



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

PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
AGENDA
FOR THE REGULAR MEETING OF
MONDAY, JULY 10, 2023 AT 7:00 P.M.

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
 - a. June 12, 2023 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
 - a. Public Hearing – Revisions to Sign Ordinance
 - b. Site Plan Review - WMAX Temporary Use – 2153 W. Main – Tabled from June 12, 2023 meeting
 - c. Master Plan Update
6. NEW BUSINESS
 - a. Public Hearing - Site Plan/Special Land Use – Todd Schall – 115 Riverside
 - b. Site Plan Review – 414 E. Main
 - c. Public Hearing – Rezoning – 805 and 825 E. Main and 112 Horatio
 - d. Site Plan Review – 805 and 825 E. Main and 112 Horatio
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, JUNE 12, 2023 AT 7:00 P.M.**

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.

The Meeting was called to order at 7:00 p.m. by Chair Bruce Barker.

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

Absent: Commissioner Plank.

Also Present: Mayor DeVore, Andy Moore with William & Works, Lowell City Clerk Sue Ullery, Jim Salzwedel, and Cliff Yankovich.

2. EXCUSE OF ABSENCE.

IT WAS MOVED BY CHAMBERS and seconded by ELLIS to excuse the absence of Commissioner Plank.

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

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

3. APPROVAL OF AGENDA.

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

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

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

4. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING.

IT WAS MOVED BY GADULA and seconded by CADWALLADER to approve minutes of the April 10, 2023 regular meeting as written.

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

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

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

There were no comments.

6. OLD BUSINESS.

a) Sign Ordinance.

Andy Moore with Williams & Works reviewed the current sign ordinance and explained what sections need revising.

Sign ordinance will be brought back for revising at the next Planning Commission meeting.

7. **NEW BUSINESS**

a.) Site Plan Review – West Michigan Auto Xchange – Temporary Use - 2153 W. Main Street.

Renee Pieper with West Michigan Auto Xchange spoke through zoom to explain what they would like to do. Selling cars out of the parking lot for a nine-day duration approximately 10:00 am until 7:00.

Moore then reviewed the Site Plan Review Standards A through F.

Commissioner Gadula asked if there would be any additional lighting at the location they are using.

Renee Pieper with West Michigan Auto Xchange stated since they close at 7:00 pm there is no additional lighting outside, but inside the tent, there would be lighting in the tent. No security seemed to be needed last year so there is no plan for security at this time. Cars for sale are locked up at night.

Barker then opened it up to public comments.

Cliff Yankovich who resides at 208 E Main spoke and expressed he would like the Planning Commissioners to vote no on this special land use request.

Mike DeVore who resides at 424 Elm Street asked the Planning Commission to vote no on this special land use request.

Drew Dubridge who resides at 9177 South Ferris in Grant, and representing Betten Baker Auto Group does not support this group and would like the Planning Commission to vote no on this special land use.

Jim Salzwedel who resides at 505 North Jefferson spoke not in favor of allowing this special land use to be approved.

City Clerk Sue Ullery read a letter into record from Todd Landman, Owner of Todd Landman Car Company at 2399 W Main, who is not in favor of this special land use being approved.

Renee Pieper with West Michigan Auto Xchange stated they do not come to town to just take customers, they offer good prices and are there to expand their market area; they have a location in the Kentwood area and will certainly provide service if a customer need servicing. They do post their location on their paperwork and in the tent, etc. They did make donation to a local charity last year, although it may not have been advertised.

Chair Barker then closed the public portion.

Commissioner Chambers stated he agrees that he would like to see this not be approved.

Commissioner Schrauben asked if there was any permit fee to generate revenue.

Moore said no, but stated, if all the standards are met, you will have to approve it, in his opinion. But the Planning Commission could make conditions for the approval.

Mike DeVore stated there is a big difference between the purchase of food from a truck, fireworks or farmer market items. A car is a much bigger investment.

IT WAS MOVED BY CHAMBERS and seconded by ELLIS to deny the site plan under Standard A not being met in regards to public welfare.

City Manager Michael Burns then suggested the item be tabled and consult the City Attorney before denying the Site plan just to make sure there will not be legal ramifications by denying it.

Commissioner Schrauben suggested we also clean up the ordinance.

Commissioner Chambers then withdrew his motion.

IT WAS MOVED BY SCHRAUBEN and seconded by CADWALLADER that the Planning Commission table the site plan review for West Michigan Auto Xchange at 2153 W. Main St until July so they can discuss with the City Attorney before making a decision.

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

NO: None.

ABSENT: Commissioner Plank.

MOTION CARRIED.

8. **STAFF REPORT.**

Burns stated that City Council approved that the Planning Commission can move forward on the Master Plan at their last meeting.

Moore stated at the next planning commission meeting, we will start the Master Plan review and it will be a significant process for the City that will take probably 12 to 18 months. There will be several ways for the public to attend events to get their input and suggestions.

9. **COMMISSIONERS REMARKS.**

Commissioner Cadwallader asked about docks for pontoons being put in the river.

Burns will talk to the DPW about docks.

10. **ADJOURNMENT.**

IT WAS MOVED BY ELLIS and seconded by CADWALLADER to adjourn at 8:15 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk



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

CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning Citizens Advisory Commission will hold a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, July 10, 2023, at 7:00 PM. The subject of the hearing will be the following:

Proposed Zoning Ordinance Text Amendment

The amendment represents a comprehensive update and revision to Chapter 20, Signs to include content-neutral regulations. The amendment includes an expanded intent and purpose statement along with revisions to the sign definitions, general sign provisions, signs not requiring permits, supplementary signs, and signs permitted by zoning district. In addition, a substitution clause and savings and severability clause will be added. Copies of the application and the City's Zoning Ordinance are available for public viewing during regular business hours at Lowell City Hall, 301 East Main Street, Lowell, Michigan. Written comments will be received until the night of the hearing.

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

Respectfully,


Susan Ullery
Lowell City Clerk

CHAPTER 20. - SIGNS

SECTION 20.01. - INTENT AND PURPOSE.

~~The purpose of this chapter is to regulate the size, number, location and manner of construction and display of signs in the City of Lowell. This Article is further intended to protect all zoning districts from visual chaos and clutter, eliminate distractions hazardous to motorists, protect uses from excessive signage, provide ability for the public to identify premises and establishments, encourage the preservation of Lowell's historic and small town character through sign design, and enhance the aesthetics of the community.~~

A. Purpose. The purpose of this section is to coordinate the type, placement and physical dimensions of signs within the various zoning districts, to recognize the communication requirements of all sectors of the community, to promote both renovation and proper maintenance of signs, and to guarantee equal treatment under the law. In all respects, it is the intent of this section to comply with Reed v. Town of Gilbert, 135 S. Ct. 2218 (2015). The general objectives of these standards are to promote the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

1. Safety. To promote the safety of persons and property by providing that signs:
 - a. do not create hazards due to collapse, fire, decay, collision or abandonment;
 - b. do not obstruct fire-fighting or security surveillance; and
 - c. do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.
2. Communications efficiency. To promote the efficient transfer of information in sign messages by providing that:
 - a. businesses and services may identify themselves;
 - b. customers and other persons may effectively locate a business or service;
 - c. no person or group is arbitrarily denied the use of the sight lines from the public streets for communication purposes; and
 - d. persons exposed to signs are not overwhelmed by the number or size of messages presented and are able to exercise freedom of choice to observe or ignore messages.
3. Landscape quality and preservation. To protect the public welfare and enhance the appearance and economic value of the landscape by providing that signs:
 - a. do not interfere with scenic views;

- b. do not create a nuisance to persons using the public streets;
- c. do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement;
- d. are not detrimental to land or property values; and
- e. contribute to the special residential character of particular areas or districts within the city, helping the observer to understand the city and orient oneself within it.

B. Message substitution. Notwithstanding any other provision of this section, noncommercial copy may be substituted for commercial copy or other noncommercial copy on any sign that is permissible under this section.

C. Findings. The city finds that:

1. Content neutrality, viewpoint neutrality and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in this section and the constitutionally protected right to free expression.
2. The provisions in this section are unrelated to the suppression of constitutionally protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to particular viewpoints.
3. The incidental restriction on the freedom of speech that may result from the regulation of signs pursuant to this section is narrowly tailored, the least restrictive means and no greater than is essential to the furtherance of the important, substantial and compelling public purposes that are set out in this section.
4. The regulation of the location, number, materials, height, size, form and duration of display of temporary signs is essential to prevent sign clutter and to achieve the intent and purpose of this chapter.

D. Temporary signs may be degraded, damaged, moved or destroyed by wind, rain, flooding and sun, and after such degradation, damage, movement or destruction, such signs harm the safety and aesthetics of the public on the city's streets or sidewalks if they are not removed.

SECTION 20.02. - SCOPE.

- A. Compliance. It shall be unlawful for any person to erect, place, or maintain a sign in the City of Lowell except in accordance with the provisions of this chapter.
- B. Permit Required. Unless otherwise provided by this chapter, all signs shall require permits and payment of fees as determined by the City Council. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

A building permit application shall be submitted along with the supplementary material noted below.

- C. Plan Required. When a site plan is required pursuant to Chapter 18 of the Zoning Ordinance, proposed signage shall be illustrated on the site plan showing the sign area, sign height, clearance between the ground and the bottom of the sign, sign illumination, sign location and setbacks from property lines, and other applicable information to enable the City to determine compliance with the requirements of this chapter. When a site plan is not required, a scaled drawing clearly depicting this information shall accompany the building permit application. The zoning enforcement officer may require that additional information be illustrated on a plan or drawing to determine compliance with this chapter.
- D. Additional Provisions. In addition to the provisions of this chapter, provisions of Section 11.5-6 of Chapter 11.5 of the Code shall apply to signs located in a historic district. Sponsorship signs are permitted and governed by Article IV of Chapter 14 of the Code of Ordinances.

SECTION 20.03. - DEFINITIONS.

The following words shall have the meanings set forth in this section:

- A. *Changeable copy sign*: A sign that consists, in whole or in part, of a message or image that can be changed periodically, whether manually or by automatic or technical means.__
- ~~B. *Construction sign*: A sign which identifies the owners, financiers, contractors, architects, and engineers as well as the name of a project under construction.~~
- ~~C. *Development sign*: A ground sign which identifies the name of a residential development and which is located at an entrance to the development, for the purpose of assisting the public in determining the location of the development.~~
- ~~D. *Directional sign*: A sign which gives directions, instructions, identifying logos without text, or facility information related to the use on the property on which the sign is located, such as parking or exit and entrance signs and which sets forth no other advertisement.~~
- B. *Freestanding sign*: A sign supported by one (1) or more up-rights, poles or braces placed in or upon the ground and not attached to any building and having a clear space of at least eight (8) feet from the ground to the bottom of the sign.
- C. *Government sign*: A temporary or permanent sign erected by the City of Lowell, Kent County, the State of Michigan, or the federal government, ~~for the purpose of street direction or traffic control; to designate hours of activity or use of parking lots, recreational areas, governmental buildings or other public space; to recognize a historic landmark; or for other~~ for public purposes and as the Ggovernment's own speech.
- D. *Ground sign*: A sign supported by a foundation or base which is at least half as wide as the sign which it supports when looking at the sign face, with no more than thirty (30) inches clearance from the bottom of the sign to the ground below.

E. Feather Sign: A freestanding temporary sign typically constructed of a shaft, driven in the ground or standing with supports, with an attached pennant that is vertically elongated and attached to the shaft.

F. Human sign: A sign which is held by or attached to a human ~~for the purpose of advertising any goods, services, functions or specific business locations being.~~

I. Incidental sign: A sign that, when visible from the street, identifies street address, entrances and exits, safety precautions, identifying logos, without text, and other such incidental information, and which sets forth no other advertisement. It may also refer to a sign which is not intended to be viewed from the street.

G. Internal site sign: Smaller signs internal to a parcel not oriented toward the public right-of-way.

H. Marquee: A permanent structure that projects from the exterior wall of a building.

I. Marquee sign: A sign attached to a marquee, canopy, or awning projecting from and supported by the building.

J. Mean grade: A reference plane representing that arithmetic mean of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a sign structure, or in the area between the sign structure foundation line and the lot line, in the case where the sign structure foundation line is less than five (5) feet from the lot line.

~~Memorial sign: A sign, tablet, or plaque memorializing a person, event, structure or site. [May want to eliminate as it is technically content-based.]~~

K. Mural: A graphic displayed on the exterior of a building, generally for the purposes of decoration or artistic expression, including but not limited to painting, fresco, or mosaic, ~~but not including any commercial message or advertising.~~

O. Off-premise sign or Billboard: An outdoor sign advertising services, products, activities, persons, activities or events which are not made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the sign is located.

P. Placard: A sign which provides notice of a public nature, such as "No Trespassing" or "No Hunting" signs.

Q. Political sign: A temporary sign used in connection with a local, state, or federal election, political topic or opinion, or referendum.

L. Portable sign: A temporary sign, ~~usually of a temporary nature, not permanently anchored to the ground or to a building or structure,~~ typically containing manually-changeable copy, and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. (see images below)



M. *Projecting sign*: A sign which projects from and is supported by the wall of a building.

S. *Real estate sign*: ~~A sign located on premises containing land or buildings for sale, rent or lease, or buildings under construction and intended for sale, rent or lease.~~

N. *Roof line*: That line which represents the highest portion of any part of the roof structure, excepting gables, chimneys or other incidental architectural features.

O. *Roof signs*: Any sign erected, constructed, and maintained wholly upon or over the roof of any building with its principal support on the roof structure.

P. *Sandwich board sign*: A ~~temporary movable~~ sign not secured or attached to the ground surface, constructed in such a manner as to form an "A" or tent-like shape.

Q. *Sign*: Any device or structure, part thereof, or device attached thereto or painted or represented thereon, or any material or thing which displays numerals, letters, words, trademarks, or any other representational use for direction or designation of any person, firm, organization, place, product, service, business, establishment, activity or industry, which is located upon any land or building, in or upon a window, or indoors in such a manner as to attract attention from outside the building.

R. *Sign area*: The entire area within a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed.

S. *Street frontage*: The distance for which the front boundary line of the lot and the street line are coincident.

T. *Temporary sign*: ~~A display, informational sign, banner, or sign affixed to the ground or a building that is capable of being easily moved from place to place or other advertising device with or without a structural frame and intended for a limited period of display.~~

U. *Vehicle sign*: ~~A sign shall be considered that is painted on or attached to a vehicle sign or trailer when the such vehicle or trailer upon which the sign is painted or attached is parked or placed primarily for advertising purposes.~~ Currently licensed commercial vehicles in general daily off-site use are not included as part of this definition.

V. *Wall sign*: A sign which is attached directly to or painted upon a building wall and which does

not extend more than eighteen (18) inches therefrom with the exposed face of the sign in a plane parallel to the building wall.

W. Window sign: A sign attached to, or in close proximity to, the window surface so as to be clearly and comprehensively visible from the outside.

SECTION 20.04. - SIGNS PROHIBITED.

The following types of signs are prohibited in all zoning districts:

- A. Abandoned signs, or signs in disrepair.
- B. Air-filled or gas-filled balloon signs.
- C. Signs with moving parts, audible signs, and/or flashing signs (except traffic control devices).
- D. Roof signs.
- E. Signs or illumination imitating or resembling official traffic or government signs or signals.
- F. Vehicle signs.
- G. Off-premise signs or billboards.
- H. Other signs not expressly permitted or which do not conform to the provisions of this chapter.

SECTION 20.05. - GENERAL SIGN PROVISIONS.

A. Sign Placement.

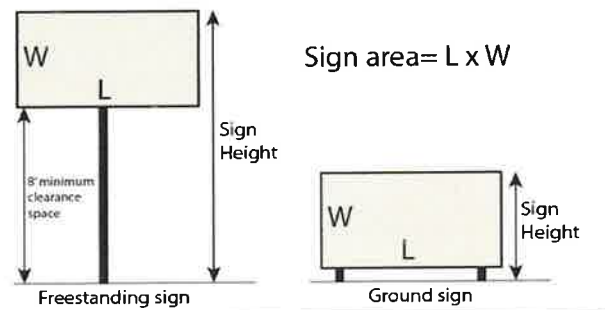
1. Unless otherwise permitted, all signs shall be located on the same parcel for which the sign is intended to serve. The provisions of this Article are not intended to conflict with provisions controlling signs regulated under the authority of MCL 252.301 et seq., the Highway Advertising Act, as amended.
2. No sign shall be located closer than two (2) feet to a public road right-of-way or property line; provided that the zoning enforcement officer or Planning Commission may approve a lesser setback upon finding that the proposed sign will not interfere with motorist or pedestrian visibility and safety. No sign shall overhang a public street right-of-way except as otherwise permitted; and all signs, including wall signs, shall have a minimum ground clearance of eight (8) feet above a sidewalk or walkway.
3. Signs shall be placed in compliance with Section 4.06, Clear Vision, ~~shall be complied with;~~ and no sign shall be placed within the clear vision area as defined in that Section 4.06. No ~~exterior~~ sign (whether a permit is required or not) shall be located or erected in such a manner as to interfere with traffic visibility.
4. A wall sign shall not extend beyond the edge of the wall to which it is affixed; nor shall a wall, marquee, or projecting sign extend above the roof line of a building to which it is attached.

5. No light pole, utility pole, or other supporting member shall be used for the placement of any sign unless specifically designed and approved for such use.

B. Sign Illumination.

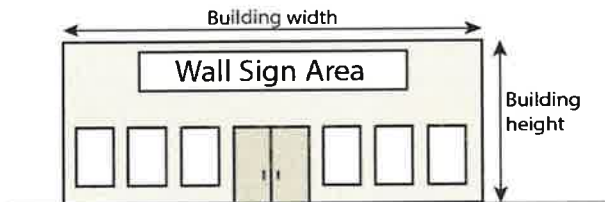
1. Unless otherwise specified by this Ordinance, all signs may be illuminated, except temporary signs and signs for home occupations.
2. Illumination shall not be flashing, blinking, intermittent, oscillating, or an on-and-off type of lighting. No sign may utilize a revolving beacon light.
3. Illumination shall be arranged so that light is deflected away from adjacent properties and that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way or from any adjacent property. Any external lighting of signs shall be downward facing or otherwise directed to illuminate only the sign face.

4. No illumination or sign shall be so placed or designed to be confused with, or appear similar to, a highway sign or traffic safety device.



5. All lighting on the underside of a vehicle service station canopy, building overhang, or similar structure shall be fully recessed. A maximum of twenty-five (25) percent of each canopy facade area may be internally illuminated. No portion of any canopy facade may be externally illuminated.

Wall sign area = Building width x Building height
x Percent of wall area



6. Internally-lit signs, electronic message boards, back-lit changeable copy signs and signs incorporating light emitting diode (LED), liquid crystal, video or other types of internally-lit systems shall be designed, shielded, and oriented so as not to interfere with adjacent public rights-of-way or private property and such signs shall not emit light exceeding either ten (10) foot candles measured four (4) feet perpendicular to the sign face or one-half (½) foot candle measured at the property line of the adjoining privately-owned property.

- C. Sign Area and Height. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and are at no point more than two (2) feet apart from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or the area of the larger face if the two (2) faces are of unequal area. In the case of a circle or sphere, the total area of the circle or sphere is divided by two (2) for purposes of determining the maximum permitted sign area. Framed and structural members not bearing advertising matter shall not be included in computation of surface area; provided, that the base of a ground sign

cannot exceed two (2) feet in height and the base and structural members of a freestanding sign cannot exceed fifty percent (50%) of the total area of the sign face.

The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the mean grade of the ground immediately beneath the sign, whichever is less.

- D. Where a proposed sign appears to meet the definition of more than one (1) sign, the most restrictive requirements and limitations of the defined sign types shall apply, as determined by the zoning enforcement officer.
- E. For buildings with multiple tenants, sign areas for wall signs, projecting signs, and marquee signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign limits for that portion of the total wall. Where a wall sign, projecting sign, or marquee sign is permitted in a multi-tenant building or site, each individual establishment is permitted one such sign subject to standards applying in the zoning district, in which case wall surface applies to the wall surface of the individual establishment.
- F. All signs shall be maintained in a safe condition with proper bracing, anchorage and foundation and be subject to inspection by the Building Inspector or other designated representative. ~~A sign which no longer serves the purpose for which it is intended or is abandoned or is~~An abandoned sign or a sign not maintained in accordance with applicable regulations of the City of Lowell shall be removed by the owner.

SECTION 20.06. - SIGNS NOT REQUIRING PERMITS-

- A. Signs shall not be erected without the issuance of a building or zoning permit, except for the following signs, provided that such signs comply with the provisions of this chapter and other applicable provisions in this Ordinance:
 - 1. Government signs.
 - 2. Signs erected by an essential public services establishments such as those denoting utility lines, railroad lines, hazards, and precautions, including portable flashing signs-
 - ~~3. Real estate signs advertising premises for sale, rent, or lease when not more than thirty-two (32) square feet in area and eight (8) feet in height for a commercial or industrial zoned property, or six (6) square feet in area and four (4) feet in height for other properties. A real estate sign shall be located on the property that is for sale, rent, or lease; and one (1) sign per street frontage shall be permitted.~~
 - ~~4. For non-residential projects, a construction sign not exceeding thirty-two (32) square feet in area and having a height not greater than eight (8) feet. There shall be only one construction sign for a development or project. Construction signs shall not be erected until a building permit has been issued and the sign shall be removed immediately upon issuance of a certificate of occupancy. For residential projects, a construction sign not exceeding twenty-four (24) feet in area and having a height not greater than six (6) feet,~~

shall only be erected upon approval of the project and shall be removed within one year of issuance for the first building permit for a dwelling or structure, or upon the erection of a development sign, whichever occurs first.

36. Signs not larger than twelve (12) square feet in area which are either 1) cut into the face of a masonry surface; or 2) constructed of bronze or other incombustible material when located flat on the face of a building.

47. Holiday lights, murals, works of art, and decorations with no commercial message.

58. Placards not exceeding two (2) square feet in area.

~~8. Incidental signs or directional~~6. Internal signs up to six (6) square feet in area. ~~If and four (4) feet in height that, by the nature of their design and location, are not intended to be viewed from the street, only those signs which, in the opinion of the zoning enforcement officer, are necessary to indicate entrances, exits, safety precautions, street addresses, including identifying logos without text, and other such incidental language shall be permitted. Incidental signs and directional signs shall not contain right-of-way.~~

~~7. Temporary signs, located on a commercial message. 9. A temporary special event sign, used to advertise a residential parcel that contains an active garage sale or, estate sale on residential property, graduation party, or similar temporary event, provided that such sign does not to exceed six (6) square feet in area. Such sign shall be removed immediately after the completion of the and is not located closer than fifteen (15) feet to any lot line. No more than one (1) temporary special event sign is permitted per frontage and the display of a temporary special event. Such sign shall not exceed twenty one (21) consecutive days.~~

~~11. be placed within the property line of the premises One two (2) square foot wall sign located on which said sale or event is conducted and shall be removed immediately after the completion of the sale or event. a parcel containing a permitted home occupation~~

~~10. Political signs shall be permitted in all zoning districts and there shall be no limit to the number of signs, provided that the cumulative square footage of signage shall not exceed thirty two (32) square feet per lot in nonresidential districts and twelve (12) square feet per lot in residential districts. Political signs shall not be greater than six (6) feet in height in nonresidential zoning districts, or greater than four (4) feet in height in residential zoning districts, and signs shall not be located in a manner which may obstruct vision of vehicular or non-motorized traffic on any street. Political signs erected in connection with an election or referendum shall not be erected more than ninety (90) days prior to the event and must be removed within ten (10) days following the event.~~

~~11. A home occupation shall be permitted one two (2) square foot wall sign.~~

128. Window signs, provided that window signs shall not cover more than fifty percent (50%) of the windows on any building wall.

~~913. Flags or insignia of any nation, state, county, city, community organization, or educational institution. Flags~~ no larger than five (5) feet by eight (8) feet; provided that no more than one (1) such flag shall be permitted on each lot or parcel of land for every twenty (20) linear feet of street frontage. ~~Flags shall not contain a commercial message.~~ The maximum sign height of flagpoles shall be thirty-five (35) feet.

140. Sandwich Boards. Notwithstanding any other conflicting provisions contained in this Chapter 20, sandwich board signs shall only be permitted, ~~and only permitted,~~ in the C-2 Central Business or MU Mixed Use Districts ~~zone districts.~~

a. A sandwich board sign ~~area~~ shall not exceed:

~~(i)~~ (1) twelve (12) square feet per side,

~~2)(ii)~~ 2) a height of four (4) feet, and;

~~3)(iii)~~ 3) a width of three (3) feet ~~and shall not be in any way illuminated.~~

b. A sandwich board sign shall not be permanently moored or anchored to any other object or structure, but shall be designed or weighted to prevent instability or movement by wind or other natural forces.

c. A sandwich board sign may only be placed in front of the facade of the building front of the business or establishment ~~whose information the sign pertains~~ during the hours the business or establishment is open to customers, patrons or the public.

d. Only one (1) sandwich board sign shall be permitted for each business or establishment ~~and it shall not be in any way illuminated.~~

e. All sandwich board signs shall be placed in alignment with city light poles and tree grates and so as not to block neighboring sandwich board signs or unreasonably interfere with pedestrian traffic.

115. One (1) human sign is permitted per lot at any given time, provided that the human sign does not block the sidewalk or unreasonably interfere with pedestrian, bicycle, or vehicular movement or circulation.

SECTION 20.07. - SUPPLEMENTARY SIGNS.

In addition to the signs permitted and regulated in this chapter, the signs listed below shall be permitted in accordance with the following standards.

A. Temporary Signs. ~~Temporary Unless exempted in Section 20.06 above, Temporary~~ signs shall be permitted in any district subject to the following on a parcel of land zoned C-1, C-2, C-3, PF, I-L and I, as follows:

1. Non-residential Lots. ~~Temporary signs shall be permitted on nonresidential lots as follows:~~

a. Only one ~~One~~ (1) temporary sign shall be permitted for each separate establishment

located on a parcel of land.

b. A temporary sign shall be displayed for not more than sixty (60) days (whether or not consecutive) in a calendar year.

~~3.~~ c. A temporary sign shall not be larger than thirty-five-two (3532) square feet and. ~~A temporary sign shall not be illuminated.~~

d. Interim Signage. Notwithstanding the foregoing, signs on non-residential lots intended to be utilized only until a permanent sign may be obtained and erected may be approved by the zoning administrator for a period not to exceed 60 days. Such signs shall not exceed sign area permitted within the appropriate zoning district

2. Residential Lots. Temporary signs shall be permitted on any lot used as a single-family, two-family, or owner occupied multi-family dwelling, as follows:

a. Up to four (4) non-permanent signs may be generally permitted to be displayed on a pole or stake affixed to the ground.

b. Such signs shall not exceed 6 square feet in area per side, and the top of such sign shall be no more than 6 feet from ground level.

c. Such signs may display noncommercial messages or on-premises commercial messages (including, but not limited to, messages conveying that the dwelling is for sale, that work is being performed on the dwelling by a particular individual or business, or that a garage sale will be held)

d4. A temporary sign shall include any other or subsequent temporary sign of generally similar appearance, nature, and purpose, as compared to the temporary sign initially permitted under the terms of this Section. Accordingly, an applicant shall not seek to extend the time limitation on the display of a temporary sign by the attempted display of a different, though similar, temporary sign following the maximum permitted period of display of a permitted temporary sign.

5. Permit Required. Up to three (3) additional temporary signs may be permitted when displayed and utilized in connection with the grand opening of the commercial enterprise located on the premises, provided that the temporary signs are not displayed more than 21 days for a grand opening. These temporary signs shall comply with all requirements contained in section. The use of balloons as a sign or as a part of a sign shall be permitted only in connection with a grand opening, as provided in this section. ~~6.~~ A permit for a temporary sign on a non-residential lot shall be required. An application for the permit, as well as an application fee as set by City Council, shall be submitted and include the following:

a. An accurate sketch, indicating the exact dimensions of the sign, its height, the structure upon which it will be placed, its location in relation to buildings, property lines, driveways and off-street parking areas, and such other information as may be required

by the zoning enforcement officer in order to assure that the sign shall comply with the applicable requirements of this Ordinance.

- b. A statement, signed by the applicant, listing specifically the days, or the span of consecutive days, during which the sign will be displayed, and also the date or dates on which the sign shall be removed and, if applicable, the subsequent date or dates on which the sign shall be re-installed and again removed, during the calendar year.
- c. A listing and description of the other temporary signs, if any, located on the property at the time of the application.

7. Portable Signs. In the C-3, I-L, I, and PF Districts, one (1) portable sign may be erected on a lot in lieu of a temporary sign, subject to the provisions in subsection B above, provided that only one (1) is permitted per lot at any given time, and provided that the portable sign shall not exceed ~~thirty-five two~~ (325) square feet in area. In addition, notwithstanding the provisions of subsection ~~A(1)(b)B~~ above, a portable sign shall not be displayed for more than seven (7) consecutive days and not more than three (3) times in any calendar year.

C. Changeable Copy Signs. All or a portion of a ground or freestanding sign may be a changeable copy sign in compliance with all of the following requirements; provided, that a changeable copy sign is not permitted in any residential zoning district except when ~~used to advertise a city, county, state or public school facility~~ the changeable copy sign is also a government sign.

- 1. The area of a changeable copy sign shall be included in the maximum sign area limitation. The area of a changeable copy sign shall not exceed fifty percent (50%) of the maximum permitted sign area, except that portable signs may consist entirely of changeable copy.
- 2. A changeable copy sign shall not change its message, image, or other graphic material with such frequency as to be a flashing or oscillating sign, whether in whole or in part. For purposes of this Section, a flashing or oscillating sign shall include not only a sign having a message or image that changes with high rapidity, but shall also include a sign having a message or image that changes with a frequency such as to serve as a means of attracting attention to the sign or the land use, rather than for the purpose of providing identification or information. The message, image or other graphic material of a changeable copy sign shall change no more frequently than six (6) seconds and each change shall occur in one (1) second or less.
- 3. The message, image or other graphic material of a changeable copy sign shall, when changing, appear only in its entirety or shall appear in successive letters, words or other graphic elements from left to right only. The message, image or other graphic material shall not appear to flash, move from the center of the sign outward, move from the corners of the sign inward or demonstrate any other unusual movement, oscillation or method of appearance.

SECTION 20.08. - PERMITTED SIGNS BY ZONING DISTRICT:

A. The following sign types shall be permitted in accord with the following regulations, in the SR, R-1, R-2, R-3, MHP and RE Districts:

1. The following sign is permitted ~~identifying at the name entrance~~ of a permitted residential development ~~or on a parcel containing a non-residential use~~:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	20 square feet	6 feet

- ~~2. The following sign is permitted identifying the name of a permitted non-residential use:~~

Type	Maximum Number	Maximum Sign Area	Height
Ground Development	1 per lot or parcel	20 square feet	6 feet

B. The following sign types shall be permitted in accord with the following regulations, in the C-1 and PF Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall OR Marquee	1 per building wall facing a parking lot or public street	15% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

C. The following sign types shall be permitted in accord with the following regulations in the C-2 – Central Business District and the MU – Mixed Use District.

Type	Maximum Number	Maximum Sign Area	Height	Location
Projecting	1 per building wall facing a parking lot or public street	20 square feet	See Section 20.05, A, 4	Cannot extend more than 5 feet from building wall

Wall OR Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4	
-----------------	---	---	-------------------------	--

- D. The following sign types shall be permitted in accord with the following regulations, in the C-3 District:

Type	Maximum Number	Maximum Sign Area	Height
Ground OR Freestanding	1 per street frontage; provided that a double-frontage lot is permitted only one freestanding sign	48 square feet, or 32 square feet if the lot has a street frontage of 66 feet or less	6 feet for a ground sign and 20 feet for a freestanding sign
Wall OR Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

1. Each individual establishment in a multi-tenant commercial building or development is not permitted a separate ground or freestanding sign; one (1) collective ground or freestanding sign may be used subject to the standards above, provided that a collective ground or freestanding sign shall be permitted a maximum sign area of 72 square feet.

- E. The following sign types shall be permitted in accord with the following regulations, in the I District and I-L Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall	1 per building wall facing a public street	5% of the wall surface or 50 square feet, whichever is less	See Section 20.05, A, 4

SECTION 20.09. - CONSTRUCTION AND MAINTENANCE.

- A. All signs shall be constructed and maintained in accordance with the BOCA National Building Code adopted by the City of Lowell.
- B. Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility.
- C. All signs, sign supports, frames, braces, wiring, guys, and anchors shall not be maintained in such a manner which, in the opinion of the zoning enforcement officer, has the potential to create a hazard for pedestrians and vehicles.
- D. Signs shall not be allowed to become unsightly through disrepair or action of the elements. Internal framing, light fixtures and bulbs, and wiring shall not be permitted to be exposed to the elements.
- E. All signs shall be designed to ensure a dead load and wind pressure in any direction of not

less than thirty (30) pounds per square foot of area. All signs shall be securely anchored or otherwise made immobile. Temporary signs, portable signs, or signs made of cloth, fabric, lightweight plastic, or other easily combustible material, or which are produced or originally constructed to flutter in the wind, as determined by the zoning enforcement officer, shall not be placed or left as permanent signs.

SECTION 20.10. - NONCONFORMING SIGNS.

- A. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the standards of this section may be continued, except as hereinafter provided. No nonconforming sign shall:
 - 1. Have any changes made in the words or symbols used or the message displayed on the sign, unless the sign is specifically designed for periodic change of message;
 - 2. Be structurally altered so as to change the shape, size, type or design of the sign; or
 - 3. Be reestablished or continued after the activity, business, or use to which it applied has been discontinued for ninety (90) days or longer.
- B. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the size limitations of this section may be changed to another nonconforming sign, provided that the sign replacing the original nonconforming sign is at least thirty-three (33) percent smaller in area than the original nonconforming sign.
- C. No sign shall be required to be removed which was erected in compliance with this section if such sign becomes nonconforming due to a change occurring after the adoption of this ordinance or applicable amendment thereto in the location of a building, streets, or other signs, and which change is beyond the control of the owner of the premises on which the sign is located.
- D. If the owner of the premises on which a sign is located changes the use of the building, or changes the location of any property line or sign, so that any sign is rendered nonconforming, such sign must be removed or made to conform to this section.

SECTION 20.11. - DISCONTINUANCE OR ABANDONMENT.

Whenever the activity, business or use of a primary premises to which a sign is attached or related has been discontinued for a period of ninety (90) days or longer, such discontinuance shall be considered conclusive evidence of an intention to abandon the sign attached or related thereto. At the end of this period of abandonment, the sign shall either be removed or altered to conform with the provisions of this section. All costs of removal shall be at the property owner's expense.

SECTION 20.12 – SUBSTITUTION CLAUSE

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

SECTION 20.13 – SAVINGS AND SEVERABILITY CLAUSE

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this codechapter is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 23-__

**AN ORDINANCE TO AMEND CHAPTER 20, "SIGNS" OF APPENDIX A,
"ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL**

Councilmember _____, supported by Councilmember _____,

moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment to Chapter 20. Chapter 20 "Signs," of Appendix A, "Zoning," of the Code of Ordinance of the City of Lowell is replaced in its entirety and shall read as follows:

CHAPTER 20. - SIGNS

SECTION 20.01. - INTENT AND PURPOSE.

A. Purpose. The purpose of this section is to coordinate the type, placement and physical dimensions of signs within the various zoning districts, to recognize the communication requirements of all sectors of the community, to promote both renovation and proper maintenance of signs, and to guarantee equal treatment under the law. In all respects, it is the intent of this section to comply with Reed v. Town of Gilbert, 135 S. Ct. 2218 (2015). The general objectives of these standards are to promote the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

1. Safety. To promote the safety of persons and property by providing that signs:
 - a. do not create hazards due to collapse, fire, decay, collision or abandonment;
 - b. do not obstruct fire-fighting or security surveillance; and
 - c. do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.

2. Communications efficiency. To promote the efficient transfer of information in sign messages by providing that:
 - a. businesses and services may identify themselves;
 - b. customers and other persons may effectively locate a business or service;
 - c. no person or group is arbitrarily denied the use of the sight lines from the public streets for communication purposes; and
 - d. persons exposed to signs are not overwhelmed by the number or size of messages presented and are able to exercise freedom of choice to observe or ignore messages.
 3. Landscape quality and preservation. To protect the public welfare and enhance the appearance and economic value of the landscape by providing that signs:
 - a. do not interfere with scenic views;
 - b. do not create a nuisance to persons using the public streets;
 - c. do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement;
 - d. are not detrimental to land or property values; and
 - e. contribute to the special residential character of particular areas or districts within the city, helping the observer to understand the city and orient oneself within it.
- B. Message substitution. Notwithstanding any other provision of this section, noncommercial copy may be substituted for commercial copy or other noncommercial copy on any sign that is permissible under this section.
- C. Findings. The city finds that:
1. Content neutrality, viewpoint neutrality and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in this section and the constitutionally protected right to free expression.
 2. The provisions in this section are unrelated to the suppression of constitutionally protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to particular viewpoints.
 3. The incidental restriction on the freedom of speech that may result from the regulation of signs pursuant to this section is narrowly tailored, the least restrictive means and no greater than is essential to the furtherance of the important, substantial and compelling public purposes that are set out in this section.

4. The regulation of the location, number, materials, height, size, form and duration of display of temporary signs is essential to prevent sign clutter and to achieve the intent and purpose of this chapter.
- D. Temporary signs may be degraded, damaged, moved or destroyed by wind, rain, flooding and sun, and after such degradation, damage, movement or destruction, such signs harm the safety and aesthetics of the public on the city's streets or sidewalks if they are not removed.

SECTION 20.02. - SCOPE.

- A. Compliance. It shall be unlawful for any person to erect, place, or maintain a sign in the City of Lowell except in accordance with the provisions of this chapter.
- B. Permit Required. Unless otherwise provided by this chapter, all signs shall require permits and payment of fees as determined by the City Council. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs. A building permit application shall be submitted along with the supplementary material noted below.
- C. Plan Required. When a site plan is required pursuant to Chapter 18 of the Zoning Ordinance, proposed signage shall be illustrated on the site plan showing the sign area, sign height, clearance between the ground and the bottom of the sign, sign illumination, sign location and setbacks from property lines, and other applicable information to enable the City to determine compliance with the requirements of this chapter. When a site plan is not required, a scaled drawing clearly depicting this information shall accompany the building permit application. The zoning enforcement officer may require that additional information be illustrated on a plan or drawing to determine compliance with this chapter.
- D. Additional Provisions. In addition to the provisions of this chapter, provisions of Section 11.5-6 of Chapter 11.5 of the Code shall apply to signs located in a historic district. Sponsorship signs are permitted and governed by Article IV of Chapter 14 of the Code of Ordinances.

SECTION 20.03. - DEFINITIONS.

The following words shall have the meanings set forth in this section:

- A. *Changeable copy sign*: A sign that consists, in whole or in part, of a message or image that can be changed periodically, whether manually or by automatic or technical means.
- B. *Freestanding sign*: A sign supported by one (1) or more up-rights, poles or braces placed in or upon the ground and not attached to any building and having a clear space of at least eight (8) feet from the ground to the bottom of the sign.
- C. *Government sign*: A temporary or permanent sign erected by the City of Lowell, Kent County, the State of Michigan, or the federal government for public purposes and as the government's own speech.

- D. *Ground sign*: A sign supported by a foundation or base which is at least half as wide as the sign which it supports when looking at the sign face, with no more than thirty (30) inches clearance from the bottom of the sign to the ground below.
- E. *Feather Sign*: A freestanding temporary sign typically constructed of a shaft, driven in the ground or standing with supports, with an attached pennant that is vertically elongated and attached to the shaft.
- F. *Human sign*: A sign which is held by or attached to a human being.
- G. *Internal site sign*: Smaller signs internal to a parcel not oriented toward the public right-of-way.
- H. *Marquee*: A permanent structure that projects from the exterior wall of a building.
- I. *Marquee sign*: A sign attached to a marquee, canopy, or awning projecting from and supported by the building.
- J. *Mean grade*: A reference plane representing that arithmetic mean of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a sign structure, or in the area between the sign structure foundation line and the lot line, in the case where the sign structure foundation line is less than five (5) feet from the lot line.
- K. *Mural*: A graphic displayed on the exterior of a building, generally for the purposes of decoration or artistic expression, including but not limited to painting, fresco, or mosaic.
- O. *Off-premise sign or Billboard*: An outdoor sign advertising services, products, activities, persons, activities or events which are not made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the sign is located.
- L. *Portable sign*: A temporary sign typically containing manually-changeable copy, and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. (see images below)



- M. *Projecting sign*: A sign which projects from and is supported by the wall of a building.
- N. *Roof line*: That line which represents the highest portion of any part of the roof structure, excepting gables, chimneys or other incidental architectural features.

- O. *Roof signs*: Any sign erected, constructed, and maintained wholly upon or over the roof of any building with its principal support on the roof structure.
- P. *Sandwich board sign*: A temporary sign not secured or attached to the ground surface, constructed in such a manner as to form an "A" or tent-like shape.
- Q. *Sign*: Any device or structure, part thereof, or device attached thereto or painted or represented thereon, or any material or thing which displays numerals, letters, words, trademarks, or any other representational use for direction or designation of any person, firm, organization, place, product, service, business, establishment, activity or industry, which is located upon any land or building, in or upon a window, or indoors in such a manner as to attract attention from outside the building.
- R. *Sign area*: The entire area within a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed.
- S. *Street frontage*: The distance for which the front boundary line of the lot and the street line are coincident.
- T. *Temporary sign*: A display, banner, or sign affixed to the ground or a building that is capable of being easily moved from place to place.
- U. *Vehicle sign*: A sign that is painted on or attached to a vehicle or trailer when such vehicle or trailer is parked. Currently licensed commercial vehicles in general daily off-site use are not included as part of this definition.
- V. *Wall sign*: A sign which is attached directly to or painted upon a building wall and which does not extend more than eighteen (18) inches therefrom with the exposed face of the sign in a plane parallel to the building wall.
- W. *Window sign*: A sign attached to, or in close proximity to, the window surface so as to be clearly and comprehensively visible from the outside.

SECTION 20.04. - SIGNS PROHIBITED.

The following types of signs are prohibited in all zoning districts:

- A. Abandoned signs, or signs in disrepair.
- B. Air-filled or gas-filled balloon signs.
- C. Signs with moving parts, audible signs, and/or flashing signs (except traffic control devices).
- D. Roof signs.
- E. Signs or illumination imitating or resembling official traffic or government signs or signals.
- F. Vehicle signs.
- G. Off-premise signs or billboards.

H. Other signs not expressly permitted or which do not conform to the provisions of this chapter.

SECTION 20.05. - GENERAL SIGN PROVISIONS.

A. Sign Placement.

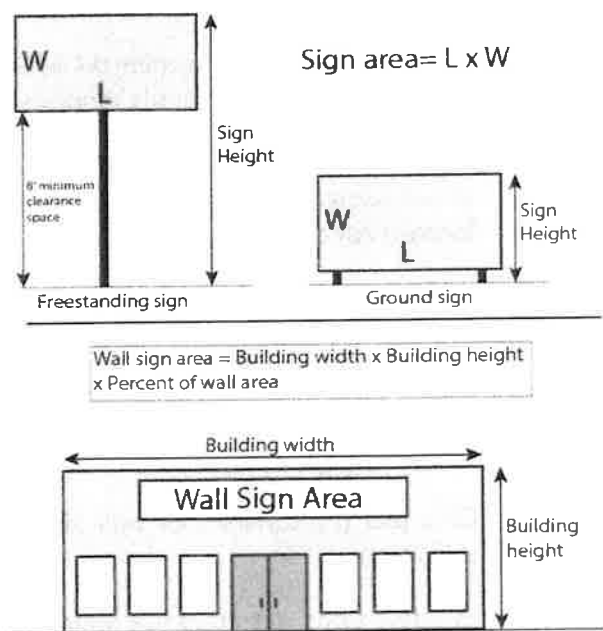
1. Unless otherwise permitted, all signs shall be located on the same parcel for which the sign is intended to serve. The provisions of this Article are not intended to conflict with provisions controlling signs regulated under the authority of MCL 252.301 et seq., the Highway Advertising Act, as amended.
2. No sign shall be located closer than two (2) feet to a public road right-of-way or property line; provided that the zoning enforcement officer or Planning Commission may approve a lesser setback upon finding that the proposed sign will not interfere with motorist or pedestrian visibility and safety. No sign shall overhang a public street right-of-way except as otherwise permitted; and all signs, including wall signs, shall have a minimum ground clearance of eight (8) feet above a sidewalk or walkway.
3. Signs shall be placed in compliance with Section 4.06, Clear Vision; and no sign shall be placed within the clear vision area as defined in that Section 4.06. No sign (whether a permit is required or not) shall be located or erected in such a manner as to interfere with traffic visibility.
4. A wall sign shall not extend beyond the edge of the wall to which it is affixed; nor shall a wall, marquee, or projecting sign extend above the roof line of a building to which it is attached.
5. No light pole, utility pole, or other supporting member shall be used for the placement of any sign unless specifically designed and approved for such use.

B. Sign Illumination.

1. Unless otherwise specified by this Ordinance, all signs may be illuminated, except temporary signs and signs for home occupations.
2. Illumination shall not be flashing, blinking, intermittent, oscillating, or an on-and-off type of lighting. No sign may utilize a revolving beacon light.
3. Illumination shall be arranged so that light is deflected away from adjacent properties and that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way or from any adjacent property. Any external lighting of signs shall be downward facing or otherwise directed to illuminate only the sign face.
4. No illumination or sign shall be so placed or designed to be confused with, or appear similar to, a highway sign or traffic safety device.

5. All lighting on the underside of a vehicle service station canopy, building overhang, or similar structure shall be fully recessed. A maximum of twenty-five (25) percent of each canopy facade area may be internally illuminated. No portion of any canopy facade may be externally illuminated.
6. Internally-lit signs, electronic message boards, back-lit changeable copy signs and signs incorporating light emitting diode (LED), liquid crystal, video or other types of internally-lit systems shall be designed, shielded, and oriented so as not to interfere with adjacent public rights-of-way or private property and such signs shall not emit light exceeding either ten (10) foot candles measured four (4) feet perpendicular to the sign face or one-half (½) foot candle measured at the property line of the adjoining privately-owned property.

C. Sign Area and Height. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and are at no point more than two (2) feet apart from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or the area of the larger face if the two (2) faces are of unequal area. In the case of a circle or sphere, the total area of the circle or sphere is divided by two (2) for purposes of determining the maximum permitted sign area. Framed and structural members not bearing advertising matter shall not be included in computation of surface area; provided, that the base of a ground sign cannot exceed two (2) feet in height and the base and structural members of a freestanding sign cannot exceed fifty percent (50%) of the total area of the sign face.



The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the mean grade of the ground immediately beneath the sign, whichever is less.

- D. Where a proposed sign appears to meet the definition of more than one (1) sign, the most restrictive requirements and limitations of the defined sign types shall apply, as determined by the zoning enforcement officer.
- E. For buildings with multiple tenants, sign areas for wall signs, projecting signs, and marquee signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign limits for that portion of the total wall. Where a wall sign, projecting sign, or marquee sign is permitted in a multi-tenant building or site, each individual establishment is permitted one such sign subject to standards applying in the zoning district,

in which case wall surface applies to the wall surface of the individual establishment.

F. All signs shall be maintained in a safe condition with proper bracing, anchorage and foundation and be subject to inspection by the Building Inspector or other designated representative. An abandoned sign or a sign not maintained in accordance with applicable regulations of the City of Lowell shall be removed by the owner.**SECTION 20.06. - SIGNS NOT REQUIRING PERMITS**

A. Signs shall not be erected without the issuance of a building or zoning permit, except for the following signs, provided that such signs comply with the provisions of this chapter and other applicable provisions in this Ordinance:

1. Government signs.
2. Signs erected by an essential public services establishments such as those denoting utility lines, railroad lines, hazards, and precautions, including portable flashing signs
3. Signs not larger than twelve (12) square feet in area which are either 1) cut into the face of a masonry surface; or 2) constructed of bronze or other incombustible material when located flat on the face of a building.
4. Holiday lights, murals, works of art, and decorations with no commercial message.
5. Placards not exceeding two (2) square feet in area.
6. Internal signs up to six (6) square feet in area and four (4) feet in height that, by the nature of their design and location, are not intended to be viewed from the street right-of-way.
7. One two (2) square foot wall sign located on a parcel containing a permitted home occupation
8. Window signs, provided that window signs shall not cover more than fifty percent (50%) of the windows on any building wall.
9. Flags no larger than five (5) feet by eight (8) feet; provided that no more than one (1) such flag shall be permitted on each lot or parcel of land for every twenty (20) linear feet of street frontage. The maximum sign height of flagpoles shall be thirty-five (35) feet.
10. Sandwich Boards. Notwithstanding any other conflicting provisions contained in this Chapter 20, sandwich board signs shall only be permitted in the C-2 Central Business or MU Mixed Use Districts.
 - a. A sandwich board sign shall not exceed:
 - 1) twelve (12) square feet per side,
 - 2) a height of four (4) feet, and;
 - 3) a width of three (3) feet

- b. A sandwich board sign shall not be permanently moored or anchored to any other object or structure, but shall be designed or weighted to prevent instability or movement by wind or other natural forces.
 - c. A sandwich board sign may only be placed in front of the facade of the building front of the business or establishment during the hours the business or establishment is open to customers, patrons or the public.
 - d. Only one (1) sandwich board sign shall be permitted for each business or establishment and it shall not be in any way illuminated.
 - e. All sandwich board signs shall be placed in alignment with city light poles and tree grates and so as not to block neighboring sandwich board signs or unreasonably interfere with pedestrian traffic.
11. One (1) human sign is permitted per lot at any given time, provided that the human sign does not block the sidewalk or unreasonably interfere with pedestrian, bicycle, or vehicular movement or circulation.

SECTION 20.07. - SUPPLEMENTARY SIGNS

In addition to the signs permitted and regulated in this chapter, the signs listed below shall be permitted in accordance with the following standards.

- A. Temporary Signs. Temporary signs shall be permitted in any district subject to the following:
- 1. Non-residential Lots. Temporary signs shall be permitted on nonresidential lots as follows:
 - a. One (1) temporary sign shall be permitted for each separate establishment located on a parcel of land.
 - b. A temporary sign shall be displayed for not more than sixty (60) days (whether or not consecutive) in a calendar year.
 - c. A temporary sign shall not be larger than thirty-two (32) square feet and shall not be illuminated.
 - d. Interim Signage. Notwithstanding the foregoing, signs on non-residential lots intended to be utilized only until a permanent sign may be obtained and erected may be approved by the zoning administrator for a period not to exceed 60 days. Such signs shall not exceed sign area permitted within the appropriate zoning district
 - 2. Residential Lots. Temporary signs shall be permitted on any lot used as a single-family, two-family, or owner occupied multi-family dwelling, as follows:
 - a. Up to four (4) non-permanent signs per street frontage may be generally permitted to be displayed on a pole or stake affixed to the ground.
 - b. Such signs shall not exceed 6 square feet in area per side, and the top of such sign

shall be no more than 6 feet from ground level.

- c. Such signs may display noncommercial messages or on-premises commercial messages (including, but not limited to, messages conveying that the dwelling is for sale, that work is being performed on the dwelling by a particular individual or business, or that a garage sale will be held)
 - d. A temporary sign shall include any other or subsequent temporary sign of generally similar appearance, nature, and purpose, as compared to the temporary sign initially permitted under the terms of this Section. Accordingly, an applicant shall not seek to extend the time limitation on the display of a temporary sign by the attempted display of a different, though similar, temporary sign following the maximum permitted period of display of a permitted temporary sign.
5. Permit Required. A permit for a temporary sign on a non-residential lot shall be required. An application for the permit, as well as an application fee as set by City Council, shall be submitted and include the following:
- a. An accurate sketch, indicating the exact dimensions of the sign, its height, the structure upon which it will be placed, its location in relation to buildings, property lines, driveways and off-street parking areas, and such other information as may be required by the zoning enforcement officer in order to assure that the sign shall comply with the applicable requirements of this Ordinance.
 - b. A statement, signed by the applicant, listing specifically the days, or the span of consecutive days, during which the sign will be displayed, and also the date or dates on which the sign shall be removed and, if applicable, the subsequent date or dates on which the sign shall be re-installed and again removed, during the calendar year.
 - c. A listing and description of the other temporary signs, if any, located on the property at the time of the application.
7. Portable Signs. In the C-3, I-L, I, and PF Districts, one (1) portable sign may be erected on a lot in lieu of a temporary sign, subject to the provisions in subsection B above, provided that only one (1) is permitted per lot at any given time, and provided that the portable sign shall not exceed thirty-two (32) square feet in area. In addition, notwithstanding the provisions of subsection A(1)(b) above, a portable sign shall not be displayed for more than seven (7) consecutive days and not more than three (3) times in any calendar year.
- C. Changeable Copy Signs. All or a portion of a ground or freestanding sign may be a changeable copy sign in compliance with all of the following requirements; provided, that a changeable copy sign is not permitted in any residential zoning district except when the changeable copy sign is also a government sign.
- 1. The area of a changeable copy sign shall be included in the maximum sign area limitation. The area of a changeable copy sign shall not exceed fifty percent (50%) of the maximum

permitted sign area, except that portable signs may consist entirely of changeable copy.

2. A changeable copy sign shall not change its message, image, or other graphic material with such frequency as to be a flashing or oscillating sign, whether in whole or in part. For purposes of this Section, a flashing or oscillating sign shall include not only a sign having a message or image that changes with high rapidity, but shall also include a sign having a message or image that changes with a frequency such as to serve as a means of attracting attention to the sign or the land use, rather than for the purpose of providing identification or information. The message, image or other graphic material of a changeable copy sign shall change no more frequently than six (6) seconds and each change shall occur in one (1) second or less.
3. The message, image or other graphic material of a changeable copy sign shall, when changing, appear only in its entirety or shall appear in successive letters, words or other graphic elements from left to right only. The message, image or other graphic material shall not appear to flash, move from the center of the sign outward, move from the corners of the sign inward or demonstrate any other unusual movement, oscillation or method of appearance.

SECTION 20.08. - PERMITTED SIGNS BY ZONING DISTRICT

- A. The following sign types shall be permitted in accord with the following regulations, in the SR, R-1, R-2, R-3, MHP and RE Districts:

1. The following sign is permitted at the entrance of a permitted residential development or on a parcel containing a non-residential use:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	20 square feet	6 feet

- B. The following sign types shall be permitted in accord with the following regulations, in the C-1 and PF Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall OR Marquee	1 per building wall facing a parking lot or public street	15% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

- C. The following sign types shall be permitted in accord with the following regulations in the C-2 – Central Business District and the MU – Mixed Use District.

Type	Maximum Number	Maximum Sign Area	Height	Location
Projecting	1 per building wall facing a parking lot or public street	20 square feet	See Section 20.05, A, 4	Cannot extend more than 5 feet from building wall
Wall OR Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4	

- D. The following sign types shall be permitted in accord with the following regulations, in the C-3 District:

Type	Maximum Number	Maximum Sign Area	Height
Ground OR Freestanding	1 per street frontage; provided that a double-frontage lot is permitted only one freestanding sign	48 square feet, or 32 square feet if the lot has a street frontage of 66 feet or less	6 feet for a ground sign and 20 feet for a freestanding sign
Wall OR Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

- Each individual establishment in a multi-tenant commercial building or development is not permitted a separate ground or freestanding sign; one (1) collective ground or freestanding sign may be used subject to the standards above, provided that a collective ground or freestanding sign shall be permitted a maximum sign area of 72 square feet

- E. The following sign types shall be permitted in accord with the following regulations, in the I and I-L Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall	1 per building wall facing a public street	5% of the wall surface or 50 square feet, whichever is less	See Section 20.05, A, 4

SECTION 20.09. - CONSTRUCTION AND MAINTENANCE.

- All signs shall be constructed and maintained in accordance with the BOCA National Building Code adopted by the City of Lowell.
- Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility.
- All signs, sign supports, frames, braces, wiring, guys, and anchors shall not be maintained in such a manner which, in the opinion of the zoning enforcement officer, has the potential to create a hazard for pedestrians and vehicles.
- Signs shall not be allowed to become unsightly through disrepair or action of the elements. Internal framing, light fixtures and bulbs, and wiring shall not be permitted to be exposed to the elements.
- All signs shall be designed to ensure a dead load and wind pressure in any direction of not

less than thirty (30) pounds per square foot of area. All signs shall be securely anchored or otherwise made immobile. Temporary signs, portable signs, or signs made of cloth, fabric, lightweight plastic, or other easily combustible material, or which are produced or originally constructed to flutter in the wind, as determined by the zoning enforcement officer, shall not be placed or left as permanent signs.

SECTION 20.10. - NONCONFORMING SIGNS.

- A. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the standards of this section may be continued, except as hereinafter provided. No nonconforming sign shall:
 - 1. Have any changes made in the words or symbols used or the message displayed on the sign, unless the sign is specifically designed for periodic change of message;
 - 2. Be structurally altered so as to change the shape, size, type or design of the sign; or
 - 3. Be reestablished or continued after the activity, business, or use to which it applied has been discontinued for ninety (90) days or longer.
- B. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the size limitations of this section may be changed to another nonconforming sign, provided that the sign replacing the original nonconforming sign is at least thirty-three (33) percent smaller in area than the original nonconforming sign.
- C. No sign shall be required to be removed which was erected in compliance with this section if such sign becomes nonconforming due to a change occurring after the adoption of this ordinance or applicable amendment thereto in the location of a building, streets, or other signs, and which change is beyond the control of the owner of the premises on which the sign is located.
- D. If the owner of the premises on which a sign is located changes the use of the building, or changes the location of any property line or sign, so that any sign is rendered nonconforming, such sign must be removed or made to conform to this section.

SECTION 20.11. - DISCONTINUANCE OR ABANDONMENT.

Whenever the activity, business or use of a primary premises to which a sign is attached or related has been discontinued for a period of ninety (90) days or longer, such discontinuance shall be considered conclusive evidence of an intention to abandon the sign attached or related thereto. At the end of this period of abandonment, the sign shall either be removed or altered to conform with the provisions of this section. All costs of removal shall be at the property owner's expense.

SECTION 20.12 – SUBSTITUTION CLAUSE

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

SECTION 20.13 – SAVINGS AND SEVERABILITY

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this chapter is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.

Section 2. Publication. After its adoption, the City Clerk shall publish this ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

Section 3. Effective Date. This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in the *Lowell Ledger*, a newspaper of general circulation in the City.

YES: Councilmembers _____

NO: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2023

Susan Ullery

City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on _____ 2023, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Lowell Ledger*, on _____, 2023. I further certify that the above ordinance was entered into the Ordinance Book of the City on _____, 2023, and was effective _____, 2023, ten (10) days after publication.

Dated: _____, 2023

Susan Ullery

City Clerk

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: June 9, 2023
From: Andy Moore, AICP
Aman Pannu
RE: **WMAX Temporary Use**

Aaron Prymula on behalf of West Michigan Auto Xchange has applied for site plan review and special land use approval to conduct temporary outdoor storage and sales of vehicles on the Tractor Supply parking lot at 2153 West Main Street. The purpose of this memorandum is to review the request pursuant to Chapter 18 of the City of Lowell Zoning Ordinance.

Background

The subject property is approximately 4.08 acres and is located in the C3 General Business District. The applicant is proposing to operate a temporary use on the property described as a used vehicle sales event that would have a duration of 10 days on a portion of the property, from July 20 to July 29, 2023. The sale hours are proposed from 9:00 am to 8:00 pm everyday except Sundays.

The site is part of a strip mall plaza that involves several properties, though only the southeast portion of the parking will be utilized for this temporary use. The site plan submitted would include vehicle display areas, a tent, customer parking, and two portable restrooms.

Open air businesses are permitted in the C3 General Business district only with special land use approval.

This is a similar request to one that the Planning Commission considered last year around this time, except that in 2022 it was conducted at the fairgrounds property located at 300 Bowes Road. Like last year, this event would be of ten-day duration (July 20 – July 31). 50-60 used vehicles are proposed to be parked on the site, along with a 20x60 tent with tables, chairs, lights, and two port-a-jons for customers. It would occupy roughly the same general area as what Jakes Fireworks each year for their temporary sales tent. Jake's Fireworks will be operating at the site from June 20 through July 5, 2023.

Completeness of Submission

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

The site would be accessed via a driveway on the north side of West Main Street, west of Sibley Street. Customer parking and portable restrooms would be located adjacent to West Main Street. The vehicle display area and tent would be located adjacent to the Tractor Supply outdoor storage area next to the property boundary on the east.

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

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property, and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks: The area proposed for the event is currently a parking lot. No improvements are proposed and the event's short duration and limited hours of operation (9 AM through 8 PM Monday-Saturday) will not likely have negative impacts on public health, safety, and welfare.

- B. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets, and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

Remarks: The applicant is proposing one point of ingress/egress to the site from West Main Street. Parking and access will all occur in the parking lot. However, little information is given relative to emergency access pathways, parking and circulation patterns, which should be clarified. Similarly, the Planning Commission should ask about anticipated levels of traffic, how parking areas will be marked, and similar issues of concern to ensure the safety of patrons and property.

- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the City of Lowell.

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

- D. Removal or alteration of significant natural features shall be restricted to those areas, which are reasonably necessary to develop the site in accordance with the requirements of this ordinance. The planning commission requires that approved landscaping, buffers, and/or greenbelts be continuously maintained to ensure that proposed uses will be adequately buffered from one another and surrounding public and private property.

Remarks: The site is currently a paved parking lot and no permanent alterations to the site are proposed. Temporary vehicle storage will not have notable long-term impacts on the land.

- E. Satisfactory assurance shall be provided that the requirements of all other applicable ordinances, codes, and requirements of the City of Lowell will be met.

Remarks: A condition of approval can stipulate continual compliance with applicable codes and ordinances. The site plan should include reviews by emergency services personnel to ensure that the site will be accessible in case of an emergency.

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

Remarks: The proposed temporary use of the site is in alignment with the proper functioning of the C3 General Business District and can be considered consistent with the Master Plan.

SPECIAL LAND USE REVIEW

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

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

Remarks: The area proposed for the event is currently a paved parking lot. The event's short duration and limited hours of operation (9 AM through 8 PM, Monday-Saturday) will not have any negative impacts on public health, safety, and welfare. Since it is a short-term use, the character of the area will not have any long-term impact.

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

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

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

Remarks: The site is providing on-site portable restrooms and other public facilities will not be needed nor will they be significantly impacted. As mentioned above, the site plan should be updated to clearly demonstrate that adequate emergency access has been provided. The Planning Commission may defer to the Lowell Area Fire Department for comments regarding emergency vehicle access. Approval from and compliance with any stipulations of these agencies may be included as a condition of approval.

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

Remarks: The proposed use is not expected to create additional excessive requirements at public cost for facilities and services. The Planning Commission may find this standard met.

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

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

- F. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.

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

Recommendation

At the June 12, 2023, public hearing, the Planning Commission should discuss the site plan and special land use, and carefully consider any comments from the public and the applicant. Subject to these comments, the Planning Commission may approve the site plan and special land use. If approved, we suggest the following conditions be included, along with any others deemed necessary:

1. Prior to the issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
2. The applicant shall comply with any requirements from the Lowell Area Fire Department, City's Department of Public Works, or other approving agencies.
3. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
4. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.
5. The site plan shall be updated to clearly demonstrate that adequate emergency access has been provided to the satisfaction of the Lowell Area Fire Department.
6. The event shall only occur from Wednesday, July 19, 2023 through Monday, July 31, 2023, including set up and tear down.
7. Hours of operation shall be between Monday through Saturday, 9:00 AM-8:00 PM and closed on Sunday.

8. No more than 60 vehicles shall be stored on the site, and no other type of equipment or merchandise shall be offered for sale in connection with this approval. Other temporary improvements (tent, office, generator, restrooms, etc.) shall be installed consistent with the approved site plan.
9. Temporary signage proposed for the site shall comply with Chapter 20 of the Zoning Ordinance.

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

Filing Fee: _____



RECEIVED
301 East
Lowell, Mich
Phone (61
Fax (61
MAY 11 2003
CITY OF LOWELL
LOWELL, MICHIGAN

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

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

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

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

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

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

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

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

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

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

May 4, 2023

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

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

To whom it may concern:

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

Date of Event

Sale: Thursday, July 20, 2023 through Saturday, July 29, 2023

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

Set Up: Wednesday, July 19, 2023

Tear down: Monday, July 31, 2023

Location of Sales Event

Tractor Supply Parking Lot
2153 West Main Street
Lowell, MI 49331

On-site during event

50-60 Used Vehicles

20x60 Tent with tables, chair, and lights inside (for customers)

2- Portable Toilets (1 regular and 1 handicap accessible)

This sales event will be open to the general public at no cost. This event shall not require the use of any additional public services or public facilities.

We can/will supply the City of Lowell a Permit Bond in the amount of \$10,000 and also a Certificate of Insurance naming City of Lowell as additional insured upon request.

If you have any questions about this event, please feel free to contact me.

Thank you!

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

Temporary Use Agreement

Dated: Thursday, May 4, 2023

Between: **NORTHWARD DEVELOPMENT LLC** (PROPERTY OWNER)
333 BRIDGE ST. NW
GRAND RAPIDS, MI 49504

And: **WEST MICHIGAN AUTO XCHANGE** (TEMPORARY TENANT)
4822 DIVISION AVE S.
GRAND RAPIDS, MI 49548

WEST MICHIGAN AUTO XCHANGE has been given temporary right to use a portion of the parking lot located at **2153 West Main Street, Lowell, MI** as outlined in **Exhibit A** marked by 2 blue boxes, for the purpose of displaying and selling cars for the period of July 20th to July 29th 2023. (The "Property")

The Property will be used for the purpose of **TEMPORARY AUTO SALES**.

NORTHWARD DEVELOPMENT LLC is willing to allow this use on the following terms:

1. The term of occupancy shall commence on **July 19, 2023** and shall terminate on **July 31, 2023**. (Sale dates of: July 20th through July 29th, 2023)
2. The rent will be **\$7,500** for **PARKING LOT**. **WEST MICHIGAN AUTO XCHANGE** will pay \$1,000 non-refundable deposit to **NORTHWARD DEVELOPMENT LLC** upon execution of this agreement. The remaining \$6,500 will be due once permits have been obtained.
3. **WEST MICHIGAN AUTO XCHANGE** will be responsible for obtaining any and all permits or approvals that may be necessary for their use of the Property.
4. **WEST MICHIGAN AUTO XCHANGE** assumes all risk or injury to its employees, invitees and volunteers, and to any goods, materials, or other property entering onto the Property under this Agreement. **WEST MICHIGAN AUTO XCHANGE** agrees that **NORTHWARD DEVELOPMENT LLC** has no duty whatsoever with respect to the condition or maintenance of the Property or any improvements thereon. **WEST MICHIGAN AUTO XCHANGE** will comply with all applicable laws and regulations relating to **WEST MICHIGAN AUTO XCHANGE** possession of the property. **NORTHWARD DEVELOPMENT LLC** assumes no responsibility for security. Upon termination of its occupancy, **WEST MICHIGAN AUTO XCHANGE** shall remove its property and refuse and shall leave the property broom clean and in the same or better condition as when leased.
5. **WEST MICHIGAN AUTO XCHANGE** agrees to defend, indemnify, and hold **NORTHWARD DEVELOPMENT LLC** and its officers, directors and employees harmless from any claim, loss, lien, or liability (including attorneys' fees) arising out of or in connection with this Agreement, or any use or occupancy of the Property by **WEST MICHIGAN AUTO XCHANGE** or their agents or invitees.
6. **WEST MICHIGAN AUTO XCHANGE** will furnish **NORTHWARD DEVELOPMENT LLC** with a certificate of insurance showing comprehensive general liability insurance in the amount of not less than 1 MILLION per occurrence. The policy shall name **NORTHWARD DEVELOPMENT LLC** and its subsidiaries as an additional insured.

EXECUTED effective the date first written above.

CO: NORTHWARD DEVELOPMENT LLC CO: WEST MICHIGAN AUTO XCHANGE

Signed: 

Signed: 

Name: Arion Pina-17

Name: Nipun Nath

Title: owner

Title: Principal

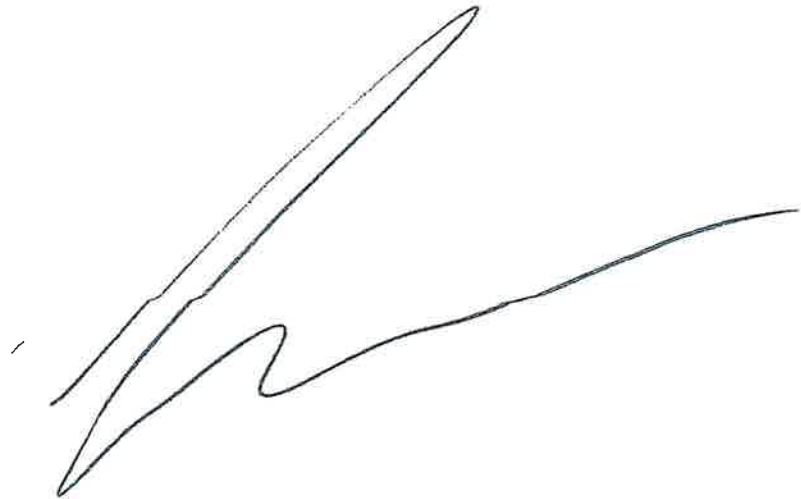
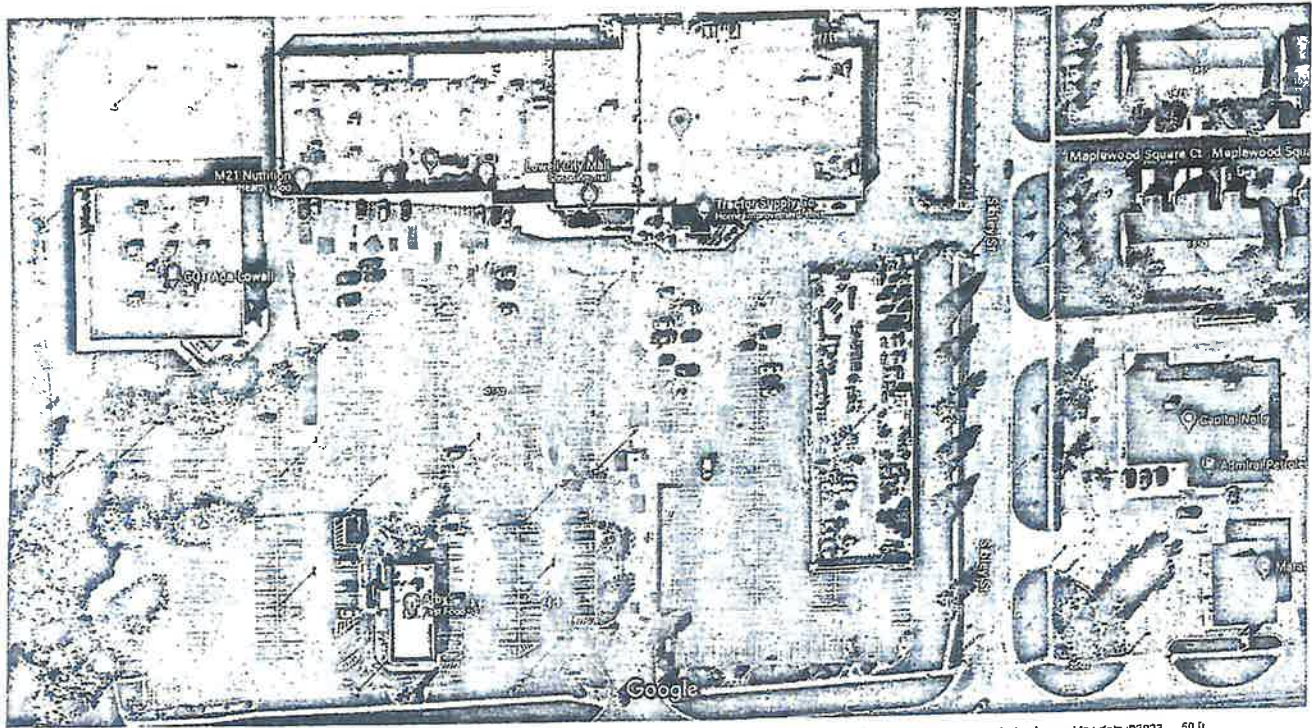
Dated: 5-8-23

Dated: 05/05/2023

4/24/23, 8:50 PM

2111 W Main St - Google Maps

2111 W Main St



2111 W Main St



Imagery ©2023 CNES / Airbus, Kent County, Maxar Technologies, Map data ©2023 50 ft





Tractor Supply Lot

2153 West Main St.
Lowell, MI 49331



2111 W MAIN ST SE LOWELL, MI 49331 (Property Address)

Parcel Number: 41-20-03-326-032



Item 1 of 3 1 Image / 2 Sketches

Property Owner: NORTHWARD DEVELOPMENT LLC**Summary Information**

> Commercial/Industrial Building Summary

- Yr Built: 1988
- # of Buildings: 3
- Total Sq Ft: 42,947

> Property Tax information found

> Assessed Value: \$631,600 | Taxable Value: \$619,500

Owner and Taxpayer Information**Owner**

NORTHWARD DEVELOPMENT LLC
PO BOX 1060
BARNSTABLE, MA 02630

Taxpayer

SEE OWNER INFORMATION

General Information for Tax Year 2023**Property Class**

201 COMMERCIAL-IMPROVED

School District

LOWELL AREA SCHOOL DISTRICT

MAP #

TRACTOR SUPPLY STORE

SPLIT

0

RIVER FRONTAGE

Not Available

MEP ZONING

Not Available

Historical District

No

USER ALPHA 2

Not Available

Unit

72 CITY OF LOWELL

Assessed Value

\$631,600

Taxable Value

\$619,500

State Equalized Value

\$631,600

Date of Last Name Change

09/12/2022

Notes

Not Available

Census Block Group

No Data to Display

Exemption

No Data to Display

Principal Residence Exemption Information**Homestead Date**

No Data to Display

Principal Residence Exemption

June 1st

Final

2022

0.0000 %

0.0000 %

Previous Year Information

Year	WIBOR Assessed	Final SEV	Final Taxable
2022	\$590,000	\$590,000	\$590,000
2021	\$590,000	\$590,000	\$590,000
2020	\$590,000	\$590,000	\$590,000

Land Information**Zoning Code**

Not Available

Land Value

\$354,094

Renaissance Zone

No

ECF Neighborhood

COMMERCIAL - WEST END

Lot Dimensions/Comments

Not Available

Total Acres

4.100

Land Improvements

\$82,450

Renaissance Zone Expiration Date

No Data to Display

Mortgage Code

No Data to Display

Neighborhood Enterprise Zone

No

Lot(s)

No lots found.

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

PART OF SW 1/4 COR 795 FT N N 0D 07M 00S W ALONG N&S 1/4 LINE FROM S 1/4 COR TH S 88D 05M 37S W ALONG NLY LINE STL M-21 (100 FT WIDE) 255.12 FT TH N 0D 07M 00S W 145 FT TH S 89D 53M 00S W 60 FT TH N 0D 07M 00S W 452.97 FT TH N 89D 53M 00S E 315 FT TO N/S 1/4 LINE TH S 0D 07M 00S E ALONG SD N/S 1/4 LINE 590 FT TO BEG * SEC 3 T6N R9W 4.1 A.

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liberty/Pages
04/11/2006	\$4,125,000.00	WD	RIDGEVIEW SHOPPING CTR LLC	RIDGEVIEW CAPITAL LLC	03-ARM'S LENGTH	417/43170
10/02/1995	\$215,000.00	LC	A&C CO	R&D CO	21-NOT USED/OTHER	3724/1249
12/18/1986	\$1.00	WD	A&C CO	R&D CO	21-NOT USED/OTHER	2514/777

Building Information - 33,328 sq ft Stores - Warehouse Showroom (Commercial)**Floor Area**

33,328 sq ft

Occupancy

Stores - Warehouse Showroom

Stories Above Ground

1

Estimated TCV

Not Available

Class

C

Average Story Height

15 ft

Identical Units

Not Available

Year Remodeled

2004

Heat

Package Heating & Cooling

By continuing to use this website you agree to the [BS&A Online Terms of Use](#)

Physical Percent Good
Economic Percent Good

45%
100%

Functional Percent Good
Effective Age

100%
26 yrs

Building Information - 8925 sq ft Stores - Retail (Commercial)

Floor Area 8,925 sq ft
Occupancy Stores - Retail
Stories Above Ground 1
Basement Wall Height 0 ft
Year Built No Data to Display
Percent Complete 100%
Physical Percent Good 47%
Economic Percent Good 100%

Estimated TCV
Class
Average Story Height 15 ft
Identical Units
Year Remodeled 2019
Heat Package Heating & Cooling
Functional Percent Good 100%
Effective Age 30 yrs

Not Available
C

Building Information - 594 sq ft Office Buildings - Refinement Atrium/Vestibules (Commercial)

Floor Area 594 sq ft
Occupancy Office Buildings - Refinement
Atrium/Vestibules
Stories Above Ground 1
Basement Wall Height 0 ft
Year Built No Data to Display
Percent Complete 100%
Physical Percent Good 66%
Economic Percent Good 100%

Estimated TCV
Class
Average Story Height 8 ft
Identical Units
Year Remodeled
Heat No Heating or Cooling
Functional Percent Good 100%
Effective Age 18 yrs

Not Available
C

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

Copyright © 2023 [BS&A Software](#), Inc.

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: July 6, 2023
From: Andy Moore, AICP
Aman Pannu
RE: **115 Riverside Dr. Site Plan Review**

Todd Schall has applied for a Site Plan Review for a property located at 115 Riverside Drive (locally known as the "Line Shack Building"). Previously the property was rezoned from the PF, Public Facilities District to the C-2 Central Business District. The purpose of this memorandum is to review the request according to the City of Lowell Zoning Ordinance.



Background

The subject property (PPN 41-20-02-403-027) has an area of 4,041 square feet (0.09 acres) and is located on the northeast side of Riverside Drive, abutting the Flat River. Until recently, the land and building were owned by Lowell Light and Power. The property was sold to a private party that desires to construct a 3,333-square-foot, three-story multi-family condominium. Multifamily residential use buildings are permitted as special land use in the C-2 zoning district. The buildings will feature attached parking garages on the first floor and living spaces on the second and third floors with balconies facing the Flat River.

Site Plan Review Standards. In order to approve a site plan, each of the standards listed in Section 18.06 should be met. Following are those standards and our remarks on each:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property, and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks: The applicant is proposing to demolish the current building and construct a new multifamily residential building that will have attached garages on the first floor and

living spaces on the second and third floors. The size of the building is proposed as per the site development requirements listed in the C-2 Central Business District. Existing nearby uses include retail, restaurants, governmental buildings, agricultural processing, and residential. The proposed use is expected to remain compatible with the land uses surrounding the area. The Planning Commission may find that this standard is 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: No parking areas have been proposed by the applicant since the condominiums are designed to have two-stall garages attached to the proposed building. However, additional parking may be discussed with the applicant in terms of guests and visitors.

- 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 building is adjacent to a sidewalk, allowing safe and convenient pedestrian access to the building. The site's location over the Flat River prevents parking or vehicular circulation on the site.

- 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 residential building is proposed adjacent to the Flat River similar to that of the existing building. No landscaping is proposed along the river due to the lack of space and the existing site characteristics. No landscaping buffer has been proposed to the east of the proposed buildings that are adjacent to the Sabor Mexican Restaurant. The Planning Commission may discuss this with the applicant and determine if additional landscaping buffer is required, however, the proposed use as a residential building is not expected to cause any adverse effect on the surrounding properties.

- 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: If approved, a condition of approval is recommended that the applicant maintain continual compliance with other applicable ordinances, codes, and requirements.

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

Remarks: Section 11.01 of the Ordinance describes the intent of the C-2 district to be pedestrian-oriented and consistent with the development pattern of downtown Lowell. The proposed use is not proposing any parking lots which will maintain the pedestrian-oriented pattern in the area. The use is also consistent with the housing goals in the master plan since it will bring variety to the housing opportunities currently present in the City. The subject property is listed as Downtown land use in the future land use map which states that residential land uses should only be located on the second story or above in the Downtown area, with retail or office uses located on the first floor. Hence, the proposed use does not fully comply with the future land use guidelines in the Master Plan. However, it is somewhat impractical to require ground-floor commercial uses at this site, and its location does not likely receive the same type of foot traffic that other buildings near Main Street would receive.

Special Land Use Criteria. Section 17.03 includes the general standards that the Planning Commission must consider in the review of the application. Following are those standards and our remarks on each:

1. 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 building likely achieves the desired aesthetic of downtown Lowell and is generally consistent with other structures in the vicinity. The proposed residential dwellings should not have any significant impact on the downtown's character. No additional parking is proposed on the site which would meet the pedestrian-oriented development pattern in the downtown area. The Planning Commission may find that this standard is met.

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

Remarks: See Site Plan Review Standard F above. The Planning Commission may find that this standard is met.

3. 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 application states that the existing public facilities can accommodate the proposed four additional residences. However, the Planning Commission may seek comments from the City Engineer and emergency services personnel in this regard. The applicant should also provide details on waste disposal for the proposed residences as well. Overall, however, it is likely that the site is adequately served by public services and facilities.

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

Remarks: See comment above.

5. 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, fume, glare, or odors.

Remarks: The proposed use as a residential building should not have any significant impact on the surrounding uses. Thus, the Planning Commission may find that this standard is met.

6. 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: If approved, a condition of approval is recommended that the applicant maintain continual compliance with other applicable ordinances, codes, and requirements.

Floodplain Overlay District Standards. The subject property is also located within the Floodplain Overlay District; therefore, the standards and regulations of Chapter 14 are also applicable. Section 14.04 of the Zoning Ordinance sets forth additional standards that shall be used by the Planning Commission in reviewing the site plan. The following standards may be considered in relation to the subject property:

- A. Development, including the erection of structures and placement of manufactured homes, within the floodplain overlay district shall not occur except in accordance with the requirements of this ordinance and the following standards:

1. The requirements of this chapter shall be met.

Remarks: Section 14.07 A – I provide general standards for flood hazard reduction. The proposed building should be designed and constructed to be resistant to flood damage, in accordance with Subsection A. This may be included as a condition of approval.

2. The requirements of the underlying zoning district and applicable general provisions of this ordinance shall be met;

Remarks: Subject to the approval of all other standards as addressed in this memo, this standard is met.

3. All necessary permits shall have been issued by the appropriate local, state, and federal authorities, including a floodplain permit, or letter of no authority from the Michigan Department of Natural Resources under authority of Act 451, of the Public Acts of 1994, as amended. Where a permit cannot be issued prior to the

issuance of a zoning compliance permit, a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance shall be acceptable.

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

Recommendation

At the July 6, 2023 meeting, the Planning Commission should discuss the site and consider any comments from the applicant and the public. Subject to those comments, we recommend that the Planning Commission approve the site plan with the following conditions, along with any others deemed necessary.

As always, please feel free to contact us if there are additional questions or comments.

1. Prior to the issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
2. The applicant shall comply with any requirements from the Lowell Area Fire Department, City's Department of Public Works, City Engineer, or other approving agencies.
3. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell, including applicable floodplain regulations.
4. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.
5. A development agreement for the property between the applicant and the City of Lowell shall be completed and executed prior to any construction activities taking place on the site.



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

CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning Citizens Advisory Commission will hold a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, July 10, 2023, at 7:00 PM. The subject of the hearing will be:

Special Land use Request for Multiple Family Dwelling at 115 Riverside Drive

An application for special land use approval has been submitted by Todd Schall to construct a four-unit multiple-family dwelling at 115 Riverside Drive. The property is within the C-2 Central Business District, where multiple-family dwellings are permitted only if approved as a special land use approval by the Planning Commission.

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

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

Respectfully,

Susan Ullery
Lowell City Clerk

Request Number: _____

Filing Fee: _____



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

APPLICATION FOR SITE PLAN REVIEW

- 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: 115 Riverside Drive, Lowell, MI 49331
2. Parcel Identification Number (Tax I.D. No.): #41-20- 02-403-027
3. Applicant's Name: Todd School Phone Number 616-822-6477
Address: 220 Grant St Napkins MI 49328
Street City State Zip
Fax Number _____ Email Address todd@teskgroup.com
4. Are You: ☐ Property Owner ☐ Owner's Agent ☒ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Roosien & Assoc. Phone Number 616-361-7220
Address: 5055 Plainfield Avenue NE, Suite A, Grand Rapids, MI 49525
6. Present Zoning of Parcel C-2 Present Use of Parcel LINA Shack
7. Description of proposed development (attach additional materials if needed):
Propose the construction of a 3,333 sft three story apartment building with appurtenances.

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

Signature: [Signature] Date: 04.06.2023

Type or Print Your Name Here: Todd A. School

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.

See Mayor or City Manager

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)
2. A city locational sketch
3. Legal description and City address of the subject property
4. The size in acres or square feet of the subject property
5. All lot and/or property lines with dimensions, including building setback lines
6. The location of all existing structures within one hundred (100) feet of the subject property's boundary
7. The location and dimensions of all existing and proposed structures on the subject property
8. The location and dimensions of all existing and proposed:
 - Drives
 - curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval)
 - sidewalks
 - exterior lighting
 - curbing
 - parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space)
 - unloading areas
 - recreation areas
 - common use areas
 - areas to be conveyed for public use and purpose
9. The location, pavement width and right-of-way width of abutting roads, alleys or easements
10. The existing zoning of all properties abutting the subject project
11. The location of all existing and proposed:
 - landscaping and vegetation
 - location, height and type of existing and proposed fences and walls
12. Proposed cost estimates of all site improvements
13. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer or water supply systems
14. The location and size of septic and drain fields
15. Contour intervals shown at five (5) foot intervals
16. **FOR RESIDENTIAL DEVELOPMENT**, the following information is required (affixed to the drawing):
 - Net developable area, in acres or in square feet, defined as all areas that could be developed subtracted by lands used or dedicated for existing easements and rights of way
 - The number of dwelling units proposed (by type), including typical floor plans for each type of dwelling
 - The number and location of efficiency and one or more bedroom units
 - Typical elevation views of the front, side and rear of each type of building
 - Dwelling unit density of the site (total number of dwellings / net developable area)

INITIAL

Storm Water Calculations for

**115 Riverside Drive
City of Lowell, MI**

Job No. 221479

April 4, 2023

Roosien & Associates
5055 Plainfield Avenue NE, Suite A
Grand Rapids, MI 49525
(616) 361-7220
matt@roosien-assoc.com

CONTENTS

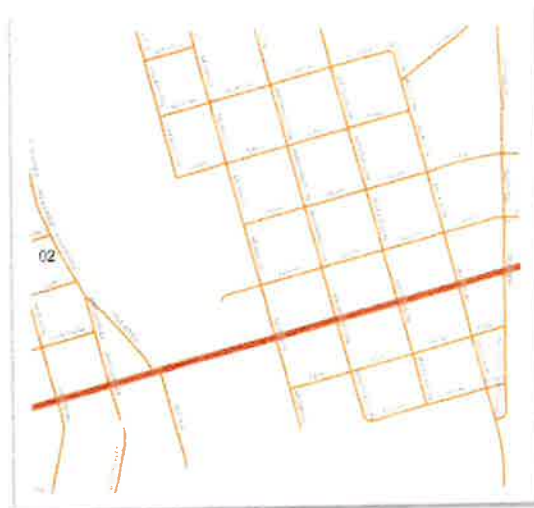
Narrative	3
Storm Water Design Calculations	4 - 5

Storm Water Narrative For
115 Riverside Drive, City of Lowell, MI
Project #221479

Project Description:

The owner proposes to demolish the existing garage and develop a 0.09 acre site into multiple residential units at 115 Riverside Drive. The existing site collects the runoff and discharges it west and east into Riverside Drive and Flat River with no detention. Development includes work in the 100-year floodplain and will require approval from EGLE.

The proposed design collects the majority of the runoff and routes stormwater to the existing storm sewer in Riverside Drive prior to outletting into the Flat River.



Basis of Design Information

Due to the proximity of the Flat River and since the land is within the 100-year floodplain, no storm water detention is proposed.

WEIGHTED "C"

Calculated by:
Checked by:

YS
MDC

Date: 4/5/2023 Project Name: 115 Riverside
Date: 4/5/2023 Project # 221479

Date: 4/5/2023 Project # 221479

[illegible]

Rainfall

Location: Kent County
State: MI
Source: NOAA, Atlas 14
Return Period: 10 year

Calculated by: YS
Date: 4/4/2023

Time	Hours	Mins	Rainfall (in)	Intensity (in/hr)
5 mins	0.083	5	0.52	6.24
10 mins	0.167	10	0.76	4.56
15 mins	0.25	15	0.93	3.72
30 mins	0.5	30	1.39	2.78
1 hrs	1	60	1.83	1.83
2 hrs	2	120	2.26	1.13
3 hrs	3	180	2.50	0.83
6 hrs	6	360	2.91	0.49
12 hrs	12	720	3.33	0.28
24 hrs	24	1440	3.77	0.16

Return Period: 25 year

Time	Hours	Mins	Rainfall (in)	Intensity (in/hr)
5 mins	0.083	5	0.64	7.68
10 mins	0.167	10	0.93	5.58
15 mins	0.25	15	1.14	4.56
30 mins	0.5	30	1.70	3.40
1 hrs	1	60	2.24	2.24
2 hrs	2	120	2.78	1.39
3 hrs	3	180	3.08	1.03
6 hrs	6	360	3.60	0.60
12 hrs	12	720	4.13	0.34
24 hrs	24	1440	4.66	0.19



BENCHMARK #2 ELEV. = 637.95' RAILROAD
SPIKE IN SOUTH SIDE OF POWER POLE
LOCATED 249'± NORTHWEST OF THE WEST
PROPERTY CORNER
(N.A.V.D. 88 DATUM)

THEM PANEL # 26010800018 DATED 05/16/1983
INDICATE THE PROJECT AREA IS IN THE AREA OF 100-YEAR FLOOD PLAIN



CONCLUSION NOTES

ALL MATERIAL THAT IS NOT SUITABLE AS BACKFILL AND MATERIALS THAT ARE EXCESS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS.

ALL AREAS OF UNDERGROUND DEMOLITION, UTILITY LINE REMOVAL, AND UNDERGROUND TREE, STUMP, AND VEGETATION REMOVAL SHALL BE BACKFILLED.

BACKFILLING SHALL PROMPTLY FOLLOW UNDERGROUND CONSTRUCTION OR REMOVAL WORK AND SHALL CONTINUE AS THE CONSTRUCTION PROGRESSES.

CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING FOR AND OBTAINING ALL NECESSARY DEMOLITION PERMITS AND PAYING FOR ANY ASSOCIATED PERMIT FEES

NOTIFY ARCHITECT/ENGINEER OF ANY OTHER UNDISCOVERED MATERIALS OR EQUIPMENT ENCOUNTERED DURING EXCAVATION NOT SPECIFICALLY NOTED ON THE DRAWINGS(S)

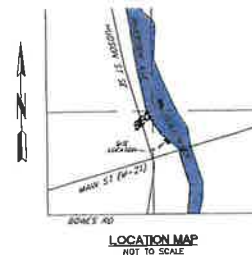
PRIVATE UTILITY REMOVAL - CONTRACTOR TO COORDINATE PRIVATE UTILITY (GAS, ELECTRIC, PHONE, CABLE, ETC.) REMOVALS.

REMOVAL WITH APPROPRIATE AUTHORITY. ALTHOUGH ALL PRIVATE UTILITY SERVICES MAY NOT BE SHOWN ON THIS
DRAWING, CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF SERVICE AS NECESSARY.

PUB. UTILITY REMOVAL CONTRACTOR TO COORDINATE PUBLIC UTILITY (WATER, SEWER, STORM) REMOVAL WITH
 APPROPRIATE UTILITY COMPANY. ALL PUBLIC UTILITY SERVICES MAY NOT BE SHOWN ON THIS DRAWING.
 CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF SERVICE AS NECESSARY.

WHERE CURBING OR PAVEMENT IS INDICATED TO BE REMOVED, IT SHALL BE SAWCUT FULL DEPTH REMOVE TO THE NEAREST JOINT. IF THE JOINT IS WITHIN 3 FEET OF THE REMOVAL LINE VERIFY REMOVAL UNITS WITH ENGINEER PRIOR TO BEGINNING WORK.

PRIOR TO BE LOANING MARKS

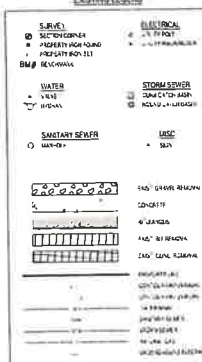
[illegible]

2007

- 1 Underground utilities were not investigated as a part of this project. Utilities are shown from plans taken in the field with visible structures.
- 2 A title insurance policy was not provided to and affixed at the time of the survey. One should be obtained to compare for accuracy of legal description and easements of record.
- 3 Portions of this site fall within the 100 year flood plains. The 100 year flood elevation for this site is 534.15' (NAVD 88)

LEGAL DESCRIPTION FROM TAX RECORDS: Part of Government Lot 2, Section 7, T4N, R9E, City of Lowell, Faint Township, Michigan, described as commencing 335 feet Northwesterly from the Northeast corner of the Eastern line of West Water Street; thence Northwesterly on said Eastern line of West Water Street 101 feet; thence Northwesterly perpendicular to Eastern line of West Water Street to the right bank of the Flat River; thence Southeasterly along said river bank to a line bearing Northeastly perpendicular to the Eastern line of West Water Street from the Beginning; thence Southwesterly perpendicular to West Water Street to the Beginning.

EXTINGUISHING

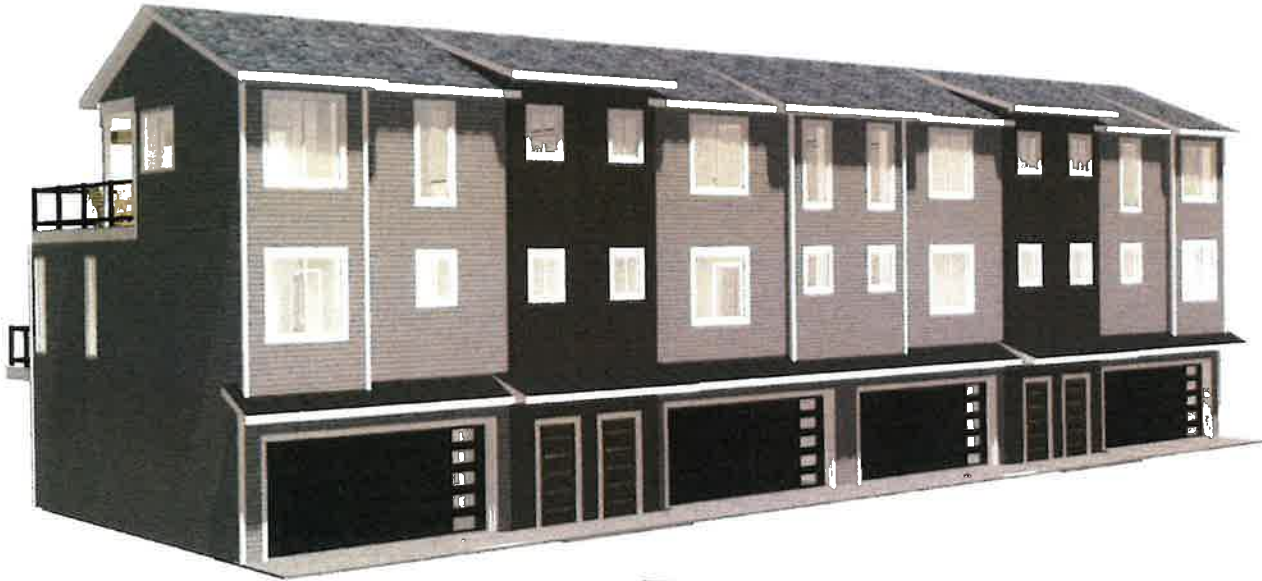


EXISTING CONDITION PLAN
115 RIVERSIDE DR SE
PART OF GOVERNMENT LOT 7, SECTION 2, T6N
R10E, OF LOWELL, KENT COUNTY, MICHIGAN

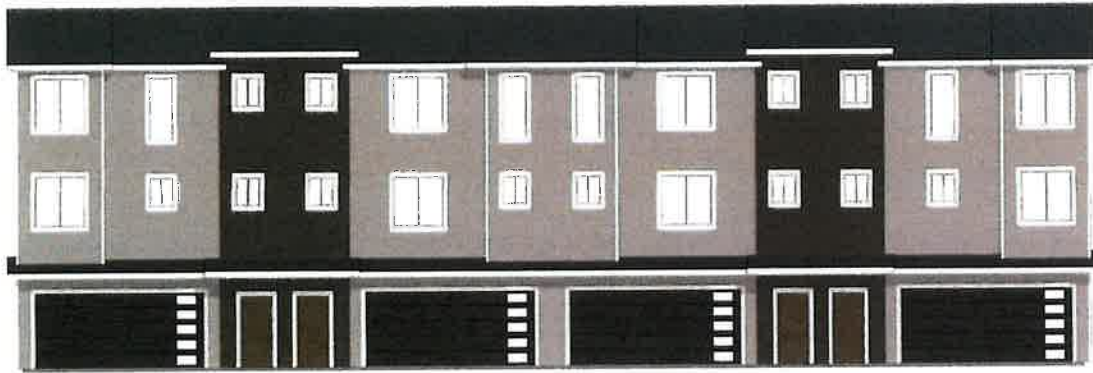
TODD SCHAAL
THE ESTES GROUP
220 GRANT ST
HOPKINS, MI 49328

PROJECT NO
221478

C-101



W WOODS BUILDERS
741 Kenmoor Ave
Grand Rapids, Michigan, 49546
616-272-3466
ESTES GROUP



FRONT ELEVATION
SCALE: 3/16" = 1'-0"



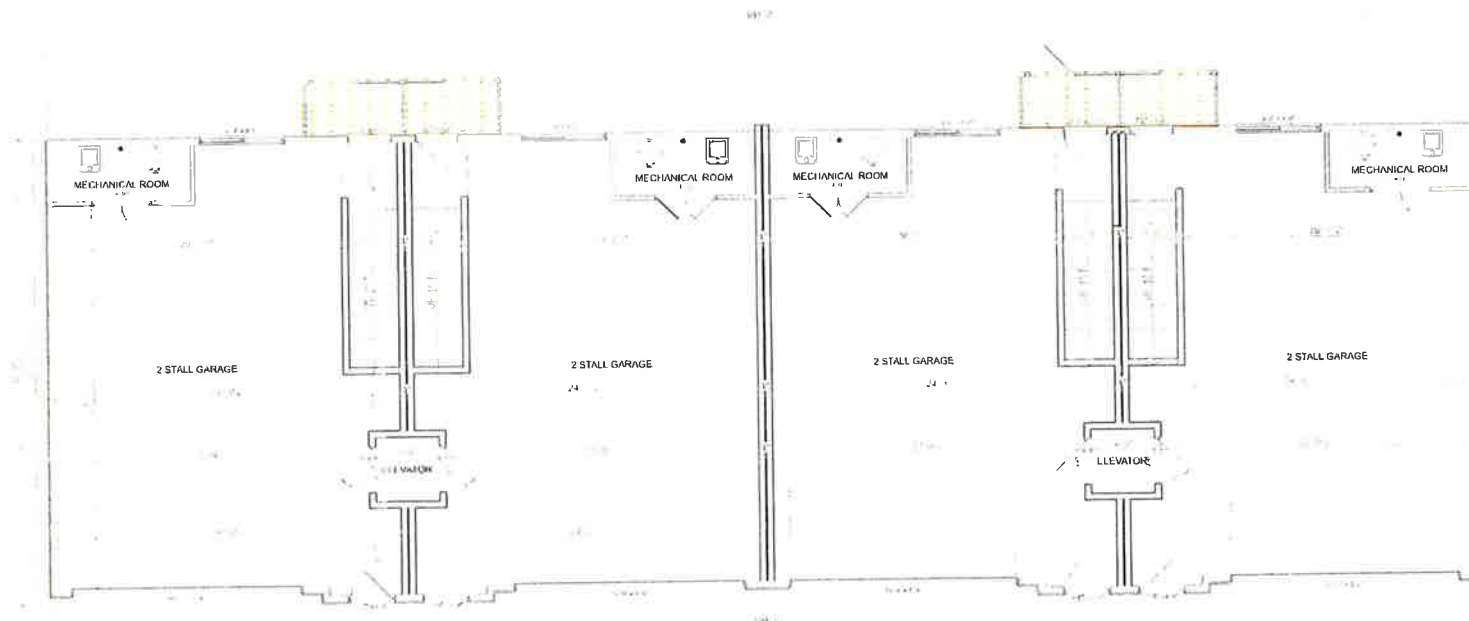
RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



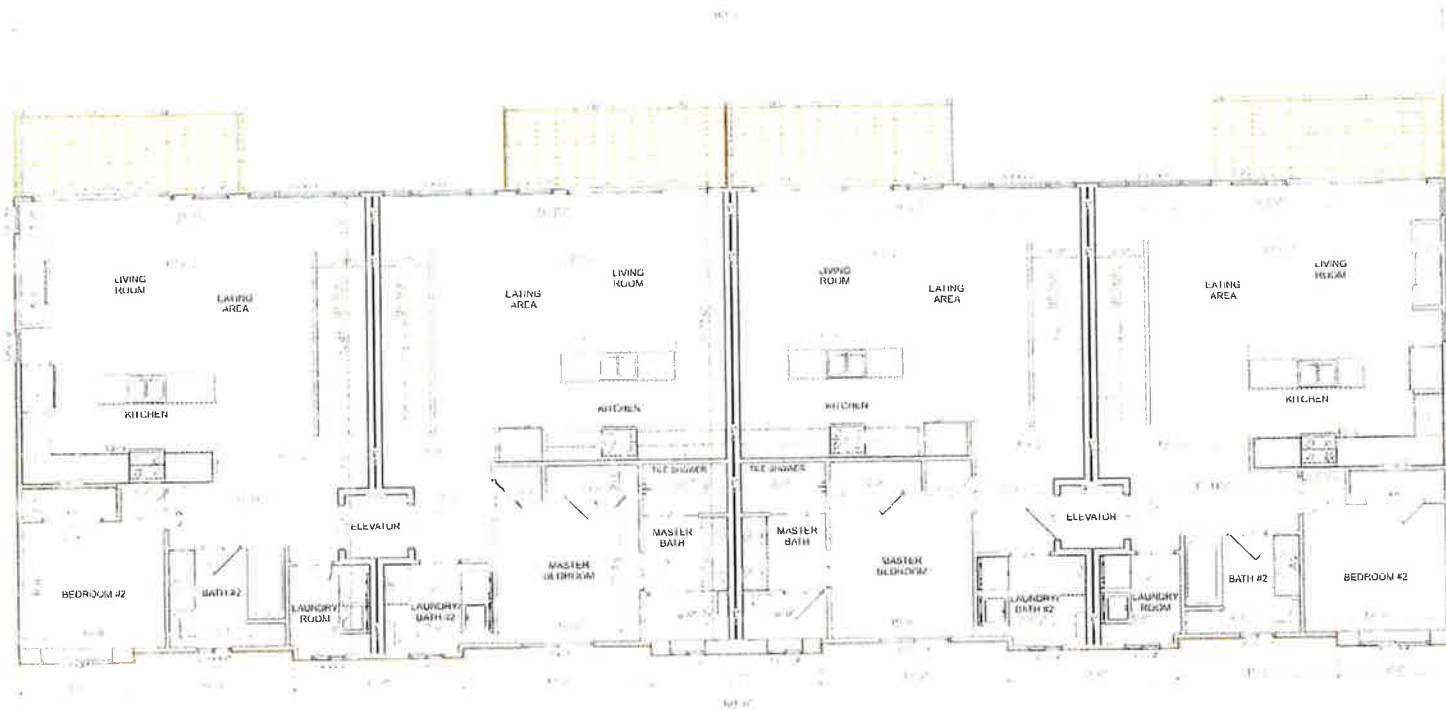
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 3/16" = 1'-0"



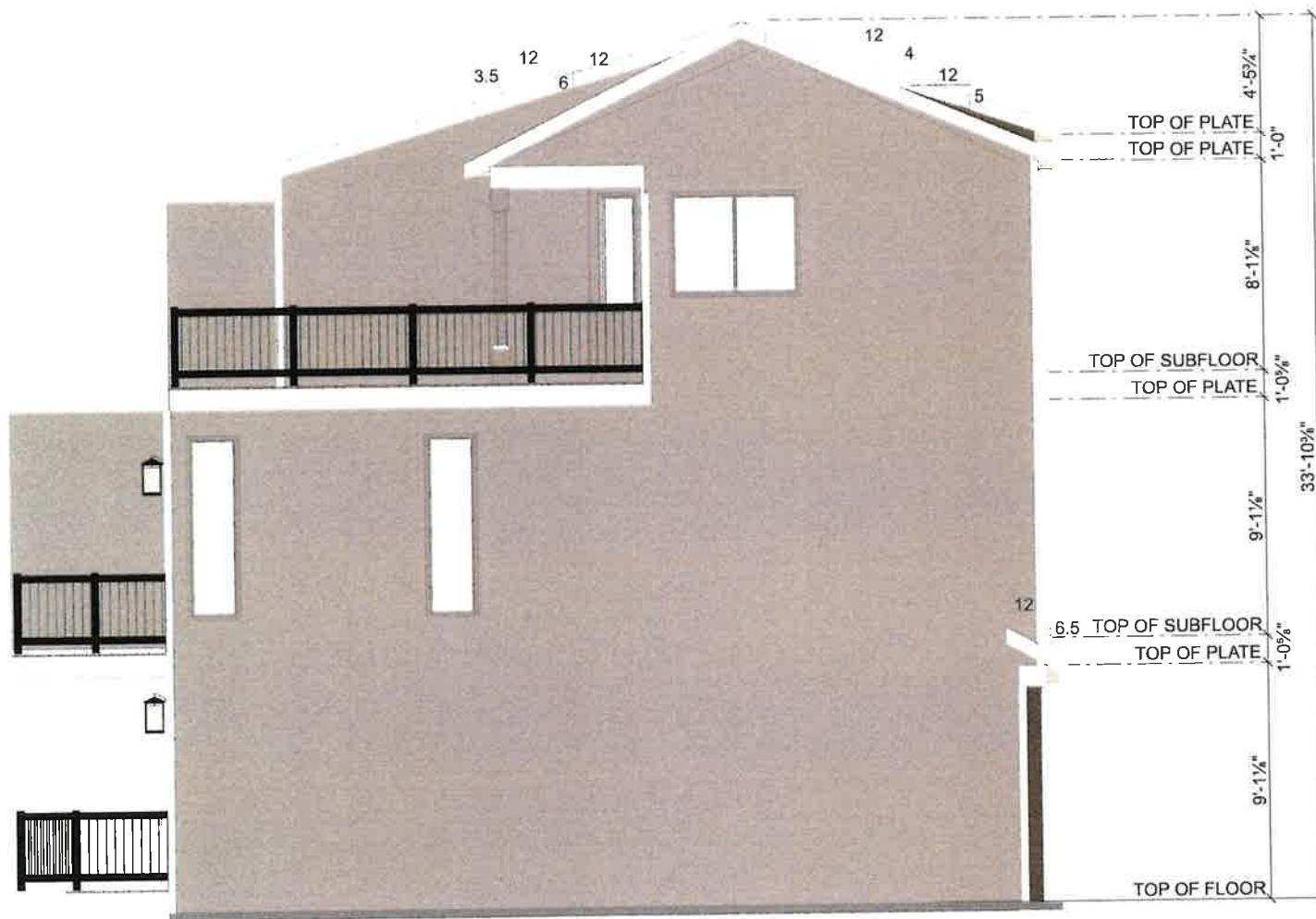
GARAGE
SCALE 1/4" = 1' 0"



MAIN FLOOR
SCALE 1/4" = 1'-0"



UPPER FLOOR
SCALE 1/4" = 1'-0"



CROSS SECTION A
SCALE 1/2" = 1'-0"

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: July 6, 2023
From: Andy Moore, AICP
Aman Pannu
RE: 414 E Main Street – Site Plan Review

Mr. Scott McDowell has submitted an application for site plan review for an accessory building that has already been built on the property. The subject property is located at 414 E Main Street (PPN 41-20-02-431-014). The purpose of this memorandum is to review the request pursuant to Chapter 18 of the City of Lowell Zoning Ordinance.



BACKGROUND

The property under consideration spans approximately 0.25 acres and falls within the zoning boundaries of the MU Mixed Use district and Floodplain Overlay district. The applicant has installed a prebuilt shed-style accessory building towards the rear of the premises, adjacent to the driveway on S Jefferson St. The barn is a 14'x40' prebuilt shed-style structure. While the application does not explicitly indicate the intended function of the structure, it is presumed that its primary purpose would be for storage. Accessory use buildings are permitted by right in the Mixed Use Zoning District, but all uses and buildings in this district require site plan review and approval from the Planning Commission.

Completeness of Submission

Section 18.04 B provides a list of information required for site plan review unless deemed unnecessary by the zoning enforcement officer. The site plan is missing most of the items required for final site plan review. However, due to the size and footprint of the accessory building, we find most of these items not applicable or necessary for review.

SITE PLAN REVIEW

Site Development Requirements. The applicant has not provided a site plan that delineates the proper setbacks required in Section 16A.04 of the Zoning Ordinance. The height of the

accessory use building is not indicated but appears to be well within the size limitations of the zoning ordinance. It is set back approximately 20 from Jefferson Street. The site is bounded on the north, east, and west by the MU district, while property to the south, across Kent Street, is zoned R-3. The building is located in the rear yard. The building is approximately 20 feet from the Kent Street right of way and approximately 70 feet from the nearest R-3 property.

Parking. Since the proposed building is an accessory use building that will be used for storage, no parking is required as per the Zoning Ordinance.

Other Site Features. The applicant is not proposing changes to any signage, landscaping, or lighting. Should new signage or lighting be desired, they should be in accordance with Zoning Ordinance standards.

Accessory building and uses. The proposed barn meets most of the standards in listed in Section 4.08 of the Zoning Ordinance. Following are the standards that not met by the proposed barn or need additional review.

1. Accessory buildings with a floor area greater than two hundred (200) square feet shall (i) comply with applicable building codes and other similar codes and regulations that apply to such structures and (ii) be compatible in design and similar to the main building with respect to exterior finish materials, color, overall design, and aesthetic quality. The following additional standards shall apply to such accessory buildings:

Remarks. The Planning Commission may discuss this with the applicant to determine if the proposed barn is compatible in design and similar to the main building and if applicable building codes have been met.

Site Plan Review Standards. In order to approve a site plan, each of the standards listed in Section 18.06 should be met. Following are those standards and our remarks on each:

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property, and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks: The proposed barn will primarily be used for storage and will not likely affect the public health, safety, or welfare. The proposed use is expected to remain compatible with the surrounding area. The Planning Commission may find that this standard is 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 proposed barn will not have any affect on the vehicular and pedestrian circulation. No drives or streets have been proposed. The Planning Commission may find that this standard is 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 proposed barn does not affect any ingress/egress points on the property. The driveway existing on S Jefferson St remains clear for traffic entering or exiting the site. The Planning Commission may find that this standard is 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 are no significant natural features on the site, so this standard is not applicable.

- 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: If approved, a condition of approval is recommended that the applicant maintain continual compliance with other applicable ordinances, codes, and requirements.

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

Remarks: Accessory use buildings are permitted by right in the MU Mixed Use Zoning District. The use of the proposed barn as a storage structure will not have any affect on the character of the neighborhood. The application does not impede the general purpose and spirit of the Comprehensive Plan of the City of Lowell. The Planning Commission may find that this standard is met.

Floodplain Overlay District Standards. The subject property is also located within the Floodplain Overlay District; therefore, the standards and regulations of Chapter 14 are also applicable. Section 14.04 of the Zoning Ordinance sets forth additional standards that shall be used when reviewing a site plan. Many of these standards are not applicable since the applicant is proposing to use an existing building and not proposing to expand or reduce the building size. The following standards may be considered in relation to the subject property:

- A. Development, including the erection of structures and placement of manufactured homes, within the floodplain overlay district shall not occur except in accordance with the requirements of this ordinance and the following standards:

1. The requirements of this chapter shall be met.

Remarks: Section 14.07 A – I provide general standards for flood hazard reduction. The applicant is not proposing any changes to the existing building structure, any expanded or replaced water supply systems, sanitary sewer

systems, and public utilities should be designed to eliminate infiltration of flood waters. This standard does not apply to the proposed accessory use structure.

2. The requirements of the underlying zoning district and applicable general provisions of this ordinance shall be met;

Remarks: Subject to the approval of all other standards and setback requirements as addressed in this memo, this standard is met.

3. All necessary permits shall have been issued by the appropriate local, state, and federal authorities, including a floodplain permit, or letter of no authority from the Michigan Department of Natural Resources under authority of Act 451, of the Public Acts of 1994, as amended. Where a permit cannot be issued prior to the issuance of a zoning compliance permit, a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance shall be acceptable.

Remarks: Not applicable.

Recommendation. We find that the site plan and proposed use are consistent with the Zoning Ordinance and align with the character of the surrounding area. Subject to any other concerns or public comments, the Planning Commission 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 comply with any requirements from the City Engineer, Lowell Area Fire Department, Department of Public Works, or other approving agencies.
3. The applicant shall maintain continual compliance with other applicable ordinances, codes, and requirements of the City of Lowell.

As always, please contact us if there are any questions.

Request Number: _____

Filing Fee: _____



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

RECEIVED

MAY 24 2023

APPLICATION FOR SITE PLAN REVIEW

CITY OF LOWELL
LOWELL, MICHIGAN

- 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: 414 E. Main St Lowell MI 49331

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

3. Applicant's Name: SCOTT McDowell Phone Number 616-987-3115

Address: 687 Lincoln Lake Ave Lowell MI 49331
Street City State Zip

Fax Number _____ Email Address SCOTT@AWSWEST.com

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 _____

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

Place Pre built Shed style Building

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

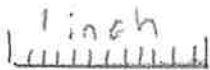
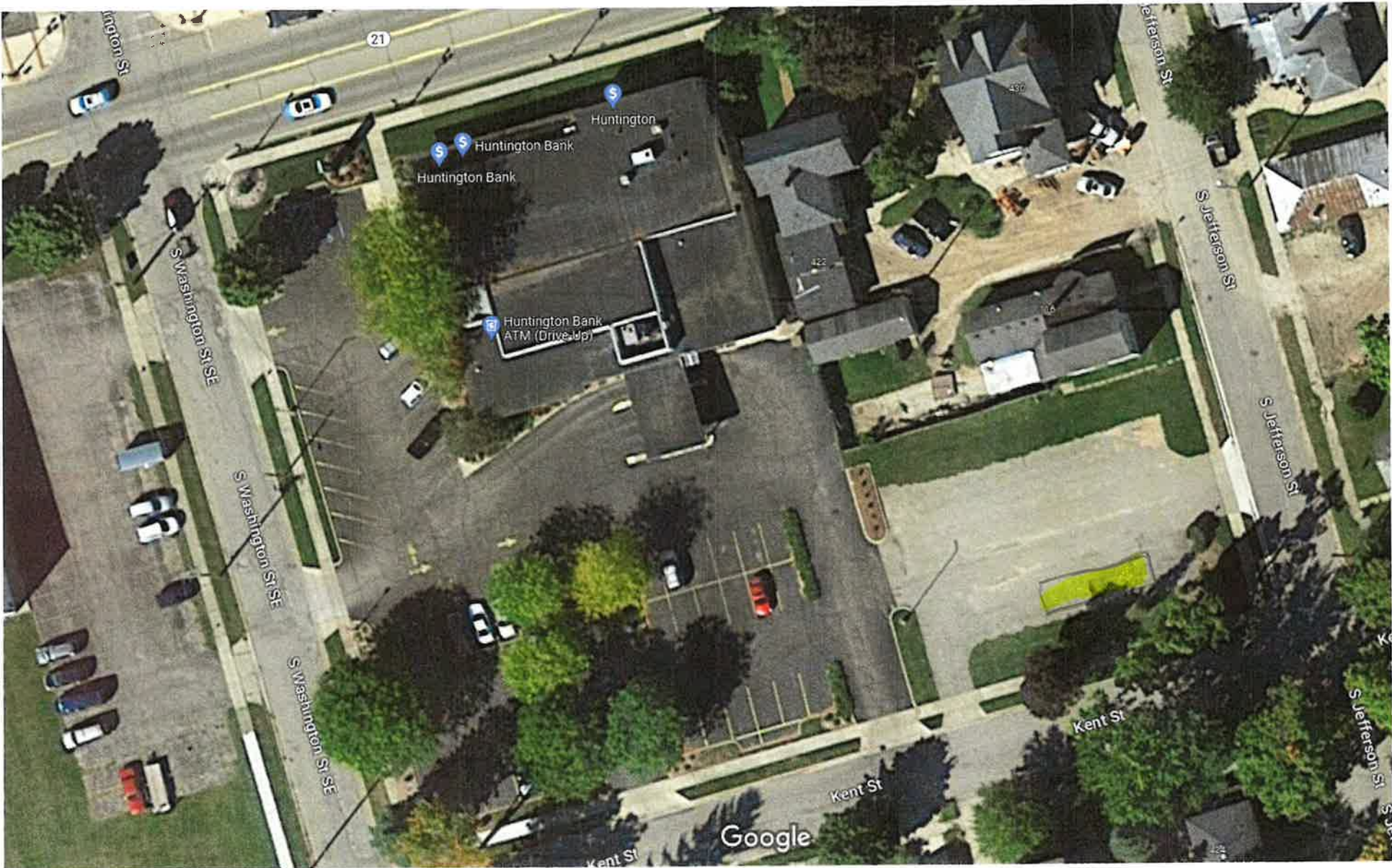
Signature: [Signature] Date: 5-23-23

Type or Print Your Name Here: SCOTT McDowell

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. [Signature] 5-23-23
Owner Date

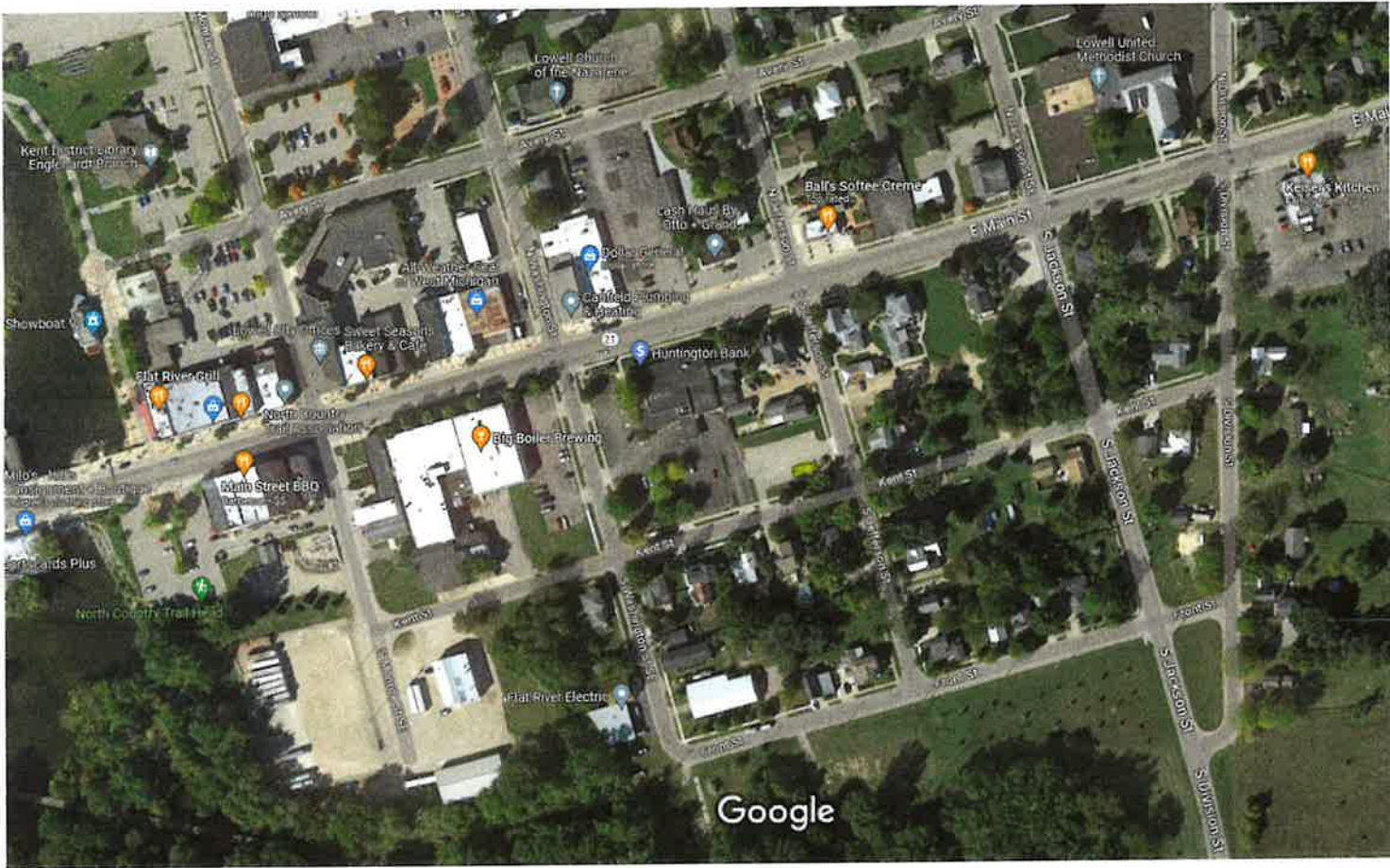
The following 16 points make up the **CHECKLIST** of required information needed on the drawing for final plan approval (unless specifically waived by the Planning Commission). Please go over this **CHECKLIST** with the City Manager and Zoning Administrator before presenting to the Planning Commission.

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

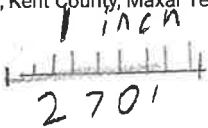


53'

14'
Proposed X 40'
BARN



Imagery ©2023 CNES / Airbus, Kent County, Maxar Technologies, Map data ©2023 100 ft



Proposed Barn
14' x 40'

















williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: July 6, 2023
From: Andy Moore, AICP
Aman Pannu
RE: **Mixed Use Development - 805 & 825 E Main and 112 Horatio**

Mr. Greg Taylor from CopperRock Construction has submitted an application for rezoning and site plan review for parcels located on 805 & 825 E Main St and 112 Horatio St. The purpose of this memorandum is to review the request pursuant to Chapter 16 & 22 of the Lowell Zoning Ordinance.

Background. As shown in the figure on the right, the subject property consists of three parcels that are separated by the Horatio Street right-of-way. The total acreage of all the properties combined (including Horatio St) is approximately 1.46 acres.

The applicant is presenting plans for a mixed-use building that will consist of a 44-unit apartment complex and around 3,800 square feet of commercial space. The proposal includes a layout of 12 units per floor spread across three floors. The commercial space will be located on the first floor, specifically on the west side of the building, while the second and third floors will house the multi-family units.



Parcel No.	Address	Acres	Zoning District
41-20-01-302-001	805 E Main St SE	0.45	C3 General Business
41-20-01-302-005	825 E Main St SE	0.39	C3 General Business
41-20-01-301-008	112 Horatio St SE	0.29	R3 Multiple Family Residential

REZONING

Any amendments to the zoning map must be reviewed pursuant to Section 22.05 of the Zoning Ordinance. The applicant has provided all the items and the application is complete for review. The review criteria have three standards, those standards, and our comments regarding each are below:

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

Remarks. The future land use map in the master plan proposes the three subject properties to have a Mixed Use designation. This allows for a combination of residential, office, and commercial land uses, although not necessarily in a downtown-style building. The proposed site plan will align with this future land use designation once the properties are rezoned to the MU (Mixed Use) zoning district, which was enacted several years ago to specifically implement the Master Plan and foster this type of development. It appears that the proposed change in zoning is in line with the city's master plan, reflecting its goals, policies, and vision for future land use.

- b. If the zoning amendment is compatible with existing or future land uses in the vicinity.

Remarks. The site currently consists of two buildings: a vacant, large two-story building and a two-story single-family house. Since these buildings are not currently in use, they would be removed to create a larger building that spans over the three parcels when combined. The existing zoning of the parcels, which is a combination of C3 (allowing commercial use) and R3 (allowing multiple-family use), is consistent with the proposed mixed-use zoning district. The future land use map in the master plan also designates the subject properties for mixed land use, further supporting the compatibility with the existing zoning. The proposed multiple-family residential buildings is also compatible with the residential and commercial uses in the vicinity. There are additional homes in the area, that the Planning Commission will need to evaluate the impact of the proposed zoning change on these residences as part of its deliberations.

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

Remarks. The subject property is well-connected to the existing street and sidewalk network, with access to sanitary sewers, stormwater systems, and the public water system. It is also adequately illuminated by the existing on-street lighting and there is on-street parking nearby as well. Each of the three subject parcels has the capacity to accommodate

the proposed zoning change and can support all uses permitted by right in the Mixed Use District.

At the July 11th public hearing, the Planning Commission should carefully listen to the input from the applicant, the other residents, and the public. Subject to those comments, we suggest that the Planning Commission recommend approval of the request to the City Council.

Note that, Section 3.04 of the Zoning Ordinance states "Whenever all or part of street, alley or other public way is vacated, it shall automatically become a part of the district to which it attaches. If the vacated lot is bordered by two different districts, the area is divided along a line halfway between them according to the abutting zone, unless the City Council shall otherwise designate." If the rezoning request is approved by the Planning Commission and the City Council, the Horatio Street land will automatically be zoned MU Mixed District.

SITE PLAN REVIEW

Completeness of Submittal. Section 18.04.B lists the required items necessary for a final site plan review. The applicant has submitted all necessary items and we find this application to be generally complete for review.

Setbacks and Dimensional Requirements. The property is evaluated as if it were within the MU Mixed Use district. All dimensional requirements of the MU district are met.

Landscaping and Screening. Section 4.26 E provides specific landscape requirements. Because the MU district seeks a downtown-style development pattern, extensive landscaping is not required. The applicant has proposed landscaping in several locations along E Main Street in front of the proposed building, adjacent to the sidewalk. Additional landscaping is proposed to the east side of the property near Grove Street.

A dumpster enclosure is proposed on the north side of the building, between the two parking areas. It would be enclosed but accessible from both the east and west sides to accommodate the restaurant along with the residential uses.

A 3-foot fence is proposed along the south side of Avery Street, between the parking lot and the street. This is consistent with the parking lot screening requirements of Section 4.26(E)(3)(b)(1).

Parking. Dwelling units require two spaces per unit, and restaurants require 2 spaces for each two persons permitted based on the maximum occupancy load, or 1 per 100 square feet, whichever is greater. The applicant has proposed a total of 110 spaces. It is worth noting that the applicant is slightly deficient on parking for the residential units, as 88 spaces would be required for 44 units. The site plan proposes two spaces per unit for the two-bedroom units and only one space per unit for the one-bedroom units, resulting in a total of 71 spaces for the residential component. The restaurant component of the building requires 38 spaces. 22 of these spaces are provided in the parking lot to the rear (north) of the restaurant. In addition, the applicant may count public on-street and off-street parking spaces within 400 feet toward the

required minimum. The site plan indicates that 17 on-street spaces would be available along the north side of E Main Street, which appears to be a reasonable approximation. Further, another 15 on-street spaces are located on the south side of Main Street across from the property.

The Zoning Ordinance grants the Planning Commission significant in the application of parking requirements to allow for maximally productive uses of land in the City. The Planning Commission should evaluate the proposed parking layout and determine if it feels that the parking as proposed is adequate for the site.

On-site, a total of 93 spaces are proposed. When the additional 17 spaces are counted along the north side of Main Street, the total amount of parking available on or immediately adjacent to the site is 110 spaces.

Signage. Signage is proposed on the east side of the property. The sign appears to meet zoning requirements. As a condition of approval, the Planning Commission may require the applicant to receive a sign permit and comply with Chapter 20 of the Zoning Ordinance.

Site Plan Review Criteria. The proposed application must meet the standards listed in Section 18.06 of the Zoning Ordinance. Those standards are as follows, along with our comments 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 of the building as a multiple-dwelling residential unit with a commercial (restaurant) use is permitted by right in the Mixed Use Zoning District. The site is located on Main St and does not seem to impede the normal and orderly development or improvement of surrounding property for uses permitted in the zoning ordinance. The Planning Commission may find that this standard is 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 intends to remove Horatio St, allowing for the combination of three parcels and creating a larger corner lot that connects E Main St, Grove St, and Avery St. Pedestrians can easily access the site through sidewalks. Vehicular traffic can enter and exit the site using two points on Avery St. The entrance located near the western boundary provides access to the restaurant's parking lot, which is separate from the parking lot designated for the multifamily residential building. The entrance near the eastern boundary leads to the parking lot specifically designated for residential use of the property. It is recommended that the plan be reviewed by the City engineer or

emergency personnel to verify if sufficient ingress/egress points have been provided, considering the traffic flow generated by the multifamily residential units.

- 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. As mentioned earlier, the City engineer or emergency personnel should review and verify if sufficient ingress/egress points have been provided, considering the traffic flow generated by the multifamily residential units. The Planning Commission may discuss this with the applicant.

- 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 existing properties lack notable natural features as the site is vacant and in need of improvement. To make space for the proposed structure, some trees on the subject parcel will need to be removed. As a measure to create a separation between the proposed structure and the residential dwellings across Avery St, the applicant suggests installing a 3-foot fence along the northern boundary of the property. Additionally, canopy trees, shrubs, and grass cover will be incorporated to enhance the landscaping around the proposed building. A total of 17 trees and 45 shrubs have been proposed in the landscape plan which meets the minimum landscaping requirement in the zoning ordinance. The Planning Commission will have an opportunity to discuss this matter with the applicant, hear public comments, and assess whether additional landscaping is necessary.

- 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. This should be added as a condition of approval.

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

Remarks. As mentioned above, the current zoning of the parcels aligns with the proposed mixed-use zoning district, as it combines both commercial (C3) and multiple-family (R3) uses. This consistency between the existing zoning and the proposed mixed-use district is reinforced by the future land use map in the master plan, which designates the subject properties for mixed land use. This demonstrates the compatibility between the existing zoning and the envisioned land use in the future. The Planning Commission may find this standard met.

Recommendation. At the July 10 public hearing, the Planning Commission should carefully listen to the input from the applicant, the neighboring residents, and the public. If the Planning Commission is inclined to recommend approval of the project, two motions will be appropriate:

1. A motion to recommend that the City Council approve the rezoning of the subject properties to the MU Mixed Use Zoning District.
2. A motion to approve the site plan. If approved, the following conditions are suggested along with any others deemed necessary.
3. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
4. No grading, preliminary or final earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
5. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
6. Horatio Street shall be vacated in accordance with proper procedures prior to any construction activities occurring on the site.
7. This site plan approval is expressly contingent on the rezoning of the site to the MU- Mixed Use district being approved by City Council and becoming effective pursuant to proper statutory procedures.
8. The City engineer and emergency department personnel should review if the proposed buildings can be reached by emergency vehicles, and if the vehicular traffic flow will be efficient as provided by the applicant.

As always, feel free to contact me if there are any questions.



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

CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning Citizens Advisory Commission will hold a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, July 10, 2023, at 7:00 PM. The subject of the hearing will be the following:

Rezoning Request for 112 Horatio St, 805 E Main St, 825 E Main St.

An application for rezoning has been submitted by CopperRock Construction to rezone three parcels of land located at 112 Horatio St, 805 E Main St, and 825 E Main St as follows:

Address	Current Zoning District	Proposed Zoning District
112 Horatio Street	R-3 Multiple Family Residential	MU Mixed Use
805 E Main Street	C-3 General Commercial	MU Mixed Use
825 E Main Street	C-3 General Commercial	MU Mixed Use

The purpose of the rezoning request is to facilitate the development of a 44-unit multiple-family residential development that would include approximately 3,800 square feet of commercial space.

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

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

Respectfully,

Susan Ullery
Lowell City Clerk

SECTION I. Zoning Map Amendment

1. Street Address and/or Location of Request: 805 & 825 E. Main; and 112 Horatio
41-20-01-302-001; 41-20-01-302-005; and
2. Parcel Identification Number (Tax I.D. No.): # 41-20-01-301-008
3. Applicant's Name CopperRock Construction Phone Number (616) 920-1655
for an entity to be named
Address 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
Street City State Zip
Fax Number N/A Email Address gregt@copperrockconstructi
on.com
4. Are You: ☐ Property Owner ☒ Owner's Agent ☐ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Greg Taylor Phone Number (616) 920-1655
Address 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
Vacant building, parking
6. Present Zoning of Parcel C3 & R3 Present Use of Parcel lot, and 2-unit residential
7. Master Plan Future Land Use Classification _____
8. Please use the lines below to state the request and the reason(s) for the request:
(attach additional pages as necessary)
Applicant respectfully requests the zoning of the property, and any amendments
necessary be made to rezone the subject properties from C3 and R3 to MU -
Mixed Use to permit the proposed development of this vacant building and site.
Reasons for this request include: Improving the east gateway entrance to the
downtown; increasing the local housing options and rental opportunities;
removing a vacant property from lack of use; increasing the number of residents
in the downtown area; and providing additional customers to downtown
businesses; and growth of the property values in the City of Lowell.
9. For this application to be complete, the following information must be included:
- ☐ A map clearly illustrating the property to be considered for a zoning change, and the current zoning of all properties within ¼ mile, if applicable
- ☒ A legal description of the property to be considered for a rezoning, if applicable (See attached survey)

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

Signature:  Date: June 9, 2023

Type or Print Your Name Here: Gregory Taylor

SECTION II. Zoning Text Amendment

1. Applicant's Name : CopperRock Construction for an entity to be named Phone Number (616) 920-1655
Address 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
Fax Number: N/A Email address: gregt@copperrockconstruction.com

2. Applicant is being represented by: Greg Taylor Phone Number (616) 840-5516
Address: 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504

3. I request consideration of the following change in text of the City of Lowell Zoning Ordinance:

The requested text change is: Subject to confirmation with City of Lowell Staff and consultants.

- ☐ A change in wording to existing Section(s):
- ☐ An addition to Section(s):
- ☐ A deletion of wording at existing Section(s):

Below is the text requested to be changed, added or deleted: *(attach additional page(s) as necessary)*

Existing Section To Be Determined Proposed Section To Be Determined

To be confirmed by City of Lowell Staff and City Attorney.

4. What is the intended effect of this request? *(attach additional page(s) as necessary)*

To permit the develop of a 44-unit apartment complex, with approximately 3,800 sq. ft. of commercial space consistent with the Master Plan of the city and the recommendations of City of Lowell Staff and third-party consultants.

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

Signature:  Date: June 9, 2023

Type or Print Your Name Here: Gregory Taylor

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

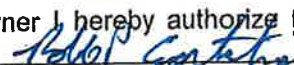
- All drawings must be sealed by an architect, engineer or surveyor unless waived by the Zoning Administrator.
- 9 copies of the site plan must be submitted to the City Manager's office no later than four weeks the Planning Commission meeting to allow adequate staff review.
- The Planning Commission 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: 805 & 825 E. Main; and 112 Horatio
2. Parcel Identification Number (Tax I.D. No.): #41-20- 01-302-001; 01-302-005; and 01-301-008
3. Applicant's Name: CopperRock Construction Phone Number (616) 920-1655
for an entity to be named
Address: 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
Street City State Zip
Fax Number N/A Email Address gregt@copperrockconstruction.com
4. Are You: ☐ Property Owner ☒ Owner's Agent ☐ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Greg Taylor Phone Number (616) 840-5516
Address: 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
6. Present Zoning of Parcel C3 & R3 Present Use of Parcel Vacant Building, parking lot, and 2-unit residential
7. Description of proposed development (attach additional materials if needed):
Combine parcels, including the vacating or Horatio Street, to develop a new 44-unit,
market rate, apartment project with approximately 3,800 sq. ft. of commercial space.

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

Signature:  Date: June 9, 2023

Type or Print Your Name Here: Gregory Taylor

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.  6-9-2023
Owner Date

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

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

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

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

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

The proposed project would supply modern housing and transitional uses to support the Master Plan and improve the east gateway to downtown.

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 property is currently served by all municipal utilities and has abundant on-street parking.

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

No additional cost or service burden is anticipated.

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.

No negative impact is anticipated.

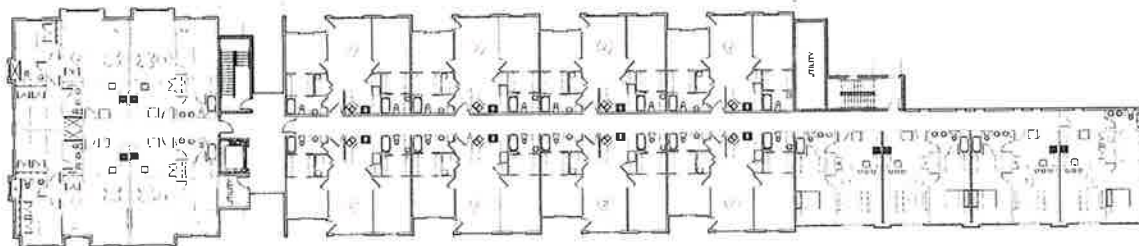
Section 17.04 of the City of Lowell Zoning Ordinance lists specific standards pertaining to special land uses that must be met. Please respond to those standards below as it pertains to the proposed project, describing how the standards would be met by this proposal:

To the best of our knowledge, the submitted plans and specifications meet or exceed the requirements in Section 17.04 of the City of Lowell Zoning Ordinance, as prepared prepared by the architect, civil engineer, and others on behalf of Applicant.

1 & 2 BEDROOM APT.

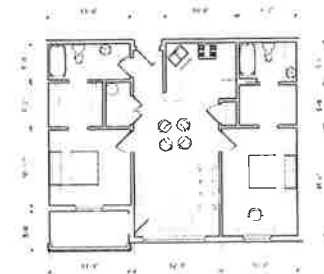
TWO BEDROOM APT.

ONE BEDROOM APT.



2. 2nd & 3rd Floor Plan

SCALE: 1/8" = 1'-0"
GROSS AREA: 17,063 sq ft



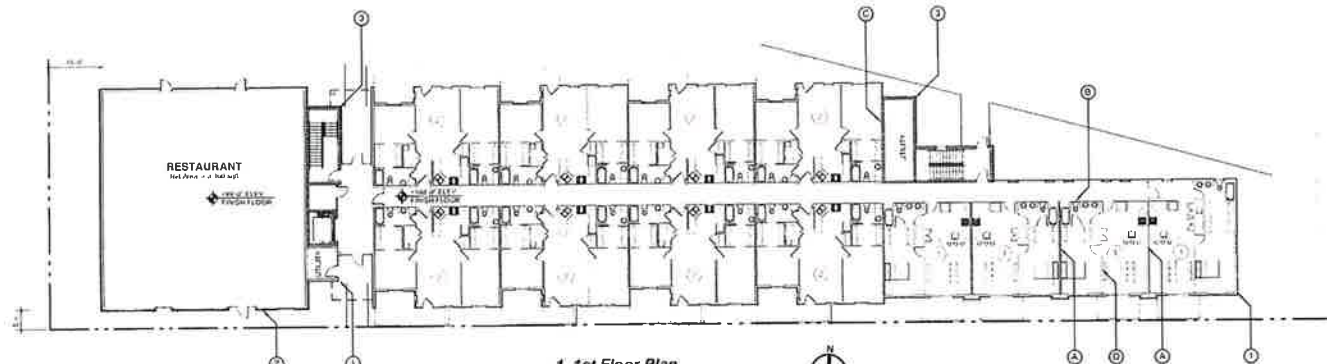
4. Typical 2-Bed Apartment Plan

SCALE: 1/8" = 1'-0"
NET AREA: 945 sq ft



3. Typical 1-Bed Apartment Plan

SCALE: 1/8" = 1'-0"
NET AREA: 645 sq ft



1. 1st Floor Plan

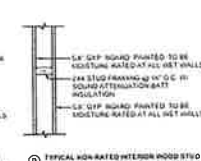
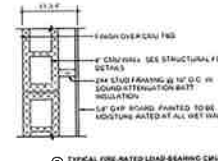
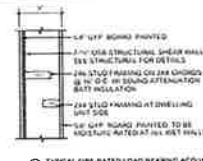
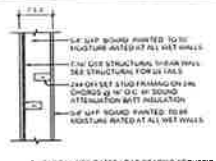
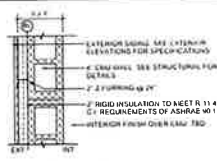
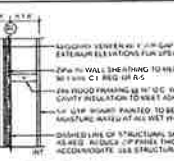
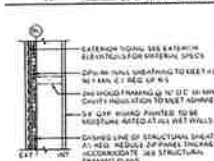
SCALE: 1/8" = 1'-0"
GROSS AREA: 16,804 sq ft

PROPOSED MIXED-USE BUILDING
TOTAL SITE AREA 63,680 SQ FT
BUILDING FOOTPRINT 16,804 SQ FT
TOTAL FLOOR AREA 50,994 SQ FT

TOTAL UNITS 48
1 BED UNITS 16
2 BED UNITS 28

Wall Types

1. TYPICAL NON-RATED EXTERIOR WOOD STUD BEARING WALL WITH EXTERIOR SING. WALLS



E. Main Street Mixed-Use
825 E. Main Street
Lowell, Michigan 49331
First Floor Plan



Revisions	
SPR	06/09/2023

Project No. 222034
Issue Date 06/09/23
Reviewer KCD
Drawn By DBC

A2.1

©2023 Oxon Architecture, Inc.



PROPOSED MIXED-USE BUILDING
FOOTPRINT AREA: 16,804 SQ. FT.
TOTAL FLOOR AREA: 50,994

1. South Elevation

SCALE: 1/8" = 1'-0"



3. East Elevation

SCALE: 1/8" = 1'-0"



2. North Elevation

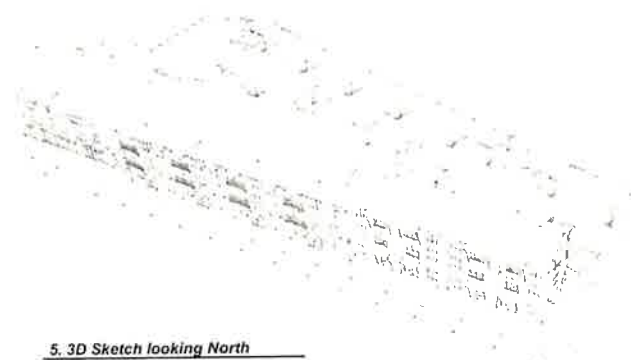
SCALE: 1/8" = 1'-0"



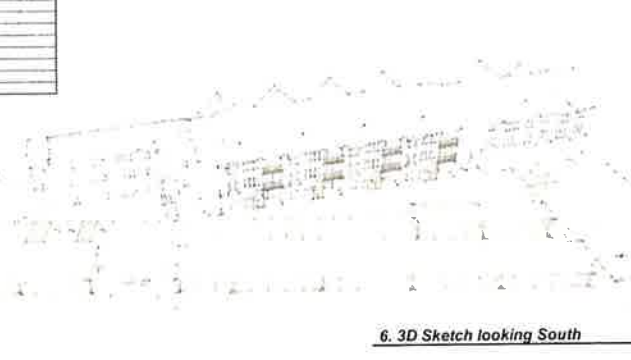
4. West Elevation

SCALE: 1/8" = 1'-0"

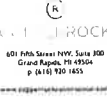
Exterior Materials Legend			
LABEL	MATERIAL	MANUFACTURE	STYLE
1	HORIZONTAL LAF SIDING	T&B	1" x 6" SHIP LAP
2	HORIZONTAL LAF SIDING	T&B	2" x 6" SHIP LAP
3	VERTICAL BOARD & BATTEN SIDING	T&B	1" x 6" SHIP LAP
4	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
5	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
6	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
7	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
8	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
9	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
10	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
11	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
12	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
13	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
14	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
15	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
16	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
17	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
18	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
19	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
20	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
21	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
22	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
23	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
24	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
25	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
26	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
27	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
28	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
29	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
30	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
31	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
32	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
33	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
34	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
35	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
36	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
37	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
38	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
39	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
40	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
41	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
42	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
43	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
44	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
45	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
46	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
47	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
48	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
49	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
50	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
51	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
52	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
53	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
54	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
55	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
56	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
57	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
58	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
59	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
60	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
61	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
62	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
63	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
64	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
65	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
66	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
67	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
68	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
69	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
70	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
71	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
72	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
73	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
74	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
75	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
76	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
77	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
78	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
79	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
80	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
81	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
82	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
83	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
84	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
85	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
86	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
87	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
88	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
89	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
90	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
91	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
92	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
93	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
94	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
95	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
96	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
97	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
98	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
99	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP
100	SHIP LAP SIDING	T&B	1" x 6" SHIP LAP



5. 3D Sketch looking North



6. 3D Sketch looking South



E. Main Street Mixed-Use
825 E. Main Street
Lowell, Michigan 49331
Conceptual Exterior Elevations



Revisions	
SPR	06/06/2023

Project No.	222034
Issue Date	06/06/23
Reviewer	KCD
Drawn By	DBC

A4.0



Know what's below.
Call before you dig.

BENCHMARK NO. 1 ELEV. = 642.84'
NORTHWEST FLANGE BOLT IN THE HYDRANT
LOCATED 35'± WEST OF THE CENTER LINE
OF GROVER ST. AND 26'± NORTH OF THE
CENTER LINE OF MAIN ST. (N.A.V.D. 88)

BENCHMARK NO. 2 ELEV. = 643.85'
RAILROAD SPIKE IN THE SOUTH SIDE OF THE
POWER POLE LOCATED 27'± EAST OF THE
CENTER LINE OF HORATIO ST. AND 35'±
NORTH OF THE CENTER LINE OF MAIN ST.
(N.A.V.D. 88)

PARCEL #41-20-01-301-008
LEGAL DESCRIPTION PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO.
408360285, COMMITMENT DATE: MARCH 6, 2023 AT 8:00 A.M.

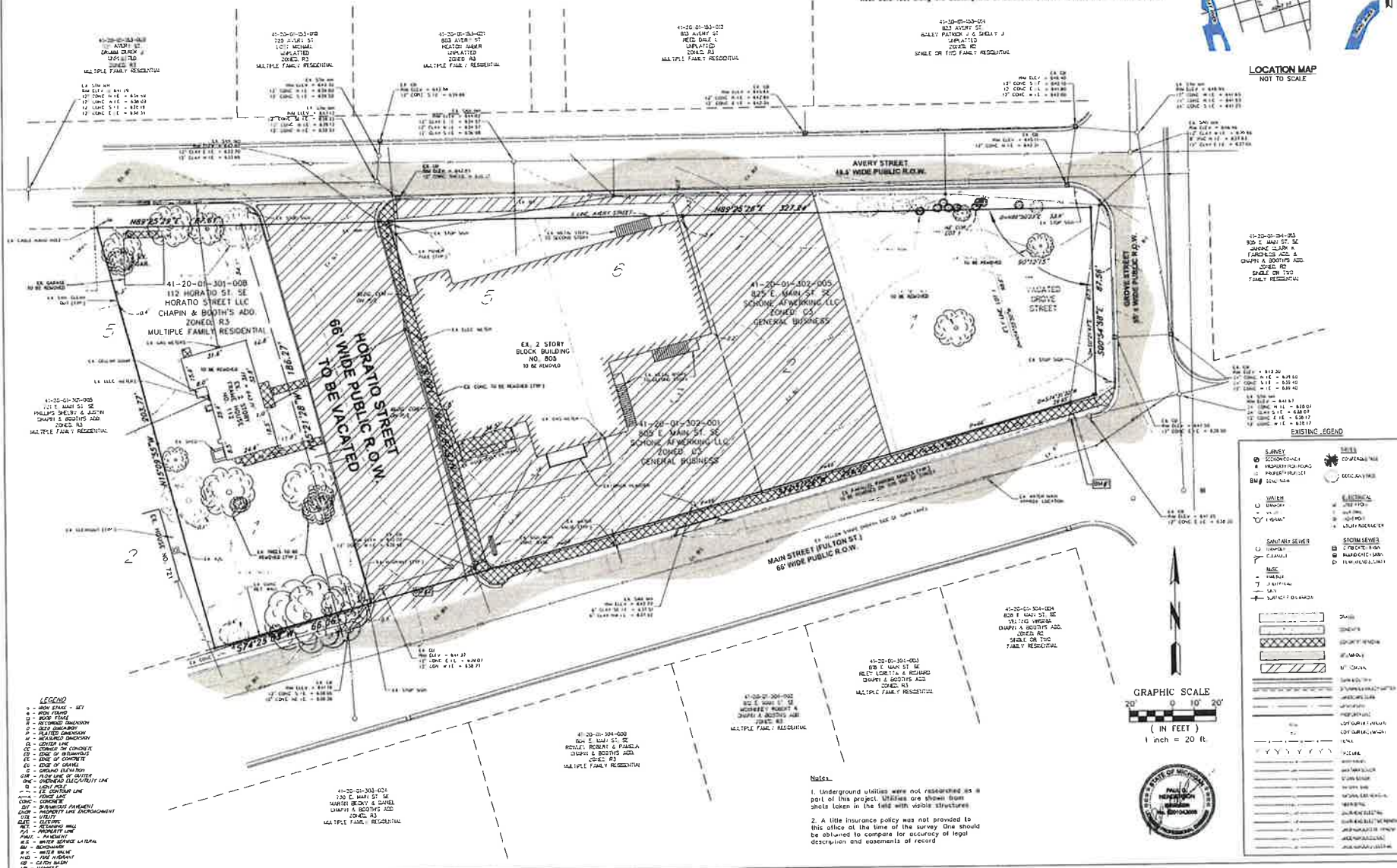
Located in the City of Lowell, Kent County, State of Michigan. Lot 1, Block 3, also
that part of Lot 5, Block 3, lying East of the East line of Lot 2, extended Northwesterly
to the North Line of said Lot 5, Chapin & Booth's Addition to the Village of Denzelle.
(New City of Lowell), Kent County, Michigan, as recorded in Liber 24 of Plat, Page 13.

PARCELS #41-20-01-301-001 & #41-20-01-302-005
LEGAL DESCRIPTION PER TRANSNATION TITLE AGENCY COMMITMENT NO. 385095015 REVISION
NO. 3, COMMITMENT DATE: JUNE 6, 2022 AT 8:00 A.M.

Lots 1 through 7, inclusive, Block 2, Chapin & Booth's Addition to the Village of Denzelle
(New City of Lowell), Kent County, Michigan, as recorded in Liber 24 of Plat, Page 13, Kent
County Records, AND ALSO that part of Grove Street located within Chapin & Booth's
Addition, described as: Beginning at the Northwest corner of Lot 1, Block 2, of said Chapin &
Booth's Addition, thence North 88°50'23" East 53.8 feet along the South line of Avery Street
(48.5 feet wide) extended East; thence South 0°21'47" East 87.5 feet to the Northernly line
of Fulton Street (M-21), (86 feet wide); thence South 74°31'30" West 29.95 feet along said
Northernly line to the Southeast corner of Lot 1, Block 2, of said Plat, thence North 14°50'50"
West 90.6 feet along the Easterly line of said Lot 1, Block 2, to the place of beginning.



LOCATION MAP
NOT TO SCALE



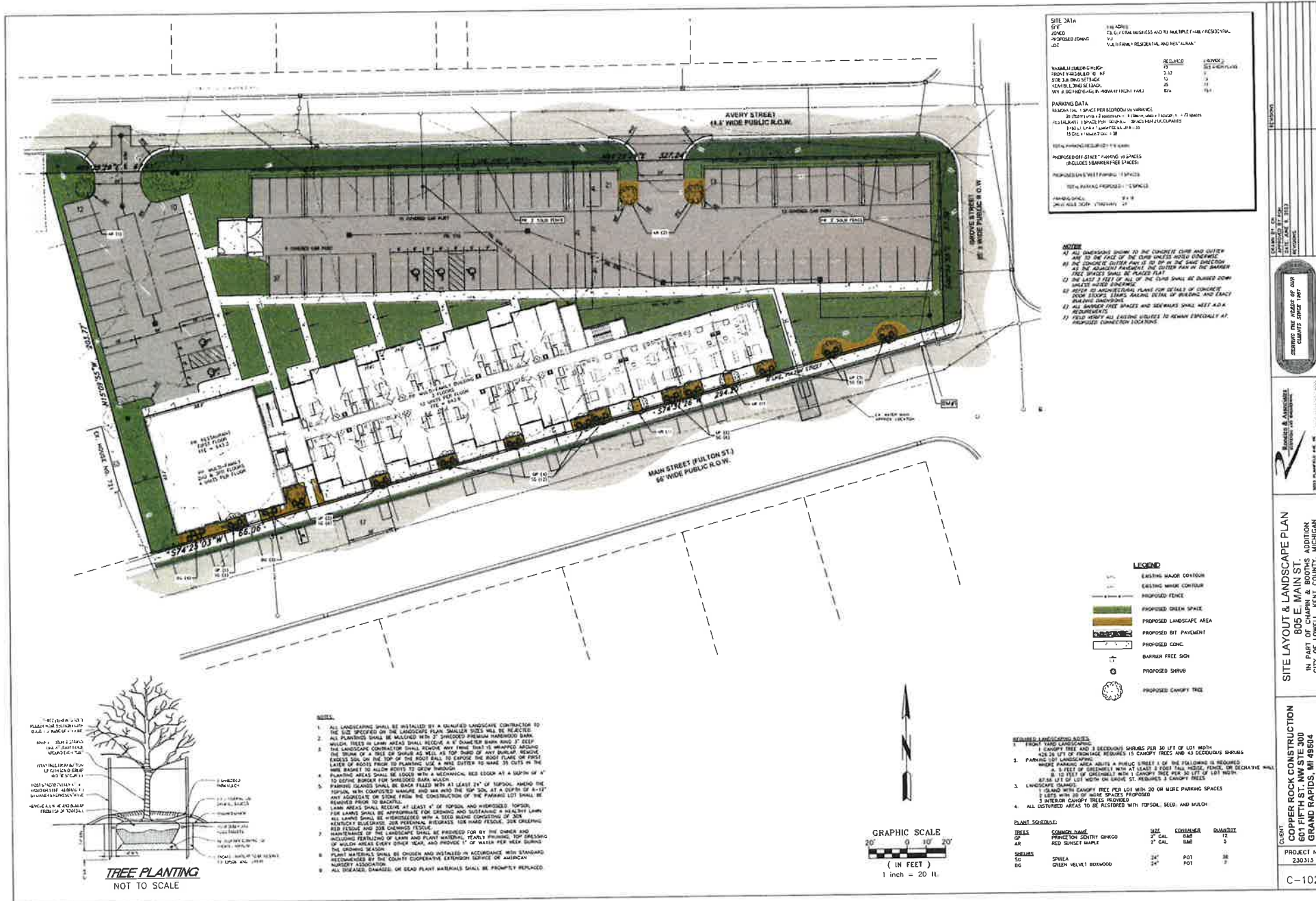
CLIENT: C-101

PROJECT NO: 230213

EXISTING CONDITIONS & REMOVALS

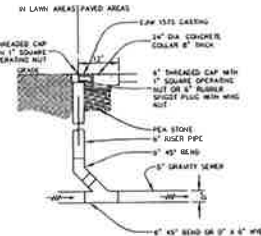
805 E. MAIN ST.
IN PART OF CHAPIN & BOOTH'S ADDITION
CITY OF LOWELL, KENT COUNTY, MICHIGAN

616-570-2382

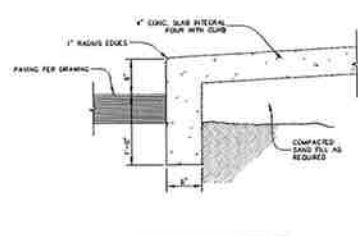




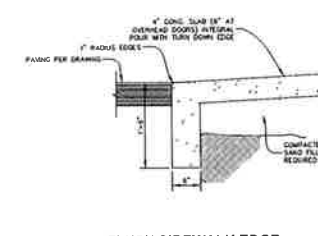
BARRIER FREE SIGNS
NOT TO SCALE



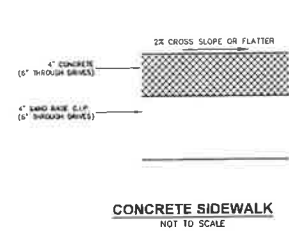
GRAVITY SEWER CLEAN OUT
NOT TO SCALE



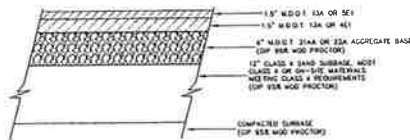
RAISED SIDEWALK EDGE
NOT TO SCALE



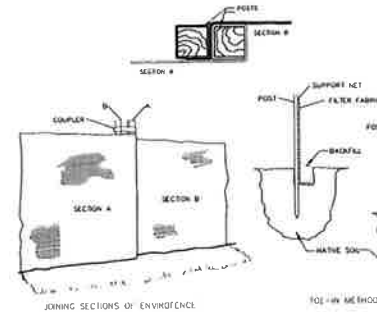
FLUSH SIDEWALK EDGE
NOT TO SCALE



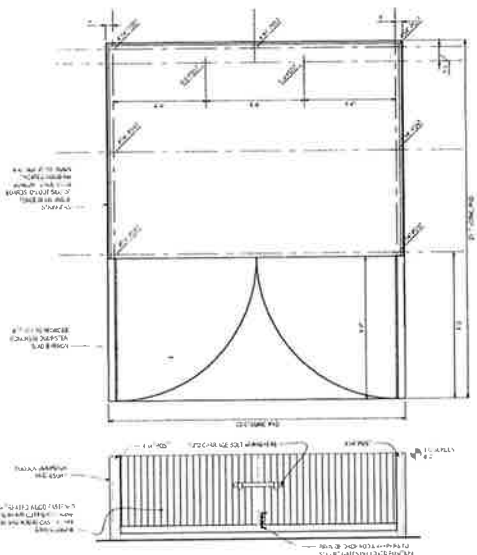
CONCRETE SIDEWALK
NOT TO SCALE



STANDARD BIT PAVEMENT-SECTION
NOT TO SCALE



FABRIC SILTATION FENCING
NOT TO SCALE



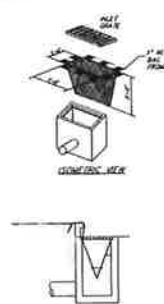
DUMPSTER ENCLOSURE ELEVATION/PLAN
NOT TO SCALE

INLET PROTECTION - FABRIC DROP SPECIFICATIONS

- When** - When sediment laden stormwater requires treatment before entering a stormwater drainage system
- Why** - To prevent sediment from entering stormwater systems
- Where** - Use in or at stormwater inlets, especially at construction sites or in streets
- How** - 1. A filter fabric bag is hung inside the inlet, beneath the grate.
2. Replace grate, which will hold bag in place.
3. Anchor filter bag with 1" rebar for removal from inlet.
4. Bags of bag that extend beyond the bag can be buried in soil in earth areas.
- Maintenance** - Drop inlet filters should be inspected routinely and after each major rain event.
- Damaged filter bags should be replaced.
- Clean and/or replace filter bag when 1/2 full.
- Replace clogged fabric immediately.
- If needed, initiate repairs immediately upon inspection.
- Remove entire protective mechanism when upgradient areas are stabilized and streets have been swept.
- Limitations** - Can only accommodate small flow quantities.
- Requires frequent maintenance.
- Ponding may occur around storm drains if filter is clogged.



INLET PROTECTION - FABRIC DROP



PROJECT NOTES AND SPECIFICATIONS

GENERAL NOTES

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS, ORDINANCES, RULES AND REGULATIONS. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS REQUIRED BY STATE AND LOCAL AGENCIES RELATED TO THIS PROJECT AND MAINTENANCE.
- ALL ITEMS OF WORK NOT COVERED BY THESE SPECIFICATIONS SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF LANSING OPERATIONS AND MAINTENANCE MANUAL, LATEST EDITION OF THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, THE MOST STRINGENT REQUIREMENTS AS LISTED IN THE PLANS AND SPECIFICATIONS SHALL APPLY.
- ALL LOCATIONS OF EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATE. EXACT LOCATIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR BEFORE BEGINNING CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR CONTRACTING WORK TO BE AT 10' DEPTH TO 10' AT LEAST 3 WORKING DAYS PRIOR TO ANY UNDERGROUND CONSTRUCTION.
- CONTRACTOR SHALL NOTIFY THE OWNER AND ENGINEER 48 HOURS BEFORE WORK BEGINS.
- MOBILITY AND ACCESSIBILITY AS THE DESIGN PROFESSIONAL SHALL NOT BE RESPONSIBLE OR LIABLE FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE DRAWINGS, SPECIFICATIONS AND THE DESIGN INTENT THEY CONVEY, OR FOR PROBLEMS WHICH ARISE FROM UTILITY FAILURE TO OBTAIN AND FOLLOW THE DESIGN PROFESSIONAL'S GUIDANCE WITH RESPECT TO ANY EXISTING, OBTAINING, ACCORDANCES, ADJUSTMENTS OR CONFLICTS WHICH ARE ALLEGED.
- CONTRACTOR IS RESPONSIBLE FOR THE SAFETY, CONSTRUCTION MEANS, CONTROLS, TECHNIQUES, SEQUENCES AND PROCEDURES.

GENERAL SPECIFICATIONS

- ALL CONSTRUCTION AREAS SHALL BE CLEARED OF ALL TREES, BRUSH, WEEDS, ETC. ALL SPILL MATERIAL IS TO BE REMOVED OR IN AREAS DESIGNATED BY THE OWNER AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
- STORM ALL EXISTING AND EXCAVATION MATERIAL ON SITE WITHIN THE CONSTRUCTION LIMITS OF THE PROJECT WHERE GRADES ARE TO BE CHANGED, OR IN AREAS TO BE IMPROVED OR MATERIALS TO BE REMOVED, ROCKS AND DEBRIS, AND IS APPROVED BY THE ENGINEER, IT SHALL BE TEMPORARILY STOCKPILED ON SITE FOR LATER USE.
- CONSTRUCTION ACCESS AND MATERIAL STORAGE IS LIMITED TO THE AREAS DESIGNATED ON THE DRAWINGS OR AS APPROVED BY THE OWNER.
- WHERE IT IS NECESSARY TO WORK OUTSIDE THE PROPERTY CONTROLLED BY THE OWNER, THE CONTRACTOR SHALL OBTAIN LEGAL AUTHORITY FROM ADJACENT PROPERTY OWNERS TO COMPLETE THE WORK AS OUTLINED IN THESE BOUNDARIES.
- ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE BROUGHT TO FINISH GRADES AS SHOWN ON THE DRAWINGS. ALL AREAS DISTURBED SHALL BE RESTORED WITHIN A MAXIMUM OF 4" OF TOPSOIL, SEEDS AND MULCHES.
- THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION ON THE NEED FOR IMPORTED OR EXPORTED MATERIAL. THE PROPOSED DRAINAGE PLAN MAY NOT PROVIDE FOR A "BALANCED" SITE.
- ALL AREAS DISTURBED DUE TO SITE ACCESS SHALL BE RESTORED TO THE PRECONSTRUCTION CONDITION OR BETTER.
- BACKFILL AND COMPACTION: ALL BACKFILL SHALL BE CLEAN, FREE OF LARGE ROCKS, DEBRIS AND ORGANIC MATERIAL. COMPACTION ALL BACKFILL TO 95% OF MAXIMUM DENSITY AS DETERMINED BY THE STANDARD PROCTOR TEST, ASTM D-1557. BACKFILL SHALL BE PLACED IN A MAXIMUM OF 12" LIFTS UNLESS SLOTTED REPORT HAS MORE STRINGENT REQUIREMENTS.
- STORM SEWER CATCH BASINS TO BE 4' DIA. UNLESS OTHERWISE NOTED. STORM DRAIN INLETS TO BE INVERTED BASINS OR 2' DIA. STRUCTURES. ALL CATCH BASINS AND INLET STRUCTURES SHALL HAVE A 2" DEEP SLAP. CATCH BASIN GRATE SHALL BE 2' DIA. 1/2" GRID TYPE. STORM SEWER CATCH BASIN SHALL BE 2' DIA. 1/2" GRID TYPE.
- PREFABRICATED CONCRETE TO BE SMOOTH LINED CORRUGATED POLYETHYLENE PIPE. PIPE SIZE 6" PER ASHRAE 4232 AND PRE-WRAPPED WITH A GEOTEXTILE FILTER SOCK. ALL LAPPED PIPE ENDS SHALL HAVE CONCRETE END SECTIONS INSTALLED.

SITE CONCRETE FLOORWORK

- WATERPROOFING: READY MIXED CONCRETE, ASTM C84 MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS SHALL BE 3500 PSI FOR ALL EXTERIOR CONCRETE. 1. SLAB RANGE, 2. MINIMUM TO 4. INCHES, 2. AIR CONTENT, 4 PERCENT TO 7 PERCENT. 1. SLOTTED, 2. ACCURATE, SHALL BE USED.
- DRIVING MATERIAL: ASTM C171 WHITE, OPAQUE POLYETHYLENE FILM TYPE.
- EXPANSION JOINT FILLERS: SHALL BE ASTM D1535 PREFORMED, BITUMINOUS FILM TYPE, WITH EXPANSION BOARD CAP AND REMOVABLE TOP CAP SECTION.
- CONCRETE SEALANT: SEALANT TO BE 2-PART URETHANE FILLING SEALANT. SEALANT TO BE PURCHASABLE, CHEMICALLY CURING EXPANSIVE WITH F2.55-5-200 WITH MINIMUM MOVEMENT CAPABILITY OF 125 PERCENT HYDRUSION. ENVIRONMENTAL 40.
- CONSTRUCTION JOINTS: PLANTING TO MAXIMUM DISTANCE BETWEEN EXPANSION JOINTS 100 FEET UNLESS OTHERWISE NOTED. SCOUR CONTROL JOINTS DOWN TO THE AREA OF THE WALL, OR DRIVE BUT NOT TO EXCEED THE LENGTH OF 12 FEET OR 24 FEET THE QUANTITY. 2) INSTALL EXPANSION JOINTS MATERIAL AT ADJUNCT TO CURBS AND ADJUNCT STRUCTURES, UNLESS OTHERWISE NOTED.
- CONSTRUCTION JOINTS: CURBS AND OUTLETS 1) MAXIMUM CONSTRUCTION BETWEEN EXPANSION JOINTS 30 FEET, STRAIGHT CURB 15 FEET.
- PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH DETAIL SHOWN ON THESE PLANS.
- PRIOR TO PLACEMENT OF GRAVEL, THE SAND SURFACE SHALL BE ROLLED TO OBTAIN A MAXIMUM OF 50% OF MAXIMUM WEIGHT PER THE MODIFIED PROCTOR TEST, ASTM-1557.
- PRIOR TO PLACEMENT OF ASPHALT, THE GRAVEL SHALL BE PROOF ROLLED AND COMPACTED TO 95% OF MAXIMUM UNIT WEIGHT PER THE MODIFIED PROCTOR TEST, ASTM-1557.
- STRIPING:
 - PAVING LOT STRIPING SHOULD FOLLOW THE BELOW COLOR SCHEDULE:
 - PAVING AND STRIPING LOT STRIPING SHOULD BE STRIPED IN YELLOW PAINT
 - PAVING-FREE STRIPES SHOULD BE STRIPED IN BLUE PAINT
 - FOR UNPAVED SURFACES USE WHITE/BLACK WATERBORNE TRAFFIC MARKING PAINT

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

14.0000

