

**City of Escanaba  
PLANNING COMMISSION – OFFICIAL PROCEEDINGS  
December 8, 2022**

**MEETING CALLED TO ORDER**

A regular meeting of the Escanaba Planning Commission was held on Thursday, December 8, 2022 at 6:00 pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

**ROLL CALL**

Name	Present	Absent	Name	Present	Absent
Chair James Hellermann	X		Comm. Mark Hannemann		X
Secretary Dominic Benetti		X	Comm. Roy Webber	X	
Comm. Nevin Naser	X		Comm. David Mason	X	
Comm. Kelli Van Ginhoven	X				

With 5 in attendance, a quorum of the Planning Commission was present.

**ALSO PRESENT**

**City Administration:**

Tyler Anthony, Planning & Zoning Administrator	James McNeil, City Assessor
Ronald Beauchamp, Council Liaison	Gerald Pirkola, Electric Utility Director
Heather Calouette, Administrative Assistant	

**Others:**

Karen Moore, City Council	Zaid Arabo, ZA Design Build (Gram’s Club)
Ryan Brayak, Lake Effect Distillery	Matthew Treado, Professional Engineer (Higher Love)
Joe Rom, Studio RAD (Lake Effect Distillery)	Ann Babl, CEO Higher Love
Laura Coleman, President of Bay College	Willard Carne
Logan Grizzell, Attorney (Gram’s Club)	

Six other unnamed individuals were present.

**MINUTES**

A motion was made by Mason, seconded by Webber, to approve the November 10, 2022 minutes as submitted. A roll call vote was taken, and the MOTION PASSED unanimously.

**AGENDA**

A motion was made by Mason, seconded by Webber, to approve the agenda as submitted. A roll call vote was taken, and the MOTION PASSED unanimously.

**CONFLICT OF INTEREST DECLARATIONS** – None

**PUBLIC COMMENT ON AGENDA ITEMS** –

Laura Coleman, President of Bay College, expressed concerns with the College having no buffer around it prohibiting marijuana establishments. She explained that 35% of students are dual enrolled, totaling about 700 students, and that these students are high school kids. In her opinion, allowing marijuana distribution near the

Bay College campus would put these students at risk. Coleman summarized, asking the Planning Commission to consider establishing a buffer around the College.

## **PUBLIC HEARINGS**

### **1. Special Land Use Review- 317 North Lincoln Road—Gram’s Club**

In Accordance with Zoning Ordinance Section 205, the Planning Commission held a Public Hearing on the application for a Special Land Use Permit as filed by Gram’s Club for a recreational marijuana provisioning center/retail establishment to be located at 317 North Lincoln Road.

Before opening the hearing, Chair James Hellermann noted for all commissioners that, upon advice from the City’s marijuana legal counsel Laura Genovich, two separate motions are required for Special Land Use requests. One for site plan approval, and one for the special land use permit itself.

#### ***Hellermann Opened the Public Hearing***

No public comments were made.

#### ***Hellermann Closed the Public Hearing***

Hellermann read a letter from Randy Childers, Senior VP of Real Estate on behalf of Hobby Lobby (Attachment 1) and from Brian Reilly, Manager of Delta Plaza Mall (Attachment 2).

Planning & Zoning Administrator Anthony presented the Planning Commission with the staff report. Anthony indicated that on December 5<sup>th</sup>, a representative of Gram’s Club submitted a revised site plan including ALTA/NSPS survey prepared by Davis-Wanic Land Surveyors P.C. The revised site plan was added as an addendum to the agenda. On December 7<sup>th</sup>, Anthony received updated landscaping and sidewalk plans.

Anthony explained the following development standards needed further decision:

- 1907.1.G.- Pedestrian access shall be provided and be physically separated and insulated from the vehicular circulation system. Anthony pointed out with the revised sidewalk plan on December 7<sup>th</sup>, it appears that Gram’s Club met the standards.
- 1908- Anthony asked that the Planning Commission review the proposed exterior materials, as “composite board” was not a listed material in 1908.3.
- 1909- Anthony noted that existing roof-mounted light fixtures are intended to remain, and the nature of the fixtures was unknown.
- 205.6.9.1: Anthony explained that products may be visible in point-of-sale room from Lincoln Road. He also noted that product may be seen from the exterior.

Logan Grizzell, Attorney (Gram’s Club) explained that marijuana will not be visible from the exterior as it is a restriction in state law as well as Escanaba’s Zoning Ordinance. He explained the shelving can be adjusted to ensure that products are not visible from the exterior. Grizzell also noted that curtains and tinted windows are another option, assuring the Commission that no products would be visible from the exterior.

The project’s architect, Zaid Arabo of ZA Design Build, explained that they added sidewalks to the site plan on the east of the property as well as landscaping. Arabo expressed an appreciation for the existing building – noting that it is a nice-looking building as it is – they would like to use composite board to enhance only the entrance of the building, and that such materials are widely used and accepted.

Arabo noted that the lighting in question is directed away from the right-of-way and the sidewalk. If not, it is adjustable and can be redirected to maintain compliance. Addressing parking lot concerns, he explained that they

proposed closing off one of the two driveways on North Lincoln Road. Their lot has plenty of room for two-way traffic, and using the remaining drive as both an entry and exit is completely reasonable. The access point into the mall's lot isn't necessary and the issue may be addressed at a later date.

The Planning Commission then discussed whether composite board is an acceptable material, with Van Ginhoven noting that precedence would be set by this decision, and Anthony indicating that numerous downtown buildings use it on Ludington Street with success. Afterward, commissioners sought further detail on the easement agreement from the neighboring property.

Commissioner Naser and Hellermann questioned the easement's origins and how it could be considered a temporary agreement. Arabo said as far as the roof overhang on south side of the building he would be more than happy to address if its present a problem. City Assessor McNeil explained that, while these types of agreements are typically permanent, its nature is entirely dependent on how it was written; if it is terminated in the future, that would likely be a civil issue exclusively.

**A motion was made by Webber, seconded by Mason, to approve the site plan for Gram's Club at 317 North Lincoln Road conditioned upon: the Code Official amending the site plan to include a sidewalk; the Planning Commission hereby approves use of composite board for this project; and the applicant ensuring that existing parking lot lighting fixtures do not cause light trespass.**

**A roll call vote was taken with the following results:**

**Yes- Hellermann, Webber, Naser, Mason, Van Ginhoven**

**No- 0**

**MOTION PASSED 5-0**

**A motion was made by Mason, seconded by Webber, to approve the special land use permit for Gram's Club at 317 North Lincoln Road under the condition that product visibility from the exterior be addressed.**

**A roll call vote was taken with the following results:**

**Yes- Hellermann, Webber, Naser, Mason, Van Ginhoven**

**No- 0**

**MOTION PASSED 5-0**

## **2. Special Land Use Review- 421 North Lincoln Road- Higher Love Escanaba**

### ***Hellermann Opened the Public Hearing***

No public comments were made.

### ***Hellermann Closed the Public Hearing***

In Accordance with Zoning Ordinance Section 205, the Planning Commission held a Public Hearing on the application for a Special Land Use Permit as filed by Higher Love Escanaba for a recreational marihuana provisioning center/ retail establishment to be located at 421 North Lincoln Road.

Planning & Zoning Administrator Anthony gave a brief overview of Higher Loves application noting that interior renovations of the existing building will take place along with exterior work such as painting and a new sign. Anthony presented the Planning Commission with the staff report. Reviewing the report, he noted that Higher Love doesn't meet green space requirements as existing conditions are calculated at approximately 0.9%, falling well short of the required 10%. Per 1912.9.5., a minimum of 25 trees are required. Professional Engineer Matthew Treado, designer for Higher Love, explained that parking seemed to be more important of an issue, but

that they are more than willing to add greenspace.

Van Ginhoven reminded the Commission that they should follow the landscaping requirements as it will set a precedent for future developments. Treado expressed an eagerness to achieve compliance and described how they would create interior landscape that makes sense with the traffic flow.

**A motion was made by Webber seconded by Van Ginhoven to approve the site plan for Higher Love Escanaba at 421 North Lincoln Road conditioned upon: the 10% greenspace requirement is satisfied; and that a minimum of 25 trees be provided.**

**A roll call vote was taken with the following results:  
Yes- Hellermann, Webber, Naser, Mason, Van Ginhoven  
No- 0  
MOTION PASSED 5-0**

Anthony explained the following development standards needed further decision:

- 205.6.7. No signage information has been provided, but all signs requiring a permit shall be processed by staff according to the requirements of Chapter 20 and Section 205.6.7.
- 205.6.9.9 Anthony noted that the façade facing the street is subdivided for 40% of its length by a full height portico, short of the 50% requirement.
- 205.6.9.13. Anthony discussed the base and top treatments indicating that while no base is apparent, a significant top is provided which minimizes the lack of said base.

Anthony noted he is not comfortable requiring compliance with these, explaining that forcing their compliance would cause noncompliance with other sections; Hellermann agreed with this view. Anthony recommended that the Commission waive these requirements for this project. The Commission agreed that addressing these issues is a primary concern and that amending the Zoning Ordinance should be done soon.

**A motion was made by Naser, seconded by Mason, to approve the special land use permit for Higher Love Escanaba at 421 North Lincoln Road conditioned upon the Planning Commission waiving requirements of sections 205.6.9.8, 205.6.9.9, and 205.6.9.13 with the intention to amend these sections in the future.**

**A roll call vote was taken with the following results:  
Yes- Hellermann, Webber, Naser, Mason, Van Ginhoven  
No- 0  
MOTION PASSED 5-0**

**At 7:12 PM, a motion was made by VanGinhoven, seconded by Mason, to recess for 5 minutes.**

***Hellermann called the meeting back to order at 7:17 PM.***

### **3. Site Plan Review – 723 Ludington Street – Lake Effect Distillery LLC – Distillery with On-site Tasting Room**

***Hellermann Opened the Public Hearing***

No public comments were made.

***Hellermann Closed the Public Hearing***

Planning & Zoning Administrator Anthony read an email from Ryan Brayak of Lake Effect Distillery regarding updated site plans and project phasing (Attachment 3).

In Accordance with Zoning Ordinance Section 1803, the Planning Commission reviewed a proposed site plan for a craft distillery including a tasting room and a separate barrel-aging building. Due to the nature of the project and its status as a use not mentioned in the Zoning Ordinance, Anthony deemed it appropriate to hold a public hearing for this proposed project. He gave an overview of the staff report, noting issues with proposed rear setback, an ADA-accessible ramp, and comments & concerns from City departments. Said rear setback is 6' as taken from the alley right-of-way which divides the parcel, significantly short of the 25' required setback. Brayak didn't believe he could adjust the proposed design to accommodate that rear setback, considering the storage of essential equipment, supplies, and production materials in that area. He also defended his point by mentioning that neighboring buildings have a 0' rear setback. Anthony relayed comments from Public Works specifically addressing the main entrance's ADA ramp and that damage may be incurred by the City in snow removal efforts; the safety of pedestrians and cyclists was also identified as a concern. Brayak explained that the ramp is designed to be 5 feet wide, allowing 5-7 feet of sidewalk to remain.

Anthony explained the following development standards which needed further discussion:

- 1907.1.H. Anthony noted that parking lot access from Ludington Street is unclear.
- 1907.1.J. Anthony explained that no screening is proposed for the two loading/ unloading zones, but that such screening would likely be impractical.
- 1907.1.L. Anthony explained that the Electric Department would prefer the design to work without encroaching into clearances around existing electric facilities. One clearance specifically outlined would require a minimum of 12 feet from the building to the center of the pole line, with possible exemptions for single story buildings. Additionally, the proposed grain silos would require increased clearances from energized power lines. Detailed drawings showing silo elevations, loading equipment, and existing power lines must be submitted for Electric Department review. If the primary electric lines must be relocated, moving the lines to the south side of the alley would be preferable. The last resort would be to reroute lines underground. Anthony asked the Planning Commission to review provided Water/Wastewater Department concerns (Attachment 4).
- 1909. Anthony noted that proposed walkway light fixtures are shown at an approximate mounting height of 8' or less, while 1909.10 requires such a lighting to be at a height between 10' to 14' above grade. Total lumens generated per acre is limited to 80,000 by 1909.11., which limits this to .636-acre site to 50,880 lumens. The 14 proposed fixtures are estimated to produce 93,688 lumens, nearly double the standard.
- 1910. Anthony expressed concerns with screening proposed around the dumpster, mentioning that no drawings or descriptions had been made yet despite reference being made to them on the site plan.

Addressing specific concerns from Water/Wastewater, James McNeil explained that a proposed geo-thermal well would only be allowed for irrigation and heating & cooling; no potable water or production water use would be allowed. The Water/Wastewater Department further asked that roof drains be disconnected from the sanitary sewer system and suggested that a new sanitary sewer lateral be installed. Brayak said they will focus on the sanitary lateral and tie into Ludington Street when Ludington Street is redone. Water/Wastewater will require a grease trap be included in the kitchen sanitary system, and that oil & sand traps be included for the garage and storage buildings. Further, sump- and elevator shaft pumps shall be connected to the storm water system only.

Architect Joe Rom, working with Lake Effect Distillery, said the lighting concerns will be addressed by specifying fixtures with acceptable ratings, and that the dumpster screening is intended to be provided as a "kit" which would comply with the Zoning Ordinance.

Further discussion took place regarding the rear setback and how to interpret the setback on this particular lot due to the alley. Rom explained that the property is on a corner lot, which has 2 front yards. He suggested that, if the property owner could pick which lot line could be chosen to be the front lot line and/or change the property's address to be on 8<sup>th</sup> Street, they could accommodate the rear setback without redesigning the addition.

**A motion was made by Hellermann, seconded by Webber, to approve the site plan for Lake Effect Distillery at 723 Ludington Street conditioned upon: that no ADA-accessible ramp be built within the sidewalk on Ludington Street; that the property shall be considered a contiguous lot, thereby eliminating the rear setback issue; that the lighting design be amended, which shall be accomplished administratively; that utilities be approved administratively, including review; and that the Planning Commission hereby accepts the accessory building and alternative materials as presented.**

**A roll call vote was taken with the following results:  
Yes- Hellermann, Webber, Naser, Mason, Van Ginhoven  
No- 0  
MOTION PASSED 5-0**

**NEW BUSINESS-**

**1. Discussion—Bay de Noc Community College and Marihuana Facilities/ Establishments**

Anthony explained that Bay de Noc Community College had contacted the City Administrator regarding a concern over perceived lack of protection of their student body from marihuana facilities and establishments which could potentially be located near their campus. The representative noted that, through dual enrollment programs, students under the age of 18, and as young as 16, are regularly on campus for classes.

**A motion was made by Webber, seconded by Van Ginhoven, to table the discussion until next month. A roll call vote was taken, and the MOTION PASSED unanimously.**

**1. Election of Officers—Chair, Secretary**

Hellermann opened discussion for the election of chair.

**A motion was made by Webber, seconded by Mason, to re-elect Hellermann as Chair. A roll call vote was taken, and the MOTION PASSED unanimously.**

Hellermann opened discussion for the election of secretary.

**A motion was made by Hellermann, seconded by Mason, to elect Van Ginhoven as Secretary. A roll call vote was taken, and the MOTION PASSED unanimously.**

**2. 2023 Planning Commission Regular Public Meeting Schedule**

A proposed calendar with regular meetings planned for the second Thursday of each month for 2023 was presented for Commission review.

**A motion was made by Mason, seconded by Naser, to adopt the 2023 regular meeting schedule. A roll call vote was taken, and the MOTION PASSED unanimously.**

**3. Project Updates**

- A.) Delta County Planning Commission: Van Ginhoven reported that 9 out of 14 townships will continue to operate under County zoning.
- B.) Zoning Board of Appeals: The ZBA met on October 4, 2022 for training and election of officers. The next

ZBA meeting is scheduled for January 3, 2023, and training is currently the only agenda item.

C.) Zoning/Land Use Permits: The Planning Commission reviewed submitted year-to-date reports of permit activity and other zoning processes.

#### 4. Training Updates

A list of upcoming training opportunities was highlighted. Hellermann reminded commissioners to verify with administration if funds are available before registering for training. Anthony reminded commissioners that 4 hours of training is required annually.

#### GENERAL PUBLIC COMMENT –

Karen Moore commented on what was described as the Dial controversy, explaining that they are a multi-million-dollar company which owns lots of property within the City and stands as a large economic driver in Escanaba. She stressed that, whether they agree with Hobby Lobby's politics, the Planning Commission should think about the big picture; approving marijuana dispensaries will cause the loss of a huge asset to our community. Moore indicated that she had spoken with the mall manager during the meeting, and that the manager said Hobby Lobby will leave and future businesses will not come to the mall.

#### COMMISSION/STAFF COMMENTS –

Anthony discussed the letter from Hobby Lobby referring to 317 North Lincoln Road (Gram's Club) noting that Dial is under the impression that Gram's Club is located on the same lot as Dial which is not the case. Van Ginhoven recalled that City Council had wanted marijuana establishments to locate on North Lincoln Road rather than elsewhere in the City, and now that the zoning has been completed and establishments are submitting applications, some councilmembers and others from the public want them to move elsewhere. She continued, asking that once these establishments are moved somewhere else in town, will people in that area want them to move elsewhere again. Hellermann agreed, identifying the "not in my backyard" nature of these complaints. He added that, in conversation with Delta Plaza Mall Manager Brian Reilly, Mr. Reilly admitted that they had missed their opportunity to provide feedback on proposed zoning ordinances. Van Ginhoven reiterated that they don't want retailers to leave. Both the Commission and staff expressed frustration with a lack of engagement from both the public and concerned businesses throughout the drafting of the current ordinance. Anthony indicated that the letters from Hobby Lobby made no tangible case for their value to the community; specifically, no sales figures, employment numbers, or other contributions were described. Hellermann explained that, personally, the letter felt degrading to the businesses, people, and character of Escanaba. Webber and Anthony expressed skepticism over the promises of new restaurants and stores being drawn to the city, noting that Escanaba is too small to draw in many of the chains mentioned and rumors of their arrival have persisted for many years.

#### ADJOURNMENT

The meeting adjourned at 8:29 pm.

 1-12-23  
James Hellermann, Chair  
Escanaba Planning Commission

  
Tyler Anthony, Planning & Zoning Administrator  
City of Escanaba

Minutes approved at the 1/12/2023 meeting. HC

# HOBBY LOBBY

**Real Estate**

December 6, 2022

SENT VIA EMAIL ONLY: mammel@escanaba.org; tanthony@escanaba.org

Hon. Mark Ammel  
Mayor, City of Escanaba  
410 Ludington Street  
Escanaba, MI 49829

WITH A COPY TO:

Mr. Tyler Anthony  
Planning & Zoning Administrator  
Escanaba Planning Commission  
410 Ludington Street  
Escanaba, MI 49829


Re: Special Land Use Review- 201 North Lincoln Road  
The Grams Club- Marihuana Retail Establishment

Dear Mayor Ammel,

As we advised in our prior notice dated November 7, 2022, Hobby Lobby Stores, Inc. ("Hobby Lobby") is currently operating Store #856 in the Delta Plaza Mall located at 2400 1<sup>st</sup> Avenue North, Escanaba, Michigan under that certain Lease Agreement dated July 26, 2018, as amended by that certain Addendum to Lease dated October 1, 2018, and as further amended by that certain Second Addendum to Lease dated April 27, 2022 (collectively the "Lease") between Dial Escanaba Outlots, LP (as "Landlord") and Hobby Lobby. Hobby Lobby is now in receipt of the City's notice of a second (2<sup>nd</sup>) proposed marijuana dispensary at the Mall. Hobby Lobby objected to the first (1<sup>st</sup>) proposed marijuana dispensary, but the Planning Commission conditionally approved the marijuana dispensary over Hobby Lobby's objection.

Again, notice is hereby given that Hobby Lobby objects to the proposed special land use. As predicted, once the City is willing to open the door to a dispensary, the overall quality of the tenants starts to decline. Despite Hobby Lobby's prior objections, the City has made its priorities clear. Hobby Lobby will re-evaluate its position in the market accordingly.

Sincerely,

  
Randy Childers  
Senior VP of Real Estate



**DP**  
**MANAGEMENT, LLC**  
LEASING, SALES & DEVELOPMENT

To: Escanaba Planning Commission  
Subject: Former Saykly's building - application for marijuana special use  
Date: December 08, 2022

Dear Planning Commission Members,

Thank you for your careful consideration of the issue at hand. Our position regarding the application for marijuana special use permit for the former Saykly's building remains the same as for the former Hudson's. We are protesting this use per Sec 205.5:

205.5. Protest. If a protest of the proposed special land use permit is presented to the Planning Commission at or before the public hearing date on the request and it is properly signed by the owners of at least twenty (20) percent of the noticed area of land included in the request, excluding publicly owned land, or by owners of at least twenty (20) percent of the area of and included within an area extending out at least one hundred (100) feet from any point on the boundary of land included in the request, excluding publicly owned land, then such request for special land use permit approval shall be passed only upon an affirmative vote of three-fourths (¾) of the members of the Planning Commission.

To reiterate our position:

- It was a difficult challenge to bring several tenants to Escanaba that are unique to the Upper Peninsula, among them Marshall's, Hobby Lobby and others. Retailers of this echelon are very specific about the environment for new locations. They came here without the expectation of certain uses nearby, among them marijuana.
- By contrast, many of the new tenants at Delta Plaza Mall came with the full expectation of co-tenancy with Hobby Lobby. Therefore, anything that threatens Hobby Lobby's status affects the status of the remaining tenants. We ask you to STRONGLY consider the long-term value these tenants bring to Escanaba and give consideration to the objections of Hobby Lobby as a lead tenant.
- Dispensaries also present a substantial hurdle to future retail interest in Escanaba. We have ongoing negotiations with several potential national restaurants and retailers who would like to locate at the mall but have included co-tenancy with Hobby Lobby and exclusion of adult uses as requirements.

A few additional observations:

- The plans note marijuana as an "adult use retailer". In our experience, solely-adult uses are typically not co-located with fashion retailers like Marshall's, Bath & Body, and tenants like Starbucks that draw a significant number of families and teens.
- We also cannot think of an instance where such a use is co-located within 300' of not one but two sporting goods retailers that carries firearms.

11506 NICHOLAS ST. | STE. 100 | OMAHA, NE | 68154  
P: 402.493.2800 | F: 402.493.8069  
DP-MGMT.COM



Attachment 2

- Finally, this property is even closer to the church who leases space at the mall and has for many years. We find it unfathomable that a solely-package liquor store would be allowed near a church, so we do not understand how a church restriction was not included in Escanaba's marijuana dispensary guidelines.

Regarding the site itself:

- In this case we have received cordial communication from the owner of the Saykly's building.
  - We do have an existing easement for the eave that overhangs our lot.
  - The easement does NOT allow ingress/egress between the properties.
  - The design as proposed appears to require egress via mall property, to which we object. Landlord reserves the right to enforce this provision of the easement if necessary.
  - Unfortunately, when the easement expires, we will be unable to renew it due to our lease with Hobby Lobby and other tenants that exclude adult uses or marijuana.

Again, we know dispensaries are here to stay. We encourage you to exercise careful zoning & licensing discretion and consider the impacts to neighboring institutions. There will be a place for these uses, but co-location with tenants like those at Delta Plaza is not the highest and best option.

I would once again ask that this letter be read into the record. Thank you again for your consideration.

  
Brian Reilly  
Manager, Delta Plaza Mall, LLC

Attachment 3

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**From:** Ryan Brayak <ryan.brayak@gmail.com>  
**Sent:** Thursday, December 1, 2022 8:11 AM  
**To:** Tyler Anthony <tanthony@escanaba.org>  
**Cc:** Heather Calouette <hcalouette@escanaba.org>  
**Subject:** Re: Updated site plans

Tyler

Please see the attached North Elevation and Project Phasing Drawing. I have also decided to break the project into two phases due to our budget and interest rates. Phase 1 would include everything but the elevator/stair structure and not finishing the third floor. Those elements are part of phase 2 which we plan to do in a couple of years. Also the barrel storage building will be done in a year or two as well.

Thank you,  
Ryan

## Attachment 4

List of W-WW concerns for Lake Effect Distillery Project:

Some or most of these items have been addressed.

This list is **not complete** as new issues always come up as construction occurs.

1. Geo-thermal well
  - a. Will only be allowed for irrigation, and heating & cooling
  - b. No potable water or production water use allowed
  - c. If installed- an accelerated cross connection inspection schedule may be required
2. Roof Drains
  - a. Must be removed from the sanitary sewer system
3. New water service shall be installed Currently planned to be 6" DI pipe
  - a. Owner to size according to their needs
    - i. City "curb stop" shall be at the main (live tapping sleeve method of installation planned on 16" water main in alley)
    - ii. Shall be conducted with a PWO from the City
    - iii. City shall provide and charge for the 16x6 tapping sleeve and valve along with T&M for tap on the PWO
    - iv. Owners' contractor shall provide a clean, dry, safe hole for water main tap, in which the city crew will conduct the work
    - v. All testing according to the City's spec shall be conducted before turning on the water
    - vi. Two (2) old water services shall be abandoned
    - vii. Owner shall purchase city meter sized of their choosing
    - viii. City shall approve of all backflow devices planned to be installed
  - b. Shall be a single service split on the inside riser for fire, potable, and irrigation use.
    - i. City shall approve of owner's riser diagram before installation
  - c. Entire building and service shall comply with cross-connection rules with City approved backflow devices installed and maintained as needed throughout the facility
    - i. City suggests dual-parallel RPZ's to enable owner to perform maintenance on one device without impeding water service to building
4. Highly suggest a new sanitary sewer lateral be installed
  - a. If completed abandonment of up to three (3) possible old laterals shall be completed
5. Require grease trap for kitchen area
6. Require oil and sand traps for garage & storage buildings
7. Sump pumps and elevator shaft pumps shall be plumbed to storm water system
8. Sanitary discharge shall comply with wastewater ordinances (All have been provided previously)
  - a. Pretreatment or User Fees may be applied if concentrated discharges are identified
  - b. Discussion on intended pretreatment RO unit shall be requested
    - i. Concerns about concentrated contaminants still being discharged to City via the RO unit
9. Joint concerns with DPW regarding depth of excavation in alley – we need to protect the city water main. (Lake Effect has plans to sheet pile if needed)