

**LOWELL CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
December 14, 2020**

Held by Teleconference

PRESENT: Blough, Batchelor, Simmonds, Clements, Edwards

TOWNSHIP PLANNER: Tim Johnson

CITIZENS IN ATTENDANCE: 6

The Regular Meeting of the Lowell Charter Township Planning Commission was called to order by Chairperson Simmonds at 7:03 pm.

APPROVAL OF MINUTES OF NOVEMBER 9, 2020 REGULAR MEETING:

Mr. Batchelor moved that the Minutes of the Regular Meeting of November 9, 2020 be approved as submitted. Motion seconded by Mr. Edwards. All in favor and the Minutes of the Regular Meeting of November 9, 2020 are approved.

APPROVAL OF MINUTES OF NOVEMBER 23, 2020 SPECIAL MEETING:

Mr. Edwards made corrections involving the spelling of the name of two members of the public in attendance and some other minor edits. He then moved that the Minutes of the Special Meeting of November 23, 2020 as amended be approved. Motion seconded by Mr. Batchelor. All in favor and the Minutes of the Special Meeting of November 23, 2020 as amended are approved.

CHANGES OR ADDITIONS TO THE AGENDA:

There were no changes or additions to the Agenda.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

The meeting was opened to public comment at 7:12 pm. No one spoke. Public comment was closed at 7:13 pm.

ANNUAL REVIEW OF RRR LANDSCAPE SPECIAL USE PERMIT:

Nikki and Ryan Riebel spoke on behalf of RRR Landscape. Ms. Riebel noted the challenges of this year caused by the COVID-19 pandemic, but overall the business is doing well. The building constructed last year is working for them, and the hours of operation have worked well. As before there are no snow removal services provided during the winter months.

Chairperson Simmonds indicated that the Enforcement Officer had sent a photograph from neighboring property and the RRR Landscape facilities look good. No complaints have been

received. There was a question about the traffic during the day. Ms. Riebel indicated that it is unusual for employees to return during the day, but there is personal traffic during the day.

There being no further questions or comments from members of the Planning Commission, Chairperson Simmonds moved to confirm that the Lowell Charter Township Planning Commission has reviewed the RRR Landscape Special Use Permit and finds that it is in compliance with the Special Use Permit granted November 2018 and that the next annual review will be held in December 2021. Motion seconded by Mr. Batchelor. All in favor and RRR Landscape is found to be in compliance with its Special Use Permit.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

11901 Fulton Retail Building Site Plan and Special Use Permit

Mitchell Harvey of Stonefield Engineering led the presentation for Lowell Retail Management, LLC. This parcel is located in front of the Meijers in Lowell Township facing on M-21, with a bank to its immediate West, and a transmission repair shop to its immediate East. The parcel is 1.5 acres in size in the Commercial Zoning District, with a planned building of 5780 square feet, made up of a restaurant with a drive-thru window and two retail stores. The number of parking spaces is higher than the minimum required but within Township requirements. The building will have water and sewer connections and storm water will flow into the Meijer storm water system. A berm along M-21 is proposed, with additional landscaping on the parcel.

Matt Zimmerman, attorney for Applicant, spoke next. Not all signs are yet shown on the Site Plan. They would like wall signs on the East and West sides of the building as well as signs related to each restaurant and retail space. Chairperson Simmonds asked if all signs planned will meet the Township Ordinance requirements. Mr. Zimmerman indicated that signs other than the one facing M-21 will require more review by Applicant. The drives to the East and North of the property are not believed to be public streets but this will be confirmed. Although Applicant is not currently seeking any variances, it has been suggested to Applicant that one may be required for the additional wall signs. Mr. Clements suggested recent Zoning Board of Appeals decisions be reviewed on this question.

Tim Johnson then summarized his Review dated December 14, 2020. He made several recommendations on landscaping of the parcel, including the use of a hedge instead of a berm along M-21. Overall he felt the Site Plan was well prepared. He also noted that Township Engineer LRE had submitted an opinion letter dated November 19, 2020, and he felt any outstanding issues can be resolved.

Chairperson Simmonds asked about Page 2 Item 5 of the Review, concerning the proposed berm. Several members of the Planning Commission favored a hedge rather than a berm, and Mr. Zimmerman indicated they would be open to this. The hedge would screen M-21 from the headlights

of cars in the parking lot. It was noted generally that landscaping had been required for other Commercial properties in this area.

Chairperson Simmonds expressed concern about the visibility of people walking across the drive-through window lane. Mr. Zimmerman indicated they would alter the Site Plan to provide better visibility and safety at this crosswalk.

Chairperson Simmonds asked if a hearing date for the Special Land Use and Site Plan should be set, as signage appeared to be the only remaining issue. It was noted that signage is allowed over each public retail entrance. Mr. Johnson would like directional signs shown on the Site Plan. Mr. Batchelor favors moving forward and setting the date, and other members of the Planning Commission agreed.

There being no further questions or comments, Chairperson Simmonds moved to set a public hearing date of January 11, 2021 for a Special Land Use and Site Plan review for a multi-tenant commercial development at 11901 Fulton Street SE (M-21), Lowell MI 49331. Motion seconded by Mr. Edwards. All in favor and the public hearing is set for January 11, 2021.

Findings of Fact for Kent County Youth Agricultural Association Special Use Permit

Tim Johnson presented a proposed Motion, Conditions and Findings of Fact for the Kent County Youth Agricultural Association request for Special Land Use and Site Plan to establish a County Fairground and conduct other activities at 13995 Cascade Road as approved by incorporation into the Minutes of the Planning Commission meeting of November 23, 2020.

Mr. Clements asked that on Page 2, first full paragraph, the reference to turning off of lights at 10:00 pm or sooner be changed to turning off the lights 30 minutes after the end of activities. Mr. Johnson will make this change.

Mr. Johnson asked that Page 4, Item 4 concerning noise monitoring have a date before which the system will need to be approved. After discussion it was decided that approval is required before any outside events are allowed on the property.

There being no further questions or comments, Chairperson Simmonds moved to approve the Motion, Conditions and Findings of Fact for the Kent County Youth Agricultural Association request for Special Land Use and Site Plan to establish a County Fairground and conduct other activities at 13995 Cascade Road with the two changes noted. Motion seconded by Mr. Batchelor. All in favor and the Motion, Conditions and Findings of Fact are approved.

Findings of Fact for Arrow Vet Clinic Special Use Permit

Tim Johnson presented a proposed Motion, Conditions and Findings of Fact for the Arrow Veterinary Clinic request for Special Land Use and Site Plan to construct a Commercial Building within the 100 year Flood Plain at 11250 Fulton Street.

There being no questions or comments by members of the Planning Commission, Mr. Batchelor moved to approve the Motion, Conditions and Findings of Fact for the Arrow Veterinary Clinic request for Special Land Use and Site Plan to construct a Commercial Building within the 100 year Flood Plain at 11250 Fulton Street. Motion seconded by Mr. Clements. All in favor and the Motion, Conditions and Findings of Fact are approved.

Election of Officers 2021

Mr. Edwards moved that the current officers of Chairperson Simmonds, Vice-Chairperson Batchelor and Secretary Clements be re-elected to their current positions for the 2021 calendar year. Motion seconded by Mr. Blough. All in favor and the current officers of the Planning Commission will retain their current positions for 2021.

COMMISSIONER COMMENTS:

Mr. Batchelor asked Chairperson Simmonds to email his new contact information to other members of the Planning Commission.

Adjournment:

Motion to adjourn made by Mr. Edwards. Motion seconded by Mr. Batchelor. All in favor and the Regular Meeting of the Lowell Charter Township Planning Commission was adjourned at 8:14 pm.

Submitted _____ Secretary

Timothy Clements

Approved _____