



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, MAY 9, 2022 AT 7:00 P.M.

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
 - a. April 11, 2022 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
 - a. 2179 Gee Drive – Special Land Use Yearly Review
6. NEW BUSINESS
 - a. Public Hearing – 2531 W. Main Street – Rezone from Industrial to General Business
 - b. Public Hearing – 300 Bowes Road – Proposed Temporary Outdoor Storage
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, APRIL 11, 2022 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, Marty Chambers, Michael Gadula, Dave Cadwallader and Chair Bruce Barker.

Absent: None.

Also Present: Nathan Mehmed of Williams and Works and Lowell City Clerk Sue Ullery.

2. APPROVAL OF AGENDA.

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

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

NO: None. ABSENT: None. MOTION CARRIED.

3. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETINGS.

IT WAS MOVED BY ELLIS and seconded by CHAMBERS to approve minutes of the February 14, 2022 Regular Meeting as written.

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

NO: None. ABSENT: None. MOTION CARRIED.

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

There were no comments.

5. OLD BUSINESS.

a.) Proposed Adult Use Marihuana Zoning Amendment.

Chair Barker opened the public hearing.

Nathan Mehmed with Williams & Works reviewed his memo explaining the proposed zoning ordinance amendment that would amend Section 17.03 (FF) of the City's Zoning Ordinance related to adult use marihuana establishments. If adopted, the proposed amendment would prohibit the establishment of any adult use marihuana establishments on property located east of the Flat River.

Chair Barker asked if there were any public comments.

Todd Foot who resides in Mollen, Michigan has put an offer in on one of the properties that would be excluded with the zoning change. Wants it to be a grow and processing marihuana establishment, not open to public, but would improve the building. Considering even giving the golf course back to the City of Lowell to make a park for the City residents.

Joe Verscula who resides at 1308 Highland Hill stated he is the real estate agent helping Mr. Foot and explained the building they are looking at is 805 E. Main. Want to make it a multiple use building and could lease out portions of the building for other purposes. They want to make it a really nice building and benefit the community.

Chair Barker closed the Public Hearing.

Commissioner Barker stated that this location just doesn't work for this type of establishment as it is too close to residential properties.

City Manager Michael Burns stated there are four or five properties east of the Flat River that this would effect.

Barker asked how many open properties are still for sale in the areas not in question and how many we have already approved.

Burns stated he is not aware of any more buildings available, but a few lots are still for sale. To date, we have approved 11 special land uses. Eight micro-processors and dispensaries and three grow facilities. Five are currently in operation.

Commissioners discussed at length.

Chair Barker re-opened Public Hearing for one more comment from Joe Verscula.

Joe Verscula explained why they wanted this particular building and the way it is zoned.

Chair Barker closed the Public Hearing.

IT WAS MOVED BY BARKER and seconded by PLANK that the Lowell City Planning Commission forward the proposed adult use zoning amendment to City Council for the adoption of the text amendment.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. NEW BUSINESS

a.) Pubic Hearing – Grand Rapids Gravel –Special Land Use Re-Application.

Chair Barker opened the Public Hearing.

Nathan Mehmed of Williams and Works reviewed his memo stating this application was reviewed and approved in December 2020. However, no construction or other on-site activities had taken place on the property to exercise that permit, and no extension for the special use was sought by the applicant. Thus, the 2020 permit is considered null and void and the applicant must now re-apply to proceed with project. The project is the same with the exception of a couple items. The applicant is going to maintain those two or three properties (the duplex and the single family homes) until they are ready to excavate those properties and at that time will use their discretion with however they are leasing them to vacate those residents. Moore has a recommended condition addressing this updated site plan showing this change. Second, the trail conditions have two options to choose from and then the rest of the conditions are the same.

Dave Austin with Williams & Works then came and gave an update on the trail project and the location which goes through Grand River Gravel Property, there is an easement through their property, but explained difficulties with the trail going through. So we need to permit this, there will be a lot of red tape to get through with EGLE. If we get a no from EGLE the option would be to go north of their property along Bowes Rd.

James Dykema representing Grand Rapids Gravel spoke stating they are asking the same application, looking to put in a 22 ½ acre lake with gravel underneath it and over a 10-year period after that is done make some sort of residential housing after that. The real change would be the approach, the housing there doesn't want to leave, so we will work around them. The trail is a concern with safety but they are going to do the best they can with making it work and should know in the fall the trail location. They want to start immediately. There is no problem with the condition #14 or #15.

Charlie Whaley who resides at 2175 Bowes Rd questioned the lighting at night and where the entrance would be. Dykema stated entrance will be on the west portion of the property and lighting would only be during hours of operation.

Chair Barker closed the Public Hearing.

It was agreed upon by all parties that condition #14 was the best option.

The following documents support the findings of fact and the decision of the Planning Commission:

1. Special Land Use Application dated September 4, 2020 and March 3, 2022.
2. Lakeshore Environmental Hydrogeological Certification dated July 1, 2020.
3. Intent to establish easement for non-motorized trail and related documents submitted in October 2020 by Williams & Works.
4. Application narrative and review of site design standards dated September 1, 2020.
5. Memo from Grand Rapids Gravel Company that includes an introduction and project overview dated March 3, 2022.
6. Mining Site Plan, Aerial Photo, and End Use Plan last revised November 4, 2020.
7. Williams & Works staff report dated October 9, 2020 and April 6, 2022.
8. Black Canyon Process Equipment "Safety Data Sheet" received 11/9/20.
9. "Method of Mining" narrative (undated) received 11/9/20.
10. Verbal testimony provided by the applicant and the City's planning and engineering consultants (Williams & Works) at Planning Commission meetings held on October 12, 2020, November 9, 2020 and April 11, 2022.

Findings

The approval process for a special land use requires attention to the specific provisions contained in the City's Zoning Ordinance applicable to such operations. The Planning Commission adopts the findings as outlined in the Williams & Works memorandum dated October 9, 2020 as its findings related to this application, and further finds that the zoning ordinance requirements have been satisfied.

The City further find the following facts with respect to applicable provisions of the Michigan Zoning Enabling Act (MCL 125.3205):

- i. There are valuable natural resources on the property.
- ii. There is a need for those valuable natural resources by the applicant or in the market served by the applicant.
- iii. The applicant has provided sufficient documentation that no very serious consequences would result from mining. Thus finding of no very serious consequences was made after considering the following factors:
 - a. The relationship of extraction and associated activities with existing land uses.
 - b. The impact on existing land uses in the vicinity of the property.
 - c. The impact on existing property values in the vicinity of the property and along the proposed haul routes, based on credible evidence.
 - d. The impact on pedestrian and traffic safety in the vicinity and along the proposed haul routes.
 - e. The impact on other identifiable health, safety, and welfare interests in the local unit of government.
 - f. The overall public interest in the extraction of the specific natural resources on the property.

Based on the foregoing review and findings of facts, 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 continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
- 3.. 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.
4. The applicant shall comply with any stipulations from the City Engineer, Lowell Area Fire Department, or other City officials.
5. The applicant shall receive approval and comply with any stipulations from the Lowell Area Fire Department regarding emergency vehicle access.
6. The applicant shall receive a driveway permit from the City of Lowell.
7. All structures and buildings shall comply with the setback requirements of the Industrial and River's Edge districts. No machinery shall be erected or maintained within 50 feet of any property or street right-of-way. Further, no cut or excavation shall be made closer than 50 feet to any street right-of-way line or property line.
8. All necessary development permits shall have been issued by appropriate local, state, and federal authorities, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Natural Resources under authority of Act 451, of the Public Acts of 1994, as amended. Where a development permit cannot be issued prior to the issuance of a zoning compliance permit, a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance may be acceptable.
9. Dust shall be controlled on the subject property through the use of water, dust palliative, and the ongoing maintenance of the paved access drive. Dust control shall comply with the air quality requirements of the Michigan Department of Environment, Great Lakes, and Energy (EGLE) or subsequent department. Any debris tracked on Bowes Road from the site shall be removed as soon as practicable.
10. The applicant shall maintain existing trees along the property boundaries to function as a buffer between uses.
11. Hours of operation (including loading) shall be between 7:00 AM and 5:00 PM Monday through Friday (excluding federal holidays) and 7:00 AM and 2:00 on Saturdays (excluding federal holidays). The mine shall not operate outside of these hours, or on Sundays or federal holidays.

12. The applicant shall designate an area for fuel and lubricant storage on the site plan and submit measures for safety and preventative for final Zoning Enforcement Officer approval.
13. Fencing shall be located along property boundaries as shown on the November 4, 2020 site plan and be at least six feet in height. Fencing shall be placed no closer than 50 feet to the top or bottom of any slope.
14. The applicant shall cooperate with the city in its efforts to obtain a permit to construct the trail in approximately the currently defined 20-foot-wide easement illustrated on the plans. Should the current location not be permit able, the applicant shall cooperate with the city to modify the alignment to a mutually agreed upon location as needed in order to obtain the permit.
15. The applicant shall place appropriate "Keep Out / Danger" signs around the premises, not more than 150 feet apart.
16. Stockpile height shall not exceed 45 feet.
17. The proposed berm shall be between 5 and 7 feet tall. Slopes of the berm shall not exceed 1:3.
18. Natural screening in the form of rolling topography, vegetation, and tree lines shall be preserved as much as possible to maintain the general character of the City, public rights-of-way, and neighboring properties.
19. Noise on the site shall not exceed sixty (60) decibels at any property line.
20. The applicant shall submit a written annual report to the Planning Commission, which shall include a summary of progress on the site, the amount of material removed, any complaints received and their resolution, any updates to the project schedule, and other items deemed necessary by the planning commission.
21. The applicant shall submit a performance bond in the form of a letter of credit, a certified check, a cash bond, or an insurance policy with the City of Lowell named as an insured party in the amount of \$120,000. The bond shall be released when all conditions stipulated in the Special Land Use permit have been met and the mining and restoration activities (excluding future residential development as illustrated on the end use plan) are complete. The guarantee shall be reviewed annually and adjusted accordingly based on market conditions at the time and the amount of mining remaining to be completed.
22. The applicant shall deposit with the City Treasurer the sum of \$5,000 to serve as a monitoring/enforcement escrow account. This sum will be kept by the City in a separate, interest-bearing account. All expenses incurred by the City of Lowell in the monitoring the subject gravel/sand extraction operation and enforcing the provisions of this special land use permit and the City of Lowell Zoning Ordinance with respect to the same (including legal and administrative expenses) may be paid by the City from the monies in this account. If the balance in this escrow account falls below ½ the above amount, the City Clerk shall notify the applicant of this fact and the applicant shall within 14 days of the date of the notice, deposit the sum necessary to restore the escrow account to its original balance. If at the conclusion of reclamation of the subject property there remains any money in the escrow account, it shall be returned to the applicant.

IT WAS MOVED BY BARKER and seconded by ELLIS that the Planning Commission recommend approval of the Grand Rapids Gravel Special Land Use Reapplication at 2014 Bowes Road with the conditions of approval 1 through 22 as listed above.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

7. **STAFF REPORT.**

There was no report.

8. **COMMISSIONERS REMARKS.**

Commissioner Gadula reminded everyone of the cookie walk this weekend.

Commissioner Chambers suggested everyone stop on the Showboat for the cookie walk, the money that is raised will go to wildlife.

9. **ADJOURNMENT.**

IT WAS MOVED BY CADWALLADER and seconded by CHAMBERS to adjourn at 8:22 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk

Dear Planning Commission,

Item 15 on our Special Land Use approval was that my permit is reviewed annually and that I attend the May 2022 Planning commission meeting. I would like to address how the past year went with the rules outlined in our previous approval.

The year has gone great, as it has in previous years. As per item 6 of the approval, I have emailed the fire department and the police department with any upcoming guest stays.

I appreciate the opportunity you have provided me to continue renting out my home, and in turn, supporting the economy of Lowell.

Sincerely,

John Baar

2179 Gee Drive,

Lowell, MI 49331



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

CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning-Citizens Advisory Commission will hold a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, May 9, 2022, at 7:00 PM. The subject of the hearing will be:

Proposed Drive-Thru Scooter's Coffee Shop at 2531 W. Main Street

An application has been submitted by Krisandra Lippert for a drive-thru Scooter's Coffee shop at 2531 W. Main Street (PPN 41-20-03-301-030). The applicant is seeking to rezone the parcel from I, General Industrial to C3, General Business.

Copies of the application and the City's Zoning Ordinance and map are available for public viewing during regular business hours at Lowell City Hall, 301 East Main Street, Lowell, Michigan. Written comments will be received until the night of the hearing.

The City will provide necessary reasonable auxiliary aids and services to those with disabilities planning to attend upon three (3) days' notice to the City Clerk. Individuals who require such services should contact the City at the address listed above or by telephone at 616-897-8457.

Respectfully,

Susan Ullery
Lowell City Clerk

SECTION I. Zoning Map Amendment

1. Street Address and/or Location of Request: 2531 W. Main Street, Lowell, MI 49331
2. Parcel Identification Number (Tax I.D. No.): # 41-20-03-301-030
3. Applicant's Name Krisandra Lippert, Scooter's Phone Number 210-818-5293
Address 10500 Sapp Brothers Drive Omaha NE 68138
Street City State Zip
Fax Number _____ Email Address krisandra.lippert@scooterscoffee.com

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

5. Applicant is being represented by: Matt Carey, Phone Number 262-754-8888
Pinnacle
Address 20725 Watertown Road, STE 100, Brookfield, WI 53186

6. Present Zoning of Parcel I, General Industrial Present Use of Parcel Vacant Building/Parking Lot

7. Master Plan Future Land Use Classification Mixed Use

8. Please use the lines below to state the request and the reason(s) for the request:
(attach additional pages as necessary)

A proposed drive-thru Scooter's Coffee shop is intended for the parcel. Per the 4/11/22 Pre-App meeting with the City, the site will need to be rezoned to C3 (General Business) to allow for this use. If successful, the necessary Site Plan Review and Special Land Use materials for the project would be submitted as it is intended to proceed with the construction of this project this year (2022).

9. For this application to be complete, the following information must be included:

- ☒ A map clearly illustrating the property to be considered for a zoning change, and the current zoning of all properties within ¼ mile, if applicable
- ☐ A legal description of the property to be considered for a rezoning, if applicable
(Not available per Kent County GIS)

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

Signature: Krisandra Lippert Digitally signed by Krisandra Lippert
DN: cn=Krisandra Lippert, o=Scooter's Coffee, Inc., OU=Development Project Manager, CN=Krisandra Lippert
Date: 2022.04.14 09:25:25 -0500

Type or Print Your Name Here: _____



williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: May 5, 2022
From: Andy Moore, AICP
Tanya DeOliveira, AICP
RE: **2531 W Main Street – Rezoning Request**

Ms. Kassanda Lippert of Scooter's Coffee has applied for the rezoning of property located at 2531 West Main Street from I-1, Industrial District to C-3, General Business. The proposed use on the parcel is a drive-thru Scooter's Coffee Shop. The purpose of this memorandum is to review the request pursuant to the City of Lowell Zoning Ordinance.



Background

The subject property (PPN 41-20-03-301-030) is an interior lot located on the north side of Main Street west of Alden Nash Ave, next to Mercantile Bank. It has an area of approximately 0.81 acres and is currently zoned I, Industrial. A building and parking lot are currently located on the site, which was formerly home to Lowell Chiropractic, but has been vacant for several years. While there has been some interest in the redevelopment of the site (most recently with Culligan Water), it has not materialized. The property to the west and north is owned by D&D Truck Repair Center. This area of the West Main Street corridor is a mostly suburban-style strip corridor containing commercial, industrial, and retail uses.

Zoning Review Criteria. Section 22.05 of the Zoning Ordinance sets forth criteria that must be considered when making a decision on a zoning amendment. These standards are listed below, along with our remarks on each.

1. If the proposed zoning amendment is consistent with the goals, policies, and future land use map of the city's master plan; or, if conditions have changed significantly since the master plan was adopted, if the zoning amendment is consistent with recent development trends in the area;

Remarks: The future land use map in the Master Plan identifies this parcel as being within the Mixed Use designation, which invites a combination of residential, commercial, and office land uses in the area. In our view, the overall character and development pattern of West Main Street contains some type of mixture of uses, though these uses

are primarily commercial and industrial. The proposed zoning amendment is generally consistent with the City's Master Plan.

The West Main Street corridor has experienced quite a bit of development activity over the last several years, including several adult-use marihuana facilities, a financial institution, fast-food restaurants, and others. Several of these uses are auto-oriented and contain drive-through facilities. Thus, the request is consistent with general development trends in the area. The Planning Commission may find that this standard is met.

2. If the zoning amendment is compatible with existing or future land uses in the vicinity; and

Remarks: The subject property is currently within the General Industrial District, and is surrounded by the industrially-zoned properties to the north, west, and east. The parcels to the south are within the C3, General Commercial district. The City's future land use map anticipates that the subject parcel (and those surrounding it) will become Mixed Use. The properties to the north and east are planned to remain industrial.

Presently, the parcel has a vacant building and parking lot. It's adjacent to a Mercantile Bank of Michigan (west), the D & D Truck Repair Center (north and east), and a River Valley Credit Union (south). The Mixed Use land use category is intended to permit a mixture of residential, office, and commercial land uses, which aligns with the existing land uses on this parcel, as well as the parcels to the west and south. The proposed use of the property suggests that it will be compatible with the existing and future uses in the area.

Given the character of the West Main Street corridor, the rezoning request is, in our opinion, consistent with existing and future land uses in the vicinity. The Planning Commission may find that this standard is met.

3. If the site is capable of accommodating all uses allowed by the zoning change, considering existing or planned public infrastructure, including streets, sanitary sewers, storm water, water, sidewalks, and street lighting.

Remarks: The requested rezoning from I-1 to C-3 likely decreases the overall intensity of land uses that would be permitted on the property. While the relatively small area of the parcel (0.81 acres) may preclude the property from accommodating all possible uses permitted under C-3, this is also likely the case with its existing I-1 zoning designation. Rezoning to C-3 is likely to result in a wider range of uses permitted on the site. It is plausible that industrial impeded redevelopment as the parcel's small area likely rendered it unworkable for many industrial activities, so a rezoning to C-3 appears to be a step in the right direction considering the site's area, geometry, and location within the West Main Street corridor.

Recommendation

At the May 9, 2022 meeting, the Planning Commission should carefully consider any comments from the applicant and public. Subject to those comments, it is our recommendation that the Planning Commission recommend approval of the request to the City Council.

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



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

CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning-Citizens Advisory Commission will hold a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, May 9, 2022, at 7:00 PM. The subject of the hearing will be:

Proposed Temporary Outdoor Storage, 300 Bowes Road

An application has been submitted by Aaron Prymula on behalf of West Michigan Auto Xchange utilize 300 Bowes Road, Lowell MI, 49331 (PPN 41-20-11-201-008) for temporary outdoor storage at the Lowell Fairgrounds located at 300 Bowes Road. The applicant is seeking to host a used vehicle sales event from Tuesday, June 21, 2022, through Thursday, June 30, 2022.

Copies of the application and the City's Zoning Ordinance are available for public viewing during regular business hours at Lowell City Hall, 301 East Main Street, Lowell, Michigan. Written comments will be received until the night of the hearing.

The City will provide necessary reasonable auxiliary aids and services to those with disabilities planning to attend upon three (3) days' notice to the City Clerk. Individuals who require such services should contact the City at the address listed above or by telephone at 616-897-8457.

Respectfully,

Susan Ullery
Lowell City Clerk

Request Number: _____

Filing Fee: _____



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

APPLICATION FOR SITE PLAN REVIEW / SPECIAL LAND USE

- 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 four weeks 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: 300 Bowles Kent County Fairgrounds - 225 S. Hudson, Lowell, MI 49331
2. Parcel Identification Number (Tax I.D. No.): #41-20- 11-201-008
3. Applicant's Name: Aaron Prymula on behalf of West Michigan Auto Xchange Phone Number (616) 292-4145
Address: 4822 S. Division Ave. Grand Rapids MI 49548
Street City State Zip
Fax Number _____ Email Address Aaron.Prymula@gmail.com
4. Are You: ☐ Property Owner ☐ Owner's Agent ☐ Contract Purchaser ☐ Option Holder ** Temporary Lessee
5. Applicant is being represented by: Renee Pieper Phone Number Renee@elitedealersolutions.org
Address: 8887 Galecrest Dr., Maineville, OH 45039
6. Present Zoning of Parcel PF - Public Facilities Present Use of Parcel Fairgrounds
7. Description of proposed development (attach additional materials if needed):
See attached

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

Signature: _____ Date: 3-30-22

Type or Print Your Name Here: Aaron Prymula

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.

Owner _____

Date _____

The following 16 points make up the **CHECKLIST** of required information needed on the drawing for final plan approval (unless specifically waived by the Planning Commission). Please go over this **CHECKLIST** with the City Manager and Zoning Administrator before presenting to the Planning Commission.

- | | INITIAL |
|---|----------------|
| 1. Date, north arrow and scale (not more than 1" = 100', supplementary site plans at a 1" = 50' or larger scale are encouraged) | _____ |
| 2. A city locational sketch | _____ |
| 3. Legal description and City address of the subject property | _____ |
| 4. The size in acres or square feet of the subject property | _____ |
| 5. All lot and/or property lines with dimensions, including building setback lines | _____ |
| 6. The location of all existing structures within one hundred (100) feet of the subject property's boundary | _____ |
| 7. The location and dimensions of all existing and proposed structures on the subject property | _____ |
| 8. The location and dimensions of all existing and proposed: | |
| ▪ Drives | _____ |
| ▪ curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval) | _____ |
| ▪ sidewalks | _____ |
| ▪ exterior lighting | _____ |
| ▪ curbing | _____ |
| ▪ parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space) | _____ |
| ▪ unloading areas | _____ |
| ▪ recreation areas | _____ |
| ▪ common use areas | _____ |
| ▪ areas to be conveyed for public use and purpose | _____ |
| 9. The location, pavement width and right-of-way width of abutting roads, alleys or easements | _____ |
| 10. The existing zoning of all properties abutting the subject project | _____ |
| 11. The location of all existing and proposed: | |
| ▪ landscaping and vegetation | _____ |
| ▪ location, height and type of existing and proposed fences and walls | _____ |
| 12. Proposed cost estimates of all site improvements | _____ |
| 13. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer or water supply systems | _____ |
| 14. The location and size of septic and drain fields | _____ |
| 15. Contour intervals shown at five (5) foot intervals | _____ |
| 16. FOR RESIDENTIAL DEVELOPMENT , the following information is required (affixed to the drawing): | |
| ▪ Net developable area, in acres or in square feet, defined as all areas that could be developed subtracted by lands used or dedicated for existing easements and rights of way | _____ |
| ▪ the number of dwelling units proposed (by type), including typical floor plans for each type of dwelling | _____ |
| ▪ the number and location of efficiency and one or more bedroom units | _____ |
| ▪ typical elevation views of the front, side and rear of each type of building | _____ |
| ▪ Dwelling unit density of the site (total number of dwellings / net developable area) | _____ |

Section 17.03 of the City of Lowell Zoning Ordinance specifies that to approve a special land use, the Planning Commission must find that the request meets the following standards. Please describe how the proposed project would meet each standard.

A. Each application shall be reviewed for the purpose of determining that the proposed special land use meets the following standards and, in addition, that each use of the proposed site will:

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed;

2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities;

3. Not create excessive additional requirements at public cost for public facilities and services; and

4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Section 17.04 of the City of Lowell Zoning Ordinance lists specific standards pertaining to special land uses that must be met. Please respond to those standards below as it pertains to the proposed project, describing how the standards would be met by this proposal:

March 30, 2022

City of Lowell

301 East Main Street
Lowell, MI 49331
(616) 897-8457

RE: Vehicle Sales Event for
West Michigan Auto Xchange
4822 S. Division Ave.
Grand Rapids, MI 49548

To whom it may concern:

West Michigan Auto Xchange would like to host a used vehicle sales event.

Date of Event

Sale: Tuesday, June 21, 2022, through Thursday, June 30, 2022

Sale Hours: Monday thru Saturday 9:00 AM-8:00 PM and closed on Sunday

Set Up: Monday, June 20, 2022

Tear down: Friday, July 1, 2022

Location of Sales Event

Kent County Fairgrounds
225 S. Hudson
Lowell, MI 49331

On-site during event

70-100 Used Vehicles
20x40 Tent with tables, chair, and lights inside (for customers)
8x40 Mobile Office Trailer (for staff only)
Towable generator (to be hooked up by a licensed electrician)
2- Portable Toilets (1 regular and 1 handicap accessible)

This sales event will be open to the general public at no cost. This event shall not require the use of any additional public services or public facilities. If you have any questions about this event, please feel free to contact me.

Thank you!

Renee Pieper
Off-Site Event Director
Office: (513) 239-5574
Cell: (513) 382-3700
Renee@elitedealersolutions.org



General Rental Rates & Contract

Date of Event 6/20/22-7/1/22		Type of Event Vehicle Tent Sale	
Contact Name Aaron Prymula on behalf of West Michigan Auto Xchange		E-Mail address Aaron.Prymula@gmail.com	
Address 4822 S. Division Ave.		Telephone (616) 292-4145	
City Grand Rapids	Zip Code 49548	Cell Phone (616) 292-4145	Fax

Buildings & Grounds Rates (prices are per day unless otherwise noted)

Area of Fair Grounds	Price	Deposit	# of Days	Total
King Memorial Youth Center - 4 Hour (includes center, kitchen & bathrooms)	\$150	\$50		
King Memorial Youth Center - Full Day (includes center, kitchen & bathrooms)	\$350	\$50		
King Memorial Youth Center – Meeting Rate (includes use of building only – no set up or kitchen)	\$35 for 2 hours/ \$20 each additional hr	\$35		
Grounds (Parking Area) East Side or West Side	\$250	\$50	12	\$3,000
Restrooms Only	\$150	\$50		
Lighted Sign Rental – no political advertising allowed	\$25			
Foreman Building	\$500	\$50		
Reath Barn	\$225	\$50		
Dairy Barn	\$200	\$50		
Beef Barn	\$125	\$50		
Swine Barn Pavilion	\$150	\$50		
Goat Barn	\$75	\$50		
Rabbit Barn	\$75	\$50		
Poultry Barn	\$75	\$50		
Pulling Track	\$100	\$50		
Pulling Track with lights	\$150/night	\$50		
Horse Arena (Fair Clubs receive \$150/day rate)	\$200/day	\$50		
Individual Horse Box Stall ___ Wittenbach ___ Guikema ___ Kitsch ___ Phelps # of Stalls _____	\$20/day/stall \$10/stall returned if stall is left clean			
Rustic Camping Sites # of Sites _____	\$10/day \$60/weekly			
Modern Camping Sites (electric & water) # of Sites _____	\$20/day \$120 weekly			

Equipment

Equipment requires a rental deposit. Deposit will be refunded when equipment is returned without additional damage. Damage to the equipment will be the responsibility of the renter. Delivery of any item will be at \$1/mile each way.

Item	Quantity	Price/ Day	Delivery	Deposit	Total
Bleachers – grounds usage only		\$20	No	\$50	
Picnic Tables		\$10	Yes	\$25	
Golf Carts		\$30	Yes	\$100	
PA System – grounds usage only		\$50	No	\$50	
Stage		\$100	Yes	\$50	
KCYF Grounds Worker Labor		\$17/hour			
Gates/Pens		\$10	Yes	\$50	
Trash Barrels w/liner		\$2	Yes	\$10	
Additional Dumpster		\$75	No	None	
Chairs		\$2	Yes	\$25	
Tables – 8 foot rectangle or 60" round		\$5	Yes	\$50	
Table & Chair Combination – 1 table, 8 chairs		\$15	Yes	\$50	
Port-a-Jon – grounds usage only		\$85	No	None	
Handicap Port-a-Jon – grounds usage only		\$160	No	None	
additional cleaning of Port-a-Jon		\$16	No	None	

The above person/group agrees to the following terms and conditions:

- Dates and times listed are not subject to change without approval through the fair office.
- Call for non-profit rates.
- Persons using the grounds assume financial responsibility for any damage resulting from their event.
- Persons using the facilities and grounds are responsible for set up and cleanup unless negotiated in the contract.
- If facilities and grounds are not adequately cleaned up, the clean up fees will be deducted from the grounds rental deposit
- Animal waste must be cleaned from grounds and placed in designated manure pits.
- Any signage used must be approved by the fair office.
- Sign rental must be paid in advance.
- Responsible person/group must submit an insurance certificate of liability in the amount of \$1,000,000 naming the City of Lowell as additionally insured.
- **A grounds rental deposit is required to hold your date. Deposit is in addition to rental fee and will be refunded in full if buildings and grounds are left in good order. Mail deposit to**

○ KCYF
PO Box 288,
Lowell, MI 49331

Contract Details:

Date Deposit Paid 4/4/22 Amount of Deposit \$600 Check # _____ Cash _____

Final Payment due by start of the event _____ Date Paid _____

Check # _____ Cash _____

Renter's Signature

Date

Kent County Youth Fair Representative's Signature

Date

Updated 1/22

Kent County Fairgrounds Location

April 05, 2022



Kent County Fairgrounds Location

April 05, 2022



Kent County Fairgrounds

225 S. Hudson
Lowell, MI 49331

4/5/2022



300 BOWES RD SE LOWELL, MI 49331 (Property Address)

Parcel Number: 41-20-11-201-008

**Property Owner:** CITY OF LOWELL YOUTH FAIR**Summary Information**

> Assessed Value: \$0 | Taxable Value: \$0

> Property Tax information found

Item 1 of 2

1 Image / 1 Sketch

Important Message

⊕ 2022 Values are Tentative

Owner and Taxpayer Information

Owner	CITY OF LOWELL YOUTH FAIR 301 E MAIN ST SE LOWELL, MI 49331	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2022

Property Class	401 RESIDENTIAL-IMPROVED	Unit	72 CITY OF LOWELL
School District	LOWELL AREA SCHOOL DISTRICT	Assessed Value	\$0
MAP #	FILTRATION PLANT	Taxable Value	\$0
SPLIT	0	State Equalized Value	\$0
RIVER FRONTAGE	Not Available	Date of Last Name Change	08/03/2021
MEP ZONING	Not Available	Notes	Not Available
Historical District	No	Census Block Group	No Data to Display
USER ALPHA 2	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** No Data to Display

Principal Residence Exemption	June 1st	Final
2021	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2021	\$0	\$0	\$0
2020	\$0	\$0	\$0
2019	\$0	\$0	\$0

Land Information

Zoning Code	Not Available	Total Acres	29.550
Land Value	\$0	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	LOWELL - EXEMPT	Mortgage Code	No Data to Display
Lot Dimensions/Comments	Not Available	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
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No lots found.

Total Frontage: 0.00 ft**Average Depth: 0.00 ft****Legal Description**

PART OF GOVT LOTS 1 & 2 COM AT N 1/4 COR TH E ALG N SEC LINE 422.81 FT TH S 1D 25M 08S W 50.55 FT TH S 88D 34M 52S E TO W BANK OF FLAT RIVER TH SLY ALG SD W BANK TO NLY BANK OF GRAND RIVER TH WLY ALG SD NLY BANK TO A PT 60 FT ELY FROM /MEAS PERP TO 1966 CL OF HUDSON ST/ TH NLY PAR WITH SD CL TO N SEC LN TH E TO BEG * SEC 11 T6N R9W 29.95 A. 08/04:COMB 11-127-002 & 11-201-007-> 11-201-008

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
05/24/2004	\$64,500.00	WD		BartonEst> City (11-127-	08-ESTATE	707/92780

Building Information - 7424 sq ft Farm Implement/Equipment Sheds (Agricultural)

Type	Farm Implement/Equipment Sheds	Class	D,Pole
Floor Area	7,424 sq ft	Estimated TCV	<i>Not Available</i>
Perimeter	372 ft	Height	14 ft
Year Built	<i>Not Available</i>	Quality	Average
Percent Complete	100%	Heat	No Heating/Cooling
Physical Percent Good	37%	Functional Percent Good	100%
Economic Percent Good	100%	Effective Age	43 yrs

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engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: May 5, 2022
From: Andy Moore, AICP
RE: WMAX Temporary Use

Aaron Prymula on behalf of West Michigan Auto Xchange has applied for site plan review and special land use approval to conduct temporary outdoor storage and sales of vehicles on the fairgrounds property located at 300 Bowes Road. The purpose of this memorandum is to review the request pursuant to Chapter 17 of the City of Lowell Zoning Ordinance.

Background

The subject property is approximately 22 acres and is located in the PF Public Facilities District. The applicant is proposing to operate a temporary use on the property described as a used vehicle sales event that would have a duration of 10 days on a portion of the property, from June 21 to July 1, 2022.

The site is part of the larger fairgrounds site that involves several properties, though only the portion of the site south of the Bowes Road entrance would be used for the event. The site plan submitted would include vehicle display areas, customer parking, a tent, a mobile office, and two portable restrooms.

Outdoor storage is permitted in the PF district only with special land use approval in the PF Public Facilities.

Completeness of Submission

The applicant has submitted an application form, project narrative, agreement with the Kent County Youth Fair, and a rudimentary site plan set for review. Section 18.04 B provides a list of information required for final site plan review unless deemed unnecessary by the zoning enforcement officer. While most of the required items are missing, the temporary nature of the use involved renders most of these items unnecessary.

The site would be accessed via a driveway on the south side of Bowes Road, east of Hudson Street. Customer parking would be located adjacent to Bowes Road, and the tent, office, and portable restrooms would be located on the east side of the overall area proposed for the event, near the gravel drive that runs north and south on the property and turns into Broadway as one heads north.

Site Plan Review Standards. To approve a special land use, the Planning Commission must find that each of the standards listed in Section 18.06 would be met. Following are those standards and our remarks on each:

- 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 area proposed for the event is currently a vacant, open lot. No improvements are proposed as the site is currently a grassy lawn area. The event's short duration and limited hours of operation (9 AM through 8 PM Monday-Saturday) will likely ameliorate negative impacts on public health, safety, and welfare.

- 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 one point of ingress/egress to the site from Bowes Road. Parking and access will all occur in the grassy area. However, little information is given relative to emergency access pathways, parking and circulation patterns, specific vehicle storage areas, and similar items, which should be clarified. Similarly, the Planning Commission should ask about anticipated levels of traffic, how parking areas will be marked, and similar issues of concern to ensure the safety of patrons and property.

- 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 point of access is well-defined and will not likely cause traffic problems. Further, the temporary nature of the use will limit impacts on traffic and circulation to only a few days in late June.

- 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 surrounding public and private property.

Remarks: The site is currently open space with a sodded lawn and no permanent alterations to the land are proposed. Temporary vehicle storage will not have notable long-term impacts on the land.

- 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: A condition of approval can stipulate continual compliance with applicable codes and ordinances. The site plan should include reviews by emergency services personnel to ensure that the site will be accessible in case of an emergency. An updated site plan will likely have to be provided that details with greater specificity the locations of storage areas and customer parking.

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

Remarks: The purpose of the PF district is to (1) provide a proper zoning classification for governmental, civic, welfare, and recreational facilities in proper locations and to promote the general safety, convenience, comfort, and welfare; (2) protect the public and semi-public facilities and institutions from the encroachment of certain other uses and to make such uses compatible with adjoining residential uses; and (3) provide an environment for the proper functioning of public facilities in relation to the comprehensive plan and other plans for community facilities.

The subject property is owned by the City, which has undertaken and nearly completed long-range planning and design process for this property when the fairground moves from this location. While the proposed use is not consistent with long-term plans, the property frequently holds small-scale special events, and this is similar to that (although more overtly commercial than most others). Thus, the proposed temporary use of the site is in alignment with the proper functioning of public facilities and can be considered consistent with the Master Plan in the near term.

SPECIAL LAND USE REVIEW

Special Land Use Review Standards. To approve a special land use, the Planning Commission must find that the proposed special land use meets each of the following standards in accordance with Section 17.03. Following are these standards and our remarks on each:

- A. The proposed special land use shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed;

Remarks: The area proposed for the event is currently a vacant, open lot. No improvements are proposed as the site is currently a grassy lawn area. The event's short duration and limited hours of operation (9 AM through 8 PM, Monday-Saturday) will ameliorate negative impacts on public health, safety, and welfare. The property is frequently used for a variety of public events and activities and the temporary nature of the proposed use is likely consistent with previous events.

- B. The proposed special land use shall be generally consistent with the City of Lowell Master Plan;

Remarks: See comments under Site Plan Review, F above.

- C. The proposed special land use shall be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water, and sewage facilities;

Remarks: The site is providing on-site restrooms and other public facilities will not be needed nor will they be significantly impacted. As mentioned above, the site plan should be updated to clearly demonstrate that adequate emergency access has been provided. It is also worth noting that the site is prone to flooding and the applicant should be aware of this risk. The city should reserve the right to take appropriate action to clear the site if such a flood event were to occur or appear likely on the property. The Planning Commission may defer to the Lowell Area Fire Department for comments regarding emergency vehicle access. Approval from and compliance with any stipulations of these agencies may be included as a condition of approval.

- D. The proposed special land use shall not create excessive additional requirements at public cost for public facilities and services;

Remarks: The proposed use is not expected to create additional excessive requirements at public cost for facilities and services. It is worth noting that the site is prone to flooding and the applicant should be aware of this risk. The city should reserve the right to take appropriate action to clear the site if such a flood event were to occur or appear likely on the property. Subject to any concerns from the City, the Planning Commission may find this standard met.

- E. The proposed special land use shall not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Remarks: The proposed use is not expected to cause excessive detrimental conditions of operation as noted in this standard. Activity on the site will mostly consist of automobile storage and it is for a limited duration, so impacts should be minimal.

- F. 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.

Remarks: This standard will be addressed as a condition of approval.

Recommendation

At the May 9, 2022, public hearing, the Planning Commission should discuss the site plan and special land use, and carefully consider any comments from the public and the applicant. Subject to these comments, the Planning Commission may approve the site plan and special land use. If approved, we suggest the following conditions be included, along with any others deemed necessary:

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, 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. The site plan shall be updated to clearly demonstrate that adequate emergency access has been provided to the satisfaction of the Lowell Area Fire Department.
6. The City reserves the right to take appropriate action to clear the site if a flood event were to occur or appear likely to occur on the property.
7. The event shall only occur from Monday, June 20, 2022 through Friday, July 1, 2022, including set up and tear down.
8. Hours of operation shall be between Monday through Saturday, 9:00 AM-8:00 PM and closed on Sunday.
9. Due to the City's future plans for the property, this approval is valid for the 2022 event only. Future events should be held on a commercially-zoned property subject to any rules and regulations in place at that time.
10. No more than 100 vehicles shall be stored on the site. Other temporary improvements (tent, office, generator, restrooms, etc.) shall be installed consistent with the approved site plan.
11. Temporary signage proposed for the site shall comply with Chapter 20 of the Zoning Ordinance.

As always, please contact us if you have any questions.

2022					
Open Date	Close Date	Address	Name/Business	Subject	
01/19/2022	01/19/2022	204 W. Main	Richard Craig	Remodel	
04/06/2022	04/06/2022	825 Hunt Street	Angela Ingram	Re-roof	
04/14/2022	04/19/2022	510 Kent Street	Ridgeline Construction	Deck	
04/20/2022	04/21/2022	671 Birchwood Ct	Max Hilton Builders	Deck	
04/21/2022	05/02/2022	755 Alden Nash	Dan Godinez	Shed	