

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
AGENDA**

**WORK SESSION MEETING  
AND  
REGULAR MEETING**

**July 27, 2015**

**Meridian Municipal Building  
5151 Marsh Road, Okemos, MI 48864**

**Work Session Meeting – Administrative Conference Room**

1. Call meeting to order at approximately 6:00 p.m.
2. Approval of agenda
3. Discussion
  - A. 2005 Master Plan Update.
4. Public Remarks
5. Adjournment

**Regular Meeting – Town Hall Room**

1. Call meeting to order at approximately 7:00 p.m.
2. Approval of agenda
3. Approval of minutes
  - A. July 13, 2015 Regular Meeting
  - B. July 13, 2015 Work Session Meeting
4. Public remarks
5. Communications
  - A. Neil Bowlby RE: PRD #15-97014
  - B. Lori Reyes RE: SUP #15061 (Jacobs Engineering)
  - C. Robert L. Trezise, Jr. RE: SUP #15081 (Judge)

Communications received and distributed at the July 13, 2015 meeting and placed on file:

- D. Ginger Yang RE: SUP #15061 (Jacobs Engineering)

## Planning Commission Agenda

July 27, 2015

Page 2

6. Public Hearings
  - A. Special Use Permit #15081 (Judge), request to open a light manufacturing business at 1870 Grand River Ave.
  - B. Rezoning #15030 (Sumbal), request to rezone approximately 1.4 acres addressed as 1998 Jolly Road from RR (Rural Residential) to RA (Single Family, Medium Density)
7. Unfinished Business
8. Other Business
9. Township Board, Planning Commission officer, committee chair, and staff comment or reports
  - A. Future Projects/New Applications
    - i. Mixed Use Planned Unit Development #15054 (Forsberg) request for a MUPUD consisting of 21 apartment buildings (378 apartments), a leasing office and fitness center
    - ii. Special Use Permit # (Forsberg) request for a group of buildings greater than 25,000 square feet in floor area (435,372 square feet)
    - iii. Rezoning #15050 (Stockwell Development Group), request to rezone approximately nine acres located on the northwest corner of Grand River Avenue and Powell Road from PO (Professional and Office) to C-3 (Commercial)
  - B. Update of Ongoing Projects
    - i. Site Plans Received – NONE
    - ii. Site Plans Approved
      1. Site Plan Review #15-06 (Evan Neal), renovate the building and site at 2703 Grand River for occupancy by an O'Reilly Auto Parts store
10. Public Remarks
11. Adjournment

**Post Script:** Dante Ianni

The Planning Commission's Bylaws state agenda items shall not be introduced for discussion or public hearing that is opened after 10:00 p.m. The chair may approve exceptions when this rule would cause substantial backlog in Commission business (Rule 5.14 Limit on Introduction of Agenda Items).

**Planning Commission Agenda**

**July 27, 2015**

**Page 3**

Persons wishing to appeal a decision of the Planning Commission to the Township Board in the granting of a Special Use Permit must do so within ten (10) days of the decision of the Planning Commission (Sub-section 86-189 of the Zoning Ordinance)

TENTATIVE  
PLANNING COMMISSION AGENDA

**Work Session Meeting  
and  
Regular Meeting  
August 10, 2015**

**Meridian Municipal Building  
5151 Marsh Road, Okemos, MI 48864**

**Work Session Meeting – Administrative Conference Room**

- A. 2005 Master Plan Update

**Regular Meeting – Town Hall Room**

- 1. Public Hearings
  - A. Mixed Use Planned Unit Development #15024 (Forsberg-Okemos Pointe) request for a MUPUD consisting of 21 apartment buildings (378 apartments), a leasing office and fitness center
  - B. Special Use Permit #15101 (Forsberg—Okemos Pointe), request for a group of buildings greater than 25,000 square feet in floor area (435,372 square feet)
- 2. Unfinished Business
  - A. Special Use Permit #15081 (Judge), request to open a light manufacturing business at 1870 Grand River Ave.
  - B. Rezoning #15030 (Sumbal), request to rezone approximately 1.4 acres addressed as 1998 Jolly Road from RR (Rural Residential) to RA (Single Family, Medium Density)
- 3. Other Business

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
July 13, 2015**

**DRAFT**

**5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room, 7:00 P.M.**

PRESENT: Commissioners DeGross, Deits, Honicky, Ianni, Jackson, Scott-Craig, Tenaglia, Van  
Coevering  
ABSENT: Commissioner Cordill  
STAFF: Principal Planner Oranchak

**1. Call meeting to order**

Chair Scott-Craig called the regular meeting to order at 7:00 P.M.

**2. Approval of agenda**

**Commissioner DeGross moved to approve the agenda. Seconded by Commissioner Jackson.**

VOICE VOTE: Motion carried 8-0.

**3. Approval of Minutes**

**Commissioner Jackson moved to approve the Regular Meeting and Work Session Meeting Minutes of June 22, 2015. Seconded by Commissioner DeGross.**

VOICE VOTE: Motion carried 8-0.

**4. Public Remarks**

Chair Scott-Craig opened the floor for public remarks.

Neil Bowlby, 6020 Beechwood Drive, Okemos, questioned why a communication sent via email to the Planning Commission and the Township Board from Liaison for Inter-Neighborhood Cooperation (LINC) dated July 3, 2015 was not listed in the communications section of tonight's agenda. He spoke to the graph he created and presented at the last meeting regarding cell tower coverage, offering additional calculations he computed which allege a 75 foot tower would provide approximately 91% of the coverage offered by a 90 foot tower. Mr. Bowlby questioned whether the ordinance allows for increased tower height without going through the amendment process once the special use permit is granted. He questioned whether the size of the equipment room would allow for co-location opportunities and what all that would entail.

Brent Forsberg, 2422 Jolly Road, Okemos, availed himself for Planning Commission questions when the Mixed Use Planned Unit Development Concept Plan (MUPUD) for Okemos Pointe is discussed later in the meeting.

Kathleen Donahue, 2221 Burcham Drive, East Lansing, requested the Planning Commission "look at the big picture" relative to the placement of the cell tower being requested in SUP #150\61 and urged its denial. She alleged building the cell tower at this location will make the Grand River Corridor within Meridian Township look like any other commercial corridor without a sense of place. Ms. Donahue believed this location runs counter to the purposes of the three (3) year Grand River Corridor study. She offered four (4) reasons why she believed this project should be denied.

Ginger Yang, owner of Lotus Voice Integrative Therapies LLC, 4944 Park Lake Road, East Lansing, urged Planning Commissioners to look at the overall vision for the future development of the area designated to house the proposed cell tower in SUP #15071. She inquired as to how this 90 foot cell

tower fit into the vision of the Planning Commission's Master Plan. Ms. Yang questioned whether the cell tower was more appealing to Commissioners than "The Avenue" project across Grand River Avenue which they rejected last month.

Chair Scott-Craig closed public remarks.

**5. Communications (None)**

**6. Public hearings (None)**

**7. Unfinished Business**

A. Special Use Permit #15061 (Jacobs Engineering), request to install a 90 foot cell tower on 4980 Park Lake Road

**Commissioner Ianni moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #15061 subject to the following conditions:**

- 1. Approval is granted in accordance with the revised plans dated June 9, 2015, prepared by Midwestern Consulting, and associated materials submitted by the applicant, subject to revisions as required.**
- 2. The final site plan and landscaping plan shall be subject to the review and approval of the Director of Community Planning and Development. Existing landscaping located outside the easement area shall not be trimmed or removed to accommodate the new wireless communication tower without prior approval of the Director of Community Planning and Development.**
- 3. If additional equipment shelters are located on the site, they shall be connected by at least one common wall, where possible, subject to the review and approval by the Director of Community Planning and Development.**
- 4. The accessory equipment shelter shall be designed in a manner that is architecturally compatible with the surrounding neighborhood.**
- 5. The applicant shall post with the Township a continuously enforceable bond or other instrument of financial guarantee acceptable to the Township to assure removal of the wireless communication facility if the use as a cell tower ceases.**
- 6. Prior to grading or construction taking place on the subject site all necessary approvals and permits shall be secured from the Federal Communications Commission, the Ingham County Drain Commissioner, and the Township. A copy of all permits shall be submitted to the Department of Community Planning and Development.**
- 7. The applicant shall apply for and receive all necessary variances from the Zoning Board of Appeals or redesign the project to comply with the zoning ordinance.**

**Seconded by Commissioner Van Coevering.**

Planning Commission discussion:

- Cell tower is proposed to be located in a commercial area near the railroad
- Cell towers are critical infrastructure expected by residents and business owners as necessary for the community

- Proposed cell tower is being requested to address capacity and load issues for existing towers in the area
- Planning Commission has extremely restricted criteria to consider (i.e., no aesthetic or health issues)
- Planning Commissioner belief the Federal Communications Commission (FCC) allows any individual adversely affected by a federal, state or local action or failure to act to commence an action in federal court
- FCC requires any denial to be substantiated with written evidence supported by expert testimony
- Shorter towers have fewer colocation opportunities and will result in more towers in the future
- Planning Commissioner belief a 90 foot monopole is obtrusive and a distraction, both of which are not aesthetic values
- Ninety (90) foot tower is not consistent with the Township's height restriction of 45 feet for structures
- Planning Commissioner belief this tower is not the only way to maximize capacity and supply coverage to the area
- Planning Commissioner belief there is no such thing as a renewable easement
- Ninety foot cell tower is 90 feet from two property lines and is, therefore, the maximum height which can be built without a variance
- Consideration should be given where additional towers may be located as this is a growth industry and the issue of more locations will likely come before the Planning Commission in the future
- Suggestion to recraft the Township's ordinance relative to cell tower setback requirements to allow for more flexibility in the event there is a better location
- Suggestion for future cell tower applicants to come to the Planning Commission with a concept plan and ask the Planning Commission for input on the best location
- No flexibility offered by the applicant as to the proposed location of the tower
- Barb wire above the fence is considered part of the applicant's design
- Planning Commissioner desire to limit the height of the tower to 50 feet given its location, acknowledging it will limit the number of colocators
- One Commissioner lives near the cell tower off Park Lake Road, north of Haslett Road and it is not within her daily sight line
- Planning Commissioner belief lowering the height may make a tower more visible to nearby residents and the public

**Commissioner Jackson offered the following friendly amendment:**

- **The height of the tower shall be limited to 50 feet based on published range minimums for cell phone tower heights**

**The friendly amendment was not accepted by the maker or seconder.**

**Commissioner Jackson offered the following amendment:**

- **The height of the tower shall be limited to 50 feet based on published range minimums for cell phone tower heights**

**Seconded by Commissioner DeGroff.**

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Jackson

NAYS: Commissioners Deits, Honicky, Ianni, Tenaglia, Van  
Coeving, Chair Scott-Craig

Motion failed 2-6.

Continued Planning Commission discussion:

- Suggestion for a future discussion on creating a template for inviting cell tower companies to engage with the Planning Commission in the selection of cell tower locations

ROLL CALL VOTE YEAS: Commissioners Deits, Honicky, Ianni, Tenaglia, Van

ON THE MAIN Coevering, Chair Scott-Craig

MOTION: NAYS: Commissioners DeGroff, Jackson

Motion carried 6-2.

## 8. Other Business

### A. Mixed Use Planned Unit Development Concept Plan - Okemos Pointe (Kansas Street and Jolly Oak Road)

Principal Planner Oranchak offered a summary of the MUPUD Concept Plan since its inception in January, 2015.

Brent Forsberg, 2422 Jolly Road, Okemos provided a Powerpoint presentation on the concept plan, offering details of the site design, buildings and landscape, including amenities.

Planning Commission and applicant discussion:

- Applicant currently has a proposed unit mix of 378 units which constitutes approximately 50% two bedroom units
- Demographic profile identified through “validation” will determine the actual unit mix
- Applicant will work with industry focus groups (Jackson National Life, Delta Dental, and Dart) to test floor plans, building types, amenity mix and pricing of the product to receive feedback
- Official programs through Michigan State Housing Development Authority (MSHDA) for affordable housing are unavailable on this property as MSHDA does not desire to target this area
- Applicant is currently reviewing adjusted median income programs used in other areas
- Applicant is working with the Greater Lansing Housing Coalition (GLHC) to design their own “test program” to incorporate affordable housing into the mix (e.g., 60% and 80% programs)
- GLHC has not previously worked with a private developer regarding adjusted median income programs
- Removal of the six acre parcel abutting Kansas Road has made the project’s margin very narrow
- Building design is unique in that some of the buildings are split in half and are mirror images
- Towers contain stairs
- Applicant would like to request a vote on the same night as the public hearing which would require a motion to suspend Planning Commission rules to consider the request
- Applicant has worked with the public to thoroughly vet this project
- Okemos Pointe is the largest multi-family project to be proposed in Meridian Township and should go through the normal planning process
- No public present at tonight’s meeting expressing concern about the proposed project
- Handicap accessible units will be located on the first floor
- Industry “thumb rule” for elevators is four (4) stories
- Lack of elevators are due to cost (\$150,000 per elevator shaft)
- Weight of elevator installation v. more amenities when looking at the total cost
- Demographic profile will be predominantly a younger tenant
- Planning Commissioner suggestion to survey whether proposed tenants would be willing to pay a rent premium to have use of an elevator



- Height of the buildings are just under 45 feet
- Paved pathway is proposed on the east side of the pond
- Current plan is calculated at 12 units per acre
- RC zoning would not allow for many of the variances due to the shape of the property
- Property was rezoned to C-2 conditioned on a MUPUD
- MUPUD was requested to allow clustering of the buildings

**8. Township Board, Planning Commission officer, committee chair, and staff comment or reports**

Commissioner Deits reported his attendance at this morning's Okemos Downtown Development Authority meeting. He noted the land previously housing the now closed central fire station and the Meridian Area Resource Center (MARC) has been sold, and the developer plans to come before the Township to build a MUPUD, with a restaurant which fronts Okemos Road and apartments in the rear. Commissioner Deits reported on the success of the Celebrate Okemos Event on June 13<sup>th</sup>, where a profit was realized. He addressed a Downtown Meridian Days

Chair Scott-Craig reported his attendance, along with Commissioner Jackson, at the charrette on Okemos Pointe. He announced the Meridian Water and Sewer Annual Business Meeting is this Wednesday, July 15<sup>th</sup>, at 11:00 AM and a tour is provided.

**A. Future Projects/New Applications**

- i. Special Use Permit #15081 (Judge), request to open a light manufacturing business at 1870 Grand River Ave.
- ii. Rezoning #15040 (Mayberry Homes), request for conditional rezoning of approximately 25.5 acres located on Powell Road from RR (Rural Residential) to RAA (Single Family-Low Density)

**B. Update of Ongoing Projects**

- i. Site Plans Received - NONE
- ii. Site Plans Approved -NONE

**10. Public remarks**

Chair Scott-Craig opened and closed public remarks.

**14. Adjournment**

Chair Scott-Craig adjourned the regular meeting at 8:28 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
WORK SESSION MINUTES**

**DRAFT**

**July 13, 2015**

**5151 Marsh Road, Okemos, MI 48864-1198  
Town Hall Rom, 517-853-4560**

PRESENT: Chair Scott-Craig, Vice-Chair Jackson (6:30), Commissioners Honicky, Deits, Van  
Coevering Tenaglia (6:40), and DeGroff (6:35)  
ABSENT: Commissioner Cordill  
STAFF: Principal Planner Gail Oranchak

**1. Call meeting to order**

**Chair Scott-Craig called the work session meeting to order at approximately 8:40 P.M.**

**2. Approval of agenda**

The agenda was accepted as written.

**3. Discussion**

**A. Recap of the May 21, 2015 Planning Commission Public Input Meeting.** Chair Scott-Craig extended his appreciation to Commissioner Deits for his presentation at the Township Board's July 7, 2015 meeting.

**B. 2005 Master Plan Update –Request for Proposals**

- Possibly send and receive RFQ's electronically
- Applicants may submit either paper copies or electronic versions of qualifications
- Emphasize the purpose is to "design and write"
- Include Economic Analysis Chapter in RFP
- Remove estimated range of fees
- Six months to complete within budgeted resources
- Specify date to receive- submit by noon on August 19, 2015
- Possible attorney review if deemed necessary
- Attach updated Goals and Objectives and summary of the May 21, 2015 meeting.
- Provide links to the Master Plan, Greenspace Plan and Pedestrian-Bicycle Pathway plan
- Commissioner VanCoevering offered to draft the RFP
- Schedule a subcommittee meeting to review the draft RFP
- Include consultants responsible for preparing plans reviewed by the Planning Commission and those listed in the Michigan Planner magazine

**5. Public Remarks**

Neil Bowlby commented on the status of the urban service boundary and the availability of environmental data from USGS (soil permeability) and Tri-County Regional Planning Commission

(health impact analysis) as well as Ingham County (“point of sale”)

**6. Adjournment**

**Chair Scott-Craig adjourned the meeting at approximately 6:50 p.m.**

Respectfully Submitted,

Gail Oranchak, AICP  
Principal Planner



# LIAISON FOR INTER-NEIGHBORHOOD COOPERATION



A MERIDIAN TOWNSHIP FEDERATED HOMEOWNER ASSOCIATION

P.O. Box 40 • Okemos, Michigan 48805

July 1, 2015

Meridian Township Board of Trustees  
Meridian Township Planning Commission  
Charter Township of Meridian  
5151 Marsh Road  
Okemos, MI 48864

Re: Public Hearing for Mixed Use Planned Unit Development #15014

Dear Meridian Township Board and Planning Commission,

On June 8, 2015 the Meridian Township Planning Commission failed to approve motions to recommend approval of MUPUD #15014 and SUP #15051 (Campus Village Development). Based on the precedent set during the appeal of SUP #13121 (Construction of the New Fire Station), we think that it is important for the Township Board to clarify its policy regarding actions taken, or lack thereof, by the Planning Commission before moving forward with consideration of MUPUD # 15014 and SUP #15051. A great deal of confusion exists, not only with the public but also among Planning Commissioners, about whether failure of a motion to approve a request constitutes *de facto* denial of the request.

During the appeal of SUP #13021 (October 15, 2013), the approval by the Planning Commission of the request to construct the new fire station was referred, by the Township Board, back to the Planning Commission for "further hearings or other action prior to final determination of the appeal to the Township Board." At a subsequent meeting on January 13, 2014 the Planning Commission failed to approve (4 yes, 5 no) a new motion to approve the SUP. An attempt to introduce a motion to specifically deny the SUP at the February 10, 2014 Planning Commission meeting was rebuffed based on Staff's opinion that failure to approve was equivalent to denial, an opinion that was contrary to the opinions expressed by the Township's legal advisors and later reiterated by special council Mr. Jeffery Sluggett at the March 4, 2014 Board meeting.

We recognize that there is a fundamental difference between the role of the Planning Commission in the approval of Special Land Use Permits for buildings greater than 25,000 square feet in gross floor area and Mixed Use Planned Unit Developments, where the role of the Planning Commission is to provide a recommendation to the Township Board, and their role in all other Special Land Use Permits, where the final authority rests with the Planning Commission. In the former case it is clear that an affirmative action either to approve or deny is not necessary because the Planning Commission is only making a recommendation to the Board and failure of a motion to approve can reasonably be construed as a recommendation to deny. However, in the latter case, and under the reasoning provided by the Township's attorneys, an affirmative action either to approve or deny is required by the Planning Commission because the final authority for approval (or denial) rests with the Planning Commission, and the failure to affirm a motion to approve represents inaction by the Planning Commission thus denying the applicant the right to appeal; i.e. no action has been taken so there is nothing to appeal.

Until a policy regarding the interpretation of Planning Commission motions for approval is in place, we believe that the Planning Commission is obligated to adhere to practices that ensure due process for applicants whose SUP requests have been denied by formally affirming motions to deny. Several communities have overcome these ambiguities by specifically stating that failure to affirm motions to approve are deemed denials.

For instance, the “Rules of Procedure for the City of Sarasota Planning Board/Local Planning Authority” states:

“...if any motion to approve , deny or recommend approval or denial of an application fails to achieve the votes of three (3) Board members , then such application shall be deemed denied .”  
(<http://www.sarasotagov.org/PDF/NDS/PBRulesofProcedureJan2010Signed%20Version.pdf>)

Similarly, the City of Burlingame, California in its Historic Preservation Incentives states in regard to their “Mills Act Contracts”:

“The city council shall, in public hearing, resolve to approve, approve with conditions, or deny the proposed contract. Failure to pass a motion approving the application shall be deemed a denial.”  
([http://qcode.us/codes/burlingame/view.php?topic=21-21\\_04-21\\_04\\_120](http://qcode.us/codes/burlingame/view.php?topic=21-21_04-21_04_120))

The Zoning Board of Appeals of the Village of Oak Park, Illinois in their Rules of Procedure states:

“If the motion fails to receive four (4) votes in favor of the application, a motion denying the application shall be formally entered on the record.”  
(<http://www.oak-park.us/sites/default/files/zoning/2014-06-11-zoning-board-rules-of-procedure.pdf>)

Finally, the Planning Board of the Borough of Highland Park, New Jersey, in its “Rules and Regulations” states:

**“3.08. Failure of Motion** If a motion to approve an application for development does not receive the number of required votes as hereinbefore set forth, such failure shall be deemed an action denying the application.”  
(<http://www.hpboro.com/DocumentCenter/View/1568>)

We encourage the Township Board to explore the possibility of adopting a policy that will clarify the interpretation of “failed motions to approve” by the Board and suggest that the Planning Commission amend their Bylaws to include language similar to that used in the above examples.

Yours for a better community,



Neil Bowlby  
President

## Gail Oranchak

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**From:** Lori Reyes <lori.snow70@gmail.com>  
**Sent:** Thursday, July 16, 2015 5:55 PM  
**To:** Gail Oranchak  
**Subject:** Special Use Permit # 15061 (Jacobs Engineering)

Dear Ms. Oranchak:

I request that Meridian Township consider the following regarding Special Use Permit # 15061;

1) Verizon service and coverage is excellent in the area. I am a Verizon wireless user and have no issues. I personally do not believe there is a true need for another tower to service Verizon customers, or one that that outweighs the negative impacts.

2) Consideration should be given to the overall plan for the Grand River Corridor. The tower would not be congruous with the overall plan to make the Grand River Corridor more desirable. The area is the perceived gateway locally to Okemos, even if the the actual Meridian Township Border is further west.

3) Consideration should be given as to whether the placement of the tower in the immediate area is appropriate and harmonious with businesses surrounding the proposed tower, such as LotusVoice Integrative Therapies, LLC and others. As a frequent patron of the businesses surrounding the proposed tower, a cellphone tower is not welcome as it does not fit the standard uses of land in the area.

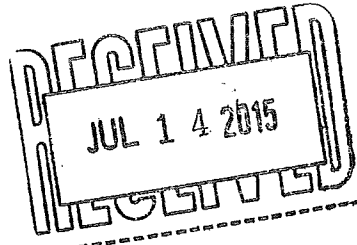
I have been an Okemos resident for over 11 years, and look forward to continued sound decision by the Planning Commission that is in the best interest of Meridian Township residents and the greater Lansing area. A cell phone tower on the corner of Park Lake and Haslett roads would be more appropriate and welcome.

Respectfully,

Lori Reyes  
4211 Southport Circle  
Apt 2C  
Okemos, MI 48864



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*A great business - and another solid, quality opportunity for Meridian!*

July 14, 2015

Meridian Charter Township  
Department of Community Planning & Development  
5151 Marsh Road  
Okemos, 48864

Attn: Peter Menser  
RE: Support of Special Use Permit #15081

Dear Mr. Menser: *Peter*

The Lansing Economic Area Partnership (LEAP) has been working with Lawrence Judge since December 2014, assisting him with site selection support, business planning, and in understanding financing options/incentives to help him be successful in what we understand as a vastly underserved local malt market here in Michigan. His enterprise, Mitten State Malt, LLC, is the first in the Lansing metropolitan area looking to serve this market, and is therefore one that we want to cultivate however possible. After considering a variety of site selection factors, the building at 1870 Grand River Avenue in Meridian Township was selected as the location for Mitten State Malt to conduct business operations.

Based on Meridian Township's zoning districts, the company would be required to have a special use permit in order to operate business as planned at this location. The use is extremely non-abrasive and falls outside of what is typically construed even as light industrial. Of specific import, his operations will create no noticeable detriment for the surrounding area, functioning much like the production side of a brewery. Many of the surrounding uses are commercial in nature, some of which produce similar or greater level of odor (restaurants & food-related enterprises) as Mitten State Malt.

Local zoning lends this parcel to a more traditional commercial use; however, because of the specific nature of Mitten State Malt as a priority piece in a growing supply chain of Michigan's robust agriculture industry, the business represents rare economic development potential in the opportunity to nurture a new industry from infancy. That, combined with the nominal impact of the specific space's use when looking at the overall commercial presence in the area, leads LEAP to be highly supportive of Special Use Permit #15081.

LEAP is the economic development agency covering Lansing's metropolitan region, Ingham, Eaton and Clinton counties. We are a private nonprofit, with nearly 70 members that include Lansing's most influential private- and public-sector leaders. Due to their interest, LEAP had prioritized agriculture and food businesses and has an active workgroup to address their needs.

Thank you for your time and consideration—the Lansing region is eager to see agriculture-related entrepreneurs continue to flourish in our area, enhancing the economy and quality of life across the region.

Sincerely,

Robert L. Trezise, Jr.  
President & CEO  
Lansing Economic Area Partnership

**Special Use Permit #15081  
(Judge)  
July 27, 2015**

**APPLICANT:** Lawrence Judge  
2401 Graystone Dr.  
Okemos, MI, 48864

**REQUESTED ACTION:** Establish light manufacturing operation

**ZONING OF  
SUBJECT PARCEL:** C-2 (Commercial)

**GENERAL LOCATION:** 1870 Grand River Ave.

**EXISTING LAND USE  
ON THE PARCEL:** Warehouse

**ADJACENT AREA  
LAND USE(S):** N: Commercial  
S: Commercial  
E: Commercial  
W: Commercial

**ZONING ON  
ADJOINING PARCELS:** N: C-2 (Commercial)  
S: C-2 (Commercial)  
E: C-3 (Commercial)  
W: C-3 (Commercial)



CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM: *Peter Menser*  
Peter Menser  
Associate Planner

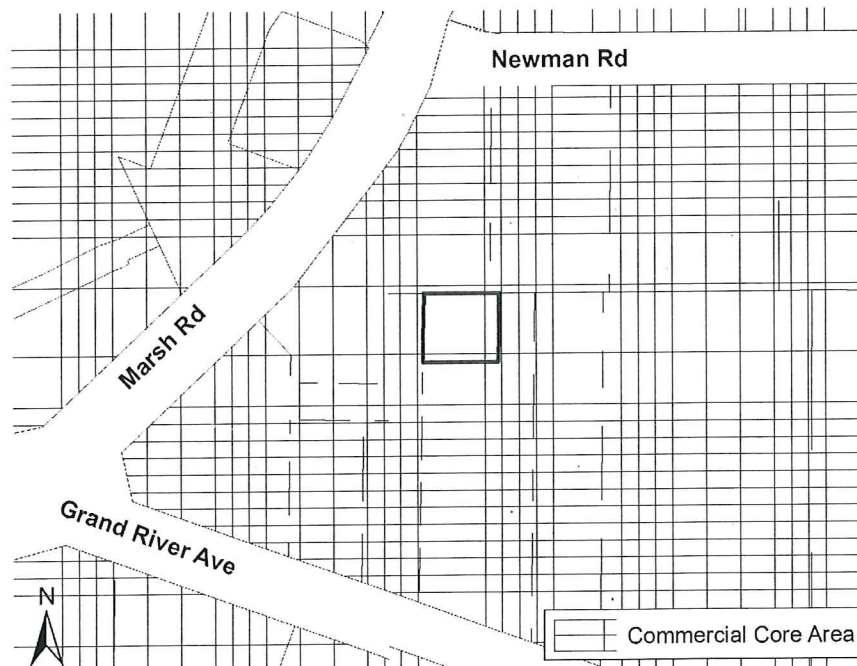
DATE: July 24, 2015

RE: Special Use Permit #15081 (Judge), request to establish light manufacturing operation (malt processing facility) at 1870 Grand River Ave.

Lawrence Judge is requesting a special use permit to establish a light manufacturing operation at 1870 Grand River Avenue. 1870 Grand River Avenue is an 11,956 square foot warehouse building on a 0.427 acre parcel located behind the Grand Center shopping center. The warehouse is zoned C-2 (Commercial). Mr. Judge's company Mitten State Malt, LLC processes raw barley grain into malt, a primary ingredient used in the production of beer. Light manufacturing, including processing, assembly, or fabrication establishments, is permitted by special use permit in the C-2 (Commercial) zoning district per Section 86-404(e)(3) of the Code of Ordinances.

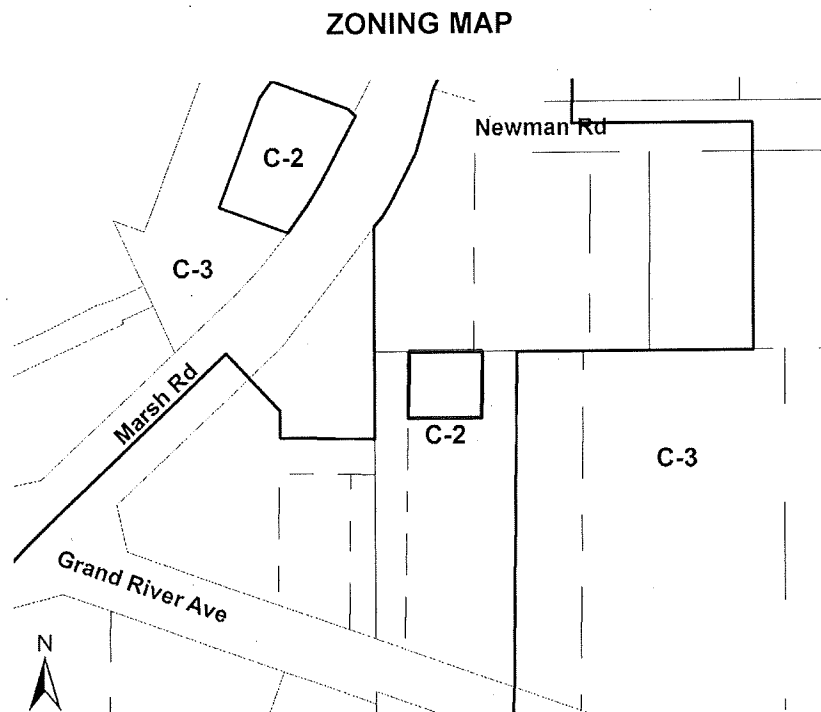
1870 Grand River Avenue is located north of the 21,168 square foot Grand Center shopping center at 1850 Grand River Avenue that is currently occupied by tenants Meridian Firearms, Mert's Specialty Meats, Sherwin Williams, Framers Edge, Jersey Giant, and Goodwill Donation Center. Mitten State Malt, LLC will be leasing 2,362 square feet of the warehouse. The other tenant in the warehouse is a company called The Training Space, an athletic training/practice facility for children. The 2005 Master Plan designates the subject site as commercial core area.

**FUTURE LAND USE MAP**



## Zoning

1870 Grand River Avenue is located in the C-2 (Commercial) zoning district. The minimum lot width in the C-2 zoning district is 100 feet and the minimum lot area is 4,000 square feet. The subject parcel has zero feet of frontage on Grand River Avenue and a lot area of 0.427 acres (18,600 square feet).



## Physical Features

The subject property is located on a landlocked parcel north of Grand River Avenue and east of Marsh Road. The site is developed with an 11,956 square foot warehouse building and associated parking lot. Small trees are located in parking islands directly south of the building.

The Township wetland map shows the subject property is not located in or near a wetland and the Township's Flood Insurance Rate Map (FIRM) indicates the site is not located in or near a floodplain.

## Streets and Traffic

Primary access to the warehouse building is from a driveway along the east side of 1850 Grand River Avenue. The site can also be accessed from a service drive behind 4790 Marsh Road, the building currently occupied by Capitol National Bank and Williams Carpet. The primary driveway winds around the east side of the Grand Center shopping center and connects to a parking area between the shopping center and warehouse. A service drive provides access to commercial buildings in this stretch of Grand River Avenue; there are two primary points of access to the Grand Center shopping center property, both of which provide access to the driveway serving the subject property.

**Special Use Permit #15081 (Judge)  
Planning Commission (7/27/15)  
Page 3**

One employee will be operating the malt processing facility. Raw barley grain will be delivered to the site via a truck with trailer once per year at the end of the growing season in early August. The finished product is delivered to brewers as needed by a single pickup truck. The small scale of the malt processing operation and maximum of three total employees is not expected to generate any significant additional traffic.

Grand River Avenue is a five lane road classified as a Principal Arterial in the 2005 Master Plan and is under the jurisdiction of the Michigan Department of Transportation (MDOT). A 2013 traffic count by the MDOT on Grand River Avenue between Marsh Road and Central Park Drive showed an average of approximately 16,000 automobiles daily.

A 7-foot wide pedestrian/bicycle pathway is located along the Grand River Avenue frontage.

**Public Utilities**

The Department of Public Works and Engineering confirms municipal water and sanitary sewer services the subject property. The Chief Engineer has indicated the public utilities are of sufficient capacity to adequately serve the malt processing facility and the activities of the business will not stress or otherwise hinder the system.

**Staff Analysis**

The applicant has requested to establish a light manufacturing facility at 1870 Grand River Avenue to process raw barley grain into malt. If approved for the special use permit the applicant will transport raw barley grain produced at an area farm to the facility where it will be processed into malt and sold to area brewers. Light manufacturing, including processing, assembly, or fabrication establishments, is permitted by special use permit in the C-2 (Commercial) zoning district per Section 86-404(e)(3) of the Code of Ordinances. The special use permit review criteria found in Section 86-126 of the Code of Ordinances should be used when evaluating the special use permit request.

The malt production process has three basic steps; steeping, germination, and drying. Primary equipment used in this process is a stainless steel tank, seed cleaner machine, air pump, and kiln. The basic method used to make malt is to clean the raw barley, soak it until it germinates, and then dry it out and package it. The applicant indicates he will produce one 500 pound batch of finished product per week. A food establishment license is required by the State of Michigan's Department of Agriculture to operate a malt processing facility. The facility will be inspected and regulated by the State and has to meet all aspects of the Michigan Food Law.

The zoning ordinance does not have a specific category of parking requirements for a light manufacturing facility. The general industrial category, a similar use, requires one parking space for every two employees on the largest working shift. The applicant indicates a potential maximum of three employees, therefore a total of six parking spaces is required. A 1990 site plan of the property shows a 77 space parking lot between the warehouse building and Grand Center shopping center. The parking lot has sufficient capacity to accommodate the employees of the malt processing facility. If the special use permit request is approved, Township staff will require a parking agreement from the property owner formalizing shared parking between the warehouse and shopping center properties. Davis GC, LLC owns both parcels and has provided a similar agreement in the past for tenants of the warehouse building.

**Special Use Permit #15081 (Judge)**  
**Planning Commission (7/27/15)**  
**Page 4**

**Planning Commission Options**

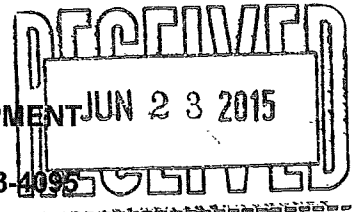
The Planning Commission may approve, approve with conditions, or deny the special use permit. A resolution will be provided for a decision at a future meeting.

**Attachments**

1. Special Use Permit application and attachments
2. Site Plan dated May 7, 1990
3. Aerial map of property and surrounding area

G:\Community Planning & Development\Planning\SPECIAL USE PERMITS (SUP)\2015\SUP 15081 (Judge)

CHARTER TOWNSHIP OF MERIDIAN  
 DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT  
 5151 MARSH ROAD, OKEMOS, MI 48864  
 PLANNING DIVISION PHONE: (517) 853-4560, FAX: (517) 853-4095



SPECIAL USE PERMIT APPLICATION

Before submitting this application for review, an applicant may meet with the Director of Community Planning and Development to discuss the requirements for a special use permit and/or submit a conceptual plan for review to have preliminary technical deficiencies addressed prior to submittal of the application. If the property or land use is located in the following zoning districts RD, RC, RCC, RN then the applicant must meet with the Planning Director to discuss technical difficulties before filing a formal application.

**Part I**

- A. Applicant Lawrence J. Judge (Mitten State Malt, LLC)  
 Address of Applicant 2401 Graystone Drive, Okemos  
 Telephone - Work 517.490.5245 Home 517.344.5142 Fax \_\_\_\_\_ Email judgelaw@msu.edu  
 Interest in property (circle one):  Owner  Tenant  Option  Other  
 (Please attach a list of all persons with an ownership interest in the property.)
- B. Site address / location / parcel number 1870 West Grand River Ave., Okemos  
 Legal description (please attach if necessary)
- Current zoning C-2  
 Use for which permit is requested / project name Mitten State Malt (Malt House)  
 Corresponding ordinance number \_\_\_\_\_
- C. Developer (if different than applicant) \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone - Work \_\_\_\_\_ Home \_\_\_\_\_ Fax \_\_\_\_\_
- D. Architect, Engineer Planner or Surveyor responsible for design of project if different from applicant:  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone - Work \_\_\_\_\_ Home \_\_\_\_\_ Fax \_\_\_\_\_
- E. Acreage of all parcels in the project: Gross \_\_\_\_\_ Net \_\_\_\_\_
- F. Explain the project and development phases:
- G. Total number of:  
 Existing: structures 1 bedrooms \_\_\_\_\_ offices \_\_\_\_\_ parking spaces \_\_\_\_\_ carports \_\_\_\_\_  
 garages \_\_\_\_\_ Proposed: structures \_\_\_\_\_ bedrooms \_\_\_\_\_ offices \_\_\_\_\_ parking spaces \_\_\_\_\_ carports \_\_\_\_\_  
 garages \_\_\_\_\_
- H. Square footage: existing buildings X proposed buildings \_\_\_\_\_ NW 2,362 Sq. ft.  
 Usable Floor area: existing buildings \_\_\_\_\_ proposed buildings \_\_\_\_\_ of building
- I. If employees will work on the site, state the number of full time and part time employees working per shift and hours of operation:
- J. Existing Recreation: Type \_\_\_\_\_ Acreage \_\_\_\_\_  
 Proposed Recreation: Type \_\_\_\_\_ Acreage \_\_\_\_\_

Part II

SUP REQUEST STANDARDS  
Township Code of Ordinances, Section 86-126

Applications for Special Land Uses will be reviewed with the standards stated below. An application that complies with the standards stated in the Township Ordinance, conditions imposed pursuant to the Ordinance, other applicable Ordinances, and State and Federal statutes will be approved. Your responses to the questions below will assist the Planning Commission in its review of your application.

- (1) The project is consistent with the intent and purposes of this chapter.
- (2) The project is consistent with applicable land use policies contained in the Township's comprehensive development plan of current adoption.
- (3) The project is 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 same area.
- (4) The project will not adversely affect or be hazardous to existing neighboring uses.
- (5) The project will not be detrimental to the economic welfare of surrounding properties or the community.
- (6) The project is adequately served by public facilities, such as existing roads, schools, stormwater drainage, public safety, public transportation, and public recreation, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide any such service.
- (7) The project is adequately served by public sanitation facilities if so designed. If on-site sanitation facilities for sewage disposal, potable water supply, and storm water are proposed, they shall be properly designed and capable of handling the longterm needs of the proposed project.
- (8) The project will not involve uses, activities, processes, materials, and equipment and 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.
- (9) The project will not directly or indirectly have a substantial adverse impact on the natural resources of the Township, including, but not limited to, prime agricultural soils, water recharge areas, lakes, rivers, streams, major forests, wetlands, and wildlife areas.

Part III

I (we) hereby grant permission for members of the Charter Township of Meridian's Boards and/or Commissions, Township staff member(s) and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purpose of gathering information including but not limited to the taking and the use of photographs.

Yes     No    (Please check one)

By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate

Lawrence J. Judge  
Signature of Applicant

06/22/15  
Date

Lawrence J. Judge  
Type/Print Name

Fee: \$500.00

Received by/Date: Peter Menser 6-23-15

## Part II: Special Use Permit Request Standards

(1) The project is consistent with the intent and purpose of this chapter:

The proposed site is located in a C-2 zone, and an allow use with a special use permit in this zone includes 'light manufacturing including processing, assembly, or fabrication establishments.' A malthouse is essentially a processing facility as raw barley grain is processed to produce malt; overall, malting is a 'very light' manufacturing process as very small/light equipment is used and little noise/odor/dust is produced. Therefore, this use is consistent with the intent of this zone and ordinance.

(2) The project is consistent with applicable land use policies contained in the Townships comprehensive development plan of current adoption:

This project will be entirely contained within a portion of an existing building; the only external visible modification will be the addition of an overhead door (to accommodate the movement of equipment, raw grain and finished malt) and wall vents (for kiln air and furnace exhaust .) The entirety of the operation will be contained within the existing building. The use of this existing structure will in no way harm any of the infra-structure of the Township nor will it damage any of the surrounding area in any fashion.

(3) The project is 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 same area:

Because the malting operation will be entirely contained within an existing building, the appearance of the surrounding area will not be altered or affected in any way. As a licensed food producing facility, the facility must be operated and cared for in a very clean and tidy fashion; therefore, no junk/garbage will be allowed to collect or extraneous materials be present anywhere.

(4) The project will not adversely affect or be hazardous to existing neighborhood uses:

Most of the immediately adjacent businesses are retail establishments of various forms: there are numerous food-related businesses (restaurants, a specialty meats store and retail food store). The business of a malthouse is such that the product that is produced (malt) is delivered to breweries; therefore traffic into the business will only be the owner, employees (none at the present time and no more than 2 in the future) and the occasional visitor. As a result, traffic in the area will be unaffected so as to not impact the local retail business community.

The malt house will produce a small amount of odor as grain is kilned and the noisiest pieces of equipment will be a forklift, a seed cleaner and air pump; neither the smell or sound produced will be any greater or more objectionable when compared to existing business within the area (e.g., restaurants and car care facilities). The noisiest piece of equipment will be a seed cleaner that produces about 70 decibels of sound, which is approximately what the average vacuum cleaner generates.

(5) The project will not be detrimental to the economic welfare of the surrounding properties or the community:

Because no obnoxious odors or excessive noises will be produced by this business, the surrounding business will not be adversely affected. Furthermore, because of the very limited traffic that a craft malt house generates, no congestion of roadways or parking lot facilities will occur. Barley is planted in the spring and harvested in early August; therefore the raw product to be processed for the rest of the year all arrives at the malt house within a very narrow time frame. The finished product (malt) will leave the facility periodically in a pick-up truck in 50 lb. bags.

(6) The project is adequately served by public facilities, such as existing roads, schools, stormwater drainage, public safety, public transportation, and public recreation, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide any such service:

Water and sewage facilities are the main public facilities that are impacted by the malting process; as was mentioned in item (5), traffic is minimal so no public transportation or safety issues related to traffic will occur. With regard to stormwater, because all operations are contained within a building, no runoff issues will exist. About 1% solids (dirt) is present in raw barley and this is removed during the steeping process and added to the sewage system. Total steeping water usage is about 2/3 gal./lb. of raw grain, and about 2/3 of this (or one-half gal./lb. of raw grain) is waste water - the remainder stays in the barley seed itself; therefore, each 500 lb. batch processed will use approximately 330 gal. of water with about 160 gals./batch discharged into the sewage system. Initially one, 500 lb. batch of barley will be malted per week; after the first six months of operation, production will be increased to two batches/week. Because a total barley processed during the first year of operation is estimated to be 14,000 lbs., this would yield 28 total, 500 lb. batches of barley malted using a total of 9240 gals. of water with about 4500 gals. discharged into the public sewage system containing 140 lbs. total pounds of solids. The batch size will be increased to 750 and then to 1000 lbs./batch during the second year of operation; therefore these numbers will increase by 30 to 50% during the second year of operation. It is estimated that the average family of four uses,



per day, about the same amount of water as a 500 lb./batch of barley requires, to put this amount of water usage in perspective.

(7) The project is adequately served by public sanitation facilities if so designed. If on-site sanitation facilities for sewage disposal, potable water supply, and storm water are proposed, they shall be properly designed and capable of handling the longterm needs of the proposed project:

As was described in item (6), public sanitation (wastewater and storm drainage systems) will be more-than-adequate for handling wastewater from this scale of malting operation. And because all activities are contained within an existing building, storm water drainage will be unaffected by the operation of this business.

(8) The project will not involve uses, activities, processes, materials, and equipment and conditions 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:

As was mentioned previously, traffic will be unaffected by the conduct of business by this company, and noise and odors will be minimal as well. Additionally, no smoke will be produced (heat will be produced by either propane, natural gas or electricity) in the course of operations. All operations, except for loading/unloading of raw and finished product (and initial equipment arrival) will be contained within the building walls, so no glare will be produced. The only fumes will be from burning gases (propane or natural gas) that will be vented from the building per usual. A forklift (either electric or propane-powered) will be utilized indoors periodically (30 mins./day or less) to move grain around the malthouse; this piece of equipment will produce a minimal amount of fumes (propane) to no fumes (electric).

(9) The project will not directly or indirectly have a substantial adverse impact on the natural resources of the Township, including, but not limited to, prime agricultural soils, water recharge areas, lakes, rivers, streams, major forests, wetlands, and wildlife areas:

As has been previously stated, all operations, except for unloading and loading of raw and finished product, and occasional equipment movement, will be contained within the existing building walls. All water used will be discharged into the existing sanitary sewage system. Therefore, no adverse impact on any of the natural resources of the Township will be impacted.

## Malting is a Three-Step Process:

Malted barley, or malt, is the basic ingredient used in the production of beer, provide complex carbohydrates and sugars necessary for fermentation (yeast make alcohol from sugars), as well as contributing flavors and colors that are characteristic of beer. Making malt requires only a cereal grain, usually barley but can be wheat, sorghum or millet, and then following a three-step process: 1) steeping, 2) germination, and 3) drying/kilning:

### 1. Steeping:

During steeping, water is absorbed by the raw barley and germination (sprouting) begins. Steeping starts with raw barley that has been sorted and cleaned, then transferred into a tank and covered with water. For the next 40-48 hours, the raw barley alternates between being submerged and drained (usually three cycles with each lasting approx. 8 hours) until it increases in moisture content from 12% to about 45%. The absorbed water activates naturally existing enzymes in the seed and stimulates the seed to develop new enzymes. These enzymes break down the protein and carbohydrate matrix that encloses the starch (carbohydrate) granules in the seed, opening up the seed's starch reserves; this in turn initiates growth of the acrospire (commonly known as the sprout). Steeping is complete when the barley has reached a sufficient moisture level to allow uniform breakdown of the starches and proteins (about 45%). One visual indicator that the maltster uses to determine the completion of steeping is to count the percentage of kernels that show "chitting." The "chit" is the start of the rootlets that are now visibly emerging from the barley kernel as it begins to grow.

Mitten State Malt will use a 350 gal. milk bulk tank to hold water and raw barley as it is steeped. A small air pump will force air through the water to keep the oxygen levels up; when the water is drained out, a small fan will push air through the grain to keep it cool and remove carbon dioxide. Three submerge/drain cycles, each lasting about 8 hrs. will be run to complete the steeping process.

### 2. Germination:

The chitted barley is transferred from the steep tank to the germination compartment/floor. Germination, which began in the steep tank, continues as the barley kernel undergoes modification. Modification refers to the breakdown of the protein and carbohydrates, and the resulting opening up of the seeds starch reserves. Good modification requires the barley to remain in the germination compartment/floor for 3 to 5 days. The germinating barley needs to be turned every 6 to 8 hours to keep the bed from compacting and rootlets from growing together, which can cause uneven growth of the barley seeds. The maltster determines when germination is completed by observing when the acrospire (sprout) is nearly ready to emerge from the top of the seed.

Because Michigan food law doesn't allow a food product to contact the floor, a germination compartment will be utilized by Mitten State Malt. This box/compartment will be constructed of stainless steel and/or food-grade ceramic tile. A barley 'rake/plow' (basically a heavy metal hoe) will be used to hand-turn the germinating barley every 6 to 8 hrs. until germination is completed.

### 3. Drying/Kilning:

Germination is intentionally halted by drying the growing barley seeds. If germination was allowed to continue, the sprout would keep growing and all of the starch reserves needed by the brewer (or more accurately, the yeast) would be used by the growing plant. Base or standard malts are dried/kilned for a period of about 24 hours total. First, a large amount of air of a relatively low temperature (100°F) is applied to the germinated barley for about the first 20 to 22 hrs. of the kiln cycle. Then, when the moisture in the seed has fallen to about 10%, air flow is reduced and heat is increased up to 180-190°F for 2 to 4 hours. This final higher temperature phase is what develops the flavor and color of the malt. Specialty malts are dried in the kiln at higher temperatures for longer periods of time. By varying the moisture level, time and temperature of drying/kilning, the unique flavor and color characteristics of each specialty malt are produced.

After the growing seeds have been removed from the germination compartment/floor, Mitten State Malt will utilize a 250 gal. milk bulk tank to hold germinated barley while heated air (produced by a gas furnace) will dry the grain. Air from the drying grain will be vented outside the building as will exhaust from the furnace. An electric duct heater may be later added to the kiln to produce the higher temperatures necessary to create specialty malts, but initially only 'base' malt will be produced that doesn't require these higher temperatures. The dried/kilned malt will then be run through a seed cleaner (to knock off the rootlets and other loose particles in the finished malt) and then the final product will be bagged (50 lbs. each). The finished malt (4% moisture) can be stored long-term or immediately delivered to a brewery for use.

# DAVIS

CONSTRUCTION CO.

5236 Dumond Court  
Suite A  
Lansing, Michigan 48917  
Phone: 517.322.3800  
Fax: 517.322.0305  
[www.davisconstruction.us](http://www.davisconstruction.us)

Grand Rapids Division  
4457 40th Street SE  
Kentwood, Michigan 49512  
Phone: 616.456.0059  
Fax: 616.456.0383

Texas Division  
2045 E. Highway 380  
Suite 100  
Decatur, Texas 76234  
Phone: 940.626.0022  
Fax: 940.626.0047

GENERAL  
CONTRACTORS

BRIDGE,  
HEAVY HIGHWAY &  
SITE CONSTRUCTION

TRUCKING  
SERVICES

*"Equal opportunity employer"*

  
Michigan Infrastructure &  
Transportation Association

May 19, 2015

Mr. Peter Menser  
Associate Planner / Economic Development  
Charter Township of Meridian  
5151 Marsh Road  
Okemos, MI 48864

**RE: Special Use Permit Application, 1870 Grand River  
Avenue, Okemos, MI 48864**

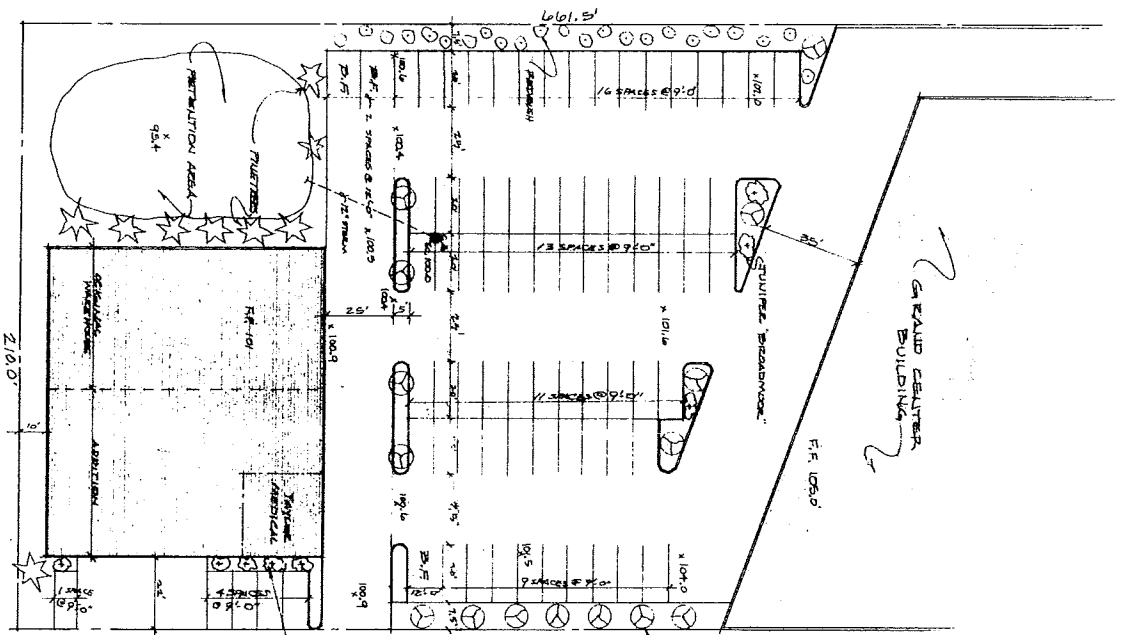
Dear Peter:

This letter confirms I am giving Larry Judge with Mitten State Malt, LLC permission to apply for a Special Use Permit as it relates to his potential tenancy at 1870 Grand River Avenue in Okemos, MI. Please let me know if you have any questions.

Sincerely,

Michael Davis

ACTE RENTALS

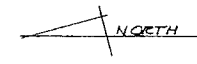


← KENDY'S RESTAURANT PARKING →

← PAVING & DRIVE AREA FOR BARBETT'S FURNITURE (PREVIOUS TENANT) →

PARKING SPACES  
77-REGULAR  
3-MANUREV FACES

PARKING & LANDSCAPE PLAN



GLASS WASH

<b>MIKE DAVIS BUILDERS, INC.</b>	
DATE: 11-20-84	APPROVED BY:
DATE: 5-7-90	DATE: 5-11-90
REVISION:	REVISION:





Grand River Ave

Marsh Rd





**Rezoning #15030  
(Ghulam H. Sumbal)  
July 23, 2015**

**APPLICANT:** Ghulam H. Sumbal  
1998 Jolly Road  
Okemos, MI 48864

**STATUS OF APPLICANT:** Owner

**REQUEST:** Rezone to RA (Single Family-Medium Density)

**CURRENT ZONING:** RR (Rural Residential)

**LOCATION:** 1998 Jolly Road

**AREA OF SUBJECT SITE:** 1.4 acres

**EXISTING LAND USE:** Two single-family residences

**EXISTING LAND USES  
IN AREA:** North: Single-family residences  
South: Single-family residences and Agriculture  
East: Hiawatha Elementary School  
West: Single-family residences

**CURRENT ZONING IN AREA:** North: RA (Single Family, Medium Density)  
South: Alaeidon Township  
East: RA (Single Family-Medium Density)  
West: RA (Single Family-Medium Density)

**FUTURE LAND USE  
DESIGNATION:** Residential 1.25-3.5 dwelling units per acre

**FUTURE LAND USE MAP:** North: Residential 1.25-3.5 dwelling units per acre  
South: Alaeidon Township  
East: Residential 1.25-3.5 dwelling units per acre  
West: Residential 1.25-3.5 dwelling units per acre

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM:   
Richard F. Brown, Jr., AICP, CBSP  
Associate Planner

DATE: July 23, 2015

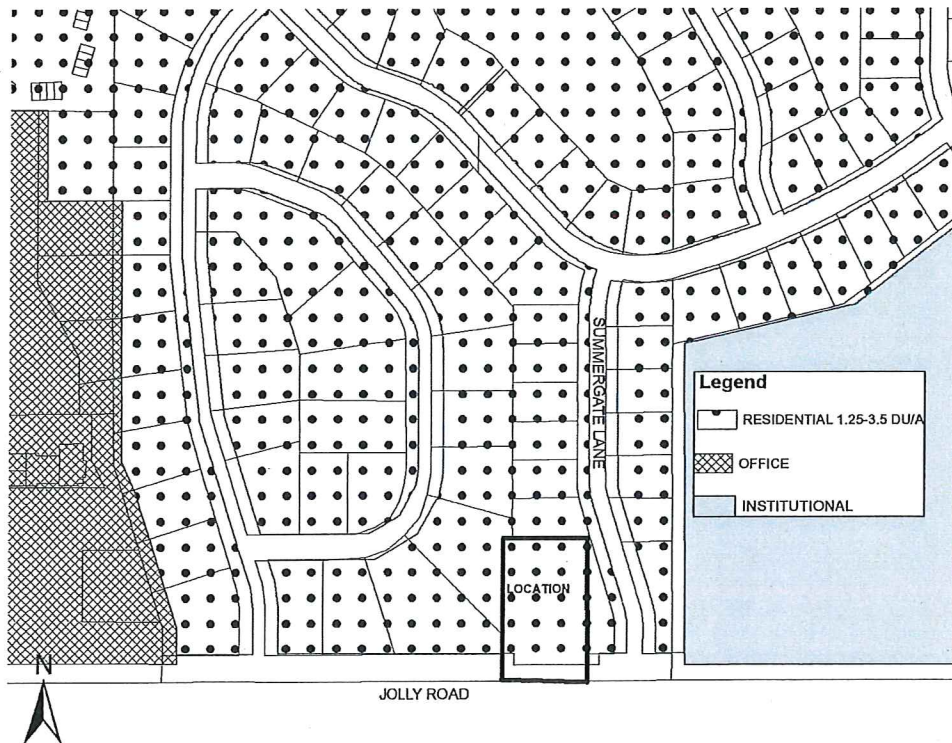
RE: Rezoning #15030 (Ghulam H. Sumbal) request to rezone approximately 1.4 acres located at 1998 Jolly Road from RR (Rural Residential) to RA (Single Family-Medium Density)

Ghulam H. Sumbal has requested the rezoning of a 1.4 acre parcel located at 1998 Jolly Road from RR (Rural Residential) to RA (Single Family-Medium Density). Two single-family dwellings are located on the subject site.

**Master Plan**

The 2005 Master Plan designates the subject site and all surrounding parcels in Meridian Township in the Residential 1.25 to 3.5 dwelling units per acre category.

**FUTURE LAND USE MAP**



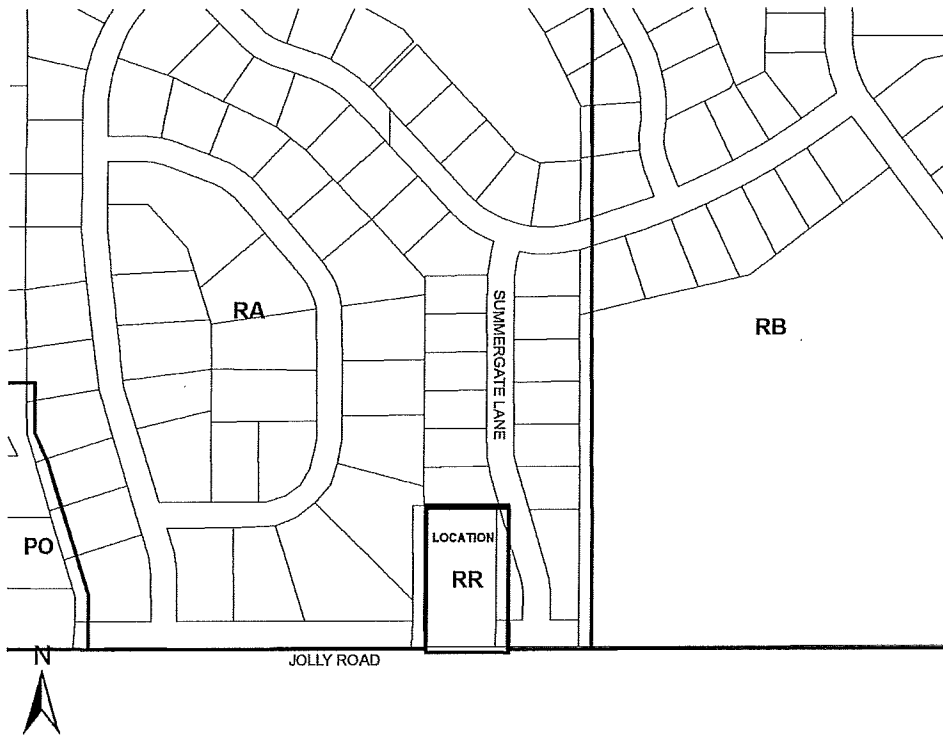


**Zoning**

The subject site is zoned RR (Rural Residential). From a review of past zoning maps, it appears the subject site has remained RR (Rural Residential) since 1960. Data on the standards for the existing and proposed zoning are provided in the following chart:

ZONING DISTRICT	LOT AREA	LOT WIDTH
RR (Rural Residential)	40,000 sq. ft.	200 ft.
RA (Single Family-Medium Density)	10,000 sq. ft.	80 ft.
1998 Jolly Road	60,984 sq. ft.	132 ft. on Jolly Road

**ZONING MAP**



**Physical Features**

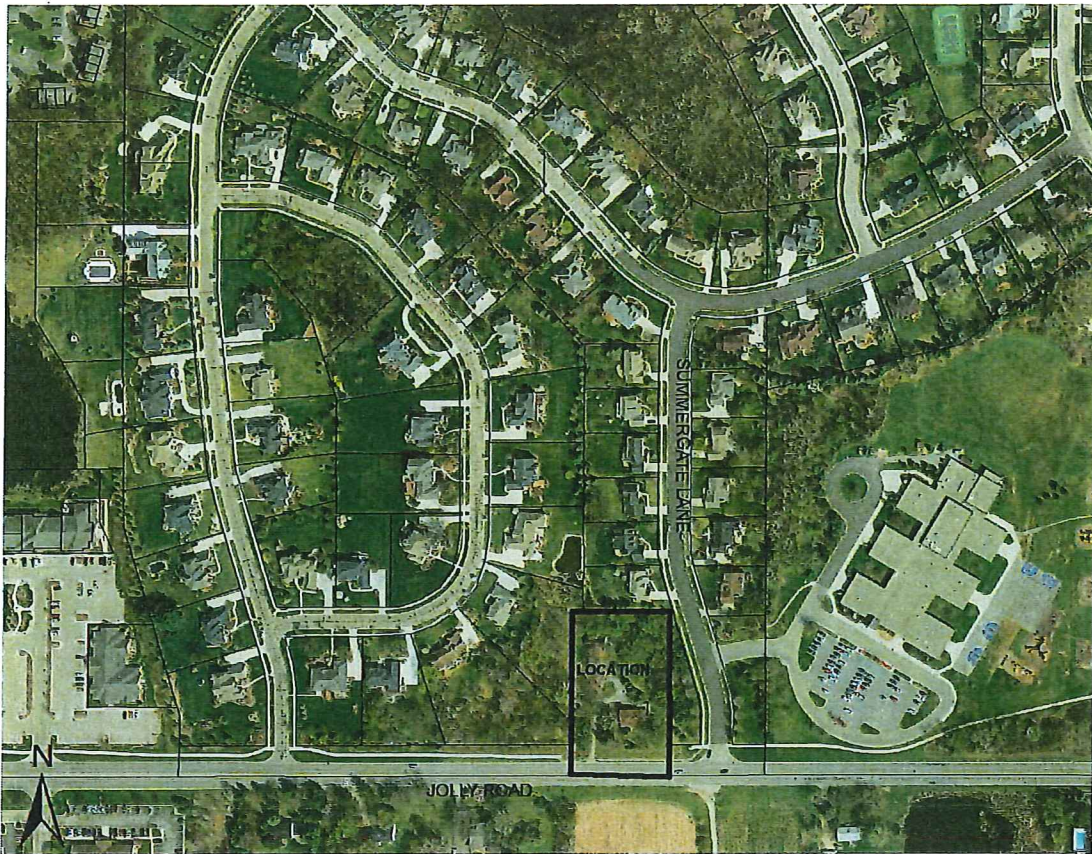
The subject site is 1.4 acres in size and contains two single-family dwellings. Details regarding the structures are provided in the following chart:

STRUCTURE	YEAR BUILT	SQUARE FEET	FLOORS
Dwelling 1	1955	2,412	1 story+ basement
Dwelling 2	1955	828	1 story

Elevations on the site vary between 919 feet above mean sea level in the northwest corner to 927 feet above mean sea level in the southeast portion of the site.

No regulated wetlands, 100-year floodplain, or other natural features identified by the Greenspace Plan exist on the subject site.

**AERIAL PHOTO**



*Soils*

The following predominant soil types are found at the subject site:

SOIL ASSOCIATION	SLOPE	SEVERE LIMITATIONS
MaB – Marlette fine sandy loams	2 to 6 percent	Low strength
MaC – Marlette fine sandy loams	6 to 12 percent	Low strength
OsC – Oshtemo sandy loam	6 to 12 percent	Cutbanks cave and slope

Source: Soil Survey of Ingham County, Michigan 1992.

**Streets and Traffic**

Access to the site is available from Jolly Road. Jolly Road is classified as a Minor Arterial as



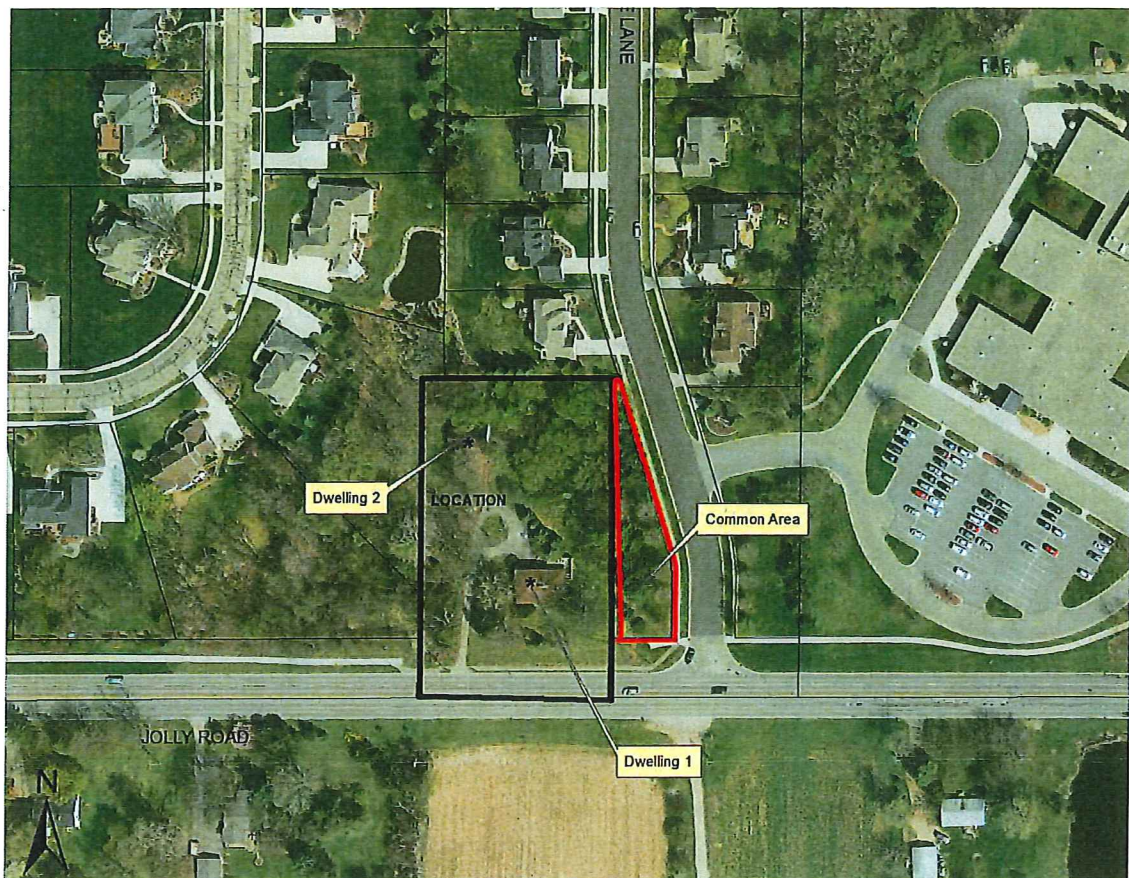
shown on the map titled Street Setbacks and Service Drives, Section 86-367 in the zoning ordinance. Jolly Road consists of two eastbound and two westbound lanes. An asphalt pathway crosses the frontage of the subject site linking completed segments of concrete pedestrian/bicycle pathways on either side. The asphalt pathway is scheduled to be replaced by a traditional concrete pedestrian/bicycle pathway.

**Utilities**

Public sanitary sewer and water are available to the subject site. Dwelling 1 is currently served by both, while service is available for Dwelling 2 should it be established on a separate parcel of land.

**Staff Analysis**

Two single-family dwellings on the same parcel of land is prohibited by current regulations within both the RR (Rural Residential) and the RA (Single Family-Medium Density) zoning districts. The applicant has approached staff in the past about potentially splitting the subject site into north and south parcels to better conform to the Code of Ordinances. Such a split would require the northern parcel to obtain an access easement off of Summergate Lane through the common area on the west side of Summergate Lane north of the Jolly Road entrance to Hiawatha Lakes subdivision (see image below). Prior approval by the subdivision and the Ingham County Road Department would be necessary, as well.



Under RR (Rural Residential) zoning, such a land division would be impossible without variances due to the site dimensions (132 feet wide x 330 feet deep) not complying with the minimum lot width of 200 feet along a public road and minimum lot area of 40,000 square feet. Meanwhile under the proposed RA (Single Family-Medium Density) zoning, there is the potential for at least one of the parcels to be in compliance for lot width (80 feet) and both to be in compliance for lot area (10,000 square feet). A variance would also be required for the resulting north parcel to have access from Summergate Lane without actual frontage on Summergate Lane.

The applicant would need to work with and receive approval from both the Hiawatha Lake Homeowner's Association and the Ingham County Rod Department to obtain access to Summergate Lane.

Splitting the parcel into east and west parcels fronting on Jolly Road also has a number of issues associated with it, not the least of which is the 132 foot width of the parcel facing Jolly Road. Dividing the subject site into east and west parcels would require lot width variances for both resulting parcels. Given the Ingham County Road Department would dissuade another curb cut on Jolly Road in this vicinity, a variance for a shared driveway may also be necessary.

#### **Planning Commission Options**

The Planning Commission may recommend approval or denial of the request or it may recommend a different zoning designation to the Township Board. A resolution will be provided for a future meeting.

#### **Attachments**

1. Application and supporting materials

CHARTER TOWNSHIP OF MERIDIAN  
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT  
5151 MARSH ROAD, OKEMOS, MI 48864  
PHONE: (517) 853-4560, FAX: (517) 853-4095

REZONING APPLICATION

Part I, II and III of this application must be completed. Failure to complete any portion of this form may result in the denial of your request.

Part I

A. Owner/Applicant GHULAM H SUMBAL  
Address of applicant 1998 JOLLY RD. OKEMOS, MI 48864  
Telephone: Work 517-755-8481 Home 517-321-9808  
Fax \_\_\_\_\_ Email \_\_\_\_\_

If there are multiple owners, list names and addresses of each and indicate ownership interest. Attach additional sheets if necessary. If the applicant is not the current owner of the subject property, the applicant must provide a copy of a purchase agreement or instrument indicating the owner is aware of and in agreement with the requested action.

B. Applicant's Representative, Architect, Engineer or Planner responsible for request:  
Name / Contact Person \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone: Work \_\_\_\_\_ Home \_\_\_\_\_  
Fax \_\_\_\_\_ Email \_\_\_\_\_

C. Site address/location 1998 JOLLY RD.  
Legal description (Attach additional sheets if necessary) \_\_\_\_\_  
Parcel number 33-02-02-34-300 Site acreage \_\_\_\_\_

D. Current zoning R.R -002 Requested zoning RA

E. The following support materials must be submitted with the application:

1. Nonrefundable fee.
2. Evidence of fee or other ownership of the subject property.
3. A rezoning traffic study prepared by a qualified traffic engineer based on the most current edition of the handbook entitled *Evaluating Traffic Impact Studies: A Recommended Practice for Michigan Communities*, published by the State Department of Transportation, is required for the following requests:
  - a. Rezoning's when the proposed district would permit uses that could generate more than 100 additional directional trips during the peak hour than the principal uses permitted under the current zoning.
  - b. Rezoning's having direct access to a principal or minor arterial street, unless the uses in the proposed zoning district would generate fewer peak hour trips than uses in the existing zoning district.  
(Information pertaining to the contents of the rezoning traffic study will be available in the Department of Community Planning and Development.)
4. Other information deemed necessary to evaluate the application as specified by the Director of Community Planning and Development.

Part II

REASONS FOR REZONING REQUEST

Respond only to the items which you intend to support with proof. Explain your position on the lines below, and attach supporting information to this form.

A. Reasons why the present zoning is unreasonable:

- 1) There is an error in the boundaries of the Zoning Map, specifically: ALL RESIDENTIAL LOTS SURROUNDING THE PROPERTY ARE ZONED RA
- 2) The conditions of the surrounding area have changed in the following respects: THE LOTS DEVELOPED AROUND THE PROPERTY ARE RA
- 3) The current zoning is inconsistent with the Township's Master Plan, explain: SAME AS ABOVE #1 & 2
- 4) The Township did not follow the procedures that are required by Michigan laws, when adopting the Zoning Ordinance, specifically: \_\_\_\_\_
- 5) The Township did not have a reasonable basis to support the current zoning classification at the time it was adopted; and the zoning has exempted the following legitimate uses from the area: \_\_\_\_\_
- 6) The current zoning restrictions on the use of the property do not further the health safety or general welfare of the public, explain: \_\_\_\_\_

B. Reasons why the requested zoning is appropriate:

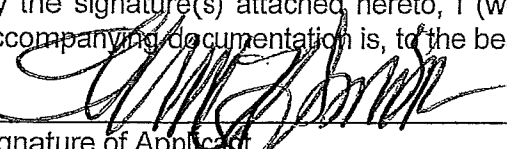
- 1) Requested rezoning is consistent with the Township's Master Plan, explain: \_\_\_\_\_
- 2) Requested rezoning is compatible with other existing and proposed uses surrounding the site; specifically: ALL PROPERTIES SURROUNDING ARE RA
- 3) Requested rezoning would not result in significant adverse impacts on the natural environment; explain: IT WOULD NOT CHANGE IMPACT ON ENVIRONMENT
- 4) Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation or other public services; explain: ONE EXTRA FAMILY WOULD NOT HAVE MORE OF AN IMPACT
- 5) Requested rezoning addresses a proven community need, specifically: I WILL DEDICATE 5 FEET FROM MY FRONT YARD TO MOVE SIDE WALK FURTHER FROM BUSY ROAD
- 6) Requested rezoning results in logical and orderly development in the Township, explain: THERE IS ALREADY EXIST HOME ON THE PROPERTY
- 7) Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services; explain: THE EXISTING HOME WOULD NOT BE WASTED. INSTEAD IT WILL GENERATE MORE PROPERTY TAX

Part III

I (we) hereby grant permission for members of the Charter Township of Meridian's Boards and/or Commissions, Township staff member(s) and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purpose of gathering information including but not limited to the taking and the use of photographs.

Yes  No (Please check one)

By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate

  
Signature of Applicant

6/10/15  
Date

\_\_\_\_\_  
Type/Print Name

Fee: \$700.00

Received by/Date: Paul Orndorff 6/10/15



FOR: Mr. Jay Duquette

CERTIFIED SURVEY MAP

LIBER 6 PG 811

LEGAL DESCRIPTION: That part of the SW 1/4 of Section 34 and the SE 1/4 of Section 33, T4N, R1W, Meridian Township, Ingham County, Michigan described as: Beginning at the SE corner of said Section 33; thence S89°52'14"W 66.00 feet along the South line of said Section 33; thence N00°23'20"W 330.00 feet parallel with the East line of said Section 33; thence N89°52'14"E 66.00 feet parallel with said South line to a point on said East Section line; thence N89°51'20"E 132.00 feet parallel with the South line of said Section 34; thence S00°23'20"W 330.00 feet to a point on said South line of Section 34; thence S89°51'20"W 132.00 feet along said South line of Section 34 to the point of beginning; containing 1.500 acres more or less and subject to the rights of the public in Jolly Road.

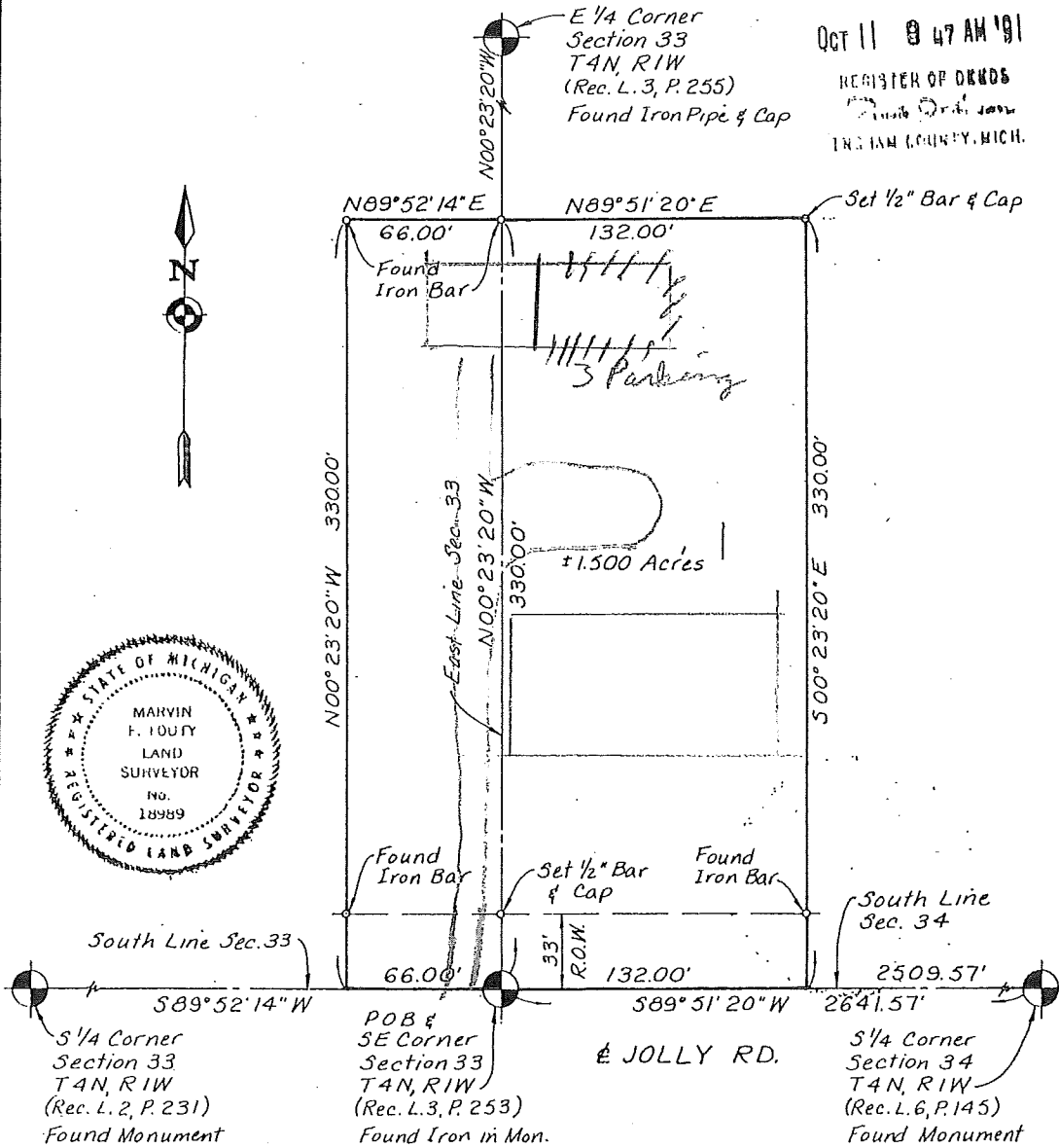
I hereby certify to the parties named hereon that we have surveyed the property described hereon and that we have found or set permanent markers at all corners of said parcel as shown. I further certify that this survey complies with the requirements of Public Act, 132 of 1970 and was performed with an error of closure no greater than a ratio of 1 in 5000.

RECORDED

OCT 11 9 47 AM '91

REGISTER OF DEEDS  
Ingham County, Michigan

34-300-002



PROJ. NO. 656 DATE 3-1-89 SCALE: 1" = 60'  
 FIELD BY: DH DRAWN BY: TCP SHEET 1 OF 1  
1108  
 REGISTERED LAND SURVEYOR NO. 18989

**MARVIN F. FOUTY, P.C.**  
 LAND SURVEYING & MAPPING  
 1551 Haslett Road  
 P.O. Box 707  
 Haslett, Michigan 48840  
 Phone: 517-339-1263