

**OFFICIAL PROCEEDINGS  
OF THE  
PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE  
CITY OF LOWELL, MICHIGAN  
FOR THE REGULAR MEETING OF  
MONDAY, MARCH 14, 2016, 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 City Clerk Susan Ullery and the Pledge of Allegiance was recited.

Present: Commissioners Dave Cadwallader, Jim Salzwedel, Alan Teelander and Chair James Zandstra.

Absent: John Gerard

Also Present: Interim City Manager David Pasquale, City Clerk Susan Ullery and Andy Moore from Williams & Works

2. **EXCUSE OF ABSENCES.**

IT WAS MOVED BY CADWALLADER and seconded by SALZWEDEL to excuse the absence of John Gerard.

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

3. **APPROVAL OF AGENDA.**

IT WAS MOVED BY TEELANDER and seconded by SALZWEDEL to approve the agenda as presented.

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

4. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 8, 2016.**

IT WAS MOVED BY TEELANDER and seconded by CADWALLADER that the minutes of the February 8, 2016 meeting be approved as written.

YES: 4. 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. 2016 Goals/Priorities.

The items were discussed by the Commission and Andy Moore but it was decided it would be best to table this item until the two new board members joined the Commission.

IT WAS MOVED BY SALZWEDEL and seconded by CADWALLADER to table this item until two new members were appointed.

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

7. **NEW BUSINESS.**

a. Public Hearing – 119, 121, 125 and 127 Monroe Street SE – Special Land Use.

IT WAS MOVED BY TEELANDER and seconded by CADWALLADER to open the public hearing.

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

Andy Moore explained the City of Lowell has submitted an application for site plan review and special land use approval to construct a parking lot on Monroe Street, just south of Main Street. The subject property has an area of about 29,000 square feet and is within the C- Central Business District. The Commission should review the site plan and special land use application pursuant to applicable standards of the City of Lowell Zoning Ordinance.

No public comments were received.

IT WAS MOVED BY CADWALLADER and seconded by SALZWEDEL to approve the special land use permit based upon the four standards that are set forth in Section 17.03 (A) of the Zoning Ordinance. Suggested conditions include:

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 special land use shall at all times comply with city, county, state and other applicable regulations.
4. The City must control all parcels on the site before construction can begin.
5. Lighting fixtures must be fully cut – off and in compliance with all standards of the City’s Zoning Ordinance.
6. Any other conditions deemed necessary by the Planning Commission.

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

b. Public Hearing – Proposed Amendment to the Zoning Ordinance.

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

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

Andy Moore gave a brief description of what the hearing was about.

- It allows for “Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources” as a special land use in the I-General Industrial District
- It amends various sections of the F-1 Floodplain District to clarify that this district is an overlay district, to allow only those uses permitted in the underlying zoning district, and to clarify several provisions relating to standards for development within the Floodplain District.
- It amends Section 17.04(c) of relating to special land use provisions for “Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources” such to clarify that earth removal shall not alter predominate drainage patterns or cause drainage impacts to adjoining properties, and to require an applicant to propose an end use plan for a property on which mineral resource removal activities are proposed.
- In addition, the amendment rezones all properties currently zoned F-1 Floodplain to other zoning districts in order to be consistent with the language of the Zoning Ordinance. The following table illustrates the extent of the proposed rezonings.

Jim Pfaller of 812 Bowes Road had concerns with the project and what the City allows them to do because of the location of the city wells and how it will impact the water table that supplies the water to the City. He also discussed his concern about rezoning to residential.

Matthew Silverman of 125 S. Division had concerns with the project and agreed with Pfaller’s comments. He is highly opposed to rezoning this land and believes it should remain in the Floodplain District.

Steve Morrison of 126 S. Division spoke about some of his concerns with the project and stated that he as well as others had not received a letter regarding the rezoning project.

Kathleen Burmania of 755 Grand River had concerns with the project as well and did not agree with the rezoning proposal. She said her property is flooded every year. She asked if the property taxes would go up for the property owner? And she asked what benefits does it have for the property owner? City Manager Pasquale explained the zone of the property does not necessarily determine the value of the property. Other factors are taken into consideration, such as the value of property near the property in question, the suitability of being able to build on the property, etc.

Commissioner Salzwedel asked City Clerk Sue Ullery who received the letters and she responded stating that letters were sent out to all of the properties that are within 300' of the properties listed in the packet.

There was more discussion by the Commissioners regarding the concern for the drinking water and what effect this would have on that. More research will need to be done. Moore explained that just because these areas will be rezoned, does not mean that they will no longer be in the floodplain district.

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

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY TEELANDER and seconded by CADWALLADER to table this issue until the April 11, 2016 Planning Commission meeting in order to allow further research and so that more residents are made aware.

YES: 4. NO: 0. ABSENT: 1. MOTION CARRIED.

8. **STAFF REPORT.**

There was nothing to report.

9. **COMMISSIONERS COMMENTS.**

Commissioner Salzwedel discussed the fact that they had two people interested in sitting on the board for the Planning Commission and hoped the City Council will discuss this at their next meeting.

Salzwedel also discussed the Old Superior Building and what they would have to do to get some tax credits based on how they are zoned.

IT WAS MOVED BY SALZWEDEL and seconded by CADWALLADER to adjourn at 7:51 p.m.

DATE:

APPROVED:

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James Zandstra, Chair

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Susan S. Ullery, City Clerk