlet to the Flat River by the existing 30-inch storm sewer.

Grading and Storm Water Review:

- Note: spot grades are not shown. Proposed contours show that the site should work well. Grades are consistent between civil and architectural plans.
- Calculations were not provided. Provide management and storm sewer calculations for engineering review. Pipe sizing and slopes seem sufficient at first glance.
- Detention is not provided. Site developments require detention and treatment consistent with Kent County Drainage standards. Note 14 of the site plan outlines the approach to handling the drainage and calls for collecting a treatment volume. Detention is not indicated. Why is storage volume not provided?
- Storm sewer is stubbed to the south. Indicate if future conditions are maintained by the proposed system.
- Show cleanouts as needed for south roof drain line, similar to the north.
- Provide outlet details and calculations.
- Provide details and calculations for the emergency overflow and method of stabilization if needed.
- Indicate vertical separation from sanitary sewer.

- Note: storm sewer material is perforated. There is no known soil contamination in this area at the time of review. However, it is noted that the site had a previous industrial use.
- Note: verify strength where cover and loading may be of concern, runs to CB-6 and from CB-3.
- Note: SESC provisions and restoration are not indicated. These will be required for SESC permit and MDEQ permitting.

Water and Sanitary Review:

Domestic and fire protection service are shown on the plans at the front of the building with connection to the public water system in Broadway via a 6-inch ductile iron line. There is also a hydrant in the northeast corner of the site that is served by this line. Sanitary service connects to the existing sanitary system to the rear of the building.

- City Water Department requires separate curb stops in the road right-of-way for domestic and fire protection lines. It appears that there are multiple existing connections available.
- Water and fire protection materials, fittings, valves and boxes will need to be accepted by City Water Department
- Verify separation for existing storm sewer and indicate on plans to the rear of the site.

Recommendation

At the July meeting, the Planning Commission should discuss the site and consider comments from the applicant and public, if any. Generally, the project meets the standards of the City's Zoning Ordinance, and we do not believe that additional landscaping is needed on this site. However, we believe that the proposed compensating cut and site engineering requires additional investigation and review from the City that has not been completed yet. Therefore, the Planning Commission may table the application until those issues are addressed.

If the Commission is inclined to approve the application, the following conditions are suggested, along with any others deemed necessary:

1. The Planning Commission may require additional landscaping to meet the standards of Section 13.04(C).
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 shall maintain all required federal, state, and local permits and approvals.
4. The applicant shall comply with the stipulations of the City Fire Department and any other applicable emergency personnel regarding emergency access to the proposed structure.
5. The applicant shall comply with the stipulations of the Michigan Department of Environmental Quality (MDEQ), the City Engineer, and the City Attorney regarding the

required floodplain compensating cut. If the compensating cut is to take place on City property, approval from the Planning Commission, Parks and Recreation Commission, and Lowell City Council may be required, depending on the location. A copy of the approved permit and materials shall be submitted to the City.

6. The applicant shall provide additional information outlined in this memorandum for review and approval by the City Engineer and DPW staff.

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

MEMORANDUM

To: City of Lowell Planning Commission
Date: July 3, 2018
From: Andy Moore, AICP
RE: **Zoning Ordinance Amendments**

At the June planning commission meeting, it was requested that we suggest some additional sections of the zoning ordinance that are in need of revision. Based on the audit we prepared in 2016 and the work completed to date, we offer the following suggestions for zoning amendments for the Commission's consideration:

1. District Standards (Chapters 5-13, 16, and 16A). In all districts, the Planning Commission could review setbacks, lot coverage requirements, permitted and special land uses, and other standards. As noted in the audit, some lot coverage standards are ambiguous and in some cases, unrealistic and overly restrictive. Further, there are occasional instances where we question required minimum setbacks, particularly in older neighborhoods.

It is suggested that these chapters be reviewed in sections so the Commission is not overwhelmed with work. For example, the Commission could focus first on residential districts (Chapters 5-9), followed by non-residential districts (Chapters 10-13 and 16), and finally Planned Unit Developments (Chapter 15).

2. Site Plan Review. The Planning Commission can also review Chapter 18 pertaining to site plan review. This chapter does not need many amendments, however, so this chapter will not likely take much time to complete.
3. Definitions. Following completed amendments of the above-noted chapters, the Commission should thoroughly review the definitions to ensure that all land uses and other key terms are clearly defined.

I look forward to discussing potential amendments with you at the next planning commission meeting. As always, please feel free to contact me if there are any questions.

2018

<u>Open Date</u>	<u>Close Date</u>	<u>Address</u>	<u>Name/Business</u>	<u>Subject</u>
01/09/2018	01/09/2018	2535 Gee Drive	Howard Barriger	Finish Basement
01/30/2018	02/12/2018	219 E. Main	National Park Service	Sign Permit
02/07/2018	02/13/2018	621 E. Main	Lowell Methodist Church	Playground Equip.
02/23/2018	02/23/2018	1001 Heffron	Joe Runstrom	Addition
03/15/2018	03/19/2018	2535 Gee Drive	Howard Barriger	Detached garage
3/28/2018		804 Riverside Dr	Gail VanStee	Fence
04/11/2018	04/11/2018	517 N. Hudson	Philip Hansen	Renovation
04/23/2018	04/23/2018	624 Lafayette	Anne Dimmick	Deck
04/27/2018		610 E Main	Brianna & Jacob Furlong	Fence
05/03/2018		722 N Hudson St	Brent & Hannah Sutterfield	Privacy Fence
05/14/18		152 S. Pleasant	Jasmin Bajric (call him Yas)	New bathroom, windows and siding
05/14/18		724 Riverside Dr	John Hruska	Privacy Fence
06/01/18	06/01/2018	1359 Highland Hill	Chris Gonzalez	Deck
06/04/2018	06/05/2018	201 N. Washington	Lowell Church of the Nazarene	Front Steps
06/06/2018	06/07/2018	814 Grindle	Jason Winn	Above ground pool
06/04/2018	06/11/2018	721 E. Main	Roman Tapia	Deck
06/01/2018	06/11/2018	350 N. Center	Laurels of Kent	Awning
06/27/2018		609 Lafayette	Rachel Devries	Fence
07/02/2018		1301 Sibley St	Luis Luna	Fence