



301 East Main Street
Lowell, Michigan 49331
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PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
AGENDA
FOR THE REGULAR MEETING OF
MONDAY, NOVEMBER 9, 2020 AT 7:00 P.M.
AT THE
LOWELL CITY HALL
CITY COUNCIL CHAMBERS
SECOND FLOOR
301 EAST MAIN STREET

1. CALL TO ORDER: PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS
 - a. October 12, 2020 – Regular Meeting
4. PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA
5. OLD BUSINESS
 - a. Grand Rapids Gravel - 2014 Bowes – Continued Review of Site Plan Review and Special Land Use
6. NEW BUSINESS
 - a. New Union Brewery Site Plan Amendment – 400 and 420 W. Main
 - b. King Milling Site Plan Amendment – 222 W. Main and 115 S. Broadway
 - c. Public Hearing – Premier Botanics Special Land Use – 1450 W. Main
 - d. Public Hearing – River City Cannabis – Special Land Use – 2163 W. Main
7. STAFF REPORT
8. COMMISSIONERS REMARKS
9. ADJOURNMENT

**OFFICIAL PROCEEDINGS
OF THE
PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE
CITY OF LOWELL, MICHIGAN
FOR THE REGULAR MEETING OF
MONDAY, OCTOBER 12, 2020 AT 7:00 P.M.**

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

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

Present: Commissioners Cadwallader, Marty Chambers, Michael Gadula, Tony Ellis, Amanda Schrauben and Chair Bruce Barker.

Absent: Commissioner Plank.

Also Present: City Manager Mike Burns, Mayor Mike DeVore, Andy Moore with William & Works and Lowell Deputy City Clerk Amy Brown.

2. EXCUSE OF ABSENCES.

IT WAS MOVED BY SCHRAUBEN and seconded by CHAMBERS to excuse the absence of Commissioner Plank.
YES: 6. NO: None. ABSENT: 1. MOTION CARRIED.

3. APPROVAL OF AGENDA.

IT WAS MOVED BY ELLIS and seconded by CHAMBERS to approve the agenda as written.
YES: 6. NO: None. ABSENT: 1. MOTION CARRIED.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING.

IT WAS MOVED BY GADULA and seconded by ELLIS to approve the minutes from the September 14 Regular Planning Commission meeting as written.
YES: 6. NO: None. ABSENT: 1. MOTION CARRIED.

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

There were no comments.

6. OLD BUSINESS.

a. Site Plan Review – 126 S. West Street – Tabled from last meeting.

Andy Moore with Williams and Works explained Klosner Properties LLC, represented by Ryan Klosner, has applied for site plan approval to construct a building at 126 S. West Avenue and ultimately used for a recreational marijuana microbusiness. The applicant's intent is to construct the building and then come back at another time to seek the special land use at a later time.

At the last meeting the Planning Commission felt there were some missing items specifically utilities, landscaping and storm water. They have indicated there is water and sewer at the site, six box elders, which will be placed along West Street near the property line. Also, an engineer has stamped the plans. Also storm water will be handled on the site.

The Commission reviewed the Site Plan Standards had been met with specific conditions noted below.

1. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.

2. The applicant shall comply with any requirements from the City's Department of Public Works, City Engineer, Light and Power, or other City officials.
3. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.
4. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
5. The applicant shall submit an updated site plan containing all site plan items required in Section 18.04 B and identified as missing above unless specifically waived by the zoning enforcement officer.
6. Site landscaping shall comply with the applicable standards of Section 4.26 of the Zoning Ordinance unless specifically modified by the Planning Commission including 6 box elders as well as a fence.
7. Any exterior lighting shall comply with the lighting standards of Section 4.24 and 19.03 C of the Zoning Ordinance.
8. The proposed building shall not be occupied by an use except for those permitted by right in the C-3 General Business district unless special land use approval is received at a future date. A certificate of occupancy for the building shall not be granted until a zoning compliance of special use permit is obtained from the city.
9. The applicant will have to design storm water management facilities and have approval by the City.

IT WAS MOVED BY BARKER and seconded by CHAMBERS to approve the site plan as presented with the nine conditions as listed above.

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

7. **NEW BUSINESS.**

a. **Site Plan Review – Special Land Use – Grand Rapids Gravel – Public Hearing.**

James Dykema of Grand Rapids Gravel, 2700 28th Street explained they have a piece of property off of Bowes Road. They are looking at having a gravel mining operation there for approximately 10 years with an end result of creating a 22 to 24 acre lake that will be surrounded by condos or single family homes.

Chair Barker explained because of the size of review, the Commission may need to table the issue for review again at the next meeting.

Williams and Works Planner Andy Moore explained the subject property is comprised of four parcels, totaling approximately 63.7 acres in the Industrial and the River's Edge districts. A portion of the property is also within the Floodplain Overlay district. The site is primarily open space; however, two houses and accessory structures are present on the smaller parcels.

Moore reviewed the completeness of the site plan noting the setbacks along with a few other small items. It may be helpful to have a map showing the vegetation of the site as well.

Moore noted if the plan is approved for mining it does not automatically approve the housing development. Near the end of the mining operation, they will need to come back to the Commission for rezoning and approval of the residential development.

The Commission reviewed the Site Development Requirements at length and discussed various ideas.

Moore stated the applicant should provide another site plan at a later meeting showing points mentioned tonight.

The Commission went on to review the Site Plan Review Standard and Special Land Use Review Standards.

At this point the Commission agreed to review the remainder at the next meeting.

A special note was made that the Public Hearing was opened and closed as required.

8. **STAFF REPORT.**

No reports at this time.

9. **COMMISSIONERS REMARKS.**

No comments were received.

10. **ADJOURNMENT.**

IT WAS MOVED BY CHAMBERS and seconded by CHAMBERS to adjourn at 8:46 p.m.

DATE:

APPROVED:

Bruce Barker, Chair

Susan Ullery, Lowell City Clerk

Request Number: _____

Filing Fee: _____



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

APPLICATION FOR SITE PLAN REVIEW / SPECIAL LAND USE

- All drawings must be sealed by an architect, engineer or surveyor unless waived by the Zoning Administrator.
- 15 copies of the site plan must be submitted to the City Manager's office no later than four weeks before the Planning Commission meeting to allow adequate staff review.
- The Planning Commission meets the fourth 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: 2014 Bowes St SE
2. Parcel Identification Number (Tax I.D. No.): #41-20-10-100-'004', '005', '014', '015'
3. Applicant's Name: Grand Rapids Gravel Phone Number (616) 538-000 Ext. 114
Address: 2700 28th St SW Wyoming MI 49519
Street City State Zip
Fax Number _____ Email Address JDykema@Grgravel.com
4. Are You: ☒ Property Owner ☐ Owner's Agent ☐ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: James Dykema/Mike Berg Phone Number (616) 363-6895 Ext. 331
Address: _____
6. Present Zoning of Parcel Industrial Present Use of Parcel Nothing / Residential housing
7. Description of proposed development (attach additional materials if needed):
A Narrative is attached with description of proposed activity.

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

Signature: James Dykema Date: 7-04-2020

Type or Print Your Name Here: JAMES DYKEMA

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

Owner _____

Date _____

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

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

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

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

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed;
We will have a berm for dust / noise control and to block view of public. Future land use will be a wonderful development with a lake and residential for the area.

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;
We will work with all necessary public facilities to have access to the site.

3. Not create excessive additional requirements at public cost for public facilities and services; and
There is no extra cost for the public for this project.

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.
We have completed many different mining operations and have turned them into wonderful developments.
We abide by the EGLE standards for noise / dust / etc. and have had no issues.

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:

Please see attached document.

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: October 9, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: **Grand Rapids Gravel – Special Land Use Application**

Grand Rapids Gravel, represented by James Dykema and Mike Berg, has submitted an application for site plan review and special land use approval to operate a gravel mine at 2014 Bowes Road SE (PPNs 41-20-10-100-004, 41-20-10-100-005, 41-20-10-100-014, and 41-20-10-100-015). The purpose of this memorandum is to review the request pursuant to Chapter 17 of the City of Lowell Zoning Ordinance.

Background

The subject property is comprised of four parcels, totaling approximately 63.7 acres in the Industrial and the River's Edge districts. A portion of the property is also within the Floodplain Overlay district. The site is primarily open space; however, two houses and accessory structures are present on the smaller parcels. The applicant intends to abandon these houses, although a few structures may remain to function as an office/garage for the mining operation. The applicant expects that the mining operation will occur for 10 years, resulting in a 22.5-acre lake around which the applicant desires to create a residential development. A volume of 322,000 cubic yards is expected to be removed from the site.

The Industrial district is also located to the north across Bowes Road and the PF Public Facilities district is adjacent to the east. The western property boundary is adjacent to the AG-2 Rural Agricultural district in Lowell Township, which contains a Township park. The southern property boundary is adjacent to the Grand River and the Grand River Riverfront Park is also located across the river in Lowell Township.

The "removal and processing of topsoil, stone, rock, sand, gravel, lime, or other soil or mineral resources" is only permitted by special land use in the Industrial and River's Edge districts.



Completeness of Submission

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

- Required setbacks shown and dimensioned, B(g).
- Dimensions and radii of proposed drives, signs, lighting, parking areas, and unloading areas, as applicable, B(j).
- Pavement width and right-of-way width of all streets and access easements within 100 feet of the subject property, B(k).
- Location of all existing vegetation on the site, B(m)
- Size and location of existing and proposed utilities, B(n)
- Cost estimates for all public improvements included as part of any performance guarantee, if applicable, B(r).

In our opinion, most above items are either not relevant or easily discoverable, so we consider the site plan to be sufficiently complete for review.

Section 17.04 C of the Zoning Ordinance includes additional application materials required for all mining operations. Many of the required items were received; however, the following items were not included:

- Setback lines as required by this section, C(2)(e).
- A written plan containing the methods of mining, moving, storing, processing, loading, and transporting of the natural resources on and from the site, C(2)(g). (although some of this is indicated on the site plan itself)
- Copies of any permits or applications for permits issued by or filed with the Michigan Department of Environment, Great Lakes & Energy (EGLE), C(2)(m).
- Copies of all other federal, state or County, permits or approvals that relate to and are required for the proposed Earth Change, C(2)(n)

The end use plan is required to contain all information required for a sketch plan in Section 18.04(A)(2) of the Ordinance. The applicant has submitted a sketch plan detailing the proposed end use; however, the following items were not included in the end use plan:

- All lot lines with dimensions;
- Significant natural features, including stands of trees and floodplains.
- Number of acres allocated to each proposed use and gross area in buildings, structures, parking, public and/or private streets and drives, and open space.
- Proposed method of providing sewer and water service, as well as other public and private utilities.
- Proposed method of providing storm drainage.

- Written description of the computation for required parking.
- Exterior lighting.

The proposed end use plan does, however, contain a reasonably detailed plan for the property after the mining activities are completed. It is also important to note that while the end use plan is intended to give the City an idea for how the site will be restored, the applicant will still need to apply for all necessary zoning permits. In this case, the property should be rezoned at the end of the mining process before proceeding with any residential development on the property.

SITE PLAN REVIEW

Setbacks and Dimensional Requirements. Setbacks and dimensional requirements are not indicated on the site plan. The mining operation is proposed primarily in the Industrial district, with a portion also in the River's Edge district. Existing residential buildings are proposed to be abandoned, while a few existing structures may remain. The only new building proposed is an office trailer adjacent to the access drive in the Industrial district. This appears to be outside the required setbacks, but compliance with setbacks may be included as a condition of approval. Other dimensional requirements are met for the Industrial and River's Edge districts.

Additional setbacks are required for machinery as part of a mining operation; this is addressed under specific special land use standards below.

Site Development Requirements. Section 13.04 provides site development requirements for the Industrial district. No building or structure, nor its enlargement, can be erected unless these requirements are met and maintained. Each subsection is listed below, along with our remarks on each:

- A. Permitted and special land uses in this chapter shall be conducted within a completely enclosed building or within an area enclosed on all sides by a solid non-combustible fence or wall at least six (6) feet in height; provided further that no goods, materials, or objects shall be stacked higher than the fence or wall.

Remarks: This standard is not applicable as no buildings or structures are proposed other than the office trailer. The Planning Commission should discuss acceptable heights for berms and stockpiles, and landscaping that may be needed to effectively screen the operation from adjacent properties. This is discussed in greater detail below.

- B. The outdoor storage of goods or materials shall be prohibited in the required front yard or within any yard abutting a residential district or use.

Remarks: There are a few residential uses nearby, separated by the Bowes Road right-of-way. However, since these do not directly abut the subject property, this standard is not applicable.

- C. Landscaping shall be provided as required in Section 4.26.

Remarks: A 4 to 6-foot berm is proposed along the entire property frontage. Although the industrial district is located across , there are a few residential uses still present.

Section 4.26 E(1) requires that a about wall or wooden privacy fence 6-8 feet in the Industrial district, or landscaped buffer or berm, be located along boundaries adjacent to a residential use. The buffer or berm is required to be at least partially comprised of evergreen trees. Although the applicant has proposed a berm along the property frontage for screening purposes, the site plan does not indicate any trees on the berm.

Section 4.26 E(1) does not include a height requirement for a berm. However, given that the wall or fence must be 6-8 feet tall in the Industrial district, it is expected that the berm should provide somewhat of an equivalent measure of screening. The current proposal indicates a shorter berm (4-6 feet) height and no trees. We question the effectiveness of a 4-6 foot berm, and a taller one (8-10 feet) should be considered. The Planning Commission may discuss an appropriate berm height and the requirement of evergreen trees to accomplish screening purposes.

Section 4.26 E(2) requires additional front yard landscaping in all industrial districts, with a minimum of one canopy tree and three deciduous shrubs for each 30 feet of lot width. The lot width is not indicated on the site plan; however, a cursory review of the parcel length indicates it is approximately 2,000 feet. This equates to 66 canopy trees and 200 deciduous shrubs. A review of aerial imagery indicates there are many trees present along the roadway, which may satisfy this requirement if retained. Because trees are not indicated on the site plan, it is uncertain how many of these trees (if any) will be preserved. The Planning Commission may discuss the landscaping along with the applicant.

In accordance with Section 4.26 B, the City may modify landscape requirements when it finds circumstances that warrant a change in the requirements of Section 4.26, or in finding that existing landscaping or screening, or existing conditions on the site, will be preserved and would meet the intent of Section 4.26. The site contains some vegetation along Bowes Road that will aid in visual screening, particularly during the summer months, but the Planning Commission should discuss additional measures if desired.

- D. No parking area shall be located nearer than twenty-five (25) feet to any rear lot line.

Remarks: No parking areas are proposed and wetlands are located along the rear lot line. The Planning Commission may find this standard met.

- E. No use permitted in this chapter shall create or cause to be created fire and explosion hazards, smoke, fumes, odors, gases, dust, fumes, liquid or solid waste, vibration, noise, or glare shall exist to affect adjoining residential properties adversely.

Remarks: Due to the activities naturally inherent as part of a mining operation, there is potential for dust, vibration, and noise. Mitigation of these impacts will be addressed later in this memo.

The subject property is also in the River's Edge district, which includes additional standards for development in Section 14A.05. Below are these standards, followed by our remarks on each:

- A. All necessary development permits shall have been issued by appropriate local, state, and federal authorities, including a floodplain permit, approval, or letter of no authority

from the Michigan Department of Natural Resources under the authority of Act 451, of the Public Acts of 1994, as amended. Where a development permit cannot be issued prior to the issuance of zoning compliance permit, a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance may be acceptable.

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

- B. Utilities, streets, off-street parking, structures, and buildings for public or recreational uses and any other proposed uses and/or structure(s) shall be designed as not to reduce the water impoundment capacity of the floodplain, significantly change the volume or speed of the flow of water or be otherwise detrimental to the public health, safety, and welfare.

Remarks: The proposed mining operation would occur almost entirely in the Industrial district. Land in the River's Edge district generally coincides with the floodway as determined by FEMA and contains regulated wetlands. These areas would remain largely undisturbed. The applicant has submitted a hydrogeological report detailing the expected impacts to the groundwater flow of the entire site, which concludes that any short- or long-term reduction of groundwater elevation due to the lake's construction is considered insignificant based on conservative modeling.

Lastly, the subject property is also within the F-1 Floodplain Overlay District. This overlay district coincides with the boundaries of the 100-year flood (Section 14.02 A). Section 14.03 provides additional standards for development in this overlay district. Most of these standards are related to the construction of buildings or structures in the floodplain overlay district. Because the applicant has not proposed buildings or structures in this overlay district, most of these standards are not applicable. Compliance with applicable permits was addressed above related to the River's Edge district.

Section 14.03 A(4) states "The proposed use and/or structure(s) shall be so designed as not to reduce the water impoundment capacity of the floodplain or significantly change the volume or speed of the flow of water." Our comments related to this standard remain similar to those for subsection B above for the River's Edge district. The proposed operation would result in a lake with the capacity to hold water in the floodplain and regulated wetlands would be preserved. The mining actions are not expected to reduce the water impoundment capacity of the floodplain or significantly alter the volume or speed of water flow.

Site Plan Review Standards. In order to approve a special land use, the Planning Commission must find that each of the standards listed in Section 18.06 would be met. Following are 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 has proposed a mining operation that will result in an approximate 22.5-acre lake in a single phase. The application narrative indicates that this is expected to take approximately 10 years. The site is relatively flat overall, with more topographic variation towards the Grand River and wetlands area. Neighboring uses are primarily public, commercial, and industrial, with a few residential uses remaining in the Industrial district. In order to protect surrounding properties, the Planning Commission may evaluate the proposed preventative measures to protect surrounding areas from impacts such as noise, dust, and vibrations.

The applicant has proposed a 4 to 6-foot berm along the property frontage. Although the berm location appears appropriate to screen the proposed use we question whether 4-6 feet would adequately screen the mining operation. The Planning Commission may discuss the height and slope of this berm for its ability to provide a visual screen, reduce dust, mitigate noise, and ensure the developability of neighboring properties. Public input may also be considered in this regard.

Further, the Planning Commission may also discuss the height of stockpiles with the applicant to better understand potential impacts on surrounding properties. The anticipated height of mined materials is not included in the site plan and may determine the extent to which neighboring properties are impacted. This should be addressed.

Proposed equipment includes front-end loaders, a drag line crane, conveyors, a crushing plant, and dozers. A field conveyor, dewatering screw, and log washers are also identified on the site plan. While the applicant has proposed a single phase, a general idea of how the operation will proceed over the duration of the operation should be provided.

- 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 and egress to the site from Bowes Road. The access point includes a 300-foot paved drive to a location near the stockpiles. Other circulation routes are not identified throughout the site, so it appears there is not a designated driveway beyond this point.

Pedestrian circulation is not provided within the site. Due to the nature of the operation and lack of pedestrian connections along Bowes Road, specific pedestrian routes such as sidewalks are not necessary.

- 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 driveway access point is not expected to create any conflict with the existing roadway; however, the City DPW will need to approve the location of the driveway. The applicant has proposed a haul route west on Bowes Road to Main Street. This is an appropriate haul route and must be strictly enforced to ensure that trucks do not drive east on Bowes Road through residential neighborhoods.

- 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 subject property involves four parcels, which together are mostly open space. Regulated wetlands are located in the southern portion of the property along the Grand River; the applicant has proposed to preserve all regulated wetlands. Other open space areas contain sporadic trees, shrubs, and grass. Trees are not shown on the site plan. A review of aerial imagery indicates these are located throughout the site and also present in areas along Bowes Road. These may enhance screening of the site if retained; however, the extent to which vegetation will be retained is unknown.

The applicant has stated in a narrative that "vegetation and topsoil within our mining area will not be moved or ran over in order to not disturb." This statement likely refers to vegetation in mining areas that are either not excavated or are located outside of the lake area. The Planning Commission may request that this be clarified and the applicant clearly show the areas that will remain completely undisturbed for the duration of the mining activities. If determined necessary for screening, the Planning Commission may require that trees along Bowes Road or along property boundaries be preserved as a condition of approval.

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

Remarks: The site plan states that a soil removal permit will be in effect prior to and during any soil removal operations. It also states the applicant will obtain all applicable permits from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for lake excavation and work in the floodplain and wetlands and that the applicant will maintain compliance with PA 451, all provisions of Section 17.04(c) of the City of Lowell Zoning Ordinance, and all other applicable State and federal statutes. 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: The purpose of the Ordinance includes the provision of land uses that are situated in appropriate locations; limitation of congestion of population and transportation systems and other public facilities; to provide adequate and efficient transportation systems and other public services and facilities; and to promote the public health, safety,

and welfare. The proposed operation is permitted as a special land use in the Industrial and River's Edge districts. Provided the applicant complies with applicable provisions of the Zoning Ordinance, recommended conditions for approval as outlined in this memo, and other permits and approvals are obtained and maintained from other applicable ordinances, codes, and requirements, the Planning Commission may find that the general purposes and spirit of this Ordinance would be maintained.

The City of Lowell's Master Plan was adopted in 2007 and outlines a desired vision for land uses in the City. The subject property is located in the Industrial and Flood Plain future land use categories. Land in the Industrial category corresponds to parcels zoned Industrial on the zoning map. Since the proposed use is allowed as a special land use in the Industrial district, it appears to align with the Master Plan's vision for future land uses in this area. With regard to the end use plan, the City should consider amending the future land use map in the next ten years so the Master Plan remains compatible with uses on the site. The Planning Commission may find that this standard is met.

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

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

Remarks: The mining operation is proposed on a large parcel that is primarily open space and wetlands and within the Industrial and River's Edge districts. Surrounding properties are in the Industrial and Public Facilities districts in the City of Lowell and the Rural Agricultural district in Lowell Township. Adjacent land uses include the Grand River Riverfront Park, the City of Lowell water treatment plant, other industrial and commercial uses, and a few residential uses. Therefore, the land use pattern in this area is generally public, industrial, and commercial. Due to the presence of a few houses, consideration should be given to screening, dust, and noise mitigation in relation to residential uses. However, due to the adjacent zoning districts and the character of this area, it is not expected that the mining operation would change the essential character of the area. The Planning Commission should also take into account comments from neighboring property owners and residents in this regard.

Specific impacts of the operation and their mitigation, such as noise, dust, traffic, and hours of operation, will influence the proposed operation's impact on the character of the area. Mining operations are inherently different than most other uses, presenting many factors that must be considered for compatibility with the surrounding lands. The impact of the proposed operation on neighboring properties will likely be influenced by the degree of screening proposed which may mitigate visual impacts, noise, and dust throughout the anticipated 10-year duration of the operation. These are considered in more detail in the standards below.

- 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 plan does not indicate any public facilities and services on the site. An office trailer is proposed near the access road, which does not indicate a connection to any public facilities or services; however, this should be clarified by the applicant. Other structures that may be used in the operation are existing on the property and would not require additional utilities.

No dewatering is proposed. Wet ore is proposed to be placed adjacent to the lake to allow the water to drain back into the lake. The hydrogeological report states that all stormwater at the site will be contained within the site. Log washers are proposed for gravel, which will use water to clean the gravel. The source of this water is unknown and the amount of water required to wash the gravel is also unknown. The Planning Commission may discuss the amount of water expected for washing and cleaning the gravel with the applicant.

The applicant has proposed a haul route west on Bowes Road to Main Street and anticipates 50-125 trucks leaving the site per day, based on the season. It is expected that streets in this route would adequately serve the gravel haulers; however, this will require review and approval by the City DPW. Further, emergency vehicle access to the site should involve review and approval by the Lowell Area Fire Department.

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

Remarks: The applicant has indicated the intent to comply with all applicable local, state, and federal regulations. Ongoing compliance with public health, safety, welfare, and environmental regulations would be addressed as a condition of approval if approved.

The applicant submitted a hydrogeological report, detailing potential impacts on neighboring wells. 14 water wells were identified within a quarter-mile of the site, 9 of which were shallow water wells in the same water-bearing formation as the lake. Construction of the lake would involve excavation below the water table using a dragline. The report states that although no groundwater would be lost (except for an insignificant amount of evaporation from stockpiles), the removal would result in a short-term lowering of the water table as the water travels back into the lake. Based on the installation of observation wells and predictions from standard hydrogeological calculations and models, the maximum drawdown at the nearest residence was predicted to be 0.31 feet and 0.13 feet at the nearest Type 1 supply well, using a conservative prediction. These are less than the seasonal fluctuations in the water

table, so the report concludes that any drawdown resulting from the operation would not result in a significant decrease in the availability of groundwater. Therefore, impacts on other wells are expected to be minimal and not result in additional requirements for those owning wells in nearby areas.

It is worth noting that hydrogeological predictions assumed that the lake construction would take approximately 5 years, rather than 10 years as stated in the applicant's narrative. Additionally, the groundwater inflow rate was based on an annual mining schedule of 240 days, roughly from March 15th to November 15th. This seasonal operation allows groundwater to normalize during the winter. It is unknown how a longer duration of the operation would impact these predictions, if at all. It is also unknown if this is the applicant's intended operational time, as an operating year is not defined elsewhere in the application. The Planning Commission may discuss this with the applicant.

- 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: A variety of potential nuisances can result from a mining operation, so it is important to consider mitigation of these nuisances to ensure the operation will not be detrimental to any existing or permitted uses in the area. Ongoing compliance with applicable standards of the Ordinance and conditions, if approved, would be important in mitigating many of these impacts. The hydrogeologic plan states that ore will be placed adjacent to the lake so that water can drain back into the lake.

No chemicals are proposed on the site and the hydrogeological report states that daily inspections will be conducted to prevent fuels and lubricants from contaminating the lake. The storage of fuel and lubricants was not indicated in the submitted materials or on the site plan. The Planning Commission may address fuel storage with the applicant to ensure the protection of property in the event of a spill.

Other measures to mitigate potential impacts are addressed in specific special land use standards for mining operations, located below. A discussion of very serious consequences is also outlined at the end of this memo.

- 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: If approved, the Planning Commission may include this standard as a condition of approval.

Removal and Processing of Gravel Operational Standards. In addition to the general standards for special land uses in Section 17.03, the Planning Commission must also find that the proposed special land use would comply with specific operational standards established for the removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral

resources as listed in Section 17.04 C(4). Following are those standards, along with our remarks on each:

- A. All uses shall be established and maintained in accordance with all applicable State of Michigan, County, or City statutes, ordinances, and regulations. In cases where there is a conflict between state and local statutes, the more restrictive regulations shall control.

Remarks: If approved, the Planning Commission may include this standard as a condition of approval.

- B. All earth removal operations shall be conducted in a manner such that the earth removal will not alter predominate drainage patterns or cause drainage impacts to adjoining properties.

Remarks: The applicant has submitted a hydrogeological report, which describes the operation's expected impact on groundwater flow and drainage. This report states that no flooding or dewatering concerns are predicted resulting from the operation, since the lake would not be created by dewatering, the mined ore would be placed adjacent to the lake in order to allow water to flow back into the lake, the mining would not occur throughout a confining layer or unusual stratigraphy, and the lake would be a "water table" lake. The report notes that several similar lakes have been created locally, which have not resulted in flooding or significant groundwater lowering. Further, the presence of the lake is also expected to function for stormwater management on the site.

An impact on neighboring water wells was described in Special Land Use Review Standard D, above. The report concluded that drawdown of wells during the operation would not result in a significant lowering of the water table that would impact nearby wells, as it is predicted to be less than the seasonal variation of the water table. After the lake is completed, the groundwater elevation is predicted to be lowered by a maximum of two feet at the north property line and return to natural levels within a short distance from the lake. The report does not anticipate this reduction to impact local wells.

Lastly, drainage is considered for regulated wetlands on the property. The hydrogeological report states that since the lake has no outlet and would not be dewatered during construction, a significant lowering of groundwater elevation is not expected that could drain the wetlands.

- C. No machinery shall be erected or maintained within fifty (50) feet of any property or street right-of-way. Further, no cut or excavation shall be made closer than fifty (50) feet to any street right-of-way line or property line in order to ensure sublater support to surrounding property. The planning commission may require greater distances for the location of machinery, storage or parking of equipment, or limits of excavation where the site is located within two hundred (200) feet of any residential district or use.

Remarks: Setbacks are not indicated on the site plan, nor are parking areas designated for equipment. This standard appears to be met along Bowes Road (with the exception of the berm) and along the western boundary, but it appears that some cuts along the eastern boundary are within fifty feet of the property line. It appears that all machinery

structures on the property and stockpiles are proposed outside the 50-foot setback. If approved, the Planning Commission should require 50-foot (or greater) setbacks for all machinery, including mining structures and vehicle parking, and all cuts and excavation. The site plan should be updated to show compliance with this standard along the eastern property line.

- D. Where it is determined by the planning commission to be a public hazard, all uses shall be enclosed by a fence, berm, or other acceptable screening at least six (6) feet or more in height for the entire periphery of the property or portion thereof. Fences shall be adequate to prevent trespassing and shall be placed no closer than fifty (50) feet to the top or bottom of any slope.

Remarks: Fencing is not indicated on the site plan; however, the applicant's narrative states that fences and a locked gate entrance/exit would be present to prevent trespass on the site. These should be added to the site plan and the Planning Commission may discuss their locations with the applicant. Due to the presence of public parcels adjacent to the east and west, one of which is a public park, fencing may be needed adjacent to public property to deter accidental trespassing on the site. The Planning Commission may discuss height, type, and location of fencing with the applicant to prevent trespassing. If approved, fencing may be included as a condition of approval.

- E. No building shall be erected on the premises except as may otherwise be permitted in this ordinance or except as temporary shelter for machinery or for a field office, subject to approval by the planning commission.

Remarks: The applicant is proposing to have one office trailer on the site. Two residential buildings are already present and are proposed to be abandoned. The applicant has indicated a few existing structures may remain to use for an office/garage. The Planning Commission may inquire whether any machinery will be stored in these existing structures, and if so, how they will be accessed.

- F. The planning commission shall establish routes for truck movement to and from the site in order to minimize the wear on public streets and to prevent hazards and damage to properties in the community. Access roads within the area of operation shall be provided with a dustless surface and the entry road within the site shall be hard-surfaced for a distance established by the planning commission to minimize dust, mud, and debris being carried onto the public street.

Remarks: The applicant has proposed a truck route west on Bowes Road to Main Street. This appears to be the most efficient route leading to a state highway. Once Main Street is reached, the route is not defined.

The applicant has proposed a 300-foot paved driveway off Bowes Road and indicated on the site plan that any soil spillage on the public right-of-way would be removed daily. In our experience, a 300-foot paved entrance is adequate.

The site plan does not indicate any internal service roads by which equipment will access the mining site and equipment. The Planning Commission may discuss internal

circulation with the applicant to ensure internal access roads prevent hazards to neighboring properties to the greatest extent feasible.

- G. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to property, individuals, or to the community in general.

Remarks: Proposed equipment for processing the mined ore is located in relative proximity to the driveway entrance/exit. The site plan appears to present an organized layout of mining equipment. The hydrogeological report indicates that mining would begin from the existing pond on the west side of the property. The locations of all installations appear logical based on this starting location. However, as mining progresses, it appears unlikely that this equipment could remain in its currently-proposed locations, as stockpiles and equipment would eventually end up in the lake. The Planning Commission may discuss the movement of installations and equipment to ensure the protection of surrounding properties.

Further, the site plan lists a crushing plant in the equipment list. This is not shown on the site plan. This may generate noise resulting from the crushing activity. Water is also commonly used in crushing plants to help minimize dust. The Planning Commission may discuss the crushing plant location and its associated impacts with the applicant.

- H. The conduct and operations of the mining shall not result in:

- 1) wind-blown sand, dust, or soil that would migrate off-site;
- 2) the collection of surface water or the run-off of water onto adjoining lands contrary to normal and natural drainage patterns;
- 3) the removal or disturbance of existing trees and vegetation on the site in areas on which the Natural Resource Extraction for a specific phase or cell is not commenced or continuing or that is not used for drives or Ancillary Activities;
- 4) the failure to promptly reclaim any area of a phase or cell when the mining for that phase or cell is completed.

Remarks: The applicant has proposed a 300-foot paved access drive to reduce dust and soil from migrating off-site. The narrative states that dust control will be regulated through EGLE. The Planning Commission may request a copy of this permit for the City's file. Additionally, the Planning Commission may consider the proposed berm height and stockpile height while evaluating dust control. Berms are currently proposed 4 to 6 feet in height and stockpile heights were not defined. The Planning Commission may consider berm and stockpile heights for potential dust mitigation and may define heights for these features if determined necessary to minimize impacts on adjacent properties. If approved, ongoing dust prevention and mitigation should be included as a condition of approval.

The hydrogeological report states that no flooding or dewatering concerns are predicted, as described in Special Land Use Standard D and Specific Special Land Use Standard

B. Therefore, the collection of surface water and run-off onto adjoining lands is not expected to result from the operation.

Because the operation would result in a lake, the disturbance of trees and vegetation is expected to occur in accordance with the progression of mining activities. The mined areas would become a lake and therefore not require trees and vegetation to be planted in the mining area once finished. However, the Planning Commission may request additional information regarding the protection of wetlands during the mining operation, since the lake's boundary would be almost adjacent to the wetlands.

The property is proposed for mining as one continuous phase and would not involve remediation after different cells or phases are completed. Areas outside of the lake should be restored with topsoil and seeded when mining activities are complete.

- I. When excavation and removal operations or either of them are completed, the excavated area shall be graded so that no gradients are disturbed earth shall be steeper than a slope of 3:1 (horizontal-vertical). A layer of arable topsoil, of a quality approved by the zoning enforcement officer, shall be spread over the excavated area, except exposed rock surfaces or areas lying below natural water level, to a minimum depth of four (4) inches in accordance with the approved contour plan. The area shall be seeded with a perennial rye grass and maintained until the area is stabilized and approved by the planning commission.

Remarks: The site plan provides a cross-section of the lake and includes a slope of 3:1. Since the excavation would result in a water table lake, topsoil will not be necessary over most of the excavated area. The Planning Commission may find this standard met.

- J. Where excavation operation results in a body of water five (5) feet deep or greater, the owner or operator shall place appropriate "Keep Out Danger" signs around said premises, not more than one hundred fifty (150) feet apart.

Remarks: The excavation would result in a lake 12 feet deep, so these signs will be necessary. These are not indicated on the site plan. If approved, the Planning Commission may include this standard as a condition of approval.

- K. The planning commission may require, as a condition of approval, the annual review of a mining project and/or an annual report to be presented to the planning commission by the applicant. Such a report would summarize progress on the site, the amount of material removed, any complaints received and their resolution and other items deemed necessary by the planning commission.

Remarks: The Planning Commission may require this standard as a condition of approval, if desired.

Consideration of Very Serious Consequences. The Michigan Zoning Enabling Act outlines requirements for local governments regarding mining operations. The Act states "An ordinance shall not prevent the extraction, by mining, of valuable natural resources from any property

unless very serious consequences would result from the extraction of those natural resources. Natural resources shall be considered valuable for the purposes of this section if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.”

In reviewing an application for mining, the Planning Commission shall also determine whether or not the applicant has satisfied its burden in demonstrating that no very serious consequences would result from the extraction. In making this determination, the Planning Commission may consider several factors in accordance with MCL 125.3205. These are listed below, followed by our remarks on each:

- a. The relationship of extraction and associated activities with existing land uses.

Remarks: The applicant has proposed hours of operation Monday through Friday 7:00am – 5:00pm, Saturdays 7:00am – 2:00pm, and no holidays. These hours of operation generally align with typical business hours and appear reasonable given the location and zoning district of the subject property. The Planning Commission may discuss hours of operation with the applicant and may include it as a condition of approval. The Planning Commission may also discuss the duration of the operation throughout the year. While the hydrogeological study was based on a 240-day operating year, this was not stated in the applicant’s narrative.

The surrounding land uses are generally public and commercial. Some industrial and residential uses are also present. Residential properties are legally nonconforming in the industrial district. However, their presence should still be considered in relation to the proposed mining activities. The Planning Commission may consider comments from neighboring property owners regarding this standard.

- b. The impact on existing land uses in the vicinity of the property.

Remarks: Due to the nature and duration of the proposed mining activity, there is potential to impact neighboring properties in the general vicinity. However, considering that the surrounding districts are primarily Public Facilities and Industrial, this location would be distanced from residential neighborhoods and other areas where there is a higher concentration of pedestrians.

Further, the hydrogeological report evaluated water quality resulting from the lake, concluding that water quality would likely be improved from the lake’s construction. This is related to softening the water through exposure to the atmosphere and the prohibition of chemicals on the site. Additionally, groundwater elevation was determined to not have a significant impact on nearby wells during or after the creation of the lake.

Noise may also be considered for its ability to impact surrounding properties. The movement of equipment as mining progresses, the extent to which vegetation is preserved on the site, and the height of berms will all impact noise transmission from the site. The applicant has stated that noise control and vibration will meet EGLE standards. The Planning Commission may request a copy of this permit for the

Township's file. Additionally, the Planning Commission may consider comments from neighboring property owners regarding this standard.

- c. The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.

Remarks: The applicant has not provided any studies related to the proposed operation's impact on property values in the general vicinity and along the proposed hauling route. However, the proposed haul route (west on Bowes Road to Main Street) seems appropriate. The Planning Commission may request additional information from the applicant if it is deemed necessary.

- d. The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.

Remarks: The applicant has not provided any traffic or pedestrian impact studies. There is little pedestrian activity in this area.

- e. The impact on other identifiable health, safety, and welfare interests in the local unit of government.

Remarks: To understand water table impacts, six observation wells were installed on the subject property and observed in 2020. The applicant's hydrogeological study indicates that water quality and the water table elevation levels are not expected to be negatively impacted. This report states that "the storage, recharge, and quality of the aquifer is likely to be improved with the construction of the lake." The applicant has also indicated that they will obtain and comply with all requirements of PA 451. Further detail regarding health, safety, and welfare interests may be requested by the Planning Commission if determined necessary.

- f. The overall public interest in the extraction of the specific natural resource on the property.

Remarks: The applicant has not addressed this standard specifically. While demand for sand and gravel likely exists, the Planning Commission may also request additional information from the applicant if determined necessary.

In deciding whether or not the proposed mining activity should be approved, the Planning Commission should consider whether or not the applicant has adequately demonstrated that the operation will not result in very serious consequences using the above criteria.

Summary of Information and Issues. The submittal is generally complete and Grand Rapids Gravel is a well-known and reputable organization in West Michigan. However, this is also a more complex application and the long-term nature of it warrants scrutiny by the Planning Commission. The following list provides an overview of considerations that may require further review and discussion by the Planning Commission. If further information is needed from the applicant, the commission should request it for its (and our) review and consideration.

- *Setbacks.* Setbacks are not included on the site plan. All machinery, cuts, and excavation must occur outside of the required 50-foot setback and in some cases, this setback may not be satisfied.
- *Screening.* Does the applicant intend to maintain existing vegetation along the property lines to help screen the property? How will landscaping standards be satisfied? Should the Planning Commission require a taller berm?
- *Berms.* Berms are proposed, but the heights may be less than the height requirement for fencing. Berms should be sufficient enough to contain noise and visual screening of the operation from neighboring property owners. Section 4.26 E requires evergreens to be planted on berms, which are not depicted on the site plan.
- *Operational Year.* The hydrogeological report was based on a 240-day mining operation, which does not operate in the winter. Is this the same time frame the applicant intends to operate? The report is also based on a 5-year construction of the lake, rather than 10 years as proposed by the applicant.
- *Protection from Fuel Spills.* Does the applicant have a plan in place for storing fuel on-site? If so, what approach to fuel spill containment is being proposed?
- *Crushing plant.* Where will the crushing plant be located on the site? Will the applicant use additional water as part of this process?
- *Hydrogeological Concerns.* Our engineering staff has performed a brief review of the Hydrogeological "certification" provided by Lakeshore Environmental and have the following comments:
 - How were the resultant groundwater contours derived in the "Predicted Groundwater Elevation" figure? These contours seem severe (steep) for a water table system in equilibrium.
 - Under the attachment that shows Theoretical Lake Excavation Drawdown Calculations; using a single well placed in the center of the proposed lake to simulate drawdowns at various distances from the lake is not a realistic model, particularly since drawdowns will begin at the edge of the lake and not at the center. The lake itself will become one large equivalent well. In addition, it may be more appropriate to perform this simulation using a lower storage coefficient and a lower hydraulic conductivity value which would test the sensitivity and show a range of possibilities. The value of $S=0.24$ is considered the upper range of storage values for an unconfined aquifer, and there is no evidence that this storage value is appropriate either at the site or laterally away from the excavation area, particularly in the vicinities of the private wells and the public water supply wells. There are more appropriate analytical models that simulate this behavior rather than the Theis equation to simulate a single pumping well.

- We are concerned with the proximity of this facility to the City water supply wells (roughly 700 feet). The protection of this public water supply and future increased development of this wellfield (as planned) needs to be carefully considered.
- *Any additional concerns by the Planning Commission.* The Planning Commission should consider this an active list and may add or subtract from it as desired.

Recommendation. At the October 12 public hearing, the Planning Commission should discuss the site plan, application, and carefully consider any comments from the public and the applicant. Subject to those comments, we recommend the Planning Commission table the application to resolve issues identified above and gain more information on the application.

If the Commission is inclined to make a decision, we recommend a *tentative* decision, and instruct staff to prepare an appropriate motion and findings for the commission's consideration.

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

c: Sue Ullery, City Clerk

ALDEN NASH AVE

FULTON (WEST MAIN) STREET (M-21)

BOWES STREET

PROPOSED 2nd UNIT (TYPICAL)

41-20-10-200-0
WATER PLANT
CITY OF LOWELL

EXISTING 4th UNIT
UNDER CONSTRUCTION

PROPOSED 3rd UNIT
UNDER CONSTRUCTION
BOWES STREET SIDE

41-20-10-100-006

41-20-10-100-010

GRAND RIVER

41-20-10-100-009

41-20-03-370-000

41-20-03-370-025

41-20-03-370-027

41-20-03-370-029

41-20-03-370-031

41-20-03-370-033

41-20-03-370-035

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41-20-03-370-413

41-20-03-370-415

41-20-03-370-417

41-20-03-370-419

41-20-03-370-421

41-20-03-370-423

41-20-03-370-425

41-20-03-370-427

41-20-03-370-429

41-20-03-370-431

41-20-03-370-433

41-20-03-370-435

41-20-03-370-437

41-20-03-370-439

41-20-03-370-441

41-20-03-370-443

41-20-03-370-445

41-20-03-370-447

41-20-03-370-449

41-20-03-370-451

41-20-03-370-453

41-20-03-370-455

41-20-03-370-457

41-20-03-370-459



5252 CLYDE PARK, S.W. • GRAND RAPIDS, MI. 49509
PHONE (616) 531-3660

061016E_P.dwg

P:\Projects\2006\061016\Drawings\DWG\061016E_P.dwg, DEQ4, 7/22/2020 12:06:35 PM, jroot

41-20-03
-371-002
CITY OF LOWELL
SUB-STATION

EXISTING
LIFT STATION

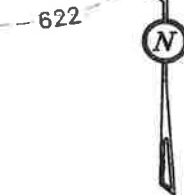
SCALE AND
OFFICE TRAILER

DO NOT DISTURB
EXISTING WETLANDS
WETLAND FILL AREA
(CROSS-HATCHED) (73,611 SQFT)

SEE SHEET 6 OF 6 FOR
CROSS SECTION E-E

EXISTING
POND

PROPOSED WETLAND
MITIGATION AREA
(110,500 SQ.FT. TOTAL
BOTH SHEETS)



SCALE: 1" = 100'

EX. REGULATED WETLANDS
AS DELINEATED BY
KING & MACGREGOR
AND FIELD LOCATED
BY EXXEL ENGINEERING
(MAY, 2019)

EXISTING
FLOODWAY

PROPOSED
EASEMENT FOR
BIKE PATH



MATCH LINE - SEE SHEET 3

SEE SHEET 6 OF 6
FOR CROSS
SECTION F-F

NON-REGULATED
WETLAND "C"
FILL AREA
(CROSS-HATCHED)
(17,400 SQFT)

E.G.L.E. PERMIT DRAWING - MINING OPERATION

For: Grand Rapids Gravel, Inc.

Attn: Mike Berg

2700 28th Street SW

Grand Rapids, Michigan 49509

Part of the SW 1/4 of Section 3 and

Part of the NW 1/4 OF Section 10, T6N, R9W,

City of Lowell, Kent County, Michigan

7/22/20 REVISED

1/23/20 REVISED

9/19/08 Added Parcels 100-004 + 100-005

12/7/07 Rev. per Owner

Drawn by: SDT/DGB

Approved by: DDG

File No: 061016E

Sheet 4 of 6

Date: 4/13/06

061016E_P.dwg

exxel engineering inc.

5252 CLYDE PARK, S.W. • GRAND RAPIDS, MI. 49509
PHONE (616) 531-3660

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: 400 W MAIN ST LOWELL
2. Parcel Identification Number (Tax I.D. No.): #41-20- 412002346002
3. Applicant's Name: TYLER VELTING Phone Number 616 485 9812
Address: 400 W MAIN ST LOWELL MI 49331
Street City State Zip
Fax Number _____ Email Address TYLER.VELTING@GMAIL.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 COMMERCIAL Present Use of Parcel BREWERY
7. Description of proposed development (attach additional materials if needed):
PROPOSED 36 x 40 CONCRETE PATIO WITH POST+BEAM
ROOF STRUCTURE FOR ADDITIONAL OUTDOOR SEATING
DUE TO LIMITED SEATING INDOORS AS A RESULT
OF COVID RESTRICTIONS. WE WILL BE REPLACING
OUR CURRENT OUT DOOR SEATING.

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

Signature: [Signature] Date: 10/15/20

Type or Print Your Name Here: TYLER VELTING

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

Owner _____

Date _____

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

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

Property Search

Parcel Summary

Property values will be updated annually at the conclusion of the annual assessment cycle in April. All values should be verified with the assessor in the local city or township. Property addresses may be preliminary or estimated. If the address is incorrect, please notify Equalization at: Jeff.Henrickson@kentcountymi.gov. Custom property tax mapping available, contact Property Description & Mapping at (616) 632-7520.

Parcel Identification

Parcel Number: 41-20-02-346-002

Government Unit: 72 - CITY OF LOWELL

Owner Name One: NEW UNION LAND DEVELOPMENT
LLC

Owner Name Two:

Property Address: 400 W MAIN ST SE

Property Classification: 201 - COMMERCIAL
IMPROVED 201

School District Number & Name: 41170 - LOWELL
AREA

Assessment

Year	State Equalized Value	Taxable Value
2020	121,300	121,300
2019	119,800	119,800
2018	129,500	125,498



Kent County Web Map

October 16, 2020



Kent County, MI makes no warranty, expressed or implied, regarding the accuracy, completeness or usefulness of information presented. Users of this information assume all liability for its fitness for a particular use.



williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: November 5, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: New Union Brewery Site Plan Amendment

Mr. Tyler Velting has submitted an application for a site plan amendment to the New Union Brewery at 400 and 420 West Main Street (PPN 41-20-02-346-002 and 41-20-02-346-001), at the southwest corner of Hudson and West Main. The purpose of this memorandum is to review the site plan amendment pursuant to applicable standards of the City of Lowell Zoning Ordinance.



Background. The original special land use approval only considered the use on the single parcel at 400 West Main Street. In order to allow for an expanded use, the applicant has proposed to combine the parcel at 400 West Main, the adjacent parcel at 420 West Main, and half of the old right-of-way between 420 and 508 West Main. Together, the property will be approximately 0.89 acres in the C-3 zoning district. This review is based upon the assumption that these parcels will be successfully combined.

The applicant is proposing to expand the existing use to include a 36x40 foot outdoor seating area with a concrete patio and roof. The roof would also extend an additional six feet farther along the front of the building to create a new entry porch. The applicant intends to replace the existing outdoor seating area with this new arrangement to accommodate more customers. The applicant has noted that indoor seating has become limited due to Covid-19 restrictions.

Major site plan amendments shall be reviewed by the Planning Commission in the same manner as the original application, in accordance with Section 18.09 C. Because the applicant is not proposing any changes to the use, our review focuses only on the proposed site improvements.

Site Plan Review. Major site plan amendments require site plan review pursuant to Chapter 18 of the Zoning Ordinance. Our general site plan review comments are as follows:

Completeness of Submittal. The site plan does not contain most of the items required for site plan review in Section 18.04 B; however, it is likely that most of these are unnecessary given

the nature of the proposed site plan amendment. Therefore, we consider the information provided sufficient for review.

Setbacks and Dimensional Requirements. Considering the combination of the adjacent lot (420 W. Main) and half of the right-of-way with 400 W. Main, previous nonconformities are eliminated on the subject property. The site would comply with all required setbacks, lot coverage, and lot width requirements for the C3 district.

Landscaping. Landscaping is required in coordination with all site plan reviews (Section 4.26 A). Although the applicant has submitted a site plan in accordance with a major site plan amendment, the amendment does not appear to impact the previous approval of landscape conditions on the site. The applicant is not proposing any expansion to the building or parking areas.

Lighting. No additional lighting is proposed. This should be confirmed with the applicant. Any lighting that is proposed must be downward facing and fully cut-off in compliance with the Zoning Ordinance.

Parking/Circulation. The applicant is not proposing any change to parking areas on the site. The proposed patio area would extend into the rear yard, where parking has not been established. The new entry porch would extend six feet into the parking area; however, since parking spaces are not striped and there are adequate maneuvering aisles, this is not expected to impact parking availability adjacent to the building.

Site Plan Review Criteria. Section 18.06 provides site plan review standards that must be considered by the Planning Commission when evaluating a site plan. Following are those standards, followed by our comments on each.

1. 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: In coordination with the outdoor seating, the applicant is in the process of combining the parcel at 400 W. Main, 420 W. Main, and the old right-of-way adjacent to the property. This removes all previous nonconformities that were present on the site. The outdoor seating area is proposed in the rear yard and would remain in compliance with all setbacks required for the main building. The character of the surrounding area is generally commercial, with all neighboring properties also in the C3 district. The presence of outdoor seating is not expected to impede the normal and orderly development or improvement of surrounding property. The Planning Commission may find this standard met.

2. 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 amendment would not impact the previous approval of ingress/egress on the property. Existing circulation is expected to remain sufficient with the presence of outdoor seating. The Planning Commission may find this standard met.

3. 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: Connections to Hudson and West Main Street would remain the same as previously approved, so this standard is not applicable.

4. 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: Natural features are not present in any areas proposed for outdoor seating or the new front porch. The Planning Commission may find this standard met.

5. 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 may be included as a condition of approval.

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

Remarks: The proposed amendment would not impact the brewery's previous compliance with the City of Lowell Master Plan and zoning ordinance, as the existing use would remain largely the same. The Planning Commission may find this standard met.

Special Land Use Review. Section 17.03,A of the Zoning Ordinance sets forth four standards that the Planning Commission must find are met before approving the proposed special land use amendment. Those standards, along with our comments, are as follows:

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: It appears that the proposed patio would be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the surrounding area. Building elevations were submitted, which depict a rib metal roof and supporting beams. This is consistent between the patio and the new porch area and expected to align with the existing building. The addition of the front porch and outdoor seating area is not expected to change the essential character of the area, as

all surrounding properties are also in the C3 district and commercial in nature. The Planning Commission may find this standard met.

2. 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 existing use is sufficiently served and is accessible by transportation and emergency services. The addition of outdoor seating is not expected to impact the previous approval of this standard. The Planning Commission may find that this standard met.

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

Remarks: It is not anticipated that the proposed outdoor seating and porch area would create any additional burden on public facilities and services. The Planning Commission may find this standard met.

4. 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 presence of outdoor seating is not expected to generate excessive traffic, smoke, fumes, glare, or odors. Due to a current limited indoor capacity from Covid-19 restrictions, the applicant would be able to accommodate customers at a higher capacity with outdoor seating. However, after indoor capacity restrictions are not necessary, the Planning Commission may consider whether there is enough parking on the site to accommodate the potential for an overall increased capacity at the brewery. This could include a designation for deferred or shared parking if the increased capacity is deemed insufficient.

Additionally, the Planning Commission may discuss the possibility of noise with the applicant. Because all surrounding properties are also in the C3 district and the area is generally commercial in character, the proposed amendment is not expected to create excessive noise for the area. However, hours of operation for the outdoor seating may be considered, along with any concerns from neighbors.

Specific Special Land Use Standards. Section 17.04(DD) of the Zoning Ordinance sets forth several standards specifically related to a winery/brewery. Following are those standards, along with our comments on each:

1. A brewery/winery shall be located on a parcel at least two hundred (200) feet from any residentially zoned property.

Remarks: The proposed amendment does not impact the previous approval of this standard. The Planning Commission may find this standard met.

2. Sites shall be designed and operated to minimize potential negative impacts on adjacent properties, such as odors, vibration, smoke, dust, fumes, and similar potential impacts.

Remarks: Due to the increased lot size from the combined parcels when compared to the original approval, the site will involve greater setback distances from adjacent properties. Impacts such as odors, vibration, smoke, dust, and fumes are not expected to result from the proposed amendment. The Planning Commission may find this standard met.

3. The applicant shall demonstrate that all trucks and delivery vehicles be provided with adequate maneuvering areas on the lot. Maneuvering shall not be permitted on adjacent property or in a public right-of-way.

Remarks: The proposed amendment is not expected to impact the previous approval of this standard. The Planning Commission may find this standard met.

4. Approval may include the establishment of hours of operation for a brewery/winery.

Remarks: The proposed amendment does not impact the previous approval of this standard. The Planning Commission may find this standard met.

5. A brewery/winery shall obtain and maintain all applicable federal, state, and local permits and upon request, furnish copies of applicable permits to the City.

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

6. The applicant shall demonstrate that adequate parking and loading areas are provided on the site.

Remarks: Once Covid-19 restrictions are no longer necessary, the brewery will be able to return to normal accommodations indoors and have additional seating outside. This will likely increase the overall capacity of the brewery. The Planning Commission may discuss parking with the applicant to ensure there is adequate space once restrictions are no longer in effect.

Recommendation. At the November 9 public hearing, the Planning Commission should carefully consider the comments from the applicant and the public regarding the proposed use. Subject to those comments, the Planning Commission may approve the proposed site plan amendment. If approved, we recommend the following conditions, along with any others deemed necessary:

1. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
2. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
3. The applicant and the site shall at all times comply with local standards and ordinances.

4. The applicant shall receive approval to combine the parcels at 400 and 420 West Main Street (PPN 41-20-02-346-002 and 41-20-02-346-001), along with half of the old right of way between 420 and 508 West Main Street.
5. Any proposed lighting must be reviewed and approved by the Zoning Enforcement Officer prior to construction/placement of such lighting.
6. Parking shall be sufficient to accommodate the capacity of the brewery and outdoor seating area once Covid-19 restrictions are no longer in effect. If the Zoning Enforcement Officer or another agent of the City determines that the parking is insufficient, the applicant shall be required to construct the deferred parking area. Prior to the construction of such deferred parking, the applicant shall provide an easement or other written agreement, in a form acceptable to the City, which authorizes construction and use of the deferred parking area for the facility. A permit shall be required for the construction of the deferred parking lot, and all standards of Chapter 19 shall apply.

As always, please feel free to contact me with questions or comments.

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: 222 West Main St. Lowell, MI 49331
2. Parcel Identification Number (Tax I.D. No.): #41-20- 02-409-001
3. Applicant's Name: Regan Doyle Phone Number 616-897-9264
Address: 115 S Broadway Lowell MI 49331
Street City State Zip
Fax Number 616-897-4350 Email Address rdoyle@kingflour.com
4. Are You: ☒ Property Owner ☐ Owner's Agent ☐ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Steve Doyle Phone Number 616-897-9264
Address: 115 S Broadway Lowell MI 49331
6. Present Zoning of Parcel C2 Central Business Present Use of Parcel Business Office
7. Description of proposed development (attach additional materials if needed):

Proposed project includes a new 22'x28' second level addition connecting the existing McQueen building to the existing King Milling Building. The project will also include the relocation of the south grade level entry to the McQueen Building with new entry steps and landing, new concrete paving at the alley, and new landscape planters.

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

Signature:  Date: 10/16/2020

Type or Print Your Name Here: Regan Doyle

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


Owner

10/16/2020
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) | <u>INITIAL</u>
<u>RD</u> |
| 2. A city locational sketch | <u>RD</u> |
| 3. Legal description and City address of the subject property | <u>RD</u> |
| 4. The size in acres or square feet of the subject property | <u>RD</u> |
| 5. All lot and/or property lines with dimensions, including building setback lines | <u>RD</u> |
| 6. The location of all existing structures within one hundred (100) feet of the subject property's boundary | <u> </u> |
| 7. The location and dimensions of all existing and proposed structures on the subject property | <u>RD</u> |
| 8. The location and dimensions of all existing and proposed: | |
| ▪ Drives | <u>RD</u> |
| ▪ curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval) | <u>RD</u> |
| ▪ sidewalks | <u>RD</u> |
| ▪ exterior lighting | <u> </u> |
| ▪ curbing | <u>RD</u> |
| ▪ parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space) | <u> </u> |
| ▪ unloading areas | <u>RD-N/A</u> |
| ▪ recreation areas | <u>RD</u> |
| ▪ common use areas | <u>RD</u> |
| ▪ areas to be conveyed for public use and purpose | <u> </u> |
| 9. The location, pavement width and right-of-way width of abutting roads, alleys or easements | <u>RD</u> |
| 10. The existing zoning of all properties abutting the subject project | <u>RD</u> |
| 11. The location of all existing and proposed: | |
| ▪ landscaping and vegetation | <u>RD</u> |
| ▪ location, height and type of existing and proposed fences and walls | <u>RD-N/A</u> |
| 12. Proposed cost estimates of all site improvements | <u>RD</u> |
| 13. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer or water supply systems | <u>RD</u> |
| 14. The location and size of septic and drain fields | <u>RD-N/A</u> |
| 15. Contour intervals shown at five (5) foot intervals | <u>RD</u> |
| 16. FOR RESIDENTIAL DEVELOPMENT , the following information is required (affixed to the drawing): | |
| ▪ Net developable area, in acres or in square feet, defined as all areas that could be developed subtracted by lands used or dedicated for existing easements and rights of way | <u> </u> |
| ▪ The number of dwelling units proposed (by type), including typical floor plans for each type of dwelling | <u> </u> |
| ▪ The number and location of efficiency and one or more bedroom units | <u> </u> |
| ▪ Typical elevation views of the front, side and rear of each type of building | <u> </u> |
| ▪ Dwelling unit density of the site (total number of dwellings / net developable area) | <u> </u> |

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: November 5, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: King Milling Company – Site Plan Amendment

King Milling Company has submitted an application for a site plan amendment for the construction of a covered walkway between two buildings and exterior building modifications, located on parcels 41-20-02-409-001 (222 W. Main St.) and 41-20-02-409-019 (115 S. Broadway St.). The purpose of this memorandum is to review the request pursuant to Section 18.09 of the City of Lowell Zoning Ordinance.

Background

The subject properties have a combined area of approximately 1.7 acres and are located at 222 W. Main Street and 115 S. Broadway Street. The parcel along W. Main Street is in the C-2 Central Business district and the property on Broadway Street is in the I General Industrial district. The applicant is proposing to construct an approximately 600 square foot second-story walkway to connect two adjacent buildings. Additionally, exterior improvements are proposed to the buildings, hardscape, and landscape.

The focus of this review will be the proposed amendments to the site. Both buildings function for administration purposes for King Milling. Office buildings are permitted by right in the C-2 and I zoning districts.

Site Plan Review

Completeness of Submittal. The site plan is missing some items required in Section 18.04 B; however, many of these items may not be necessary due to the nature of the proposed site plan amendment. We find the application complete for review.



Dimensional Requirements. The applicant is proposing a second-story walkway to connect two existing buildings. This would be recessed from the building exteriors and not impact compliance with setbacks or dimensional requirements.

Lighting. The applicant has submitted lighting details depicting exterior lighting features. The site plan notes that lighting will be provided at the new entryway and underneath the second story connector. The lights under the second story connector are not shown on the site plan; however, two recessed downlights are proposed at the main entrance facing Main Street. The Planning Commission may clarify with the applicant whether a third type of lighting is proposed under the second story connector. Proposed lights are fully cutoff and downward-facing features in accordance with Section 4.24 E. A photometric plan was not submitted; if determined necessary, the Planning Commission may request that the applicant submit a photometric plan.

Parking. The applicant is not proposing any additional off-street parking spaces. The site plan indicates that the walkway connector would be approximately 600 square feet. Parking for business and professional offices requires one space per each 300 square feet of gross floor area, increasing the parking requirement for these buildings by two spaces. Section 19.02, B allows readily accessible public parking lots within 400 feet of the site to count toward the required minimum parking. The site plan notes that sufficient parking is provided in the adjacent public lot to the west of the site. The Planning Commission may find the parking requirement met.

Landscaping. The applicant has submitted a landscape plan depicting hardscape and softscape improvements. New stamped concrete pavement is proposed between the buildings. Six 3 x 3-foot moveable concrete planters are also proposed with ornamental plantings. The planters are expected to naturally define the new entrance area under the second story connector. Section 4.26 E(2) requires front yard landscaping in the Industrial district, with a minimum of one canopy tree and three deciduous shrubs for each 30 feet of lot width. Because this amendment focuses on two buildings owned by King Milling, the entire parcel in the Industrial district is not shown on the site plan. However, the majority of the site appears to be an impervious surface and contains little landscaping. The proposed planters would increase natural features on the site overall. The Planning Commission may modify the front yard landscape requirements of Section 4.26 when it finds circumstances that warrant a change in the requirements of this section. The Planning Commission may address general landscaping with the applicant or as a condition of approval.

Signage. The applicant is proposing new wall signs on the building exteriors in the C-2 Central Business district. A new wall sign is proposed on the front exterior facing Main Street and another is proposed facing Broadway Street. Both signs would be in compliance with Section 20.08 C for signs in the C-2 Central Business district.

Site Plan Review Standards

Section 18.09 of the Zoning Ordinance sets forth six standards that must be considered by the Planning Commission when reviewing site plans. Those standards, along with our remarks, are below:

- 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 surrounding area is generally commercial and industrial, with the subject properties abutting C-2 Central Business district and I General Industrial properties. The proposed exterior modifications are expected to enhance building aesthetics and contribute to the historic character of the building, as new windows are proposed to match the existing historic profile of the building and entryways would be enhanced. The brick is proposed to be repainted on the west and south building elevations in the Central Business district. The Planning Commission may discuss painting with the applicant to better understand whether this will match the existing brick on other sides of the building and the connected building in the General Industrial district. Subject to any concerns regarding coordination of building appearances, the Planning Commission may find this standard met.

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

Remarks: The proposed second-story walkway would enhance pedestrian access between the two King Milling buildings. Additionally, the second entry would provide another point of access into the building along Main Street. These are expected to contribute to safe and convenient pedestrian access within the site. Vehicular circulation is not expected to change as a result of the proposed amendment. The Planning Commission may find this standard met.

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

Remarks: The applicant is not proposing any modifications to the vehicular connections to existing or planned streets. The secondary entry on the front building would provide additional access from the sidewalk along S. Broadway Street. The Planning Commission may find this standard met.

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

Remarks: The applicant is not proposing to remove any natural features, as there are few on either site. Although front yard landscaping is typically required by the Ordinance in the General Industrial district, this may not be possible given the presence of buildings and impervious surface already established on the site. Rather, the applicant has proposed six concrete planters with ornamental plantings to increase natural features on the site in an area that is otherwise impervious surface. The Planning Commission may modify the front yard landscape requirements of Section 4.26 when it finds circumstances that warrant a change in the requirements of this section.

- 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 may be addressed 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: The Master Plan indicates that the subject properties are split between the "Industrial" and "Downtown" Future Land Use categories. According to the Master Plan, "areas planned for Industrial land uses are intended to accommodate continued industrial uses," and the Downtown land use category is intended to "permit a mixture of residential, office, and commercial land uses in traditional 'main-street' style buildings." The proposed building modifications are expected to align with these designations, as the building aesthetic would be enhanced to represent traditional-style features. Further, the purposes of the Zoning Ordinance to protect the public health, welfare, and safety is expected to be upheld with the proposed development. The Planning Commission may find that this standard is met.

Recommendation

At the November 9 meeting, the Planning Commission should discuss the site and consider comments from the applicant and public, if any. Subject to these comments, the Planning Commission may approve the site plan amendment. If approved, the following conditions are suggested, along with any others deemed necessary:

1. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
2. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
3. The applicant and the site shall at all times comply with all other applicable ordinances, codes, and requirements of the City of Lowell.
4. The applicant shall submit any additional site plan items as required in Section 18.04 B of the Zoning Ordinance and determined necessary by the Zoning Enforcement Officer.
5. The applicant shall comply with the outdoor lighting requirements of Section 4.24 of the Zoning Ordinance.

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

Request Number: _____

Filing Fee: _____



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

APPLICATION FOR SITE PLAN REVIEW / SPECIAL LAND USE

- All drawings must be sealed by an architect, engineer or surveyor unless waived by the Zoning Administrator.
- 15 copies of the site plan must be submitted to the City Manager's office no later than four weeks before the Planning Commission meeting to allow adequate staff review.
- The Planning Commission meets the fourth 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: 1450 W. Main St., Lowell, MI 49331
2. Parcel Identification Number (Tax I.D. No.): #41-20-03-478-042
3. Applicant's Name: John Allen Phone Number 616-293-5855
Address: 12900 Victory Woods, Lowell, MI 49331
Street City State Zip
Fax Number _____ Email Address prembotanics@gmail.com
4. Are You: ☐ Property Owner ☐ Owner's Agent ☒ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Jim Rogers - Copperrock Cont. Phone Number 490-0187
Address: 1001 5th St NW Ste 300, Grand Rapids, MI 49504
James Allen - 10769 40th, Arto, MI 49302 616-437-2873
6. Present Zoning of Parcel Commercial Present Use of Parcel Auto Supply Store
7. Description of proposed development (attach additional materials if needed):
Marijuana Microbusiness - renovating

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

Signature: John Allen Date: 10-12-20

Type or Print Your Name Here: John Allen

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

Owner

Date

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

- | | |
|---|-------------------------|
| 1. Date, north arrow and scale (not more than 1" = 100', supplementary site plans at a 1" = 50' or larger scale are encouraged) | INITIAL
_____ |
| 2. A city locational sketch | _____ |
| 3. Legal description and City address of the subject property | _____ |
| 4. The size in acres or square feet of the subject property | _____ |
| 5. All lot and/or property lines with dimensions, including building setback lines | _____ |
| 6. The location of all existing structures within one hundred (100) feet of the subject property's boundary | _____ |
| 7. The location and dimensions of all existing and proposed structures on the subject property | _____ |
| 8. The location and dimensions of all existing and proposed: | |
| ▪ Drives | _____ |
| ▪ curb openings (NOTE: all new openings onto M-21 (Main Street) must receive State Transportation Department approval) | _____ |
| ▪ sidewalks | _____ |
| ▪ exterior lighting | _____ |
| ▪ curbing | _____ |
| ▪ parking areas (include and delineate the total number of parking spaces showing dimensions of a typical space) | _____ |
| ▪ unloading areas | _____ |
| ▪ recreation areas | _____ |
| ▪ common use areas | _____ |
| ▪ areas to be conveyed for public use and purpose | _____ |
| 9. The location, pavement width and right-of-way width of abutting roads, alleys or easements | _____ |
| 10. The existing zoning of all properties abutting the subject project | _____ |
| 11. The location of all existing and proposed: | |
| ▪ landscaping and vegetation | _____ |
| ▪ location, height and type of existing and proposed fences and walls | _____ |
| 12. Proposed cost estimates of all site improvements | |
| 13. Size and location of existing and proposed hydrants and utilities including proposed connections to public sewer or water supply systems | _____ |
| 14. The location and size of septic and drain fields | _____ |
| 15. Contour intervals shown at five (5) foot intervals | _____ |
| 16. FOR RESIDENTIAL DEVELOPMENT , the following information is required (affixed to the drawing): | |
| ▪ Net developable area, in acres or in square feet, defined as all areas that could be developed subtracted by lands used or dedicated for existing easements and rights of way | _____ |
| ▪ 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 Premier Botanics, located within a C-3 zoning district, will retain its commercial appearance with only minor changes to the facade of the building.
The site landscaping will be brought up to code with new tree and shrub plantings.
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;
Both existing entrances will remain (M-21 & Valley Vista) as well as 360 degree access for emergency vehicles. The facility will continue to be serviced by public utilities (sewer & water) and a new dumpster enclosure will be constructed.
3. Not create excessive additional requirements at public cost for public facilities and services; and
Existing public utilities are sufficient for the proposed operation and therefore will not create any additional burden on the public facilities or services.
4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
All operations that may produce noise or odors will be contained within the facility by state of the art ventilation systems and an updated internal building layout.
Traffic will be kept to a minimum and only within normal business hours.

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:

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: November 5, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: **Premier Botanics Special Land Use**

Jim Reyers, on behalf of John Allen of Premier Botanics LLC, has submitted an application for site plan review and special land use approval to open an adult use marihuana establishment at 1450 W. Main Street (PPN 41-20-03-478-042). The subject property is located in the C3 General Business district, where adult use marihuana establishments are permitted only with special land use approval by the planning commission. Therefore, the purpose of this memorandum is to review the request pursuant to Chapter 17 Special Land Uses and Chapter 18 Site Plan Review of the City of Lowell Zoning Ordinance.



Background

The subject property has an area of approximately 1.6 acres and is within the C3 General Business district. Currently, the property contains a building that was previously used for automotive repair and supply (Showboat Automotive). The applicant is proposing to occupy the existing building for the adult use marihuana establishment. The C3 General Business district is located to the east and north of the subject property. The MHP Manufactured Home Park district is adjacent to the west and the R3 Multiple Family Residential district is adjacent to the south.

The applicant has proposed to use this building as a recreational marihuana microbusiness. By definition, "marihuana microbusiness" is a type of adult use marihuana establishment. All adult use marihuana establishments are permitted as a special land use in the C3 District.

Completeness of Submission

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

- **Required Setbacks, 18.04 B (g).** Required setbacks are not shown or dimensioned on the site plan. However, since the applicant is not proposing any structural changes to the building exterior, these may not be necessary.
- **Surrounding Infrastructure, 18.04 (h).** The location of all existing structures, driveways, and parking areas within 100 feet of the subject property's boundary should be shown on the site plan. The current plan shows this for adjacent properties, but not across any streets.
- **Dimensions and Signs, 18.04 (j).** Dimensions and radii are required for existing and proposed drives. Sign information was also not included.

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

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

- **Verification and Consent statements, 3(a) & 3(b)**
- **Security, 4(f).** Items addressed in our confidential security memo dated November 5, 2020.
- **Windows, (4)(e).** Window calculations and descriptions of the glass to be used. These should be included to ensure the sale or display of marihuana or marihuana accessories are not visible from any public place outside the establishment.

SITE PLAN REVIEW

Site Development Requirements. All setback, dimensional, and lot coverage requirements meet the standards of Section 12.04 of the Ordinance.

Landscaping. The applicant has submitted a landscape plan detailing locations, size, and species of plants and fencing proposed on the site. The subject property abuts residential uses to the south and west. Section 4.26 E(1) requires a buffer wall or wooden privacy fence six feet in height or a landscaped buffer at least partially comprised of evergreen trees on all sides abutting residential uses. The applicant is proposing a six-foot-tall black chain link fence adjacent to portions of these properties; however, since this is not a screen fence with opaque

material and not adjacent to the entire property line of either residential parcel, it is not expected to function as a buffer. Yet, existing screening appears on both adjacent residential properties. The manufactured home park to the west contains a buffer of evergreens along the entire property line and the R3 district to the south contains a six-foot wood fence along the property boundary. The Planning Commission may discuss whether existing conditions adjacent to the subject property provide adequate screening, or whether additional screening should be present on the subject property.

Similarly, Section 19.03 E requires all parking lots to be screened by a decorative fence or wall, or landscape equivalent, when adjacent to a residential district. The proposed parking areas are beyond the required setback from both residential districts. Provided buffers are considered adequate between residential districts and the proposed use, it is likely that this standard would also be met.

Section 4.26 E(3) requires front yard landscaping in the C3 district with a minimum of one canopy tree and three deciduous shrubs for each 30 feet of lot width. Because the subject property is a corner lot, it has two front lot lines: a principal and a secondary. According to the definition for front lot lines in Section 2.13, the principal lot line shall be the shorter of the two, which would be on Main Street. However, Section 4.26 does not define whether frontage landscaping would apply separately or collectively for front yards on corner lots, and in the past this has been interpreted to apply to both frontages. The subject property is approximately 228 linear feet along Main Street, equating to 7 canopy trees and 22 deciduous shrubs. The applicant is proposing 12 trees and 60 shrubs/plants. The Planning Commission should address landscape requirements with the applicant

The applicant is proposing to retain the existing parking lot layout. A portion of this area is currently gravel and the applicant is proposing to make it bituminous pavement. The total parking area proposed for modification is not listed on the site plan, so it is uncertain whether this would be classified as a major change to the parking lot. The Planning Commission may address this with the applicant. Additional landscaping would be required should the modifications be a major change in accordance with Section 4.26 E(3).

The Planning Commission may modify landscape requirements when it finds circumstances that warrant a change in the requirements of this section, or in finding that existing landscaping or screening, or existing conditions on the site, will be preserved and would meet the intent of this section, in accordance with Section 4.26 B.

Lighting. The applicant is proposing 12 wall lights, which meet the standards of Section 4.24. These provide lighting around the building and also for adjacent parking spaces. 15 parking spaces are located behind the building and are not lit; the site plan indicates these would be accessed only through an electric gate. It is unknown if these spots would be reserved for employees or function for another purpose. The Planning Commission may discuss with the applicant whether additional parking lot lighting is necessary for these spaces.

Parking/Circulation. The applicant is proposing to re-stripe the existing parking lot to define 19 parking spaces at this location. An additional 15 parking spaces are proposed behind the

building, which would be accessed via an electric gate, and not available to the general public, as they are located behind the marihuana grow area.

The proposed use would involve retail and a grow operation. The front 3,050 square feet of the building would be retail and the back 3,500 square feet of grow room would be a warehouse use. Based on Section 19.07, this would equate to 16 required spaces for retail and four spaces for the warehouse use, equating to 20 total required spaces. The applicant has proposed a total of 34 parking spaces, exceeding the number of required spaces, though we requested the applicant consider potentially higher parking demand for the use.. In Section 19.04 M, the Planning Commission may authorize an increase in off-street parking when it is demonstrated that parking demand would be greater than the requirements of Section 19.05. Furthermore, 10 additional spaces are designated for deferred construction. The Planning Commission may allow deferred parking in accordance with Section 19.05. Given the parking demand at other marihuana establishments nearby, the increased number of spaces and deferred parking area are likely appropriate.

The applicant has proposed four ADA spaces, exceeding the number required. Parking space dimensions and maneuvering aisle widths also meet Ordinance standards.

Signage. Signage was not addressed in the site plan. As a condition of approval, the Planning Commission should require any signage to comply with Chapter 20 of the Zoning Ordinance.

State License. The applicant has submitted a letter indicating prequalification status of their application for a state license. A copy of the state license may be included as a condition of approval.

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

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

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

Remarks: The proposed use would be an adult use marihuana establishment that is licensed as a marihuana microbusiness, which would involve the growing and sale of marihuana on the premises. The applicant is proposing to use an existing building and curb cuts while providing internal building updates to accommodate the proposed use, including a new ventilation system to control odors. Because the building already exists, its relationship to topography and other buildings in the area has been previously

established. However, the Planning Commission may consider uses on adjoining property and its relationship to other buildings in the area to ensure it would not impede the normal and orderly development or improvement of surrounding property. While permitted as a special land use in the C3 district, the Planning Commission may consider the proposed use in relation to the prevalence of marihuana establishments that have been approved in this area.

The applicant is proposing to increase landscaping on the site, which will enhance site aesthetics. Because two residential districts are adjacent to the south and west, a buffer is required pursuant to Sections 4.26 E(3) and 19.03 E. This is addressed under "Landscaping" above. The Planning Commission may discuss whether adjacent screening is sufficient or if additional landscaping should be present on the subject property for screening should neighboring site conditions change.

- 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 to retain the existing points of ingress/egress on the site: one on Main Street and the other on Valley Vista Drive, though MDOT has indicated that the driveway on Main Street is not necessary and will be removed. Nevertheless, vehicular circulation is expected to remain adequate throughout the site. All maneuvering aisles meet or exceed Ordinance standards and site access points appear to provide safe routes to the parking areas. Additionally, the applicant is proposing to pave the existing gravel parking area behind the building. Although an electric gate is proposed, the site plan indicates emergency access is available via a Knox box, allowing emergency personnel full access around the building. The Planning Commission may defer to the Lowell Area Fire Department for additional comments regarding emergency access.

Pedestrian circulation is also expected to be safe and convenient. A few sidewalks already exist on either side of the building and the applicant is proposing to connect them along the front of the building. Sidewalks are also present along Main Street and Valley Vista Drive. There are no proposed connections between sidewalks along the roads to the sidewalk near the building; however, given the location of the building and maneuvering lanes, a connection may not be functional. Overall, circulation remains similar to the previous use and appears logical throughout the site.

Section 19.08 of the Ordinance requires a 12 x 40-foot loading space for every building occupied for storage, warehouse, goods display, wholesale, or other uses involving the receipt or distribution of vehicles. Because the proposed use would function as a microbusiness, the applicant has stated there would be no deliveries of marihuana or marihuana products. Therefore, it may be somewhat unique from other warehouse or retail businesses and not involve the receipt or distribution of products that would typically require a loading space. The Planning Commission may discuss this space with

the applicant to determine the extent to which products could be delivered and whether these would require a loading space. The Planning Commission may also discuss with the applicant whether a secure transporter will be accommodated on the premises.

- 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 curb cut on Vista Valley Drive will serve as the ingress/egress point to the site and the West Main Street curb cut will be closed. General circulation on the site is expected to remain similar as before, since the applicant is proposing to use much of the existing infrastructure.

- 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 site has minimal natural features present, as it was previously developed for auto service and repairs. The applicant is proposing additional landscaping that would increase natural features on the site overall. Because the subject property is a corner lot, it includes two front yards. See comments for "Landscaping" under general site plan review comments regarding landscape requirements and buffers adjacent to residential districts. The Planning Commission may address this with the applicant. Maintenance of landscaping, buffers, and/or greenbelts will be addressed as a condition of approval.

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

Remarks: The proposed development is the reuse of an existing building. A condition of approval can stipulate continual compliance with applicable codes and ordinances.

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

Remarks: The purpose of the C3 General Business district is to permit a mixture of residential, office, and commercial uses that do not necessarily adhere to the style of downtown buildings. This district offers more automobile-related uses that would not always be compatible with residential uses. The building form and proposed use appear to align with the intent of commercial uses in the C3 General Business district; however, the Planning Commission may consider its relation to adjacent residential uses to ensure adequate buffers are present to mitigate between the varying intensity of uses.

The City of Lowell's Master Plan was adopted in 2007 and outlines a desired vision for land uses in the City. The subject property is located in the Manufactured Housing future

land use category. This category is intended to correspond with the location of the existing manufactured home park. The Mixed Use future land use category is adjacent across Main Street and Valley Vista Drive, which anticipates a mixture of residential, office, and commercial land uses that are pedestrian-friendly while not necessarily in downtown-style buildings. The proposed use is expected to be compatible with the vision for adjacent land uses. The Planning Commission may find that this standard is met.

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

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

Remarks: Because the applicant is proposing to reuse an existing building and parking area, exterior modifications would be relatively minimal on the site. Further, the applicant has proposed more landscaping than exists on the site. The proposed use is consistent with the area's general ability to accommodate uses with higher levels of vehicular traffic. Therefore, the use is expected to be operated and maintained with an appropriate appearance in relation to the character of the area, which is generally commercial along Main Street.

Yet, the Planning Commission must also carefully consider the relation of the proposed use to the MHP and R3 residential districts. Because the building has previously existed adjacent to these uses, it is expected to remain appropriate in appearance. However, the proposed use may have a greater impact in terms of traffic and activity on the site, considering the trends of other approved marihuana facilities in the general area. Therefore, the Planning Commission may carefully consider measures for mitigation, such as buffers, to reduce any incompatibility that could result between uses. The Planning Commission should also consider the comments of neighbors in this regard.

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

Remarks: See comments under Site Plan Review, F above. The Planning Commission may find this standard met.

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

Remarks: Because the applicant is proposing to utilize an existing building, essential public facilities and services are already established. Site access appears to be adequate and emergency vehicles would have access around the entire building. The Valley Vista curb cut meets the minimum requirement of 100 feet from an intersection or

other driveway in the C3 district, in accordance with Section 12.04 C. Vehicular circulation on the streets and access throughout the site are expected to remain acceptable. The proposed measures for security indicated on the floor plan and application narratives are expected to mitigate impacts on the local police department, and the fee charged by the City for an operating license will help offset any costs incurred. The Planning Commission may defer to the City Police Department or Lowell Area Fire Department for additional comments.

The applicant has also submitted calculations for stormwater management calculations and drainage information. The site currently does not include an outlet for stormwater. Because the applicant has proposed approximately 9,200 square feet of additional pavement, a retention basin is proposed to capture runoff from the increased impervious area. The Planning Commission may defer to the City Engineer for additional comments regarding drainage to ensure these measures are satisfactory.

Subject to the comments of the City Police Department, Lowell Area Fire Department, MDOT, and the City Engineer, the Planning Commission may find this standard met.

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

Remarks: Due to the presence of a grow operation, power and water consumption could be greater than a typical retail operation. The applicant has stated in the application narrative that existing public utilities are sufficient for the proposed operation and would not create an additional burden. Submitted electrical calculations predict a maximum of 1,685 amps for both buildings. The applicant also stated that a load study has been initiated with Lowell Light and Power, through which the applicant would make engineering upgrades if necessary. The Planning Commission may require the applicant receive approval from and comply with any stipulations of Lowell Light and Power as a condition of approval.

- 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: In the application narrative, the applicant has stated that "all operations that may produce noise or odors will be contained within the facility by state of the art ventilation systems and an updated internal building layout." Odor control would include multiple carbon air scrubbers in each grow room and negative air pressure in the facility with intake fans. Common areas are proposed to have an industrial air cleaner filtration. These measures are expected to protect from the excessive production of odors.

The applicant has not indicated whether there will be smoking or consumption of marijuana permitted on the property. This would require the applicant to be granted a designated consumption establishment license by the state. Consumption or smoking

on the site may impact associated odors at the establishment and should be clarified with the applicant.

Hours of operation were not proposed in the application submittal, aside from a note that traffic would be kept within normal business hours. The Planning Commission should clarify hours of operation with the applicant to ensure it is compatible with neighboring uses.

Traffic may be higher on the site for the proposed use compared to the previous vehicle service and repair use. The closure of the Main Street curb cut is expected to contribute to safe and orderly traffic flow. Additionally, the location of deferred parking on the site plan is expected to help mitigate parking concerns.

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

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

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

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

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

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

Remarks: The applicant has proposed a ventilation system that includes multiple carbon air scrubbers in each grow room. Additionally, negative air pressure at a 4:1 ratio is proposed within the entire facility and filtration of common areas is proposed to have a 1,100 CFM industrial air cleaner in the ventilation system. These measures for odor control are expected to be sufficient. The Planning Commission may find this standard met. Continued maintenance and the closure of doors and windows, except for the minimum time needed for ingress/egress, may be included as conditions of approval.

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

Remarks: The site plan includes a new dumpster enclosure behind the building, which would be 12-feet tall and include a gate. All waste disposal is proposed as required by

the state. The application narrative states that the dumpster will be secured and all products would be rendered unusable before disposal. Locations for indoor disposal should also be noted in the floor plan and be secured. The Planning Commission may include this as a condition of approval.

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

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

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

Remarks: The proposed use would involve grow and processing of marihuana, which may increase energy usage and heat beyond a typical residential use. The applicant is proposing to use water and CO₂ for extraction and not proposing to use toxic or flammable materials. Organic soil is also proposed, which would be approved by the state. The only insecticide proposed, Suffoil X, is approved for organic use. The Planning Commission may include inspection and approval of grow rooms and storage of any chemicals by the Fire Department as a condition of approval. Secure storage of the insecticide may also be included as a condition of approval.

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

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

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

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

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

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

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

Remarks: The applicant has submitted a landscape plan to improve landscaping on the site. Landscaping would be increased on the site compared to the previous use.

However, buffers are not proposed adjacent to the residential districts. A wooden fence existing along the R3 lot line and tall evergreens exist along the MHP lot line. The Planning Commission may discuss whether these existing buffers on adjacent properties are adequate or if a buffer should be required on the subject property as well in case adjacent site conditions change. The Planning Commission may require a 6-foot privacy fence or additional landscaping to ensure adjacent uses are adequately screened.

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

Remarks: The applicant has proposed to maintain all records of production, sale, waste deconstruction, and testing results digitally as required by the state. The narrative indicates the intent to hire a CPA to keep records and that all financial records will be kept for review upon request by the City. The Planning Commission may find this standard met.

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

Remarks: Additional permits may be necessary for the grow and processing operation. This standard may be included as a condition of approval.

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

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

Recommendation

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

1. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
2. The applicant shall comply with any requirements from the City's Department of Public Works, City Engineer, Lowell Area Fire Department, City Police Department, or other City officials.
3. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.

4. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
5. The applicant shall submit all missing site plan items of Sections 18.04 B, 17.04 FF(3), and 17.04 FF(4), as listed above, unless specifically waived by the Zoning Enforcement Officer.
6. The applicant shall receive licensing as a marihuana microbusiness through the State of Michigan and submit a copy of this license to the City.
7. Landscaping shall comply with Section 4.26 and Section 19.03 E of the Zoning Ordinance, unless specifically modified by the Planning Commission.
8. Any additional exterior lighting shall comply with the lighting standards of Section 4.24 and 19.03 C of the Zoning Ordinance.
9. Signage shall comply with Chapter 20 of the Zoning Ordinance.
10. The applicant shall submit a copy of a provisional license issued by the City of Lowell pursuant to Chapter 28 of the city of Lowell code of ordinances. The facility shall not open until appropriate operating licenses have been obtained from the City of Lowell and the State of Michigan.
11. All landscaping, buffers and/or greenbelts shall be continuously maintained to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
12. The applicant shall receive approval from and comply with any stipulations of Lowell Light and Power regarding electricity demand at the marihuana microbusiness.
13. The security plan shall address the items outlined in our confidential memo dated November 5, 2020, and any other items identified by the City's law enforcement personnel.
14. The applicant shall maintain odors so any odor generated inside the establishment is not detected outside the building. Doors and windows shall remain closed, except for the minimum time necessary for ingress/egress from the building.
15. The applicant shall maintain all air scrubbing and filtration systems in working order and they must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance.
16. All waste receptacles containing marihuana products shall be secure and locked at all times. The applicant shall indicate the locations of indoor waste receptacles on the building floor plan.
17. All rooms associated with the growing and processing of marihuana products shall be subject to inspection and approval by the Fire Department to ensure compliance with applicable fire codes.
18. Any fuel, fertilizer, pesticide, fungicide, rodenticide, herbicide, or other substance toxic to wildlife, children, or pets shall be stored in a secured and locked area, be in compliance

- with State pesticide laws and regulations, and be subject to inspection and approval by the Fire Department to ensure compliance with applicable fire codes.
19. The marihuana establishment shall not also sell alcoholic beverages or tobacco products.
 20. The marihuana establishment shall comply at all times and in all circumstances with the MRTMA and applicable Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.
 21. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure which contains electrical wiring, lighting, and/or watering devices that support the cultivation, growing, and/or harvesting of marihuana.
 22. In the event of any conflict, the terms of this ordinance are preempted and the controlling authority shall be the statutory regulations set forth by the MRTMA or the adopted Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.

Request Number: _____

Filing Fee: _____



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

APPLICATION FOR SITE PLAN REVIEW / SPECIAL LAND USE

- All drawings must be sealed by an architect, engineer or surveyor unless waived by the Zoning Administrator.
- 15 copies of the site plan must be submitted to the City Manager's office no later than four weeks the Planning Commission meeting to allow adequate staff review.
- The Planning Commission meets the second Monday of the month at 7:00 p.m. where plans are approved, rejected or modified.
- Preliminary plans may be presented for Planning Commission comment, but no final approval is given until all required conditions are met.
- After approval, public works and building permits must be secured before construction may commence.

1. Street Address and/or Location of Request: 2163 W Main St. SE Lowell, MI
2. Parcel Identification Number (Tax I.D. No.): #41-20- 03-326-023
3. Applicant's Name: Michael Mathews Phone Number 616 466 8014
Address: 879 Caulfield Ave SW MI 49503
Street City State Zip
Fax Number _____ Email Address Michael.david.mathews@gmail.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 C3 Present Use of Parcel General Business
7. Description of proposed development (attach additional materials if needed):
Marijuana Micro Business

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

Signature: Michael Mathews Date: _____

Type or Print Your Name Here: Michael Mathews

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] August 18th 2020
Owner Date

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:

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 existing outside of the structure will not be changed other than the use of signage afforded to River City Cannabis LLC, per the lease.

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

Per the site plan in supporting documentation for location visualization. The facility has water, electric, and gas hookups.

All public authorities have easy access to both the front and back of the facility any time of day or night.

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

River City Cannabis is not going to overly use/abuse any public or government department, local or state. As a micro-business only up to 150 plants are allowed to be grown at any one time. The harvests will be staggered, limiting any excessive needs of the system. Limited water is used (estimated avg/25 gallons a day).

River City Cannabis LLC using highly-efficiently Fluence LED lights instead of the traditional high consumption HPS lights. 4 plants will be under a light, using the most efficient methods of indoor horticulture.

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.

All cannabis will be in enclosed grow areas with HEPA and carbon filtered air. The grow environment and small shop area are very relaxed spaces with no intrusive noises, the loudest being the hum of the fans and air filters.

All grow methods are organic and use no chemical pesticides. All wastewater is disposed of through a filtration system.

The grow areas will be light containing with no light escaping beyond operational hours.

Overall the operations are very small and are similar to that of a small batch or micro-brewery. A place with a very light footprint focused on serving the customer and being as respectful to the community as possible. All growing operations will be unobtrusive to the surrounding businesses and have been approved by the landlord.

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: November 5, 2020
From: Andy Moore, AICP
Whitney Newberry
RE: River City Cannabis – Special Land Use Review

Michael Matthews has submitted an application for site plan review and special land use approval to operate an adult use marihuana establishment (microbusiness) at 2163 W. Main Street (PPN 41-20-03-326-023). The subject property is located in the C3 General Business district, where adult use marihuana establishments are permitted only with special land use approval by the Planning Commission. The purpose of this memorandum is to review the request pursuant to Chapter 17 Special Land Uses and Chapter 18 Site Plan Review of the City of Lowell Zoning Ordinance.



Background

The subject property is approximately 1.8 acres and is primarily within the C3 General Business district. A strip of the property along the northern lot line is in the R3 Multiple Family Residential district, which appears to be north of the existing building. Because the existing building appears to be in the C3 district and has previously been occupied for commercial uses, a different commercial use may occupy the same building without a rezoning. However, the city may opt to rezone all of the property to the northerly lot line to avoid potential “split zoning” issues in the future.

The applicant is proposing to occupy the existing building for a marihuana microbusiness, which would be located in the end unit of a multiple-occupant building used for retail facilities (“Lowell City Mall”). Surrounding zoning districts include the C3 General Business district to the east, west, and south, and the R3 Multiple Family Residential district to the north.

The applicant has proposed to use the building as a recreational marihuana microbusiness. By definition, a “marihuana microbusiness” is a type of adult use marihuana establishment. All adult use marihuana establishments are permitted as a special land use in the C3 District.

Completeness of Submission

The applicant submitted an original site plan dated August 3, 2020, which was considered incomplete for review. An updated site plan was submitted for review on October 27, 2020. Section 18.04 B provides a list of information required for a detailed site plan review unless deemed unnecessary by the zoning enforcement officer. We find that the site plan is generally complete for review. The only item missing as required in Section 18.04 B is the size of all surface water drainage facilities. However, since this is a built-out site, this does not need to be included.

Section 17.04 FF (3) and (4) requires additional application and site plan materials to be submitted for adult use marijuana establishments. The following items were not received:

- **Verification and Consent, (3)(a) & (b).** The applicant has not submitted these statements.
- **Lighting plan, (4)(d).** A lighting plan for security was not included; however, the site plan states that no changes are proposed to lighting on the site.
- **Building elevations, (4)(e).** Building elevations were not submitted. Although the use of an existing is proposed, elevations may be necessary to depict building materials, window calculations, descriptions of glass, and other information related to building construction or structural alterations.
- **Delivery, 4(g).** How the transaction is recorded.

SITE PLAN REVIEW

Site Development Requirements. All setback, dimensional, and lot coverage requirements meet the standards of Section 12.04 of the Ordinance.

Landscaping. The site plan depicts 11 existing evergreens along the northern lot line, providing a buffer between the existing building and the adjacent R3 district. The height of these trees is unknown and the Planning Commission may discuss whether these would function as a sufficient buffer to meet the intent of Section 4.26 E(1). Section 4.26 E(2) requires front yard landscaping in the C3 district; however, because the applicant is renting a location in the multi-tenant building and the entire front yard of the parcel is parking, this standard is likely not practical. Lastly, because the applicant is not proposing any change to the parking lot, additional parking lot landscaping is not required.

The Planning Commission may modify landscape requirements when it finds circumstances that warrant a change in the requirements of this section, or in finding that existing landscaping or screening, or existing conditions on the site, will be preserved and would meet the intent of this section, in accordance with Section 4.26 B.

Lighting. The site plan indicates the locations of existing parking lot light poles and notes that no changes are proposed to site lighting. Typically, lighting is not permitted to exceed 1/2 foot-candle at property boundaries in Section 4.24 E; however, the subject property's parking lot

functions as a shared lot with other adjacent buildings. Therefore, light poles were previously constructed in locations to best illuminate the entire parking lot rather than prevent light trespass across properties. Parking lot lighting likely exceeds ½ foot-candle at property boundaries; however, since lighting already exists and the parking lot is shared, the Planning Commission may find existing lighting sufficient. If the applicant decides to add any additional lighting, such as for security purposes, it should comply with Section 4.24.

Parking. As a microbusiness, the building would involve both a warehouse for growing marijuana and retail for the sale of marijuana products. The square footage of these areas is not provided on the floor plan, so the calculation of required parking is not possible. Further, it is unknown how much of the building on the property would be devoted to the proposed use, since the building is part of the Lowell City Mall. The site plan applies a standard of 1 space for each 200 square feet GFA for the entire portion of building on the subject property, which is the standard for retail stores. With the total building size on the subject property being approximately 18,600 square feet, 93 spaces would be required under this standard. 105 spaces are provided on the site, which is expected to be sufficient to accommodate the proposed use, particularly since the entire facility will not be used for retail purposes.

The applicant is proposing to re-stripe the barrier-free spaces. Five spaces, one of which is a van space, are proposed in accordance with ADA standards. The site plan notes that the applicant shall verify the location and availability of barrier-free ramps. The Planning Commission may include the construction of barrier-free ramps, if determined necessary, as a condition of approval.

A loading/unloading area is depicted behind the building. Space is not marked; rather, almost the entire rear yard is already paved and would function for loading or unloading of items. This appears to meet the requirements of Section 19.08.

Signage. Signage was not addressed in the site plan. As part of the Lowell City Mall, a space would be available on a multiple-tenant sign along Main Street. Any additional signage placed on the building should comply with Chapter 20 of the Zoning Ordinance. A separate freestanding sign for this use along Main Street would not be permitted.

State License. The applicant has submitted a letter indicating prequalification status of their application for a state license. A copy of the state license may be included as a condition of approval.

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

Site Plan Review Standards. In order to approve a site plan, the Planning Commission must find that each of the standards listed in Section 18.06 would be met. Following are the standards and our remarks on each:

- A. The uses proposed will not adversely affect the public health, safety or welfare. Uses and structures located on the site shall be planned to take into account topography, size

of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks: The proposed marijuana microbusiness would be established in an existing building, which is part of the Lowell City Mall. The applicant has provided a copy of the rental lease agreement. Because the building and corresponding parking already exists, few exterior modifications are necessary or proposed. The building's exterior relationship to other buildings and topography would not change since it already exists as part of the City Mall. Building elevations were not submitted by the applicant; although few exterior changes are expected, the Planning Commission may request elevations to depict any changes in window glass and visibility into the storefront.

Although the building exterior would remain relatively unchanged, the Planning Commission may also consider the change in use and its relationship to adjoining property. Surrounding properties are generally commercial and residential in character. A variety of auto-oriented retail uses are in immediate proximity, which would align with the character of the proposed use. Residential development is also located on the adjacent parcel to the north, with much of the parcel yet to be developed. The Planning Commission may discuss screening with the applicant to ensure there would be an adequate buffer between the proposed use and the adjacent residential district should new residential development continue to be established.

Additionally, since the microbusiness would be connected to other establishments that are part of the Lowell City Mall, the Planning Commission may discuss odor mitigation with the applicant to ensure it would be contained within the applicant's unit and not be noticeable elsewhere in the Mall. Odors are discussed further in Section 17.04 FF (c).

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

Remarks: The applicant is not proposing any changes to vehicular circulation or points of ingress/egress on the site. Three curb cuts presently serve the Lowell City Mall, a fast-food restaurant, and the Ada-Lowell 5 theater. Vehicular circulation is expected to remain adequate at these points and throughout the site. Pedestrian circulation is limited on the site, as it was designed primarily for automobile service. A partial sidewalk is located in front of the building. Re-designing this sidewalk for better pedestrian access would create a conflict with parking and maneuvering aisles, so sidewalk reconstruction does not appear practical. However, as noted above, the applicant should verify the location and availability of barrier-free ramps to ensure adequate access is provided from barrier-free spaces to the building. The Planning Commission may include the construction of barrier-free ramps as a condition of approval if determined necessary.

- 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 subject property is part of the Lowell City Mall and is therefore served by connections to Main Street and Ridgeview Drive through other parcels. The applicant is not proposing any change to connections on these streets, but since this qualifies as a change in use, a permit from MDOT may be necessary.

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

Remarks: The applicant is not proposing any removal of natural features, as they are limited on the site. See comments for "Landscaping" under general site plan review comments regarding landscape requirements and buffers adjacent to residential districts. Maintenance of landscaping, buffers, and/or greenbelts will be addressed as a condition of approval.

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

Remarks: The proposed development is the reuse of an existing building. A condition of approval can stipulate continual compliance with applicable codes and ordinances.

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

Remarks: The purpose of the C3 General Business district is to permit a mixture of residential, office, and commercial uses that do not necessarily adhere to the style of downtown buildings. The district is intended for automobile-oriented uses and includes uses that may not be always compatible with residential uses. The proposed use appears to align with the intent of the C3 General Business district as part of the Lowell City Mall.

The City of Lowell's Master Plan was adopted in 2007 and outlines a desired vision for land uses in the City. The subject property is located in the Highway Business future land use category. This category is intended to include uses that "are oriented towards automobile traffic," such as retail, office, and service uses. It is also intended to correspond to uses in the C3 General Business district. As part of the Lowell City Mall, the proposed use is expected to be compatible with the City's vision for future land uses.

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

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

Remarks: The applicant is proposing to rent a space in the Lowell City Mall, so most of the existing infrastructure would be used and few exterior modifications are proposed on the site. The proposed use is consistent with the Mall's ability to generally accommodate higher levels of vehicular traffic. As part of the Mall, the building's appearance would remain consistent with the other connecting uses and is expected to remain harmonious and appropriate in appearance with the general area.

However, the Planning Commission may also carefully consider the impact of the use on the character of the area and in relation to the R3 Multiple Family Residential district adjacent to the north. Based on the trends of other marijuana establishments, the proposed use may have a greater impact in terms of traffic and activity on the site. The orientation of the Mall is expected to contribute as a buffer between traffic and residential uses. However, the Planning Commission may discuss whether additional screening, such as fencing, would be appropriate along the rear property line. The Planning Commission should also consider the comments of neighbors in this regard.

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

Remarks: See comments under Site Plan Review, F above. The Planning Commission may find this standard met.

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

Remarks: The site plan indicates that the proposed development will use all existing available infrastructure. As an existing building, essential services have been previously established, but the proposed establishment may require greater electrical consumption compared to ordinary retail uses. Curb cuts are already established for the Lowell City Mall and it appears that emergency vehicles would have access in front and behind the building. The proposed measures for security indicated on the floor plan and application narratives are expected to mitigate impacts on the local police department, and the fee charged by the City for an operating license will help offset any costs incurred. The Planning Commission may defer to the City Police Department and Lowell Area Fire Department for additional comments.

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

Remarks: The site plan states that "no unanticipated demand will be placed on City services." As a microbusiness, indoor plant cultivation would be permitted up to 150

plants. Because a portion of the business would involve a grow operation, there is potential to exceed the power and water consumption of a typical retail operation. The applicant has stated in the application narrative that harvests would be staggered to limit excessive system needs and limited water is expected to be necessary (estimated 25 gallons/day). Additionally, the applicant is proposing efficient LED lights instead of traditional high-consumption HPS lights, with four plants under each light. As a microbusiness, the grow operation is limited in its intensity. The applicant will also need to comply with the requirements of Lowell Light and Power, if approved.

- 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: Since the microbusiness would involve the growing of marihuana on the premises and is connected to other units in the Lowell City Mall, odors are a primary concern. The applicant has proposed odor control through enclosed grow areas with HEPA and carbon filters. Each grow tent and storage area are proposed to have negative air pressure, an inline fan, and carbon filter. Odors are addressed more comprehensively under Adult Use Marihuana Establishment Special Land Use Standards, section c, below.

Considering the large influx of traffic at other recreational marihuana establishments, traffic may be expected to also increase at this site. The presence of three curb cuts and a large parking lot are expected to accommodate a safe and orderly flow of traffic. Yet, the Planning Commission may discuss hours of operation with the applicant to ensure compatibility with neighboring uses and the Lowell City Mall.

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

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

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

- b. Separation distances. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of the land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana establishment. The following minimum-distancing regulations shall apply to all marihuana establishments. A marihuana establishment shall not be located within:

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

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

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

sufficiently demonstrates the alternative system will be equal or superior to the air scrubbing and carbon filtration system otherwise required above.

Remarks: The applicant has proposed an air filtration system with HEPA and carbon filtration. Each grow tent and storage area would be individually contained with negative air pressure, an inline fan, and a carbon filter. These measures are expected to contribute to maintaining any odor within the building. However, because the Lowell City Mall is a multiple-tenant building, odor may be more susceptible to spreading to other businesses in the building. The application narrative states that all operations would be unobtrusive to the surrounding businesses and that the landlord has approved the operation in the building. The Planning Commission may discuss whether the proposed measures of odor control would be sufficient to contain odors within the applicant's unit. As a condition of approval, the Planning Commission may also require the negative air pressure to be maintained at a 4:1 ratio and that doors and windows would remain closed except for the minimum time needed for ingress/egress.

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

Remarks: A dumpster was not depicted in the site plan and a location for indoor marihuana waste disposal was not indicated on the floor plan. All marihuana products should be rendered unrecognizable, in accordance with state regulations. The applicant has indicated in the Business Plan that garbage would be handled by the company that services the building and all soil and leftover matter would be organic and disposed of at a local farm for reuse or composting. The Planning Commission should discuss locations and methods of disposal with the applicant to ensure the dumpster would be locked and all marihuana products would remain unusable and unrecognizable. Secure disposal may be addressed as a condition of approval.

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

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

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

Remarks: As a microbusiness, the growth of marihuana would occur on the premises. The applicant has indicated that utility use is not expected to be excessive compared to other permitted uses. As discussed under Special Land Use Review Standard D, above,

the microbusiness is not expected to require excessive utilities due to its small-scale nature; however, input and approval from Lowell Light and Power is recommended.

The applicant has stated that grow operations would use organic methods, not using any chemical pesticides. The Planning Commission may inquire whether any other organically-approved chemicals may be used, such as for fertilizer, fungicides, herbicides, or others. As a condition of approval, the Planning Commission may require any toxic substance to be located in a secured and locked area. Additionally, inspection and approval of grow rooms and storage of any chemicals by the Fire Department may be included as a condition of approval.

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

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

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

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

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

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

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

Remarks: The site plan indicates the presence of some evergreen trees along the rear property boundary between the subject property and the R3 Multiple Family Residential district. The Planning Commission may require additional landscaping or screen fencing if a greater buffer is determined necessary.

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

Remarks: The applicant has not indicated how record-keeping or documentation of marihuana products would occur. Because a microbusiness is proposed, all products are expected to be produced on-site. However, the Business Plan also indicates business goals to export their product into dispensaries across Michigan. The Planning Commission may discuss record-keeping with the applicant to ensure all cannabis or cannabis products would be provided to other permitted and licensed cannabis operations. The Planning Commission may include a condition of approval allowing the

city the right to examine, monitor, and audit such records and documentation upon request.

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

Remarks: Additional permits may be necessary in association with the grow and processing operation. This standard may be included as a condition of approval.

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

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

Recommendation

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

1. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
2. The applicant shall comply with any requirements from the City's Department of Public Works, City Engineer, Lowell Area Fire Department, City Police Department, Lowell Light and Power, or other City officials.
3. The proposed special land use shall comply with all applicable federal, state, and local requirements, and copies of all applicable permits shall be submitted to the City.
4. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
5. Any additional exterior lighting shall comply with the lighting standards of Section 4.24 and 19.03 C of the Zoning Ordinance.
6. The applicant shall verify the location and availability of barrier-free ramps to the building and provide additional ramps as required. Barrier-free ramps shall be six feet long with a maximum slope of 1:12 and contain a non-slip surface.
7. Signage shall comply with Chapter 20 of the Zoning Ordinance and must be approved by the Zoning Enforcement Officer prior to installation.
8. The applicant shall receive licensing as a marihuana microbusiness through the State of Michigan and submit a copy of this license to the City.
9. The applicant shall submit a copy of a provisional license issued by the City of Lowell pursuant to Chapter 28 of the city of Lowell code of ordinances. The facility shall not

open until appropriate operating licenses have been obtained from the City of Lowell and the State of Michigan.

10. The applicant shall receive approval from and comply with any stipulations of Lowell Light and Power regarding electricity demand at the marihuana microbusiness.
11. The security plan shall address the items outlined in our confidential memo dated November 5, 2020, and any other items identified by the City's law enforcement personnel.
12. The applicant shall maintain odors so any odor generated inside the establishment is not detected outside the building or elsewhere in the Lowell City Mall. Doors and windows shall remain closed, except for the minimum time necessary for ingress/egress from the building, and a negative air pressure shall be maintained at a ratio of 1:4.
13. The applicant shall maintain all air scrubbing and filtration systems in working order and they must be in use at all times. Filters must be changed per manufacturers' recommendation to ensure optimal performance. Because this is a multi-tenant building, the City may require additional odor control measures if odors are detectable at adjacent businesses.
14. All waste receptacles containing marihuana products shall be secure and locked at all times. The applicant shall indicate the locations of indoor on the building floor plan and outdoor waste receptacles on the site plan.
15. All rooms associated with the growing and processing of marihuana products shall be subject to inspection and approval by the Fire Department to ensure compliance with applicable fire codes.
16. Any fuel, fertilizer, pesticide, fungicide, rodenticide, herbicide, or other substance toxic to wildlife, children, or pets shall be stored in a secured and locked area, be in compliance with State pesticide laws and regulations, and be subject to inspection and approval by the Fire Department to ensure compliance with applicable fire codes.
17. The marihuana establishment shall not also sell alcoholic beverages or tobacco products.
18. The marihuana establishment shall comply at all times and in all circumstances with the MRTMA and applicable Rules for Adult Use Marihuana Establishments, as amended, promulgated by LARA.
19. The applicant shall maintain clear and adequate records demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. Upon request from the City, the applicant shall allow the City to examine, monitor, and audit such records and documentation.
20. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure which contains electrical wiring, lighting, and/or watering devices that support the cultivation growing or harvesting of marihuana.

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

2020				
Open Date	Close Date	Address	Name/Business	Subject
01/6/2020	01/16/2020	930 Sibley	Darla Maloney	Egress Window
02/21/2020	02/21/2020	159 S. West	Suzie Reinbold	Various Repairs
03/7/2020	03/07/2020	220 N. Division	David Brandt	Fence
03/11/2020	03/11/2020	1751 Gee Drive	Tony Beers	Partial finish basement
03/03/2020	03/18/2020	1264 Fun	John VanderWilp	Pole Barn
03/24/2020	03/26/2020	722 N. Washington	Sue Murley	Various Imp Inside
04/14/2020	04/17/2020	917 Lincoln Lake	Michael Johnson	Shed
03/31/2020	04/03/2020	1701 Faith	Dean Milstead	Shed
04/21/2020	04/24/2020	1100 Sibley	Brian Cook	Fence
04/27/2020	04/30/2020	1020 Sibley	Tracie Eikey	Fence
04/27/2020	05/01/2020	1965 W. Main	Meds Café	Temp Sign
04/27/2020	05/12/2020	1100 Sibley	Brian Cook	Deck
05/08/2020	05/08/2020	318 Lincoln Lake	Casmir Delnick	Pool
05/28/2020	06/02/2020	1115 E. Main	Louis D'Agostino	Renovation/Porch
05/28/2020	06/01/2020	312 E. Main	ZPS Investments	Demo
06/02/2020	06/04/2020	1335 W. Main	H&H Management	Renovation
06/11/2020	06/11/2020	203 N. Hudson	Robert Halvorson	Fence
06/09/2020	06/23/2020	2475 Gee Drive	Scott and Brandi Barriger	Covered Porch
06/23/20	06/23/20	257 Donna	Elizabeth Sparks	Reroof
06/08/20	06/23/2020	2050 W. Main	T-Mobile	Signs
06/22/2020	06/23/2020	924 N. Hudson	Emma Wikstrom	Fence
06/16/2020	06/24/2020	96 & 100 W. Main	Scott Brown Enterprises	Interior Demo
07/20/2020	07/20/2020	280 Valley Vista Drive	Cyndie Drake	Shed
07/24/2020	07/24/2020	624 Lafayette	Ann Dimmick	Sun Room
07/28/2020	07/28/2020	312 E. Main	ZPS Investments	Demo
07/28/2020	07/28/2020	109 Riverside	Jeff Altoft	Roof/Siding

08/06/2020		08/06/2020		701 Amity	Mike Steele				Rebuild garage
08/06/2020		08/06/2020		216 W. Main	Amber Rau				Remodel
08/10/2020		08/10/2020		2050 W. Main	Wild Bills Tobacco				Remodel
09/01/2020				570 Foreman St	Serveforce				Fence
09/01/2020				611 N Jefferson	Lou Augustino				Demo
09/01/2020				623 N Jefferson	Lou Augustino				Demo
09/02/2020				145 S Center	Chris Cavanaugh				Home addition
09/02/2020				1240 Grand River Dr	Ed Zigmont				Outdoor Wood Furnace
09/02/2020				216 W. Main St	Amber Rau				Sign - Temporary
10/13/2020		10/21/2020		930 Sibley	Don Shaffer				Fence
10/23/2020		10/23/2020		212 N. Broadway	Suzanne Reinbold				Interior Work