



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION – REGULAR MEETING
February 11, 2019 7PM

1. CALL MEETING TO ORDER
2. PUBLIC REMARKS
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
 - A. December 17, 2018 Regular Meeting
 - B. January 14, 2019 Regular Meeting
5. COMMUNICATIONS
 - A. Betsy LeGoff RE: Rezoning #19010
 - B. Michael Martin RE: Rezoning #19010
 - C. James Carlson RE: Rezoning #19010
 - D. Skyline Hills Association RE: Zoning Amendment #19030
 - E. Kendall Mahn RE: Rezoning #19010
 - F. Nita Campbell RE: Zoning Amendment #19030
 - G. Connie Osters RE: Zoning Amendment #19030
 - H. Deborah Keyworth RE: Zoning Amendment #19030
 - I. James Carlson RE: Rezoning #19010
 - J. Katie Waskiewicz RE: Zoning Amendment #19030
 - K. Melisa Porterfield RE: Zoning Amendment #19030
 - L. Ken Burleson RE: Zoning Amendment #19030
 - M. Mark Schneider RE: Zoning Amendment #19030
6. PUBLIC HEARINGS
 - A. Zoning Amendment #19030 (Meridian Township), amend Section 86-2 of the Code of Ordinances and add Section 86-445 to establish the Commercial Medical Marihuana Facilities Overlay District.
 - B. Zoning Amendment #19040 (Meridian Township), amend Section 86-2 and Section 86-654 of the Code of Ordinances to add continuing care communities to the list of uses permitted as non-residential uses in residential zoning districts.
7. UNFINISHED BUSINESS
 - A. Rezoning #19010 (Woda Cooper Companies, Inc.), rezone approximately 4.6 acres of a 5.9 acre parcel identified by Parcel I.D. #17-377-031 located north of Grand River Avenue, east of Sirhal Drive, and west of Wardcliff Drive from RX (One and Two Family Residential) to RC (Multiple Family-14 dwelling units per acre).
 - B. Special Use Permit #19011 (Potterpin Investments LLC), grading and fill in floodplain for drain crossing at 4977 Cornell Road.
 - C. Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC), construct 70,213 square foot mixed use building at 2875 Northwind Drive.

AGENDA page 2

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION MEETING**

February 11, 2019 7:00 pm

- D. Special Use Permit #18031 (Meridian Investment Group, LLC), construct group of buildings greater than 25,000 square feet in size at 2875 Northwind Drive.
 - E. Mixed Use Planned Unit Development (MUPUD) concept plan – Village of Okemos.
8. OTHER BUSINESS
- A. Commission Review #19013 (Parks Commission), review of location, character, and extent for potential land donation at W. Sleepy Hollow Lane.
 - B. 2019 PC Goals.
 - C. Subcommittee meetings.
9. TOWNSHIP BOARD, PLANNING COMMISSION OFFICER, COMMITTEE CHAIR, AND STAFF COMMENTS OR REPORTS
10. PROJECT UPDATES
- A. New Applications
 - 1. Wetland Use Permit #19-01 (LaFontaine Automotive Group), fill regulated wetland for development of new car dealership at 1448 Grand River Avenue.
 - 2. Special Use Permit #19031 (Okemos Retail Mgmt., LLC), construct shopping center with five tenants and drive-through window at 2085 Grand River Avenue.
 - B. Site Plans Received – None
 - C. Site Plans Approved – None
11. PUBLIC REMARKS
12. ADJOURNMENT
13. POST SCRIPT: KEN LANE

TENTATIVE PLANNING COMMISSION AGENDA

February 25, 2019

1. PUBLIC HEARINGS
- A. Special Use Permit #19021 (Agnew Sign Co.), install electronic changing message sign at 2040 Grand River Avenue.
 - B. Rezoning #19020 (Meridian Township), rezone 1.52 acres (10 parcels) from C-1 (Commercial) to RB (Single Family-High Density) located west of Marsh Road, north of Lake Lansing Road, and east of Martinus Street.

Individuals with disabilities requiring auxiliary aids or services should contact: Principal Planner Peter Menser, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4576 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

Providing a safe and welcoming, sustainable, prime community.



AGENDA page 3
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION MEETING
February 11, 2019 7:00 pm

2. UNFINISHED BUSINESS

- A. Rezoning #19010 (Woda Cooper), rezone approximately 4.6 acres of a 5.9 acre parcel identified by Parcel I.D. #17-377-031 located north of Grand River Avenue, east of Sirhal Drive, and west of Wardcliff Drive from RX (One and Two Family Residential) to RC (Multiple Family-14 dwelling units per acre).
- B. Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC), construct 70,213 square foot mixed use building at 2875 Northwind Drive.
- C. Special Use Permit #18031 (Meridian Investment Group, LLC), construct group of buildings greater than 25,000 square feet in size at 2875 Northwind Drive.
- D. Zoning Amendment #19030 (Meridian Township), amend Section 86-2 and add Section 86-445 of the Code of Ordinances to establish the Commercial Medical Marihuana Facilities Overlay District.
- E. Zoning Amendment #19040 (Meridian Township), amend Section 86-2 and Section 86-654 of the Code of Ordinances to add continuing care communities to the list of uses permitted as non-residential uses in residential zoning districts.

3. OTHER BUSINESS

- A. 2019 PC Goals.

Individuals with disabilities requiring auxiliary aids or services should contact: Principal Planner Peter Menser, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4576 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

Providing a safe and welcoming, sustainable, prime community.



**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES**

DRAFT

**December 17, 2018
5151 Marsh Road, Okemos, MI 48864-1198
517-853-4560, Town Hall Room, 7:00 P.M.**

PRESENT: Commissioners Premoe, Trezise, Cordill, Scott-Craig, Ianni, Stivers, Richards, Shrewsbury, and Lane

ABSENT: None

STAFF: Principal Planner Peter Menser and Assistant Planner Justin Quagliata

1. Call meeting to order

Chair Ianni called the regular meeting to order at 7:00 P.M.

2. Public Remarks

- A. Kevin Dohany, 2020 West Grand River, spoke in opposition to Rezoning #18150.
- B. James Giguere, 6253 Fedwick Court, applicant for Rezoning #18160 introduced himself and would be available for questions.
- C. Jeanette Feintuch, 4606 Seneca Drive, spoke in opposition to Special Use Permit #18111.
- D. Chuck Holman, 2502 Lake Lansing Road, applicant with Mixed Use Planned Unit Development #18044 and Special Use Permit #18091 wanted to express his appreciation for the project comments made by the Planning Commission. Mr. Holman provided updates to the project and continues to work with consultants and will submit the updated plans as soon as they are completed.
- E. Mirza Baig, 2559 Lupine Court, spoke in opposition to Rezoning #18140.
- F. Jim Weaver, 4622 Seneca Drive, spoke in opposition to Special Use Permit #18111.

3. Approval of Agenda

Motion by Commissioner Cordill to approve the agenda as written.

Supported by Commissioner Premoe.

VOICE VOTE: Motion approved unanimously.

4. Approval of Minutes

- A. The December 10, 2018 Regular Meeting minutes were removed from the agenda. Revised minutes will be available at the January 14, 2019 Regular Meeting.

5. Communications

Principal Planner Menser noted additional communications were received after the Planning Commission meeting packets were assembled and that hard copies of communications received after the meeting packet was sent out were distributed to the Planning Commissioners at their places on the dais prior to tonight's meeting and would be included on the agenda for the next meeting.

- A. Jeanette Feintuch RE: Special Use Permit #18111
- B. Jibu & Ranjini John RE: Rezoning #18140
- C. Dylan Maxwell RE: Rezoning #18140
- D. Rajesh Nair RE: Rezoning #18140
- E. Jessi Adler RE: Special Use Permit #18081 & #18101
- F. Cecelia Kramer RE: Special Use Permit #18081 & #18101
- G. Joell Ackerman RE: Rezoning #18140
- H. James Weaver RE: Special Use Permit #18111
- I. Jeanette Feintuch RE: Special Use Permit #18111

6. Public Hearings

Chair Ianni opened the public hearing at 7:23 P.M.

- A. Rezoning #18160 (Giguere Homes), rezone approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RAAA (Single Family-Low Density) with conditions.

Principal Planner Menser provided a brief summary of the proposal.

The applicant, James Giguere, 6253 Fedwick Court, introduced himself and said he was available to answer any questions.

Public Comments: None

Planning Commission Discussion:

Commissioner Premoe suggested that the zoning conditions should be noted in any future plat.

Vice-Chair Scott-Craig commented the current proposal is a result of many meetings between the community, developers and the Township. He also noted there is an existing pathway from Robins Way to Kansas Street and the Township does own a parcel on the east side of the subject site and there is a future potential for a pathway which would eventually connect the surrounding areas.

Commissioner Cordill stated the future potential for the pathway to be built on the east side to connect to the other area pathways in the area is a beneficial amenity to the area.

Commissioner Stivers noted Township Manager, Frank Walsh, led a Task Force to work through this difficult proposal by engaging involved parties so discussion could take place.

A straw poll indicated the Planning Commission would be in favor of recommending Rezoning #18160 to the Township Board and staff was asked to prepare a resolution recommending approval for the next meeting.

Chair Ianni closed the public hearing at 7:42 P.M.

7. Unfinished Business

- A. Special Use Permit #18111 (Fedewa Holdings), construct two multiple family apartment buildings with a total of 13 units at 1730 Chief Okemos Circle.

Principal Planner Menser provided an update to the special use permit with the condition requiring the applicant to construct a six foot tall slatted wood fence along the north, south and west sides of the property.

The applicant Gerald Fedewa, 5570 Okemos Road, provided updates on the project. Mr. Fedewa stated he was surprised about the request to have fencing added on the south side of the property and he was available for questions.

Motion by Commissioner Trezise to approve Rezoning #18111.
Supported by Commissioner Lane.

Planning Commission Discussion:

Commissioner Cordill was still concerned about the height of the buildings and didn't want the project to overwhelm the single family homes located to the west. She also questioned the use of building materials and would like to see brick materials added to the buildings to enhance the architecture of the surrounding area.

Commissioner Richards mentioned the building to the east is 2 ½ stories in height.

Commissioner Cordill asked about the option of underground parking in order to bring the height of the buildings down. Fedewa said it would not be a good option because there would be future structural issues.

Vice-Chair Scott-Craig suggested the south side fence should be removed from the special use permit conditions because of the existing fence already there between carports.

Vice-Chair Scott-Craig commented the buildings do meet the conditions placed on the property regarding the height, length and setbacks however the location of the decks are a concern and wondered if there any other options available. Vice-Chair Scott-Craig also asked Mr. Fedewa if he could make changes to the siding materials for better appeal. The topic of evergreen trees also came up for discussion to help with natural screening near the rear fence line.

Principal Planner Menser interjected during the conversation that building materials and landscape requests should be included in the special use permit as conditions in order to get the result commissioners are requesting. As a result of the suggestion, the Planning Commission decided to amend the special use permit by adding the following additional conditions:

- No more than 70 percent of the exterior building façade is to be composed of one type of building material.
- Twenty 8-foot Conifer Evergreen trees are to be planted and staggered along the western boundary to assist in providing screening for neighbors.

The Planning Commission decided to amend the special use permit by removing the condition:

- A six foot tall slatted wood fence along the south side of the property.

ROLL CALL VOTE:

YEAS: Commissioners Trezise, Lane, Richards, Stivers, Premoe, Shrewsbury, Scott-Craig, and Ianni.

NAYS: Commissioner Cordill.

MOTION CARRIED: 8-1

- B. Rezoning #18140 (Thomas M. Hitch), rezone approximately 2.87 acres located at 2530 & 2540 Jolly Road from RA (Single Family-Medium Density) to PO (Professional and Office).

Principal Planner Menser mentioned there were no updates to the rezoning proposal other than a concern raised during the last meeting about "spot zoning." Planner Menser noted that his research showed this proposal would not be considered spot zoning as there are other areas nearby zoned Professional and Office.

The representative for the owner, Thomas Hitch, 601 Abbot Road, reviewed the proposal and provided property history. Mr. Hitch said he was available for questions.

The realtor for the owner, Jim Caster, 16102 Park Lake Road, was available for questions.

Motion by Commissioner Cordill to approve Rezoning #18140.

Supported by Commissioner Trezise.

Planning Commission Discussion:

Commissioner Cordill stated rezoning to Professional and Office would not be as intrusive as rezoning to commercial or multiple family and the least impactful of the options available. Commissioner Cordill also mentioned the property was on the market for eighteen months and there was no interest by developers to build additional single family houses.

Vice-Chair Scott-Craig encouraged communication between the homeowners and the Township Board to continue as the process moves forward.

Commissioner Stivers asked if the property may be considered as a possible Township park. Principal Planner Menser stated the applicant would need to approach the Township Parks and Recreation Department.

ROLL CALL VOTE:

YEAS: Commissioners Cordill, Trezise, Shrewsbury, Scott-Craig, Richards, Lane and Ianni.

NAYS: Commissioners Premoe and Stivers.

MOTION CARRIED: 7-2

The Planning Commission took a ten minute recess 8:37PM-8:45PM.

- C. Rezoning #18150 (Meridian Township), rezone the south four acres of Parcel I.D. #21-226-011 from RDD (Multiple Family) to C-3 (Commercial), located on the east side of Okemos Road, south of Central Park Drive

Principal Planner Menser reviewed the proposal.

Motion by Commissioner Premoe to approve Rezoning #18150.
Supported by Vice-Chair Scott-Craig.

ROLL CALL VOTE:

YEAS: Commissioners Premoe, Scott-Craig, Shrewsbury, Trezise, Cordill, Richards, Stivers, Lane and Ianni.

NAYS: None.

MOTION CARRIED: 9-0

8. Other Business

- A. Mixed Use Planned Unit Development #18044 and Special Use Permit #18091 (Newton Pointe LLC) – Resolutions to recommend denial.

Principal Planner Menser reviewed the proposals and noted the motions to approve the MUPUD and SUP failed due to the lack of support at the Planning Commission meeting on December 10, 2018. Principal Planner Menser stated it was important to document the concerns expressed previously for the public record. The information would also assist the Township Board during future meetings with the applicant when they submit revisions for the Mixed Use Planned Unit Development #18044 and Special Use Permit #18091.

Motion by Commissioner Shrewsbury to approve the resolution to deny the MUPUD.
Supported by Vice-Chair Scott-Craig.

VOICE VOTE:

YEAS: Commissioners Scott-Craig, Shrewsbury, Premoe, Trezise, Cordill, Richards, Stivers, Lane and Ianni.

NAYS: None.

MOTION CARRIED: 9-0

- B. Resolution of Appreciation – Dante Ianni

Vice-Chair Scott-Craig made a motion to approve the Resolution of Appreciation for Dante Ianni.
Supported by Commissioner Richards.

VOICE VOTE: Motion approved unanimously.

- C. Resolution of Appreciation – Emily Stivers

Commissioner Cordill made a motion to approve the Resolution of Appreciation for Emily Stivers.
Supported by Commissioner Trezise.

VOICE VOTE: Motion approved unanimously.

9. Township Board, Planning Commission Officer, Committee Chair, and staff comments or reports

Vice-Chair Scott-Craig provided an update from attending the Economic Development Committee meeting on December 6, 2018. He also noted it would be beneficial for the Planning Committee to review the documentation from the Township Board regarding the Medical Marihuana Ordinance for upcoming meetings because the topic is very complicated issue.

Principal Planner Menser noted the Planning Commission will be dealing with the zoning issues related to Medical Marihuana and the Township Board will handle the operational requirements and restrictions.

Chair Ianni thanked the Planning Commission, Township Board, Township Staff and the public for the opportunity to serve Meridian Township.

Commissioner Stivers thanked the Planning Commission, Township Board and Township Staff for the opportunity to serve Meridian Township.

Commissioner Premoe provided an update from the last Environmental Commission meeting.

Commissioner Cordill mentioned reviewing the drafts of the Medical Marihuana Ordinance found in the past Township Board meeting packets.

10. Project Updates

- A. New Applications - NONE
- B. Site Plans Received - NONE
- C. Site Plans Approved -NONE

11. Public Remarks

- A. James Weaver, 4622 Seneca Drive, spoke in opposition to Special Use Permit #18111.

12. Adjournment

Motion by Commissioner Richards to adjourn the meeting.
Supported by Vice-Chair Scott-Craig.
VOICE VOTE: Motion carried unanimously.

Chair Ianni adjourned the regular meeting at 9:07 P.M.

Respectfully Submitted,

Debbie Budzynski
Recording Secretary

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES**

DRAFT

**January 14, 2019
5151 Marsh Road, Okemos, MI 48864-1198
517-853-4560, Town Hall Room, 7:00 P.M.**

**PRESENT: Commissioners Premoe, Trezise, Cordill, Scott-Craig, Richards, Shrewsbury,
and Lane**

ABSENT: None

STAFF: Principal Planner Peter Menser and Assistant Planner Mackenzie Dean

1. Call meeting to order

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

2. Public Remarks

- A. Roberta McCall, 2628 Rockwood Drive, spoke in opposition to Rezoning #19010.
- B. Ron Calhoun, 2875 Northwind Drive, applicant with Meridian Investment Group, LLC introduced himself and said he would be available for questions regarding Mixed Use Planned Unit Development #18034 and Special Use Permit #18031.
- C. Julie Hupp, 5177 Wardcliff Drive, spoke in opposition to Rezoning #19010.
- D. Alan Boyer, 3135 Pinetree Road, Suite D, with LSG Engineers and Surveyors introduced himself and said he was in attendance on behalf of Chris Potterpin. Mr. Boyer noted he would be available for questions regarding Special Use Permit #19011.
- E. Barbara Curtis, 5248 Park Lake Road, spoke in opposition to Rezoning #19010.
- F. George Tesseris, 2840 East Grand River, introduced himself and stated he would reserve his comments for later in the meeting during the Rezoning #19010 Public Hearing.

3. Approval of Agenda

Commissioner Richards moved to approve the agenda as written.

Seconded by Commissioner Cordill.

VOICE VOTE: Motion approved unanimously.

4. Approval of Minutes

- A. December 10, 2018 Regular Meeting

Commissioner Premoe moved to approve the minutes as written.

Seconded by Commissioner Trezise.

VOICE VOTE: Motion approved unanimously.

5. Communications

Principal Planner Menser noted additional communications were received after the Planning Commission meeting packets were assembled.

He further noted that hard copies of communications were distributed to the Planning Commission at their places on the dais prior to tonight's meeting and would be included in the packet for the January 28, 2019 Planning Commission meeting.

6. Public Hearings

- A. Rezoning #19010 (Woda Cooper Companies, Inc.), rezone approximately 4.6 acres of a 5.9 acre parcel identified by Parcel I.D. #17-377-031 located north of Grand River Avenue, east of Sirhol Drive, and west of Wardcliff Drive from RX (One and Two Family Residential) to RC (Multiple Family-14 dwelling units per acre).

Vice-Chair Scott-Craig opened the public hearing at 7:14 P.M.

Principal Planner Menser provided a brief summary of the staff report and reminded everyone to focus on the rezoning and determine if the proposed zoning district is appropriate for this property. The plan and proposal submitted by the applicant are not the focus of discussion at this meeting.

Principal Planner Menser noted the incorrect spelling of Sirhal Drive on the maps in the meeting packet. The county maps spell it Sirhal Drive and corrections will be made.

The representative for the applicant, Frank Fugate, 500 S. Front Street Columbus, Ohio , explained the request. Mr. Fugate also noted on November 13, 2018 there was a community meeting held at Coral Gables Restaurant and concerns were discussed.

Mr. Fugate noted his company has an updated site plan. The buildings have been moved further towards Sirhal Drive. Mr. Fugate also noted (that the proposed development by Woda Cooper Companies, Inc.) doesn't accommodate full-time students as residents and is intended for families.

Public Comments:

- A. Property owner, George Tesseris, 2840 East Grand River, introduced himself and stated his preference for developing family housing on the property and support for Rezoning #19010.
- B. Roberta McCall, 2628 Rockwood Drive, spoke in opposition to Rezoning #19010.
- C. Julie Hupp, 5177 Wardcliff Drive, spoke in opposition to Rezoning #19010.

Planning Commission Discussion:

Commissioner Richards asked the staff if the Strafford Senior Housing development meets the Future Land Use Map designation as there seems to be some discrepancy.

Commissioner Cordill asked the staff if the two local streets could support the additional traffic generated by the development and Principal Planner Menser stated the Ingham County Road Commission could address this issue in a future meeting.

Commissioner Trezise noted Meridian Township doesn't have an abundance of affordable housing options for multi-family living and there is a need in our community to offer a variety of housing options.

Commissioner Lane reminded everyone to stay focused on the rezoning as the topic of discussion. He also noted there are no conditions tied to the proposed rezoning and without conditions intentions could change in the future.

Commissioner Trezise also mentioned if conditions are not tied to the rezoning the plans could be changed in the future.

Vice-Chair Scott-Craig noted the RC Zoning on the Stratford Place parcel is not in agreement with the Master Plan and perhaps this was an oversight. He further noted if conditions are tied to rezoning there is protection for future use.

Vice-Chair Scott-Craig asked the representative for the applicant, Frank Fugate, if the developer would consider adding conditions to the property for rezoning. Mr. Fugate agreed to discuss this issue with his company and will work with Principal Planner Menser so the Planning Commission can move forward with discussion at the next Planning Commission meeting on January 28, 2019.

A straw poll indicated the Planning Commission would not be in favor of recommending approval of Rezoning #19010 without conditions.

Vice-Chair Scott-Craig closed the public hearing at 8:20 P.M.

B. Special Use Permit #19011 (Potterpin Investments LLC), grading and fill in floodplain for drain crossing at 4977 Cornell Road.

Vice-Chair Scott-Craig opened the public hearing at 8:21 P.M.

Principal Planner Menser provided a summary of the staff report. He also noted there was a letter recommending approval of the Special Use Permit submitted by the Chief Engineer Younes Ishraidi from the Meridian Township Public Works Department but it was not included in the packet.

The applicant, Chris Potterpin, 5000 East Michigan Avenue, introduced himself and explained the request and said he was available to answer any questions.

Public Comments: None

Planning Commission Discussion:

Vice-Chair Scott-Craig stated he visited the site and supported the proposed project.

A straw poll indicated the Planning Commission would be in favor of recommending approval of Special Use Permit #19011 and staff was asked to prepare a resolution recommending approval for the next meeting.

Vice-Chair Scott-Craig closed the public hearing at 8:32 P.M.
The Planning Commission took a five minute recess.

7. Unfinished Business

- A. Rezoning #18160 (Giguere Homes), rezone approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RAAA (Single Family-Low Density) with conditions.

Principal Planner Menser provided a brief summary of the staff report. The applicant offered eleven voluntary conditions on the rezoning which are listed in the Resolution.

Motion by Commissioner Premoe to approve Rezoning #18160.
Supported by Commissioner Richards.

Planning Commission Discussion:

Commissioner Richards expressed appreciation to the developer and residents for coming together to discuss the issues and finding a resolution.

ROLL CALL VOTE:

YEAS: Commissioners Premoe, Richards, Shrewsbury, Lane, Cordill, Trezise and Scott-Craig

NAYS: NONE

MOTION CARRIED: 7-0

- B. Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC), construct 70,213 square foot mixed use building at 2875 Northwind Drive.
- C. Special Use Permit #18031 (Meridian Investment Group, LLC), construct group of buildings greater than 25,000 square feet in size at 2875 Northwind Drive.

Principal Planner Menser provided an update on both agenda items. The Planning Commission discussed the proposal last year during the June 11, 2018 meeting. The project was put on hold so the developer could obtain necessary permits from the Michigan Department of Environmental Quality. In addition, on December 12, 2018, the Zoning Board of Appeals approved a request for a variance to excavate in the floodway.

Ron Calhoun representing Meridian Investment Group, LLC, 2875 Northwind Drive, provided an update on the project since the June 11, 2018 Planning Commission Meeting. Mr. Calhoun indicated he would be available for questions.

Planning Commission Discussion:

Commissioner Trezise expressed concern at the meeting last year with regards to student parking during the school year and the potential of vehicles that could end up under water if flooding in the area took place and still is concerned with parking in the flood plain.

Vice-Chair Scott-Craig noted his concern with parking in the flood plain. There could be a threat to 83 of the 116 parking spaces should a major flood occur. The majority of parking would be by residents and many vehicles would be parked overnight which causes a safety and health hazard if there were to be a major flooding problem in the future. Vice-Chair Scott-Craig asked if a structure could be built that is above the flood plain so vehicles would be protected from the potential problem.

Vice-Chair Scott-Craig asked if the developer would consider changing the floor plan and eliminate the 12 units located in the lower level because they are so close to the floodplain.

Vice-Chair Scott-Craig offered the suggestion of using the lowest level space for storage instead. The project would result in a significant change from office use to residential use and considerable personal property could be at risk.

Commissioner Richards noted the amount of non-residential space, 3100 square feet means very little space available for a commercial use. He said the project is mixed by definition but mostly residential.

A straw poll indicated the Planning Commission would not be in favor of recommending approval of Mixed Use Planned Unit Development #18034 and Special Use Permit #18031.

8. Other Business

A. Election of Officers.

Commissioner Richards nominated Vice-Chair Scott-Craig for Chair, Commissioner Lane for Vice-Chair, and Commissioner Premoe for Secretary.
Seconded by Commissioner Trezise.

VOICE VOTE FOR SLATE OF 2019 OFFICERS: Motion Carried 7-0

B. ZBA representative and commission liaison assignments.

Vice-Chair Scott-Craig moved to appoint Commissioner Lane to serve as the Planning Commission representative on the Zoning Board of Appeals.
Seconded by Commissioner Richards.

VOICE VOTE: Motion Carried 7-0

The following Commissioners volunteered to serve as liaisons to the following commissions:

- Chair Scott-Craig to the Economic Development Commission
- Commissioner Premoe to the Environmental Commission
- Commissioner Richards to the Transportation Commission
- Commissioner Trezise to the Downtown Development Authority

Chair Scott-Craig was appointed by the Township Board to serve on the Brownfield Redevelopment Authority until 2020 when the term is up.

9. Township Board, Planning Commission Officer, Committee Chair, and staff comments or reports

Principal Planner Menser introduced the newest member of the Planning Team- Assistant Planner Mackenzie Dean. She started with Meridian Township in November.

Chair Scott-Craig provided an update from attending the Economic Development Committee meeting on January 10, 2019.

Chair Scott-Craig also mentioned the concept plan for downtown Okemos will be presented at the Township Board meeting on February 5, 2019 and then to the Planning Commission on February 11, 2019. Chair Scott-Craig also provided an update from attending the Brownfield Redevelopment Authority Meeting on December 19, 2018.

Chair Scott-Craig noted there will be a meeting of the Boards and Commissions on January 15, 2019 at 6P.M. and the Planning Commission Members are encouraged to attend if possible.

In conclusion, Chair Scott-Craig reminded everyone the Medical Marihuana Ordinance for Zoning will be coming to the Planning Commission in February and the 2018 goals for the Planning Commission should be reviewed and updated in the future.

Commissioner Premoe provided an update from attending the Environmental Commission meeting last week.

10. Project Updates

- A. New Applications
 - 1. Special Use Permit #19021 (Agnew Sign Co.), install electronic changing message sign at 2040 Grand River Avenue.
- B. Site Plans Received
 - 1. Site Plan Review #19-01 (Green Castle Properties, LLC), construct new car dealership (Fox Nissan) at 1614 & 1622 Grand River Avenue.
- C. Site Plans Approved – NONE

11. Public Remarks-None

12. Adjournment

Commissioner Premoe moved to adjourn the meeting.

Supported by Commissioner Shrewsbury.

VOICE VOTE: Motion carried unanimously.

Chair Scott-Craig adjourned the regular meeting at 9:37 P.M.

Respectfully Submitted,

Debbie Budzynski
Recording Secretary

Peter Menser

From: Betsy LeGoff <bele.48823@gmail.com>
Sent: Friday, January 11, 2019 2:07 PM
To: Peter Menser
Subject: Apartments in Wardcliff area

I am very opposed to additional apartments in the Wardcliff area of the township. An out of town company simply wants to build high towers, but has no interest in living there. The apartments will not help the current residents, so please do not allow them to be built in that location. Elizabeth LeGoff, 5189 E. Brookfield Drive, E.L.

Sent from my iPhone

Peter Menser

From: MICHAEL MARTIN <michael.martin20@comcast.net>
Sent: Friday, January 11, 2019 3:29 PM
To: Peter Menser
Subject: Construction plans next to Meridian Stratford Place

Dear Planning Commission:

I have lived most of my life in Meridian Township and I have seen many plans come and go. This plan for the land next to Meridian Stratford Place is a plan that should go forward. It will bring in additional tax income for the Township, clean-up the property and make Meridian Township look more appealing.

My only concern will be traffic flow in and out, and the speed of the traffic. I do a lot of walking in this area. I would suggest at least three stop signs of the area. The first would be at the access road and Sirhal Drive, the second would be at intersection of Sirhal and the U shape road and the drive thru to Brentwood Ave and the third would be at the corner of Brentwood Ave and Sirhal where it looks like Sirhal empties onto Brentwood.

Thank you

Michael Martin

2790 Sirhal Drive, Apt 109

East Lansing, MI

Peter Menser

From: Meridian Township, MI <meridian-mi@enotify.visioninternet.com>
Sent: Friday, January 11, 2019 7:46 PM
To: Peter Menser
Subject: Woda Cooper Rezoning Request

Message submitted from the <Meridian Township, MI> website.

Site Visitor Name: James Carlson
Site Visitor Email: Jim@carlsonmail.org

I am opposed to Woda Cooper's request to rezone Parcel 17-377-031 from RX to RC because they plan to extend Greencliff Drive all the way from Brookfield Drive to Park Lake Road. The increased traffic and noise will have a negative effect on our neighborhood. I live at 2672 Rockwood Drive.

Peter Menser

From: Skyline Hills Association <nitacprn@comcast.net>
Sent: Sunday, January 13, 2019 10:53 AM
To: Peter Menser
Subject: Dead Skunk Stench

[View this email in your browser](#)



Skyline Hills Association Information on Marijuana

NYTimes.com: 'Dead Skunk' Stench From Marijuana Farms Outrages Californians

Pot is stinky!

From The New York Times:

'Dead Skunk' Stench From Marijuana Farms Outrages Californians

Nearly a year after sales of recreational cannabis began in California, residents across the state are complaining of a paralyzing stink from marijuana farms.

<https://www.nytimes.com/2018/12/19/us/california-marijuana-stink.html>

This is not an anecdotal story. This is how many communities in California are being affected and

how they are dealing with it.

The Lansing City Pulse published an article on December 12th about the actions Meridian Township has taken and upcoming Planning Commission meetings. See link below

<https://lansingcitypulse.com/article-16776-Meridian-Township-gears-up-for-medical-marijuana.html>

Members of the Meridian Township Board believe this is just a small matter...it is proving to be a BIG problem. SHA will be watchful of upcoming developments and will notify you of actions that might be needed.



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6049 Skyline Drive
East Lansing, Mi 48823

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Peter Menser

From: kendall.mahn@yahoo.com
Sent: Sunday, January 13, 2019 12:07 PM
To: Peter Menser
Subject: please do not Re: rezoning of #19010 (Woda Cooper)

Dear Peter Menser (planner for Merdian Township)

Thank you for hosting a public hearing regarding the rezone request.

I cannot make your meeting on Monday night, apologies. I have a few significant concerns as a homeowner in the area, and will be significantly negatively impacted by the rezoning.

1) First, I have significant safety concerns of the proposed change to the roads. I have two small children, and we frequently meet other families with small children on walks/biking in the neighborhood. We regularly see joggers and people with dogs as well. The rezoning would create substantial new traffic and therefore be a safety issue (people already race down Greencliff from Park lake, but they have to slow to turn at Wardcliff. They would not under the rezoning.

One of my children is special needs. She does not always respond to voice commands and we have to keep a tight handle on her. I am very frightened of more traffic, frankly-- we have put up a sign to have people slow down due to kids but... it doesn't always help. And I'm not sure this issue will go down even as she gets older. Finally Wardcliff ability center is close by. Do they need more traffic zipping and zooming given their visitors?

2) Then, presumably we would have to bear the cost of sidewalks in the new update. This cost does not fall to the company. There would also be ongoing costs for us along the streets to clear the snow from said sidewalks. I am a corner lot (corner of Blue Haven and Greencliff) and so it is rather expensive for us.

3) The initial zoning as duplex fits fine with the neighborhood feel and population, because it's like two small single family dwellings. Changing that would potentially be worse. I have also heard stories that companies may claim to have regular checks on their properties, and horror stories that they do not. I'm concerned we have no guarantee they will maintain the property as they describe (a neighbor said the last request was like this), and this would impact our property value if it is not maintained well.

These items all reduce my property value and my neighborhood quality of life. Our area has a really nice community feel, where people are out and about and friendly with their neighbors. This will change that for the worse. Please reject their request.

Thank you for your time in considering this request and for making this an open forum. Please let me know that you received this email?

Sincerely,
Kendall Mahn
PhD, Assistant Professor, MSU Department of Physics and Astronomy
Mother of two young kids (5 and 2)

Peter Menser

From: Nita Campbell <nitacprn@comcast.net>
Sent: Sunday, January 13, 2019 3:16 PM
To: Board; Peter Menser
Subject: Articles on the problems of Marijuana Stench

Here are articles about how the stench problem has been handled.

<https://www.rollingstone.com/culture/culture-features/inside-the-high-tech-solution-for-smelly-smelly-weed-630032/>

[https://www.publichealthontario.ca/en/eRepository/Evidence Brief odours cannabis production.pdf](https://www.publichealthontario.ca/en/eRepository/Evidence%20Brief%20odours%20cannabis%20production.pdf)

<https://www.thecannabist.co/2016/04/13/marijuana-smell-denver-new-rules-grow-facilities/51862/>

These are three of many websites dealing with the odor of marijuana from growing and processing. Not only is this a problem, but also the waste removal is also a problem.

Thank you for your attention to this matter.

Sent from my iPad

Peter Menser

From: Connie Osters <connie9080@yahoo.com>
Sent: Monday, January 14, 2019 6:28 PM
To: Peter Menser
Subject: Marijuana ordinance

Please DO NOT approve pot shops in our township. There are too many reasons to list!!

Meridian township is a safe welcoming community with some of the finest schools in the state. Please consider the message you are sending to our youngsters. Drive down Pennsylvania Avenue in Lansing and count the little pot shops that are all dives. Why would this be acceptable in our community? I urge you to vote with a resounding NO and represent your constituents and future township residents and taxpayers.

Connie Osters

Sent from my iPhone

Peter Menser

From: Deborah Keyworth <debsarmy@aol.com>
Sent: Tuesday, January 15, 2019 5:43 PM
To: Peter Menser
Subject: Weed shops

I'd rather see a dispensary or any MJ facility in Okemos instead of the Coda apartment / townhome development . Why not put in a nice industrial hemp and smoke shop in it place ? Still no Greycliff cut thru tho ! . . Sorry I'm being a little flip . Seriously I don't see any issue with where you guys decide to put the dispensaries . Just be sure it easy access because there are many disabled people that are using it for medicinal purposes . I hope this goes thru we need to move forward with the times . Thanks

Peter Menser

From: Meridian Township, MI <meridian-mi@enotify.visioninternet.com>
Sent: Sunday, January 20, 2019 1:48 PM
To: Peter Menser
Subject: Rezoning #19010 (Woda Cooper)

Message submitted from the <Meridian Township, MI> website.

Site Visitor Name: James Carlson
Site Visitor Email: Jim@carlsonmail.org

From the 1-14-19 public hearing comments, it appears the planning commission will recommend the rezoning request with conditions be approved. I remain opposed to the rezoning request, unless it includes a condition that no road (public or private) will be connected to Greencliff Drive. Jim Carlson, 2672 Rockwood Drive.

Peter Menser

From: Katie Waskiewicz <mcwaskiewicz@gmail.com>
Sent: Saturday, January 26, 2019 7:28 PM
To: Peter Menser
Subject: Stop Marijuana Facilities

Dear Planning Commission Members:

I was disappointed to learn that the Board of Trustees voted to authorize medical marijuana facilities in Meridian Township. I live near one of the proposed districts and am concerned this will increase crime in our neighborhoods, encourage use of this dangerous drug among our children, and increase drugged driving accidents near our homes (see this factsheet: <http://fpca.com/wp-content/uploads/2016/04/Fact-Sheet.pdf>). As a mother, I do not want to take the chance that this happens in our community.

I have asked the Board to reconsider their decision. I will be spreading the word among friends, family, and neighbors and asking them to express their opposition to the decision as well. Please do not allow this to move forward.

Thank you for your consideration.

Sincerely,

Katie Waskiewicz

Peter Menser

From: Missy Porterfield <mmporterfield@gmail.com>
Sent: Saturday, January 26, 2019 7:51 PM
To: Peter Menser
Subject: Please Do Not Allow Marijuana Facilities in My Neighborhood

Dear Planning Commission Members:

I was disappointed to learn that the Board of Trustees voted to authorize medical marijuana facilities in Meridian Township. I live near one of the proposed districts and am concerned this will increase crime in our neighborhoods, encourage use of this dangerous drug among our children, and increase drugged driving accidents near our homes (see this factsheet: <http://fpca.com/wp-content/uploads/2016/04/Fact-Sheet.pdf>). As a mother, I do not want to take the chance that this happens in our community.

I have asked the Board to reconsider their decision. I will be spreading the word among friends, family, and neighbors and asking them to express their opposition to the decision as well. Please do not allow this to move forward.

Thank you for your consideration.

Sincerely,
Melisa Porterfield
6786 English Oak Drive
East Lansing

Peter Menser

From: Kenneth Burleson <keburle@icloud.com>
Sent: Saturday, January 26, 2019 8:00 PM
To: Peter Menser
Subject: Medical Marijuana Facilities in Meridian Township

Dear Planning Commission Members:

I was disappointed to learn that the Board of Trustees voted to authorize medical marijuana facilities in Meridian Township. I live near one of the proposed districts and am concerned this will increase crime in our neighborhoods, encourage use of this dangerous drug among our children, and increase drugged driving accidents near our homes (see this factsheet: <http://fpca.com/wp-content/uploads/2016/04/Fact-Sheet.pdf>).

As a father and grandfather, I do not want to take the chance that this happens in our community. I have asked the Board to reconsider their decision. I will be spreading the word among friends, family, and neighbors and asking them to express their opposition to the decision as well. Please do not allow this to move forward.

Thank you for your consideration.

Sincerely and Respectively
Ken Burleson
The Meadows Subdivision
6543 Periwinkle Lane
East Lansing, Michigan 48823
Sent from my iPhone

MTC ENTERPRISES OF MICHIGAN INC

1135 East Alward Rd, Dewitt MI 48820

RECEIVED
FEB 07 2019

2/6/2019

Frank Walsh
Township Manager
Meridian Charter Township
5151 Marsh Rd, Okemos MI 48864

Dear Mr. Walsh:

I previously resided in Okemos for 15 years. I was 1/3rd owner of the 17 acre parcel located at 1999 East Saginaw Hwy. We sold that property to Meridian Plumbing many years ago. Now my partners and I are interested in buying and developing the recently rezoned 5 acre parcel zoned C-2 owned by Meridian Companies, we would like to develop a retail center with a provisioning center that would front East Saginaw Hwy. The subject parcel happens to be not only adjacent to the Medial Marihuana proposed overlay district it is the only parcel that would have access to East Saginaw which for a provisioning center would be important to keep traffic on Saginaw and off Towner Rd.

I also support extending the overlay district along Towner Rd. to the west all the way to the Towner and E. Saginaw intersection. This could have a positive long-term impact in increasing demand and property values along the E. Saginaw corridor on both the north and south side of the Hwy. With the increased demand developers, the Township would gain the benefit developers helping pay for the cost of extending public utilities to the northern border as well.

In all I am firmly convinced it would help provide economic benefit to an area of Meridian Township with a lot of untapped potential and yet has been very slow to develop for the past 16-18 years since I sold the land to Meridian Plumbing.

Sincerely,



Mark Schneider

Cc: Mark Kieselbach, Community Planning and Development Director



To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 5, 2019

Re: Zoning Amendment #19030 (Township Board), amend Section 86-2 and add Section 86-445 of the Code of Ordinances to establish the Commercial Medical Marihuana Facilities Overlay District.

At its meeting on December 11, 2018 the Township Board initiated a zoning amendment to create the Commercial Medical Marihuana Facilities Overlay District. The proposed amendment establishes six designated areas in the Township where commercial medical marihuana facilities can be located. The proposed amendment also identifies the zoning districts in which each of the five types of commercial medical marihuana facilities can locate. Any commercial medical marihuana facility would be subject to approval of a special use permit by the Planning Commission, as well as a State license and Township permit.

A separate non-zoning ordinance was approved for introduction at the February 5, 2019 Township Board meeting and is scheduled for final adoption at the Board's next meeting on February 19, 2019. The non-zoning ordinance outlines the requirement of a State license and Township permit for operation of a commercial medical marihuana facility and establishes operational standards and related requirements. The State license and Township permit are required in addition to the special use permit from the Planning Commission. The non-zoning ordinance also establishes the number of permits that are allowed for each of the five types of commercial medical marihuana licenses. The State of Michigan, through the Department of Licensing and Regulatory Affairs (LARA) and in accordance with the provisions of the Medical Marihuana Facilities Licensing Act (MMFLA, Public Act 281 of 2016), issues five types of commercial medical marihuana licenses, which are described below.

1. *Growers*: Under the MMFLA, a grower license authorizes its holder to grow marihuana and sell seeds and plants to another grower, or to sell plants to a processor or provisioning center. There are three classes of licenses granted to growers, based on the quantity of marihuana plants they are permitted to grow:

- Class A – 500 marihuana plants
- Class B – 1,000 marihuana plants
- Class C – 1,500 marihuana plants

To be eligible for a grower license, the applicant and each investor may not have a financial stake in a secure transporter or safety compliance facility. Importantly, the MMFLA allows growers to operate only in agricultural or industrial zones. This limitation is reflected in the zoning amendment initiated by the Board. The MMFLA does not place location restrictions on any of the other categories of licenses.

Zoning Amendment #19030 (Township Board)
Planning Commission (February 11, 2019)
Page 2

2. *Processors*: A processor license authorizes its holder to purchase marihuana from growers, and to sell marihuana and marihuana-infused products to provisioning centers. As with growers, an applicant is eligible for a processor license only if the applicant and each investor does not have a financial stake in a secure transporter or safety compliance facility.

3. *Secure Transporters*: A secure transporter license authorizes its holder to store and transport marihuana and money associated with the purchase or sale of marihuana. All movement of marihuana or seeds between other licensees must be done by a secure transporter. To be eligible for a secure transporter license, the applicant may not have a financial interest in any of the other four kinds of licensed operations. The MMFLA treats transportation of marihuana similarly to what is common practice for operators of money-transporting armored trucks, as each vehicle must have a two-person crew with at least one person remaining with the vehicle at all times when marihuana is being transported. Secure transporters are not authorized to transport marihuana or money to or from a registered qualifying patient or registered primary caregiver, so they cannot provide marihuana delivery services to individuals.

4. *Provisioning Centers*: A provisioning center license authorizes the holder to purchase or transfer marihuana only from growers and processors and to sell or transfer marihuana only to registered qualifying patients or registered primary caregivers. Before a provisioning center may sell marihuana, it must transport the marihuana to a safety compliance facility for testing and labeling. Consumption or use of marihuana or marihuana products at a provisioning center is prohibited. Provisioning centers are also prohibited from selling or allowing the consumption or use of alcohol or tobacco products on their premises, and from allowing a physician to conduct examinations and issue medical certifications for the purpose of obtaining a registry identification card. As with both growers and processors, an applicant is eligible for a provisioning center license only if the applicant and each investor do not have a financial stake in a secure transporter or safety compliance facility.

5. *Safety Compliance Facilities*: A safety compliance facility license authorizes the holder to receive and test marihuana from a marihuana facility. The purpose of a safety compliance facility is to perform tests to (1) ensure that marihuana is free from chemicals such as fungicides and insecticides (2) ensure that marihuana does not contain dangerous levels of fungi and microbes, and (3) determine levels of certain psychoactive and non-psychoactive compounds.

The proposed zoning amendment allows Growers, regardless of class, to locate only in the Industrial zoning district by special use permit. Processors, Provisioning Centers, Safety Compliance Facilities, and Secure Transporters would be allowed to locate in the I (Industrial), C-1, C-2, C-3 (Commercial), and RP (Research and Office Park) zoning districts, also by special use permit. All commercial medical marihuana facilities would be limited to locating only in the six overlay areas depicted on the attached map.

Zoning Amendment #19030 (Township Board)
Planning Commission (February 11, 2019)
Page 3

The following table compiles information from both the zoning and non-zoning ordinance to provide an overview of the regulations for each type of commercial medical marihuana facility:

Facility type	No. of permits	Location allowed
Grower	3	I (Industrial) Zoning District
Processor	3	I (Industrial), C-1, C-2, C-3 (Commercial), and RP (Research and Office Park)
Provisioning Center	6	I (Industrial), C-1, C-2, C-3 (Commercial), and RP (Research and Office Park)
Safety Compliance Facility	6	I (Industrial), C-1, C-2, C-3 (Commercial), and RP (Research and Office Park)
Secure Transporter	3	I (Industrial), C-1, C-2, C-3 (Commercial), and RP (Research and Office Park)

At its meeting on February 5, 2019 the Township Board discussed also limiting Secure Transporters and Processors to only locating in the I (Industrial) zoning district. The Board is also considering allowing Growers, Secure Transporters, and Processors to locate only in overlay areas 1, 3, and 5. The ordinance language that was referred to the Planning Commission does not include either provision but the Board may add those items when reviewing the proposed zoning amendment.

When discussing the proposed zoning amendment the Planning Commission may consider the following:

Overlay district areas. The six overlay districts established by the Township Board were selected based on their relative distance from the 500 foot setbacks from religious institutions, library, preschool, or child care center and the 1,000 foot setback from schools instituted in the non-zoning ordinance. The Planning Commission may concur with the six recommended overlay areas identified by the Township Board, choose to recommend amendments to the boundaries, or identify new areas.

Review process. The proposed zoning amendment allows commercial medical marihuana facilities subject to approval of a special use permit from the Planning Commission. The special use permit process would only begin once conditional approval of Township permit (complete application) is granted by the Director of Community Planning and Development. The Planning Commission may consider whether or not the special use permit process is appropriate for commercial medical marihuana facilities or if they should instead be allowed by right or by conditional use permit.

Permitted locations. The Planning Commission may concur with the Township Board with regards to the proposed permitted locations for the five types of commercial medical marihuana licenses or recommend revisions as desired.

Zoning Amendment #19030 (Township Board)
Planning Commission (February 11, 2019)
Page 4

Planning Commission Options

The Planning Commission may recommend approval as written, recommend approval of a revised version, or recommend denial of the proposed zoning amendment. A resolution will be provided at a future meeting.

Attachments

1. Draft zoning ordinance dated December 6, 2018.
2. Non-zoning ordinance dated February 5, 2019.
3. Overlay district map dated January 24, 2019.

G:\Community Planning & Development\Planning\ZONING AMENDMENTS (ZA)\2019\ZA 19030 (Township Board)\Zoning Amendment 19030.pc1.docx

**DRAFT ORDINANCE
COMMERCIAL MEDICAL MARIHUANA FACILITIES OVERLAY DISTRICT
CHARTER TOWNSHIP OF MERIDIAN**

**Chapter 86: Zoning
Article I: In General
Section 86-2: Definitions**

1. “Commercial Medical Marihuana Facility” or “Facility” means one of the following:
 - a. “Provisioning Center,” as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 (“MMFLA”);
 - b. “Processor,” as that term is defined in the MMFLA;
 - c. “Secure Transporter,” as that term in the MMFLA;
 - d. “Grower,” including Class A, Class B and Class C, as those terms are defined in the MMFLA;
 - e. “Safety Compliance Facility,” as that term is defined in the MMFLA.
2. “Marihuana” means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.
3. “Medical Marihuana” means that term as defined in MCL 333.26423.
4. “Patient” means a “registered qualifying patient” or a “visiting qualifying patient” as those terms are defined by MCL 333.26421, et seq.
5. “Permit” means a current and valid permit for a Commercial Medical Marihuana Facility issued under the Charter Township of Meridian Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities, Charter Township of Meridian Ordinance No. ____, which shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. Said Permit shall be in addition to the Special Use Permit required to be obtained under this Zoning Ordinance.
6. “Person” means a natural person, company, partnership, profit or non-profit corporation, limited liability company, or any joint venture for a common purpose.

Medical Marihuana draft ordinance

December 6, 2018

Page 2

Chapter 86: Zoning

Article IV: District Regulations

Division 4: Other Districts

Section 86-445 Commercial Medical Marihuana Facilities Overlay District

(a) Applicability. The Commercial Medical Marihuana Facilities overlay district shall apply to all lots within the areas shown on Map (s) ____ (the "Overlay Areas"). All lots included in the overlay district shall be subject to the terms and conditions imposed in this section, in addition to the terms and conditions imposed by the zoning district where such lots may be located, any other applicable ordinance and the requirements of Section (Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities).

(b) Uses permitted by right. All uses permitted by right in the underlying zoning districts.

(c) Uses permitted by special use permit. All uses permitted by special use permit in the underlying zoning district and all types of Commercial Medical Marihuana Facilities subject to the number of available Permits allowed per Section (Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities).

(d) Uses not permitted. Any use not permitted in the underlying zoning district is not permitted in the Commercial Medical Marihuana Facilities overlay district.

(e) Permitted locations.

1. Grower Class A, Class B, or Class C in the I (Industrial) district.
2. Processor in the I (Industrial) district; C-1, C-2, or C-3 (Commercial) districts; and RP (Research and Office Park) district.
3. Provisioning Center in the I (Industrial) district; C-1, C-2, or C-3 (Commercial) districts; and RP (Research and Office Park) district.
4. Safety Compliance Facility in the I (Industrial) district; C-1, C-2, or C-3 (Commercial) districts; and RP (Research and Office Park) district.
5. Secure Transporter in the I (Industrial) district; C-1, C-2, or C-3 (Commercial) districts; and RP (Research and Office Park) district.

(f) Application and departmental reviews

1. Application. The application for a special use permit shall be submitted to the Director of Community Planning and Development in accordance with Section 86-124.

Medical Marihuana draft ordinance

December 6, 2018

Page 3

2. Departmental reviews. The applicant's plan shall be reviewed by the Township Department of Community Planning and Development, the Township EMS/Fire Department, the Township Police Department, the Township Public Works/Engineering Department, the county drain commissioner, and the county road department or the state department of transportation, whichever road agency has jurisdiction over roads in the immediate vicinity, in order to ensure that public utilities, road, and other infrastructure systems are or will be adequate to support the proposed development.

(g) Review process. Upon determination that the application is complete, the Director of Community Planning and Development shall initiate a review process in accordance with Section 86-125 of this chapter, subject to all hearings and other provisions set forth therein, as applicable.

(h) Amendments. Any amendments to an approved special use permit shall be in accordance with Section 86-129.

ORDINANCE NO. _____

**ORDINANCE AMENDING THE CODE OF THE CHARTER TOWNSHIP OF MERIDIAN,
INGHAM COUNTY, MICHIGAN BY ADDING CHAPTER 40 COMMERCIAL MEDICAL
MARIHUANA FACILITIES**

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Amendment to the Code of Ordinances by adding Chapter 40. The code of the Charter Township of Meridian, Ingham County, Michigan, is hereby amended to add Chapter 40 entitled Commercial Medical Marihuana Facilities to read as follows:

**Chapter 40
COMMERCIAL MEDICAL MARIHUANA FACILITIES**

**ARTICLE I
In General**

Section 40-1. through 40-25. (Reserved)

**ARTICLE II
Commercial Medical Marihuana Facilities**

Section 40-26. Title.

This Chapter shall be known and cited as the "Commercial Medical Marihuana Facilities Ordinance of the Charter Township of Meridian."

Section 40-27. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where context clearly indicates a different meaning:

APPLICATION means an Application for a Permit under this Chapter and includes all supplemental documentation attached or required to be attached thereto; the Person filing the Application shall be known as the Applicant.

DIRECTOR OF COMMUNITY PLANNING AND DEVELOPMENT means the Charter Township of Meridian Director of Community Planning and Development or his/her designee.

COMMERCIAL MEDICAL MARIHUANA FACILITY or FACILITY means one of the following:

- (1) Provisioning Center, as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 (MMFLA);
- (2) Processor, as that term is defined in the MMFLA;
- (3) Secure Transporter, as that term is defined in the MMFLA;

Medical Marihuana Non-Zoning Ordinance

February 5, 2019 Revision

Page 2

(4) Grower, including Class A, Class B and Class C, as those terms are defined in the MMFLA;

(5) Safety Compliance Facility, as that term is defined in the MMFLA.

DEPARTMENT means the Michigan State Department of Licensing and Regulatory Affairs or any authorized designated Michigan agency authorized to regulate, issue or administer a Michigan License for a Commercial Medical Marihuana Facility.

LICENSE means a current and valid License for a Commercial Medical Marihuana Facility issued by the Department.

LICENSEE means a Person holding a current and valid Michigan License for a Commercial Medical Marihuana Facility.

MARIHUANA means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.

MEDICAL MARIHUANA means that term as defined in MCL 333.26423.

PARAPHERNALIA means drug paraphernalia as defined in section 7451 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7451, that is or may be used in association with Medical Marihuana.

PATIENT means a “registered qualifying patient” or a “visiting qualifying patient” as those terms are defined by MCL 333.26421, et seq.

PERMIT means a current and valid Permit for a Commercial Medical Marihuana Facility issued under this Chapter, which shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. Said Permit shall be in addition to the special use permit required to be obtained under the Township Zoning Ordinance.

PERMIT HOLDER means the Person that holds a current and valid Permit issued under this Chapter.

PERMITTED PREMISES means the particular building or buildings within which the Permit Holder will be authorized to conduct the Facility’s activities pursuant to the Permit.

PERMITTED PROPERTY means the real property comprised of a lot, parcel or other designated unit of real property upon which the Permitted Premises is situated.

PERSON means a natural person, company, partnership, profit or non-profit corporation, limited liability company, or any joint venture for a common purpose.

PUBLIC PLACE means any area in which the public is invited or generally permitted in the usual course of business.

Medical Marihuana Non-Zoning Ordinance

February 5, 2019 Revision

Page 3

REGISTRY IDENTIFICATION CARD means the document issued to a Patient or a Primary Caregiver and defined under MCL 333.26423(i).

Section 40-28. Permit Required; Number of Permits Available; Eligibility; General Provisions.

1. The Township hereby authorizes the operation of the following types of Commercial Medical Marihuana Facilities, subject to the number of available Permits issued in this Section:
 - a. Growers, Class A
 - b. Growers, Class B
 - c. Growers, Class C
 - d. Processors
 - e. Provisioning Centers
 - f. Safety Compliance Facilities
 - g. Secure Transporters
2. The number of Commercial Medical Marihuana Facility Permits in effect at any time shall not exceed the following maximums within the Township:
 - a. Grower Permits, Class A, Class B, and Class C: **3**, regardless of type
 - b. Processor Permits: **3**
 - c. Provisioning Center Permits: 6
 - d. Safety Compliance Facility Permits: 6
 - e. Secure Transporter Permits: **3**
 - f. No more than one Provisioning Center shall be located in any single Overlay Area except that if any Overlay Area has zero Provisioning Centers granted or under renewal and zero conditionally approved at the time set for the lottery, then a second Provisioning Center may be added to another Overlay Area. No Overlay Area shall have more than two Provisioning Centers.
3. No Person shall operate a Commercial Medical Marihuana Facility at any time or any location within the Township unless a currently-effective Permit for that Person at that location has been issued under this Chapter.
4. Commercial Medical Marihuana Facilities shall operate only as allowed under this Chapter.
5. The requirements set forth in this Chapter shall be in addition to, and not in lieu of, any other licensing or permitting requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances.

Medical Marihuana Non-Zoning Ordinance

February 5, 2019 Revision

Page 4

6. An Applicant shall pay Application fees, annual fees, renewal fees and inspection fees for Permits to the Township to defray the costs incurred by the Township for inspection, administration and enforcement of the local regulations regarding Commercial Medical Marihuana Facilities. The Township Board shall by resolution set the fees in an amount not to exceed any limitations imposed by Michigan law.
7. A Permit and a Renewal Permit shall not confer any vested rights or reasonable expectation of subsequent renewal on the Applicant or Permit Holder, and shall remain valid for one year immediately following its approval.
8. Each year, any pending Applications for renewal or amendment of valid, unexpired Permits shall be reviewed and granted or denied before Applications for new Permits are considered.
9. It is the sole and exclusive responsibility of each Permit Holder or Person applying to be a Permit Holder at all times during the Application period and during its operation to immediately provide the Township with all material changes in any information submitted on an Application and any other changes that may materially affect any License or its Permit.
10. No Permit issued under this Chapter may be assigned or transferred to any Person unless the assignee or transferee has submitted an Application and all required fees under this Chapter and has been granted a Permit by the Director of Community Planning and Development. No Permit issued under this Chapter is transferrable to any other location except for the Permitted Premises on the Permitted Property.
11. The original Permit issued under this Chapter shall be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement and administrative authorities.
12. Acceptance by the Permit Holder of a Permit constitutes consent by the Permit Holder and its owners, officers, managers, agents and employees for any state, federal or local law enforcement to conduct random and unannounced examinations of the Facility and all articles of property in that Facility at any time to ensure compliance with this Chapter, any other local regulations, and with the Permit.
13. A Permit Holder may not engage in any other Commercial Medical Marihuana Facility in the Permitted Premises or on the Permitted Property, or in its name at any other location within the Township, without first obtaining a separate Permit.

Section 40-29. Other Laws and Ordinances.

In addition to the terms of this Chapter, any Commercial Medical Marihuana Facility shall comply with all Township Ordinances, including without limitation the Township Zoning Ordinance, and with all other applicable federal, state and local ordinances, laws, codes and regulations. To the extent that the terms of this Chapter are in conflict with the terms of any other applicable federal, state or local ordinances, laws, codes or regulations, the terms of the most restrictive ordinance, law, code or regulation shall control.

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Section 40-30. Application for and Renewal of Permits.

1. Application. An Application for a Permit for a Facility shall be submitted to the Director of Community Planning and Development per permitted premise, and shall contain the following information:
 - a. The name, address, phone number and e-mail address of the proposed Permit Holder and the proposed Commercial Medical Marihuana Facility.
 - b. The names, home addresses and personal phone numbers for all owners, directors, officers and managers of the Permit Holder and the Commercial Medical Marihuana Facility.
 - c. One (1) copy of all the following:
 - 1) To encourage both local industry and also well-qualified applicants, at least two of the following items:
 - i) An official statement issued by the Department indicating that the Applicant has successfully completed prequalification for a License, if any. Copies of Entity/Individual Prequalification Packets and Supplemental Applicant Prequalification Packets or investigations conducted by the Department (if available) shall be provided.
 - ii) Documentation sufficient to prove that an owner **or combination of owners** of the Permit Holder with 75% ownership interest or greater has maintained residency within the Township for at least twelve months prior to the submission of the Application, if any, satisfactory to the Township. Sufficient documentation includes, but is not limited to, lease documents, deeds, utility bills (such as water, electric, or gas bills), and being a registered elector in the Township. Majority shareholders, managing members, or managing partners must submit the same information.
 - iii) Applicant's Certification on a form provided by the Township restricting transfer of the Permit and subsequent renewed Permits, and restricting the transfer of any interest in the Permit Holder for a period of not less than 30 months after issuance of the Permit **and License**. This commitment shall be enforceable severally or jointly by the Township against the Applicant, Permit Holder, and any members or shareholders thereof.

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- 2) All documentation showing the proposed Permit Holder's valid tenancy, ownership or other legal interest in the proposed Permitted Property and Permitted Premises. If the Applicant is not the owner of the proposed Permitted Property and Permitted Premises, a notarized statement from the owner of such property authorizing the use of the property for a Commercial Medical Marihuana Facility. All documentation establishing that the Permitted Premises and Permitted Property are within an overlay area with available permits.
- 3) If the proposed Permit Holder is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, it must indicate its legal status, attach a copy of all company formation documents (including amendments), proof of registration with the State of Michigan, and a certificate of good standing with the State of Michigan.
- 4) A valid, unexpired driver's license or state issued ID for all owners, directors, officers and managers of the proposed Facility.
- 5) Evidence of a valid sales tax license for the business if such a license is required by state law or local regulations.
- 6) Application for Sign Permit, if any sign is proposed.
- 7) Non-refundable Application fee.
- 8) Business and Operations Plan, showing in detail the Commercial Medical Marihuana Facility's proposed plan of operation, including without limitation, the following:
 - i. A description of the type of Facility proposed and the anticipated or actual number of employees.
 - ii. A security plan meeting the requirements of Section 40-31(3) of this Chapter, which shall include a general description of the security systems(s), current centrally alarmed and monitored security system service agreement for the proposed Permitted Premises, and confirmation that those systems will meet State requirements and be approved by the State prior to commencing operations.
 - iii. A description by category of all products to be sold.
 - iv. A list of Material Safety Data Sheets for all nutrients, pesticides, and other chemicals proposed for use in the Commercial Medical Marihuana Facility.

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- v. A description and plan of all equipment and methods that will be employed to stop any impact to adjacent uses, including enforceable assurances that no odor will be detectable from outside of the Permitted Premises.
 - vi. A plan for the disposal of Marihuana and related byproducts that will be used at the Facility.
-
- 9) An identification of any business that is directly or indirectly involved in the growing, processing, testing, transporting or sale of Marihuana for the Facility.
 - 10) Whether any Applicant has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.
 - 11) Signed and sealed (by Michigan registered architect, surveyor or professional engineer) site plan and interior floor plan of the Permitted Premises and the Permitted Property.
 - 12) Information regarding any other Commercial Medical Marihuana Facility that the Licensee is authorized to operate in any other jurisdiction within the State, or another State, and the Applicant's involvement in each Facility.
 - 13) Applicant and all related Persons consent to a background check conducted by the Township or any agency used by the Township to complete such checks.
-
- d. Any other information reasonably requested by the Township to be relevant to the processing or consideration of the Application.
 - e. If the Director of Community Planning and Development identifies or is informed of a deficiency in an Application, the Applicant shall have five (5) business days to correct the deficiency after notification by the Director of Community Planning and Development.
 - f. Information obtained from the Applicant or proposed Permit Holder is exempt from public disclosure under state law.

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2. Receipt of Applications.

- a. The Director of Community Planning and Development shall accept Applications for new permits during normal business hours on the second Tuesday in January at the Township Hall. Notice of the day, time, and place shall be given by publication once in a newspaper of general circulation within the Township, which shall be at least 10 days before the date set to accept the Applications. The notice shall also be posted on the Township's website, if any.
- b. Notwithstanding Section 40-30(2)(a), the Director of Community Planning and Development may accept Applications for new permits on dates, times, and places as he deems appropriate. Before accepting any Applications on a date other than permitted by Section 40-30(2)(a), notice of the day, time, and place shall be given by publication twice in a newspaper of general circulation within the Township, the first of which shall be at least 10 days before the date set to accept the Applications. The notice shall also be posted on the Township's website, if any.

3. Denial of Application.

- a. The Director of Community Planning and Development shall reject any Application that does not meet the requirements of the MMFLA or this Chapter. The Director of Community Planning and Development shall reject any Application that contains any false, misleading, or incomplete information.
- b. An Applicant whose Application is rejected or denied because of missing, incomplete, erroneous, false, or misleading information, or because of a lack of submission of the full amount of the fees due, does not have a right to an administrative appeal of the decision.

4. Issuance of Conditional Approval.

- a. Complete Applications for a Commercial Medical Marihuana Facility Permit determined to be in full compliance with the requirements of this Chapter shall be issued conditional approval in accordance with the procedures specified in this Section.
- b. The Director of Community Planning and Development shall issue a conditional approval if:
 - 1) The background checks are complete and satisfactory;
 - 2) The Applicant has submitted satisfactory proof in two of the three following categories:
 - i. Official statement issued by the Department, pursuant to Section 40-30(1)(c)(1)(i).

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ii. Proof of residency within the Township pursuant to Section 40-30(1)(c)((1)(ii).

iii. A certificate pursuant to Section 40-30(1)(c)(1)(iii).

3) All other information available to the Township verifies that the Applicant as a grower, processor, provisioning center, safety compliance facility, secure transporter has submitted a full and complete Application and is in compliance with the Township Code of Ordinances and any other applicable law, rule, or regulation.

- c. A conditional approval only means that the Applicant has submitted a valid Application for a Commercial Medical Marihuana Facility Permit and is eligible for the lottery.
 - d. Within (30) thirty days from the issuance of a conditional approval the Applicant shall submit proof to the Township that the Applicant has applied for prequalification for a state operating license or has submitted a full application for such license, unless such information was provided in the Application. If the Applicant fails to submit such proof, the conditional approval shall be void, the application denied, and any lottery position void.
 - e. A conditional approval and any lottery selection shall be void if an Applicant is denied prequalification for a state operating license or is denied a state operating license. Such denial shall be provided immediately to the Director of Community Planning and Development.
 - f. A conditional approval does not prevent the Director of Community Planning and Development from requesting additional documentation, as required or permitted under this Chapter.
5. Lottery; Order of Special Use Permit Applications.
- a. After all Applications have been either granted conditional approval or denied the Director of Community Planning and Development shall then sort the Applications by the type of facility permit requested.
 - b. Each conditionally approved application will be entered in a lottery by facility type to determine which Applications may submit special use permit applications. Each facility type shall be drawn by random lottery as follows:

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- 1) For Provisioning Centers, the applications shall be additionally sorted by their zoning overlay area. For each overlay area, the Director of Community Planning and Development shall randomly draw the name or number of each Provisioning Center Applicant until all conditionally approved applications are drawn in each overlay area. The Applicant of each first Provisioning Center drawn in each overlay area may then apply for a special use permit. If any bonus second provisioning center is available under Section 40-28(2)(f), then each overlay area with more than one conditionally approved provisioning center application shall itself be drawn by random lottery until all bonus second provisioning center overlay areas have been awarded. The Applicant of each second Provisioning Center drawn in each overlay area awarded a bonus may then apply for a special use permit.
 - 2) For each other facility type, the Director of Community Planning and Development shall randomly draw the name or number of the Applicants until all conditionally approved applications are drawn.
 - 3) The number of special use permit applications submitted may not exceed the number of available Permits under this Chapter. In each facility type, the number of Applicants drawn equal to the available Permits under this Chapter at the time of the lottery may apply for a special use permit. Applicants drawn after the number of available Permits will retain that lottery position as provided in this Chapter.
 - 4) The Director of Community Planning and Development shall maintain a record of the lottery results and order of drawing for each facility type until December 31 of the year in which the lottery occurred. Lottery positions do not confer any right to a Permit under this Chapter.
 - 5) All lottery drawings shall be conducted publicly by the Director of Community Planning and Development with the date and time published on the Township's website and all entrants provided notice.
- c. All special use permit applications must be submitted within 60 days of the lottery or notice under this sub-section. If the Applicant does not submit a special use permit application or a special use permit is denied and all appeals are exhausted, then the Director of Community Planning and Development may consult the lottery results and notify the next Applicant that they may apply for a special use permit.

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6. Renewal Application. The same requirements that apply to all new Applications for a Permit, except for special use permit and lottery requirements, shall apply to all Renewal Applications. Renewal Applications shall be submitted to and received by the Director of Community Planning and Development not less than ninety (90) days prior to the expiration of the annual Permit, except that an Application requesting a change in the location of the Permitted Premises shall be submitted and received not less than one hundred twenty (120) days prior to the expiration of the Permit. A Permit Holder whose Permit expires and for which a complete Renewal Application has not been received by the expiration date shall be deemed to have forfeited the Permit under this Chapter. The Township will not accept Renewal Applications after the expiration date of the Permit.
7. Issuance of Commercial Medical Marihuana Facilities Permit.
 - a. An inspection of the proposed Commercial Medical Marihuana Facility by the Township shall be required prior to issuance of the Permit. Such inspection shall occur after the premises are ready for operation, but prior to the stocking of the business with any medical marihuana, and prior to the opening of the business or commencement of operations. The inspection is to verify that the business facilities are constructed and can be operated in accordance with the Application submitted and the applicable requirements of this Chapter, the Special Use Permit, and any other applicable law, rule, or regulation.
 - b. After verification the facilities are constructed and can be operated in accordance with the Application submitted and the applicable requirements of this Chapter, the Special Use Permit, and any other applicable law, rule, or regulation, and the issuance of a permanent certificate of occupancy for the facility, the Director of Community Planning and Development shall issue the Permit for a term of one (1) year.
 - c. Maintaining a valid marihuana facility license issued by the State is a condition for the issuance and maintenance of the Permit issued under this Chapter and the continued operation of any marihuana facility.
 - d. An Applicant or Permit Holder has a duty to notify the Director of Community Planning and Development in writing of any pending criminal charge, and any criminal conviction of a felony or other offense involving a crime of moral turpitude by the Applicant, any owner, principal officer, director, manager, or employee within ten (10) days of the event.

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- e. An Applicant or Permit Holder has a duty to notify the Director of Community Planning and Development in writing of any pending criminal charge, and any criminal conviction, whether a felony, misdemeanor, petty offense, or any violation of a local law related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marihuana, the MMMA, the MMFLA, any building, fire, health or zoning statute, code or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marihuana by the Applicant, any owner, principal officer, director, manager, or employee within (10) ten days of the event.
8. Applications for new Permits where no building is as yet in existence. Any Applicant for a Commercial Medical Marihuana Facility Permit whose building is not yet in existence at the time of the Township's initial approval shall have one year immediately following the date of the Township's initial approval to complete construction of the building, in accordance with applicable zoning ordinances, building codes, and any other applicable state or local laws, rules or regulations, and to commence business operations.
9. Duty to Supplement. If, at any time before or after a Permit is issued pursuant to this Chapter, any information required in the Application, the MMFLA, or any rule or regulation promulgated thereunder, changes in any way from that which is stated in the Application, the Applicant or Licensee shall supplement such information in writing within ten (10) days from the date upon which such change occurs.
10. Permit Forfeiture. In the event that a Commercial Medical Marihuana Facility does not commence operations within one year of issuance of a Township Permit, the Permit shall be deemed forfeited; the facility may not commence operations and the Permit is not eligible for renewal.

Section 40-31. Operational Requirements – Commercial Medical Marihuana Facilities.

A Commercial Medical Marihuana Facility issued a Permit under this Chapter and operating in the Township shall at all times comply with the following operational requirements, which the Township Board may review and amend from time to time as it determines reasonable.

1. *Scope of Operation.* Commercial Medical Marihuana Facilities shall comply with all respective applicable codes of the local zoning, building, fire, and health departments. The Facility must hold a valid unexpired Permit and State Commercial Medical Marihuana Facility License for the type of Commercial Medical Marihuana Facility intended to be carried out within the Permitted Premises on the Permitted Property. The Facility operator, owner, Permit Holder, or Licensee must have documentation available that local and State sales tax requirements, including holding any licenses, if applicable, are satisfied.

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2. *Required Documentation.* Each Commercial Medical Marihuana Facility shall be operated from the Permitted Premises on the Permitted Property. No Commercial Medical Marihuana Facility shall be permitted to operate from a moveable, mobile or transitory location, except for a Permitted and Licensed Secure Transporter when engaged in the lawful transport of Marihuana. No Person under the age of eighteen (18) shall be allowed to enter into the Permitted Premises without a parent or legal guardian.
3. *Security.* Permit Holders shall at all times maintain a security system that meets state law requirements, and shall also include the following:
 - a. Security surveillance cameras installed to monitor all entrances, along with the interior and exterior of the Permitted Premises.
 - b. Robbery and burglary alarm systems which are professionally monitored and operated 24 hours a day, 7 days a week.
 - c. A locking safe permanently affixed to the Permitted Premises that shall store all Marihuana and cash remaining in the Facility overnight.
 - d. All Marihuana in whatever form stored at the Permitted Premises shall be kept in a secure manner and shall not be visible from outside the Permitted Premises, nor shall it be grown, processed, exchanged, displayed or dispensed outside the Permitted Premises.
 - e. All security recordings and documentation shall be preserved for at least 48 hours by the Permit Holder and made available to any law enforcement upon request for inspection.
4. *Operating Hours.* No Provisioning Center shall operate between the hours of 8:00 p.m. and 8:00 a.m.
5. *Required Spacing.* No Commercial Medical Marihuana Facility shall be located within one-thousand (1,000) feet from any public or private K-12 school, five hundred (500) feet from any church, place of worship or other religious facility, and five hundred (500) feet from any library, preschool, or nearest child care center, with the minimum distance between uses measured horizontally between the nearest property lines.
6. *Amount of Marihuana.* The amount of Marihuana on the Permitted Property and under the control of the Permit Holder, owner or operator of the Facility shall not exceed that amount permitted by the state License or the Township's Permit.
7. *Sale of Marihuana.* The Marihuana offered for sale and distribution must be packaged and labeled in accordance with state law. The Facility is prohibited from selling, soliciting or receiving orders for Marihuana or Marihuana Products over the internet.

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8. *Sign Restrictions.* No pictures, photographs, drawings or other depictions of Marihuana or Marihuana Paraphernalia shall appear on the outside of any Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property. The words “Marihuana,” “cannabis” and any other words used or intended to convey the presence or availability of Marihuana shall not appear on the outside of the Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property.
9. *Use of Marihuana.* The sale, consumption or use of alcohol or tobacco products on the Permitted Premises is prohibited. Smoking or consumption of controlled substances, including Marihuana, on the Permitted Premises is prohibited.
10. *Indoor Operation.* All activities of Commercial Medical Marihuana Facilities, including without limitation, distribution, growth, cultivation, or the sale of Marihuana, and all other related activity permitted under the Permit Holder’s License or Permit must occur indoors. The Facility’s operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system so that no odor is detectable outside the Permitted Premises. Mobile facilities and drive-through operations are prohibited.
11. *Unpermitted Growing.* A Patient may not grow his or her own Marihuana at a Commercial Medical Marihuana Facility.
12. *Distribution.* No person operating a Facility shall provide or otherwise make available Marihuana to any person who is not legally authorized to receive Marihuana under state law.
13. *Permits.* All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the Permitted Premises in which electrical, wiring, lighting or watering devices that support the cultivation, growing, harvesting or testing of Marihuana are located.
14. *Waste Disposal.* The permit holder, owner and operator of the Facility shall use lawful methods in controlling waste or by-products from any activities allowed under the License or Permit.
15. *Transportation.* Marihuana may be transported by a Secure Transporter within the Township under this Chapter, and to effectuate its purpose, only:
 - a. By Persons who are otherwise authorized by state law to possess Marihuana for medical purposes;
 - b. In a manner consistent with all applicable state laws and rules, as amended;
 - c. In a secure manner designed to prevent the loss of the Marihuana;

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- d. No vehicle used for the transportation or delivery of Marihuana under this Chapter shall have for markings the words “Marihuana,” “cannabis” or any similar words; pictures or other renderings of the Marihuana plant; advertisements for Marihuana or for its sale, transfer, cultivation, delivery, transportation or manufacture, or any other word, phrase or symbol indicating or tending to indicate that the vehicle is transporting Marihuana.
 - e. No vehicle may be used for the ongoing or continuous storage of Marihuana, but may only be used incidental to, and in furtherance of, the transportation of Marihuana.
16. Additional Conditions. The Director of Community Planning and Development may impose such reasonable terms and conditions on a Commercial Medical Marihuana Facility special use as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this Chapter and applicable law.

Section 40-32. Penalties and Consequences for Violation.

In addition to any other penalties or legal consequences provided under applicable federal, state and local law, regulations, codes and ordinances:

1. Violations of the provisions of this Chapter or failure to comply with any of the requirements of this Chapter shall constitute a misdemeanor. Any Person who violates this Chapter or fails to comply with any of the requirements of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500.00, or imprisoned for not more than 90 days, or both, and, in addition, shall pay all costs and expenses involved. Each day the violation continues shall be considered a separate offense.
2. Violations of the provisions of this Chapter or failure to comply with any of the requirements of this Chapter shall be subject to and found responsible for a municipal civil infraction. The fine for any municipal civil infraction shall be one thousand dollars (\$1,000.00) plus court costs, attorney fees and abatement costs of each violation, together with all other remedies pursuant to MCL 600.8701, et seq. Each day a violation continues shall be deemed a separate municipal civil infraction.
3. Increased civil fines shall be imposed for repeated violations of any requirement of this Chapter. As used in this subsection, the term “repeat offense” means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision committed within any six-month period and found to be responsible. The increased fine for a repeat offense shall be as follows:
 - a. The fine for any offense which is a first repeat offense shall be two thousand five hundred dollars (\$2,500).
 - b. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be five thousand dollars (\$5,000).

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4. The owner of record or tenant of any building, structure or premises, or part thereof, and any architect, builder, contractor, agent or Person who commits, participates in, assists in or maintains such violation may each be found guilty or responsible of a separate offense and suffer the penalties and fines provided in subsections (1) and (2) of this section, except as excluded from responsibility by state law.
5. In addition to any other remedies, the Township may institute proceedings for injunction, mandamus, abatement or other appropriate remedies to prevent, enjoin, abate or remove any violations of this Chapter. The rights and remedies provided herein are both civil and criminal in nature. The imposition of any fine, jail sentence or forfeiture shall not exempt the violator from compliance with the provisions of this Chapter.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

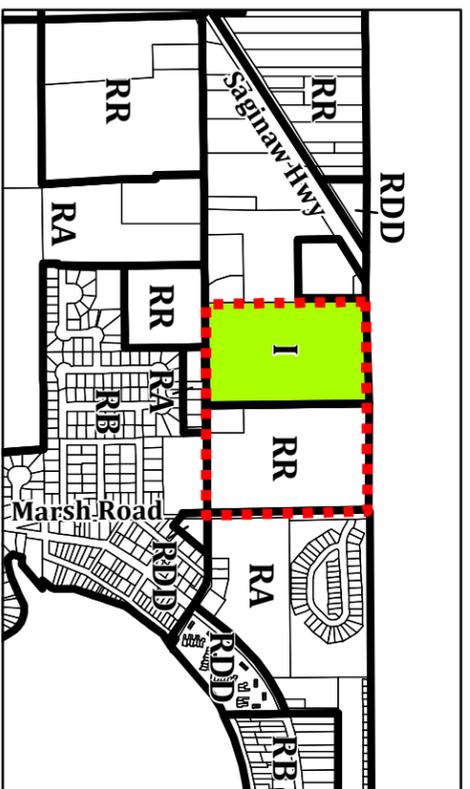
Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

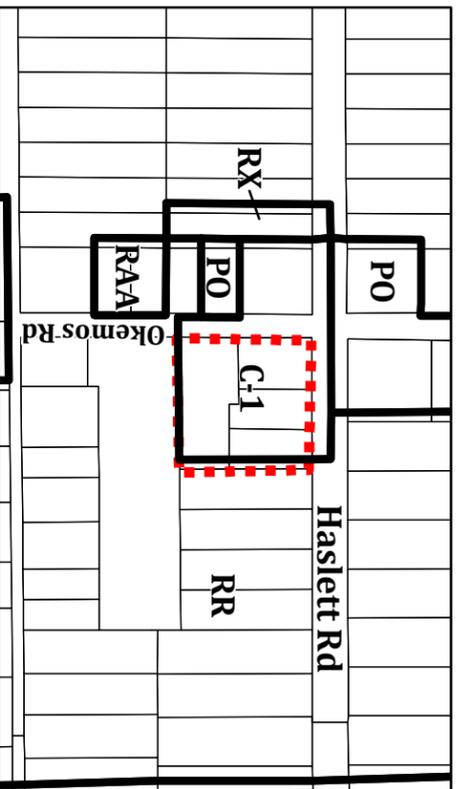
Section 5. Effective Date. This Ordinance shall become effective immediately upon its publication.

Ronald J. Styka, Township Supervisor

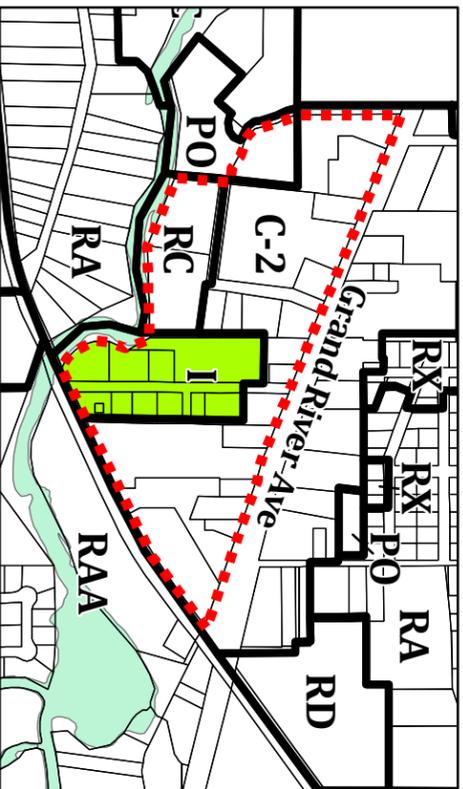
Brett Dreyfus, Township Clerk



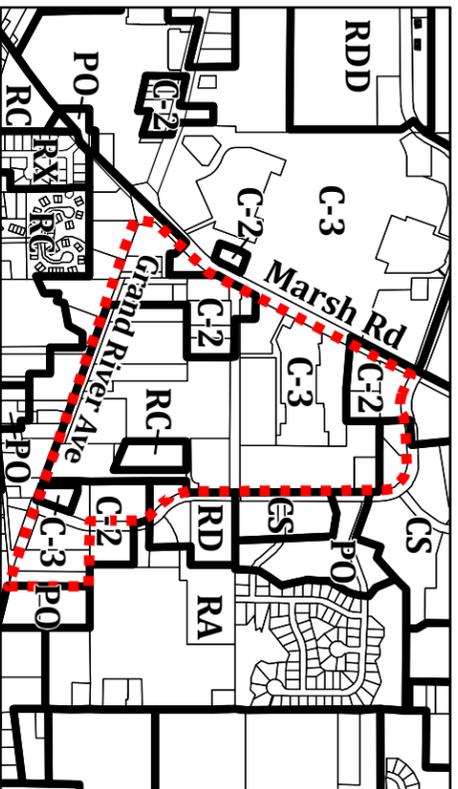
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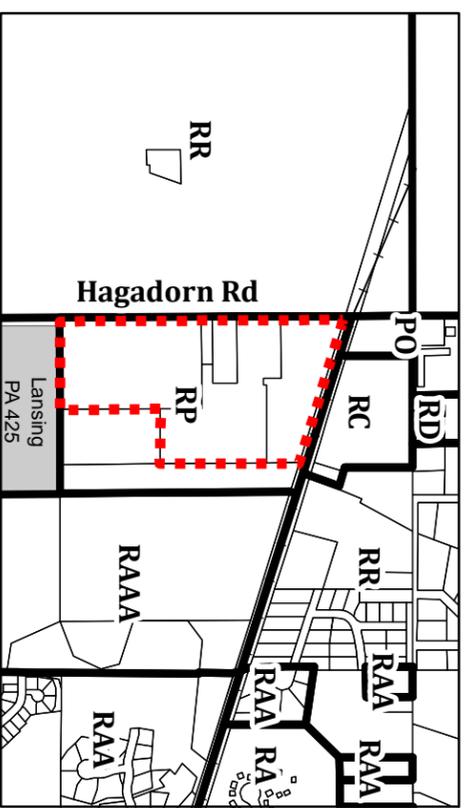
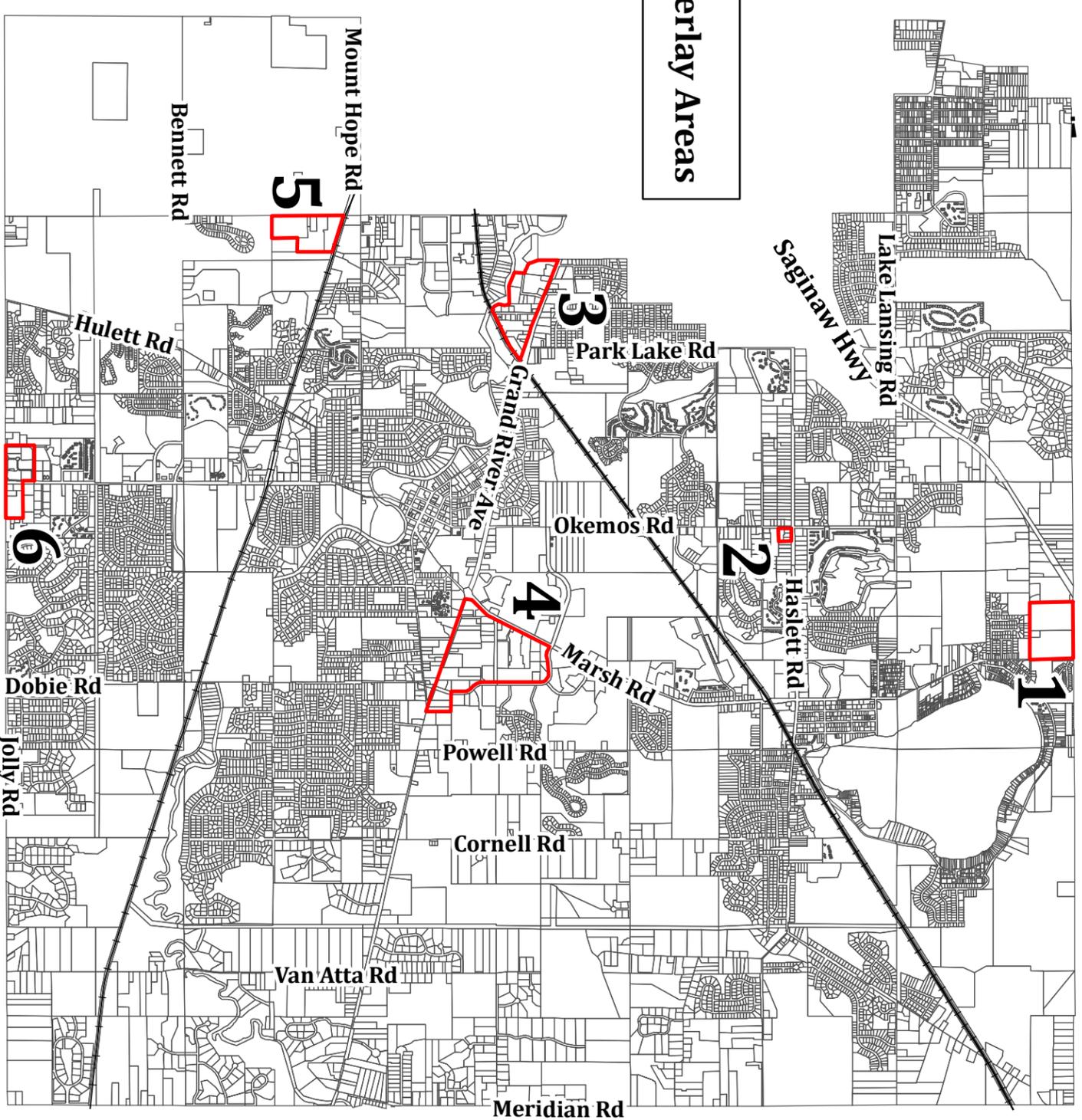


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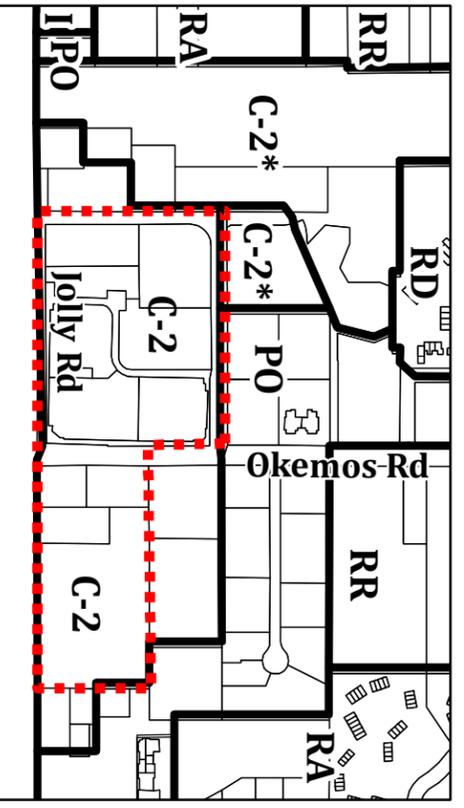


4

Proposed Overlay Areas



5



6



Updated:
1/24/19



To: Planning Commission

From: Peter Menser, Principal Planner
Justin Quagliata, Assistant Planner

Date: February 7, 2019

Re: Zoning Amendment #19040 (Township Board), amend Section 86-2 and Section 86-654 of the Code of Ordinances to add Senior Living Communities to the list of uses permitted as nonresidential uses in residential zoning districts.

The Township was approached by a developer proposing to construct a facility consisting of independent senior living with accompanying assisted living and memory care units. A concept plan showing a mix of independent senior living and skilled nursing care units was presented to the Township Board in December 2018. The developer requested the Board amend the zoning ordinance to accommodate the proposed development. At its meeting on December 11, 2018 the Township Board voted to initiate a zoning amendment allowing Senior Living Communities to locate in residential zoning districts subject to approval of a special use permit, and referred the proposed amendment to the Planning Commission for review and a recommendation.

The Township Code of Ordinances currently considers independent senior living with full cooking facilities to be multiple family residential and not an institution for human care. Furthermore, the zoning ordinance defines a dwelling unit as a building or portion thereof designed exclusively for residential occupancy by one family and having cooking facilities.

Section 86-654(c) of the Code of Ordinances lists nonresidential uses that may be permitted in residential zoning districts by special use permit. Institutions for human care, which includes clinics, homes for the aged, hospitals, and nursing or convalescent homes are included. The institutions for human care listed in this section are facilities where residents require supervised personal care and do not include independent senior living units with cooking facilities.

There are three independent senior living facilities in the Township. Marsh Pointe, located on the west side of Marsh Road and south of Lake Court, was built in 1995 (SPR #94-17) and contains 260 senior apartment units. Marsh Pointe is located in the RC (Multiple Family) zoning district and has full cooking facilities in each unit.

The Marquette, a home for the aged, is located at the southeast corner of Park Lake Road and Lake Lansing Road. Built in 2000 (SPR #99-06), the facility is approximately 35,000 square feet in size (three stories) with 115 independent senior living units. The Marquette is located in the RA (Single Family-Medium Density) zoning district and does not have full cooking facilities in each unit.

Zoning Amendment #19040 (Township Board)
Planning Commission (February 11, 2019)
Page 2

Meridian Stratford Place, located on the north side of Sirhal Drive and east of East Brookfield Drive, was built in 2003 (SPR #02-05) and is approximately 64,000 square feet in size (three stories) with 60 senior apartment units. Meridian Stratford Place is located in the RC (Multiple Family) zoning district and has full cooking facilities in each unit.

Staff has researched land uses which allow for a combination of independent senior living and skilled nursing care and has prepared draft ordinance language for consideration. The draft ordinance adds Senior Living Communities under the institutions for human care category in Section 86-654(c), permitted by special use permit as a nonresidential use in residential zoning districts.

The draft ordinance proposes Senior Living Communities be restricted to persons 55 years of age or older or married couples or domestic partners where either spouse or partner is 55 years of age or older. As proposed, Senior Living Communities would include a combination of independent living and skilled nursing care for residents, such as assisted living and memory care. The proposed zoning amendment would allow independent living only in conjunction with the provision of skilled nursing care units. The minimum number of skilled nursing care units required in a Senior Living Community would be determined by a maximum ratio of independent living units to specialized service units (2:1 ratio proposed in the draft ordinance).

The draft ordinance includes proposed standards for site development, such as minimum yard setbacks, minimum lot area (10 acres) and lot width (100 feet), and maximum lot coverage (35%). Maximum density (25 units per acre), maximum building height (four stories or 60 feet), and Senior Living Community accessory uses are also outlined for consideration in the draft ordinance. Examples of the proposed accessory uses include places of worship, indoor and outdoor recreation, dining facilities, and pharmacies.

Staff Analysis

Under the proposed ordinance, independent senior living would not be considered multiple family; it would be a component of an institution for human care, permitted only in conjunction with skilled nursing care and as part of a Senior Living Community. Based on feedback from the Township Attorney, the following factors should be considered when reviewing the proposed zoning amendment:

- Allowing Senior Living Communities as nonresidential uses in residential zoning districts by special use permit
- Establishing maximum density per acre requirements
- Establishing maximum independent living unit ratios to skilled nursing care units; for example, 2:1 independent living units per one skilled nursing care unit
- Establishing minimum lot size requirements for Senior Living Communities
- Establishing minimum levels for lot coverage, access points, traffic, and other factors

The following table outlines the proposed standards for Senior Living Communities.

	Proposed Senior Living Communities
Building Height:	60 feet (four stories)
Lot Area:	10 acres (435,600 square feet)
Lot Width:	100 feet
Maximum Density:	25 units/acre
Maximum Impervious Surface:	75 percent (the standard for all nonresidential uses in residential districts)
Minimum distance between buildings:	50 feet
Setback when adjacent to another single family residential district boundary:	50 feet
Side/Rear Setback:	25 feet/40 feet (with increases for buildings greater than 35 feet in height)

Section 86-654(a) of the Code of Ordinances states the purpose of allowing certain nonresidential uses in residential districts is to accommodate institutional types of nonresidential functions deemed to be reasonably harmonious and compatible with residential functions. The Planning Commission may consider whether Senior Living Communities, which could entail four story buildings and density up to 25 units per acre (as proposed) in single family zoning districts, are an appropriate nonresidential use in a residential district.

A draft ordinance incorporating the proposed changes to Section 86-2 and Section 86-654 is attached. The Township Attorney has reviewed the draft language and indicated no issues with the amendment as proposed.

Planning Commission Options

The Planning Commission may recommend approval as written, recommend approval of a revised version, or recommend denial of the proposed zoning amendment. A resolution will be provided at a future meeting.

Attachment

1. Draft ordinance language, dated January 29, 2019.

Section 86-2 **Definitions.**

ASSISTED LIVING - Providing basic services as well as limited nursing care, limited supervision, medication management, supportive services, and other activities of daily living to patients or residents.

INDEPENDENT LIVING - Provision of some basic services such as meals, housekeeping, grounds maintenance, security, and common areas and common facilities for events and activities for patients or residents.

MEMORY CARE - Specialized skilled nursing and settings offering stepped-up services for patients or residents with Alzheimer's Disease or other types of dementia.

SENIOR LIVING COMMUNITY - A facility comprised of a building or group of buildings providing a continuity of residential occupancy and health care for elderly persons. This type of facility includes dwelling units for independent living, assisted living, and memory care or other skilled nursing care for residents; it may include ancillary facilities for the further service or care of the residents. The facility is restricted to persons 55 years of age or older or married couples or domestic partners where either spouse or partner is 55 years of age or older.

SKILLED NURSING CARE - Specialized health care available 24 hours per day given under the supervision of professionals or technical personnel including but not limited to memory care, rehabilitation, physical therapy, occupational therapy, social services, tube feedings, complex wound dressings, or rapidly changing health status.

Section 86-654 **Nonresidential structures and uses in residential districts.**

- (a) Purpose. In recognition of the many institutional types of nonresidential functions that have been found to be reasonably harmonious and compatible with residential functions, and in recognition that some nonresidential uses may be useful to the occupants of residential areas and of the community, and in recognition of the peculiar functional requirements of certain types of uses necessary for the efficient provision of utility services, provision is made in this section for the establishment of certain nonresidential structures and uses in residential districts.
- (b) Authorization. The Township Planning Commission may authorize the construction, maintenance, and operation in any residential district of certain nonresidential structures and uses, to be specified in this section, by the issuance of a special use permit when all the procedures and applicable requirements stated in Article II, Division 4 of this chapter, together with the additional requirements to be stated in this section, can be complied with.
- (c) Nonresidential uses that may be permitted. Only the following land and structure uses may be permitted in any residential district, provided the applicable stipulated conditions can be complied with.

- (1) Institutions for human care:
 - Clinics
 - Homes for the aged
 - Hospitals
 - Nursing or convalescent homes
 - Philanthropic and eleemosynary institutions
 - Sanitariums for the treatment of human ailments
 - Senior Living Communities
- (2) Religious institutions:
 - Churches or similar places of worship
 - Convents
 - Other housing for clergy
 - Parsonages and parish houses
- (3) Educational and social institutions:
 - Adult care centers, provided structures and sites meet all current building, residential, fire and maintenance codes as adopted by the Township.
 - Auditoriums and other places of public assembly
 - Centers for social activities
 - Child care centers
 - Fraternity and sorority
 - Public and private elementary schools, high schools, and institutions of higher education
- (4) Special open-space uses:
 - Private resorts and recreational camps
 - Public beaches, bath houses, and boat liveries operated for profit
- (5) Public buildings and public service installations:
 - Gas regulator stations
 - Publicly owned and operated buildings
 - Public utility buildings and structures
 - Telephone exchange buildings
 - Transformer stations and substations
- (6) Other:
 - Group adult care homes, provided structures and sites meet all current building, residential, fire and property maintenance codes as adopted by the Township
 - Group child care homes
 - Offices used exclusively by philanthropic, eleemosynary, religious, fraternal, or educational institutions which are accessory to any of the enumerated uses of Subsection (c) of this section

- (d) Nonresidential uses specifically prohibited. The following uses, but not limited to those enumerated, shall not be permitted in the residential districts:
- (1) Correctional institutions.
 - (2) Music and dancing instruction schools or studios.
- (e) Site location standards. The following standards shall be utilized to evaluate the proposed location of any nonresidential use. These standards are alterable, depending upon the characteristics of each situation involved, and they shall be applied conscientiously by officials responsible for the administration and enforcement of this chapter.
- (1) Any permitted nonresidential structure or use should preferably be located at the edge of a residential district, abutting a business or industrial district, or a public open space.
 - (2) All means shall be utilized to face any permitted nonresidential use on a major street.
 - (3) Motor vehicle entrance and exit should be made on a major street or as immediately accessible from a major street as to avoid the impact of traffic generated by the nonresidential use upon the residential area.
 - (4) Site locations should be preferred that offer natural or manmade barriers that would lessen the effect of the intrusion of the nonresidential use into a residential area.
 - (5) Any proposed nonresidential use will not require costly or uneconomic extensions of utility service.
- (f) Nonresidential uses in residential districts site development standards. A special use permit shall not be issued for the occupancy of a structure or parcel of land or for the erection, reconstruction, or alteration of a structure unless complying with the following site development requirements. These requirements are not alterable except by variance as provided for under Article II, Division 7 of this chapter.
- (1) For all uses that may be permitted, except clinics, public utility transformer stations and substations, telephone exchange buildings, gas-regulator stations, group adult care homes, group child care homes, ~~and~~ housing for religious personnel attached to a church or school function, **and senior living communities**.
 - a. Area requirements. None of the land or structure uses permitted shall be authorized for construction and/or occupancy that will occupy a parcel of land less than two acres in area nor for erection or occupancy of any building housing such uses any part or portion of which will be any closer than 50 feet to any property or street line, except that all buildings and structures shall be located in accordance with the setback requirements of § 86-367 for the type of street upon which any yard abuts.

- b. Lot coverage. No more than 25% of the gross site shall be covered by buildings.
 - c. Maximum building height. No building shall be erected to a height greater than that permitted in the residential district in which it is located unless the building is set back from each required yard line at least one foot for each foot of additional height above the district height limitation.
 - d. Appearance. All buildings permitted shall be of an appearance that shall be harmonious and unified as a group of buildings and shall blend appropriately with the surrounding residential area.
 - e. Signs. All signs shall be in accordance with the schedule outlined in Article VII of this chapter.
 - f. Off-street parking. Space shall be provided in accordance with the requirements of Article VIII of this chapter.
 - g. Adult care centers. Adult care centers, provided structures and sites meet all current building, residential, fire and property maintenance codes as adopted by the Township.
- (2) For clinics, group adult care homes, group child care homes, and housing for religious personnel.
- a. Area requirements. Lot area and width shall be not less than that specified for the district in which the proposed use is to be located.
 - b. Maximum building height. No building shall be erected to a height greater than that permitted in the district in which the proposed use is to be located.
 - c. Appearance. All buildings shall be harmonious in appearance with the surrounding residential area and shall be similar in design and appearance to any other buildings on the same lot. Exposed equipment shall be screened.
 - d. Off-street parking. Parking spaces shall be provided in accordance with the requirements of Article VIII of this chapter.
 - e. Group adult care homes. Group adult care homes, provided structures and sites meet all current building, residential, fire and property maintenance codes as adopted by the Township.
- (3) For child care centers in converted residential structures.
- a. All those requirements stipulated in Subsection (f)(1) of this section shall be met.

- b. No structure built for residential use shall be converted to a child care center if it is located closer than 500 feet to an existing residence.
 - c. The maximum number of children permitted in child care centers in residential structures which have been converted to that use shall be 30.
- (4) For public buildings and public service installations, greater than 50 square feet in area, including publicly owned and operated buildings, public utility buildings and structures, telephone exchange buildings, transformer stations and substations, gas regulator stations.
- a. Location. Public buildings and public service installations greater than 50 square feet in area shall be located on a lot on which the utility installation shall be considered the principal use, and no additional principal uses shall exist or be established on the lot.
 - b. Area requirements. Lot area and width shall not be less than that specified for the district in which the proposed use would be located.
 - c. Maximum building height. No building or structure shall be erected to a height greater than that permitted in the district in which the proposed use is to be located.
 - d. Appearance. All buildings shall be harmonious in appearance with the surrounding residential area and shall be similar in design and appearance to any other buildings on the same lot. Exposed equipment shall be screened.
 - e. Off-street parking. Parking spaces shall be provided in accordance with the requirements of Article VIII of this chapter.
- (5) For senior living communities.
- a. Senior Living Communities shall be for persons fifty-five (55) years of age or older or married couples or domestic partners where either spouse or partner is fifty-five (55) years of age or older.
 - b. Minimum lot area. 10 acres.
 - c. Minimum lot width. 100 feet.
 - d. Maximum density. 25 units per acre (both independent living units and skilled nursing care units shall be factored in to density calculations).
 - e. Maximum lot coverage. All buildings including accessory buildings shall not occupy more than 35% of the net area of land included within the limits of the proposed project or any stage in the development of the proposed project which may receive approval under this chapter.

- f. Minimum yard dimensions.
 - 1. Front yard. In accordance with the setback requirements of Section 86-367 for the type of street upon which the lot fronts.
 - 2. Side yards. Not less than 25 feet from the property line for one- or two-story buildings with an additional foot required for each additional foot of height of the building over 35 feet.
 - 3. Rear yard. Buildings shall not be less than 40 feet from the property line for one or two story buildings with an additional foot required for each additional foot of height of the building over 35 feet.
- g. Distance from a single-family zoning district boundary. No building shall be located closer than 50 feet to any single-family residential zone line nor shall any accessory building be located closer than 50 feet to any single-family residential zone line.
- h. Maximum building height. Maximum building height shall not exceed four stories or 60 feet above the finished grade.
- i. Maximum independent living unit to skilled nursing care unit ratio. A maximum of two independent living units may be provided per one skilled nursing care unit (such as assisted living or memory care).
- j. Off-street parking. One (1) space for each dwelling unit of independent living plus one (1) space for every four (4) units of skilled nursing care plus one (1) space for each employee working on the largest shift.
- k. Minimum distance between buildings. In no case shall any building be located closer than 50 feet to any other building.
- l. Senior Living Community accessory uses. Any ancillary use necessary for the operation of the facility or for the benefit or convenience of the residents and their guests, including, but not limited to, places of worship, indoor and outdoor recreation, retail and banking facilities, dining facilities, beauty salons and barbershops, gift shops, security facilities, common areas, medical offices, postal center, and pharmacies, provided that the accessory use is ancillary to the primary use of the property as a Senior Living Community and not advertised for public use.

- (56) For all nonresidential uses in residential districts, the maximum percentage of impervious surface permitted on a site shall be 75%. Impervious surfaces shall include all land covered with paving, buildings, and other nonporous surfaces. The impervious surface ratio is calculated by dividing the total impervious surface by the gross area of the site. The following shall be counted as pervious surfaces:
- a. Required perimeter landscaped buffers.
 - b. Fifty percent of on-site storm water detention or retention basins, if designed as an integral part of the site landscaping.
 - c. Parking lot islands and medians that are 20 feet or greater in each dimension.



To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 7, 2019

Re: **Rezoning #19010 (Woda Cooper Companies), rezone approximately 4.6 acres of Parcel I.D. #17-377-031 from RX (One and Two Family Residential) to RC (Multiple Family-maximum 14 units per acre).**

The public hearing for Rezoning #19010 was held at the last Planning Commission meeting on January 14, 2019. Since the public hearing the applicant has submitted a revised concept plan for development of the property and a letter offering four conditions on the rezoning. The proposed conditions would run with the land and remain in place in perpetuity, regardless of property ownership, unless approved for modification or removal by the Township Board.

The rezoning applicant will be in attendance at the February 11, 2019 meeting to further explain the proposed conditions and answer any questions.

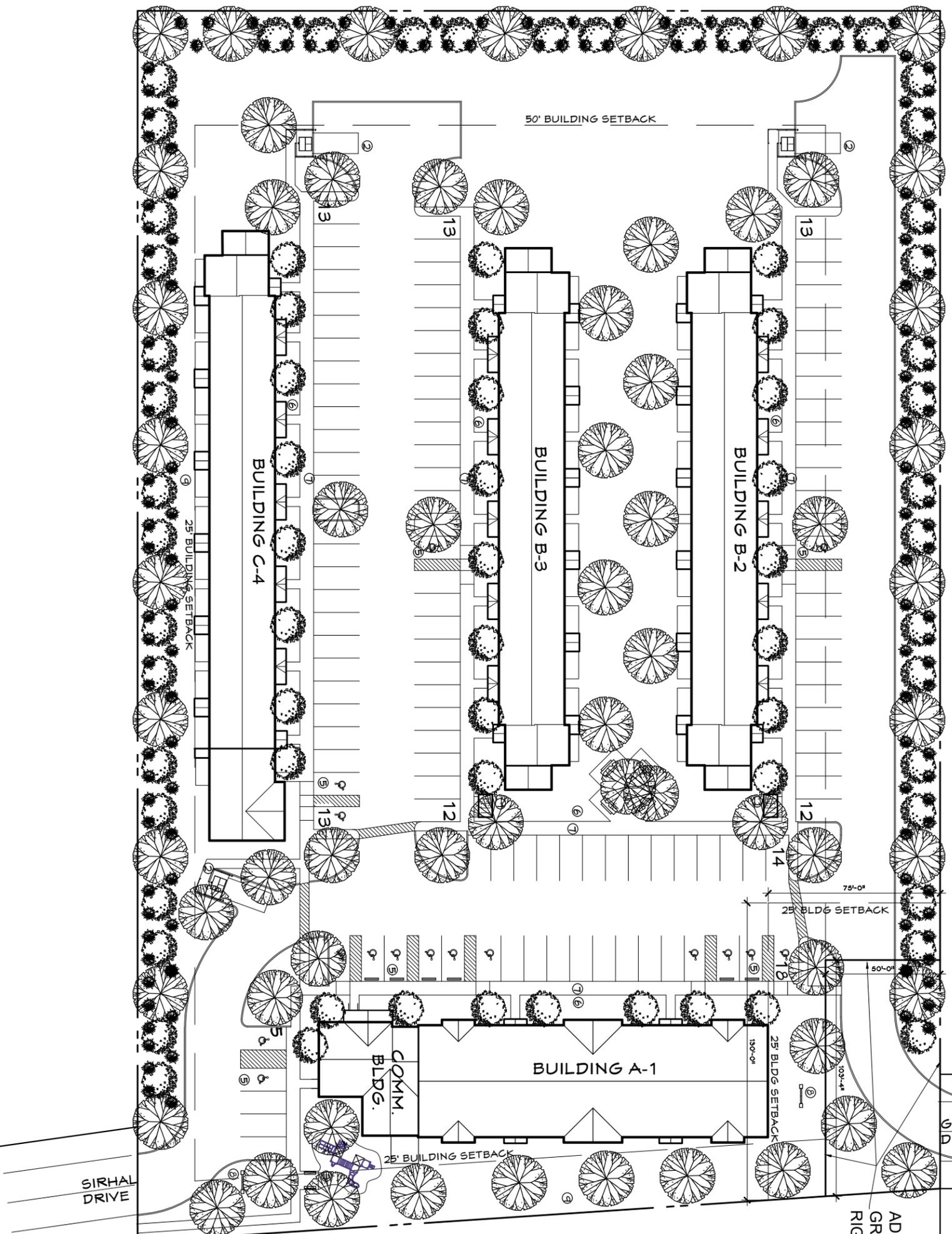
Planning Commission Options

The Planning Commission may recommend approval or denial of the request, or it may recommend a different zoning designation than proposed by the applicant to the Township Board. A resolution will be provided at a future meeting.

Attachments

1. Site plan prepared by PCI Design Group, Inc., dated January 23, 2019 and received by the Township on January 24, 2019.
2. Letter from Frank Fugate offering rezoning conditions received by the Township on February 7, 2019.

G:\Community Planning & Development\Planning\REZONINGS (REZ)\2019\REZ 19010 (Woda Cooper)\REZ 19010.pc2.docx



ADDITIONAL 50'
GREENCLIFF DR
RIGHT OF WAY

THE WOODWARD

MERIDIAN TWP., MI

SITE DEVELOPMENT DATA

BLDG. TYPE	NO.	1 BR	1 BR HC	2 BR	2 BR HC	3 BR	3 BR HC	TOTAL	REMARKS
A	1	6/6	2/2	5/5	3/3	0	0	15	2 STORY BLDG.
B	2	0	0	10/20	0	2/4	0	24	1&2 STORY BLDG.
C	1	0	0	11/11	0	1/1	1/1	15	1&2 STORY BLDG.
COMM. BLDG.	1	0	0	0	0	0	0	0	1 STORY BLDG.
TOTAL	5	6	2	36	3	5	1	53	

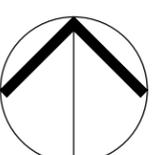
TOTAL UNITS = 53

LAND AREA 194,565.97 +/- S.F. 4.24 +/- ACRES
 DENSITY 3,482.38 S.F./UNIT 125 U/A
 PARKING 113 SPACES 213 SPACES/UNIT

CONSTRUCTION TYPE: SLAB ON GRADE, WOOD FRAME W/ BRICK VENER AND VINYL SIDING. I.R.C. CONSTRUCTION TYPE 5-B
 OCCUPANCY: FAMILY I.R.C. OCCUPANCY: R-2 & R-3

SITE AMENITIES KEY

- COVERED BICYCLE RACK
- TRASH DUMPSTER
- ACCESSIBLE PLAYGROUND WITH BENCH
- ACCESSIBLE PICNIC AREA WITH GRILL
- ACCESSIBLE PARKING WITH ACCESSIBLE ROUTE TO FRONT ENTRANCES
- PARKING AREA LIGHTING TO MEET ALL TOWNSHIP STANDARDS.
- NEW SIDEWALK - 4' TYPICAL - 6' AT PARKING SIGN TO BE LOCATED AND MEET ALL TOWNSHIP STANDARDS.
- STORM WATER MANAGEMENT TO MEET ALL TOWNSHIP & STATE STORM WATER MANAGEMENT REQUIREMENTS.



SCALE: 1" = 50'-0"

0 25' 50' 100' 150'

ARCHITECT OF RECORD:
PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE:
SITE PLAN

SHEET NAME:
01-23-19

DATE:
THE WOODWARD
 SIRHAL & GREENCLIFF DRIVES
 MERIDIAN TWP., MI

SUBMITTAL:
S1



WODA COOPER COMPANIES

500 South Front St
10th Floor
Columbus, Ohio 43215
Office: 614.396.3200
www.wodagroup.com

Peter Menser
Principal Planner
Meridian Township
5151 Marsh Road
Okemos, MI. 48864
517-853-4576

Dear Mr. Menser,

I plan on being at the rescheduled Planning Commission meeting of January 28th on February 11th. I would like the opportunity to gain a favorable recommendation by the planning commission for the rezoning of 4.6 acres behind the Whole foods.

For this meeting I would like to present the conditions of the rezoning:

- (1) The rezoned parcel will only be developed as an affordable housing development using Michigan State Housing and Development Authority (MSHDA) programs and resources; and
- (2) The development will not exceed two stories in height; and
- (3) Either Greencliff Drive or Sirhall Drive will be extended to create one hundred feet of public road frontage, and be dedicated to the appropriate public entity; and
- (4) The remainder parcel created by land division to the south will be combined to an adjacent remainder parcel to the west owned by the seller, so the parcel division of this property does not create an island parcel.

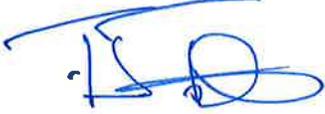
The Woodward proposal will include income restrictions that are defined in the Low-Income Housing Tax Credit Program (LIHTC). Under this program, rent and income will be limited to an average of 60% AMI. Under the LIHTC program, Full time students are typically not eligible to live in affordable housing. The Low-Income Housing Tax Credit and its statutes and regulations have strong student restrictions. As part of the application process for these credits, Woda Cooper Companies must obtain site plan approval from Meridian Charter Township, so the program incentivizes developers to work closely with Michigan Communities. Woda Cooper Companies has had several meetings with planning staff and held an open forum with the neighboring property owners and community to comment on our development. The conditions we are requesting is a result of Woda Cooper's open dialogue with the Township's planners and residents.

The Woodward proposal is a \$12.5 million investment and aims to replace an abandoned former trailer park. The development will be professionally managed, incorporate a modern and energy efficient design, and is ideally located next to public transportation and several other amenities. In addition to the initial 12.5-million-dollar investment, Woda Cooper Companies will have property reserves of \$203,000.00 with annual replacement reserves of \$15,900 that ensure the

property is well maintained and properly cared for. Woda Cooper Companies will hire locally, regionally and insure the subcontractors are adhering to the Section 3 policy.

As mentioned, we believe these conditions arose from quality communication with the township planners and residents. Woda Cooper looks forward to working closely with other Township residents and planners as we move forward in this process. We thank you for your time and consideration.

Best Regards,



Frank Fugate

Acquisition Manager





To: Planning Commission

From: Peter Menser, Principal Planner
Justin Quagliata, Assistant Planner

Date: February 6, 2019

Re: Special Use Permit #19011 (Potterpin Investments LLC), replace a drain structure in the floodplain of the Foster Drain located at 4977 Cornell Road.

Special Use Permit #19011 was last discussed at the January 14, 2019 regular meeting. At the meeting the Planning Commission agreed to consider a resolution to approve the special use permit request at its next meeting.

Planning Commission Options

The Planning Commission may approve, approve with conditions, or deny the special use permit. A resolution to approve is attached.

- Motion to adopt the attached resolution to approve Special Use Permit #19011.

Attachment

1. Resolution to approve.

G:\Community Planning & Development\Planning\SPECIAL USE PERMITS (SUP)\2019\19011 (Potterpin Investments LLC)\SUP 19011.pc2.doc

RESOLUTION

At the regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 11th day of February, 2019, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Potterpin Investments LLC has applied to grade and place fill in the 100-year floodplain (floodway fringe) of the Foster Drain to replace a drain structure located at 4977 Cornell Road; and

WHEREAS, the proposed work in the 100-year floodplain requires a special use permit pursuant to Section 86-436 of the Conservancy District of the Code of Ordinances; and

WHEREAS, the Planning Commission held a public hearing regarding the special use permit request at its regular meeting on January 14, 2019; and

WHEREAS, the Planning Commission has reviewed and discussed the materials forwarded under a cover memorandum dated January 8, 2019; and

WHEREAS, the work in the 100-year floodplain will be consistent with the requirements and standards outlined in Section 86-436(n), the Conservancy District, for the granting of a special use permit in the floodplain; and

WHEREAS, the applicant proposes to excavate 34 cubic yards from the floodplain and place 29.61 cubic yards of fill in the floodplain, exceeding the 1:1 cut/fill ratio required by Section 86-436 of the Conservancy District of the Code of Ordinances; and

WHEREAS, the proposed work in the floodplain will not be adverse or damaging to the public health, safety, or welfare of the community.

NOW, THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves the special use permit for work in the 100-year floodplain of the Foster Drain located at 4977 Cornell Road, subject to the following conditions:

1. Approval is granted in accordance with the revised plans submitted by the applicant dated March 7, 2018 and received by the Township on October 31, 2018, subject to the following condition:
 - a. The applicant shall revise the site plan to depict the correct base flood elevation of 850 feet at the location of the existing culvert.
2. Approval of the work in the floodplain is in accordance with the Michigan Department of Environmental Quality project approval granted on July 16, 2018.

Resolution to APPROVE
SUP #19011 (Potterpin Investments LLC)
Page 2

3. The applicant shall implement appropriate soil erosion and sedimentation control measures during construction to ensure there are no negative impacts due to soil erosion.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 11th day of February, 2019.

John Scott-Craig
Planning Commission Chair



To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 7, 2019

Re: Mixed Use Planned Unit Development #18034 and Special Use Permit #19011 (Meridian Investment Group, LLC)

The Planning Commission last discussed MUPUD #18034 and SUP #19011 at its meeting on January 14, 2019. Since the meeting the applicant has submitted a study from a consultant related to flooding in the parking lot on the property. The study is currently under review by the Township's Engineering Department and staff hopes to have their response by Monday night's meeting. The applicant has requested further discussion on the MUPUD request with the Planning Commission at its meeting on February 11, 2019 prior to a recommendation at a future meeting.

Planning Commission Options

The Planning Commission may recommend approval, approval with conditions, or denial of the proposed MUPUD and SUP. The Planning Commission is required to make a recommendation on the MUPUD within 60 days of the date of the public hearing. The applicant has provided three extensions to the original 60 day review period, which now runs until March 8, 2019. A resolution will be provided at a future meeting.

Attachment

1. Letter from Ronald A. Calhoun dated January 31, 2019 and received by the Township on February 1, 2019.

MERIDIAN INVESTMENT GROUP, LLC

By Electronic Mail

January 31, 2019

Peter Menser
Principal Planner
5151 Marsh Road
Okemos, MI 48864

**RE: 2875 Northwind Drive
MUPUD and SUP Application**

Mr. Menser,

The applicant requests the opportunity to discuss further with the Planning Commission, at the February 11th meeting, our applications for the above referenced location, and in particular, the concerns raised with regard to the elevation of the lower level and parking within the floodway.

The current building codes in Michigan require that new construction or substantially improved buildings adjacent to the 100-year floodplain have the lowest floor elevated at least one (1) foot above the 100-year flood elevation. Our building is not located within the 100-year floodplain and is over 15" above the 100-year flood elevation of 840.9. Enclosed is a copy of Section R322.2.1 of the Michigan Building code indicating the one (1) foot requirement above the design flood elevation. The proposed project will consist of rental units, and as you know, the landlord/property owner is legally responsible for providing habitable housing that is in good condition.

Hubbell, Roth & Clark, Inc, Consulting Engineers were retained to review the history of flooding at our project location adjacent to the Red Cedar River. They reviewed 115 years of history and determined that out of all of the rain and flooding events over that time, there were only 81 events that would have exceeded the lowest elevation of the present parking lot at 834.0. Of those 81 events, only one (1) reached the 100-year flood elevation, thus there is a 0.87% chance in any given year that there will be a "100-year flood" reaching the top of the flood plain. And of further note, during that 115-year period, only 14 events had water intrusion into the parking area in excess of three feet (and the lower level of the parking lot will be reduced in size under the proposed plan). Their report is enclosed.



We look forward to discussing these issues further with the Planning Commission on the 11th. I expect to submit additional information for discussion . I would then expect that we would move forward with a vote on our applications at the following meeting on the 25th.

Please contact me if any further information is required at this time. Thank you.

Respectfully,

Ronald A. Calhoun

Ronald A. Calhoun
Director of Engineering and Development

Enclosures



R322.2 Flood hazard areas (including A Zones)

Areas that have been determined to be prone to flooding and that are not subject to high-velocity wave action shall be designated as flood hazard areas. Flood hazard areas that have been delineated as subject to wave heights between 1½ feet (457 mm) and 3 feet (914 mm) or otherwise designated by the jurisdiction shall be designated as Coastal A Zones and are subject to the requirements of Section R322.3. Buildings and structures constructed in whole or in part in flood hazard areas shall be designed and constructed in accordance with Sections R322.2.1 through R322.2.3.

R322.2.1 Elevation requirements

- (1) Buildings and structures shall have the lowest floor including basements elevated so the lowest point of the floor's concrete or subfloor surface is 1 foot (305 mm) or more above the design flood elevation. The bottom of the lowest horizontal structural member of the floor system shall not be lower than the design flood elevation. Compliance with this elevation requirement shall be based upon measurement taken from the floor surface without the final floor covering and from the bottom of the lowest horizontal structural member of the floor system.
- (2) Crawl space interior floor grade elevation shall comply with Section R406.6 of the code.
- (3) Basement floors that are below grade on all sides shall be considered lowest floors and shall be elevated so that the lowest point of the floor surface is 1 foot (305 mm) or more above the design flood elevation. Compliance with this elevation requirement shall be based upon measurement taken from the floor surface without the final floor covering.

Exception: Enclosed areas below the design flood elevation, including basements that have floors which are not below grade on all sides, shall meet the requirements of Section R322.2.2 of the code.

January 30, 2019

Meridian Investment Group, LLC
2875 Northwind Dr – Suite 235
East Lansing, MI 48823

Attn: Mr. Ron Calhoun, P.E.
Director of Development

Re: Flooding Frequency Analysis
Red Cedar Manor – Meridian Township

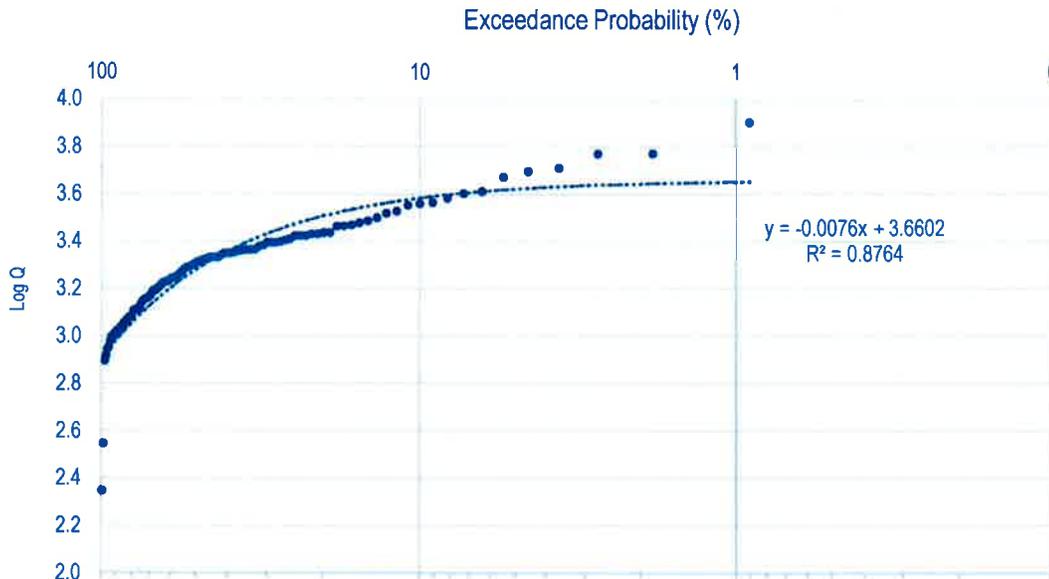
HRC Job No. 20180697

Dear Mr. Calhoun:

In accordance with Meridian Investment Group authorization, HRC completed the scope of work as outlined in our proposal dated January 23, 2019. For studying the historical trend of stream discharge, the closest gage to the project site, which has recorded enough data was selected. Gage 04112500 near Farm Ln Rd data is 7,239 ft downstream of the project location and has recorded stream data since 1903.

Findings

- HRC retrieved the peak stream discharge from Gage 04112500 and ran a log Pearson Type III statistical analysis on the gage record to estimate the flows for various recurrence intervals. The graph and table below show the exceedance probability and correspondent stream discharge at the gage location.



Dahli Township
2101 Aurelius Rd.
Suite 2A
Holt, MI 48842
517-694-7760

Detroit
535 Griswold St.
Buhl Building, Ste 1650
Detroit, MI 48226
313-965-3330

Grand Rapids
801 Broadway NW
Suite 215
Grand Rapids, MI 49504
616-454-4286

Howell
105 W. Grand River
Howell, MI 48843
517-552-9199

Jackson
801 S. Mechanic St.
Suite B
Jackson, MI 49201
517-292-1295

Kalamazoo
834 King Highway
Suite 107
Kalamazoo, MI 49001
269-865-2005

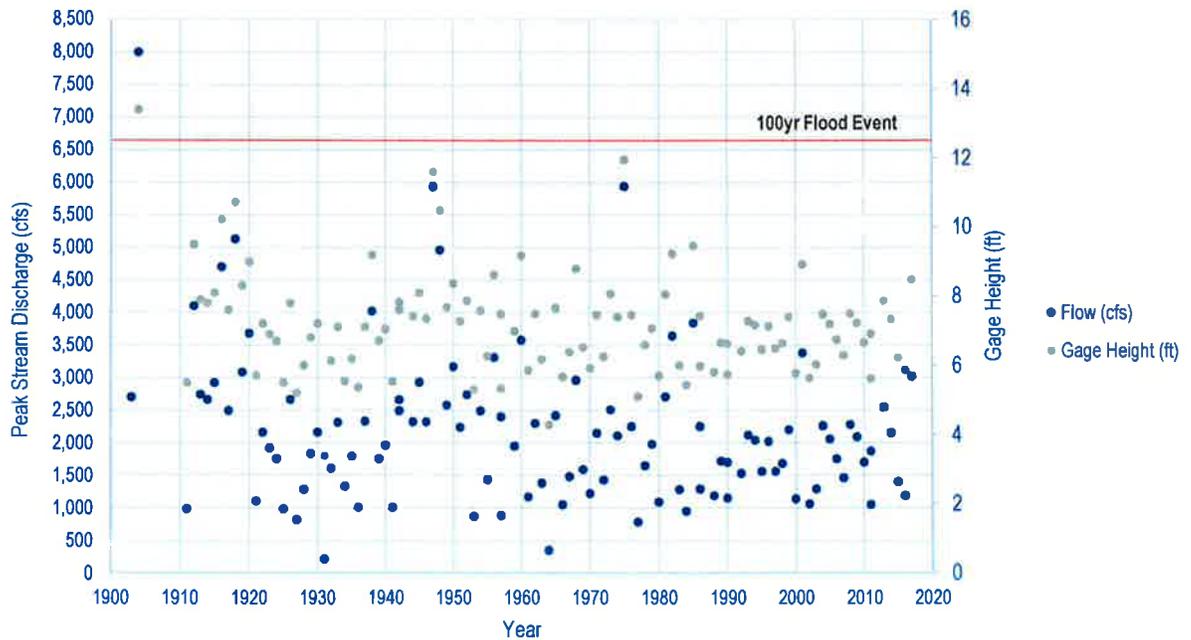
Lansing
215 S. Washington St.
Suite D
Lansing, MI 48933
517-292-1488

		Log Pearson Type 3									
Drainage Area		mi ² 355									
Flood Events	1.2	1.5	2	5	10	20	25	50	100	200	500
	83%	67%	50%	20%	10%	5%	4%	2%	1%	0.5%	0.2%
Q (cfs)	1,143	1,523	1,915	3,010	3,783	4,606	4,858	5,714	6,614	7,555	8,862

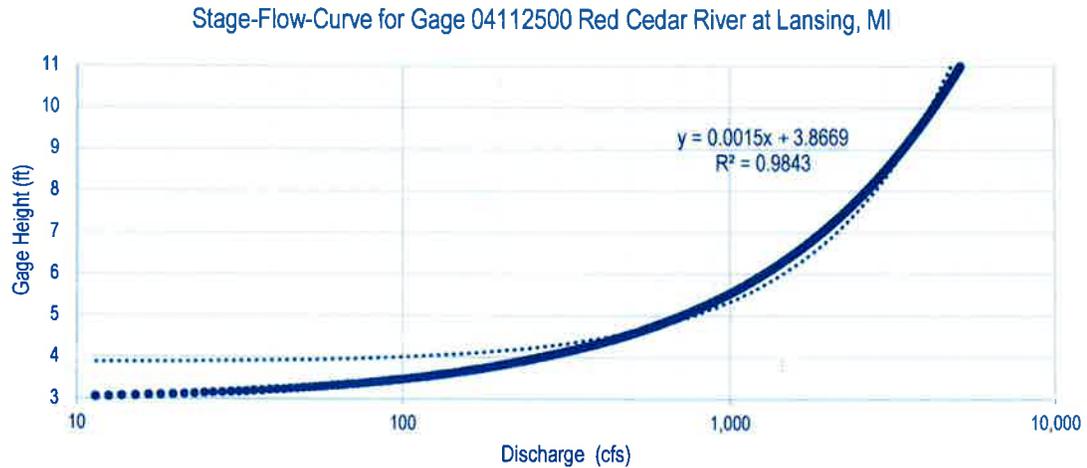
As the table shows the 1% (or 100-year flood event), 0.5%, and 0.2% chance peak flows are estimated to be 6,614 cubic feet per second (cfs), 7,555 cfs, and 8,862 cfs, respectively.

The graph below shows the recorded peak stream discharge for Gage 04112500 since 1903 over the last 115 years, the Red Cedar stream discharge exceeded the 100-year flood event only once.

Peak Stream Discharge at Gage 04112500 location

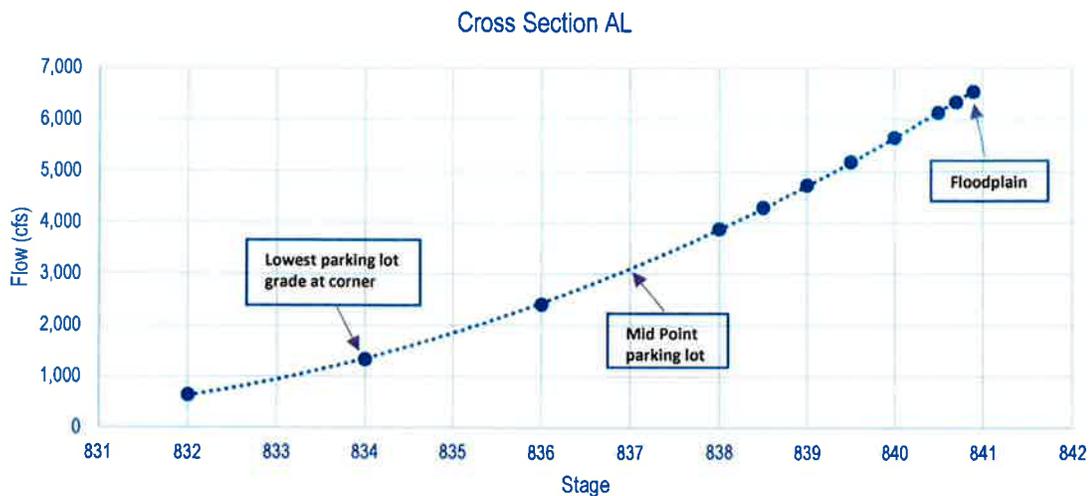


The Stage-Flow-Curve was developed for the Gage 04112500 to relate the peak stream discharge and corresponding gage height. The graph below is the Stage- Flow- Curve for the Gage 04112500.



2. The project location (cross section AL) is 7,239 ft upstream of the Gage 04112500; to relate the recorded gage data to the project location, Drainage Area Ratio (DAR) approach was used. The drainage area of the gage is 355 mi² and drainage area of Red Cedar at the project location is about 340 mi². Applying the DAR approach, the 1% (or 100-year flood event), 0.5%, and 0.2% chance peak flows are estimated to be 6,353 cubic feet per second (cfs), 7,257 cfs, and 8,512 cfs, respectively. Similar to the gage location, the Red Cedar experienced the 100-year flood event only once over the last 115 years at the project location.

3. The Manning equation has been applied to estimate the 100-year flood elevation at the project location. The river slope from cross-section AL (project location) to AF (gage station) is about 0.03% ¹. Applying cross section AL dimensions (from FEMA study) into the Manning equation, the stream stage for different flow events has been calculated and depicted in the graph below.



¹ Flood Insurance Study (FIS), FIS 26065CV000A, August 16, 2011

4. The tables below show the number of floods that would have impacted the parking lot at different stages. The parking lot would have flooded 81 times over the last 115 years; 21 out of 81 flood events impact the parking lot 12" or shallower flooding. 3Over the last 115 years, the flood exceeded the base flood elevation (or 100-year flood event) only once at the parking lot.

Elevation (ft)	Number of floods between stages
834-835	21
835-836	30
836-837	16
837-838	7
838-839	2
839-840.9	4
More than 840.9 *	1
Total number of floods impacted the parking lot	81

*Base flood elevation (BFE)

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



James F. Burton, P.E.
Vice-President

pc:

HRC; File



To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 7, 2019

Re: Village of Okemos MUPUD Concept Plan

True North Development has submitted a concept plan to develop approximately four acres on the northwest and southwest corners of Okemos Road and Hamilton Road using the mixed use planned unit development (MUPUD) ordinance. The submitted conceptual site plan depicts a project with a vertical mix of commercial and residential. The project narrative notes there may be up to 200 dwelling units. In addition to MUPUD approval, a special use permit (SUP) would be required for any building or group of buildings over 25,000 square feet in size.

The mixed use planned unit development (MUPUD) ordinance includes a provision for an applicant to submit a concept plan for concurrent review by the Planning Commission and Township Board. The review provides an opportunity to offer comments and suggestions on the project design prior to a MUPUD application. The review is informal; therefore a public hearing and associated noticing are not required. The Township Board will review the concept plan at its meeting on February 19, 2019.

The MUPUD process requires public hearings with both the Planning Commission and Township Board. The Planning Commission makes a recommendation on the project with the Township Board having final approval.

Attachments

1. Project narrative submitted by the developer received by the Township on January 28, 2019.
2. Conceptual site plan dated January 28, 2019 and received by the Township on January 28, 2019.

G:\Community Planning & Development\Planning\MIXED USE PLANNED UNIT DEVELOPMENTS (MUPUD)\CONCEPT PLANS\2019\Village of Okemos concept plan\Village of Okemos MUPUD concept plan.pc1.docx



THE VILLAGE OF
OKEMOS

**MERIDIAN TOWNSHIP MIXED USE PLANNED UNIT DEVELOPMENT
PREAPPLICATION INFORMATION AND CONCEPT PLAN**

REQUEST TO INITIATE CONCEPT PLAN REVIEW

True North Development requests a Concept Plan Review by the Meridian Township Director of Community Planning and Development for a potential mixed use planned unit development, currently being referred to as The Village of Okemos, on the Northwest and Southwest corners of Okemos Road and Hamilton Road in Okemos, Michigan.

The goal of partnering with the township in preapplication collaboration and a concept plan review is to acquaint the Planning Commission and Township Board with the proposed project; to receive township guidance regarding the proposed development's compatibility with the purpose, intent and standards of township ordinances; and to streamline the process and feasibility of bringing the project to fruition for downtown Okemos.

CONTACT:

Will Randle, True North Development
517-580-2550
will@truenorthdevco.com



THE VILLAGE OF **OKEMOS**

MERIDIAN TOWNSHIP MIXED USE PLANNED UNIT DEVELOPMENT PREAPPLICATION INFORMATION AND CONCEPT PLAN

SUMMARY OF THE PROJECT

- A mixed use development, currently being referred to as The Village of Okemos, is under development and feasibility assessment for the Northwest and Southwest corners of Okemos Road and Hamilton Road, commonly known as downtown Okemos or the 4 Corners, selected because of its immense potential for a multi-phase project that would allow for true community transformation in one of the developers' hometowns.
- The Village of Okemos has been designed by a team of the nation's best planning, architecture, engineering, landscape, community engagement, traffic and community experts to ensure it is a national model for redevelopment. The team's goal is to reinvigorate a historic hamlet that now has only one remaining historic structure, rebuilding it into a thriving village with a walkable downtown, and establishing it as a true commercial and cultural center for Meridian Township.
- At each step in the process, The Village of Okemos team has partnered with Meridian Township to understand and incorporate the township's health and safety goals for walkability, pedestrian orientation and high-quality, durable building materials; to increase the township's prosperity goals and citizen welfare by increasing property values which will support necessary public services; and to enhance diversity goals with new types of residential uses in a close-knit community design, per the township's Master Plan.
- Perhaps even more importantly, the development team - led by local developer Will Randle - is proposing a \$100+ million investment into this blighted and much-neglected key area of downtown Okemos by transforming it into a vibrant, walkable, beautiful community asset filled with businesses and housing options requested by the local community. The proposed project is a mixed use multi-story community with public and private parking centered around a small downtown with restaurants and small boutique shops.
- Community engagement is essential to the success of the development. Already, the development team has participated in a 4 Corners Alliance meeting with more than 100 attendees, convened an advisory committee of residents and building owners which meets regularly, and has scheduled and hosted meetings with the Cedar Bend Heights and Indian Hills neighborhoods. Community engagement will continue to remain a consistent and ongoing priority to ensure the development truly reflects the Meridian Township community, including additional community feedback surrounding the project name, design and desired businesses.
- Current concepts for the development propose primarily four-story L-shaped structures, one each on the Northwest and Southwest corners of Okemos and Hamilton roads. The building designs are an elegant take on the historic structures commonly found in Michigan's early 20th-century village downtowns, leveraging varied roof lines, abundant windows, and different building materials such as wood, brick and stone. In response to community feedback, the original idea of five-story buildings was reduced to four stories with a handful of fifth-story penthouses with terraces. Additionally, the plan now includes three-story buildings nearing the neighborhoods to ease the height transition, per neighbor feedback.
- The proposed development is currently designed to include first- and potentially second-floor restaurant, retail and service space, to be filled based on a comprehensive market analysis of what the location can support, paired with community feedback and requests. Douglas J has committed to moving its salon into the Village of Okemos project and will be able to stay and grow in Meridian Township for the foreseeable future if the project proceeds.
- The residential component of the project also has been refined based on community feedback. The currently proposed residential component includes up to 200 luxury residential units. Housing options include one, two and three bedroom flats, as well as two-story townhouses with a variety of unique features ranging from balconies to outdoor terraces.



THE VILLAGE OF
OKEMOS

MERIDIAN TOWNSHIP MIXED USE PLANNED UNIT DEVELOPMENT PREAPPLICATION INFORMATION AND CONCEPT PLAN

SUMMARY OF THE PROJECT (CONTINUED)

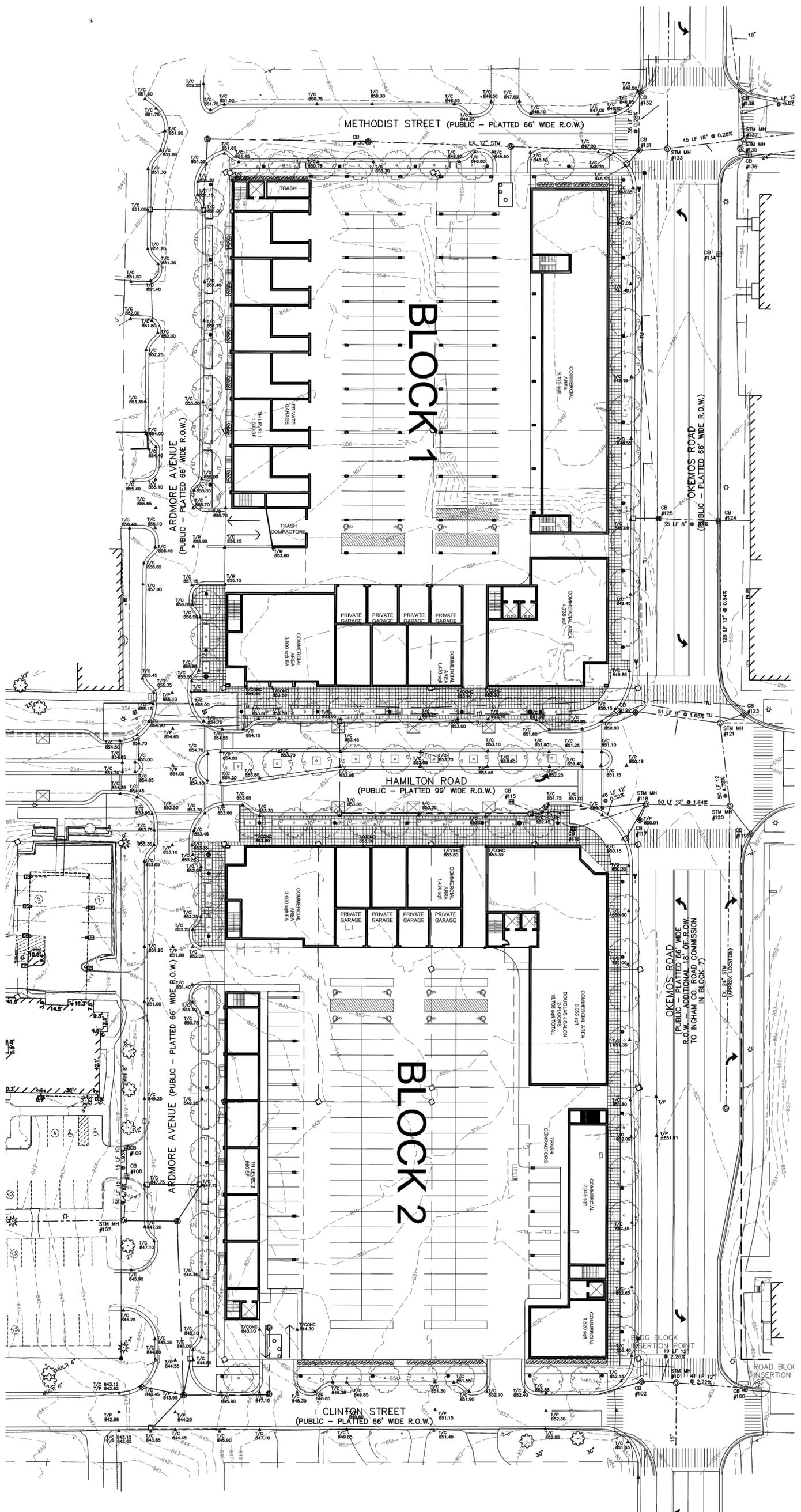
- Perhaps most significant about the project is the opportunity to address significant environmental concerns and costs that have been a driving factor behind the failure of previously proposed developments. There is extensive environmental contamination from previous businesses in the area. The township is working with the Michigan Department of Environmental Quality to secure funds for clean-up, but it will not cover the full cost. The recently passed Meridian Township Downtown Development Authority TIF Plan is another key tool in providing the necessary funding to develop the site. Through the partnership and collaboration with the township and state, as well as the scale of the proposed development, it is expected the environmental contamination can finally be addressed through this project.
- It is expected parking for the development will be provided underground and through surface lots behind the structures. It is possible there will be street parking along Hamilton Road. A traffic study has been conducted to ensure changes to parking don't negatively impact residents and visitors.
- Award-winning planner Robert Gibbs of Gibbs Planning Group is a member of the development team. He and his team were engaged in the successful revitalizations of Northville and Birmingham, Michigan, and feel downtown Okemos is well-poised for success with the right development - this development. Gibbs' team has designed a historically inspired streetscape and boulevard plan for the Village of Okemos to increase walkability while calming traffic and charming visitors.

WHAT COULD THIS PROPOSAL MEAN FOR MERIDIAN TOWNSHIP?

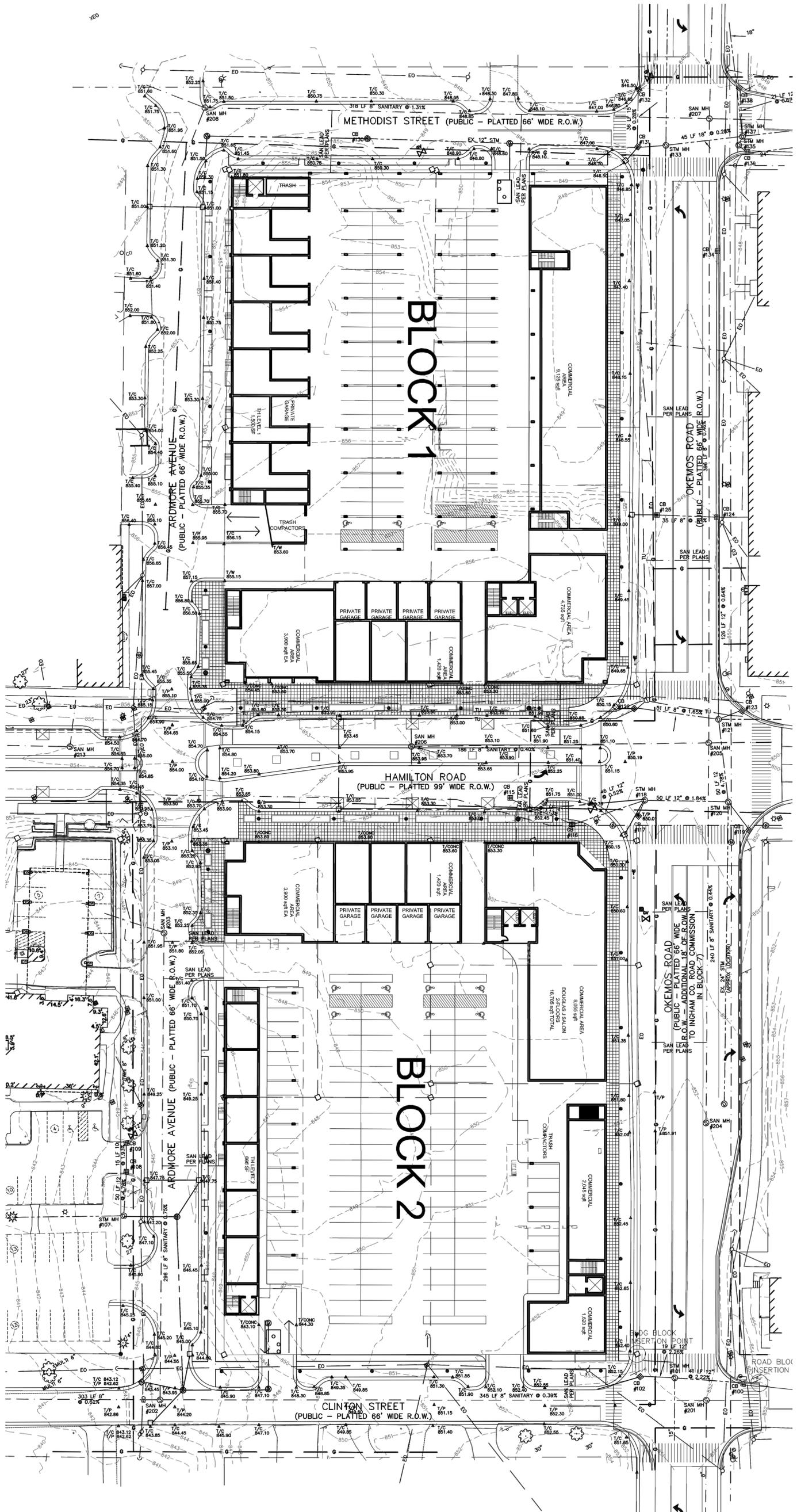
- As a result of The Village of Okemos project, township officials state the township will be able to attract additional development, investment and projects to reverse the decline in taxable commercial and residential property values in the DDA District and provide opportunities and amenities for residents.
- "This is going to be a wonderful place to live. This is going to bring value to the township as a center of community. This will bring activity again to our downtown." - Will Randle, True North Development

FOR ADDITIONAL INFORMATION AND INQUIRIES, CONTACT:

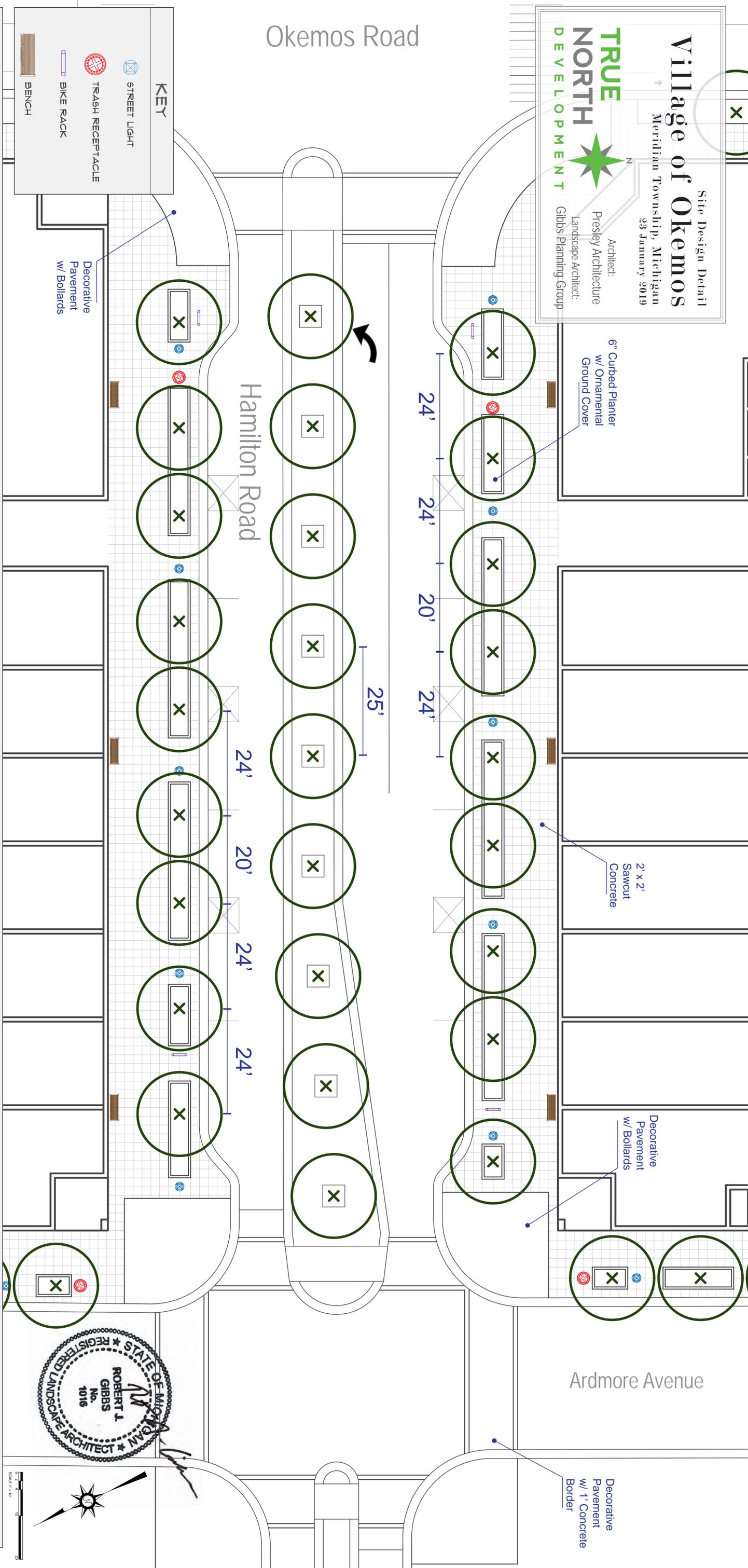
Will Randle, True North Development
517-580-2550
will@truenorthdevco.com



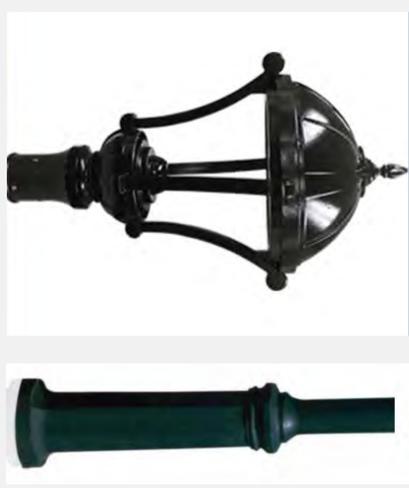
1
C-1
GRADING PLAN
BLOCK 1&2
1" = 30'-0"



1 GRADING PLAN W/ EXISTING UTILITIES
 C-1 1" = 30'-0"



SITE FURNISHINGS



Spring City Richmond w. Newburyport Pole



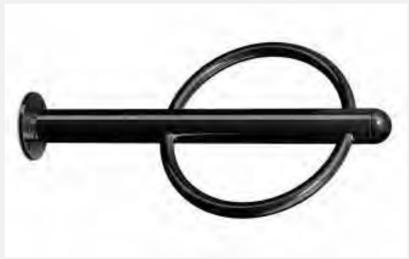
Canterbury Designs Rook Bollard



Kingsley Bate Hyde Park Bench



Canterbury Designs Charleston Receptacle



Bollard Bike Rack

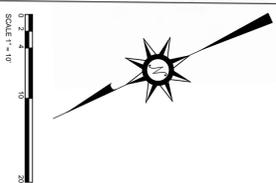


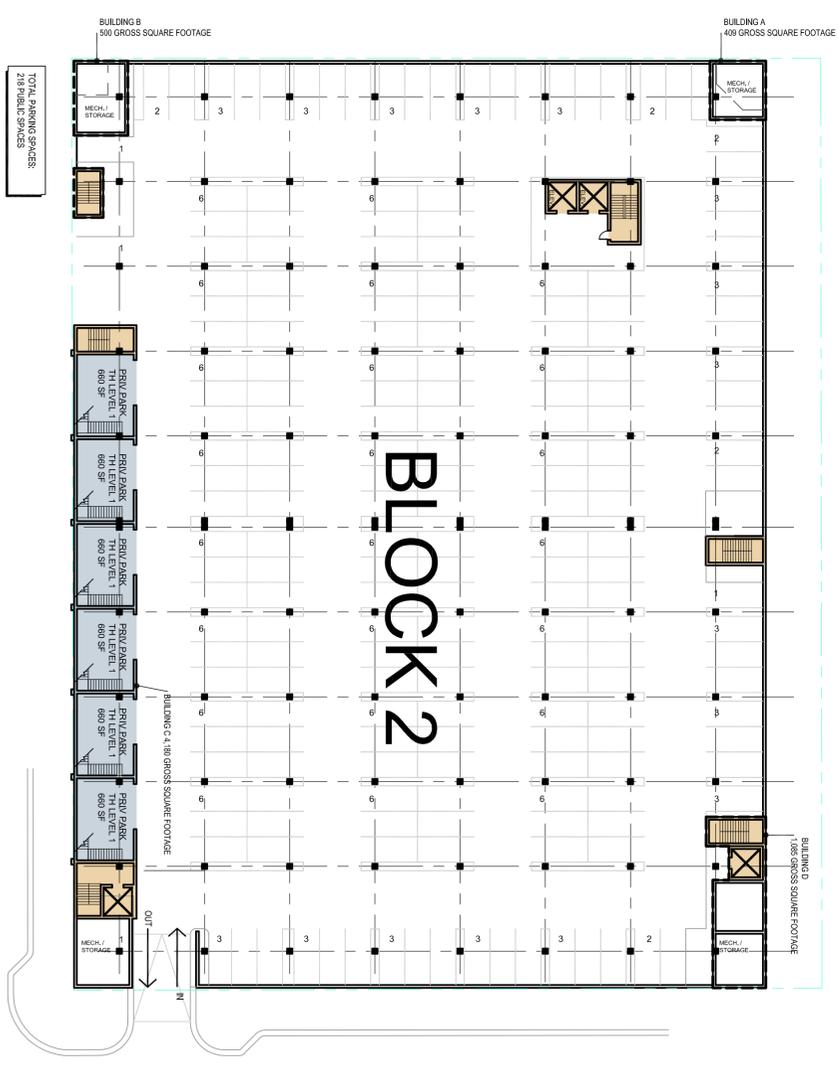
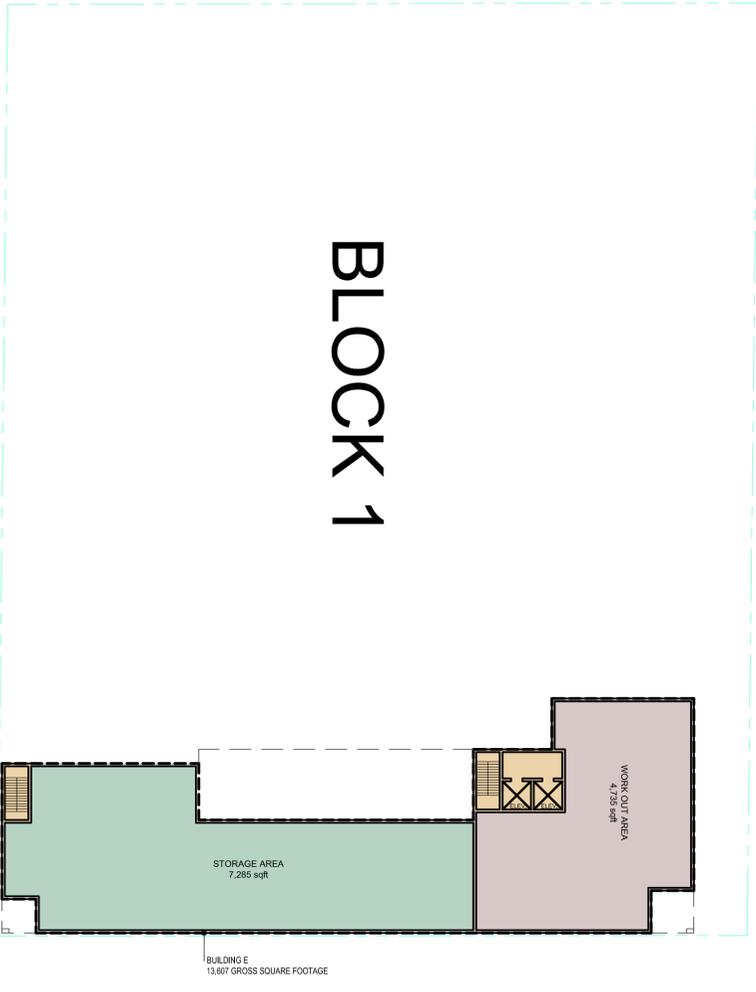
Verdin Post Clock



Wayfinding

STATE OF MICHIGAN
 REGISTERED LANDSCAPE ARCHITECT
 ROBERT J. GIBBS
 No. 1016





SHEET TITLE
**FLOOR PLANS:
LOWER FLOOR
(BELOW GRADE LEVEL)**

PROJECT
**Village of Okemos,
Blocks 1 and 2**
Corner of Hamilton and Okemos Roads
Okemos, MI

CLIENT
Village of Okemos, LLC
382 Jolly Oak Road
Okemos, MI

ISSUED

NO.	DATE	BY	FOR
1	1-28-2019		

PLAN SCHEME F

NOT FOR CONSTRUCTION

STAMPS

NO.	DATE	BY	FOR

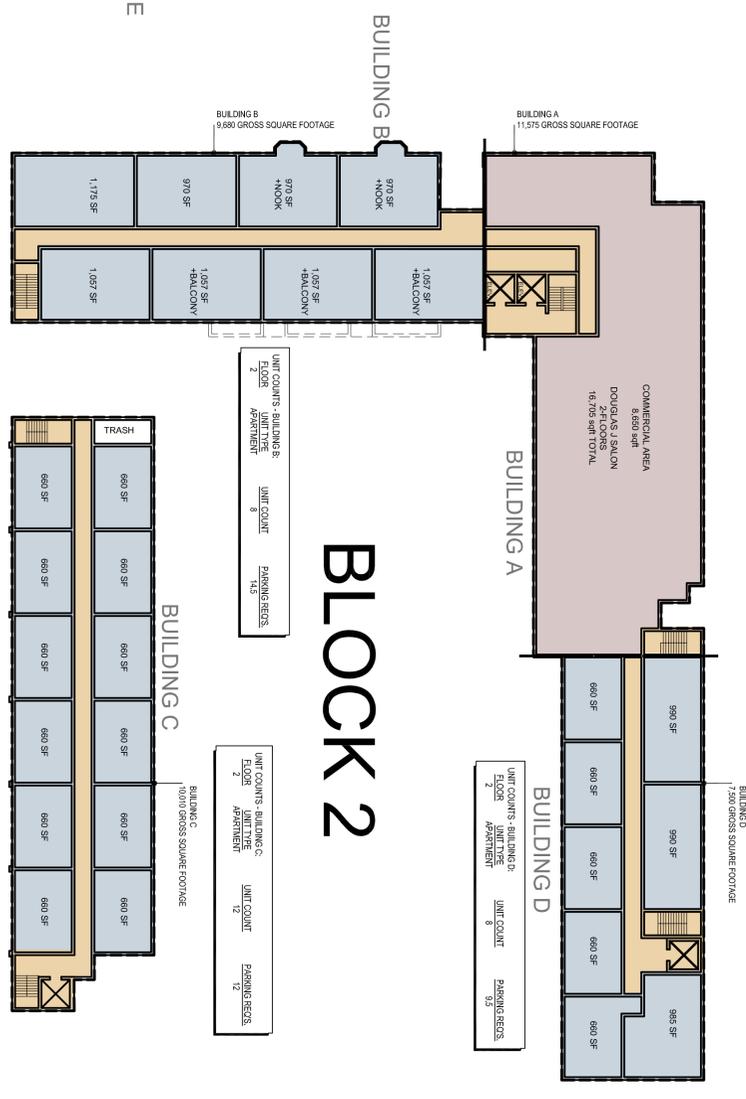
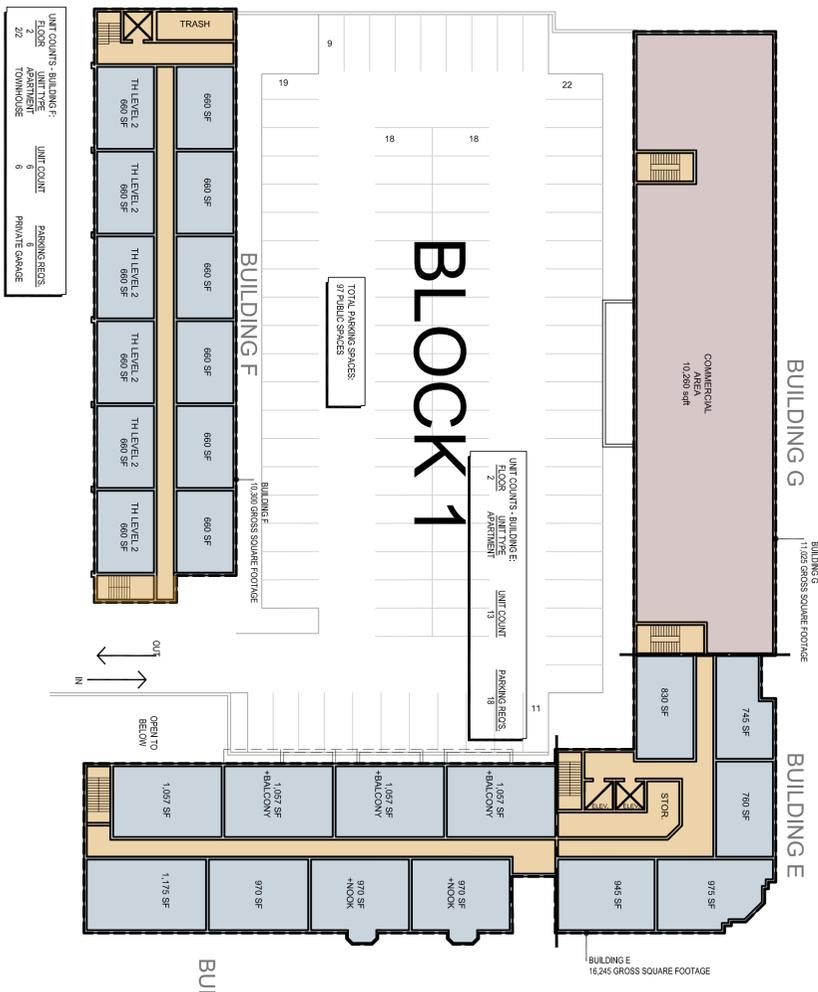
PRESLEY ARCHITECTURE

108 N. CENTER ST., SUITE 205 NORTHVILLE, MI 48167
P. 248.348.1124. F. 248.348.9300 E. gregpresley@comcast.net



ARCHITECTS

114 WILSON STREET
SHERBORN
NORTHVILLE, MI 48167
PHONE: 248.348.1124
FAX: 248.348.9300



PLAN NORTH
1
FLOOR PLAN
SECOND FLOOR
A103 1"=30'-0"

SHEET TITLE
FLOOR PLAN:
SECOND FLOOR

PROJECT
Village of Okemos,
Blocks 1 and 2
Corner of Hamilton and Okemos Roads
Okemos, MI

CLIENT
Village of Okemos, LLC
4822 Jolly Oak Road
Okemos, MI

ISSUED
PLAN SCHEME F

NO.	DATE	BY	CHKD.

NOT FOR CONSTRUCTION

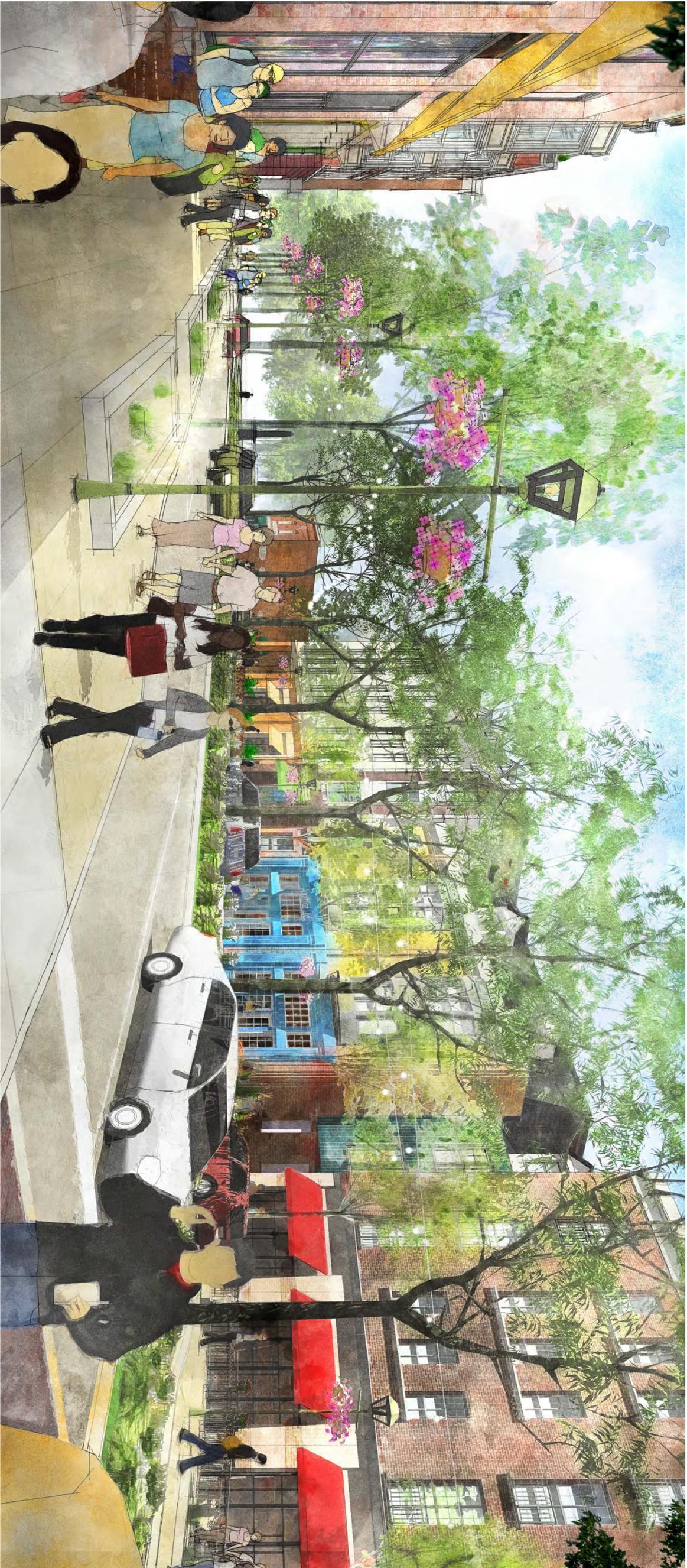
STAMPS

NO.	DATE	BY	CHKD.

ARCHITECTS
M
PRESLEY ARCHITECTURE
108 N. CENTER ST., SUITE 205 NORTHVILLE, MI 48167
P. 248.348.1124. F. 248.348.9300 E. gregpresley@comcast.net

114 WILSON STREET
SHERBORN
NORTHVILLE, MI 48167
PHONE: 248.348.1124
FAX: 248.348.9300

PROJECT # 103
SHEET NO. A103



SHEET TITLE
PERSPECTIVE VIEW
SOUTHEAST -
HAMILTON

PROJECT
Village of Okemos,
Blocks 1 and 2
 Hamilton and Okemos Plazas
 Okemos, MI

CLIENT
 Village of Okemos, LLC
 400 E. Kelly Creek Road
 Okemos, MI

ISSUED	NOV/19R	DRAWN	CHECKED
PLAN SCHEME F			

STAMPS
 114 BRANSON STREET
 SUITE 205
 NORTHVILLE, MI 48167
 PHONE: 248.348.9300
 FAX: 248.348.9300
 2022

M
ARCHITECTS
PRESLEY ARCHITECTURE
 108 N. CENTER ST., SUITE 205 NORTHVILLE, MI 48167
 P. 248.348.1124. F. 248.348.9300 E. gregpresley@comcast.net



To: Planning Commission

From: Peter Menser, Principal Planner

Justin Quagliata, Assistant Planner

Date: February 7, 2019

Re: Commission Review #19013 (Park Commission), Section 61 review of the location, character, and extent for a 2.1 acre parcel recognized as Parcel I.D. #09-201-013 for donation to the Township park system, located north of Brattin Woods Park, south of Sleepy Hollow Lane.

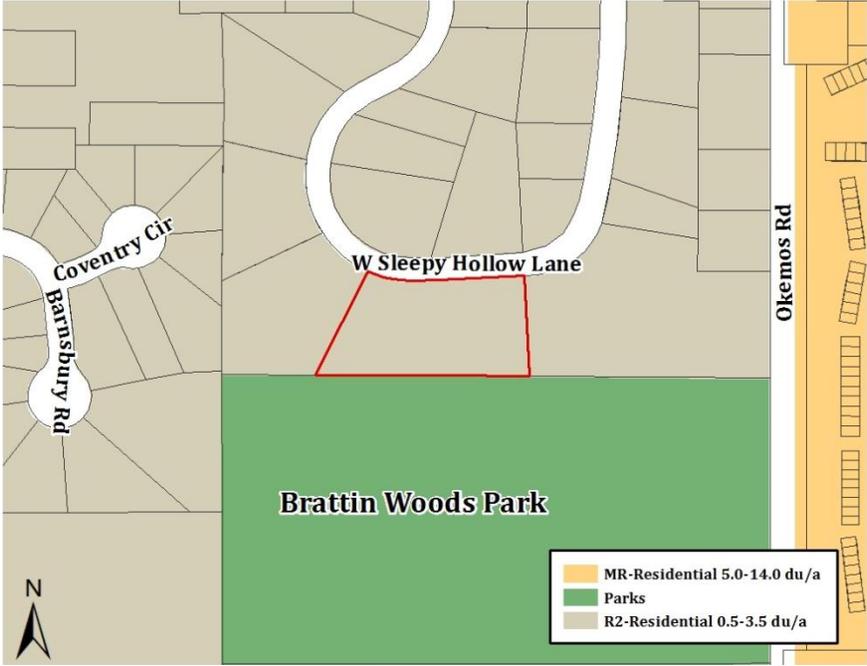
The Park Commission of the Charter Township of Meridian has received a request for a property donation to the Township park system. The approximate 2.1 acre subject property, recognized as Parcel I.D. #09-201-013, is located north of and adjacent to the northern portion of Brattin Woods Park, south of Sleepy Hollow Lane. The subject property, Lots 7 and 8 of the Sleepy Hollow subdivision, were combined into one lot in 2016. The combined parcel has 382 feet of frontage on W. Sleepy Hollow Lane. The Sleepy Hollow subdivision was platted in 1963 and contains 23 lots. At its meeting on January 15, 2019 the Park Commission referred this case to the Planning Commission to review the location, character, and extent of the property.

Section 61 of the Michigan Planning Enabling Act (the "MPEA," Public Act 33 of 2008) requires Planning Commission review and approval of the location, character, and extent for the construction/purchase of new public streets, parks, open space, buildings, and other public facilities. This process is called a Section 61 Review. The MPEA does not require a public hearing for a Section 61 review.

Master Plan

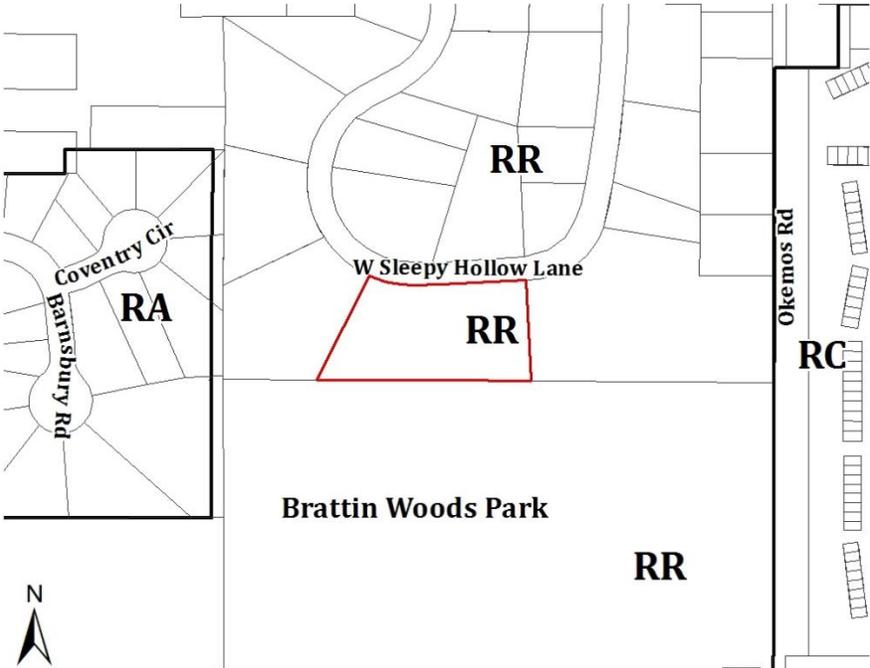
The Future Land Use Map from the 2017 Master Plan designates the subject site in the R2-Residential 0.5-3.5 dwelling units per acre category.

FUTURE LAND USE MAP



The site is zoned RR (Rural Residential).

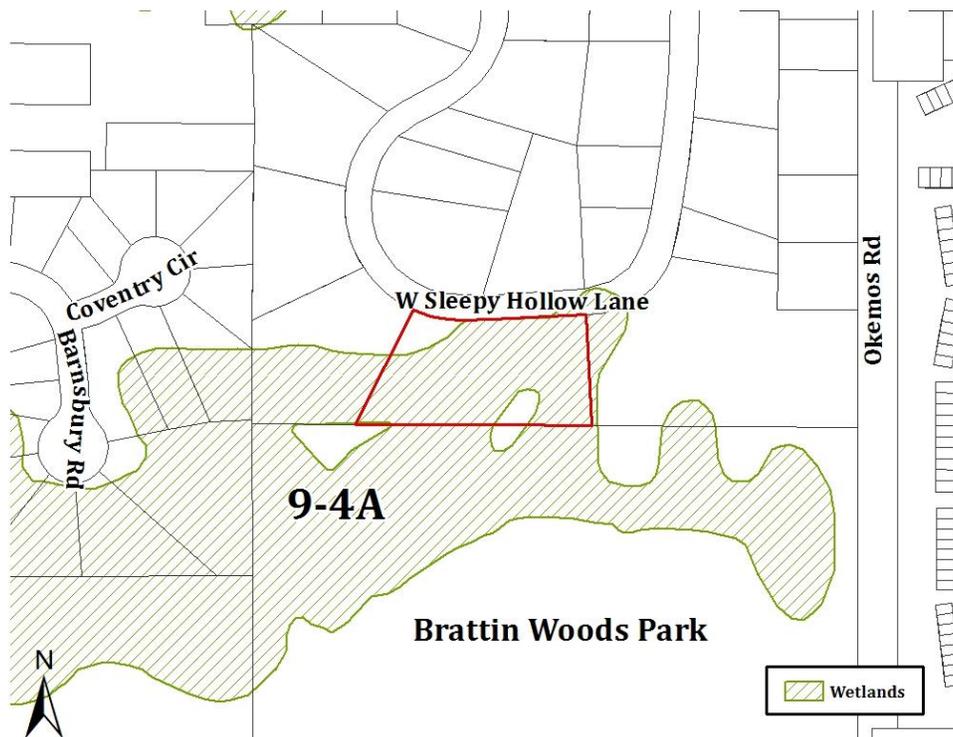
ZONING MAP



Physical Features

The site is currently undeveloped. The Flood Insurance Rate Map (FIRM) for Meridian Township indicates floodplain is not present on the site. The Township Wetland Map shows a portion of the property is located in a wetland; however a delineation has not been conducted to confirm the actual wetland boundary. The site has no special designation on the Township Greenspace Plan.

WETLANDS MAP



Staff Analysis

The Park Commission referred the donation of the 2.1 acre site to the Planning Commission for a Section 61 Review. Section 61 of the MPEA requires Planning Commission review and approval of the location, character, and extent for the construction/purchase of new public streets, parks, open space, buildings, and other public facilities. **Location** refers to the site's placement in the Township and its surroundings; the property proposed for donation is located north of and adjacent to the northern portion of Brattin Woods Park. **Character** includes the site's distinguishing features. **Extent** includes the dimensions of the site which is approximately 2.1 acres in size with 382 feet of frontage on W. Sleepy Hollow Lane.

The project is consistent with Goal 2 of the 2017 Master Plan to preserve open space and natural areas.

Planning Commission Options

The Planning Commission may approve or deny the commission review. A resolution to approve is attached.

- **Motion to adopt the resolution to approve Commission Review #19013.**

Attachments

1. Resolution to approve.
2. Commission Review application.
3. Memo from LuAnn Maisner, dated January 23, 2019.
4. Submitted property map.

G:\Community Planning & Development\Planning\COMMISSION REVIEWS (CR)\2019\19013 (Park Commission)\CR 19013.pc1.doc

RESOLUTION TO APPROVE

**Commission Review #19013
Park Commission
Approx. 2.1 acres, Parcel I.D. #09-201-013**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 11th day of February 2019, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Commissioner _____ and supported by Commissioner _____.

WHEREAS, Section 61 (MCL 125.3861) of the Michigan Planning Enabling Act states, "A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body."; and

WHEREAS, the Meridian Township Park Commission has been offered a donation of an approximately 2.1 acre parcel recognized as Parcel I.D. #09-201-013, located north of and adjacent to the northern portion of the Brattin Woods Park; and

WHEREAS, the Park Commission referred the case to the Planning Commission at its January 15, 2019 meeting to review the location, character, and extent of the property; and

WHEREAS, the Planning Commission discussed the proposed property donation at its February 11, 2019 meeting and reviewed the staff material provided under a cover memorandum dated February 7, 2019; and

WHEREAS, donation of the property is consistent with Goal 2 of the 2017 Master Plan to preserve open space and natural areas.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN approves the location, character, and extent of an approximately 2.1 acre parcel of land recognized as Parcel I.D. #09-201-013, located north of and adjacent to the northern portion of Brattin Woods Park.

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

**COMMISSION REVIEW:
AMENDMENT TO MASTER PLAN APPLICATION
(Municipal Planning Act, MCL 125.31, Section 9)**

- A. Applicant Charter Township of Meridian
Address of Applicant 5151 Marsh Road
Okemos MI 48864
Telephone: Work 517-853-4614 Home n/a
Fax 517-853-4099 Email dillon@meridian.mi.us
- B. Jurisdiction having authority (if different than applicant) n/a
Address _____
Telephone _____ Fax _____ Email address _____
Please provide the name of the board, commission or body having jurisdiction for the authorization of financing of the public way, ground, space, building, structure or utility.
- C. Applicant's Representative, Architect, Engineer or Planner responsible for request:
Name / Contact Person Kelsey Dillon
Address same as above
Telephone: Work 517-853-4614 Home _____
Fax _____ Email dillon@meridian.mi.us
- D. Site location/address: Directly north of Brattin Woods Park, south of Sleepy Hollow Lane and Lake Lansing Rd.
Zoning Classification(s) RR
Parcel number(s) 33-02-02-09-201-013
-

- E. 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.

Kelsey Dillon
Signature of Applicant

01-22-2019
Date

Kelsey Dillon
Type/Print Name

Fee: _____

Received by/Date: _____

Date application submitted: _____

Date application deemed complete: _____

Date of last day for decision: _____

**This form should be included with the COMMISSION REVIEW APPLICATION.
Explain your position on the lines below, and attach supporting information.**

REASONS FOR MODIFYING THE MASTER PLAN

Please explain your request to modify the Township's Master Plan for construction or authorization of a street, public utility, park, public way, ground, open space or other public building or structure on the following lines:

Supports Township Goal #2 – Preserve Open Space and Natural Areas

Supports the Township Greenspace Plan

The location, character and extent of your request will be evaluated in accordance with the responses you provide to Questions 1-12.

1. How will the request if approved be consistent with current development trends in the Township?

The acquisition of this parcel will preserve open space in the Township and support the Township Greenspace plan.

2. How does the request further the Township Master Plan goals to:

- Preserve and strengthen existing and future residential neighborhoods
- Preserve open space and natural areas
- Maintain the viability of Meridian Township businesses
- Maintain and expand a diverse park system
- Maintain essential public services
- Provide and support an efficient, safe and environmentally sensitive multi-modal transportation system
- Maintain and enhance the Township's growth management program

This acquisition will expand a diverse park system by adding access and trails to Brattin Woods Park. Providing/protecting open space is essential for protecting the natural features of our community. The land will be protected from development, but at the same time provide an attraction for planned growth in the future.

3. Is the request supported by surveys or studies of the present conditions and future needs of the Township? If yes, please attach a copy of the survey and/or study.

It is supported by Township Board Goal #2 to preserve open space and natural areas in the Township. Strategy 1 under section A of this goal includes the public purchase of land.

4. How does the request promote the health, safety and general welfare of the Township public?

It adds to an area of greenspace near a residentially developed area of the Township.

5. How does the request promote the best use of time, effort and resources in the development of the Township?

This parcel is a donation that will expand the current function of Brattin Woods Park.

6. How does the request promote wise and efficient expenditures of Township Public funds?
See above.

7. How does the request impact traffic in the Township?
n/a

8. How does the request impact the public's safety from fire and other dangers in the Township?
n/a

9. How does the request impact the light and air in the Township?
Natural open space is a benefit to air quality.

10. How does the request impact the population distribution in the Township?
n/a

11. How does the request promote good public design and arrangement in the Township?
This parcel is a donation that will expand the current function of Brattin Woods Park.

12. How does the request impact public utilities and other public services in the Township?
n/a



To: Planning Commission

From: LuAnn Maisner, Director of Parks and Recreation

Date: January 23, 2019

Re: Section 61 Review – Proposed Park Donation

The Park Commission is currently considering a donation of a 2 acre parcel that will expand acreage and access to Brattin Woods Park. If acquired, the property will be part of the public park system in Meridian Township.

Section 61 of the Michigan Planning Enabling Act (the “MPEA,” Public Act 33 of 2008) requires Planning Commission review and approval of the location, character, and extent for the construction/purchase of new public streets, parks, open space, buildings, and other public facilities.

The property was originally submitted to the Land Preservation program for consideration but after reviewing the property and talking with the land owner it was determined to be a better fit for the park system. The Park Commission voted at their January 15, 2019 meeting to forward a request to the Planning Commission for review.

Information on Property:

Location: W Sleepy Hollow Ln., East Lansing, MI 48823
Parcel Number: 33-02-02-09-201-013
Area: 2.2 acres

Attachment

1. Map of parcel

CHARTER TOWNSHIP OF MERIDIAN
5151 MARSH ROAD, OKEMOS, MI 48864
(517) 349-1200

LAND PRESERVATION APPLICATION

A. PROPERTY OWNER

Name MAARILYN E PINNAVAIA
Address 5901 E Sleepy Hollow Ln.
City/State/Zip Code E. LANSING, MI 48823
Telephone/ Fax (Work) _____
Telephone/Fax (Home) 517-351-2379 (E) 248-894-6848

B. LOCATION (of property to be considered)

Address see attached sheet
City/State/Zip Code E. Lansing, MI 48823
General Location _____

Legal Description (attach if necessary) LOT 7 + 8 in Meridian Twp. Plat
Size of Property (acres) 2.1022 acres of Sleepy Hollow

C. PROPERTY INFORMATION

I also have abstracts that date back to 1837 (History of lots)

1. Yes [] No Are you aware of any threatened or endangered species or any natural features such as a woodland, wetland, pond, stream, river or open space that is existing on the proposed property? RABY DRAIN

If yes, identify the natural feature and briefly describe it.

also not quite abutting it is a pond which I have observed about 40 yrs and I think it's a vernal pond.

2. Yes [] No Are you aware if the proposed property is contiguous or adjacent to park property, school property or land protected under the Land Preservation Program?

If yes, identify the contiguous or adjacent property.

TO MY KNOWLEDGE, IT ABUTS BRATTEN WOODS PARK ON OKEMOS RD ON THE SOUTH, RUTHERFORDS PROPERTY TO THE WEST, and ? PROPERTY TO THE EAST + THE ROADS - E/W SLEEPY HOLLOW

3. Yes No Are you aware if the proposed property has any easements, restrictions or special assessments?

Ruby driveway + footbridge across it.

If yes, please identify and briefly describe the easements, restrictions or special assessments on the proposed property.

I own the property outright, it's in my trust.

4. Yes No Are you aware if there are or have been any environmental problems on the proposed property?

If yes, identify and briefly describe the extent of the problem and if an environmental site assessment has ever been prepared.

some invasive plants + overgrown in areas -

5. Yes No Have you considered how the proposed property will be transferred to the Land Preservation Program, such as by sale, conservation easement, combination of sale and contribution, or contribution?

If yes, identify the type of transfer.

Contribution

Marilyn E. Pennavara 10-23-18
Signature of Property Owner Date

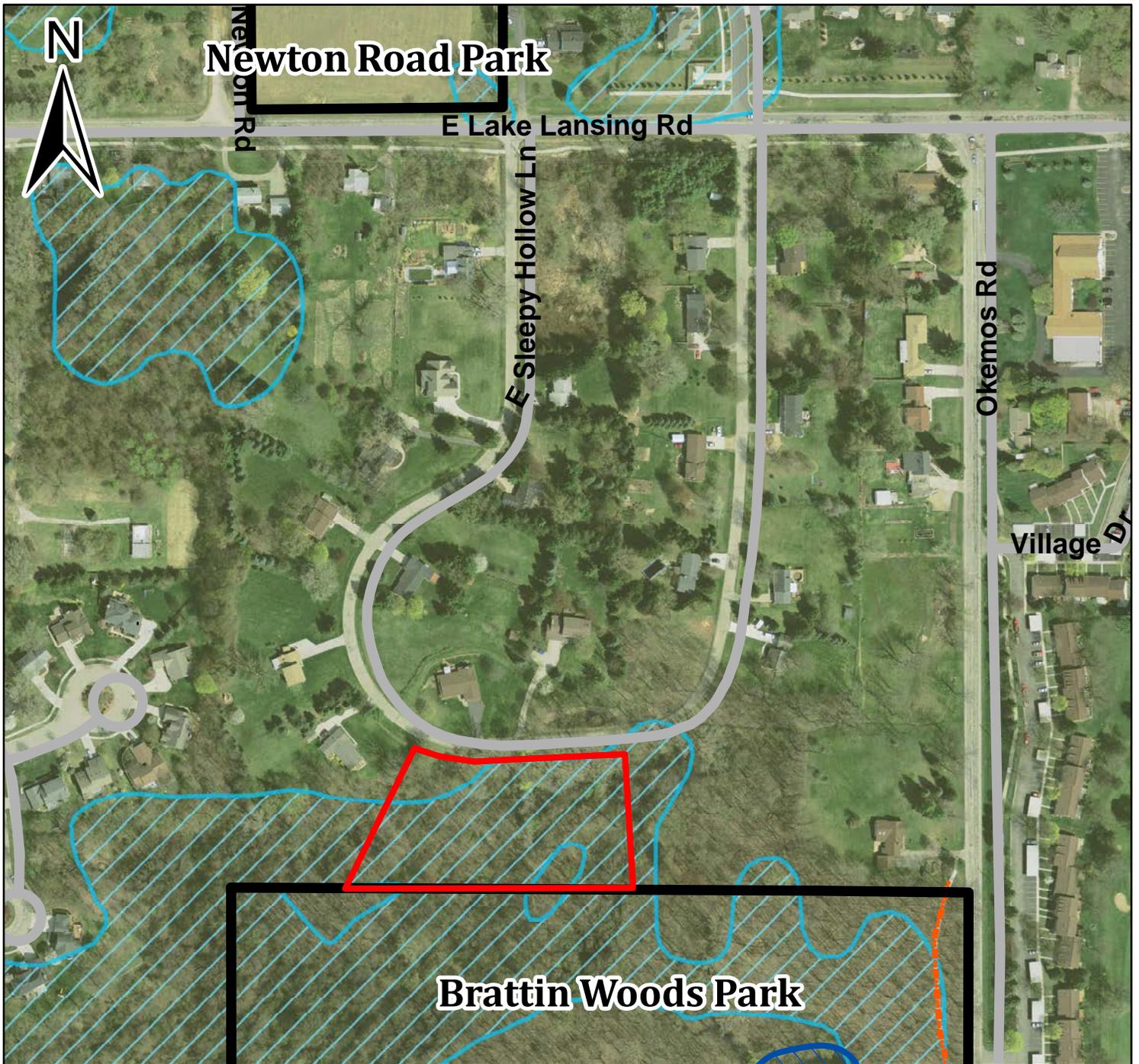
Received by Date

I (we) hereby grant permission for members of the Charter Township of Meridian Land Preservation Advisory Board, Township staff members 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 purposes of gathering information including but not limited to the taking and the use of photographs.

Marilyn E. Pennavara 10-23-18
Signature of Property Owner(s) Date

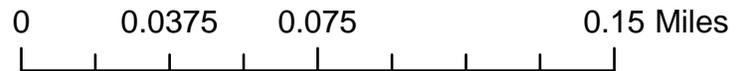
Signature of Property Owner(s) Date

Potential Donation



Legend

-  Potential Donation - 2.1 acres
-  Park Boundary
-  Wetland
-  Roads





To: Planning Commission

From: Peter Menser, Principal Planner

Date: January 25, 2019

Re: 2018 Planning Commission goals

In 2018 Planning Commission adopted goals to work on throughout the year. The 2018 goals included the following:

1. Implementation of 2017 Master Plan.
 - a. Consider development of form-based code ordinance for Potential Intensity Change Areas (PICAs) and Grand River Avenue corridor.
 - b. Develop regulations for Accessory Dwelling Units as identified in the R-3 Future Land Use Map category.
 - c. Address the revisions to the Zoning Ordinance and Zoning Map identified in the Action Plan on Page 15 of the Master Plan.
2. Update the Mixed Use Planned Unit Development ordinance.
3. Consider policy options related to “tiny” housing.
4. Identify training opportunities for new and current Planning Commission members.
5. Engage subject matter experts for presentations to the Planning Commission on policy-related topics of interest.

The Planning Commission may again choose to consider goals for 2019 and objectives that can be used to accomplish them. The adoption of goals for the year will not preclude the Planning Commission from working on other projects; they simply provide a guide for activities for the year. The Township Board adopted its own set of 2019 goals, which are attached to this memorandum. The Department of Community Planning and Development was assigned a set of goals as part of the yearly plan as well, which are also attached. It would make sense that the Planning Commission goals work to fulfill or address both sets of goals whenever possible. At a future meeting the Planning Commission can consider a motion to formally adopt a set of goals of 2019.

Attachments

1. 2019 Township Board Goals/Action Plan.
2. 2019 Department of Community Planning and Development goals.

G:\Community Planning & Development\Planning\Planning Commission\PC Goals\2018\2018 PC Goals.pc2.docx



2019 GOALS ACTION PLAN

- A. In conjunction with the Transportation Commission, and Township Board, develop and implement a strategic plan to increase our annual funding for local roads.**
- B. Complete the relocation of the Farmers' Market to the "Marketplace on the Greens" at the Meridian Mall.**
- C. Break ground on redevelopment of Downtown Okemos and Downtown Haslett.**
- D. With the support of the Transportation Commission, and Township Board, finalize and implement a long term funding plan for public transportation. The plan shall include a detailed scope for Redi-Ride services.**
- E. Continue to work to connect the Township's pathway system, including construction of the Okemos Road Boardwalk.**
- F. Work closely with Meridian Mall ownership to strengthen the vitality of the mall's future within our community.**
- G. Develop a plan to fairly negotiate new labor agreements with our seven bargaining groups.**
- H. Complete state accreditation of the Meridian Township Police Department through the Michigan Association of Chiefs of Police.**
- I. Continue to maximize recruiting and networking efforts to achieve increased diversity in our workforce.**
- J. Explore housing options and alternatives to encourage diverse populations and targeted groups to live in the Township.**

**COMMUNITY PLANNING AND DEVELOPMENT
2019 DEPARTMENT PLAN**

- Redevelopment of Downtown Okemos and Haslett
- Consider adoption of Form Base Code in portions of the Township
- Complete a plan for the review and update of the Master Plan in 2020
- Update and amend the Mixed Use Planned Unit Development ordinance
- Revise the sign ordinance so it is content neutral
- Finish updating all applications used by the Department
- Adopt 2018 International Property Maintenance Code
- Evaluate the need for an additional part-time rental housing inspector
- Streamline the scheduling of mechanical, electrical and plumbing inspections
- Evaluate providing office hours to the City of Mason for reviewing and issuing building permits
- Complete ordinances for Commercial Medical Marijuana Facilities