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Lowell, Michigan 49331
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PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
AGENDA
FOR THE REGULAR MEETING OF
MONDAY, MAY 11, 2020 AT 7:00 P.M.

Join Zoom Meeting
<https://us02web.zoom.us/j/86908959541>

Meeting ID: 869 0895 9541

One tap mobile

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Meeting ID: 869 0895 9541

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
 - a. March 9, 2020 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
 - a. Airbnb Update – 2179 Gee Drive – John Baar
 - b. Riverview Flats – Revised Plans – Todd Schaal will present
6. NEW BUSINESS
 - a. Administrative Site Plan Review – 1070 N. Hudson – The YMCA of Greater Grand Rapids
 - b. Public Hearing - Rair Special Land Use – 2264 W. Main
 - c. Public Hearing – Lume Special Land Use – 1425 W. Main
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, MARCH 09, 2020 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 Vice Chair Dave Cadwallader.

Present: Commissioners Michael Gadula, Marty Chambers, Amanda Schrauben, Dave Cadwallader, Tony Ellis and Colin Plank.

Absent: Chair Barker.

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

2. EXCUSE OF ABSENCES.

IT WAS MOVED BY SCHRAUBEN and seconded by CHAMBERS to excuse the absence of Chair Barker.

YES: 6. NO: None. ABSENT: 1. MOTION CARRIED.

3. APPROVAL OF AGENDA.

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

YES: 6. NO: None. 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 February 10, 2020 Planning Commission regular meeting as written.

YES: 6. NO: None. ABSENT: 1. MOTION CARRIED.

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

There were no comments.

6.. OLD BUSINESS.

a. Jakes Fireworks – Special Land Use Renewal – Informational.

Andy Moore with William & Works provided the information stating they are recurrent every year, same site plan and they do the exact same thing each time. No action needed, this is just so you know it is coming.

7. NEW BUSINESS.

Vice Chair Dave Cadwallader opened the public hearing.

a. Chapter 18 – Site Plan Review.

Andy Moore with Williams and Works provided a brief overview of Chapter 18, what language was added and what language was taken out.

Vice Chair Dave Cadwallader closed the public hearing.

IT WAS MOVED BY CHAMBERS and seconded by ELLIS to make a recommendation to the City Council for

approval of the ordinance changes.

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

NO: None.

ABSENT: Chair Barker.

MOTION CARRIED.

b. Lowell Area Middle School –Exempt from Zoning – Informational.

Andy Moore with William & Works stated the Middle School is undergoing some serious renovations and the plans are in the packet. The law says the school has a statutory exemption from zoning. Looks like they would be compliant if they did need to follow zoning but this is just to make you aware of the project. It will be starting soon and should be done by the beginning of the school year next year.

8. **STAFF REPORT.**

There were none.

9. **COMMISSIONERS REMARKS.**

Commissioner Ellis wanted to note to Chair Barker that the meeting finished in 15 minutes.

Commissioner Chambers wanted to note to Perry Beachum that the meeting finished in 15 minutes.

10. **ADJOURNMENT.**

IT WAS MOVED BY CHAMBERS and seconded by CADWALLADER to adjourn at 7:14 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 be reviewed annually and that I attend the May 2020 Planning commission meeting. I would like to address how the past year went with the rules set forth in our previous approval.

The year has gone great. As per item 6 of the approval, I have emailed the fire department and the police department every Sunday with any guest stays within the following 2 weeks. On December 16, 2019 Chief Steven Bukala emailed asking me to include the number of occupants when informing them of upcoming reservations. I have included them since then.

Also of note is that there have been no other incidents at my property all year.

I would like to request to increase the limit of cars allowed on my property to 8. The garage and driveway have more than enough room to accommodate 8 vehicles, and most would not be visible from the street or neighbors' homes due to the layout of my driveway.

I really appreciate the opportunity you have provided me to continue to rent out my home when I am out of town, and in turn support the economy of Lowell.

Sincerely,

John Baar

2179 Gee Drive,

Lowell, MI 49331

williams&works

engineers | surveyors | planners

MEMORANDUM

To: Mike Burns, City Manager
Date: March 27, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: Greater Grand Rapids YMCA Site Plan Review

Jarrad Pitts, on behalf of the YMCA of Greater Grand Rapids, has submitted an application for site plan review to relocate the Lowell Y into the previous Impact Church building at 1070 N. Hudson Street SE (PPN 41-20-02-126-052). The subject property is located in the PF Public Facilities district. Civic uses are permitted by right in the PF district. Therefore, the purpose of this memorandum is to review the request pursuant to Chapter 18 Site Plan Review of the City of Lowell Zoning Ordinance.



Background

The YMCA of Greater Grand Rapids is requesting site plan approval to relocate the existing Lowell Y community center to the former Impact Church site, which is approximately 2.7 acres. This property is divided into two parcels: one in the City of Lowell and the other in Vergennes Township. This review will focus on the parcel in the City of Lowell, which is approximately 1.8 acres. The applicant is proposing to create a community center, which by definition includes uses and programs generally open to the public and that serve the community. This parcel is in the PF Public Facilities district, where civic uses are permitted by right.

The applicant is not proposing any additions, alterations, or exterior changes to the building. Therefore, because the use is also permitted by right in the PF district, our opinion is that the Zoning Enforcement Officer should be the reviewing body for the site plan in accordance with Section 18.03 B.

Site Plan Review Standards. Each of the standards in Section 18.06 should be utilized when reviewing all site plans. 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: It is not expected that the proposed use would affect the public health, safety, or welfare. Because the applicant is not proposing exterior changes to the former Impact Church building, the building location and relationship to other buildings in the area have been previously approved. It is not expected that the change in use would impede normal and orderly development in surrounding areas. South and east of the property is the R2 Single or Two Family Residential district, west is the R1 One Family Residential district, and north in Vergennes Township is the C Commercial district. Because the former use was civic and the new proposed use is also civic, the proposed use is expected to align well with the existing character of the area. As a civic use, the community center would function somewhat as a transitional use between residential uses in the City of Lowell to commercial and industrial uses nearby in Vergennes Township. The Enforcement Officer may find this standard 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 applicant is not proposing any new curb cuts on the property, so the existing points of ingress and egress on Hudson Street and Lincoln Lake Avenue would remain. There are 72 parking spaces currently on the property. The site plan proposes a net increase of 12 spaces, for a total of 84 spaces. Seven of these spaces are ADA accessible. Additionally, the site plan notes that an agreement has been made with the dental office to the north for the community center to use its parking lot during off-business hours, increasing the community center parking accommodations by 44 additional spaces. The Ordinance does not provide a parking standard for community centers; therefore, the Zoning Enforcement Officer may determine parking spaces based on a use that is most similar in Section 19.04 C. For comparison, Vergennes Township requires commercial recreation establishments that include exercise and health clubs to have seven parking spaces for each 1,000 feet. Based on this standard, the proposed use would require 87 parking spaces. This is comparable to the number of spaces proposed by the applicant and would be exceeded when the dental office spaces are in use. Therefore, it is likely that the proposed parking would be sufficient to accommodate the proposed use.

It is also worth noting that the Ordinance permits supplemental bicycle parking in Section 19.04 L, which permits bicycle parking or bicycle racks to replace the number of off-street parking spaces up to five spaces. If the Zoning Enforcement Officer determines that additional parking is necessary or the applicant desires to provide alternative parking options, bicycle parking may supplement the existing parking requirement. Alternatively, this may be referred to the Planning Commission, if desired.

Pedestrian circulation appears generally safe and efficient throughout the site. Sidewalks exist along both sides of the property in the City and a sidewalk is located adjacent to parking spaces near the building. However, with the expansion of parking to the south, the Zoning Enforcement Officer may consider whether other methods for pedestrian circulation may be necessary within the site, such as designated crossing areas within the parking lot. This has been required by the Planning Commission in commercial developments elsewhere in the city and may be appropriate here.

The Zoning Enforcement Officer may also inquire as to whether additional lighting will be added to the parking lot. Currently, the entire parking lot has lighting around the pavement boundaries. With the expansion of the parking lot, additional lighting may be necessary. As a condition of approval, the Zoning Enforcement Officer may require any additional lighting to have full cut-off features.

- 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 applicant is proposing to utilize existing curb cuts on the property for ingress and egress. It is expected that these connections will accommodate safe and efficient circulation to adjacent streets. Additionally, sidewalks already exist along both sides of the parcel in the City of Lowell, contributing to pedestrian circulation on the site. The Enforcement Officer may find this standard 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 applicant is not proposing the removal or alteration of significant natural features on the site, as the former impact church building is not undergoing any exterior changes and existing landscaping would be mostly retained. The greatest change would result from "proposed future parking", which would require the removal of an 8" Maple tree. If constructed, this expansion would increase the parking lot by approximately 19% based on the number of additional parking spaces provided. Therefore, the parking lot change does not constitute a major change in Section 4.26 E(3). However, the increase in the impervious surface should be reviewed before construction.

Other landscape standards are required as part of the site plan submittal. A fence or landscaped buffer is required between residential and non-residential uses. Residential uses are located adjacent to the subject property to the south. There are some shrubs mixed with larger trees located around this property boundary, although a specific screen is not provided. However, this may be waived by the Enforcement Officer if it is determined that the existing landscaping is sufficient for protecting the quality and integrity of the residential use.

- 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 is the reuse of an existing building. A condition of approval can stipulate continual compliance with applicable codes and ordinances.

- 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 Public Facilities district includes the protection of public and semi-public facilities and institutions from the encroachment of certain other uses and to make such uses compatible with adjoining residential uses. The proposed community center would provide public options for community health and be designed near existing residential areas. This is expected to meet the needs of residents through a convenient and walkable location for many in the area. The Enforcement Officer may find this standard met.

The City of Lowell's Master Plan was adopted in 2007 and outlines a desired vision for land uses in the City. The subject property is located in the Single Family 2 future land use category, which accommodates residential uses along with schools, churches, and municipal and civic buildings. The Enforcement Officer may find this standard met.

Recommendation

The Zoning Enforcement Officer should review the site plan, applicant, and carefully consider the impact of the proposed use. Subject to any concerns, the Enforcement Officer may approve the site plan. 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 continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
3. Any new exterior lighting shall be approved by the Zoning Enforcement Officer and comply with the lighting standards of Section 4.24 and 19.03 C of the Zoning Ordinance.
4. Any signage shall comply with Chapter 20 of the Zoning Ordinance.
5. All landscaping, buffers and/or greenbelts shall be continuously maintained to ensure that proposed uses will be adequately buffered from one another and surrounding public and private property.
6. Drainage calculations and stormwater management related to the "future parking area" shall be submitted and approved prior to its construction.

Request Number: _____

Filing Fee: _____



RECEIVED

MAR 9 2020

**CITY OF LOWELL
LOWELL, MICHIGAN**

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

APPLICATION FOR SITE PLAN REVIEW

- 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 three weeks before 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: 1070 N. Hudson Street SE, Lowell, MI 49331

2. Parcel Identification Number (Tax I.D. No.): #41-20-02-126-052

3. Applicant's Name: The YMCA of Greater Grand Rapids Phone Number (616) 855-9600

Address: 475 Lake Michigan Dr. NW Grand Rapids MI 49504
Street City State Zip

Fax Number (616) 855-9601 Email Address _____

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

5. Applicant is being represented by: _____ Phone Number _____

Address: _____

6. Present Zoning of Parcel _____ Present Use of Parcel Church

7. Description of proposed development (attach additional materials if needed):

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

Signature: [Signature] Date: 2/12/20

Type or Print Your Name Here: JARROD PETERS

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.

1. Date, north arrow and scale (not more than 1" = 100', supplementary site plans at a 1" = 50' or larger scale are encouraged)	INITIAL _____
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	N/A _____
▪ The number of dwelling units proposed (by type), including typical floor plans for each type of dwelling	N/A _____
▪ The number and location of efficiency and one or more bedroom units	N/A _____
▪ Typical elevation views of the front, side and rear of each type of building	N/A _____
▪ Dwelling unit density of the site (total number of dwellings / net developable area)	N/A _____

EXHIBIT A

Property

Land situated in the City of Lowell, Kent County, Michigan:

PARCEL 1:

Part of Government Lot 5, Section 2, Town 6 North, Range 9 West, described as: Commencing 134.48 feet Northwesterly along the Easterly line of Lincoln Lake Avenue (66 feet wide), from the North line of Fox's Addition; thence East parallel with said North line, 137 feet; thence Southerly parallel with the Easterly line of said Avenue to the North line of said Addition; thence East along said North line 104.4 feet; thence Northerly parallel with the Easterly line of said Avenue 134.48 feet; thence East parallel with the North line of said Addition to the Westerly line of Hudson Avenue (66 feet wide); thence Northerly along the Westerly line of said Hudson Avenue to the North Section line; thence West along the North Section line to the Easterly line of said Lincoln Lake Avenue; thence Southerly to the point of beginning.

EXCEPT part of Government Lot 5, Section 2, Town 6 North, Range 9 West, described as: Commencing North 10 degrees 59 minutes 18 seconds West 134.48 feet Northwesterly along the Easterly line of Lincoln Lake Avenue (66 feet wide), from the North line of Fox's Addition; thence South 89 degrees 54 minutes 45 seconds East parallel with said North line, 137.0 feet to the point of beginning; thence South 10 degrees 58 minutes 28 seconds East 134.27 feet to the North line of said Fox's Addition; thence South 90 degrees 00 minutes 00 seconds East 104.40 feet along said North line; thence Northwesterly 134.48 feet (measured as North 10 degrees 58 minutes 28 seconds West 134.11 feet) parallel with said Lincoln Lake Avenue; thence North 89 degrees 54 minutes 45 seconds West 104.43 feet to the point of beginning.

41-20-02-126-052

Land situated in the Township of Vergennes, Kent County, Michigan:

PARCEL 2:

Part of the Government Lot 4, Southwest 1/4, Section 35, Town 7 North, Range 9 West, described as: Beginning at the intersection of the South section line with the centerline of Lincoln Lake Avenue; thence East along said South section line to the Western line of Hudson Avenue extended (120 feet wide); thence Northwesterly along said Westerly line to the North line of the South 165 feet of Government Lot 4; thence West along said North line to the centerline of Lincoln Lake Avenue; thence Southeasterly along said centerline to the place of beginning.

41-16-35-351-015

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: May 8, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: Rair Special Land Use

Rair Properties, represented by Driesenga & Associates, has submitted an application for site plan review and special land use approval to construct an adult use marihuana establishment at 2264 W. Main Street (PPN 41-20-03-385-013). The subject property is located in the C3 General Business district, where adult use marihuana establishments are only permitted by special land use. The purpose of this memorandum is to review the request pursuant to Chapter 17 Special Land Uses and Chapter 18 Site Plan Review of the City of Lowell Zoning Ordinance.



Background

The subject property has an area of approximately 1.21 acres in the C3 General Business district. Currently, the property contains a vacant building that was previously a cabinet shop. The applicant has submitted a copy of the purchase contract for the property. The applicant is proposing to replace the existing building due to structural issues, while keeping the same building footprint for the new construction. This new building is expected to be approximately 4,800 square feet in area. The subject property is adjacent to the C3 General Business district along southern, eastern, and western property boundaries. Across Main Street is the PF Public Facilities district, which is occupied by First Baptist Church.

The applicant is proposing to establish an adult use recreational marihuana retailer. By definition, "marihuana retailer" is a type of adult use marihuana establishment.

Completeness of Submission

The applicant has submitted site plan documents for review. Section 18.04 B provides a list of information required for a detailed site plan review, unless deemed unnecessary by the zoning enforcement officer. We find that the site plan is generally complete for review; however, the following items were not included:

- **Landscape Details, 18.04 B(m).** The size of proposed landscaping is not indicated on the site plan. All other landscape details are included.
- **Cost Estimates, 18.04 B(r).** Estimates for all public improvements included as part of any performance guarantee, if required.

SITE PLAN REVIEW

Setbacks and Dimensional Requirements. The proposed building meets all setback and dimensional requirements in accordance with Section 12.04 of the Ordinance.

Site Development Requirements. Section 12.04 A through D provides site development requirements. The applicant is not proposing any outdoor storage and only one driveway is proposed. Section 12.04 C requires driveways to be at least 100 feet from any other driveway. The applicant is proposing to utilize the same driveway entrance as was previously existing on the site, which is aligned with a driveway across W. Main Street. This appears to be closer than 100 feet to the driveway on the adjacent site to the east. MDOT also has jurisdiction over driveway locations and turning movements on to West Main street, and a driveway permit from MDOT will be required due to the change in use. If approved by MDOT, this location may be approved by the Planning Commission.

Landscaping. Existing and proposed landscaping is indicated on the site plan. The applicant is proposing to remove four existing trees and retain one existing tree. In addition, several trees and shrubs are proposed to be planted for frontage and parking lot landscaping. Section 4.26 E(2) requires one canopy tree and three deciduous shrubs for each 30 feet of lot width. The subject property has 215 feet of frontage, equating to seven canopy trees and 21 deciduous shrubs. The applicant is proposing 11 canopy trees and 33 deciduous shrubs, exceeding the minimum landscape requirement.

Additional frontage landscaping is also required in Section 4.26 E(3)(b) where a parking area abuts or faces a public street right-of-way. A strip of land at least five feet wide with a solid screen hedge, fence, or wall at least three feet in height, or a strip of land at least 10 feet wide with at least one canopy tree for each 30 feet of lot width is required. This would equate to seven canopy trees within the 10-foot strip. A solid screen is not proposed along the frontage; rather, the 11 canopy trees are located near the Main Street right-of-way and the parking lot. This front yard screening may also be combined with parking lot landscaping. Although the 10-foot buffer does not appear to be maintained between the parking lot and Main Street right-of-way, the applicant has provided more canopy trees than required near the parking lot.

Interior parking lot landscaping is also required in Section 4.26 E(3)(c). One planting island is required for each 20 parking spaces, or part thereof. The applicant is proposing 28 parking spaces, equating to one planting island that includes at least one canopy tree. The applicant has proposed one tree in a planting island and two trees along the parking lot perimeter; therefore, this standard is met.

Lighting. The applicant is proposing four wall lights and four pole lights, all of which are fully cut-off and shielded. Section 4.24 E(1) requires all light to be confined to the subject property so that not more than ½ foot candle is cast on adjoining private property. The applicant has submitted a photometric plan detailing light intensity within the subject property. Lighting is often greater than ½ foot candle along private property boundaries according to this plan. The Planning Commission may address this with the applicant.

The applicant has indicated in the narrative that motion-activated LED lights will be installed around the facility's perimeter, with 24/7 lighting near all points of entry and exit. There are four wall park style lights depicted on the site plan. The Planning Commission may discuss lighting location with the applicant.

Parking lot lighting is in compliance with the standards of Section 19.03 C.

Parking. The Ordinance requires one space for each 200 square feet of gross floor area for a retail store. The gross floor area of the building is 4,917 square feet, equating to 25 required spaces. The applicant has provided 28 spaces, including 2 ADA accessible spaces. Parking space dimensions are in accordance with Section 19.06 B. The applicant has also provided one loading/unloading space as required in Section 19.08. The Planning Commission may find parking requirements met.

It is possible that, in the short term, the proposed marihuana establishment will generate more traffic than what is proposed. It is suggested that the applicant develop a short-term agreement with AutoZone (to the west) or Ferrell Gas (to the east) that would allow Rair customers to park on adjacent properties until demand stabilizes and a better idea of parking needs for this type of use can be determined.

Signage. The site plan states that signage is yet to be determined, but will meet Ordinance requirements and a permit will be obtained as required. This may be addressed as a condition of approval.

State License. The applicant has submitted an official letter stating that they have obtained prequalification status pursuant to the licensing provisions of the Michigan Regulation and Taxation of Marihuana Act. As a condition of approval, the City may require a copy of the state license to be submitted once it is obtained.

Provisional License. The applicant has not yet received a provisional license issued by the City of Lowell, but a completed application was included with the submittal. Therefore, the Planning Commission shall require a license from the City of Lowell as a condition of special land use approval.

Verification and Consent. The applicant has submitted a letter signed by the president & CEO of Rair that they are aware and intend to comply with all requirements of the City of Lowell in order to be given a marihuana retailer license. This letter does not specifically indicate the items outlined in Section 17.04 FF (a) and (b), but is rather a general consent of compliance. Due to the COVID-19 situation, the City Manager has waived the requirement to have the statement notarized.

Site Plan Review Standards. In order 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 the 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 proposed use is permitted as a special land use in the C3 district and would function as a retail establishment. The previous use was also retail and the proposed building would occupy the same footprint as the previous building, so there would not be an increase in building coverage of the lot. The parking lot is proposed to be slightly expanded to increase circulation on the site and provide a space for loading/unloading. Since the development will be similar in overall size and layout as the previous site, it is not expected that the site would impede the normal and orderly development or improvement of surrounding properties.

The subject property is relatively flat. The applicant is proposing an overall increase in natural features on the site compared to the previous use through landscaping. The increase in natural features is expected to offset the increase in impervious surface from the slightly expanded parking area. Stormwater management is also proposed to be improved.

An adjacent use, LP Gas, currently stores propane tanks on the site on and adjacent to the subject property. An existing seven-foot-tall fence is proposed to be salvaged and relocated closer to the property boundary in order to increase separation between the one-way drive and propane storage areas. The type of fencing is not indicated on the site plan, but the height of this fence is expected to discourage trespassing and promote safety between adjacent uses.

However, any odors from the site are expected to be mitigated through the applicant's odor elimination plan. This plan includes a fully sealed building envelope, negative air pressure in the building, O₃ generation, and activated carbon filtration. Therefore, odor is not anticipated to impact neighboring properties. The Planning Commission may find this standard 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: Vehicular circulation throughout the site appears to be well-arranged to provide safe circulation throughout the site. 16 parking spaces are provided around the building and 12 are provided along the Main Street right-of-way. The applicant meets or exceeds the maneuvering aisle width standards of Section 19.06 for two-way and one-way traffic. The site plan indicates a one-way drive along the backside of the building, which will accommodate unloading of products near the back of the building. The one-way drive is marked with two directional pavement arrows on either side of the building.

Sidewalks are proposed along all parking spaces adjacent to the building, which will facilitate access to the building entrance. A sidewalk is also located along the site in the Main Street right-of-way, connecting the property to other surrounding properties.

This site is adjacent to Autozone to the west and Ferrell Gas to the east. The Planning Commission may require a cross access easement between Rair and each of these properties to encourage connectivity between properties without utilizing Main Street. MDOT has also encouraged the provision of an easement. This may be addressed as a condition of approval.

Overall, vehicular and pedestrian circulation appears to promote safe and efficient traffic operations within the site. The Planning Commission may find this standard 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: The applicant is proposing to utilize the existing curb cut on West Main Street. As mentioned under "Site Development Standards" above, Section 12.04 C requires driveways to be at least 100 feet from any other driveway, which is likely not met by the proposed driveway connection. MDOT also has jurisdiction over driveway location and turning movements on to West Main Street. If a driveway permit is issued by MDOT, the Planning Commission may find this standard 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: There is one large deciduous tree and three medium-sized coniferous trees on the site that the applicant is proposing to remove. The specific sizes of these trees are not indicated on the site plan; however, Google Street View indicates this deciduous

tree may have a considerable DBH. The applicant is proposing to expand the parking area and a stormwater retention area, which may interfere with the location of this tree and necessitate its removal.

The site plan also indicates a patch of trees in the southwest corner of the property. These are not marked for removal on the demolition plan, so these natural features would be preserved on the site.

See comments our general site plan review comments regarding landscape requirements. Maintenance of landscaping, buffers, and/or greenbelts may be addressed as a condition of approval.

- 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 compliance with applicable codes and ordinances.

- 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 C3 General Business district is to permit a mixture of residential, office, and commercial uses that do not necessarily adhere to the style of downtown buildings. This district is intended to accommodate uses that are more automobile-focused and less compatible with residential uses. The proposed site development and building design appear to align well with the intent of commercial uses in the C3 General Business district.

The City of Lowell's Master Plan was adopted in 2007 and outlines a desired vision for land uses in the City. The subject property is located in the Highway Business future land use category. This designation is intended towards uses that accommodate automobile traffic, including retail uses and those permitted in the C3 district. Therefore, the proposed retail development aligns with this future land use vision. The Planning Commission may find this standard met.

Special Land Use Review Standards. In order 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 proposed use would be constructed within the existing building footprint and consistent with the previous building size. The new construction would consist of modern materials and is may improve overall aesthetics on the site. The existing character of the area is largely commercial retail, service, and office uses that are

automobile-oriented. The proposed marihuana retail establishment would be designed to primarily serve vehicular traffic. Therefore, the proposed development is not expected to change the essential area in which it is proposed. The Planning Commission may find this standard met.

- 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. The Planning Commission may find this standard met.

- 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 proposed use would be constructed on a previously developed site. In the application, the applicant stated that "the existing public facilities and services in place are more than adequate for the proposed use." Site access would be provided through the existing curb cut, so traffic circulation on West Main Street is not expected to be significantly altered.

The applicant intends to abandon a well on the property and serve the site through a new water connection to the City's public water supply system, which would be connected to existing public utilities adjacent to the site. The well should be properly plugged to prevent groundwater contamination in the local aquifer.

Additionally, the applicant has submitted a letter from the Public Works Director stating that public sewer is currently not available to service the subject property. In order to utilize or construct a private sewer system on the property, a permit will be required from the Kent County Health Department. This may be addressed as a condition of approval.

The applicant has proposed a stormwater basin on the property to accommodate stormwater runoff from the building, parking lot, and southwest corner of the property. Stormwater calculations were provided by the applicant. The Planning Commission may defer to the City Engineer for additional comments regarding drainage structures.

Due to the proposed use, additional security is necessary on the site. The applicant has included several measures for security, as detailed in the security plan narrative and our confidential memo. The Planning Commission may defer to the City Fire Department, City Police Department, and City Engineer for additional comments regarding site utility and service requirements.

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

Remarks: The proposed use is not expected to create excessive additional requirements at additional public cost. The applicant has not proposed any marihuana

grow rooms and other uses that would require increased utilities beyond a typical retail use. A private sewer system is proposed on the site and a private water connection is proposed to connect to the existing water main. These would occur at the expense of the applicant. 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 would operate as a retail establishment and is not expected to generate excessive traffic, noise, smoke, fumes, or glare. The applicant has not indicated whether on-site consumption of marihuana will be permitted (though it is prohibited by the Ordinance). This may impact the extent to which odor would exist on the property. However, odors are expected to be sufficiently mitigated through the applicant's odor elimination plan.

Compared to the previous retail use, traffic is likely to be increased on the site. However, the applicant has proposed a slightly expanded parking lot with an improved bituminous surface and increased circulation on the site. These enhancements are expected to contribute to safe and orderly traffic flow.

Proposed days and hours of operation were not included in the site plan submittal. The Planning Commission may inquire of the proposed business hours to ensure they are compatible with surrounding uses.

- 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.

Adult Use Marihuana Establishment Special Land Use Standards. In addition to the general standards for special land uses of section 17.03, the Planning Commission must also find that the proposed special land use would comply with specific standards established for adult use marihuana establishments as listed in Section 17.04 FF. Our remarks on security (Section 17.04 FF(5)(a)) are in a separate confidential memorandum. Following are the standards of 17.04 FF(5)(b-m), and our remarks on each:

- b. Separation distances. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of the land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana establishment. The following minimum-distancing regulations shall apply to all marihuana establishments. A marihuana establishment shall not be located within:
- i. 1,000 feet of a preschool or child care center, whether or not it is within the city of Lowell;

- ii. 1,000 feet of a public or private K-12 school, whether or not it is within the city of Lowell;
- iii. 500 feet of a property within the C-2, Central Business District as illustrated on the City of Lowell Zoning Map.
- iv. Exception. The requirements above do not apply if the marihuana establishment was lawfully established prior to the location of an establishment or zoning district specified in items i - iii above.

Remarks: The applicant submitted a sensitive use map with buffers depicting a 1,000-foot radius and a 2,000-foot radius around the subject property. There are no schools or childcare facilities within either buffer around the proposed location and no new child care centers registered with the Michigan Department of Regulatory Affairs. The Planning Commission may find this standard met.

- c. Odors. The marihuana establishment shall be designed to provide sufficient odor-absorbing ventilation and exhaust systems so that any odor generated inside the establishment is not detected outside the building in which it operates, on adjacent public rights-of-way, private road easements, or within other units located within the same building as the establishment if it occupies only a portion of the building. Odors must be controlled and eliminated by the following methods:
 - i. The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all odors prior to leaving the building. Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - ii. Air scrubbing and filtration systems must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.
 - iii. Negative air pressure must be maintained inside the building.
 - 1. At a ratio of 1:4 between the air intake (CFM) and exhaust fan (CFM), or a similar ratio as approved by the planning commission.
 - 2. A minimum negative pressure of 0.01" water column relative to the building exterior and to adjacent spaces without product.
 - 3. A minimum exhaust rate of 0.2 CFM per square foot of floor area or greater.
 - iv. Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
 - v. The planning commission may approve an alternative odor control system if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal or superior to the air scrubbing and carbon filtration system otherwise required above.

Remarks: The applicant has proposed an odor elimination plan, which includes a fully sealed building envelope, negative air pressure in the building, O₃ generation, and activated carbon filtration. Since the applicant is not proposing to grow, clean, or process marihuana on the site, odors are expected to be relatively minimal overall. Therefore, these measures of odor mitigation are expected to sufficiently eliminate any odor generated from the site. The Planning Commission may find this standard met.

- d. The marihuana establishment shall be operated and maintained at all times so that any by-products or waste of any kind shall be properly and lawfully kept and disposed of so as to preclude any risk of harm to the public health, safety, or welfare.

Remarks: The proposed floor plan indicates a receiving room where products will enter the building from the loading/unloading space. This room includes an area for trash, with a camera located above. It is also located on the opposite side of the building from the retail area. The process for trash disposal is detailed in the waste disposal plan submitted in the narrative. This process must be in accordance with the Adult-Use Marihuana Establishments Emergency Rules to obtain the state license.

A dumpster enclosure is indicated on the site and enclosure details are provided. The enclosure is proposed to be surrounded by a six-foot-tall privacy fence with a chain link gate that has privacy slats. Methods for securing this enclosure are not indicated. The Planning Commission may address secure disposal with the applicant.

- e. The marihuana establishment shall not be operated out of a residence or any building used wholly or partially for residential purposes.

Remarks: There would not be a residence associated with the marihuana establishment. The Planning Commission may find this standard met.

- f. Any portion of the structure where energy usage and heat exceed typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Fire Department to ensure compliance with applicable fire codes. Any fuel, fertilizer, pesticide, fungicide, rodenticide, herbicide, or other substance toxic to wildlife, children, or pets shall be stored in a secured and locked area and be in compliance with State pesticide laws and regulations.

Remarks: The proposed use will not involve the processing or growing of marihuana or the storage of any chemicals. The Planning Commission may find this standard met.

- g. A marihuana establishment shall not be operated from a business that also sells alcoholic beverages or tobacco products.

Remarks: The applicant has not proposed the sale of alcoholic beverages or tobacco products. This may be addressed as a condition of approval.

- h. No drive-through facilities shall be permitted.

Remarks: No drive-through facilities are proposed. The Planning Commission may find this standard met.

- i. The marihuana establishment shall comply at all times and in all circumstances with the MTRMA and the Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.

Remarks: This may be addressed as a condition of approval.

- j. The Planning Commission may require additional landscape buffers or screening beyond what is required in Section 4.26 of the Zoning Ordinance.

Remarks: Neighboring uses include the storage of propane tanks, an AutoZone retail establishment, and a church. Given the general commercial nature of the area and the proposed frontage landscaping, the site may be adequately buffered from surrounding uses.

- k. The owner and/or licensee shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The city shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the city upon request.

Remarks: The applicant has submitted a narrative describing a third-party inventory control and tracking system, along with methods of maintaining secure records and documentation of cannabis products. Security system records and inventory are also detailed. The applicant has stated that the City, law enforcement, and local officials will have full access to all facility records upon request. The Planning Commission may find this standard met.

- l. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure which contains electrical wiring, lighting, and/or watering devices that support the cultivation growing or harvesting of marihuana.

Remarks: The applicant will not be growing or harvesting marihuana on the site, so this standard is not applicable.

- m. In the event of any conflict, the terms of this ordinance are preempted and the controlling authority shall be the statutory regulations set forth by the MRTMA or the adopted Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.

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

Engineering Remarks. The work for this project includes the construction of a proposed one-story building, associated bituminous paving for parking, and stormwater improvements. The site plan shows an increase to impervious area. To manage additional runoff, catch basins will be placed to collect stormwater that will discharge to a proposed detention basin on the west side of the site. The detention basin has a controlled outlet structure conveying stormwater offsite to the southwest of the property. Additional comments are as follows:

- Provide details proposed detention basin and outlet structure meeting Kent County standards. (Forebay, emergency spillway, etc)
- Provide a table showing the calculation of the proposed detention pond volume shown to be 7,536 cft. Calculations showing a required volume of 6,985 cft. using the Kent County spreadsheet was provided earlier.
- Clarify invert of inlet and/or detention pond grades. Invert of inlet shown to be 633.34, yet bottom of basin shown to be 634. Please refer to Kent County standards for inlet elevation.
- The detention basin is shown to be 77.20 ft. from drainfields. Kent County standards require 100 ft.
- Provide detail for 6-inch outlet that is proposed to be placed on Ferrell Gas property.
- What is the arrangement that allows stormwater from Rair to be discharged on to Autozone property? If there is none, an easement or some other agreement should be explored with Autozone that would allow this. Generally speaking, engineering staff discourages the discharge of flow onto another property without an agreement between the affected parties.
- Soil erosion and sedimentation control (SESC) measures should include a stabilized construction access and rip rap at the stormwater outlet to the detention basin.

Details provided for curb and gutter, thickened edge sidewalk, reinforced concrete pavement, and asphalt pavement are acceptable.

Recommendation

At the May 11 public hearing, the Planning Commission should discuss the site plan, application, and carefully consider any comments from the public and the applicant. Subject to those 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 City's Department of Public Works, City Engineer, City Fire Department, City Police Department, or other City officials.
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 continually comply with applicable ordinances, codes, and requirements of the City of Lowell.

5. The applicant shall include all missing items as required in Section 18.04 B, 17.04 FF(3) and 17.04 FF(4) and noted above in "Completeness of Submission" on the site plan, unless deemed unnecessary by the Zoning Enforcement Officer.
6. The applicant shall submit a copy of a provisional license issued by the City of Lowell pursuant to Chapter 28 of the city of Lowell code of ordinances. The facility shall not open until appropriate operating licenses have been obtained from the City of Lowell and the State of Michigan.
7. The applicant shall submit a copy of the state license to operate the marihuana facility to the City.
8. Lighting shall be no more than ½ foot candle along private property boundaries in accordance with Section 4.24 E(1) of the Zoning Ordinance.
9. Signage shall comply with Chapter 20 of the Zoning Ordinance and a sign permit shall be obtained prior to the erection of any signage on the site.
10. The security plan shall address the items outlined in our confidential memo dated May 4, 2020.
11. Plant materials and lawn areas shall be maintained in a healthy condition and be neat and orderly in appearance. If any plant material required by this Ordinance dies or becomes diseased, it shall be replaced.
12. The applicant shall establish a cross access easement that would connect to the Autozone and Ferrell Gas sites. This shall be reviewed and approved City staff and be recorded by the Kent County Register of Deeds.
13. A permit shall be obtained from the Kent County Health Department for the construction of a private sewer system on the property.
14. An MDOT driveway permit shall be obtained prior to occupancy.
15. The trash enclosure shall be secure and locked at all times.
16. The marihuana establishment shall not also sell alcoholic beverages or tobacco products.
17. The marihuana establishment shall comply at all times and in all circumstances with the MTRMA and applicable Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.
18. The owner and/or licensee shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The city shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the city upon request.
19. All marihuana and marihuana accessories shall be located within an enclosed, locked area, inaccessible on all sides, and equipped with locks that permit access only by the

licensed operator or their employees, agents of LARA, law enforcement officers, emergency personnel, and other authorized individuals, as reviewed and approved by the city.

20. In the event of any conflict, the terms of this ordinance are preempted and the controlling authority shall be the statutory regulations set forth by the MRTMA or the adopted Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.

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: 2264 W. Main Street, Lowell, MI
2. Parcel Identification Number (Tax I.D. No.): #41-20- 03- 385- 013
3. Applicant's Name: Rair Properties Phone Number 1-804-419-0723
Address: 2800 Patterson Ave. Suite 200, Richmond, Virginia 23221
Street City State Zip
Fax Number _____ Email Address K2@rebkee.com
4. Are You: ☐ Property Owner ☐ Owner's Agent ☐ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Driesenga & Associates Phone Number 231-690-6093 (mobile)
Address: 12330 James Street, Suite H80, Holland, MI 49424 email: tracyh@driesenga.com
C-3, General Business Zoning
6. Present Zoning of Parcel In Marihuana Facilities- Eligible Properties Boundary Present Use of Parcel Retail Sales
7. Description of proposed development (attach additional materials if needed):
Proposed replacement of existing building, with same existing footprint due to structural issues, 4,800 sft +/-.
Development of site with parking, utilities, storm water management, and landscaping to meet Lowell ordinances
and requirements of governing agencies; such as Kent Co. Health Dept, MDOT, and Kent Co. Drain Comm.

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

Signature: Kevin T McFadden Date: 04/13/2020

Type or Print Your Name Here: Kevin T McFadden

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) | <u> </u> |
| 2. A city locational sketch | <u> </u> |
| 3. Legal description and City address of the subject property | <u> </u> |
| 4. The size in acres or square feet of the subject property | <u> </u> |
| 5. All lot and/or property lines with dimensions, including building setback lines | <u> </u> |
| 6. The location of all existing structures within one hundred (100) feet of the subject property's boundary | <u> </u> |
| 7. The location and dimensions of all existing and proposed structures on the subject property | <u> </u> |
| 8. The location and dimensions of all existing and proposed: | <u> </u> |
| ▪ Drives | <u> </u> |
| ▪ curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval) | <u> </u> |
| ▪ sidewalks | <u> </u> |
| ▪ exterior lighting | <u> </u> |
| ▪ curbing | <u> </u> |
| ▪ parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space) | <u> </u> |
| ▪ unloading areas | <u> </u> |
| ▪ recreation areas Not Applicable | <u> </u> |
| ▪ common use areas Not Applicable | <u> </u> |
| ▪ areas to be conveyed for public use and purpose Not Applicable | <u> </u> |
| 9. The location, pavement width and right-of-way width of abutting roads, alleys or easements | <u> </u> |
| 10. The existing zoning of all properties abutting the subject project On detail map | <u> </u> |
| 11. The location of all existing and proposed: | <u> </u> |
| ▪ landscaping and vegetation | <u> </u> |
| ▪ location, height and type of existing and proposed fences and walls | <u> </u> |
| 12. Proposed cost estimates of all site improvements From Rair | <u> </u> |
| 13. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer or water supply systems | <u> </u> |
| 14. The location and size of septic and drain fields | <u> </u> |
| 15. Contour intervals shown at five (5) foot intervals | <u> </u> |
| 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 | Not Applicable
<u> </u> |
| ▪ the number of dwelling units proposed (by type), including typical floor plans for each type of dwelling | <u> </u> |
| ▪ the number and location of efficiency and one or more bedroom units | <u> </u> |
| ▪ typical elevation views of the front, side and rear of each type of building | <u> </u> |
| ▪ Dwelling unit density of the site (total number of dwellings / net developable area) | <u> </u> |

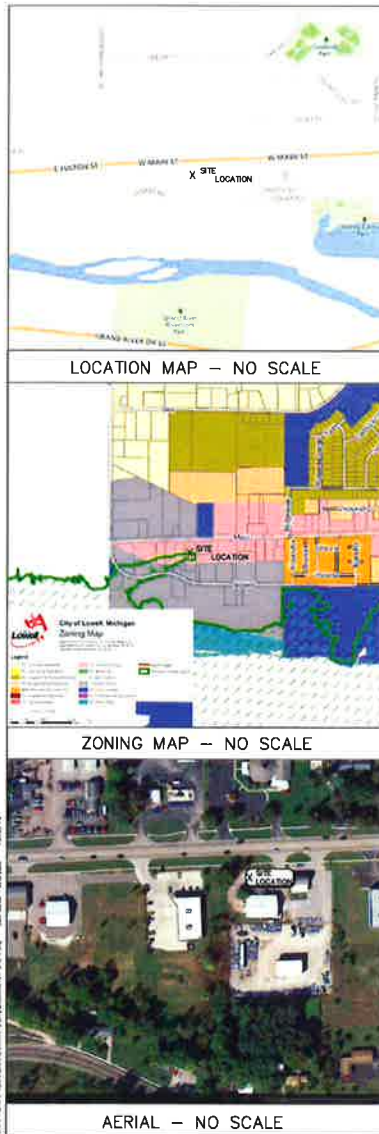
Section 17.03 of the City of Lowell Zoning Ordinance specifies that to approve a special land use, the Planning Commission must find that the request meets the following standards. Please describe how the proposed project would meet each standard.

- 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;
The proposed project will fit harmoniously into the existing commercial character of the
W. Main Street (M-21 corridor). The proposed building and site improvements will be similar to the
prior development, but with improved usability and appearance.
 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;
The proposed commercial retail use will replace an existing retail use. The existing public facilities
and services in place are more than adequate for the proposed use. Existing streets will be adequate for
expected traffic, a hydrant in front will provide fire protection, improved storm water and sanitary are proposed
on the subject property.
 3. Not create excessive additional requirements at public cost for public facilities and services; and
The retail use is condusive to service by existing public facilities and services including;
roads, fire protection, police, and utilities. No upgrades are foreseen as necessary.
 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.
The proposed retail use will not generate excessive traffic.
Nor will it generate 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:

In addition to the site plan requirements in Section 18.04, the following information shall also be submitted:

- a. A map, drawn to scale, containing all preschools and K-12 public or private schools near the proposed marihuana establishment location and a 1,000-foot isolation radius drawn around the proposed location to show an appropriate setback distance.
- b. A narrative describing how the enclosed areas with marihuana have been secured and how permitted individuals will be given access.
- c. A detailed security plan that addresses all security measures of the marihuana establishment in compliance with all applicable Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.
- d. A lighting plan showing the lighting outside of the marihuana establishment for security purposes and compliance with section 4.24 and any other applicable city requirements.
- e. Existing and proposed building elevations, including building materials, window calculations, descriptions of glass to be used, and other pertinent information that describes building construction or structural alterations.
- f. A floor plan of the marihuana establishment detailing the locations of the following.
 - i. All entrances and exits to the establishment;
 - ii. The location of any windows, skylights, and roof hatches;
 - iii. The location of all cameras, and their field of view;
 - iv. The location of all alarm inputs (door contacts, motion detectors, duress/hold up devices) and alarm sirens;
 - v. The location of the digital video recorder and alarm control panel, including the location of the off-site storage or network service provider for storage of the required copies of surveillance recordings; and
 - vi. Restricted and public areas.
 - vii. Any proposed outdoor growing areas
- g. The applicant's procedures for accepting delivery of marihuana at the establishment, including procedures for how and where it is received, where it is stored, and how the transaction is recorded.



RAIR PROPERTIES LOWELL DISPENSARY

2264 WEST MAIN ST.
SECTION 3, T6XN, R9XW
LOWELL, MICHIGAN 49331

SHEET INDEX

- G-001 TITLE SHEET
- V-101 EXISTING TOPOGRAPHIC PLAN
- CD-101 CIVIL DEMOLITION PLAN
- C-101 SITE PLAN
- C-102 UTILITIES PLAN
- C-103 GRADING AND SOIL EROSION CONTROL PLAN
- C-400 DRIVE DETAIL
- C-501 DETAILS
- R-100 SCHOOL ISOLATION MAP

SITE ADDRESS
2264 WEST MAIN ST. 2264 WEST MAIN ST. LOWELL, MICHIGAN 49331
OWNER
RAIR PROPERTIES 2800 PATTERSON AVENUE, SUITE 200 RICHMOND, VA 23221 (804) 418-1744 CONTACT info@rairproperties.com
ARCHITECT
ASL 720 E MICHIGAN AVE #210 LANSING, MI 48212 (313) 484-0629 CONTACT info@aslmi.com
GENERAL CONTRACTOR
BOSCH 7640 19 MILE RD TROY, MI 48063 (313) 799-4011
CIVIL ENGINEER
DRIESEN & ASSOCIATES, INC. 13330 JAMES STREET, SUITE 180 HOLLAND, MICHIGAN 49424 (616) 506-0205 TRACY DUTCHENSON, P.E. DRIESEN@DRIESEN-CA.COM

DRIESEN & ASSOCIATES, INC. Engineering - Surveying - Testing Kalamazoo, MI - 268-544-1485 Lansing, MI - 487-396-0205 Grand Rapids, MI - 616-746-1800

REVISIONS
1. REVISION FOR OWNER
2. REVISION FOR OWNER
3. REVISION FOR OWNER
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2264 W. MAIN STREET SEC. 03, T06N, R09W CITY OF LOWELL, KENT CO. RAIR PROPERTIES LOWELL 200 2800 PATTERSON AVE, SUITE 200 RICHMOND, VIRGINIA 23221
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Designed By: TLH
Drawn By: JC
Checked By: JC
Plot:
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Scale:
04-29-2020
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Job No:
Sheet No:
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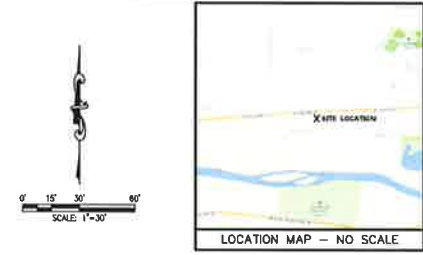
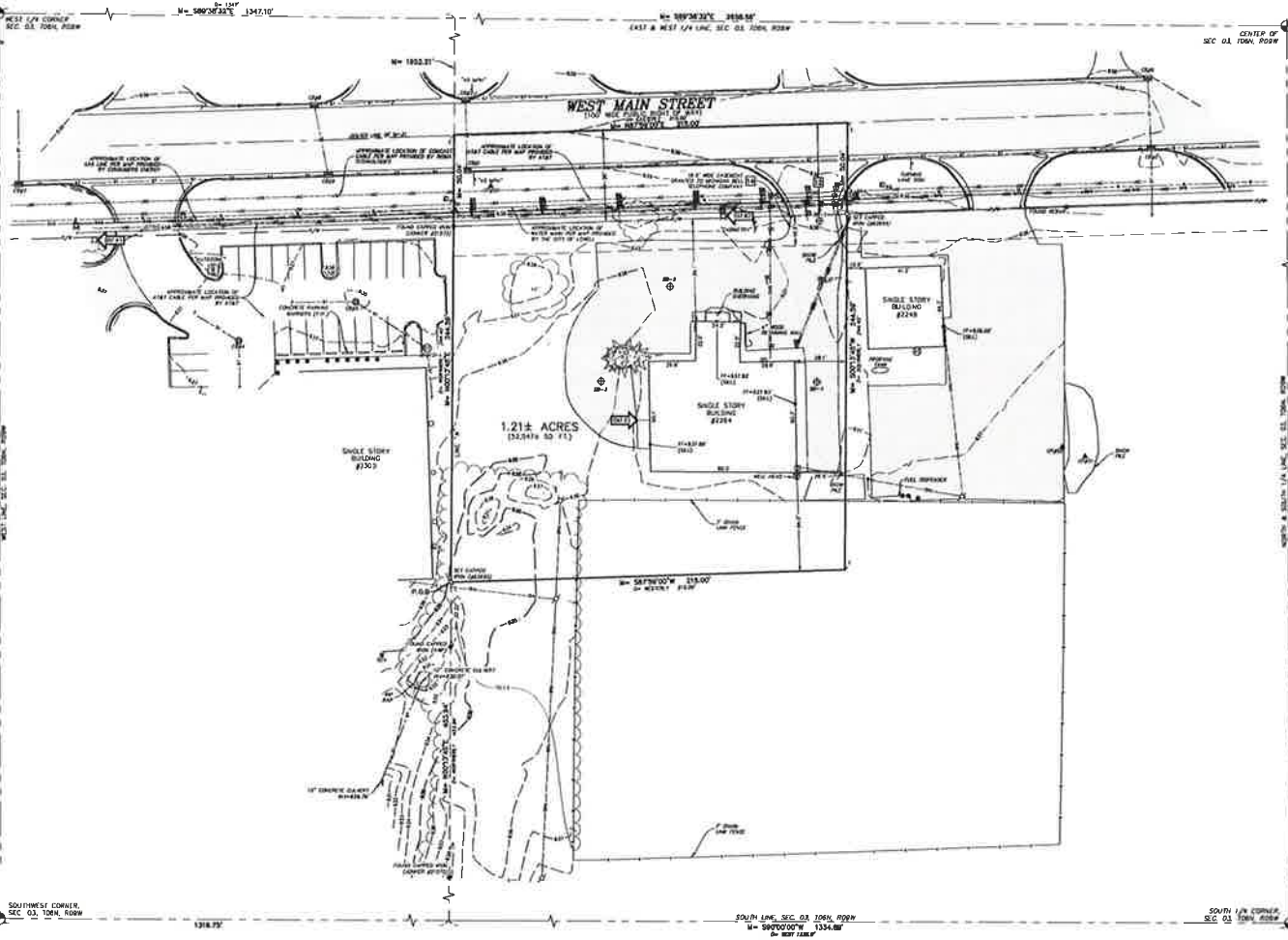
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TOPOGRAPHIC / BOUNDARY SURVEY

POINT	NORTHING (ASSUMED)	EASTING (ASSUMED)	ELEVATION (UNADJUSTED)
88	5678.4373	3087.8881	836.89
91	5523.8485	4313.2648	836.42
93	5523.9471	4300.4310	836.89



SCHEDULE "A" LEGAL DESCRIPTION
 FROM: WESTCOR LAND TITLE INSURANCE COMPANY
 COMMITMENT NO.: 8HTC18-1714 (ADOPTED: 08-01-2016; TECHNICAL CORRECTIONS 04-02-18)
 LAND SITUATED IN THE CITY OF LOWELL, COUNTY OF KENT, STATE OF MICHIGAN

SCHEDULE "B" EXCEPTIONS
 FROM: WESTCOR LAND TITLE INSURANCE COMPANY
 COMMITMENT NO.: 8HTC18-1714 (ADOPTED: 08-01-2016; TECHNICAL CORRECTIONS 04-02-18)

RIGHT OF WAY DATED JULY 18, 1922, RECORDED IN LIBER 713, PAGE 134, (SHOWN ON DRAWING)
 EASEMENT GRANTED UNTO VILLAGE OF LOWELL BY RESOLUTION DATED FEBRUARY 6, 1935, RECORDED IN LIBER 1718, PAGE 214, (SHOWN ON DRAWING)
 RIGHT OF WAY GRANTED UNTO MICHAEL BELL TELEPHONE COMPANY DATED DECEMBER 12, 1975, RECORDED IN LIBER 2303, PAGE 440 (SHOWN ON DRAWING)

STORM STRUCTURE DATA	LEGEND
CR #1 - 4" CONCRETE RM-433.10 RM-433.10 RM-433.10 RM-433.10	CONCRETE CONCRETE CONCRETE CONCRETE
CR #2 - 4" CONCRETE RM-433.07 RM-433.07 RM-433.07 RM-433.07	CONCRETE CONCRETE CONCRETE CONCRETE
CR #3 - 4" CONCRETE RM-433.11 RM-433.11 RM-433.11 RM-433.11	CONCRETE CONCRETE CONCRETE CONCRETE
CR #4 - 4" CONCRETE RM-433.09 RM-433.09 RM-433.09 RM-433.09	CONCRETE CONCRETE CONCRETE CONCRETE
CR #5 - 4" CONCRETE RM-433.12 RM-433.12 RM-433.12 RM-433.12	CONCRETE CONCRETE CONCRETE CONCRETE
CR #6 - 4" CONCRETE RM-433.10 RM-433.10 RM-433.10 RM-433.10	CONCRETE CONCRETE CONCRETE CONCRETE
CR #7 - 4" CONCRETE RM-433.11 RM-433.11 RM-433.11 RM-433.11	CONCRETE CONCRETE CONCRETE CONCRETE
CR #8 - 4" CONCRETE RM-433.10 RM-433.10 RM-433.10 RM-433.10	CONCRETE CONCRETE CONCRETE CONCRETE
CR #9 - 4" CONCRETE RM-433.11 RM-433.11 RM-433.11 RM-433.11	CONCRETE CONCRETE CONCRETE CONCRETE
CR #10 - 4" CONCRETE RM-433.10 RM-433.10 RM-433.10 RM-433.10	CONCRETE CONCRETE CONCRETE CONCRETE

MISSING INFORMATION
 (INCLUDES INFORMATION RECEIVED THROUGH 01-23-2020)
 • LOWELL LIGHT & POWER - 01/14/2020 (MAP RECEIVED)
 • CONSUMERS ENERGY GAS - 01/15/2020 (MAP RECEIVED)
 • CONSUMERS ENERGY ELECTRIC - 01/15/2020 (RESPONSE RECEIVED)
 • CITY OF LOWELL - 01/15/2020 (MAP RECEIVED)
 • BEAMA TECHNOLOGIES - 01/16/2020 (MAP RECEIVED)
 • AT&T - 01/16/2020 (MAP RECEIVED)

SURVEYOR'S NOTES
 1. UTILITIES SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL FIELD MEASUREMENTS AND AVAILABLE RECORDS. THIS MAP IS NOT TO BE INTERPRETED AS SHOWING EXACT LOCATIONS OR SHOWING ALL UTILITIES IN THE AREA.
 2. NOTE TO CONTRACTORS: THREE WORKING DAYS BEFORE YOU DO - CALL MGS DGS AT 811.
 3. CONTOUR INTERVAL = 1 FOOT.
 4. THE FIELD WORK WAS COMPLETED ON JANUARY 31, 2020.
 5. THIS SURVEY WAS PERFORMED DURING A PERIOD OF SNOW AND ICE COVERING, WHILE EVERY EFFORT WAS MADE TO LOCATED ALL FEATURES. SNOW AND ICE MAY HAVE PREVENTED ALL FEATURES FROM BEING VISIBLE.

BENCHMARK DATA
 NAVD 83 AS DERIVED FROM GPS OBSERVATIONS UTILIZING VRS CONJUG 138
 BM #1: E.L. 538.44' (NAVD83)
 SOUTHEAST FLANGE BOLT ON HYDRANT LOCATED 15' SOUTH OF THE CENTERLINE OF WEST MAIN STREET AND 18' WEST OF THE ENTRANCE TO AUTOZONE.
 BM #2: E.L. 540.12' (NAVD83)
 SOUTHEAST FLANGE BOLT ON HYDRANT LOCATED 10' SOUTH OF THE CENTERLINE OF WEST MAIN STREET AND DIRECTLY IN FRONT OF BUILDING #2254.
 BM #3: E.L. 537.17' (NAVD83)
 CORNER "X" IN NORTHWEST CORNER OF CONCRETE PAD ON WEST SIDE OF BUILDING #2254. WEST OF THE WEST FACE OF BUILDING AND 10' SOUTH OF THE CENTERLINE OF WEST MAIN STREET.

ADDRESS: 2264 WEST MAIN STREET SOUTHEAST, LOWELL, MI 49331
 Tax Parcel No.: 41-20-03-385-013

DEED: 01-22-2020
 2030008.5A
 30' x 10'

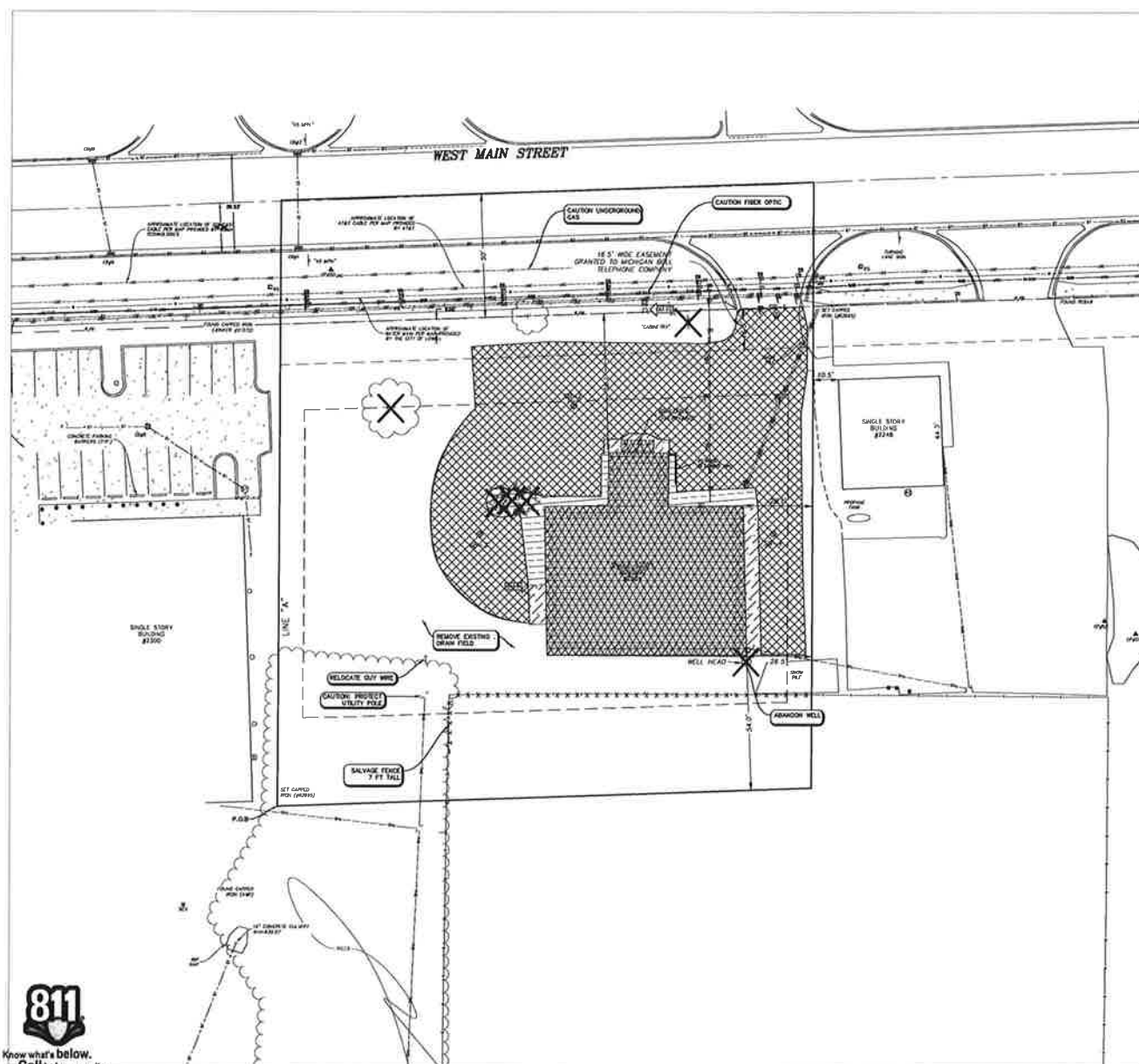
DRIESSEN & ASSOCIATES, INC.
 Engineering & Surveying
 10000 E. 14th Ave., Suite 100
 Grand Rapids, MI 49508-1000
 Phone: 616-266-0225
 Fax: 616-266-0300

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2264 W. MAIN STREET
 SEC. 03, TOWN, ROW, CITY OF LOWELL, KENT CO.
 28006 BIRMINGHAM, VIRGINIA 23221

Designed By: [Signature]
 Drawn By: [Signature]
 Check By: [Signature]
 Date: 01-22-2020
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 30' x 10'

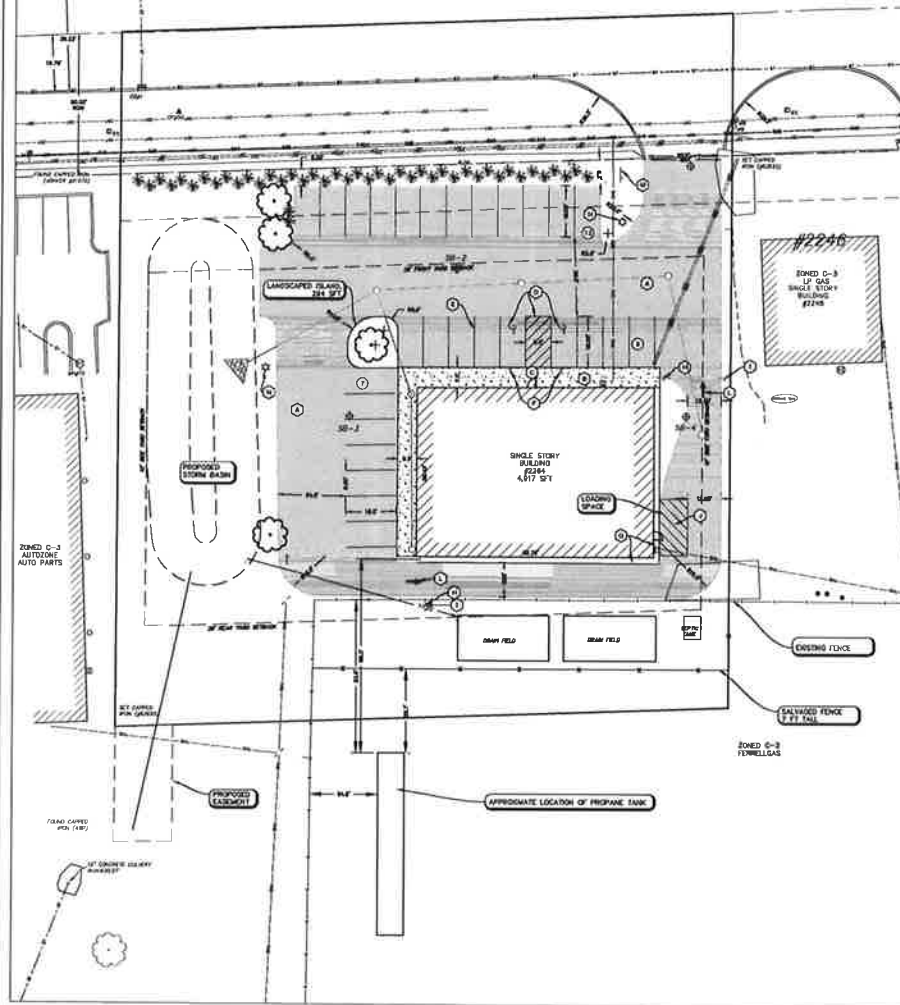


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335

#2275

WEST MAIN STREET



PROJECT SUMMARY

1. PARCEL INFORMATION	C-3
MIN. LAND AREA:	REQUIRED: 20,000 SQ FT PROVIDED: 41,800 SQ FT
MIN. LOT WIDTH:	REQUIRED: 100 FT PROVIDED: 125 FT
2. BUILDING	
MAX. BUILDING HEIGHT:	REQUIRED: 40 FT PROVIDED: 22.5 FT
3. SETBACKS	
FRONT (MIN.):	REQUIRED: 30 FT PROVIDED: 75 FT
SIDE (MIN.):	REQUIRED: 10 FT PROVIDED: 20 FT
REAR (MIN.):	REQUIRED: 35 FT PROVIDED: 54 FT

4. REGULATORY APPROVALS

THE PROJECT WILL REQUIRE THE FOLLOWING APPROVALS, AT A MINIMUM (OTHER PERMITS/APPROVAL MAY ALSO BE REQUIRED)

- CITY OF LOVELL SITE PLAN
- KENT COUNTY BEAM COMMISSIONER STORM WATER MANAGEMENT
- KENT COUNTY SOIL EROSION & SEDIMENTATION CONTROL PERMIT
- KENT COUNTY DEPARTMENT OF TRANSPORTATION (KDOT)
- KENT COUNTY DEPARTMENT OF PUBLIC WORKS (KDPW)
- KENT COUNTY DEPARTMENT OF HEALTH (KCDH)

5. IMPACT ON PUBLIC SERVICES

PROJECT WILL NOT RESULT IN ADVERSE IMPACT TO PUBLIC SERVICES, INCLUDING POLICE & FIRE PROTECTION, UTILITIES, TRAFFIC OR ROADWAYS.

6. IMPACT ON SUBSURFACE PROPERTIES

USE OF PROPERTY WILL BE CONSISTENT WITH OTHER USES IN THE ZONING DISTRICT AND IN THE SUBSURFACE AREA. USE OF PROPERTY WILL NOT GENERATE ADVERSE LEVELS OF NOISE, VIBRATION, SMOKE, LIGHT, CLAR, OR OTHER PROBLEMATICS CONDITIONS.

7. PARKING

DIVISIONS	REQUIRED	PROVIDED
SPACES REQUIRED	87/10	21/17
1 PER 200 SQ FT GROSS FLOOR AREA = 28		
SPACES PROVIDED = 28		

8. STORAGE

TO BE DETERMINED, SIGN WILL MEET REQUIREMENTS AND OBTAIN PERMIT AS REQUIRED

9. STORM WATER MANAGEMENT

STORM WATER WILL BE COLLECTED IN A SERIES OF CATCH BASINS, PIPES, AND DITCHES AND ROUTED TO A PROPOSED DETENTION BASIN ON-SITE. PER KENT COUNTY BEAM COMMISSIONER REQUIREMENTS.

10. WATER/SEWER SERVICE

SITE WILL BE SERVED BY NEW PRIVATE WATER CONNECTION CONNECTED TO EXISTING PUBLIC UTILITIES ADJACENT TO THE SITE. SEWER WILL BE PROVIDED VIA SEPTIC AND DRAIN FIELD THROUGH KENT COUNTY HEALTH DEPARTMENT.

11. UTILITIES

THERE ARE NO KNOWN REGULATORY UTILITIES ON THE SUBJECT PROPERTY.

12. FLOODPLAIN

THERE ARE NO KNOWN REGULATORY FLOODPLAINS ON THE SUBJECT PROPERTY. PER FEMA FIRM MAP C01-2010-00001-2.

13. LANDSCAPING

FRONTAGE	REQUIRED	PROVIDED
SHRUB, BOXWOOD, 3 FT	22	22
SHRUB, HOLLY, 3 FT	22	22
PARKING LOT	REQUIRED	PROVIDED
CANOPY LARGE RED MAPLE (3" CAL)	1 PER 12 SPACES	3

14. SITE LIGHTING

PROPOSED LIGHTING WILL BE WITH SHIELDED LIGHT POLES AND WALL PACKS AT LOCATIONS SHOWN. LIGHTING WILL BE CONSISTENT WITH OTHER USES IN THE AREA AND WILL COMPLY WITH REQUIREMENTS.

15. LOADING/UNLOADING OPERATIONS

LOADING/UNLOADING AREAS ARE INDICATED ON THE PLAN. DELIVERY/SHIPMENT OF PRODUCTS AND MERCHANDISE WILL BE DONE USING BOX TRUCKS. DELIVERIES/SHIPMENTS WILL OCCUR DURING NORMAL BUSINESS HOURS.

16. SEWER MANAGEMENT

STANDARD RESIDENTIAL SIZE ROLLING CANS WILL BE USED. CANS WILL BE STORED INSIDE AND BROUGHT OUTSIDE AT LOADING AREA AS NEEDED FOR PICKUP.

17. CONSTRUCTION SCHEDULE

CONSTRUCTION IS ANTICIPATED TO START IN MAY 2020 AND BE COMPLETED IN OCTOBER, 2020.

KEY NOTES:

- ASPHALT PAVEMENT-STANDARD DUTY (SEE DETAIL)
- 4" CONC. SIDEWALK W/INTEGRAL CURB (SEE DETAIL)
- BARRIER FREE SIDEWALK RAMP (SEE DETAIL)
- 4" BLUE PAVT. MARKING & SYMBOL PER ADA STD.'S, TYP (SEE DETAIL)
- 4" WHITE PAVT. MARKINGS, TYP
- ASA SIGN (SEE DETAIL)
- WOOD TYPE 8-2 CLUES, INVERTED
- SIGN, ONE WAY DO NOT ENTER
- SIGN, EMPLOYEES ONLY
- 4" YELLOW PAVT. MARKINGS
- DIRECTIONAL PAVT. MARKING
- SIGN (DESIGN PENDING)
- LIGHT POLE

GENERAL NOTES:

- CONTRACTOR SHALL OBTAIN ALL NECESSARY LOCAL, STATE AND FEDERAL PERMITS REQUIRED.
- ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF AUTHORITIES HAVING JURISDICTION.
- CALL "MISS DIG", 811, 72 HOURS PRIOR TO THE START OF ANY EXCAVATION.
- EXISTING UNDERGROUND UTILITIES ARE SHOWN BASED ON AVAILABLE RECORDS AND/OR TOPOGRAPHIC SURVEY DATA. THIS PLAN MAY NOT SHOW UTILITIES IN THEIR EXACT LOCATION AND MAY NOT SHOW ALL UTILITIES IN THE AREA.
- CONTRACTOR SHALL MAINTAIN UTILITY SERVICES AT ALL TIMES. ANY INTERRUPTION OF SERVICES TO THIS SITE OR ADJACENT SITES MUST BE COORDINATED WITH THE OWNER, UTILITY PROVIDER, AND AFFECTED PROPERTIES 48 HOURS PRIOR TO THE INTERRUPTION.
- CONTRACTOR SHALL PROTECT ALL EXISTING AND NEW CONSTRUCTION FROM DAMAGE. SHOULD ANY DAMAGE OCCUR, CONTRACTOR SHALL MAKE ALL NECESSARY REPAIRS AT ITS COST TO THE OWNER.
- IF ANY DISCREPANCIES OR CONFLICTS ARE FOUND, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY PRIOR TO CONSTRUCTION OF AFFECTED WORK TO DETERMINE COURSE OF ACTION.
- CONTRACTOR SHALL COORDINATE THEIR WORK WITH OTHER CONTRACTORS ON OR ADJACENT TO THE PROJECT SITE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING AND COORDINATING THEIR WORK WITH ALL UTILITY PROVIDERS PRIOR TO CONSTRUCTION.
- PROVIDE BARRIERS ON OTHER PROTECTION TO KEEP VEHICULAR AND PEDESTRIAN TRAFFIC AWAY FROM CONSTRUCTION AREA AND OFF NEWLY PAVED AREAS.

LAYOUT NOTES:

- CONTRACTOR SHALL REVIEW AND VERIFY SITE LAYOUT PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL ENGAGE A LICENSED SURVEYOR TO PERFORM ALL CONSTRUCTION LAYOUT AND STAKING AS NECESSARY.
- ALL COORDINATE POINTS AND DIMENSIONS GIVEN, UNLESS OTHERWISE NOTED, ARE TO BACK OF CURB AND FACE OF BUILDING WALL.
- REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR BUILDING DIMENSIONS.
- INSTALL EXPANSION JOINTS AT ALL LOCATIONS WHERE NEW CONCRETE MEETS EXISTING CONCRETE OR ADJACENT PAVEMENT.

LEGEND



0' 10' 20' 40'
SCALE: 1"=20'

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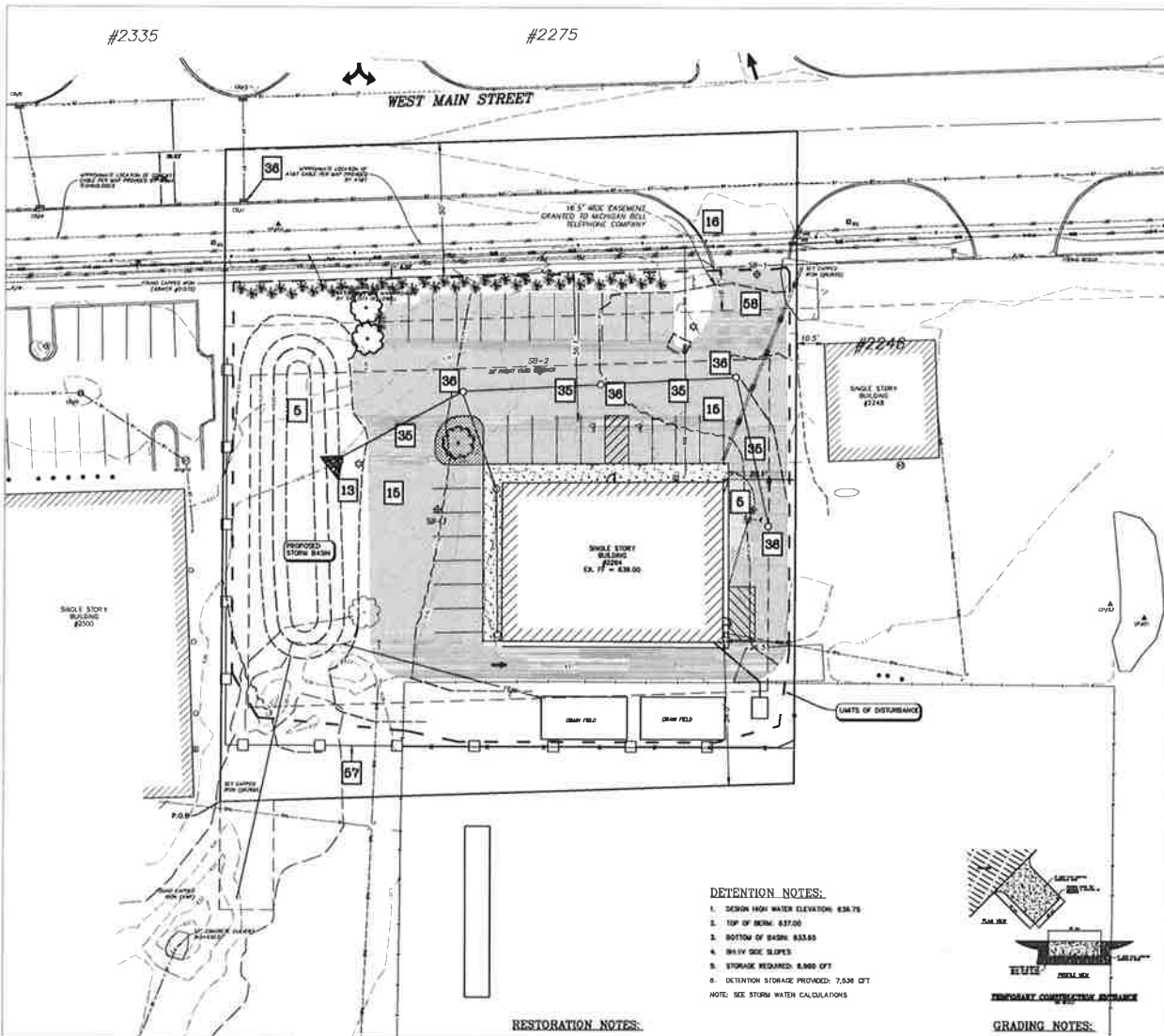
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2264 W. MAIN STREET
SEC. 03, T66N, R09W, CITY OF LOVELL, KENT CO.
RAIR PROPERTIES LOVELL
2800 PATTERSON AVE. SUITE 200
RICHMOND, VIRGINIA 23221
SITE PLAN

Designed By: J.H.
Drawn By: J.H.
Checked By: J.H.
Scale: 1" = 20'
Date: 04-29-2020
Sheet No.: 2020008.1A
36 HLT
C-101
4 of 9



Know what's below.
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DETENTION NOTES:

- DESIGN HIGH WATER ELEVATION: 634.75
- TOP OF BERM: 637.00
- BOTTOM OF BASIN: 633.55
- MIN. SIDE SLOPE:
- STORAGE REQUIRED: 8,000 CFT
- DETENTION STORAGE PROVIDED: 7,536 CFT

NOTE: SEE STORM WATER CALCULATIONS

RESTORATION NOTES:

- EXISTING ON-SITE TOPSOIL MAY BE USED IF APPROVED BY ENGINEER. IF NOT APPROVED, IMPORTED TOPSOIL MEETING PROJECT SPECIFICATIONS SHALL BE USED.
- DETENTION BASIN, IF PRESENT, SHALL BE RESTORED WITH 3" OF LOOSE SANDY TOPSOIL, SEED, FERTILIZER, AND MULCH ON BASIN BOTTOM. RESTORATION BASIN SLOPES SHALL BE RESTORED WITH 3" OF LOOSE SANDY TOPSOIL, SEED, FERTILIZER, AND EROSION CONTROL BLANKET. NORTH AMERICAN GREEN 50500 OR EQUAL. SEED MIX SHALL BE 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX OR EQUAL, ON BASIN BOTTOM AND 2 FEET VERTICALLY UP SLOPES, AND SUITABLE GRASS SEED MIX ABOVE 2 FOOT LEVEL.
- DETENTION BASIN, IF PRESENT, SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND MULCH ON BASIN BOTTOM. DETENTION BASIN SLOPES SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND EROSION CONTROL BLANKET. NORTH AMERICAN GREEN 50500 OR EQUAL.
- ALL OTHER SLOPES STEEPER THAN 1 ON 4 SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND EROSION CONTROL BLANKET. NORTH AMERICAN GREEN 50500 OR EQUAL.
- ALL OTHER DISTURBED AREAS SHALL BE RESTORED WITH 4" (MIN) TOPSOIL, SUITABLE GRASS SEED MIX, FERTILIZER, AND MULCH.

GRADING NOTES:

- ALL SURFACES SHALL BE GRADED TO PROVIDE SMOOTH CONTIGUOUS AND POSITIVE SLOPE AWAY FROM BUILDINGS, WITH NO POCKETING OF WATER.
- IN ALL AREAS OF NEW CONSTRUCTION, GRADING OR MATERIAL STOCKPILE AREAS, EROSION AND TOPSOILS EXISTING TOPSOIL PRIOR TO OTHER CONSTRUCTION ACTIVITIES.
- UNLESS OTHERWISE INDICATED, GRADES AND CONTOURS SHOWN REPRESENT FINISHED GRADE. AFTER PLACEMENT OF PAVEMENT, TOPSOIL, AND OTHER SURFACE IMPROVEMENTS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE ADJUSTMENT OF ALL EXISTING MANHOLES AND CATCH BASINS, FRAMES AND COVERS, VALVE BOXES, AND CLEAN-OUTS TO MEET FINISHED GRADE.

5	SEEDING	STORMWATER AND BEST PRACTICES
13	STORM WATER MANHOLE	STABILIZED SOIL. SHALL MINIMIZE EROSION
15	PAVING	POWERS RUNOFF TO INFLUENCE SOIL. SEDIMENT RUNOFF VOLUME
16	GRASS & GUTTER	SHOULD INCLUDE PREPARED TOPSOIL MIX
35	STORM WATER	USED WHERE VEGETATION IS NOT EARLY ESTABLISHED
36	CATCH BASIN, SHANK INLET	OUTLET FOR HIGH VELOCITIES OR HIGH CONCENTRATIONS
57	STORM WATER	POWERS RUNOFF TO INFLUENCE SOIL
58	TEMPORARY CONSTRUCTION ENTRANCE	PROTECTED EXISTING FLOW AT SYSTEM OUTLET

SOIL EROSION & SEDIMENTATION CONTROL (SESC) NOTES:

- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND COMPLYING WITH THE BEST PRACTICE.
- PLACE TEMPORARY SESC MEASURES AS INDICATED ON DRAWING PRIOR TO EARTH MOVING AND GRADING ACTIVITIES.
- CONTRACTOR SHALL AVOID THE UNNECESSARY DISTURBANCE OF EXISTING VEGETATED TOPSOIL OR EARTH COVER.
- INSPECT AND MAINTAIN ALL TEMPORARY SESC MEASURES AFTER STORM EVENTS AND AS NECESSARY TO ASSURE PROPER FUNCTION.
- ALL SOIL STOCKPILES LEFT UNCOVERED FOR MORE THAN 30 DAYS SHALL HAVE PROTECTED SILT FENCE. ALL SOIL STOCKPILES LEFT UNCOVERED FOR MORE THAN 30 DAYS SHALL BE STABILIZED WITH TEMPORARY SEEDING.
- DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE AND PERMANENTLY STABILIZED WITHIN 30 DAYS SHALL BE SEEDING WITH TEMPORARY SEEDING.
- TEMPORARY SEEDING SHALL CONSIST OF GRASS SEED OR HAY SEED AT AN APPLICATION RATE OF 2.0 LBS/1000 SFT MINIMUM ABOUT 1 THROUGH NOVEMBER 15, 1994. RE-SEED AS NECESSARY TO ESTABLISH TEMPORARY COVER.
- TEMPORARY SESC MEASURES SHALL REMAIN IN PLACE UNTIL PERMANENT SESC MEASURES ARE INSTALLED AND VEGETATION IS UNIFORMLY ESTABLISHED. RE-SEED AND PLACE ADDITIONAL TOPSOIL IN ERODED AREAS AS NECESSARY UNTIL FINAL LANDSCAPE IS INSTALLED.
- CONSTRUCTION OF PERMANENT BASINS AND EROSION DITCHES SHALL BE COMPLETED PRIOR TO SITE CLEANING AND GRADING.
- INSTALL SILT SEDIMENT TRAPS (SILT SACKS) OR EQUALS IN ALL PROPOSED CATCHMENTS AS INDICATED ON THIS DRAWING. CLEAR SILT SEDIMENT TRAPS ON A WEEKLY BASIS AND AFTER RAIN EVENTS AS REQUIRED.
- CONTRACTOR SHALL INSPECT AND CLEAN OUT ALL EXISTING AND PROPOSED STORM SEWER CATCHMENTS AND MANHOLES WITHIN THE PROJECT LIMITS OR OUTSIDE THE PROJECT LIMITS IF SUBJECT TO CONSTRUCTION SITE RUNOFF, AS NECESSARY DURING CONSTRUCTION AND PRIOR TO FINAL ACCEPTANCE.
- PLACE SILT FENCE ALONG DISTURBED AREAS WHERE SURFACE WATER WILL FLOW INTO EXISTING DRAINS, DITCHES AND ADJACENT PROPERTIES. AVOID SILT FENCE TO PREVENT UNCONTROLLED RELEASE OF SILT LAUGH WATER.
- THE CONTRACTOR IS RESPONSIBLE FOR THE DAILY SWEEPING OF TRACKED MATERIALS FROM ALL ROADWAYS.
- THE SESC MEASURES SHOWN ON THIS PLAN ARE THE MINIMUM MEASURES REQUIRED. DUE TO SITE ACTIVITIES AND SCHEDULES, ADDITIONAL MEASURES WILL BE REQUIRED TO MAINTAIN SITE ACCORDING TO APPLICABLE STATE AND FEDERAL GUIDELINES AT NO ADDITIONAL COST TO THE OWNER.

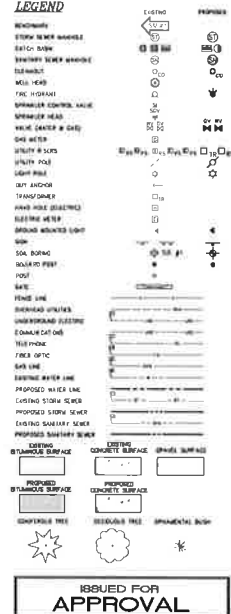
LEGEND

SESC SITE SUMMARY:

- SITE SOIL IS CLASSIFIED AS SAND PER SOL BORINGS.
- EXISTING AREAS AND KNOWN REGULATED WETLANDS ON THE SUBJECT PROPERTY.
- FLOODPLAINS: THERE ARE NO KNOWN REGULATORY FLOODPLAINS ON THE SUBJECT PROPERTY. PER FEMA FIRM MAP NO. 22246B.
- AREA OF DISTURBANCE: 0.83 ACRES

LEGEND

- FINISH GRADE ELEVATION
- EXISTING GRADE ELEVATION
- FINISH GRADE ELEVATION AT BACK OF CURB
- FINISH GRADE ELEVATION AT TOP OF CURB
- FINISH GRADE ELEVATION AT TOP OF WALL
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR



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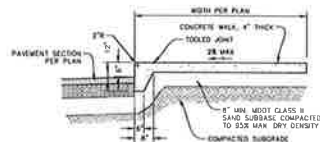
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2264 W. MAIN STREET
SEC. 03, TOWN, 009 W. CITY OF LOWELL, KENT CO.
RAIR PROPERTIES LOWELL
2800 PATTERSON AVE. SUITE 200
RICHMOND, VIRGINIA 23221

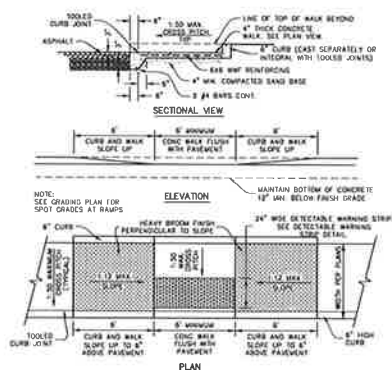
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Date: 04-29-2020
Sheet: 2020008.1A
6 of 9



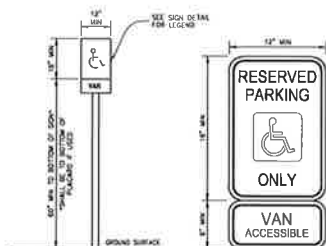
Know what's below.
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SIDEWALK WITH INTEGRAL CURB
NO SCALE



Barrier Free Sidewalk Ramp - Type P
NO SCALE



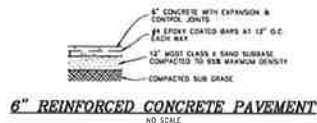
Barrier Free Sign
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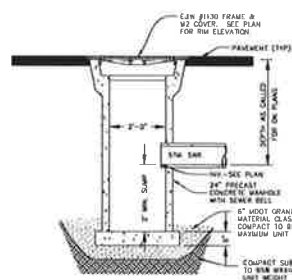
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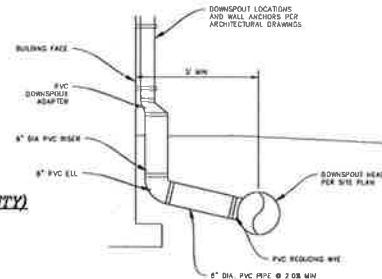
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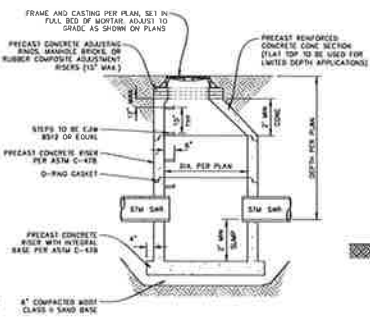
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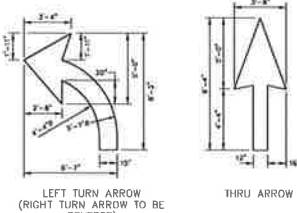
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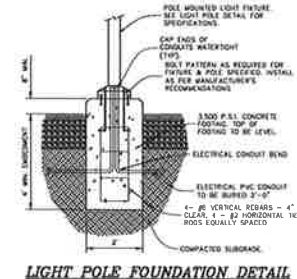
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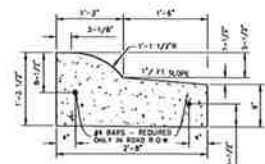
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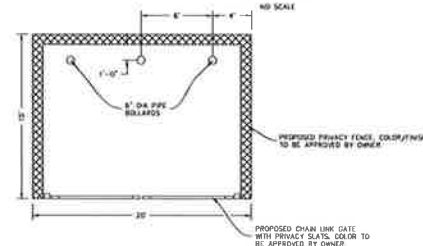
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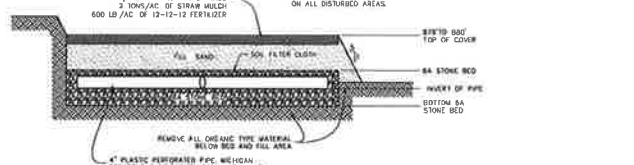
LIGHT POLE FOUNDATION DETAIL
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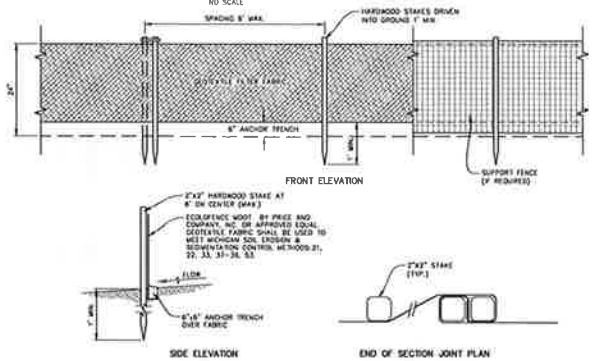
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DUMPSTER ENCLOSURE 6' MIN
NO SCALE



TYPICAL DRAINFIELD CROSS SECTION
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SILT FENCE
NO SCALE

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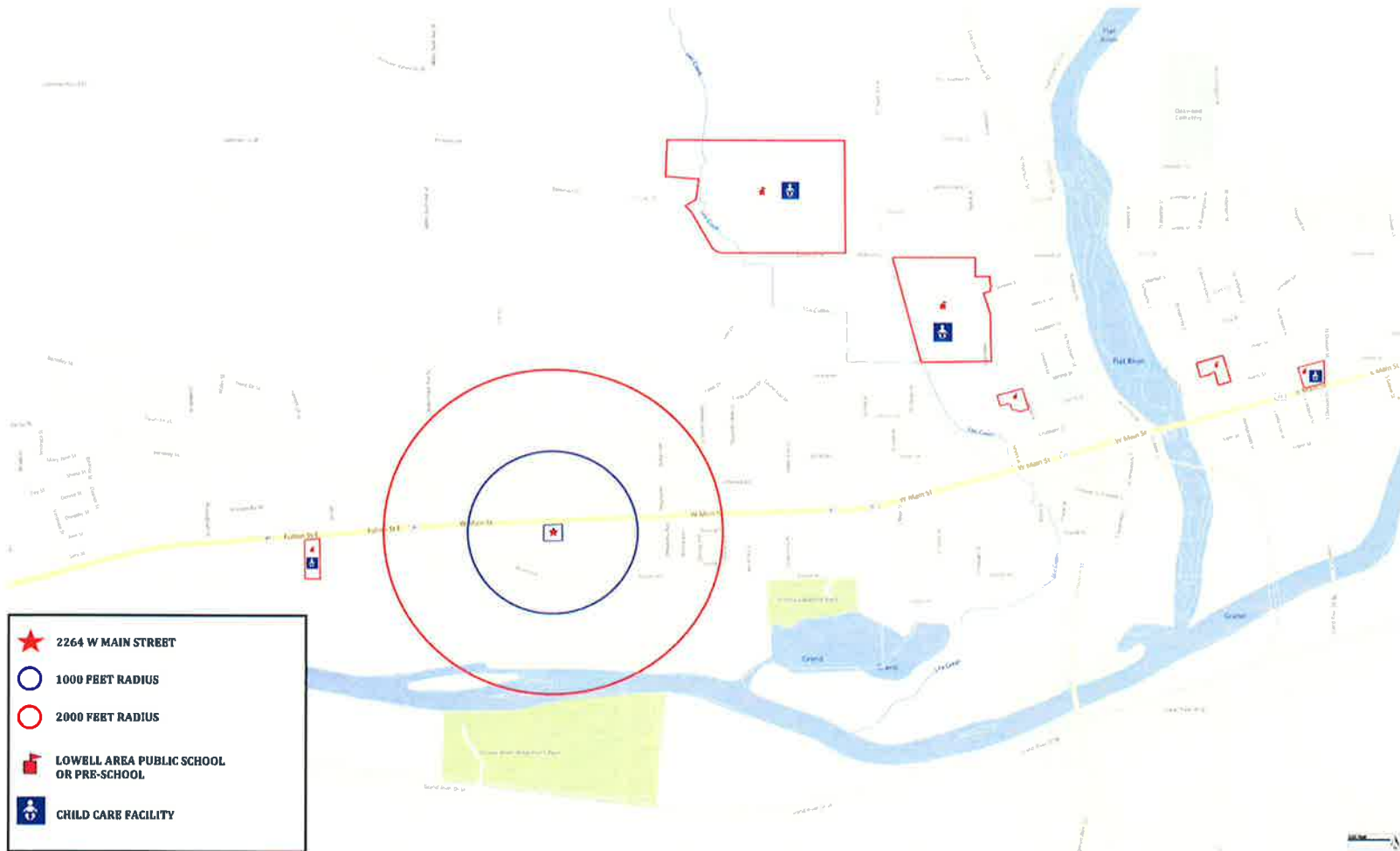
2264 W. MAIN STREET
SEC. 03, T06N, R00W CITY OF LORAIN, KENT CO.
RAILROADS, LORAIN, MI 48850
2800 LORAIN STREET, SUITE 200
RICHMOND, VIRGINIA 23221

DETAILS

Designed By	TJS
Drawn By	JC
Checked By	John
Inch	
N/A	
Scale	
Date	04-29-2020
Sheet No.	2030006.1A
Job No.	2030006.1A
Project No.	

C-501
8 of 9

File Name: I:\Users\jason.mccoy\Documents\2020\Lowell Area Public School Map\20200615_School Isolation Map.dwg Plot Date: 6/15/2020 1:10:00 PM



- ★ 2264 W MAIN STREET
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2264 W. MAIN STREET
SEC. 03, TOWN, 209 W. CITY OF LOWELL, KENT CO.
RAIR PROPERTIES LOWELL, 200
2800 PATTERSON AVE. SUITE 200
RICHMOND, VIRGINIA 23221
SCHOOL ISOLATION MAP

Designed By	TLH
Drawn By	JC
Checker By	JC
Plot	
Scale	N/A
Date	04-29-2020
Sheet No.	20300008.1A
Sheet No.	20300008.1A

R-100
9 of 9

DETENTION / RETENTION VOLUME CALCULATIONS

Project Name:	Rair Lowell	Prepared by:	TLH
Project No.:	2030008.1B	Checked by:	Name
Project Location:	City of Lowell / Kent Co	Date:	3/19/2020
Subwatershed Area:	Entire Site		
Design Storm:	4% Chance (25 Year)		
Climactic Zone (Bulletin 71):	8		

1. SITE RUNOFF COEFFICIENT

Total Land Area (acres)	0.966	C	C*A
Open Water:	0.000	1.00	0.00
Buildings:	0.111	0.90	0.10
Roadways/Parking:	0.419	0.90	0.38
Sidewalks:	0.016	0.90	0.01
Gravel Surface:	0.000	0.50	0.00
Other Impervious:	0.000	0.90	0.00
Sandy Soil, < 2% Slope:	0.420	0.10	0.04
Sandy Soil, 2-7% Slope:	0.000	0.15	0.00
Sandy Soil, > 7% Slope:	0.000	0.20	0.00
Heavy Soil, < 2% Slope:	0.000	0.17	0.00
Heavy Soil, 2-7% Slope:	0.000	0.22	0.00
Heavy Soil, > 7% Slope:	0.000	0.30	0.00
Other Pervious:	0.000	0.15	0.00
Composite C Factor =			0.55

2. DISCHARGE RATES

Direct Discharge	
Total Area of Site (Ac) =	0.97
Discharge Unit Rate (cfs/ac) =	0.13
Design Discharge Rate (cfs) =	0.13
Infiltration Discharge	
Total Infiltration Area (Sft) =	446
Hydraulic Conductivity (In/Hr) =	0.00
Permeability/2 as Req'd=	0.00
Infiltration Discharge (cfs) =	0.00
Total Discharge Rate (cfs) =	0.13

3. STORAGE REQUIRED

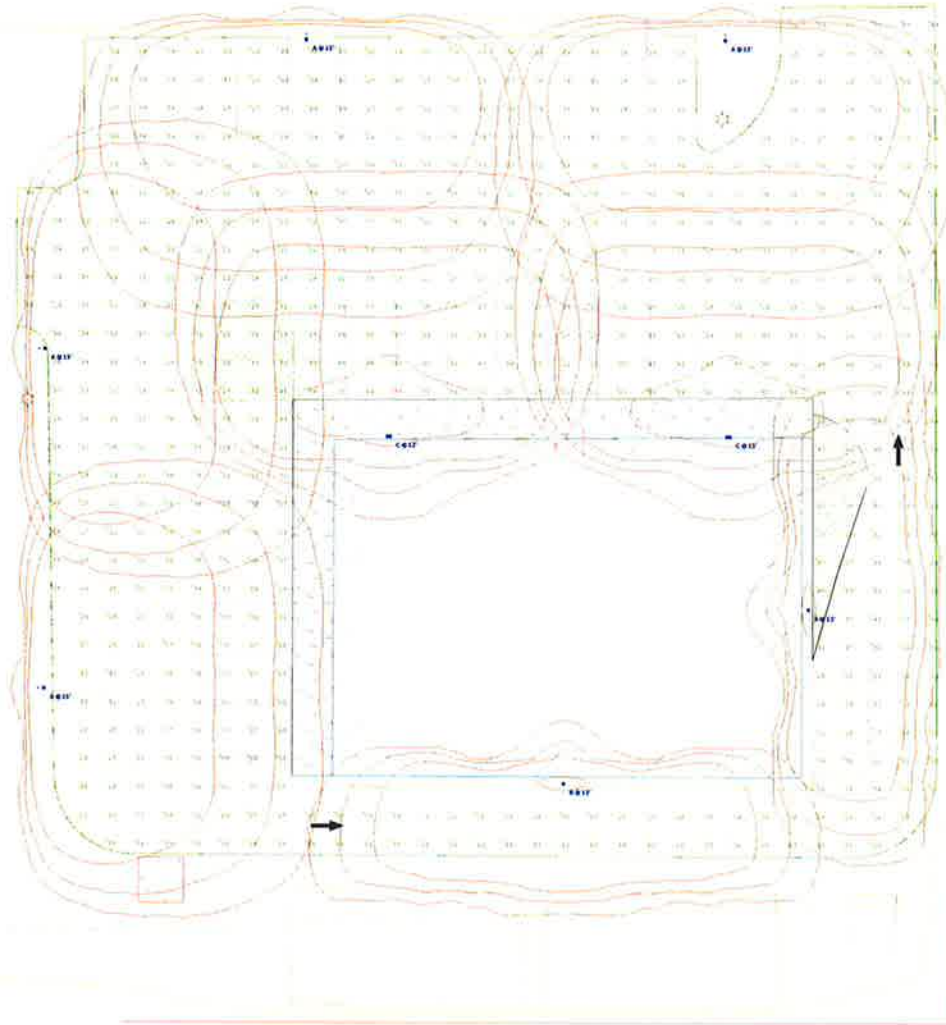
Storm Time to Peak (Hrs)	Storm Intensity Per Bulletin 71 (In/Hr)	Total Runoff (Qin) (cfs)	Released Runoff (Qout) (cfs)	Stored Runoff (Qin-Qout) (cfs)	Volume Stored (CFT)
0.08	6.36	3.38	0.13	3.25	976
0.17	5.58	2.96	0.13	2.84	1702
0.25	4.80	2.55	0.13	2.42	2181
0.50	3.30	1.75	0.13	1.63	2929
1.00	2.09	1.11	0.13	0.98	3544
2.00	1.29	0.69	0.13	0.56	4029
3.00	0.95	0.50	0.13	0.38	4093
4.00	0.00	0.00	0.13	-0.13	-1808
5.00	0.00	0.00	0.13	-0.13	-2260
6.00	0.56	0.30	0.13	0.17	3713
8.00	0.00	0.00	0.13	-0.13	-3615
10.00	0.00	0.00	0.13	-0.13	-4519
12.00	0.32	0.17	0.13	0.04	1919
18.00	0.23	0.12	0.13	0.00	-219
24.00	0.19	0.10	0.13	-0.02	-2127
REQUIRED STORAGE VOLUME =			4093 CFT		
			0.094 AC-FT		






- ① MAX HEIGHT OF BUILDING: 22'-6"
- ② WINDOW CALCULATIONS: 30% OF FACADE
- ③ TRANSPARENT GLASS
- ④ OPAQUE GLASS
- ⑤ RED UTILITY BRICK
- ⑥ TAN MODULAR BRICK
- ⑦ WOOD SIDING
- ⑧ WOOD LATTICE ON TAN MODULAR BRICK
- ⑨ DARK GREY FIBER CEMENT SIDING
- ⑩ BROWN FIBER CEMENT SIDING - SIDE ELEVATIONS
- ⑪ PARAPET HEIGHT - 20'-0"
- ⑫ PARAPET HEIGHT - 18'-0"

RAIR





Destination	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Cable Zone #1		2:1 ft	7:1 ft	0:1 ft	71:1	21:1

Site Details														Project	Status	Remarks	Photo	Date
Project	Label	Project	QTY	Requirement	Location/Station	Remarks	Height (meters)	Dimensions	Mounting	Lighting	Power	Efficiency	Notes					
  	A	COOPER LIGHTING SOLUTIONS (FORMERLY EATON)	8	COOPER LIGHTING SOLUTIONS (FORMERLY EATON)	GLENN AVE 05-LEO-81-004-100	GLENN AREA AND ROADWAY LUMINAIRE (1) 10'X16' WIDE, 1500LM LIGHTSQUARE WITH 16 LEDS EACH AND TYPE II SPILL LIGHT ALUMINATOR OPTICS WITH MODUL 5000 5000	18	GLENN AVE 05-LEO-81-004-100	18	3	1	99	100%					
	B	COOPER LIGHTING SOLUTIONS (FORMERLY EATON)	3	COOPER LIGHTING SOLUTIONS (FORMERLY EATON)	ONE AVE 05-LEO-81-004-100	GLENN AREA LUMINAIRE (1) 10'X16' WIDE, 1500LM LIGHTSQUARE WITH 16 LEDS EACH AND TYPE II SPILL LIGHT ALUMINATOR OPTICS	18	ONE AVE 05-LEO-81-004-100	18	3	1	99	100%	no photo				
	C	COOPER LIGHTING SOLUTIONS (FORMERLY EATON)	3	COOPER LIGHTING SOLUTIONS (FORMERLY EATON)	ONE AVE 05-LEO-81-004-100	GLENN AREA LUMINAIRE (1) 10'X16' WIDE, 1500LM LIGHTSQUARE WITH 16 LEDS EACH AND TYPE II SPILL LIGHT ALUMINATOR OPTICS	18	ONE AVE 05-LEO-81-004-100	18	3	1	99	100%	no photo				

1 of 1

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: May 8, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: Lume Special Land Use

Visio Clara LLC, represented by John Abbo, has submitted an application for site plan review and special land use approval to open an adult use marijuana establishment at 1425 W. Main Street (PPN 41-20-03-452-004). The subject property is located in the C3 General Business district, where adult use marijuana establishments are permitted only with special land use approval by the planning commission. Therefore, the purpose of this memorandum is to review the request pursuant to Chapter 17 Special Land Uses and Chapter 18 Site Plan Review of the City of Lowell Zoning Ordinance.



Background

The subject property has an area of approximately 1.35 acres and is within the C3 General Business district. Currently, the property contains a building that was previously used as a chiropractic office (Lowell Family Chiropractic) since 2014, and a Huntington Bank before that. The applicant is proposing to utilize the existing building for the adult use marijuana establishment. The C3 General Business district is located to the west and partially east of the subject property. The R3 Multiple Family Residential district is located to the north across Deborah Street and adjacent along a portion of the eastern and northern property boundaries. The MHP Manufactured Home Park and C3 General Business districts are located across Main Street to the south.

The applicant has proposed to use this building as a recreational marijuana retail facility with no on-site cultivation or consumption of the product. By definition, "marijuana retailer" is a type of adult use marijuana establishment. All adult use marijuana establishments are permitted as a special land use in the C3 District.

Completeness of Submission

The applicant has submitted site plan documents for review. Section 18.04 B provides a list of information required for a detailed site plan review, unless deemed unnecessary by the zoning enforcement officer. We find that the site plan is generally complete for review; however, the following items were not included:

- **Required Setbacks, 18.04 B (g).** Required setbacks are not shown or dimensioned on the site plan. However, since the applicant is not proposing any structural changes to the building exterior, these may not be necessary.
- **Existing and Proposed Features, 18.04 B (j).** The site plan does not indicate the dimensions and radii of existing driveways, dimensions of a typical parking space, and total number of parking spaces to be provided.
- **Adjacent Zoning, 18.04 B (l).** Existing zoning is not indicated on all properties abutting the subject property.
- **Fencing, 18.04 B (m).** The location of a fence adjacent to R3 residential district properties is depicted on the site plan; however, the height and type are not identified. It appears to be a relatively short (3-4 feet) split rail fence along the property line.
- **Utilities, 18.04 B (n).** A gas connection to the building is indicated on the site plan, but all other utility connections to the building are not identified on the site plan.

Although the applicant is proposing to utilize an existing building and some items identified above may remain unchanged, the Planning Commission may request their inclusion on the site plan to ensure compliance with applicable standards. In general, we find the application is sufficiently complete for review.

Section 17.04 FF (3) and (4) requires additional application and site plan materials to be submitted for adult use marijuana establishments. The applicant included some of the additional site plan materials; however, the following items were not received:

- **Lighting Plan (4)(d).** The applicant has submitted lighting details for the existing pole lights on the site, but not any additional lighting on the site or building. Section 4.24 E (1) prohibits lighting in excess of ½ foot candle on adjoining property. If additional lighting is proposed, the applicant should submit a photometric plan to ensure lighting complies with this standard.
- **Windows (4)(e).** Window calculations and descriptions of the glass are not included on the site plan. These should be included to ensure the sale or display of marijuana or marijuana accessories are not visible from any public place outside the establishment.
- **Delivery (4)(g).** A summary should be submitted that details procedures for how and where the delivery of marijuana will be received.

SITE PLAN REVIEW

Setbacks and Dimensional Requirements. Setbacks and dimensional requirements are not indicated on the site plan; however, because the applicant is proposing to utilize an existing building, all setback and dimensional requirements would remain in accordance with Section 12.04 of the Ordinance. The existing building meets setback and other dimensional requirements.

Landscaping. Existing landscaping is indicated on the site plan and the applicant is not proposing any additional landscaping. Because the rear property line is adjacent to a residential district (to the north), a wall or wooden privacy fence six feet tall or a landscaped buffer or berm is required to provide adequate screening between uses (Section 4.26 E, 1). Although a fence is indicated on the site plan, a review of Google Earth Street View indicates that this is a small wooden fence that does not function for screening purposes. Trees exist along the property line, but many of them are deciduous. Therefore, a screen fence or wall may be necessary to adequately screen between these uses. Further, the applicant's property extends so that part of the eastern boundary is also adjacent to the residential district. This boundary would also require a landscaped buffer, berm, fence, or wall in accordance with Section 4.26 E (1).

Additionally, Section 4.26 E (2) requires front yard landscaping in the C3 General Business district, which must include one canopy tree and three deciduous shrubs for each 30 feet of lot width. Because the subject property is a corner lot, it has two front lot lines: a principal and a secondary. According to the definition for front lot lines in Section 2.13, the principal lot line shall be the shorter of the two, which would be on Vista Valley Drive. However, Section 4.26 does not define whether frontage landscaping would apply separately or collectively for front yards on corner lots. The subject property is approximately 150 feet wide along Valley Vista Drive, equating to 5 canopy trees and 15 shrubs, and 290 feet wide along West Main Street, equating to 10 canopy trees and 29 deciduous shrubs. Currently, the site plan depicts 14 trees within both front yards. Shrubs are not depicted on the site plan. The Planning Commission should address landscape requirements with the applicant.

Because the applicant is proposing to keep the existing parking lot layout, there would be no major changes to the parking lot and therefore no required changes in parking lot landscaping, in accordance with 4.26 E (3)(a).

The Planning Commission may accept the site landscaping as-is, or it may require changes. At a minimum, we suggest that the applicant replace the split rail fence with a 6' privacy fence along the north boundary between the subject property and 146 Valley Vista and 1436 Deborah.

Lighting. The applicant has proposed to keep all existing light poles on the property and has indicated the heights of each on the site plan. The tallest mounting height is 17 feet, which complies with standards for lighting adjacent to a residential district in Section 19.03 C.

The site plan does not indicate any lighting on the building. However, should the applicant desire additional lighting on the building, all features should be fully cut-off.

Parking/Circulation. The applicant is not proposing any additional parking spaces. The site contains 14 spaces, including one ADA space. A review of aerial imagery also indicates three additional spaces near the curb cut off West Main Street that are not indicated on the site plan. The Planning Commission should address this difference with the applicant.

The Ordinance requires one space for each 200 square feet of gross floor area for a retail store. The site plan does not indicate the gross floor area of the building. A cursory review of the building suggests it has an area of approximately 1,500 square feet. However, floor plans also indicate a basement. Assuming both levels are the same size, the building would have approximately 3,000 square feet gross floor area, equating to an estimated minimum of 15 spaces. However, the Planning Commission should discuss the gross floor area with the applicant to accurately determine the required parking for the proposed use. The Planning Commission may modify parking standards to ensure adequate, but not excessive, parking is available on the site.

It should be noted that thus far, parking at the City's other marihuana establishment has proven inadequate, and that site has more parking than this site. We are concerned that this site will not provide sufficient parking. There is adequate area on the site to the east of the building to accommodate additional parking. If the Planning Commission similarly feels that parking is inadequate, it may require one or more of the following options:

1. Design and pave an additional parking area to the west of the building.
2. Designate the area to the east of the building as deferred parking
3. Develop a temporary arrangement with O'Reilly Auto Parts (to the west) and/or Rite Aid (to the east, across Valley Vista) to accommodate additional parking for Lume.

While the applicant meets the minimum requirement of the zoning ordinance, the Commission has the authority to require additional parking to protect the public health, safety, and welfare. This is specifically required in Section 18.04 M.

Signage. The applicant has stated that the existing wall sign will be replaced with "Lume" signage on the building elevations. Specific signage details were not included. As a condition of approval, the Planning Commission should require any signage to comply with Chapter 20 of the Zoning Ordinance.

Provisional License. The Planning Commission shall require an operating license from the City of Lowell as a condition of special land use approval in accordance with Section 17.04 FF.

Site Plan Review Standards. In order 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 the 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 proposed use would be an adult use marihuana establishment that is licensed as a marihuana retailer. Adult use marihuana establishments are permitted as a special land use in the C3 General Business district. The applicant is proposing only to sell marihuana products and has stated in the application that the use will not allow smoking or fumes on the premises. Additionally, a carbon filter is proposed for installation in the building as an extra precaution. Therefore, it is not expected that odor would negatively impact the surrounding environment.

The applicant proposes to use an existing building and parking lot, so there would be minimal exterior changes to the building and site arrangement. Because the uses and structures on the site are pre-existing, the development of the proposed use is not expected to impede the normal and orderly development or improvement of surrounding properties.

Because the subject property shares a property boundary with the R3 Medium Density Residential district, screening is required along this adjacent property boundary in accordance with Section 4.26 E (1). The existing fence along the property boundary does not contribute to screening. Although there are existing trees along this boundary, they are mostly deciduous and screening would be minimal when leaves are gone. Therefore, a screen fence or wall could be used to provide screening while retaining existing landscaping along this boundary. The Planning Commission may address additional measures of screening to ensure residential properties are appropriately screened from the proposed use.

- 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 not proposing any changes to the parking lot from the previous use. Existing curb cuts on Vista Valley Drive and West Main Street would remain to provide ingress and egress to the site. Therefore, traffic circulation is expected to remain similar to the previous use. A concrete sidewalk is also located along the southeast and southwest building exterior walls, adjacent to parking spaces. This sidewalk will help facilitate pedestrian traffic from parking areas to the front door. Additionally, the site has an existing sidewalk along West Main Street and Vista Valley Drive providing pedestrian connections to other properties in the area. There are no proposed connections between sidewalks along the roads to the sidewalk near the building; however, given the angled orientation of the building, maneuvering lanes, and existing landscape areas, a connection may not be functional. Overall, circulation remains similar to the previous use and appears logical throughout the site.

In order to receive the marihuana products, the site will have to accommodate a secure transporter. Unlike the previous use on the subject property, the proposed use will involve the periodic receipt of merchandise and materials to sell in the store from a delivery vehicle. The site plan indicates one loading/unloading space, as required in Section 19.08. This is located near the staff entrance so loading/unloading would be as close as possible to the building. The Planning Commission may find this standard 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: The applicant is proposing to utilize the existing parking lot and curb cuts on Vista Valley Drive and West Main Street. These are expected to contribute to safe and efficient circulation for traffic by permitting ingress/egress on different streets. All existing sidewalks, parking lots, and the point of ingress/egress would remain the same as were previously existing on the site. Because the applicant is proposing to utilize existing circulation systems, minimal impact is expected on existing circulation, however, a driveway permit from MDOT will be needed.

This site is adjacent to O'Reilly Auto Parts. The Planning Commission may require a cross access easement between these two properties to encourage connectivity between properties without utilizing Main Street. Our records indicate that O'Reilly had proposed one on their site and site plan that was approved by the Planning Commission. MDOT has also encouraged the provisions of an easement. This may be addressed as a condition of approval.

- 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 applicant is not proposing the removal or alteration of any natural features on the site. There is considerable landscaping currently on the site from the previous use, which is proposed to remain. Because the subject property is a corner lot, it includes two front yards. See comments for "Landscaping" under general site plan review comments regarding landscape requirements.

Because the proposed use is adjacent to the R3 district, a buffer is required to screen between uses in Section 4.26 E (1). Because the current landscaping is mostly deciduous trees along this boundary, a screen wall or fence may be necessary to provide adequate coverage during seasons when leaves are not on the trees. The Planning Commission may address this with the applicant. Additionally, maintenance of landscaping, buffers, and/or greenbelts will be addressed as a condition of approval.

- 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 is the reuse of an existing building. A condition of approval can stipulate continual compliance with applicable codes and ordinances.

- 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 C3 General Business district is to permit a mixture of residential, office, and commercial uses that do not necessarily adhere to the style of downtown buildings. This district offers more automobile-related uses that would not always be compatible with residential uses. The building form and proposed use appear to align with the intent of commercial uses in the C3 General Business district.

The City of Lowell's Master Plan was adopted in 2007 and outlines a desired vision for land uses in the City. The majority of the subject property, including the proposed building and surrounding improvements, is located in the Mixed Use future land use category. The northern portion abutting Deborah Drive is in the Multiple Family Residential future land use category. The Mixed Use designation is "intended to permit a mixture of residential, office, and commercial land uses but not necessarily in a downtown style building." Although not in a downtown style building, the Plan notes that these areas should still be pedestrian oriented. The Multiple Family Residential district is intended to correspond to the R3 zoning district. Because the existing building and parking lot layout are already designed to align with these purposes, it is expected that the proposed use is expected to also maintain the general purposes and spirit of the Ordinance and Master Plan. The Planning Commission may find that this standard is met.

Special Land Use Review Standards. In order 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 applicant is proposing to utilize an existing building and parking lot, so exterior modifications would be minimal and the site's visual impact is expected to remain generally the same. The general character of the area is commercial, with uses in the C3 General Business district specifically intended to serve greater automobile traffic than other areas in the City. Further, the proposed use of the building as a marihuana retail store would remain consistent with the intention of the C3 district to accommodate uses with higher levels of vehicular traffic. The C3 district generally accommodates uses that could be incompatible with the character of residential uses,

which would be true of the proposed use. However, since the proposed use is adjacent to some residential uses, careful consideration should be given to screening along property boundaries to mitigate any incompatible impacts. Given sufficient screening along residential boundaries, the Planning Commission may find this standard met.

- 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. The Planning Commission may find this standard met.

- 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: Because the applicant is proposing to utilize an existing building, essential public facilities and services are already established. The applicant has stated in the application submittal that additional public facilities and services will not be necessary. Curb cuts along West Main Street and Vista Valley Drive and the parking lot layout will likely remain unchanged. Therefore, vehicular circulation on these streets will not be altered by changes in curb cuts and emergency vehicle access is expected to remain acceptable from the previously-approved design, subject to MDOT approval.

The proposed measures for security indicated on the floor plan and associated notes are expected to mitigate impacts that may impact the local police department. Subject to any comments from the City Police Department, and the submission of additional needed information detailed above, the Planning Commission may find this standard met.

- 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 expected to utilize facilities and services similar to the previous use. Public water and sanitary sewer connections are already established, so additional hook-ups would not be required. Utilities and infrastructure would also remain the same. Therefore, 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 applicant has stated that "the use will not generate excess noise as the business will only operate during normal business hours (10AM to 9PM on weekdays and Saturdays)." The applicant will not allow smoking or fumes on the site and has also stated that no odors will be noticeable since all products being sold will be in

prepackaged, sealed containers. Although no odors are expected, the applicant has proposed to install carbon filters as an additional precaution.

Traffic is likely to be higher on the site for the proposed retail use compared to the previous use (Lowell Chiropractic). However, the existing parking lot design and two curb cuts are expected to contribute to safe and orderly traffic flow. We are concerned that parking may be inadequate, so the Planning Commission may address this with the applicant.

The applicant is not proposing to process or grow any marihuana products on the site. Each product would come pre-packaged, so transfers would occur between the delivery truck and the store. Any odor associated with the use of marihuana is expected to be minimal due to the primary use of the site for retail and the sealed packaging of all products. The addition of a carbon filtration system further addresses potential concerns, given its location next to a residential district to the north.

- 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.

Adult Use Marihuana Establishment Special Land Use Standards. In addition to the general standards for special land uses of section 17.03, the Planning Commission must also find that the proposed special land use would comply with specific standards established for adult use marihuana establishments as listed in Section 17.04 FF. Our remarks related to the security concerns plan pursuant to Section 17.04 FF(5)(a) are in a separate confidential memorandum. Following are the standards of 17.04 FF(5)(b-m), and our remarks on each:

- b. Separation distances. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of the land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana establishment. The following minimum-distancing regulations shall apply to all marihuana establishments. A marihuana establishment shall not be located within:
- i. 1,000 feet of a preschool or child care center, whether or not it is within the city of Lowell;
 - ii. 1,000 feet of a public or private K-12 school, whether or not it is within the city of Lowell;
 - iii. 500 feet of a property within the C-2, Central Business District as illustrated on the City of Lowell Zoning Map.
 - iv. Exception. The requirements above do not apply if the marihuana establishment was lawfully established prior to the location of an establishment or zoning district specified in items i - iii above.

Remarks: The applicant submitted a sensitive use map depicting a 1,000-foot radius around the subject property. There are no schools or childcare facilities within 1,000 feet of the proposed location and no new child care centers registered with the Michigan Department of Regulatory Affairs. The Planning Commission may find this standard met.

- c. Odors. The marihuana establishment shall be designed to provide sufficient odor-absorbing ventilation and exhaust systems so that any odor generated inside the establishment is not detected outside the building in which it operates, on adjacent public rights-of-way, private road easements, or within other units located within the same building as the establishment if it occupies only a portion of the building. Odors must be controlled and eliminated by the following methods:
- i. The building must be equipped with an activated air scrubbing and carbon filtration system that eliminates all odors prior to leaving the building. Fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - ii. Air scrubbing and filtration systems must be maintained in working order and must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.
 - iii. Negative air pressure must be maintained inside the building.
 1. At a ratio of 1:4 between the air intake (CFM) and exhaust fan (CFM), or a similar ratio as approved by the planning commission.
 2. A minimum negative pressure of 0.01" water column relative to the building exterior and to adjacent spaces without product.
 3. A minimum exhaust rate of 0.2 CFM per square foot of floor area or greater.
 - iv. Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
 - v. The planning commission may approve an alternative odor control system if a mechanical engineer licensed in the State of Michigan submits a report that sufficiently demonstrates the alternative system will be equal or superior to the air scrubbing and carbon filtration system otherwise required above.

Remarks: The applicant has proposed to install a carbon filtration system in the building to ensure odors are mitigated on the site. Because there will be no growing, cleaning, or processing of marihuana on the site, odors are expected to be minimal.

Building air pressure was not addressed in the site plan submittal. As a condition of approval, the Planning Commission may require negative air pressure in the building and that doors and windows will remain closed, except for the time necessary for ingress/egress into the building. However, this may not be necessary.

- d. The marihuana establishment shall be operated and maintained at all times so that any by-products or waste of any kind shall be properly and lawfully kept and disposed of so as to preclude any risk of harm to the public health, safety, or welfare.

Remarks: The applicant has not indicated the method by which unused product will be disposed. For products that must be disposed, a procedure should be in effect that involves its destruction and waste management so that it is not recognizable in its original form in accordance with LARA regulations. Once the waste is incorporated into the regular trash, it must also be disposed of in a secured waste receptacle. Currently, the site plan does not indicate an outdoor dumpster or the method by which it would be secured or screened. The floor plans also do not indicate where product disposal will occur within the building. The locations of indoor and outdoor waste disposal should be indicated on the site plan.

- e. The marihuana establishment shall not be operated out of a residence or any building used wholly or partially for residential purposes.

Remarks: There would not be a residence associated with the marihuana establishment. The Planning Commission may find this standard met.

- f. Any portion of the structure where energy usage and heat exceed typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Fire Department to ensure compliance with applicable fire codes. Any fuel, fertilizer, pesticide, fungicide, rodenticide, herbicide, or other substance toxic to wildlife, children, or pets shall be stored in a secured and locked area and be in compliance with State pesticide laws and regulations.

Remarks: The proposed use will not involve the processing or growing of marihuana or the storage of any chemicals. The Planning Commission may find this standard met.

- g. A marihuana establishment shall not be operated from a business that also sells alcoholic beverages or tobacco products.

Remarks: The applicant has not proposed the sale of alcoholic beverages or tobacco products. This may be addressed as a condition of approval.

- h. No drive-through facilities shall be permitted.

Remarks: No drive-through facilities are proposed, although the building contains drive-through accommodations due to its previous use as a bank. The Planning Commission may find this standard met.

- i. The marihuana establishment shall comply at all times and in all circumstances with the MTRMA and the Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.

Remarks: This may be addressed as a condition of approval.

- j. The Planning Commission may require additional landscape buffers or screening beyond what is required in Section 4.26 of the Zoning Ordinance.

Remarks: The subject property is located adjacent to the R3 Multiple Family Residential district on a portion of its northern and eastern property boundaries. Landscaping exists along the northern boundary adjacent to the R3 district. Although these trees are of considerable size, many of them are deciduous trees. A fence is also indicated on the site plan; however, a review of Google Earth Street View indicates that this is a small wooden decorative fence rather than a screen fence. The Planning Commission may require a screen wall or 6' privacy fence along this property boundary to ensure adequate screening between the uses when leaves are not present on the trees.

The subject property is also adjacent to the R3 district on its eastern property boundary. Although the commercial use is not visible along this boundary due to the property's configuration, landscaping is required in accordance with Section 4.26 E (1). The Planning Commission may modify the landscape requirements if finding that circumstances warrant a change or that existing landscaping, screening, or site conditions would be preserved and meet the intent of Section 4.26.

- k. The owner and/or licensee shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The city shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the city upon request.

Remarks: The applicant has not proposed a third-party inventory control and tracking system in the site plan submittal or any method of maintaining records and documentation of cannabis products. The Planning Commission may address this with the applicant.

- l. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure which contains electrical wiring, lighting, and/or watering devices that support the cultivation growing or harvesting of marihuana.

Remarks: The applicant will not be growing or harvesting marihuana on the site, so this standard is not applicable.

- m. In the event of any conflict, the terms of this ordinance are preempted and the controlling authority shall be the statutory regulations set forth by the MRTMA or the adopted Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.

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

Recommendation

At the May 11 public hearing, the Planning Commission should discuss the site plan, application, and carefully consider any comments from the public and the applicant. Subject to those comments, the Planning Commission may approve the application. If the Planning

Commission approves the special land use and site plan, 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 City's Department of Public Works, City Engineer, or other City officials.
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 continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
5. The applicant shall submit a copy of a provisional license issued by the City of Lowell pursuant to Chapter 28 of the city of Lowell code of ordinances. The facility shall not open until appropriate operating licenses have been obtained from the City of Lowell and the State of Michigan.
6. Any additional exterior lighting shall comply with the lighting standards of Section 4.24 and 19.03 C of the Zoning Ordinance.
7. Signage shall comply with Chapter 20 of the Zoning Ordinance.
8. Parking calculations shall be included on the site plan demonstrating the required number of spaces are met for the retail use. The Planning Commission may require one or more of the following provisions to address parking:
 - a. Design and pave an additional parking area to the west of the building and parking area, subject to approval by the Zoning Enforcement Officer,
 - b. Designate the area to the east of the building as deferred parking,
 - c. Develop a temporary arrangement with O'Reilly Auto Parts (to the west) and/or Rite Aid (to the east, across Valley Vista) to accommodate additional parking for Lume.
 - d. Some combination of the above.
9. The applicant shall replace the existing split rail fence with a 6' privacy fence along the northern property line adjacent to 146 Valley Vista and 1436 Deborah.
10. The applicant shall establish a cross access easement that would connect to the O'Reilly Auto Parts site. This shall be reviewed and approved City staff and be recorded by the Kent County Register of Deeds.
11. All 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.

12. The security plan shall address the items outlined in our confidential memo dated May 6, 2020, and any other items identified by the City's law enforcement personnel.
13. All waste receptacles containing marihuana products and the trash enclosure shall be secure and locked at all times. Waste receptacle locations shall be indicated on the site plan and building floor plan, including outdoor dumpster materials and measures for screening.
14. Disposal of marihuana by-products or waste shall be in accordance with the rules promulgated by LARA.
15. The Planning Commission may require that the applicant maintain negative air pressure in the building, except for the minimum time necessary for ingress and egress from the building.
16. The marihuana establishment shall not also sell alcoholic beverages or tobacco products, and the existing drive through facility will not be used for any purpose.
17. The marihuana establishment shall comply at all times and in all circumstances with the MTRMA and applicable Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.
18. The owner and/or licensee shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The city shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the city upon request.
19. All marihuana and marihuana accessories shall be located within an enclosed, locked area, inaccessible on all sides, and equipped with locks that permit access only by the licensed operator or their employees, agents of LARA, law enforcement officers, emergency personnel, and other authorized individuals, as reviewed and approved by the city.
20. In the event of any conflict, the terms of this ordinance are preempted and the controlling authority shall be the statutory regulations set forth by the MRTMA or the adopted Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.

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: 1425 W. Main Street, Lowell, MI 49331
2. Parcel Identification Number (Tax I.D. No.): #41-20- 03-452-004
3. Applicant's Name: Visio Clara LLC Phone Number 248-877-2336
Address: 769 Chicago Road, Floor 2 Troy MI 48083
Street City State Zip
Fax Number N/A Email Address john.abbo@lume.com
4. Are You: ☐ Property Owner ☐ Owner's Agent ☒ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Attorney- John Abbo Phone Number 248-877-2336
Address: 769 Chicago Road, Floor 2, Troy, MI 48083
6. Present Zoning of Parcel C-3 Present Use of Parcel Chiropractic Office
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: 02-06-2020

Type or Print Your Name Here: Donald H. Barnes, Jr., Manager & Contract Purchaser (Lease in Place with Attitude Wellness LLC, an entity prequalified to operate Adult-Use marijuana establishments in the State of Michigan)

Property Owner Approval: As owner, I hereby authorize the submital of this application and agree to abide by any decision made in response to it.

Owner:

Date: 2/7/2020

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) | <u>DB</u> |
| 2. A city locational sketch | <u>DB</u> |
| 3. Legal description and City address of the subject property | <u>DB</u> |
| 4. The size in acres or square feet of the subject property | <u>DB</u> |
| 5. All lot and/or property lines with dimensions, including building setback lines | <u>DB</u> |
| 6. The location of all existing structures within one hundred (100) feet of the subject property's boundary | <u>DB</u> |
| 7. The location and dimensions of all existing and proposed structures on the subject property | <u>DB</u> |
| 8. The location and dimensions of all existing and proposed: | |
| ▪ Drives | <u>DB</u> |
| ▪ curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval) | <u>DB</u> |
| ▪ sidewalks | <u>DB</u> |
| ▪ exterior lighting | <u>DB</u> |
| ▪ curbing | <u>DB</u> |
| ▪ parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space) | <u>DB</u> |
| ▪ unloading areas | <u>DB</u> |
| ▪ recreation areas | <u>DB</u> |
| ▪ common use areas | <u>DB</u> |
| ▪ areas to be conveyed for public use and purpose | <u>DB</u> |
| 9. The location, pavement width and right-of-way width of abutting roads, alleys or easements | <u>DB</u> |
| 10. The existing zoning of all properties abutting the subject project | <u>DB</u> |
| 11. The location of all existing and proposed: | |
| ▪ landscaping and vegetation | <u>DB</u> |
| ▪ location, height and type of existing and proposed fences and walls | <u>DB</u> |
| 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 | <u>DB</u> |
| 14. The location and size of septic and drain fields | <u>DB</u> |
| 15. Contour intervals shown at five (5) foot intervals | <u>DB</u> |
| 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 | <u> </u> |
| ▪ the number of dwelling units proposed (by type), including typical floor plans for each type of dwelling | <u> </u> |
| ▪ the number and location of efficiency and one or more bedroom units | <u> </u> |
| ▪ typical elevation views of the front, side and rear of each type of building | <u> </u> |
| ▪ Dwelling unit density of the site (total number of dwellings / net developable area) | <u> </u> |

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;

The Applicant will use the existing structure for its use as a marihuana retailer. The site is zoned C-3, and the City of Lowell has allowed this use in this specific zoning district.

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;

The marihuana retailer will use the existing utilities at the site. The site is currently adequately serviced by public utilities and services and therefore no addition of public facilities and services will need to be added.

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

The marihuana retailer use will not create excessive additional requirements to the public for facilities and services. The use is a traditional retail type of business that will not need additional public facilities and services

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.

The use will not be detrimental to any persons, property or the general welfare by reason of excess production of traffic noise, smoke, fumes, glares or odors. The use will not generate excess noise as the business will only operate during normal business hours (10AM to 9PM on weekdays and Saturdays. The use will not allow smoking or fumes on the premises. No odors will be noticeable from the facility as all product is prepackaged in sealed containers. Nonetheless, the owner will install carbon filters for additional odor precaution.

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:

See attached.



Proposed Cost Estimate of Site Improvements

Main Level

Demolish Existing Walls & Finishes
Replace HVAC
Plumbing & Electrical
Interior Walls & Finishes

\$365,000

Basement

Demolish Existing Walls & Finishes
Replace HVAC
Plumbing & Electrical
Interior Walls & Finishes

\$220,000

Site Work

Seal and Stripe Parking Lot
Landscape
Exterior Façade

\$95,000

TOTAL: **\$680,000**



LEGEND

● **SCHOOL**

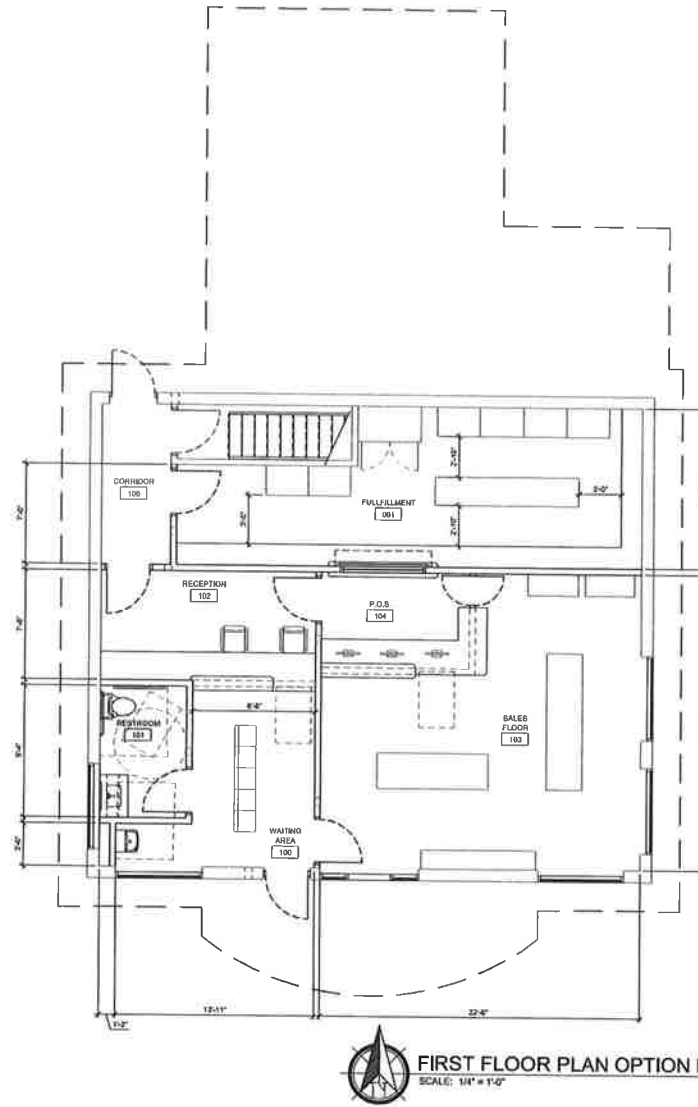
● **PRE-SCHOOL**

1000 FOOT RADIUS

SITE

**1000 FOOT ISOLATION EXHIBIT
LUME LOWELL FACILITY**





GENERAL NOTES:

1. **B** PARTITION TYPE - SEE SHEET A-901.
2. OPEN OFFICE ROOM NAME AND NUMBER - SEE SHEET A-901 FOR FINISH SCHEDULE.
3. **102A** DOOR NUMBER - SEE SHEET A-901 FOR DOOR SCHEDULE.
4. **A** WINDOW TYPE - SEE SHEET A-901.
5. ALL INTERIOR DIMENSIONS ARE TO FACE OF GYP BO.
6. INTERIOR WALLS ARE 1/2" METAL STUD FRAMING WITH 5/8" GYP BO EACH SIDE, TERMINATING AT THE UNDERSIDE OF CEILING UNLESS NOTED OTHERWISE.
7. ALL DOOR ROUGH OPENINGS ARE TO BE 2" FROM ADJACENT WALL, UNLESS NOTED OTHERWISE.

Sr
Serenity
Architecture
Co.
Serenity
Architecture Co.
5232 Great Oaks Ct.
West Bloomfield, Michigan
48323
(248) 330-3313
www.serenityarchitecture.com

Consultant:

Key Plan: NO SCALE

Client:
**Lume
Cannabis Co.**

Lume
PROVIDER
Project:
**Lowell
Provisioning
Center**

1425 Main Street
Lowell, Michigan 48331

Seal:



Date: _____ Drawn For: _____
By: _____ OWNER REVIEW: _____
DATE: _____ OWNER REVIEW: _____
DATE: _____

Drawn: _____
Checked: _____
Approved: _____

Sheet Title:
**FIRST FLOOR
PLAN - OPTION B**

Project No.: **20-02-104**

Sheet Number: **A-210B**

[illegible]

BM #300
PAINTED "X" ON THE NORTH BOLT OF A TRAFFIC SIGNAL BASE NEAR
THE NORTHWEST CORNER OF VALLEY VISTA DRIVE & N. MAIN
STREET/A-21.
ELEV. = 843.00

BM #301
ARROW W/DIMPLE ON THE TOP OF A HYDRANT LOCATED ON THE NORTH
SIDE OF N. MAIN STREET/A-21, APPROX. 100' SOUTHEAST OF FRIM
TOP OF SOUTHEAST BUILDING CORNER OF O'REILLYS AUTO PARTS (1427 N.
MAIN STREET).
ELEV. = 843.87

GRAPHIC SCALE

-20 0 10 20 40

(IN FEET)

1 inch = 20 ft

[illegible]

LOCATION MAP - NOT TO SCALE

LEGEND

[illegible]

STATE OF MICHIGAN
1000 D.
SHELLY
PROFESSIONAL
SURVEYOR
NO.
41111
LICENSED PROFESSIONAL SURVEYOR

[illegible]

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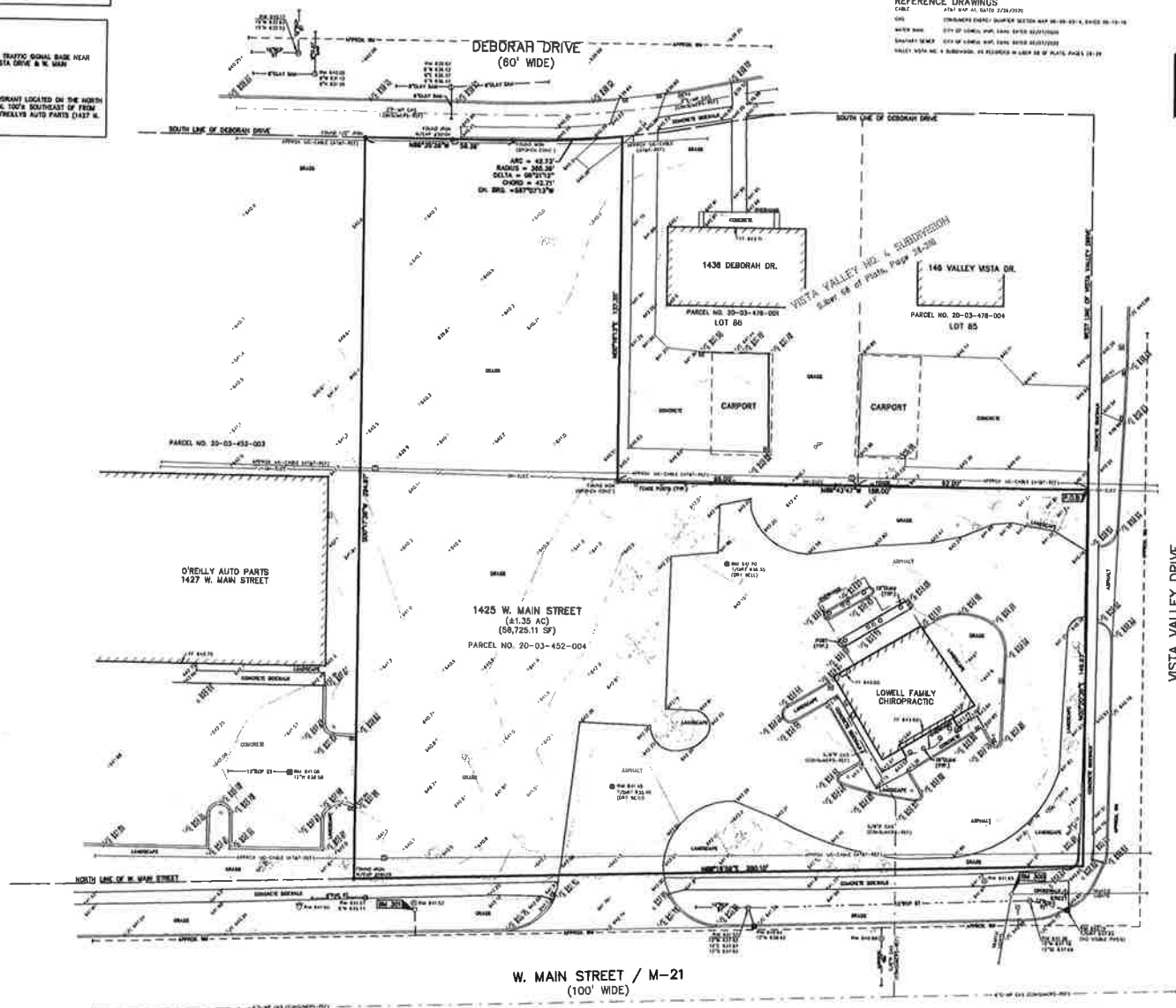
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FEA JOB NO. 2020-0077

SCALE: 1" = 20'

1

100



FLOODPLAIN NOTE:
THIS PROPERTY IS AN AREA LOCATED WITHIN A
MUNICIPALITY THAT HAS NO DIGITAL DATA AVAILABLE.
IN THE FEMA NATIONAL FLOOD INSURANCE PROGRAM
FLOOD ZONES FOR THIS AREA ARE NOT AVAILABLE.



Sheet Number: MFP-001

LEGAL DESCRIPTION

(Per Court Order)

PARCEL ID: 41-20-03-452-004
 Lot 68 of the City of Lowell, Kent County, Michigan, described as follows:
 41-20-03-452-004 PART OF BE 1/4 COR AT SE COR OF LOT 68 OF VALLEY VISTA 1/4 IN S ALONG W LINE OF VALLEY VISTA DR 100 FT WIDE/ TO A LINE OF FULLON ST 201.14-100 FT WIDE/ TO NLY ALONG N LINE OF SD TRST 200.00 FT TO N SD TRST 100 FT S 20.00 FT TO S LINE OF DEBORAH DR AND 100 FT WIDE/ EXT NLY THE ELY ALONG SD ELY S LINE TO NE COR OF LOT 68 OF SD PLAT TO N TO THE COR OF SD LOT 68 TO E TO SD 1/4 SEC 3 TRST 1.30 A. SPLIT ON 08/12/2004 FROM 41-20-03-452-005.

REMARKS

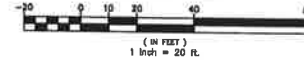
(OPS DERIVED - HAYGARD)

IN 4305
 PLATTED "N" ON THE NORTH 101.7 OF A TRAFFIC SIGNAL BASE NEAR THE NORTHWEST CORNER OF VALLEY VISTA DRIVE & W. MAIN STREET/ N-21.
 ELEV. = 542.00
 IN 4301
 ARROW SAMPLE ON THE TOP OF A HYDRANT LOCATED ON THE NORTH SIDE OF W. MAIN STREET/ N-21. APPROX. 100 FT. SOUTHEAST OF THE SOUTHWEST CORNER OF O'REILLY AUTO PARTS (1427 W. MAIN STREET).
 ELEV. = 542.67

SHOW NOTE

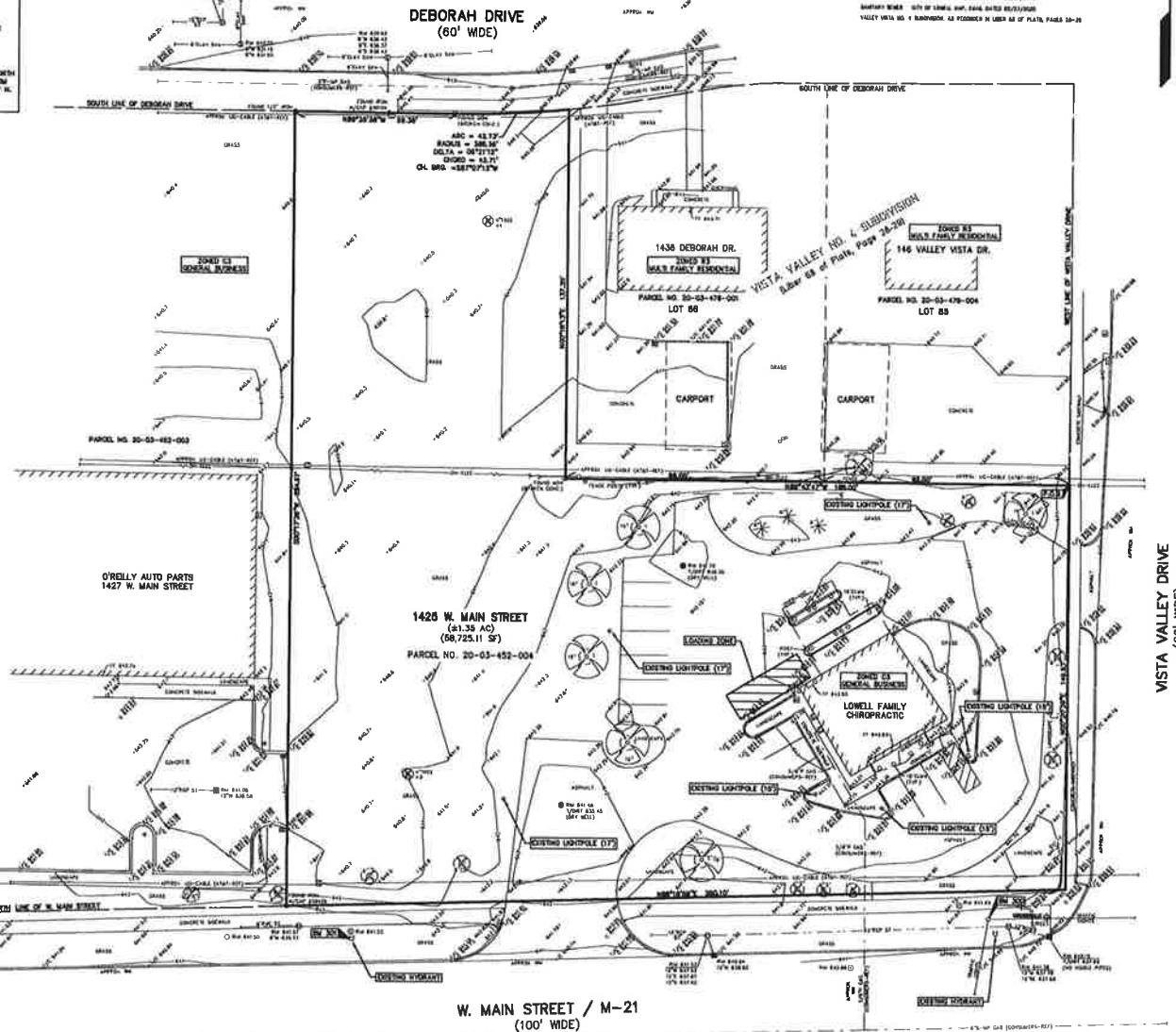
AT THE TIME OF SURVEY, SHOWN CONCRETE PAVES OF THE BALCONY PARKING. THEREFORE, SOME FEATURES MAY HAVE BEEN OBSERVED ON RED DATA AND MAY NOT BE SHOWN. (FIELD WORK COMPLETED ON FEBRUARY 18, 2020)

GRAPHIC SCALE



REFERENCE DRAWINGS

1. FIRST MAP A.L. DATED 1/19/2000
 2. SOUTHERN ENERGY BARRIER SECTION MAP 88-08-00-1, DATED 08-13-14
 3. CITY OF LOWELL MAP, FROM 01/10/2010/2010
 4. BARRIER MAP, CITY OF LOWELL, MAP, FROM 01/10/2010/2010
 5. VALLEY VISTA 1/4 1/4 BARRIERS, AS FOLLOWS IN LIES AS OF PLATS, PAGES 10-10



VISTA VALLEY DRIVE
 (60' WIDE)

W. MAIN STREET / M-21
 (100' WIDE)

SITE DATA TABLE
 SITE AREA = 56,751.11 SF (1.30 ACRES)
 ZONING: C-2, GENERAL BUSINESS

FLOODPLAIN NOTE:
 THE PROPERTY IS IN AN AREA LOCATED WITHIN A MUNICIPALITY THAT HAS NO FLOOD DATA AVAILABLE IN THE FIRM NATIONAL FLOOD INSURANCE PROGRAM. FLOOD ZONES FOR THIS AREA ARE NOT AVAILABLE.

REVISIONS

NO.	DATE	DESCRIPTION
1	02/18/2020	INITIAL SURVEY

LEGEND

- 1. SHOWN PLAT
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CAUTION

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J.B. DONALDSON COMPANY

PRELIMINARY SITE PLAN
 TBD - 1425 MAIN STREET - LOWELL
 PART OF THE BALCONY PARKING LOT, CITY OF LOWELL

ORIGINAL ISSUE DATE: MARCH 8, 2020
 PEA JOB NO. 2020-0077
 SCALE: 1" = 20'
 DRAWING NUMBER: SP-1

2020				
Open Date	Close Date	Address	Name/Business	Subject
01/6/2020	01/16/2020	930 Sibley	Darla Maloney	Egress Window
02/21/2020	02/21/2020	159 S. West	Suzie Reinbold	Various Repairs
03/7/2020	03/07/2020	220 N. Division	David Brandt	Fence
03/11/2020	03/11/2020	1751 Gee Drive	Tony Beers	Partial finish basement
03/03/2020	03/18/2020	1264 Fun	John VanderWilp	Pole Barn
04/14/2020	04/17/2020	917 Lincoln Lake	Michael Johnson	Shed
04/21/2020	04/24/2020	1100 Sibley	Brian Cook	Fence
04/27/2020	04/30/2020	1020 Sibley	Tracie Eikey	Fence
04/27/2020	05/01/2020	1965 W. Main	Meds Café	Temp Sign