

**OFFICIAL PROCEEDINGS
OF THE
PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
FOR THE REGULAR MEETING OF
MONDAY, DECEMBER 09, 2019 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 Tony Ellis, Colin Plank, Michael Gadula, Marty Chambers, Amanda Schrauben and Chair Bruce Barker.

Absent: Commissioner Dave Cadwallader.

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

2. **APPROVAL OF ABSENCES.**

IT WAS MOVED BY CHAMBERS and seconded by ELLIS to excuse the absence of Commissioner Dave Cadwallader.

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

3. **APPROVAL OF AGENDA.**

IT WAS MOVED BY CHAMBERS and seconded by ELLIS to approve the agenda as amended moving the Site Plan Review – 312 E. Main Street – Superior Lofts as item a. under New Business.

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

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

IT WAS MOVED BY SCHRAUBEN and seconded by CHAMBERS to approve the minutes of the November 11, 2019 Planning Commission 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 no comments.

6. **OLD BUSINESS.**

There was none.

7. **NEW BUSINESS.**

a. **Site Plan Review – 312 E. Main Street – Superior Lofts.**

Brent Slagell who owns 312 E. Main St explained his intentions with the property, rehabbing the 2nd floor into 12 residential units (11 two-bedroom units and 1 one-bedroom unit). In that process, demolish the portion of the back building that is falling down, and create parking spaces that will be needed for the new residential units. Slagell stated they have reached out to MEDC for a Community Revitalization Program Grant and have received a letter of interest but that is as far as he can take it until he gets a site plan approval.

Andy Moore with Williams & Works then went through the site plan review. Explained the subject property is the old Superior Furniture Building. The easterly portion of the building is on a separate

parcel (318 E. Main) used as a restaurant (Big Boiler Brewing). The west portion of the building (312 E. Main) contains Mi Hometown Furniture on the ground floor only. The applicant has proposed to add twelve apartment units on the second floor of 312 E. Main. This would change the property from Retail to Mixed Use. Both of these uses are permitted by right in the Mixed Use district.

SITE PLAN REVIEW

Setback and Dimensional Requirements. Section 16A.04 of the Zoning Ordinances requires no setbacks, and no changes to the building footprint are proposed. Other dimensional requirements are met.

Landscaping. Since there are no changes proposed to the site, no landscaping is required other than parking lot landscaping, which is addressed below.

Lighting. Three parking lot lights are proposed on 12' tall poles in the islands adjacent to Kent Street, which is acceptable. Fixtures must be downward facing and fully cut-off in compliance with the Zoning Ordinance. This can be addressed as a condition of approval.

Parking/Circulation. The applicant is proposing to add numerous spaces along the south side of the property (along Kent Street). The site contains 37 spaces to the east of the building that serve Big Boiler Brewing. There is an additional parking/loading area and loading docks behind the buildings, and two old outbuildings exist along Kent Street, just east of the Lowell Granite property. The applicant is proposing to demolish these two buildings and expand the parking area, behind both the subject property and Big Boiler's property.

The Ordinance requires two spaces per unit, which equates to 24 spaces required. The applicant has proposed to add 39 spaces, which exceeds the minimum for the apartments. It is likely that the lot will be shared by residents, Mi Hometown Furniture, and Big Boiler. Within the mixed use district, the applicant can count public spaces within 400 feet of the site toward the minimum as well. There are numerous spaces within 400 feet of the site, so the Planning Commission may accept that parking layout as proposed. Due to the fact that there are multiple parcels involved, it may be prudent to have the property owner draft a shared parking agreement between the two properties in the event that the parcels are separately owned in the future. This can be addressed as a condition of approval.

The applicant has also proposed one landscape island and additional trees planted along Kent Street. The Zoning Ordinance requires one island per each 20 spaces, so only one island is required. The landscaping plan for the parking lot is sufficient.

The Ordinance also requires that drive aisles be at least 24 feet wide, and the northerly two drive aisles are only 22 feet. This should be revised. Further, it appears that two of the drive aisles would be used as loading areas, which would create conflicts between parked vehicles and delivery trucks for both Mi Hometown Furniture and Big Boiler Brewing. This should be discussed with the applicant.

Signage. One wall sign is proposed on Main Street that would "match the old Superior Furniture building sign." The signage proposed appears to be acceptable but will be reviewed in greater detail once a sign permit is reviewed. This can be addressed as a condition of approval.

Storm water. Most of the site is impervious presently. A small area on the east side of the parking lot (measuring 13' x 116') that is presently grass would be paved, and this impervious area would be offset somewhat by the additional landscape islands that are proposed. The amounts of impervious surface will increase only slightly. The applicant has not submitted storm water calculations, and it is likely that any issues related to storm water will be limited to this property only. The applicant should ensure with his design engineer that the proposed parking area would be adequately drained.

Refuse. One dumpster is proposed along Kent Street in the southwest corner of the site, adjacent to

Lowell Granite's property and directly adjacent to the sidewalk. It is proposed to be enclosed with a 5' tall chain link fence with privacy slats. The Zoning Ordinance does not contain standards for dumpster enclosures, although fences around dumpsters are often 6' tall wood privacy fences or masonry enclosures. The Planning Commission may require a greater enclosure height and specific materials for the enclosures. Further, it may be prudent to move the enclosure 1-2 feet away from the sidewalk as proposed, as there is little room for the pedestrians on the sidewalk between the enclosure and the edge of pavement on Kent Street.

Site Plan Review Standards

Section 18.06 of the Zoning Ordinance sets forth six standards that must be utilized by the Planning Commission when they review site plans. Those standards along with remarks are as follows:

- 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 new use as a mixed use development is permitted in the MU district. The building is already in existence and would not impede the development of adjacent properties.
All the Commission agreed these standards are 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 property is serviced by a sidewalk along Main Street and the applicant has proposed a sidewalk along Kent Street as well. Pedestrian access from surrounding uses and side yard parking facilities is sufficient, and the site plan illustrates an overall improvement to this block. The layout of the site is functional and is consistent with the character of the downtown.
All the Commission agreed these standards are 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: A sidewalk services the site along Main Street and Kent Street, which connects to adjacent properties, and the site is well connected to the City's transportation network.
All the Commission agreed these standards are 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 property is developed, and the applicant is proposing additional street trees on the inside of the sidewalk along Kent Street. **All the Commission agreed these standards are met.**

- 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: The proposed development represents the continued improvement and reuse of an existing historic building. Approval from the Historic District Commission may be required. A condition of approval can stipulate continual compliance with applicable codes and ordinances. **All the Commission agreed these standards are met.**

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

Remarks: The Mixed Use district was developed in recent years upon recommendation from the City Master Plan. The zoning language was written to permit and encourage reuse of existing buildings that contribute to the charm of downtown Lowell. This site is zoned for mixed use and the proposed use is consistent with the character of nearby properties. The development of twelve apartments would be a welcome addition to downtown Lowell and will help increase the supply of housing options and strengthen the viability of other downtown retail and service activities. **All the Commission agreed these standards are met.**

After careful consideration, the Planning Commission went on to recommend approval of the Site Plan for 312 West Main – Superior Lofts subject to the following conditions:

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 use shall at all times comply with city, county, state, and other applicable regulations.
4. Signage shall be submitted to the Zoning Enforcement Officer for review prior to installation.
5. All drives aisles in the parking lot shall be at least 24' wide.
6. Lighting fixtures shall be submitted for review to the Zoning Administrator prior to installation.
7. The Planning Commission requires the applicant to develop a shared parking agreement for 312 and 316 E. Main Street.
8. The Planning Commission requires a 6' enclosure for the dumpster, the use of materials for the enclosure be similar to the buildings material and for it to be setback from the sidewalk

IT WAS MOVED BY CHAMBERS and seconded by SCHRAUBEN to approve the Site Plan for 312 West Main – Superior Lofts with the conditions listed above.

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

NO: None. ABSENT: Commissioner Cadwallader MOTION CARRIED.

- b. Approve 2020 Meeting Dates.

It was a general consensus that all the commissioners were in favor of the 2020 meeting dates as written. City Clerk Sue Ullery will set up a meeting date in October of 2020 with the two other Townships (Vergennes & Lowell Charter) to be held at Lowell City Hall.

c. Review of Non-residential Districts.

Andy Moore with William & Works went through the last big block of work on the Zoning Ordinance review with the commissioners which included C1, C2, C3, IL & I districts. Moore said there are a few miscellaneous items left but he thinks they can tackle all of those at once. Chair Barker then scheduled the Public Hearing for the Zoning Ordinance (Districts) for the January 13, 2020 Planning Commission meeting.

8. **STAFF REPORT.**

There were no reports.

9. **COMMISSIONERS REMARKS.**

Commissioner Chambers stated that the Christmas parade was awesome! He loves it when the town shows up at these things and all the people have smiles and are happy!

Commissioner Plank questioned whether the CBD business downtown is going out of business and if they are, should they revisit not allowing such businesses in the downtown district.

Chair Barker wished everyone a very Merry Christmas and a Happy New Year!

10. **AJOURNMENT.**

IT WAS MOVED BY CHAMBERS and seconded by GADULA to adjourn at 7:59 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk