

**SPECIAL MEETING
OF THE
PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
FOR THE REGULAR MEETING OF
MONDAY, JUNE 28, 2021 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, Amanda Schrauben, Collin Plank, Michael Gadula, Dave Cadwallader and Chair Bruce Barker.

Absent: Commissioner Marty Chambers.

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

2. **EXCUSE OF ABSENCES.**

IT WAS MOVED BY SCHRAUBEN and seconded by PLANK to excuse the absence of Commissioner Marty Chambers.

YES: 6. NO: Commissioner Chambers. ABSENT: None. MOTION CARRIED.

3. **APPROVAL OF AGENDA.**

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

YES: 6. NO: Commissioner Chambers. ABSENT: None. MOTION CARRIED.

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

There were no comments.

5. **OLD BUSINESS.**

There was none.

6. **NEW BUSINESS.**

a.) **Public Hearing – Culver’s -1279 W. Main Street – Special Land Use and Site Plan Review.**

Chair Barker asked person/persons representing Culver’s to introduce themselves and tell us what you would like to do.

Steve Steffen who resides at 1864 Conlin Avenue in Grand Rapids stated he is the owner/operator of the Culver’s Restaurant located on 28th Street in Cascade for 16 years. Tonight he is here with his business partner Gary Kuhlmann and they would like to ask for approval on their site plan for a Culver’s here in Lowell. Plan to hire 60 to 70 employees with a nice wage, once approved and open.

Chair Barker then opened the Public Hearing.

Andy Moore with Williams & Works then reviewed his memo stating the property is approximately 1.2 acres’ in the C3 General Business district. The applicant is proposing to construct a Culver’s restaurant with drive-through facilities. The site is currently vacant and the building comprise about 4,360 square feet. The site is part of a larger parent parcel that is about 2.6 acres. A Jimmy John’s was recently approved in the southwest

corner of this parcel. This approval included a condition that the Jimmy John's would be split from the parent parcel. Similarly, the Culver's is proposed on a portion of the same parent parcel and would also be split from the remaining parcel. Restaurants with drive in facilities are permitted by special land use in the C3 General Business district in Section 12.03 of the zoning ordinance.

Chair Barker discussed the parking and suggested a fence for additional parking to help cut down noise.

Matt Cole who is the engineer, this being his 9th Culver's restaurant, said that Culver's customers typically prefer inside than drive-through at Culvers.

Moore then went through the site plan review standards A-F.

There were no public comments.

Moore and the Commissioners found that all the site plan review standards A-F.

IT WAS MOVED BY CADWALLADER and seconded by ELLIS to accept that the Site Plan Standards A – F have been met.

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

NO: None. ABSENT: Commissioner Chambers. MOTION CARRIED.

Moore then went through the Special Land Use Review Standards A- F.

Moore and the Commissioners found that all the Special Land Use Review Standards A- F have been met.

IT WAS MOVED BY CADWALLADER and seconded by PLANK to accept that the Special Land Use Review Standard have been met.

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

NO: None. ABSENT: Commissioner Chambers. MOTION CARRIED.

Moore then reviewed the Restaurant with Drive-Through Facilities Special Land Use Standards A – E.

Moore and the Commissioners found that all the Restaurant with Drive-Through Facilities Special Land Use Standards A-E have been met.

IT WAS MOVED BY ELLIS and seconded by CADWALLADER to accept that all the Restaurants with Drive-Through Facilities Special Land Use Standards A-E have been met.

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

NO: None. ABSENT: Commissioner Chambers. MOTION CARRIED.

Moore then went through the conditions.

Based on the foregoing review and finding of fact, the proposed special land use and site plan is subject to the following conditions:

1. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
2. The applicant shall comply with any requirements from the Lowell Area Fire Department, City's Department of Public Works, City Engineer, Kent County Drain Commissioner, or other approving agencies.
3. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
4. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.
5. If the subject property is proposed to be split from the parent parcel, proof of this split shall be submitted to the City.
6. Exterior lighting shall not exceed 0.5 foot candles on adjacent private property, in accordance with Section 4.24 of the Zoning Ordinance, with the exception of the westerly lot line adjacent to Jimmy Johns.
7. The applicant shall submit a copy of a shared access agreement with the adjacent property for a driveway connection and a copy of the easement agreement for parking on the northern portion of the property.
8. Landscaping, buffers and/or greenbelts shall be continuously maintained to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

There were no public comments.

Chair Barker closed the public hearing.

IT WAS MOVED BY ELLIS and seconded by CADWALLADER to approve the Special Land Use for Culver's at 1279 W. Main Street with the above conditions as listed.

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

NO: None.

ABSENT: Commissioner Chambers.

MOTION CARRIED.

7. **STAFF REPORT.**

There were no comments.

8. **COMMISSIONERS REMARKS.**

Commissioner Ellis stated it was good to see a through plan.

9. **ADJOURNMENT.**

IT WAS MOVED BY CADWALLADER and seconded by GADULA to adjourn at 7:41 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk