

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, October 14, 2020 – 7:30 PM
REMOTE MEETING**

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to Van Buren Township residents; this Van Buren Township’s scheduled regular Planning Commission meeting will be conducted remotely in compliance with the previous State of Michigan Governor’s Executive Orders regarding remote public meetings and in consistency with public meetings held since May 27, 2020.

- Join by weblink: <https://zoom.us/j/95751051067>
- Or dial in by phone: +19294362866,,95751051067#
- Webinar ID: 957 5105 1067

For instructions on how to join a Zoom meeting, make a public comment, ADA information, and virtual meeting compliance from the State please click here.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1: Approval of minutes from the regular meeting of September 23, 2020.

CORRESPONDENCE:

PUBLIC HEARING:

ITEM #1: MEDICAL MARIJUANA CAREGIVER ZONING ORDINANCE AMENDMENTS

Proposed amendments to limit medical marijuana caregiver activities authorized under Michigan Initiated Law 1 of 2008. The amendments will be to Section 2.102 – Definitions, specific terms and Article 7 – general provisions.

ACTION ITEMS:

- A. Planning Commission Opens Public Hearing
- B. Public Comment
- C. Planning Commission closes Public Hearing

NEW BUSINESS:

ITEM #1: RECOMMENDATION: MEDICAL MARIJUANA CAREGIVER ZONING ORDINANCE AMENDMENTS

Proposed amendments to limit medical marijuana caregiver activities authorized under Michigan Initiated Law 1 of 2008. The amendments will be to Section 2.102 – Definitions, specific terms and Article 7 – general provisions.

ACTION ITEMS: A. Presentation from Staff and Township Attorney
B. Planning Commission discussion
C. Planning Commission considers recommendation to the Township Board

ITEM #2: CASE 20-029 – TEMPORARY LAND USE APPROVAL – WALMART SMALL BUSINESS SATURDAYS

TITLE: Applicant Nicholas Smarsch on behalf of owner Andrew Klungland of Walmart has applied seeking to occupy a 17,300-sq. ft. area for four (4) “Small Business Saturdays” tent sale and food truck events on October 17, 24, 30, and 31, 2020.

LOCATION: The property is located at 10562 Belleville Road (parcel number 83 061 99 0005 714), on the west side of Belleville Road between Tyler Road and North I-94 Service Drive.

ACTION ITEMS: A. Presentation by the applicant
B. Presentation by Township staff
C. Planning Commission discussion
D. Planning Commission considers action on the Temporary Land Use permit

GENERAL DISCUSSION:

ITEM #1: Staff update – Active residential development projects

ITEM #2: Staff update – Active projects at the Willow Run Airport of Van Buren Township

ADJOURNMENT:

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM
September 23, 2020
MINUTES - DRAFT**

Prior to the start of the meeting, the public was given instructions on how to take part in the meeting.

Chairperson Thompson called the meeting to order at 7:30 p.m.

ROLL CALL:

Present: Jahr, Boynton, Kelley, Atchinson, Budd, Franzoi and Thompson.

Excused: None.

Staff: Director Power, Director Best and Secretary Harman.

Planning Representatives: McKenna Associate, Vidya Krishnan.

Applicant(s) in Attendance: None.

Audience: Eleven (11).

APPROVAL OF AGENDA:

Motion Boynton, Jahr second to approve the agenda of September 23, 2020 as presented.

Roll Call:

Yeas: Franzoi, Jahr, Boynton, Kelley, Atchinson, Budd and Thompson.

Nays: None.

Absent: None.

Motion Carried.

APPROVAL OF MINUTES:

Motion Kelley, Boynton second to approve the regular meeting minutes of September 9, 2020 as presented.

Roll Call:

Yeas: Atchinson, Budd, Kelley, Boynton, Jahr, Franzoi and Thompson.

Nays: None.

Absent: None.

Motion Carried.

PUBLIC HEARING:

ITEM #1: RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT AMENDMENTS.

PROPOSED AMENDMENTS THAT WOULD ALLOW AND CREATE REGULATIONS FOR SINGLE-FAMILY DETACHED DWELLINGS AT A DENSITY OF 6-7 UNITS PER ACRE AS A PERMITTED LAND USE BY RIGHT IN THE RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT. THE AMENDMENTS WILL INCLUDE UPDATES TO SECTIONS 2.102 – DEFINITIONS, 3.104 – PERMITTED USES BY DISTRICT, 3.107 – RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT AND 4.102 – SCHEDULE OF REGULATIONS.

Motion Boynton, Jahr second to open the public hearing.

Roll Call:

Yeas: Kelley, Atchinson, Budd, Boynton, Jahr, Franzoi and Thompson.

Nays: None.

Absent: None.

Motion Carried.

No comments from the Commission or the audience.

Motion Atchinson, Boynton second to close the public hearing.

Roll Call:

Yeas: Jahr, Boynton, Kelley, Atchinson, Budd, Franzoi and Thompson.

Nays: None.

Absent: None.

Motion Carried.

OLD BUSINESS:

ITEM #1: RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT AMENDMENTS.

PROPOSED AMENDMENTS THAT WOULD ALLOW AND CREATE REGULATIONS FOR SINGLE-FAMILY DETACHED DWELLINGS AT A DENSITY OF 6-7 UNITS PER ACRE AS A PERMITTED LAND USE BY RIGHT IN THE RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT. THE AMENDMENTS WILL INCLUDE UPDATES TO SECTIONS 2.102 – DEFINITIONS, 3.104 – PERMITTED USES BY DISTRICT, 3.107 – RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT AND 4.102 – SCHEDULE OF REGULATIONS.

Director Power gave a brief summary. The amendment has been an evolving discussion at the June, August and September meetings to permit detached single-family homes in the RM zoning district at a higher density of 6-7 units per acre. Additional changes were made to the draft amendment at the September 9, 2020 meeting.

Vidya Krishnan of McKenna Associates gave the presentation. The Planning Commission has discussed on multiple occasions the amendment to allow detached single family homes in the RM zoning district. The amendment definitions include two types of detached single-family dwellings: Edge Dwellings and Interior Dwellings. Edge Dwellings are located along a property line abutting a major thoroughfare, shoreline districts or property zoned other than RM. Interior Dwellings are located on the interior of a parcel developed for single family use, abutting an interior street in a development or abutting a property zoned RM. A few changes were made including adding shoreline districts in the definition for RM Single Family Edge Dwellings and changing the side yard setback for interior lots to 5 feet or more, combined not less than 15 feet for Single Family Interior Dwellings. The main difference between Edge Dwellings and Interior Dwellings is the lot size and width, the minimum lot area is 7,200 square feet for Edge Dwellings and 6,300 square feet for Interior Dwellings. All detached single-family homes must meet the

substantially different requirement of the zoning ordinance and Interior lot garage access is through a rear alleyway. All changes made to the draft amendment are based on feedback from the Commission.

Director Best inquired if all interior lots are to be accessed by alleyways. Commissioners discussed having discretion when plans are submitted as access may depend on the design and how the roads run within a development. Vidya Krishnan informed staff and the Commission that the alleyway can be a discretionary item by expanding footnote Z to include that alleyway access is recommended however is subject to Planning Commission approval. Commissioners agreed to include the additional language in footnote Z.

Motion Kelley, Boynton second to recommend adoption of the amendment to the Township Board with expansion of footnote Z that the alleyway is recommended but is subject to approval and discretion.

Roll Call:

Yeas: Budd, Atchinson, Kelley, Boynton, Jahr, Franzoi and Thompson.

Nays: None.

Absent: None.

Motion Carried.

GENERAL DISCUSSION:

Director Power announced that the next Planning Commission meeting will be held on October 14, 2020, there will be a public hearing and a few other items on the agenda. Director Power also informed that the full draft of the Master Plan is up for review right now, the sixty-three (63) day review period ends in early October. After the review period is complete a public hearing will be set prior to sending the full master plan to the Township Board for adoption.

Director Best inquired if the Commission would like to hold the public hearing for the Master Plan prior to or after the November election. Commissioners agreed to hold the public hearing in late October. Director Power will have the notice sent out for the public hearing.

Director Best also informed that he will be bringing an update on residential developments that have been reborn from 2008. Townsend Park and Cobblestone Creek are two of the developments. The Cobblestone Creek development has possible new home elevations.

ADJOURNMENT:

Motion Boynton, Jahr second to adjourn the meeting at 7:55 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



MEMO

TO:	Van Buren Township Planning Commission
FROM:	Dan Power– Director of Planning and Economic Development
RE:	Medical Marijuana Caregiver Limits – Zoning Ordinance Text Amendments
DATE:	October 8, 2020

The Planning Commission is being asked to consider proposed amendments to limit medical Marijuana caregiver activities authorized under Michigan Initiated Law 1 of 2008. The amendments will be to Section 2.102 – Definitions, specific terms and Article 7 – general provisions.

Van Buren Township has opted out of, or prohibited, certain Marijuana land uses under the following State of Michigan Acts or Laws:

- Medical Marijuana facilities land uses identified in the Medical Marijuana Facilities Licensing Act (MMFLA) (PA 281 of 2016) and
- Recreational Marijuana land uses identified in the Michigan Regulation and Taxation of Marijuana Act (Michigan Initiated Law 1 of 2018)

Under a more long-standing state law, the Michigan Medical Marijuana Act (MMMA) (Michigan Initiated Law 1 of 2008), medical Marijuana caregiver activities as described in that law are permitted throughout the State of Michigan, including in Van Buren Township. A recent Michigan State Supreme Court decision, *DeRuiter v. Township of Byron (2020)*, holds that the MMMA does not nullify a municipality's inherent authority to regulate land use under the Michigan Zoning Enabling Act (PA 110 of 2006). Based on this ruling, municipalities in Michigan may limit the land use aspect of medical Marijuana caregiver activities. Recognizing this, the Township seeks to provide a framework for medical Marijuana caregiving land use. The proposed Zoning Ordinance text amendments include the following components:

- It will be permitted as a home occupation and an accessory use of dwelling units;
- It will not be permitted in non-residential properties;
- One caregiver may operate per dwelling;

- Medical Marijuana use by registered caregivers may occupy up to 20% of the floor area of a dwelling, not to exceed 300 square feet;
- Medical Marijuana facility land uses authorized in the State of Michigan by PA 281 of 2016 remain prohibited; and
- Recreational Marijuana land uses authorized in the State of Michigan by Michigan Initiated Law 1 of 2018 remain prohibited.

The Township Attorney will be present at the Township's public hearing on October 14th to review these proposed Zoning Ordinance text amendments. I look forward to assisting with this discussion. Thank you for your consideration.

Sincerely,



Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

CC: David F. Greco, Esq. – Gasiorek, Morgan, Greco, McCauley & Kotzian, P.C. -
Van Buren Charter Township Attorney
Jason Wright – Van Buren Charter Township Police Chief
Greg Laurain – Van Buren Charter Township Public Safety Director
Matthew Best, M.S. - Public Services Director, Van Buren Charter Township
Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning
Consultant – McKenna Associates

Proposed Zoning Ordinance Amendments re
Home Occupations & Medical Marijuana

- (102) HOME OCCUPATIONS:** Any use customarily conducted entirely within a dwelling unit by the inhabitant thereof which is incidental and secondary to the use of the dwelling unit for dwelling purposes not requiring internal or external alterations or construction features or the use of equipment, machinery, outdoor storage, or signs not customary in residential areas. Clinics, hospitals, barber shops, beauty parlors, tea rooms, tourist homes, bed and breakfast establishments, animal hospitals, kennels, millinery shops, and uses of similar character shall not be deemed to be home occupations. The medical use, cultivation or possession of marijuana as a registered primary caregiver pursuant to, and as defined by, the Michigan Medical Marijuana Act ("MMMA") of 2008, MCL 333.26421, et. al., is subject to the requirements set forth in Section 7.124 of this Ordinance.
-

Section 7.124 Medical Use of Marijuana – Home Occupation

The acquisition, possession, cultivation, use, delivery or distribution of marijuana to treat or alleviate a debilitating medical condition is prohibited except in compliance with the Michigan Medical Marijuana Act ("MMMA") of 2008, MCL 333.26421, et. al., and all applicable provisions of this Ordinance.

- (A) A registered primary caregiver, operating in compliance with the MMMA General Rules, the MMMA and the requirements of this Section, shall be permitted as a home occupation, as regulated by this Section. The Township makes the following findings, in support of its determination that the regulation of registered primary caregivers as a permitted home occupation is consistent with the purposes and intent of the MMMA:
 - (1) The MMMA does not create a general right for individuals to use, possess, or deliver marijuana in Michigan.
 - (2) The MMMA's protections are limited to individuals suffering from serious or debilitating medical conditions or symptoms, to the extent that the individuals' marijuana use is carried out in compliance with the provisions of the MMMA, including the provisions related to the operations of registered primary caregivers.
 - (3) The MMMA's definition of "medical use" of marijuana includes the "transfer" of marijuana "to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition," but only if such "transfer" is performed by a registered primary caregiver who is connected with the same qualifying patient through the registration process established by the Department of Licensing and

Regulatory Affairs, and who is otherwise operating in strict compliance with the MMMA and the MMMA General Rules.

- (4) The MMMA provides that a registered primary caregiver may assist no more than five qualifying patients with their medical use of marijuana.
 - (5) The MMMA does not, therefore, create a new vocation for entrepreneurs or others who wish to engage in the sale of marijuana to more than five persons in a commercial setting. Instead, the MMMA is directed at improving the health and welfare of qualifying patients.
 - (6) The health and welfare of qualifying patients is improved by permitting the operations of registered primary caregivers as a home occupation, because this allows qualifying patients who suffer from serious or debilitating medical conditions or symptoms to obtain the benefits of the medical use of marijuana in a residential setting, without having to unnecessarily travel into commercial areas.
 - (7) By permitting the operations of registered primary caregivers as a home occupation, rather than in a commercial setting, this promotes the MMMA's purpose of ensuring that (i) a registered primary caregiver is not assisting more than five qualifying patients with their medical use of marijuana, and (ii) a registered primary caregiver does not unlawfully expand its operations beyond five qualifying patients, so as to become an illegal commercial operation, in the nature of a marijuana collective, cooperative or dispensary. Registered primary caregivers are expressly prohibited from operating outside of residentially used properties.
- (B) The following standards and requirements shall apply to the location at which the medical use of marijuana is conducted by a primary caregiver.
- (1) The medical use of marijuana shall comply at all times with the MMMA and the MMMA General Rules, as amended.
 - (2) A registered primary caregiver shall not possess marijuana, or otherwise engage in the medical use of marijuana, in a school bus, on the grounds of any preschool or primary or secondary school, or in any correctional facility.
 - (3) Not more than one (1) registered primary caregiver, who shall also be a full-time resident of the dwelling, shall be permitted to operate at any one property.
 - (4) This home occupation shall be an accessory and secondary use of the dwelling for residential dwelling purposes
 - (5) No more than 20% of the floor area of a dwelling, or 300 square feet, whichever is less, shall be used for this home occupation.
 - (6) The medical use of marijuana shall be conducted entirely within a dwelling or attached garage or detached garage, except that a registered primary caregiver may keep and cultivate, in an "enclosed, locked facility" (as that phrase is defined by the MMMA), up to 12 marijuana plants for each registered qualifying patient with whom the registered primary caregiver is connected through the registration process established by the

Department of Licensing and Regulatory Affairs, and up to 12 additional marijuana plants for personal use, if the primary caregiver is also registered as a qualifying patient under the MMMA. The dwelling and the home occupation must be in compliance with all applicable building and fire codes for the health, safety and welfare of the occupants and the surrounding neighborhood.

(7) A sign identifying the home occupation by word, image or otherwise, or indicating that the medical use of marijuana is taking place on the premises, shall not be permitted; nor shall any vehicle having such a sign be parked anywhere on the premises.

(8) Except for lighting, heating, watering, drying or other equipment, or fertilizers, herbicides or other chemicals directly related to the medical use of marijuana, no other materials or equipment not generally associated with normal ownership, use, and maintenance of a dwelling shall be permitted. All fertilizers, herbicides and chemicals shall be properly stored and marked.

(9) Distribution of marijuana or use of items in the administration of marijuana shall not occur at or on the premises of the primary caregiver. A qualifying patient shall not visit, come to, or be present at the residence of the primary caregiver to purchase, smoke, consume, obtain or receive possession of any marijuana.

(10) Except for the primary caregiver, no other person shall deliver marijuana to the qualifying patient.

(11) No one under the age of 18 years shall have access to medical marijuana.

(12) No on-site consumption or smoking of marijuana shall be permitted within the dwelling (or on the property) of a primary caregiver, except for lawful medical marijuana consumption by the primary caregiver if registered as a qualifying patient under the MMMA.

(13) Medical marijuana shall not be grown, processed, handled or possessed at the dwelling of the primary caregiver beyond that which is permitted by law.

(14) All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of a building or structure in which equipment and devices that support the cultivation, growing or harvesting of marijuana are located or used.

(15) If marijuana is grown or located in a room with windows, all interior lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.

(16) Related merchandise or products shall not be sold or distributed from the dwelling or property of the primary caregiver, apart from the permitted quantity of medical marijuana.

(17) The medical use, cultivation or possession of marijuana shall not be conducted in a manner creating odors, noise, dust, vibrations, glare, or

fumes detectible to the normal senses beyond the boundaries of the premises.

(18) To ensure compliance with all applicable requirements and laws, the portion of a building or other structure, such as a cultivation room, where energy use and heating requirements exceed typical residential limits and chemical storage occurs, are subject to inspection and approval by the Building Department or other authorized official.

(19) The property, dwelling and all enclosed, locked facilities shall be available for inspection upon request by the Building Department or Public Safety Department.

Section 7.125 Marijuana Facilities and Establishments Prohibited

- (A) Any and all types of a “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et. seq., are completely prohibited in the Township, and may not be established or operated in any zoning district, by any means, including by way of a variance.
- (B) Any and all types of “marihuana facilities” as described in Act 281 of 2016, the Medical Marihuana Facilities Licensing Act, MCL 333.27101, et. seq., are completely prohibited in the Township and may not be established, licensed or operated in any zoning district, by any means, including by way of a variance.
- (C) Nothing in this Section shall limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, et seq., except as otherwise provided in Section 7.124 of this Ordinance.



CHARTER TOWNSHIP OF VAN BUREN
APPLICATION FOR
TEMPORARY LAND USE/SPECIAL EVENT
46425 TYLER ROAD
BELLEVILLE, MI 48111

10/1/20

DATE: _____

Event Permits, LLC.
BUSINESS NAME: _____

Nicholas Smarsch 718-501-8871
CONTACT PERSON: _____ PHONE # _____

Tom Hennigan 201-679-6080
SUPERVISOR FOR SITE: _____ PHONE # _____

Small Business Saturday
EVENT TITLE: _____

Small Business Saturday Marketplace 10/(17,24,30,31)
TYPE OF EVENT: _____ DATE(S): _____

Walmart Private Parking Lot
LOCATION OF EVENT: _____

10562 Belleville Road, Belleville, Michigan 48111
ADDRESS OF LOCATION: _____

Andrew Klungland 479-321-6134
PROPERTY OWNER REPRESENTATIVE: _____ PHONE # _____

ARE SIGNS PROPOSED FOR ADVERTISING: ___ YES ☒ NO IF YES, INCLUDE LOCATIONS & DETAILS

OTHER _____

IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS (ATTACHED)

NOTES:

IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, VIBRATION ARE EXPECTED BEYOND THE PROPERTY BOUNDRIES PLEASE EXPLAIN IN SEPARATE LETTER.

ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.

PROCESSING FEE \$ _____ BOND FEE \$ _____ TOTAL \$ _____

Nicholas Smarsch

(SIGNATURE OF APPLICANT)

10/2/20

(DATE SIGNED)

(APPROVED BY)

(DATE SIGNED)

Memo

TO: Van Buren Township Planning Commission

FROM: Dan Power – Director of Planning and Economic Development

RE: VBT 20-029 - Small Business Saturdays Temporary Land Use – 10562 Belleville Road

DATE: October 6, 2020

PROJECT REVIEW

Nicholas Smarsch of Walmart has applied to host an event series that will include booth spaces for tent retail sales and food trucks which will occupy 17,300-sq. ft. of the existing Walmart parking lot at 10562 Belleville Road over the course of four (4) different days including October 17, October 24, October 30 and October 31. The event will have components of *“Tent” sales or sidewalk sales of retail goods or carnivals and fairs*. Each of these uses are permitted under Section 7.120(A) of the Van Buren Township Zoning Ordinance. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days or two (2) consecutive weekends require Planning Commission approval.

The following items are the approval standards in section 7.120 of the Township’s Zoning Ordinance and our review is based upon conversations with the applicant and the provided materials. Please consider the following:

1. **Adequacy of parking and access** - The event is proposed to occupy a 17,300-sq. ft. area which encompasses 60 parking spaces and two (2) 24’-wide drive aisles adjacent to the northeast corner of the Walmart store. The Walmart site contains 775 parking spaces according to development plans Van Buren Township has on file, where only 679 spaces were required. The proposed event will allow the maintenance of adequate parking and access.
2. **Adequate drainage** - The site is in an existing parking lot that already has storm water drainage. The proposed event tents, food trucks and activities will not impact stormwater drainage.

3. **Compatibility with surrounding land uses** – The proposed event site is zoned C-2 – Extensive Highway Business. This zoning district is characterized by large parcels and is intended to permit extensive business uses along heavily traveled highways. The proposed use is therefore consistent with the parcel's zoning. The adjacent parcels are zoned C-2 (north, east and south) and R-1B – Single Family Residential (west). The use will be on the far side of the main retail store on the site (Walmart) in relation to homes to the west of the site and will be roughly 520' from the lot lines of those homes.
4. **Size, height, and type of construction of proposed buildings and structures in relation to surrounding site** – Manufacturer's drawings have been provided which show how the proposed tents will be constructed. The tents are temporary in nature and are consistent with a temporary tent sale event.
5. **Sufficient setbacks from road rights-of-way and lot lines** – The proposed use will be roughly 250' from the side lot line to the north, 520' from the rear lot line to the west, and 230' from the front lot line to the east. The use will therefore be substantially and adequately set back from adjacent parcels. The proposed use will be roughly 465' from the Belleville Road right-of-way.
6. **Adequate utilities** – At this time, there do not appear to be plans to alter any utilities on the site. The applicant should clarify if any connections to the electrical supply will be required.
7. **Trash disposal and site clean-up** – Tent vendors and food trucks will be responsible for all trash disposal and site clean-up.
 - Disposal of food waste will be required to meet state and local standards.
 - The applicant and the vendors on site will be required to provide waste receptacles and waste must be promptly removed from the site following the event.
8. **Sanitary facilities** - There are restrooms in the Walmart store. Due to the nature of the proposed temporary vending and food truck activities, and the availability of the Walmart store restrooms, the vendors will not be required to provide their own restroom. Fourteen (14) sanitizing stations are proposed throughout the event space.
9. **Hours of operation** – The hours proposed are from 8:00 a.m. to 9:00 p.m. on the four event dates. These hours are consistent with the Walmart store's hours of operation.
10. **Outdoor light and signs** - No exterior lights are proposed. The applicant proposes feather flags within the event space.

- The applicant should clarify whether existing Walmart parking lot lighting will provide adequate event and security lighting for evening hours.
 - The event signage that is publicly visible from a road right-of-way should not exceed 32-sq. ft. for banner signage or 45-sq. ft. for temporary flag signage and should be contained completely on the parcel at 10562 Belleville Road.
11. **Other licenses and permits required** – With respect to the proposed food trucks, the applicant should verify that any food truck vendors have current versions of any required licenses or permits from the State of Michigan Department of Agriculture and Rural Development or the Wayne County Department of Health, Human and Veterans Services posted in the event space.
 - Any required State of Michigan or Wayne County permits or licenses for vendors or food trucks must be available on site.
 12. **Potential noise, odor, dust, and glare** - The proposed temporary use should not increase the noise, odor, dust or glare in relation to the typical Walmart store parking lot use. The proposed area would otherwise be used as a vehicular traffic and parking area.
 13. **Fire lanes, fire protection, and security** –
 - Activities must remain clear of designated fire lanes.
 14. **Off-site impacts of traffic volumes** - The roads in the immediate vicinity are major Township roads, and this temporary use will not impact their flow or travel volumes. Much of the traffic to this use will be anticipated to be captured traffic from those visiting the Walmart store.
 15. **Necessity of performance bond to ensure prompt removal** - The property owner will be responsible for ensuring the site is returned to its pre-event condition.
 16. **Other concerns which may impact the public health, safety, or general welfare** – The applicant indicates that the site plan and event design were created based on current CDC guidelines, including limiting the occupancy to 50 persons, requiring face masks, using contactless sales transactions, and routing restroom usage to the Walmart indoor restrooms.

- The applicant must adhere to any State of Michigan Executive Orders that remain in effect including capacity limits, social distancing, and sanitation measures as required.
- Any additional requirements imposed by the Van Buren Township Police or Fire Departments must be adhered to.

Recommendation

The applicant has provided the following materials to support the findings in this report:

- Completed Application Form;
- A 20-slide presentation / handout including a site plan which describes the event and provides required site plan details;
- Manufacturer's drawings demonstrating the proposed tent construction; and
- A letter signed by a representative of Walmart dated October 2, 2020.

Based on these materials and the findings in my report, I recommend approval of this application subject to the following conditions:

- Disposal of food waste will be required to meet state and local standards.
- The applicant and the vendors on site will be required to provide waste receptacles and waste must be promptly removed from the site following the event.
- The applicant should clarify whether existing Walmart parking lot lighting will provide adequate event and security lighting for evening hours.
- The event signage that is publicly visible from a road right-of-way should not exceed 32-sq. ft. for banner signage or 45-sq. ft. for temporary flag signage and should be contained completely on the parcel at 10562 Belleville Road.
- Any required State of Michigan or Wayne County permits or licenses for vendors or food trucks must be available on site.
- Activities must remain clear of designated fire lanes.
- The applicant must adhere to any State of Michigan Executive Orders that remain in effect including capacity limits, social distancing, and sanitation measures as required.
- Any additional requirements imposed by the Van Buren Township Police or Fire Departments must be adhered to.
- Inspection(s) at the discretion of the Van Buren Township Building Department and Fire Department may be required prior to the first event date.
- Food truck vendors should verify with the Public Safety Department whether any local Peddler's License is required and shall obtain such a license if so prior to the first event date.
- The permit materials shall be updated to reference Van Buren Township and its Township Supervisor in addition to, or in place of, references to the City of Belleville and its Mayor.

- The use will be completed after the October 31, 2020 event. Any extension, if requested, will be subject to review by the Township Planning Director or Planning Commission.

Thank you,

A handwritten signature in cursive script, appearing to read "Dan Power".

Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

October 2, 2020

Walmart
702 SW 8th St.
Bentonville, AR 72716-0310

To the Township of Van Buren,

This letter is to approve the authorization of the **Walmart Small Business Saturday** parking lot events at Walmart #2872 located at 10562 Belleville Road, Belleville, Michigan on October 17th, 24th, 30th & 31st from 8:00am-9:00pm.

Please note: The third-party agency, Momentum Worldwide (Momentum NA, Inc.), will be onsite managing the activation and will begin set-up one day prior to the event in preparation.

If you have any additional questions or concerns, please reach me at my email:

Andrew.Klungland@walmart.com

Thank you!

Regards,

Andrew Klungland
Andy Klungland

Director, Demos & Retailtainment

479.321.6134

Andrew.Klungland@walmart.com

The Walmart+ Small Business Saturday Marketplace

*Working Together with the Local Community
to Boost Small Business Success*

1



*Working Together with the Local Community
to Boost Small Business Success*



**STORE 2872
10562 BELLEVILLE RD
BELLEVILLE, MI**

2

Four Saturdays in October

October 10 – October 17 – October 24 – October 31

SHOP • EAT • SPEND • ENJOY
LOCAL

*Working Together with the Local Community
to Boost Small Business Success*

3



Small Business
Saturday

**Supporting our
Local Small
Businesses**

Walmart recognizes that Small Businesses are truly the **"heart & soul"** of every community.

In an effort to support our local small businesses, and with your valuable assistance, Walmart is setting the stage to create a series of **safe, fun, and "feel-good" community-oriented events**, on four consecutive Saturdays in October.

4



Small Business
Saturday

Supporting our Local Longmont Small Businesses

Walmart and the City of Belleville are excited to have the opportunity to play “host” to a fun, safe and inclusive experience that will boost small business success. By using Walmart’s large parking lots, and with hopeful input from Belleville City Hall, our common goal will be to support and enhance revenue and visibility for our local businesses impacted by COVID-19 and the fan limitations of both the college and NFL football seasons.

Each of our Small Business Saturday Marketplaces will feature a changing and rotating line-up of local businesses and local food trucks, *celebrating and representing the spirit and generosity that embodies the very core of our hometown.*

5



Small Business
Saturday

Run of Show



Run of Show

Event Day

- **(Overnight) = Walmart Field Team sets up Marketplace**
- **7:00am = Walmart Field Manager arrives on site**
- **8:00am = Local Small Business vendors arrive on site to set-up**
- **10:00am = Brand Ambassadors & Security arrive on site**
- **10:30am = Event staff and vendors in place**
- **10:45am = Mayor’s Press/Photo Op – Ribbon Cutting (Oct 10)**
- **11:00am - 5:00pm = Gameday Market open to the public**
- **5:00pm - 9:00pm = Breakdown Market into on site storage pod**
- **9:00pm - Event site clear & ready to set-up for following Sat.**

6



Small Business
Saturday

Free Pop-Up Booth Spaces

By the Numbers:

- 4 Total Weeks
- 8 Total Booth Spaces each week
- 2 Total Local Food Trucks each week
- 32 Total Local Merchant Participants
- 8 Total Local Food Trucks Invited
- 40 Total Local Merchant Spots
- FREE Total "Cost" to Participate
- Walmart to cover the costs of all Tents and Infrastructure, including power drops, trash services, WiFi access, Security, Web Promotion, PR, college-themed décor, and much more.



7



Small Business
Saturday

Supporting our Local Small Businesses

Local Shop Merchants:

- We'll work closely with your Office and the local Chamber of Commerce (or Small Business Association) to hand-select small shops that with local team gear cheer/spirit shops, bookstores and other local merchants so that they can sell their wares and display plenty of school pride to attract Walmart shopper-fans passing by. Like the food, the hand-selected local merchants will represent a cross section of your community, and all purchases will be conducted via contactless payments systems.

Small Business Saturday⁸ Safe. FUN. Contactless. Local. Small Business Friendly.



8



Small Business
Saturday

Supporting our Local Small Businesses

Local Grub & Fare:

- To bolster small business and attract attention, we'll bring in a selection of 2 different local food truck vendors each week to provide food and drink at the event.
- Spaces will be provided at no charge, but the Food Trucks will be allowed to sell their food to their visitors, as normal, via Contactless payments.



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Small Business
Saturday

Contactless Payment Options

We will be supporting all vendors using Contactless Payment Options:

- We'll work closely with your Town Hall Office and the local Chamber of Commerce (or Small Business Association) to hand-select 32 small shops (and 8 Food Trucks) that represent a cross-section of your local small business community.
- With your input, we will look for shops and owners that have been adversely affected by the current state of affairs. These shops might carry local team gear, and represent cheer/spirit shops, bookstores and other local merchants that can sell their wares and display plenty of school pride to attract shopper-fans passing by. Walmart wants to work closely with you to support small business owners who can benefit from this added exposure during these difficult times.
- Please note that all purchases will be conducted via contactless payments systems, and sales tax is the responsibility of each individual local merchant.
- Alcohol sales will not be offered nor allowed.



10

Walmart Small Business Saturday Marketplace

The Footprint

We'll create a 'farmers market' style footprint but we'll break it into squared off, socially distanced sections. We'll limit our space, without impacting store operations or parking too much, while ensuring safe social distancing.



Walmart Small Business Saturday Marketplace



Walmart Small Business Saturday Marketplace

**Safe. FUN. Contactless. Local.
Small Business Friendly.**



Walmart



Small Business Saturday

**Site Plans
& Renderings**



Small Business Saturday Site Plan

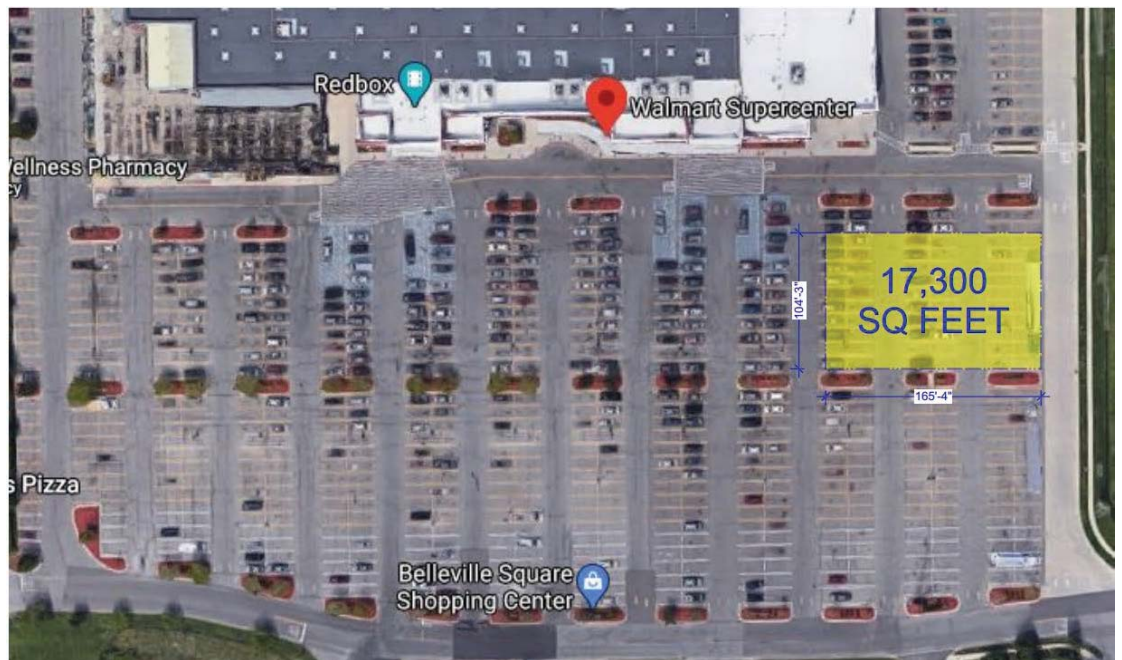
STORE 2872
10562 BELLEVILLE RD
BELLEVILLE, MI



Safely Available In-Store



Available in Parking Lot



FOOD TRUCK/
VENDOR TRAILER
LOCATION

VENDOR TENT
10X20

SOCIALLY
DISTANCED
VENDOR QUEUE

FEATHER FLAGS:
ALTERNATING TEAM
AND WALMART
BRANDING

SANITIZING
STATIONS

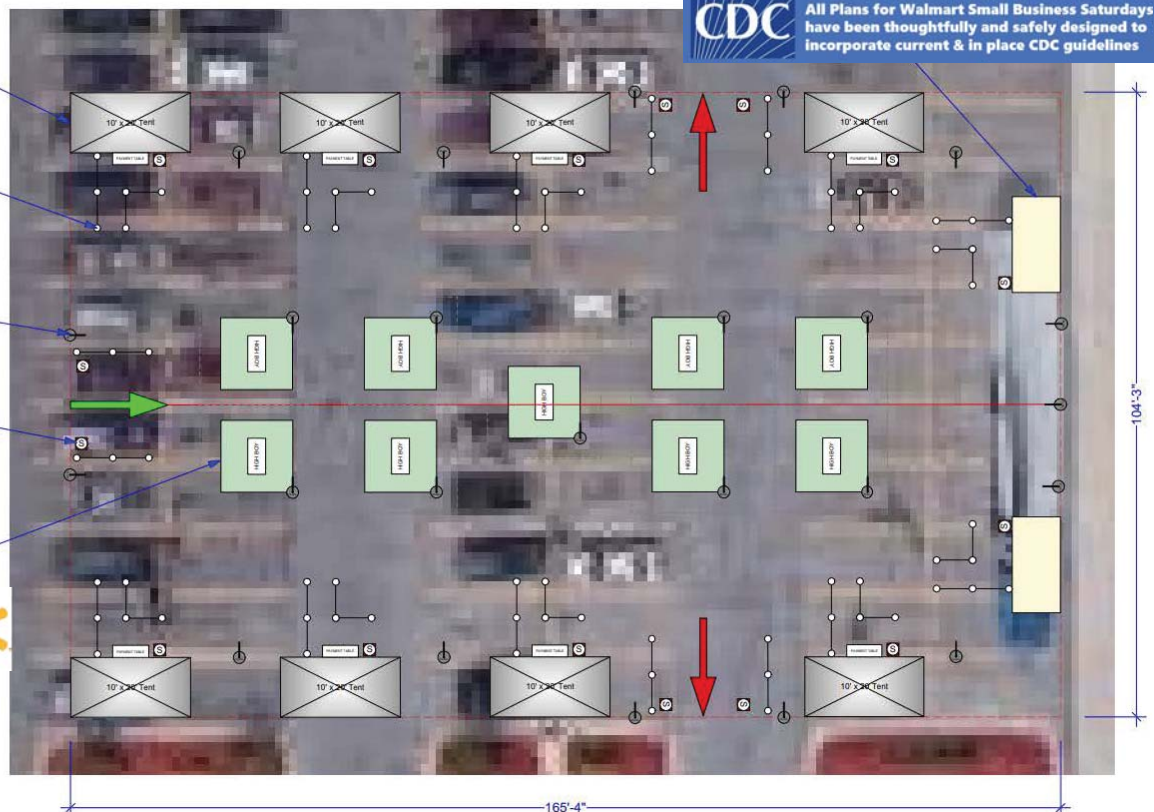
SOCIALLY
DISTANCED
COMMON AREA



STORE 2872
10562 BELLEVILLE RD
BELLEVILLE, MI



All Plans for Walmart Small Business Saturdays have been thoughtfully and safely designed to incorporate current & in place CDC guidelines





- FREE Small Business Market opportunity – no tickets will be sold
- Taking place on our own private property, in our own parking lot.
- Site plan and event design created based on current CDC guidelines, incorporating city and state regulations for markets
- 8 vendor tents (per week) spaced apart in a safely distanced manner allowing for socially distanced, safe customer flow
- Single entrance, multiple exits
- Contactless payment table in front the tents
- Added multiple hand sanitizing stations
- 2 food trucks maximum per week
- 100% Contactless. And, ZERO % “gathering”. No tents for people to congregate under.
- ADA accessible in all ways.
- No stages or risers.
- No anything that might need to be built or erected. No constructed infrastructure at all, except for the 8 Vendor tents.
- Trash will be collected in an orderly manner through our normal parking lot waste management protocols.
- Restrooms will also be in our store – cleaned and sanitized.
- Tents are thoughtfully planned in a safely distanced manner. Min 8’ apart all sides.
- All market days are “rain or shine”
- Our own in-house Walmart Security / parking staff will be on-site to enforce all city and state regulations, incorporating Walmart’s approved COVID Mitigation Safety Plan. Our team will also assist and help with any questions or concerns.



Small Business Saturday

COVID-19 Mitigation Plan & Safety Rules



All Plans for the Walmart Small Business Saturday program have been thoughtfully and safely designed to incorporate current and in-place CDC guidelines and safety precautions.

COVID-19 Mitigation Plan & Safety Rules

- As the marketplace will take place in our own parking lot, on commercial/private property, Walmart will have an appointed COVID-19 Safety Official on-site for the duration of the marketplace
- This program has been THOUGHTFULLY, carefully and SAFELY designed to be 100% Contactless.
- In order to *qualify* as 100% CONTACTLESS, the experts advising Walmart’s Marketing and legal review teams are proactively requiring the following:
 - No physical contact of any type can occur.
 - This means there can be no physical “Crowd Gathering” or interaction of any type to occur within the parking lot footprint.
 - Every marketplace attendee MUST wear a face covering respect social distancing safety regulations.
 - Max Occupancy will be limited to 50 people at once.
 - All sales transactions are required to be contactless, and Walmart will assist the local vendors in this manner.
 - There will be Walmart Security / parking staff on-site to assist attendees with parking their vehicles and to help with any questions or concerns.
 - Marketplace customers will be able to use our safe / clean / sanitized / ADA compliant, Walmart in-store restrooms, exactly as is they are already allowed to do so, by approved city and state health regulations.
 - ALL Walmart Security and ALL Walmart Greeters will be supplied with and wearing approved PPE at all times.

Safety Signage



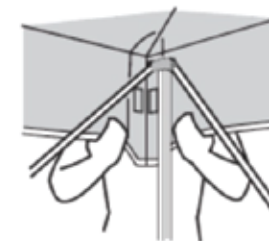
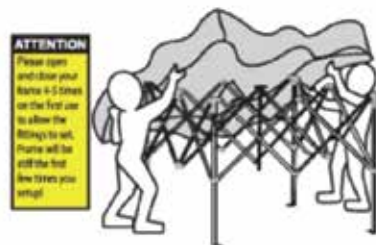
**Feel free to reach out to me with any questions
about our 4 Weekend Small Business Saturdays.**

Nick Smarsch
Nick@eventpermits.com
1 718-501-8871

Party Shade 10' x 20' Steel Frame Set up



After taking everything out of the carry bag, center one person on either side, in line with center scissors beam. Grasp the lower "V" at the center. Both will lift and pull out, stepping away from each other.



Attach to each hook and loop corner.



Pull frame completely out.



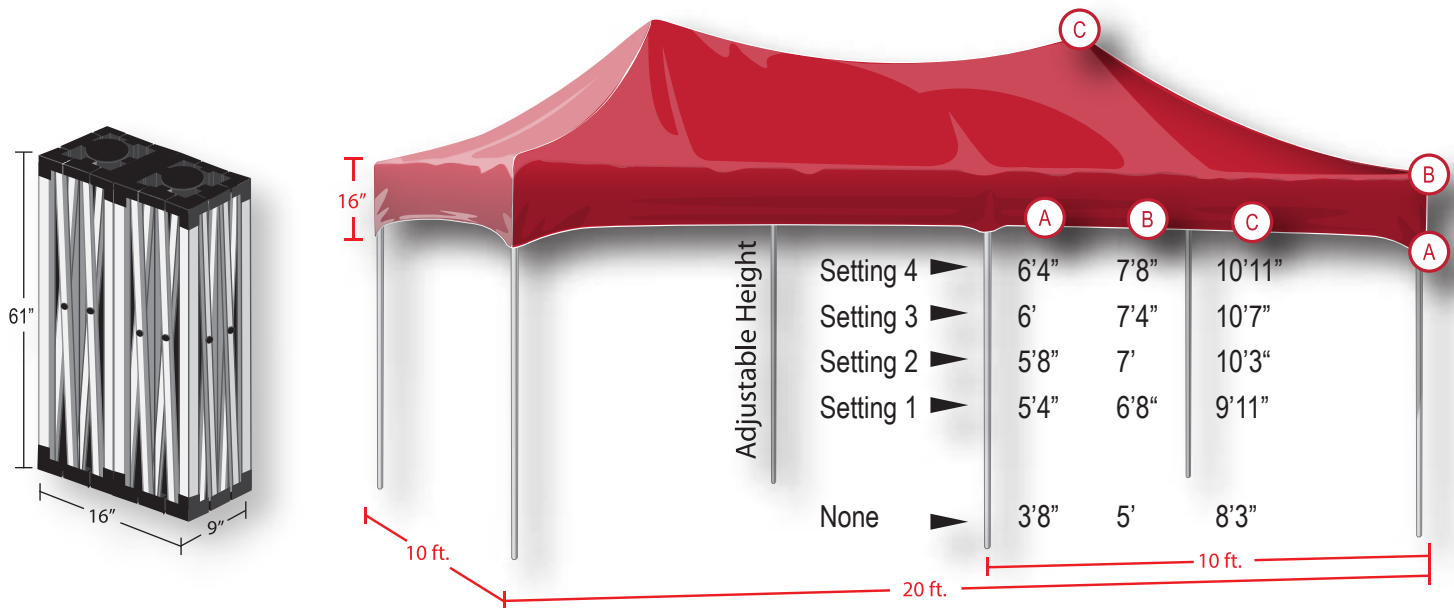
Lift each leg and slide lower leg extension out until the latching button snaps into the first adjustment hole. The KD Kanopy will be set at the lowest upright position.



For height or leveling adjustment, depress leg latching buttons and slide lower leg extensions as required to latch any of the four adjustment holes. Last, put the four ground spikes through each hole in the bottom legs to secure to ground.



PartyShade 10x20



The KD PartyShade 200 is the largest rectangular canopy that we offer. Great when you need a lot of space. This unit is ideal for tradeshow, motorsports, catering, and any outdoor event marketing. The PartyShade 200 is 10 feet by 20 feet and weighs 82 lbs.

HARDWARE

High strength white powder coated steel
Zero assembly - no loose parts or ropes
Two people set up in 30 seconds
For indoor and outdoor use
Free wheel bag and ground spikes

PRINTING

Screen Print: We use a UV ink that is cured into the fabric. Durable and long lasting, allowing your logo to stand out!

Digital: Full bleed color, digitally printed with UV ink that is guaranteed not to fade and keep your graphics vibrant looking and long lasting.

Dye Sublimation: Full color transfer that is ideal for indoor shows and the material is washable.

WARRANTY

5-Year manufacture's defect warranty on frames
1-year manufacture's defect warranty on top

PACKAGE INCLUDES

Qty	Item
1	10' x 20' White Powder Coated Steel Frame
1	Fabric Top
1	Wheel Bag
6	12" Steel Spikes

** Side panels, rail curtains & table cover are optional

SHIPPING WEIGHTS & SIZES

Item	Weight	Shipping Box Size
Frame	85 lbs.	62" x 17" x 10"
Top, Wheel Bag & Spikes	40 lbs.	22" x 16" x 12"

* All measurements are approximate

